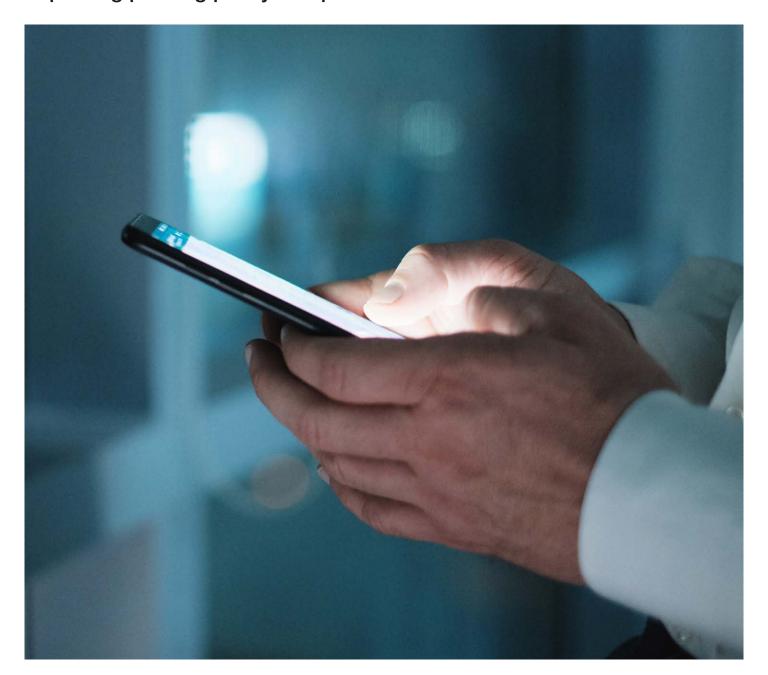
LEARNING THE LESSONS



Improving policing policy and practice



ABUSE OF POSITION FOR SEXUAL PURPOSE (APSP)

ISSUE 40 May 2022

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Supporting survivors of police abuse of position

When a police officer or member of police staff abuses their position for sexual purpose it has a significant impact on the survivor and more widely on confidence in policing. Abuse of position can include a wide range of different behaviours, including emotional or sexual abuse, and can include single or prolonged contact with the police.

The cases identified in this issue reflect the key themes that we have seen from our work. Concerningly, we are seeing evidence of police officers and police staff abusing their position for sexual purposes towards people with identified vulnerabilities, who have turned to the police for support at a time of need. All members of the public, and in particular those who are vulnerable, must be safeguarded.

All members of the public, and in particular those who are vulnerable, must be safeguarded

Our cases have also demonstrated the blurring of boundaries between personal and public use of mobile phones and social media by police officers. Misuse of police systems and poor understanding of what constitutes a proper policing purpose for accessing information about victims is also a recurring theme.

We have found evidence of interaction between police officers/staff and survivors escalating quickly. For example, having significant volume of contact in a short

space of time. Police officers and staff must set clear boundaries for the nature and frequency of contact with members of the public. Inappropriate contact by a personal or work device is an abuse of position.

We have also identified the need for police officers to recognise and act on conflicts of interest, for example when engaging with members of the public that they may have had prior contact with in their private lives. Relationship dynamics differ when a police officer is acting in a policing capacity, and can result in an abuse of position.

Our cases in this issue have also demonstrated the need for police officers/staff to feel safe and encouraged to report inappropriate behaviour of colleagues. It is also important for forces to join up intelligence about officers and staff to identify patterns of behaviour and prevent further abuse.

Importantly, we recognise the amazing strength and courage of survivors who have spoken about their experience and identified police officers and staff who have abused their position for sexual purposes. We must also recognise the role of family members, friends, colleagues and outreach workers who have encouraged survivors to tell their story. Survivors who report police abuse of power must feel safe, supported and believed.

Michael Lockwood

Director General.

Independent Office for Police Conduct

Content warning

This issue contains descriptions of abuse of position for sexual purpose. Reading this magazine can have an emotional impact. There are support organisations you can contact if you are affected by the content in this issue. Please see page 55 for more information.

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Key to case topics

Call Handling

Custody and detention

Mental health



Neighbourhood policing



Professional standards



Public protection



Guidance

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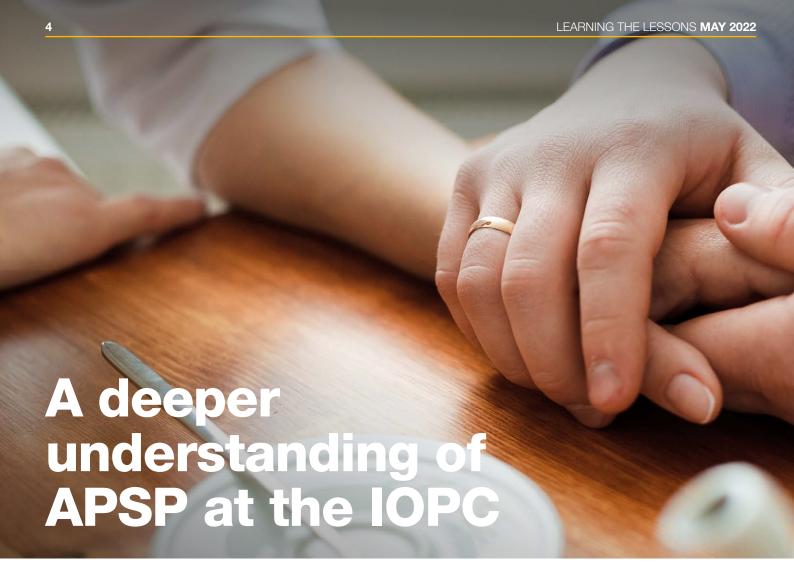


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Abuse of position for a sexual purpose (APSP) is now the single biggest form of corruption we deal with at the IOPC – but it has not always been this way. Here we discuss how our understanding of APSP has evolved and how we continue to learn.

APSP is not a new problem. In the last decade a huge amount of effort has gone into understanding, recognising and raising awareness of this issue.

For over ten years, work has been taking place right across policing to help root out those who betray the trust placed in them by the public, undermining the hard work of their colleagues, and seriously damaging confidence in the police.

In 2017 our predecessor, the Independent Police Complaints Commission, published new guidance for forces. They encouraged the Home Office to change the mandatory referral criteria to make it clearer that these cases must be referred to us.

The significant and sustained increase in cases we now see, and investigate, has helped develop a far deeper understanding of APSP. Our dedicated subject matter network (SMN), set up to identify learning from these cases and share best practice, has been at the heart of this.

Regional Director Derrick Campbell, who chairs the

SMN, said: "When police officers or staff abuse their position for a sexual purpose this is serious corruption and it has absolutely no place in policing.

"We are incredibly grateful to the brave people who have spoken out about the inappropriate behaviour they have experienced or witnessed. We recognise that is even harder to do when the person works for the police.

