

The abuse of police powers to perpetrate sexual violence

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Foreword



Dame Anne Owers



Mike Cunningham

In January 2011 former Northumbria police constable Stephen Mitchell was jailed for life for a number of serious sex attacks against women he met through his job.

The abuse of police powers for purposes of sexual exploitation, or even violence, is something that fundamentally betrays the trust that communities and individuals place in the police. It therefore has a serious impact on the public's confidence in individual officers and the service in general. It is essential to ensure that systems are in place to prevent, monitor and deal swiftly with any individual who exploits that trust.

For that reason, and in the light of the Mitchell conviction, the IPCC and the Association of Chief Police Officers (ACPO) separately began examining this type of case. This joint report draws from both pieces of work. Both organisations recognised the value of sharing findings and identifying common themes, to increase public confidence that there is a commitment to tackle this kind of abuse and to assist the police service as whole and individual forces to identify and prevent it.

It is not possible to know precisely how many people have been victims of police officers or staff abusing their powers. There is no evidence to suggest it is commonplace, but nor can we be confident that all such cases are reported.

Each of the cases in this report represents a serious betrayal of the trust and confidence that individuals should have in the police. Together, they reveal a number of themes that underlie this kind of behaviour. They include the need to ensure robust standards of vetting, including for sensitive or vulnerable posts; provide effective supervision to identify worrying trends, ensure proper boundaries and respond to reported concerns;

effectively use and manage intelligence; and review individual cases in order to identify lessons. The report includes a checklist of questions for the service as a whole and for individual forces.

The behaviour described in this report has parallels with abuses carried out by other professionals, such as those in healthcare and social work and the clergy. All are people who are in a privileged position of power – and trust – within society. In the context of the police service, however, this behaviour is also a form of corruption and it should be dealt with as such.

The police service has a responsibility to do everything in its power to prevent such abuse, identify as soon as possible if it occurs, deal with it effectively and learn lessons quickly.

The report urges senior leaders in the police service to be alert and determined to root out this kind of abuse of power. All cases of serious corruption cases should be referred to the IPCC. That includes all cases involving sexual exploitation by officers or police staff, which the IPCC will prioritise and investigate independently wherever possible. Work in this area has been greatly assisted by a leading academic and two voluntary sector organisations who have specialist knowledge in this area: Professor Liz Kelly of London Metropolitan University, Davina James-Hanman of Against Violence and Abuse and Dianne Whitfield of Coventry Rape and Sexual Abuse Centre and Rape Crisis (England & Wales). Their insight and practical suggestions have been invaluable in the development of our thinking.

There is no doubt that the specialist knowledge

and services offered by these and many other national and local voluntary sector organisations could be used by the police service to assist with cases involving sexual exploitation by police officers and staff – for example, in supporting victims and encouraging reporting. This report therefore recommends that police forces establish or improve relationships with organisations that have specialist knowledge of sexual exploitation and abuse.

This report is a first step in understanding the scale and nature of the problem and setting out the way forward. More work and resources are needed to build on this foundation, learning from experience and the recommendations and insights in this report. Both ACPO and the IPCC are committed to doing so.

Dame Anne Owers

Chair

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Background and purpose

The legal powers given to members of the police service, such as arrest and detention, provide status and influence as well as allowing coercive actions. The public expects police officers and staff to protect them; that is their role. Allegations that they have failed to protect, or indeed have abused, someone who is in a vulnerable position are therefore particularly serious.

There are many ways in which such abuse might occur. This report, and the work that has informed it, was prompted by recognition of the fact that a number of cases involving sexual exploitation by police officers and staff who have abused the powers given to them are investigated every year. There was a need to examine how they might be prevented in future. One such recent case resulted in PC Stephen Mitchell of Northumbria police being convicted of five sexual offences and six counts of misconduct in public office. He received two life sentences. While this case was unusual in its seriousness it was by no means an isolated one.

No one would wish to believe that this behaviour exists, in a service which seeks to help and protect, or where it is found can be attributed to no more than 'one bad apple'. We do not know precisely how many people have been victims of police officers or staff abusing their powers; we are only aware of the individuals who have had the confidence to come forward. There is no evidence to suggest it is commonplace. However, the police service does have a responsibility to recognise it as a distinct area of corruption, and take steps to reduce its occurrence, identify as soon as possible if it occurs, and effectively deal with such cases.

This report has been produced to raise the profile of cases involving the abuse of powers by police officers and staff to perpetrate sexual abuse or violence. Supported by a number of case study

examples, the report includes a checklist of questions for the police service about the prevention, prediction, and investigation of this conduct.

Definitions and scope

This report makes various references to the perpetrators of abuse targeting individuals in ‘a vulnerable position’. For a variety of reasons, including alcohol or drug dependency, mental health difficulties or having experienced domestic abuse, this made them vulnerable to a person who wished to abuse them. However, it is important to recognise that anyone could be susceptible to a person in authority who wishes to abuse the trust and powers that have been given to them – and the circumstances in which people come into contact with police, often following traumatic or alarming experiences, may increase that particular vulnerability.

The behaviour discussed in the report has parallels with similar abuses carried out by other professionals, such as members of the medical and social work professions and the clergy. All are professionals who are in a position of power and who have a great deal of trust placed in them. However, in the context of the police service this behaviour is also a form of corruption and the report will make clear that it should be dealt with as such.

In 2011 the ACPO Counter Corruption Advisory Group (ACCAG) commissioned a questionnaire which was sent to all 51 police forces in England, Wales and Scotland. It sought to learn more about this kind of corruption in the light of a number of recent cases, including that of PC Stephen Mitchell. Some of the identified cases have been used to underpin this report.

In 2011 the Independent Police Complaints Commission (IPCC) also began a piece of work on the same topic, due to concerns about a spate of cases referred to the Commission as a result of complaints made by members of the public. The

IPCC looked at cases involving police officers or staff forming, or attempting to form, sexual relationships with members of the public they ought to have been helping in a professional capacity, and so abusing their powers. It included cases in which officers or staff had misused police computer systems in order to target individuals who might be vulnerable to abuse.

Some types of allegation were deliberately excluded because they fell outside of the specific issues dealt with in this report. Allegations made by members of the police service about a colleague were not included, nor were allegations of sexual assault following some type of police search made by a person in custody. Nevertheless it is highly likely that there are connections and overlap between these kinds of abuse and further work will be required to explore this.

Between 1 April 2009 and 31 March 2011, 54 of the 5147 cases referred to the IPCC fell within the definition. However, as the IPCC report *Corruption in the Police Service in England and Wales* noted, there are considerable inconsistencies in the referral of corruption cases in general to the IPCC by different police forces. It is therefore possible that the true figure is higher.

This report draws on information from the IPCC’s and the Association of Chief Police Officer’s (ACPO) earlier work. Both organisations recognise the value of sharing findings and identifying common themes so the public can have the confidence that this kind of abuse is being tackled and the police service as whole and individual police forces are better equipped to identify and prevent it.

Case studies

The following case studies are taken from a larger sample of cases investigated both with and without oversight by the IPCC from 2008 onwards. They have been chosen for this report because they clearly illustrate a number of themes common to cases involving abuse of powers and sexual exploitation. These themes are discussed in the conclusions section of this report.

Case study one

A police officer pleaded guilty to a charge of misconduct in public office and resigned from a police force during an investigation managed by the IPCC.

The investigation began after a woman complained to police that she had been raped by a police officer. The woman, Ms Z, came into contact with the officer when she made an emergency call saying she felt suicidal. A number of officers went to see her. They left after making sure she was no longer having suicidal thoughts, and having made arrangements for her to stay with a friend. One of the officers later went to the house where Ms Z was staying, where the offence occurred.

Ms Z was known to police, who were also aware of previous mental health difficulties. When she contacted the police she was also heavily intoxicated. The perpetrator would have known this.

The officer initially provided 'no comment' answers to questioning by police. After DNA evidence was found at the house Ms Z had stayed in, the officer told police that a sexual act had taken place, but it was entirely consensual and had occurred on a different day. He later resigned.