"APSP is an appalling abuse of the public's trust and has a devastating impact on the lives of people, who may often be in a vulnerable situation."

Escalating behaviour

Our investigations have shown that APSP can take many forms and includes a wide range of behaviours. In some cases, the contact is a one-off, while in others the behaviour can continue for a year or more. Some behaviour may appear harmless at first – such as sending messages from a personal phone or kisses at the end of a text message – but can be the start of a pattern of escalating behaviour.

In one such case, a panel found a former officer would have been dismissed after we found evidence he attempted to pursue an emotional or sexual relationship with two women he met in the course of his duties. In both cases contact began as overly-friendly messages before progressing to more significant contact, and, with one of the women, forming a romantic relationship. He also sent inappropriate messages to a third woman.

We also see cases where those targeted by perpetrators of APSP may not realise what is happening is wrong, or may feel too uncomfortable to speak up. Yet we have seen several cases where the courage of one person in coming forward uncovers a worrying pattern of behaviour affecting others too.

And it is important to note we have seen that this behaviour is not confined to specific ranks, roles or forces. That is why we have focused on driving change right across policing to make sure this kind of behaviour cannot go unchecked.

Identifying learning

Learning is a key part of our work. With the help of the SMN, we have made 24 recommendations, nationally and locally, following APSP investigations. This has led to the development of specific training for officers and staff; one force updating its social media policy; and another improving supervision for PCSOs.

Mr Campbell added: "Our work is not just about punishing those who break the rules – we want to stop it happening altogether and that is why the learning we identify is so important.

"Each case reported represents a serious betrayal of the trust and confidence that individuals should have in the police and only undermines the hard work of the vast majority of police officers, who do incredibly difficult work with a clear intent to serve the public.

"From our work, it is clear there is a real desire right across policing to root out those responsible and we all have a role to play.

"There are many cases where colleagues have come forward to report inappropriate behaviour they have witnessed. Colleagues calling out poor behaviour should be the norm and not the exception. For this to happen, officers need to feel protected in an environment of zero tolerance."

Police officers and staff can report concerns of criminal behaviour or misconduct via our whistleblowing line. Email reportline@policeconduct.gov.uk or call 08458 770 061. ■

Timeline

The understanding of APSP – and the way it is dealt with right across policing – has evolved over the last decade. Some of the work involved is detailed below:

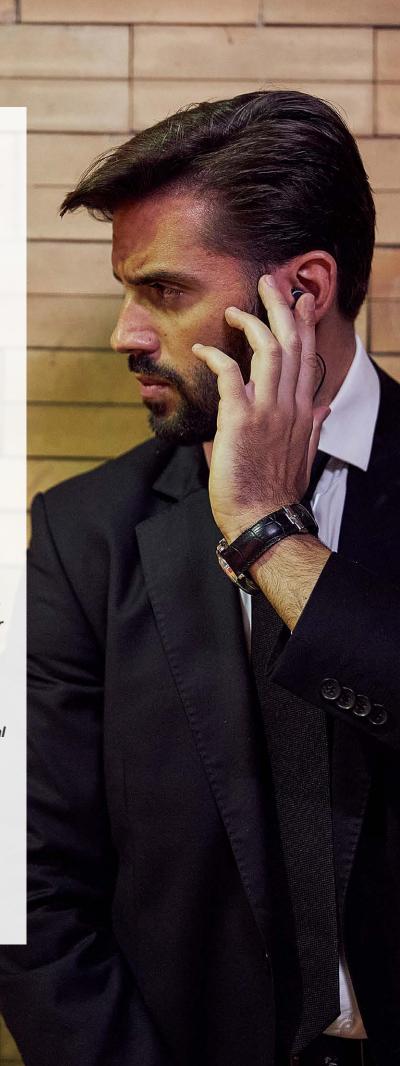
- 2011 A questionnaire commissioned by the Association of Chief Police Officers (ACPO) was sent to all forces to gain a better understanding of APSP. At around the same time, and following an increase in referrals, the IPCC began to research the same topic.
- **2012** The IPCC and ACPO published a report containing a checklist for police forces to use to prevent, detect and investigate APSP.
- **2014** Following on from our work, the College of Policing's Code of Ethics came into force, including a section specifically mentioning APSP.
- 2016 Her Majesty's Inspectorate of Constabulary (HMIC) published its assessment of the effectiveness, efficiency and legitimacy of police forces (PEEL) assessing how well forces were preventing and seeking out corruption. It included a specific focus on APSP.
- 2017 The IPCC published guidance for forces when referring allegations of APSP. We also contributed to a HMIC report on APSP, which included findings based on its own investigations.
 We also identified some cases of APSP were not being referred as required by legislation. After we raised it with HMIC and the Home Office, the mandatory referral criteria were changed to make this requirement more explicit.
 The National Police Chiefs' Council (NPCC) published guidance for police on maintaining professional boundaries with members of the public.
- **2018** Our work with forces to help them better understand the new referral criteria led to a significant and sustained increase in APSP referrals.
- **2019** Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) PEEL spotlight report 'Shining a spotlight on betrayal', focused on the issue of APSP. It highlighted the fact forces were not doing enough to prevent officers abusing their position for a sexual purpose.
- **2021** We issued a national recommendation to the NPCC following one of our investigations. This called for training on APSP for officers, which should be recorded and auditable. This was one of the 24 APSP-related learning recommendations we have made since 2018.

What is abuse of position for a sexual purpose?

The National Police Chiefs' Council (NPCC) defines abuse of position for a sexual purpose as:

'any behaviour by a police officer or police staff member (including volunteers or staff contracted into police roles), whether on or off duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public' (a member of the public does not have to be vulnerable for the definition of abuse of position for a sexual purpose to be made out, however the vulnerability of the member of the public may be an aggravating factor). This includes: committing a sexual act, initiating sexual contact with, or responding to any perceived sexually motivated behaviour from another person; entering into any communication that could be perceived as sexually motivated or lewd; or for any other sexual purpose.'

This definition is set out in the revised NPCC strategy on the abuse of position of trust for sexual purposes launched in 2021.



CASE STUDY 1





Inappropriate behaviour and access to victim's details



A woman contacted the police to discuss a domestic incident she had reported eight years previously. The woman said she had phoned the police about this incident on the advice of her therapist in order to "lay it to rest".

The call was answered by an officer who worked on the force's dedicated desk for dealing with enquiries from victims about their own crime records. Calls to this line are not recorded.

The woman said she felt several comments made by the officer during the call were inappropriate. For example, the woman said when she gave the officer her age, he remarked that she sounded a lot younger. The woman also said she told the officer he must have other people he needed to speak to. The officer replied he probably did but they would not be as "lovely" to talk to as her. The woman said she did not feel comfortable with this response, however she also felt reassured she could continue to offload about the incident to a "professional ear".

The woman said the officer asked for her phone number so he could call or message her. The woman said she did not feel this was the right thing for the officer to have done. However, she told the officer he could retrieve her details from force systems. The officer said he took the woman's number either from

The woman said the officer asked for her phone number so he could call or message her

force systems or the phone display. He could not remember which.

The Code of Ethics explains the Standards of Professional Behaviour and sets out that in regard to 'confidentiality', an officer must "access police-held information for a legitimate or authorised policing purpose only". The force policy further expands and states the use of this system for personal purposes is strictly forbidden.

The officer stated he had never been told it was against force policy to contact victims, even if they give permission. An email communication on abuse of position was sent out to officers by the force around three years before this phone call. There had been no similar communication since.

The officer asked the woman if he could message her in a few days and she agreed. The woman said she agreed as a "way of getting out of it". She said if he messaged her, she would have proof he was acting inappropriately. She said she felt she had been caught in a power dynamic.

The College of Policing guidance 'Maintaining a professional boundary between police and members of the public' acknowledges there may be situations where an officer feels there is mutual attraction. However, it is still their responsibility to not act on such feelings. It should be noted this document falls under the heading "interactions with members of the public involved in a current incident or investigation."

She said if he messaged her, she would have proof he was acting inappropriately

The College of Policing guidance was intended to be read in conjunction with the Code of Ethics. The Code of Ethics sets out that in regard to 'authority, respect and courtesy', an officer must "not establish or pursue an improper sexual or emotional relationship with a person with whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power".

Around three days later the officer sent a text message to the woman asking how she was and about her weekend. The officer was on duty at the time.

The woman contacted the police to complain about the officer's behaviour about 20 minutes after the message was sent.

KEY QUESTIONS FOR POLICY MAKERS/ MANAGERS:

- How does your force make sure officers and staff are aware of relevant policies and guidance about accessing personal information about victims through force systems?
- What training does your force give to officers and staff about abuse of position for sexual purpose? Does the training you provide emphasise the position of power that being a member of a police force has on an individual?

KEY QUESTIONS FOR POLICE OFFICERS/STAFF:

Are you aware of what your force's policy says about contacting members of the public you have met during the course of your duties, even when you believe they have given you permission to do so?

ACTION TAKEN BY THIS POLICE FORCE:

The force is reviewing similar cases to make sure appropriate action has or will be taken, and is considering learning needs for officers and staff to reduce the risk of reoccurrences.

ACTION TAKEN BY THE NATIONAL POLICE CHIEFS COUNCIL:

The National Police Chief's Council (NPCC) developed a training video relating to abuse of position for sexual purpose. It is hosted by the College of Policing on College Learn and is available on YouTube. https://www.youtube.com/watch?v=ONcyBtaQWI8. This followed a national learning recommendation made by the IOPC. The recommendation stated the training should incorporate national strategies and guidance and emphasise the position of power that being a member of a police force has on an individual. It also stated forces should make sure an auditable record is made for each person, detailing that the training has been received and understood and that training should be repeated regularly.

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED:

- The IOPC found the officer had a case to answer for misconduct. This was in relation to the allegations he displayed unprofessional behaviour in trying to pursue an improper relationship with the woman, and he used a personal device to contact the woman to pursue an improper relationship. In doing so, he transferred police information from police systems onto a personal device for a non-policing purpose. A misconduct meeting was held at which the conduct level was proven and the officer received a written warning.
- **Read the full learning report**

NPCC urges policing community to watch abuse of position video

The National Police Chiefs' Council (NPCC) has produced a video for everyone in policing covering abuse of position. The seven minute video is delivered in cartoon sketch style.

The video covers the definition of abuse of position for sexual purposes and clarifies what constitutes abuse of position. It clearly describes the signs and symptoms of this behaviour and outlines the impact of this behaviour on the public. It also covers the consequences of this behaviour for the offender and how to report concerns.

The video is available on College Learn and YouTube at https://www.youtube.com/watch?v=ONcyBtaQWI8

Detective Chief Superintendent Colin Paine, NPCC lead on abuse of position, said: "We have worked hard with the IOPC, Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services, academics and practitioners to produce a video suitable for everyone in policing. The style is designed to be accessible and quick to watch.

It is essential everyone in policing who has any public contact watches this video and takes the time to reflect on what it means for them and their colleagues.

The video aims to address the IOPC national learning recommendation that all police forces provide training to their workforce on abuse of powers for sexual purpose and keep an auditable record of this.

I am grateful to all those who helped make this video a reality - it has taken many months of hard work. I hope this will refocus the whole of policing in its efforts to eradicate this exploitative behaviour."



Getting to grips with APSP in policing

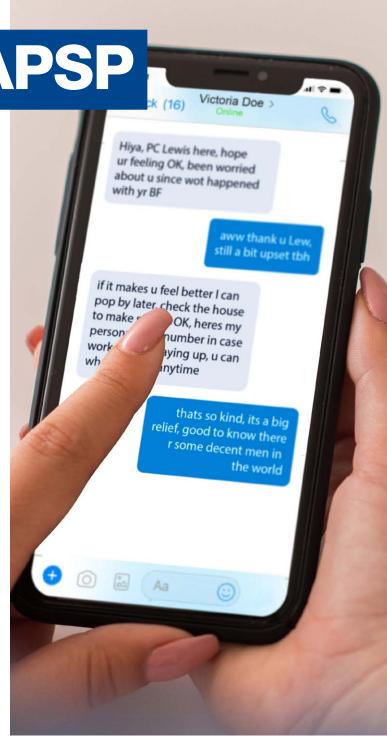
Colin Paine, the National Police Chiefs' Council lead on abuse of position by police officers, talks about the challenges of detecting abuse of position for sexual purposes, warning signs to look out for, public confidence, and how we all need to take a stand.

Abuse of position for sexual purposes (APSP) is the largest form of corruption in UK policing according to referral figures shared by the IOPC. It is serious corruption and a fundamental betrayal of the public who we are sworn to protect. Those who misuse their authority in this way have no place in policing and forces must do all they can to eradicate this behaviour across policing.

Confidence in policing

The overwhelming majority of police officers and police staff are good, decent, caring and professional. They are dedicated public servants who repeatedly go above and beyond the call of duty. However, there is a very small proportion of the workforce who inexcusably abuse their position for sexual purposes. The good officers must play their part in spotting, challenging and reporting those who might abuse their position in this way.

The public can rightly expect to trust the police. Police officers and staff have immense power in virtue of the role they hold in society. When the police betray this trust, it has a devastating impact on victims and their confidence in the police. As Lord Bingham rightly said: "A profession's most valuable asset is its collective reputation and the confidence which that inspires" (Bolton v Law Society 1993).



There is always a significant power imbalance in any interaction between police and public. The police come into people's lives at times when they are especially vulnerable, perhaps due to domestic abuse or mental health issues. The police must be there to protect the vulnerable, not exploit them.