The investigation did find two further issues. Between the time that the offence took place, and Ms Z reporting it to a police officer she knew and trusted, she had made a number of emergency calls to the police. During the course of these conversations she had alluded to being assaulted by a police officer. Reports relating to these conversations recorded that the caller was thought to be intoxicated and was incoherent to varying degrees. Nevertheless, the police missed several opportunities to ask more questions and help Ms Z. All of those who came into contact with her during these exchanges received advice from a senior officer about the consequences of their handling of telephone calls from Ms Z, with the intention that they learn from what happened.

The investigation also found that after being suspended from duty the officer contacted several colleagues telling them about the investigation and admitting that a sexual act had taken place. None of the officers reported what they had been told. All received advice from a senior officer, or a written warning, as a result.

Following this investigation the police force concerned began raising the profile of this kind of misconduct: A formal message from the Deputy Chief Constable about the implications of this kind of misconduct and proper professional relationships with members of the public was disseminated to all officers and staff.

This case contains two very worrying issues. Several opportunities were missed to identify what had happened and help Ms Z. Ms Z's accounts of what happened were consistent during the investigation. However, when she first made the reports she was often intoxicated, and the assault was sometimes alluded to during other reports made to the police. Those talking to her were

aware of her mental health difficulties and intoxicated state. It seems likely that as a result of these two factors call handlers did not take what Ms Z was saying seriously. Ms Z herself told investigators that she had not reported the offence immediately because she did not think she would be believed.

The officers who were contacted by the perpetrator during the investigation had a duty to report his improper conduct; that he had told them about a sexual encounter he had with someone he came into contact with through his role as a police officer. The officer was held in high regard by his colleagues, and this may have impacted on their behaviour. However, why they ignored that duty and did not report what they had been told is not clear. Did they consider his behaviour acceptable? Did they feel uncomfortable approaching someone about it? Did they think if they did report it, it would impact negatively on them? Did they just not want to become involved because they were aware that the officer was already under investigation? All of these possibilities suggest that the police force concerned needed to raise awareness about sexual abuse cases and review whether their policies for officers and staff reporting concerns about colleagues might be improved.

Case study two

Following an investigation managed by the IPCC a police officer was convicted of misconduct in public office, one offence of making indecent images of children, and several counts of possession of indecent images of children. He was sentenced to three months imprisonment.

The investigation identified that he used his position as a police officer to legitimise contact with a teenager, living in bed and breakfast accommodation with her teenage sister, following difficulties within their family. After going to an incident at the family home, the officer began regularly contacting the teenager by telephone and meeting her while on duty. He had no further reason to contact the family, and his supervising

officer was unaware he had done so. Despite this the officer later tried to justify his ongoing contact as being motivated by concern for the welfare of the victim and her sister. The officer was aware of social services involvement with the family, that they suspected the victim was misusing drugs and alcohol, and had concern about the adverse influence of their group of friends.

After several meetings the officer, while on duty, visited the victim, who was alone. In interview he described that sexual contact took place, which he perceived to be entirely consensual. The investigation report noted that in interview the victim appeared timid, and unable to talk about sex directly. She was also thought to have mental health difficulties. Nevertheless, the officer appeared unable to comprehend the victim's vulnerability, or that he had abused his position as a police officer by pursuing her.

The investigation report detailed that some months before the above assault the officer was warned about his behaviour after making inappropriate sexual comments to a member of the public.

Robust monitoring in the light of the previous allegation, leading to more intrusive supervision, could have identified this officer's behaviour earlier.

Case study three

Following an investigation managed by the IPCC an officer was dismissed from the police service for misusing police computer systems.

The investigation found that the officer carried out 176 unauthorised checks on females over a three year period. Forty-eight of the checks were carried out after the officer received a written warning for misuse of police computer systems relating to checks on himself, his vehicle, and his family.

An investigation was launched following an allegation made by social services. The initial

investigation had focused on a possible offence of engaging females under the age of 16 in sexual activity. It found no evidence to support this. However, the existence of robust IT audit mechanisms identified additional unauthorised checks undertaken by the officer concerned. The women identified were contacted to find out whether they knew the officer, and if so, what the nature of their relationship with him was.

In common with some of the other cases in this report, the police officer involved misused police computer systems to identify women. It is conceivable that his behaviour would have escalated in the same way as the other cases discussed had it not been discovered.