Policing has come a long way in its efforts to eradicate sexual misconduct. I would encourage everyone to read and make themselves familiar with the College of

Policing guidance 'Maintaining a professional boundary between police and members of the public' (see page 32 for more information). This document makes it clear officers and staff must not engage in, or pursue, a sexual or improper emotional relationship, whether on or off duty, with any member of the public who they have come into contact with during the course of their current work or duties.

Signs and symptoms

Detecting abuse of position can be difficult. Victims may not see themselves as a victim, at least until later. Many victims often do not want to make a complaint to a police force that has been responsible for exploiting them as they fear they will not be believed. Therefore, it is critical all officers and staff know the signs and symptoms of abuse of position and are willing to speak up regarding any concerns they might have regarding colleagues. It is for this reason we have recently produced and released a seven minute video to all forces in the UK about abuse of position. It is available via College Learn and I would strongly encourage everyone to watch it (see page 9).

Abuse of position often begins with professional contact via force mobile phones in relation to a case they have dealt with. It quickly progresses to use of personal phones and personal social media. Warning signs can include the officer using emojis, kisses, sending messages while off duty and contacting victims on their personal mobile phone rather than force phone.

Officers may attend an incident double crewed in the first instance, but one officer may decide to return to see the victim on their own. Officers will often try to nurture dependence of the victim on them alone - and victims may start asking to speak to that officer only. In the police station you may become aware of someone with a deeply inappropriate nickname; these must be reported to your counter-corruption unit.

Every force needs to make sure all its staff are fully and comprehensively vetted, especially transferees. They need highly skilled and well resourced counter-corruption teams with the ability to undertake proactive investigation. They need to engage with partner agencies who work with vulnerable people to encourage them to report concerns. They must make sure they have effective protective monitoring across the whole of their ICT estate, including force mobile phones, and have the ability to receive and analyse anonymous intelligence.

The most important thing we can all do is to be aware of the signs and symptoms of this behaviour. Bystanders must become upstanders. It is the duty of

all of us to make sure those who should be protectors, do not become predators.

Please make sure you know how to identify and report any concerns you might have to your Professional Standards Department (PSD), counter-corruption unit, the IOPC, or using your force's confidential reporting line.

Warning signs

Types of behaviour to look out for in victims and officers which could indicate abuse of position include:

In victims

- · perception officer is a 'knight in shining armour'
- contacted or visited by an officer when off-duty
- continued contact after investigation is complete
- domestic abuse investigation steered to quick resolution
- · growing dependence on a specific officer
- · can be defensive if the relationship is questioned
- · may have received gifts from the officer
- use of familiar names/nicknames
- level of service seems excessively high

In officers

- speaks to victim privately/behind closed doors
- solo contact no other police present
- takes victim away in a vehicle
- reasons for contact/visit seem thin
- over familiarity/different when speaking to others
- gives personal contact details
- contact via personal social media/apps
- body language
- nurturing dependence specific to them

Paine is the Head of Professional Standards at Thames Valley Police. He is also the regional chair of the counter-corruption working group. He has a Masters degree in Criminology and Police Leadership from Cambridge University.



Analysing the national picture

Daniel Morton, Chair of the national counter corruption analysts group, shares the national intelligence picture on APSP.

Abuse of position for sexual purpose (APSP) is a form of serious corruption which causes significant harm to victims and organisational reputation. It is now the most common form of corruption the Independent Office for Police Conduct (IOPC) deals with, accounting for approximately 25% of corruption referrals and almost 60% of corruption investigations in 2020.

It is highly likely the scale of APSP and sexual misconduct within law enforcement as a whole remains under-represented. This is because not all victims will report misconduct, potentially due to fear; the belief they are not being exploited; offending methods used by the predators; investigative challenges faced by anti-corruption units; and ethical and cultural dilemmas within law enforcement.

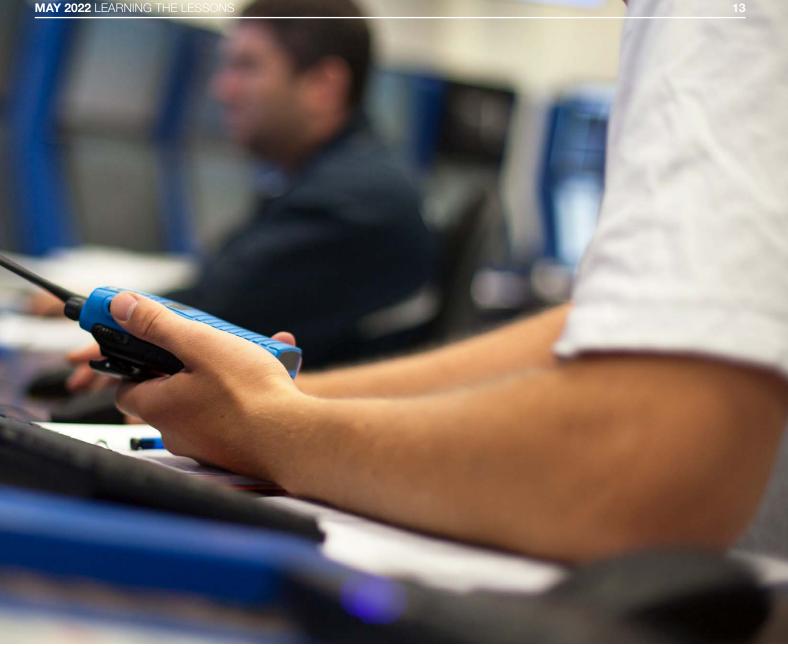
A joint National Policing Counter-Corruption Advisory Group and academic study of 514 sexual misconduct cases from 33 UK police forces identified less than half of the perpetrators were subjects of intelligence reports prior to being investigated. Where there had been a report, intelligence largely related to incidents of sexual activity on duty, and inappropriate approaches to members of the public.

Almost half of the sexual misconduct allegations within the study were about sexual exploitation of vulnerable people. Not all APSP victims must be vulnerable - the power imbalance between offenders and members of the public is enough in itself. However, the greatest harm is caused when they are vulnerable, and targeted for that reason. These victims often suffer pronounced mental health issues following victimisation, including post-traumatic stress disorder and depression.



Detailed case studies indicate two main APSP offending styles exist: predatory offenders and exploratory offenders.





Profiling from law enforcement and academic reporting allows forces and agencies to target the prevalent thematics across this strand through intelligence, prevention, enforcement and communication activity. Understanding the enablers and the vulnerabilities, as well as implementing the counter measures, will allow greater control and mitigate the known risks.