Case study four

An officer resigned following an investigation managed by the IPCC into allegations that he had conducted a number of relationships with women in a vulnerable position while on duty. The conduct occurred over a number of years. The investigation was referred to the Crown Prosecution Service which concluded that there was insufficient evidence to prosecute the officer for a criminal offence.

The investigation began following intelligence received about the officer's behaviour while on duty. It covered a four year period and ended with his suspension.

The investigation identified that the officer had a sexualised relationship with at least six women, all of whom he met as a result of his role as a police officer, and two of whom were in a vulnerable position. The investigation identified a further four women with whom the officer had attempted to instigate relationships. The investigation found that the officer sent a large number of texts using a private phone while on duty. It concluded that the officer's behaviour had escalated following his transfer to a more rural post with less supervision. Three officers who had worked with the officer provided statements to the investigation stating that

having worked with him they had concerns about his conduct towards female members of the public. A member of the public also provided a statement describing how she had wanted to begin a petition to remove the officer from policing the local area because his behaviour around women was felt to be inappropriate. Other colleagues stated that the officer was not a team player and they did not engage with him professionally because they disapproved of how he carried out his duties.

Whilst working for a different police force the officer was given words of advice about his conduct after being found in an area frequented by prostitutes.

Though the officer's conduct was brought to the attention of the Professional Standards Department by his supervising officer, it is apparent that this officer's behaviour continued for a significant period of time before it was identified. This was despite intelligence both internally and from members of the public that the officer's conduct was, at the very least, a matter for concern. This raises questions about the level of supervision the officer received. It also prompts questions about the procedures in place for fellow officers and staff to raise their concerns regarding the unacceptable or suspicious behaviour of colleagues, in addition to their levels of confidence in reporting.

Case study five

A police officer was convicted of five offences of misconduct in public office and received a prison sentence following an investigation managed by the IPCC.

Two complaints were received from members of the public about the officer. The police force began a covert investigation into his conduct. This identified a pattern of behaviour whereby the officer would use police computer systems to search for and target individuals who might be vulnerable to abuse, and then attempt to develop a sexual relationship with them.

The investigation identified four women with whom the officer had had a sexual relationship. Three of these were considered to be in a vulnerable position and one of the relationships had taken place more than 20 years earlier.

One of the women, Ms B, was 17 years old and was living in a hostel for vulnerable adults with drug or alcohol dependencies and mental health issues. On several occasions the officer gave Ms B money, which was seemingly used to buy alcohol. He requested sex, which was refused. A friend of Ms B complained to a local inspector about a police officer, identified as the officer under investigation, supplying alcohol to Ms B. It would seem that beyond speaking with him, no further action was taken and the matter was not recorded.

Another of the women, Ms C, was dependent on alcohol. The officer and a colleague went to her home to serve a summons upon her. The officer's colleague later described Ms C as being five on a scale of one to ten for drunkenness. The officer later returned alone to the home of Ms C, where he was later alleged to have sexually assaulted her. The officer was not prosecuted for sexual assault because of a number of inconsistencies in Ms C's account felt to be caused by her dependency on alcohol.

The investigation found that the officer had on several occasions improperly disclosed information to some of these women, seemingly in an attempt to obtain sex.

The investigation report noted that the officer had two previous disciplinary findings against him. Both concerned inappropriate sexual behaviour. These were not considered when he applied for a role in the force's public protection unit.

The investigation made two learning recommendations. Firstly, that the professional standards department should maintain a register of disciplinary findings against officers which are of a sexual nature or involve behaviour towards a third party that might be prejudicial to a further role within the force. Secondly, that the force should consider implementing a tiered access

system to personal telephone numbers of individuals held on intelligence systems so that there is no general access for all police staff.

The fact that the officer's behaviour continued for a number of years raises questions regarding the kind of supervision he was subject to. The fact that he had two related disciplinary findings against him, prompts questions about the level of monitoring of his behaviour subsequent to these allegations and prior to his application to a public protection unit. Robust auditing of computer use could have identified the officer's misuse at an earlier stage. Additional or specialised vetting for applications to such units would have been likely to have highlighted his conduct history and raised serious questions about suitability for the post.

Case study six

An officer resigned from the police service and was later convicted of a number of computer related crimes following an investigation managed by the IPCC.

An investigation began after a man made allegations of sexual assault against the officer. Insufficient evidence was found to support a prosecution in relation to the alleged assault. However, following extensive auditing of the police force's computer systems, the investigation found that the officer had improperly accessed police computer systems on hundreds of occasions over a significant period to check information about a number of individuals.

In interview the officer admitted these searches were entirely for personal use; to find the home addresses of the persons searched, view photographs and, in some cases, contact the individual in order to pursue a sexual relationship. A number of these individuals were considered to be in a vulnerable position as a result of their individual personal circumstances.

There are several familiar themes in this case. The police officer was able to make hundreds of improper searches of police computer systems

over a significant period of time to target individuals for sexual purposes. What is different here is the officer targeted men. Though this type of crime disproportionately affects women and girls, some victims will be male or transgendered individuals.

In common with some of the other case studies, this case raises questions about the kind of supervision the officer worked under, the possible need for auditing the use of police computer systems, and the effectiveness of warnings to users about the consequences of misuse: Every time the officer in the case conducted a search a warning about misuse appeared on his computer screen, which the officer felt able to ignore.

Conclusions

The case studies detailed in this report illustrate a small selection of investigations reviewed by ACPO and the IPCC which were completed in recent years and involved allegations of sexually predatory behaviour by police officers or staff. It is possible to draw a number of conclusions and these are discussed below. However, in addition to commenting on what has already happened, the appendix to this report addresses how these kinds of cases might be prevented and predicted, and where misconduct does occur how it should be effectively investigated.

In some of the cases described in this report, concern about the officer's conduct might have been identified by more effective supervision, such as the auditing of IT use and records relating to work patterns. In some cases the investigation also found issues with the officer's conduct prior to joining their current police force or the police service as a whole. It follows that in order to prevent or minimise these cases occurring police forces need to ensure safeguards have been put in place.

Vetting

In a number of the cases examined, the police officer or staff member who was the subject of investigation had previously worked in a public sector or service environment, such as the armed forces. These cases might have been prevented had the person been vetted out or at least monitored (depending upon the circumstances) following an examination of their conduct history. This would require the effective sharing of information (subject to data protection legislation) between government employers such as the police service and armed forces. Consideration should also be

given to requesting the disclosure of such information from any previous employer, whether in the public or private sector. As the case studies illustrate, there are compelling reasons for such information disclosure requests to be routine during the vetting process.

The police service now has a national vetting policy. It says that individual police forces should create a red flag intelligence marker on the police national database for any officers who have intelligence held about them which all police forces should have access to. This should be checked where officers or staff wish to transfer to a different police force. The policy also makes various references to making checks with previous police forces for vetting purposes. Obtaining a full intelligence profile and conduct history prior to a transfer between police forces is likely to further reduce any risks in the vetting process, and for this reason this should always be carried out. Likewise, it is vital that police forces should be clear about the reasons for a person leaving their employment where this is related to their conduct, and that individuals should be made aware of their responsibility to do so.

The police service has recently been exploring the possibility of using contracted staff in increasing numbers. The IPCC has highlighted a potential gap in accountability and called for the same powers over the conduct of contracted staff as it has over staff employed directly by the police. Regardless of this, it is expected that the same robust checks carried out on direct employees will be carried out in relation to contracted staff.

Police forces should maximise every opportunity to prevent, or at least reduce, the likelihood of police

officers and staff from engaging in the behaviours described within this report. Enhanced internal vetting procedures should be implemented for staff applying for specified sensitive or vulnerable posts. Police forces should identify what these posts are, as appropriate, and according to internal police force structures. However, as a guide, areas for consideration should be: child and adult protection, domestic abuse, missing persons, prostitution, sex offender management, and public protection (this is not an exhaustive list). Overall, there should be a tiered approach: effective initial vetting followed by enhanced vetting for those who apply for specified sensitive or vulnerable posts, reinforced by supervision, tailored to the particular role of those in such specialist posts.