Detailed case studies indicate two main APSP offending styles exist: predatory offenders and exploratory offenders. It is likely predatory offenders pose the greatest APSP risk as they target and cause lasting harm to more vulnerable members of the public, have a high and rapid offending rate, and use methods to evade detection. Other common offenders are more exploratory. They engage in grooming-type behaviour towards a wider range of targets but often fail to make sexual contact and use less guarded methods. It is likely the role and working environment of sexual misconduct offenders determines whether they commit APSP against members of the public, or other forms against law enforcement colleagues.

APSP victims have predominant vulnerability factors which offenders readily exploit to progress sexual and/ or improper emotional intent. Common aggravating vulnerabilities include being victims of domestic abuse, rape or sexual assault, as well as mental health issues, drug or alcohol related problems. Some victims are unaware of their vulnerability or that they have been victimised or targeted for anything other than a normal, consensual relationship.

Analytical judgements suggest sexual misconduct allegations will increase, whereas the actual prevalence of offending will likely stabilise and decline over time. This is attributed to improvements in policy, guidance, ethics, awareness and reporting mechanisms in the workplace and wider society.

Daniel Morton is a Higher Intelligence Analyst in the Directorate of Professional Standards at the Metropolitan Police Service.

CASE STUDY 2





PCSO exploiting fear of crime

A woman called the police to report an attempted burglary at her property. She reported a group of young men had visited properties on the road and tried to open the front doors. The woman had CCTV capturing the incident. She was asked to email it to the team investigating the attempted burglary. An incident log was created. A few days later she called the police again to say she knew the details of the offender.

A Police Community Support Officer (PCSO) was tasked to attend the woman's property, and he made an appointment for that evening. The offender was arrested the next day and charged with attempted burglary.

The following day the PCSO sent the woman a text with a crime reference number and put an "X" (meaning a kiss) at the end of the text. She replied with a "X" on her message. They continued to exchange messages, and in one she wrote "I owe you a drink for helping me."

The woman told the IOPC she was feeling anxious after the incident and was scared to leave the house. She reportedly mentioned this to the PCSO and he offered to install a burglary kit at her property. She agreed. Two weeks after the attempted burglary he visited her to install the kit. It was at this point she said the flirty banter between them started over text, and continued for the next few weeks. APSP often begins with banter over force mobile phones before transferring to personal mobile phones.

Their relationship became physical a month after they first met. The PCSO visited her property in uniform, and they kissed as he left. A few weeks later their relationship became sexual. They had oral sex and then eventually full sex. The woman told the IOPC that sometimes the PCSO would be on duty when he visited her, at other times he was not. She said that at no time did she consider the sexual activity non-consensual.

The PCSO ended the relationship when the woman told him she loved him.

Almost a year after the incident, the police received a referral from the Crimestoppers anonymous reporting line. The referral provided detail about the PCSO's contact with an unnamed woman, later identified as the woman who reported the attempted burglary. It alleged they were engaged in a sexual relationship.

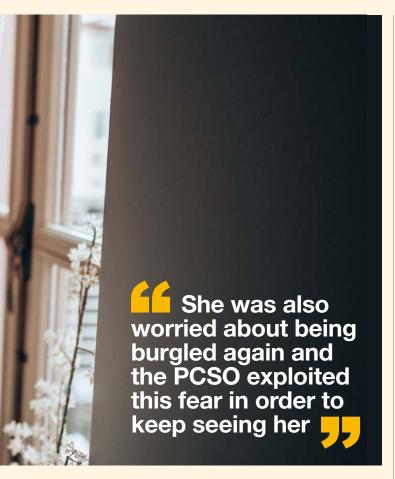
The PCSO was described as visiting the woman



during afternoon or evening shifts, often arriving in a police car which he parked away from the property to avoid suspicion. The woman was described as vulnerable, living alone, and had learning difficulties. The referral notes said that the officer messaged her using his work mobile phone and via Facebook Messenger. Although she was engaging in sexual contact, the referral said she did not want to be involved with him as he was married and had young children. It also noted she believed if she told anyone about the situation, she would get in trouble for it. She added she was also worried about being burgled again and the PCSO exploited this fear in order to keep seeing her.

Billing enquiries from the PCSO's work device also showed he had significant contact with other women, more than what would reasonably be expected of someone in his role. The investigation revealed evidence he had also sent personal text messages to two further vulnerable women using his work device.

A telematics review of the vehicles used by the PCSO between the date the woman reported the attempted burglary and the date of the Crimestoppers



referral was conducted. It showed a police vehicle assigned to the PCSO had stopped on four occasions in the vicinity of the woman's home.

Forensic analysis of the PCSO's work device showed only one text message between the PCSO and the woman which said "Have you got my messages.". A total of 38 calls were made from his device to the woman's number. 30 of these calls were less than five seconds and may have gone unanswered.

There were no calls registered from the woman's number to the PCSO's device. There were no applications installed on the device relating to social media sites and no applications installed with a messaging facility. A forensic download of his personal mobile phone showed no Facebook Messenger messages or chats between his device and the woman during the period in question. Messages were sent from her device to his device after he had been served with a notice of investigation but there was no evidence to support he responded to any of them.

The woman told the IOPC the PCSO made contact with her and informed her he was under investigation.

He asked that she "just say it was flirty texts".

The PCSO told the IOPC he repeatedly attempted to end the relationship with the woman but she threatened to inform his employer and his wife of their relationship. He said he actively chose not to inform his sergeant because he knew he would lose his job.

The woman confirmed he had tried to end their relationship due to concerns around his job and his wife. She estimated he had done this two or three times. On each occasion they would decide to be friends and remain on friendly terms but something would happen and they would resume a physical relationship.

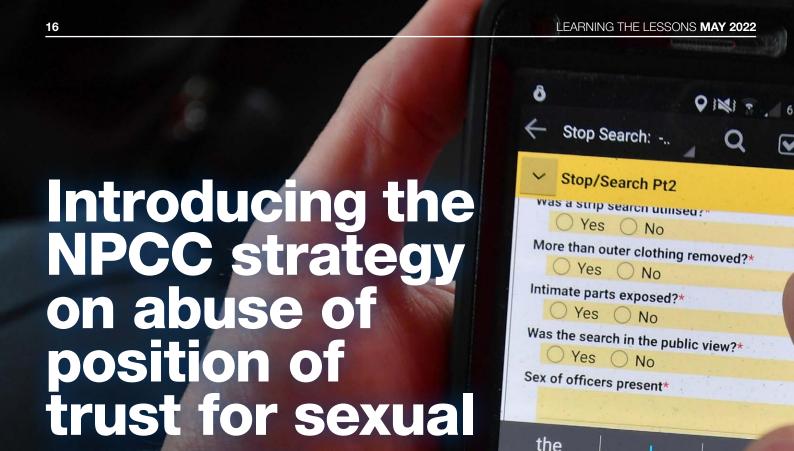
The woman noted that on one occasion she had a row with the PCSO and threatened to tell his boss about their relationship. She explained she had no intention of doing this and noted it was said in the 'heat of the moment'. She said she would not have carried out her threat.