Supervision

One of the issues raised in these cases is whether these officers would have been discouraged from their behaviour had more effective methods of supervision been in place. There is a balance to be struck between supervision and resources. It is evident though that, for example, intelligence led dip sampling of IT use might have identified the officers in case studies three, five and six. This would have identified that they were misusing police computer systems and might have led to an examination of their conduct and performance generally. As a guide, intelligence could include a particular 'trigger' concerning the officer's method of working, for example, whether they have a penchant for arresting women or stop checking sex workers. Perhaps they always volunteer to respond to domestic violence incidents or deal with young persons who are missing from care. In order to gain additional information to target individuals in these situations, an officer or member of staff might use police IT systems improperly or illegally. There is, of course, a balance to be struck. No one would wish to see those with a genuine interest or desire to assist victims of domestic abuse, for example, to be deterred in case they are viewed negatively. However, supervising officers need to be alert to such signs.

In order to effectively manage staff, all parties

need to understand what is expected of them. A number of the officers discussed in this report came into contact with individuals in an extremely vulnerable position through their work every day. There is also some evidence to suggest that the behaviour as described escalated over a period of time. This is supported by what is known about how the behaviour of sexual offenders can escalate over time. For example it might move from indecent exposure, sexual touching, and more serious sexual assault to rape. In some cases their fellow officers knew or had suspicions about their conduct.

Police officers who work on the front-line are expected to manage difficult situations on a day-to-day basis. Clear boundaries about what is acceptable behaviour and what is not will assist and give confidence to supervising officers and colleagues to recognise and deal with worrying behaviour, and identify early indicators which they might think are inappropriate but fall short of misconduct.

It is important to recognise that not all cases of abuse involve the extremes of behaviour described in the case study examples, and the behaviour exhibited by the perpetrators in these cases is likely to have been rather more subtle to begin with, becoming more extreme over time as it went unchallenged. Boundaries should be aimed at behaviour which falls short of pursuing a sexual relationship, but is nonetheless inappropriate - for example, continuing to text or phone victims of crime or offenders following initial contact, being overly friendly and familiar, or displaying an unusual interest in or preference for attending a particular type of incident, and not wanting to work within a team to do so. Once again, it is important not to prevent or discourage officers from offering appropriate support and sympathy, but to be able to recognise and have a clear understanding of behaviours that may be precursors, or indicators to inappropriate conduct. If supervisors and colleagues are alert to how such behaviour might escalate, it can be monitored, stopped, and dealt with properly.

In terms of the police standards of professional

behaviour, code 10 deals with discreditable behaviour, and would be relevant in the kinds of cases discussed in this report. This does not explicitly set out information about boundaries, and is not detailed enough to address the subtleties of behaviour talked about here. A short but specific code of conduct for police officers in respect of relationships with users of the police service should be considered as a clear description of the boundaries. Other professions, such as the medical profession, have similar well-established codes.

It is crucial that a culture of reporting improper behaviour is nurtured and supported by providing staff with the opportunity to voice any concerns they may have confidentially, in the confidence that they will be properly dealt with. In this regard, mechanisms for reporting concerns should not only exist but must be promoted and set within a context and culture which encourages reporting in such cases. Staff are unlikely to make use of them otherwise.

The overall impression from the case study examples is that supervision was ineffective. There are examples of supervising officers not knowing what their staff are doing, or where they are for significant periods of time, of complaints being made, or concerning behaviour being brought to their attention and either ignored completely, or managed poorly. As part of the code proposed by this report, supervising officers should be provided with a clear message about their responsibilities in addressing allegations involving their staff, along with the support to do so with confidence.

Intelligence

Most of the officers discussed in the case study examples had a history of questionable and inappropriate sexual conduct to varying degrees. Police forces should establish some simple procedures to enable professional standards departments and/or anti-corruption units to predict where this kind of conduct might occur.

In a number of the case studies, opportunities

were missed to capture and act upon information about the officers' conduct. This includes information about behaviour towards colleagues, as well as members of the public. There are various methods by which this information might have been identified. All revolve around clear and confident methods of reporting concern, and effective gathering and use of intelligence aided by an effective IT intelligence management system accessible to key people within anti-corruption units and professional standards departments. Effective communication of any intelligence between supervising officers, HR departments, professional standards departments, and/or anti-corruption units is equally important.