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

- What steps does your force take to monitor officers' use of work devices, including mobile phones? Do you look for evidence of patterns which could indicate potential abuse of position for sexual purpose?
- How do you make sure officers and staff are aware of the College of Policing guidance 'Maintaining a professional boundary between police and members of the public'?

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The PCSO involved in this case was found to have a case to answer for gross misconduct.
- He pleaded and was found guilty of misconduct in public office and was sentenced to 12 months' imprisonment.
- A special case hearing was heard and he was dismissed without notice. The PCSO had already resigned from the force ahead of the hearing.
- Read the full learning report



In this article we find out more about the revised National Police Chiefs' Council (NPCC) strategy on the abuse of position of trust for sexual purposes launched in 2021

The public expect and deserve to have trust in the police. Therefore, when police officers or staff abuse their position for a sexual purpose, particularly with vulnerable people, such behaviour is a fundamental betrayal of the public and always represents serious corruption. Those who abuse their position in this way have no place in the service. Fortunately, this kind of behaviour is rare. The overwhelming majority of officers and staff conduct themselves with the utmost integrity and probity.

purposes

In the NPCC strategy, abuse of position for a sexual purpose is defined as: 'any behaviour by a police officer or police staff member (including volunteers or staff contracted into police roles), whether on or off duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public' (a member of the public does not have to be vulnerable for the definition of abuse of position for a sexual purpose to be made out, however the vulnerability of the member of the public may be an aggravating factor). This includes: committing a sexual

act, initiating sexual contact with, or responding to any perceived sexually motivated behaviour from another person; entering into any communication that could be perceived as sexually motivated or lewd; or for any other sexual purpose.

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The strategy is based around the four principles of prevention, intelligence, enforcement and engagement.

Prevention

We will ensure that professional boundaries are clearly defined and that officers and staff clearly understand the standards that are expected of them.

We will seek to prevent cases of officers and staff abusing their position for a sexual purpose through selection, training, supervisory practises and publication of misconduct outcomes.

We will gather information and carry out analysis to understand the areas of highest risk.



Intelligence

We will proactively gather intelligence and information from a wide variety of sources in order to prevent and detect corruption of this kind. We will do this by developing our use of intelligence assets to address this issue. Officers, staff, partner agencies and the public will have the means to make reports and have the confidence it will be taken seriously and handled sensitively.

Enforcement

Abuse of position for sexual purpose is serious corruption. As such it will be recorded and referred to the IOPC so that a decision can be made regarding investigation.

Many cases will be independently investigated by the IOPC, however where forces investigate then it is essential that they have the skills, resources and access to specialist capabilities to undertake these investigations effectively.

Investigations will work together with partners to establish the facts, support victims and hold perpetrators accountable.

Criminal offences will be pursued where appropriate.

Engagement

Cases of this kind can damage public confidence.

In order to maintain confidence and obtain intelligence it is necessary to engage openly and honestly with vulnerable people and those who support them.

It is crucial that the internal legitimacy of police forces is maintained through engagement with the workforce.

Officers and staff need to understand the boundaries within which they are expected to operate and see consistency and fairness in the response of the organisation when these are breached.

The strategy is owned by the chair of the National Police Counter-Corruption Advisory Group with leadership provided by the NPCC lead on abuse of position. Its implementation will be monitored and governed through this group and supported by the provision of products such as a minimum standards checklist for forces, a counter-corruption good practice guide, training products for forces, and revised Authorised Professional Practice (APP) for counter-corruption. Regional counter-corruption groups will monitor forces' progress. Local leadership is essential to the effective delivery of the strategy and all chief officer leads within forces must continue to drive activity across the four strands above in order to maintain momentum.



CASE STUDY 3







Officer involved in an abusive relationship with a vulnerable woman

A male officer visited a woman's address following reports a man had thrown an egg at her house.

The woman said she and the officer "just clicked" when he visited her address. She said the officer was at her address for a couple of hours and they talked "very intimately". The woman said the officer returned the following day to finish taking her statement and during this visit they kissed.

The officer's account of how the relationship progressed differed from the woman's account. The officer said the next time he met the woman was some weeks or months later when he bumped into her. He said the relationship did not include sexual contact or intercourse until many years later.

The woman said the officer would visit her at home while on duty around two or three times a week. The woman said they would regularly have sexual contact, later including sexual intercourse. She confirmed the sexual contact took place while the officer was on duty and in full uniform.

The woman moved address months later. She said the officer visited her and told her he loved her the night before she moved.

The woman also told the IOPC that around this time the officer began to display coercive and controlling behaviours and acted abusively towards her. This included causing pain to the woman over a sustained period of time. The officer told her she would "have to put up with it" when she complained of pain.

The officer did acknowledge he had visited the woman at her new address. He said these visits involved watching films and TV together.

A few years later, after a break in contact, the relationship between the officer and the woman continued. The officer stated that around this time the woman experienced repetitive illness and had told the officer ambulances had attended her home due to suffering from episodes.

The woman described an incident with the officer around this period where he behaved aggressively and violently towards her. This caused her extensive and purposeful pain, for example by pulling and releasing elastic bands on her body. The officer accepted he did use elastic bands on the woman but stated this was

The woman also told the IOPC that around this time the officer began to display coercive and controlling behaviours and acted abusively towards her.

done in a planned and consensual manner.

A few years later the woman moved address again. She told the IOPC the officer had found her a flat. The officer was listed as her financial guarantor.

Around this time the woman had a major mental health episode and was reported missing. Police attended and found the woman. The officer arrived and made himself known to the officers in attendance. The officer did not disclose full details but did give his first name to the officers and told them he had been having an affair with the woman for eight years.

The woman's medical records showed that she had several medical episodes at various points during her relationship with the officer. These included drug overdoses and self-harm. The woman self-harmed on several occasions during her relationship with the officer, culminating in an incident in which she stabbed herself in the stomach approximately ten years after they first met.

The matter was referred to the IOPC following a disclosure from the woman to the force. The officer was arrested, criminally interviewed, and the matter was referred to the IOPC. During the IOPC investigation, the officer accepted in his interview he was aware of the woman's mental health issues. He explained that in his view, this did not mean she was vulnerable on a day-to-day basis and there were long periods where she was not suffering any mental health issues.

During the IOPC investigation it was found that the relationship between the officer and the woman had already been brought to the attention of the force's Professional Standards Department (PSD) some years earlier. At that time, the PSD had completed an internal



investigation and the matter was heard at a misconduct meeting and the conduct level was not proven. The chair's rationale behind the decision concluded that "given the longevity of the development of the relationship I am of the opinion that [the officer] has not in any way exploited the mental health vulnerabilities of [the woman] and equally has not used his position as a police officer to further the relationship". The force misconduct report at that time did not include any account from the woman.