It should also be acknowledged that the background of individuals in a vulnerable position means that they might not be believed if they come forward to report inappropriate behaviour. It is likely that this is the reason they were targeted by the perpetrator in the first place. Though the vast majority of victims are female and perpetrators male, this is not always the case. There is also a need to be open-minded about those who might be the victims, and those who might be the perpetrators of such abuse. Cases exist of female officers and staff who perpetrate such behaviour, as well as instances of men targeting men.

The risk of overlooking potential intelligence may be minimised and the effective investigation of cases maximised through some basic standards: effective management of intelligence by harnessing specialist knowledge within and between police forces, and establishing minimum requirements for both the handling of intelligence and the investigation of these kinds of cases.

In all of the case study examples the officer in question received a criminal conviction and/or was removed from the police service. Much can be learnt from them about the effective investigation of these types of cases. This is illustrated through the questions posed about investigation techniques in the appendix to this report.

There are also specialist organisations where

advice might be sought. When managing investigations involving children or young people, for example, advice can be obtained from the Child Exploitation Online Centre (CEOP) at www.ceop.police.uk. CEOP's operations faculty is able to provide specialist, practical support or advice to police forces in the investigation of cases involving children. In relation to computer forensics, offender profiling, and specialist interview strategies. CEOP has its own social work team made up of staff from the NSPCC and other experienced social workers, and can also assist with child protection and safeguarding strategies or advice which may well be of assistance.

Many voluntary sector organisations also have specialist knowledge and services which can be used to assist in the investigation of these kinds of cases, for example in supporting victims and encouraging reporting. The police service as a whole, and individual police forces, should examine whether they can establish, or improve existing relationships with those organisations nationwide and in their local area.

Learning

What is missing from some of the cases described in this report and many of the cases examined is any indication that, following the completion of the investigation, the case was reviewed in order to identify learning.

In many cases the officer's conduct was considered to be an isolated case of appalling misconduct and the opportunity was not taken to examine the surrounding circumstances. When these cases occur, the police force concerned needs to ask a series of questions. For example, were there any local factors that allowed this kind of misconduct to begin and escalate? Is there any learning, or are there policy gaps? What steps should the police force take in order to reduce the risk of this kind of behaviour occurring in the future? The police service should not miss the opportunity to examine individual cases to identify organisational learning.

Recommendations

The IPCC and ACCAG recommend that police forces examine the checklist at the appendix to this report, which supports and underpins the report's conclusions, to satisfy themselves that they have sufficient policies, procedures, and safeguards in place for the prevention, prediction, and investigation of this kind of case.

The police service should consider creating a short, specific code of conduct setting out required standards of behaviour between police officers and staff and those who use the police service or come into contact with police. This should also set out the responsibilities of the supervising officer in addressing any concerning behaviour.

The second IPCC report on police corruption concluded that referral of cases involving corruption has been inconsistent across police forces, and that chief constables must ensure that cases meeting the mandatory referral criteria are referred to the Commission at an early stage. This report confirms that many of the cases examined were not referred at the appropriate stage, which reiterates the same point, and the need for chief officers to be alert to referral trends and comparisons with those in other police forces.

The IPCC and ACCAG have produced two template documents relating to the investigation of cases similar to those discussed in this report. The first, an investigation checklist, is intended to illustrate the lines of enquiry that should be undertaken when investigating cases of this sort. The second relates to the formal case review of abuse of powers investigations, and the proper scope of a review of this type. These documents have been produced in the light of this report and the cases that have informed it. As such the IPCC and ACCAG expect police forces to apply them to relevant investigations.

Appendix: Checklist of questions for the police service

Prevention

Supervision

1. Are records such as pocket notebooks, overtime forms, and expenses forms regularly sampled for completeness and accuracy?
2. Is there a consistent and robust handover process in place in your police force where there is a change of supervising officer?
3. Do supervising officers receive training in standards and values as part of their training for that role?

Standards of professional behaviour

4. How is information about standards of professional behaviour presented to new police officers and staff in their training, and how is this reinforced to more experienced members of staff?
5. Where people are registered as covert human intelligence sources, are their particular circumstances subject to risk assessment?