KEY QUESTIONS FOR POLICY MAKERS/ MANAGERS:

- What checks and balances does your force use to monitor officers' relationships with members of the public and their activity while on duty?
- How does your force make it clear to officers and staff what factors constitute vulnerability?
- How would your force incorporate the account of the woman into an internal investigation? What support measures would you consider?

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED:

- The officer who was involved in a relationship with the woman was found to have a case to answer for gross misconduct. This was due to the allegations he lied during his misconduct proceedings as part of the internal investigation about how his relationship with the woman began. In addition, that his relationship with the woman was inappropriate given he was, or should have been, aware of her vulnerabilities. A hearing was held and the officer was dismissed without notice.
- The officer served a 17 month prison sentence for misconduct in public office as a result of the IOPC investigation.
- **Read the full learning report**



NPCC shares APSP good practice guide

The National Police Chiefs' Council (NPCC) working group on abuse of position for a sexual purpose (APSP) has developed a good practice guide aimed at counter-corruption group practitioners. The guide supports the implementation of its APSP strategy.

The NPCC guide provides insight into tactics involved in combatting and investigating the types of behaviour associated with APSP. It also highlights the importance that partner agencies play and is useful for people new in post.

It acts as a checklist for counter-corruption units to prepare for forthcoming inspection regimes, or as a regular 'health check' to make sure they follow best practice.

The examples in this article are a small selection of those included in the full guide.

Working with officers and staff

One force uses a confidential reporting app and targets briefings at stations and other locations where issues are identified. The briefing for student officers significantly focuses on abuse of position.

Another force conducts internal focus groups relating to abuse of position and sexual misconduct. It uses the sessions to identify methods of offending, including how a perpetrator might approach and/or groom their target.

NOT CROSS

Raising awareness

One force presents at CPD events held by key partner organisations. They have recently delivered sessions to approved mental health practitioners and ambulance paramedic team leaders.

Monitoring contact

One force has developed a process with their vetting unit. This involves notifying the anti-corruption unit of new partner notifications as part of the renewal process. The new partner details are checked against police systems to identify any previous interactions where the member of staff might have dealt with the partner.

Working with victims

In one force, a de-brief process with victims at the end of investigations seeks to make sure the response and support provided met their needs.

In another force they include an additional question in their domestic abuse survey to identify concerns about the behaviour of any officer involved.

Publicising outcomes

One force publicises the outcome of abuse of position misconduct cases both internally and externally, highlighting any learning.

Pension forfeiture

One force applied for pension forfeiture via the Office of the Police and Crime Commissioner after the conviction and imprisonment of an officer in accordance with Regulation K of the Police Pensions Regulations 1987. The application successfully claimed 40% of the force's contributions to both schemes. This was despite complexities in the officer contributing to the 1987 and 2015 schemes.

Contact

The full guide is available to download from the Counter-Corruption KnowledgeHub.

Contact Detective Inspector James Brown (james.brown@norfolk.police.uk) or Detective Inspector Tim Evans (Timothy.Evans@nthwales.pnn.police.uk) to submit an example for inclusion.



CASE STUDY 4





Radio operator pursues contact with a vulnerable woman

A woman called police using the 101 number to report concerns about her mother. She told the IOPC she informed the call handler that her mother was very vulnerable, had Obsessive Compulsive Disorder (OCD), poor eyesight, and she believed was being financially exploited by a woman she had started a relationship with. An incident log was created and the call was graded as a low priority response.

The call log was accepted for further action by a radio allocator and dispatcher.

Eventually the radio allocator and dispatcher made contact and the woman agreed they could speak to her mother directly. The radio allocator and dispatcher noted on the log the woman he had spoken with suffered with autism and OCD.

He later spoke again to the woman and told her he had been unable to reach her mother. He asked if she wished to have the call held over to the following day when he was back on shift. He said "if somebody else calls and they don't know the background . . . they might not deal with the same sense of humour." The woman said she had been staying out of the house for some time. He offered to call her the next day to check if she was ok, and she accepted the offer.

He asked the woman whether she felt safeguarded, and if she was going to be ok. She said she would wait and see what happened when she got home, and if her mother got angry, she would probably go out again.

He then asked whether she was on social media or anything similar.

The next day he called the woman. She confirmed her mother had not come home the night before. He started to talk to the woman about where she was living and her finances.

He asked about the level of support she was getting. She disclosed she had support from a social worker and a community psychiatric nurse but had struggled to get hold of them. She also disclosed she had a mental health nurse but she had not got on well with them recently.

At the end of the conversation he confirmed he would attempt to make contact with the woman's mother and would try to call her back afterwards. He said "Thank you, you are really nice, I've enjoyed talking to you." She responded "Thank you, thank you



so much officer (laughs) and I wish the best for you as well." He ended by telling her he would like to speak to her outside of work, but he did not know if it would be appropriate. She responded "Erm I could, I don't know, but you are an officer so I'm pretty sure I can trust you."

The conversation continued and the woman spoke about her relationship with her mother generally. As the call continued he told the woman he would like to talk to her more and get to know her better. He asked if she wanted to go for a coffee. She did not respond.

Later, he asked her if she was on social media. She said she said she was on Facebook. He asked if he could friend her on there and she replied "if you want to". He asked again, and added "if not do you mind if I text you?" She replied that it was ok.

A few hours later he called to update her on the attempts he had made to contact her mother. He told



her that he had still not been able to make contact. They discussed how to handle the situation and agreed to close the log. The woman agreed to tell him once she had made contact with her mother and if she still felt she was in a vulnerable relationship.

Later that evening he contacted the woman via Facebook Messenger and they exchanged a number of messages. He again invited her for coffee and she said she would think about it. At one point he asked her to provide a picture of herself. She refused.

The woman agreed to make a complaint to the police after speaking to her advocate about her contact with the radio and allocator dispatcher.

The woman was asked by the IOPC how his actions had affected her. She described how initially she was worried it was her who had done something wrong. However, her advocate assured her she had done nothing wrong.

KEY QUESTIONS FOR POLICE OFFICERS/STAFF

- Does your force utilise the NPCC abuse of position training video to improve awareness amongst officers and staff about what constitutes abuse of position?
- What processes does your force have to quality assure officer and staff contact with members of the public?

ACTION TAKEN BY THIS POLICE FORCE

- The force's internal newsletter covered the issue of sexually predatory behaviour and informed staff about the force's anonymous reporting line to the counter-corruption unit. Within the same article, the force informed staff about a training programme being developed which would focus on sexual harassment and abuse.
- The force engaged with three local charities and employed a sexual harassment associate and project manager. This role is responsible for developing a sexual harassment policy and training for staff.
- The force created an online forum which allows staff to talk openly about issues that matter to them. Issues discussed have included sexual harassment in the workplace.