Vetting

6. Are vetting procedures sufficiently robust to identify potential concerns with staff who have previously worked for the police service? For example, what led to them taking a break?
7. When staff transfer from another police force, is a full intelligence profile and conduct history requested and reviewed?
8. Are disciplinary or complaint outcomes reviewed in relation to current and changing roles within the service?
9. Have sensitive posts been 'designated' by the

deputy chief constable for enhanced vetting? Does this focus on the candidate's suitability for the post and protection of the public?

10. When staff transfer to the police service from the military, or other government employer, is their conduct and discipline history subject to review (subject to data protection legislation)? Are full references obtained from previous private sector employers?
11. Are there robust lines of communication between HR departments, vetting units, and professional standards departments/anti-corruption units? How is individual performance monitored?
12. If vetting does expose previous conduct issues, how is this dealt with? If allegations were not upheld would further information be sought from those who investigated?
13. Where a member of staff comes to attention for matters relating to the alleged abuse of their position is a 'vetting health-check' triggered?

Training

14. What specific training (as opposed to 'familiarisation') have your staff (particularly those in front-line posts) had to work and interact with people who have vulnerabilities relating to mental health/learning disability/substance misuse/domestic violence etc? If nothing is in place, police forces should develop training in this area.

Prediction

Supervision

15. Are you content that your supervising officers

can account for the way in which their officers spend their time? Is there adequate monitoring of attendance management, sickness etc?

16. Would supervising officers be able to identify (bearing in mind the nature of their role) excessive amounts of time, or disproportionate interest in women, or vulnerable groups, including sex workers?
17. Is there a framework in place to assist them, should a prominent interest in vulnerable groups be suspected? For example, by monitoring arrests, stop checks, fixed penalties issues to such groups, and attendance at particular incidents such as domestic violence, absences from care, or missing from homes.

Patterns of behaviour

18. What policies are in place within your police force to identify and monitor patterns of behaviour that might be cause for concern?
19. If a complaint relating to inappropriate sexual conduct is made (whether a public or internal complaint) would this trigger:
 - An automatic review of the individual's complaint history?
 - An immediate investigative strategy to trawl IT use, timekeeping, and patterns of overall behaviour as opposed to simple reactive work around the isolated incident?
20. Are computer records (including police national computer, Scottish intelligence database, and police national database) routinely dip sampled to ensure proper use and identify any concerning patterns? For example, continuing to text or phone victims of crime or offenders following initial contact, being overly friendly and familiar, displaying an unusual interest in or preference for attending a particular type of incident or dealing with those in a vulnerable position.

Intelligence/communication with outside agencies

21. Does your police force have the capability to monitor access to IT by individual officers, for

example police national computer and other checks apparently targeting particular groups?

22. Does your police force have adequate procedures for reporting concern by colleagues and supervisors (including confidentially)? If so, is their effectiveness regularly reviewed? Are these processes publicised?
23. Would outside individuals or agencies, such as social services and organisations from the voluntary sector, be able to easily report concern about individual police officers? How would this intelligence be handled?
24. Does your police force have the analytical capability to manage intelligence relating to allegations of abuse of powers?
25. Does your police force have effective relationships with local voluntary sector organisations dealing with specific groups, such as women's centres and those offering support to people living with mental illness or learning disability, or with substance misuse problems? Could these relationships be strengthened?

Precursors

26. Would your police force be able to pinpoint potential precursors to this type of behaviour?

Investigation

27. Does your police force have sufficient resources within its professional standards department/anti-corruption unit? Can resources be drawn from other departments or sister police forces where necessary?
28. Does your police force have relevant Memorandums of Understanding in place with sister police forces to enable sharing of technical, intelligence, and audit capabilities in order to allow for the effective investigation of specialist investigations, such as abuse of powers?

29. Would best practice guidance on the

investigation of abuse of powers cases benefit your police force?

30. If concern was identified about a member of staff, or intelligence received, would this routinely prompt consideration of the use of covert methods of investigation, particularly where there are likely to be issues of credibility and/or reliability of witness evidence?
31. Are case reviews routinely conducted on conduct investigations relating to corruption-type allegations to maximise opportunities for learning?
32. Are you confident that your police force would automatically refer such a case to the IPCC? Would this be done as soon as practicable and in any case no later than the end of the following day after it becomes clear that a matter must be referred?

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