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The member of police staff involved in this case was found to have a case to answer for gross misconduct. A gross misconduct hearing was convened and he was dismissed without notice. He appealed against the dismissal, but the original decision was upheld.
- **®** Read the full learning report

Durham Constabulary works to prevent abuse of position

Prevent officer **Julia Imms** discusses the work Durham Constabulary is doing to embed ethical and lawful behaviours in policing

In Durham the prevent officer plays an important role in making sure police officers and police staff adhere to the Code of Ethics and Standards of Professional Behaviour, whether on or off duty. They help to embed the recommendations from Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services' report 'Shining a light on betrayal' which focused on abuse of position for sexual purpose.

Training

The prevent officer plays a key role in designing and delivering training across the force on abuse of position for sexual purpose. Over the last two years all new police officers, Police Community Support Officers (PCSOs) and staff joining the force have received training designed to help them spot the signs of concerning behaviour, and have confidence to report it. All officers and staff are required to complete a mandatory Powerpoint presentation. New leaflets have been created and distributed to all new officers and staff via code of ethics starter packs. They are also available on the force intranet, and information is available on the force's website

and in front offices. It can be viewed by members of the public so they know who to contact if they need to discuss anything about abuse of position for a sexual purpose.

Work with partner agencies

Building successful and innovative relationships with relevant statutory and non-statutory organisations is a key part of the role and is vital to build public confidence.

In October 2021 we organised a conference for external stakeholders focused on abuse of position for sexual purpose. The event was designed to help us build relationships with key stakeholders and get the message out to agencies that deal with our most vulnerable members of the public. It covered the signs to look out for, the mechanisms to use to report any matters to the police, and who they can contact in the force if they have questions.

The event was attended by the prison and probation service, adult services/child services (social services), local mental health teams and NHS workers,



Ongoing engagement with other external stakeholders is also a really important part of the role

ambulance services, domestic violence outreach services, Multi-Agency Safeguarding Hub (MASH) workers, and points of contact from children's homes and residential care homes. The conference included presentations from the National Police Chiefs' Council lead on abuse of position by police officers, Chief Superintendent Colin Paine; and Fay Sweeting and colleagues within the force who shared their experiences of working on previous investigations. Police colleagues and external stakeholders gave excellent feedback about the event and described it as a really useful opportunity to share ideas and network with colleagues.

Ongoing engagement with other external stakeholders is also a really important part of the role. It helps raise awareness of the work the force is doing, and the availability of a single point of contact that people can reach out to if they need to ask a question or raise concerns.

A Powerpoint presentation has been developed to support engagement with other external stakeholders. This has been used at Multi-Agency Risk Assessment Conference (MARAC) meetings and disseminated to relevant points of contact from the MASH, including care homes, care hubs, children's homes in County Durham, mental health organisations, domestic violence outreach services, and as many external agencies as possible.

Julia Imms is a Prevent Officer based in the Counter-Corruption and Vetting Unit at Durham Constabulary



CASE STUDY 5





History of inappropriate behaviour

A woman first came into contact with a Police Community Support Officer (PCSO) after her husband reported a burglary at their property.

The next day the woman received an unexpected private message from the PCSO via Facebook messenger. She realised it was him as he identified himself as the PCSO who attended her property in relation to the burglary.

The PCSO sent the woman a second lot of messages. She tried to ignore these because she thought he was messaging the wrong person. In one of the messages he told her she looked amazing and he had been looking at her photographs on Facebook. Around the same time he sent her a friend request, and she realised they had two mutual Facebook friends. Both friends worked for the police.

The PCSO also sent the woman a number of private messages on Facebook which she described as "highly inappropriate" and "unprofessional". She challenged him about the messages and he subsequently withdrew the friend request and the messages stopped.

When the IOPC asked the woman how she felt about the PCSO's messages she said "I do not wish anyone else, especially more vulnerable victims, to be subjected to such inappropriate and unprofessional behaviour as I have received from [him]. I do feel violated and I feel that I was targeted by him... It was already an upsetting time for me and my family as my father was very ill. I did not make [him] aware that my Dad was unwell, but I believe he could have recognised I was anxious, had been crying and had little sleep. Although I am not a vulnerable person, [he] visited me during a vulnerable time in my life and I feel he may have targeted me because I was vulnerable. It has been playing on my mind as to whether there has been anyone else that he has behaved this way with. He must be stopped from ever being in a position to do this again as he is supposed to be in a position of trust and confidence and he is clearly abusing his position."

The woman complained to the force about the messages she received from the PCSO and it was referred to the IOPC.

During the interview with the IOPC, the PCSO said he was struggling to come to terms with the death of his father and only realised he needed help around the time he messaged the woman. He said sometimes he just blanked out, panicked, and said things he



should not say. He spoke to his supervisor and was referred to MIND. He asked not to be referred to occupational health.

The PCSO added he understood he should not contact members of the public via social media and was remorseful for causing the family any upset.

When asked, he could not remember seeing guidance on maintaining professional boundaries between police and members of the public but had completed annual integrity health check forms and discussed these with his supervisor. He disputed he had actually read the form, but instead suggested he had ticked boxes and signed the form as instructed.

A number of his female colleagues came forward as part of the investigation and reported being contacted by him via text and on Facebook. Many of the women commented on the inappropriate and repetitive nature of his messages. They said he would often comment on their appearance and say they were "beautiful" or "hot" and attempt to engage them in conversation. A number of the women also suggested the



When the IOPC asked the woman how she felt about the PCSO's messages she said "I do not wish anyone else, especially more vulnerable victims, to be subjected to such inappropriate and unprofessional behaviour as I have received from [him]

messages gave the appearance he was drunk when sending them.

A parallel investigation took place which looked into allegations the PCSO had inappropriately touched a colleague without her consent, including while she was driving a vehicle, and sent persistent, unwanted text messages.

The investigation also identified that over ten years before the incident with the woman the PCSO met through his duties, police compiled an intelligence report, following comments made by the PCSO to his supervisor. The supervisor reported that communication the PCSO described as a friendly texting episode had led to the female recipient, a member of the public, telling the PCSO if he did not leave her alone she would make a complaint of harassment. The intelligence report said he undertook not to make any further contact and his supervisor said there would be an investigation if the member of the public made contact.

A further intelligence report stated the PCSO was spoken to regarding inappropriate behaviour towards

a traffic warden. The PCSO told the traffic warden "he loved her". She wanted no further contact with him and he was advised about harassment. He accepted his behaviour was unacceptable. The force indicated his future conduct would be closely monitored.

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

- Does your force use annual integrity health checks, and if so, what guidance do you give to officers and supervisors to make sure these are properly completed?
- What steps has your force taken to identify patterns of behaviour which may amount to abuse of position for sexual purpose?
- How does your force create a safe environment for officers and staff to report inappropriate behaviour of colleagues?



KEY QUESTIONS FOR POLICE OFFICERS/STAFF

What action would you take if you became aware an officer was struggling following a bereavement?

ACTION TAKEN BY THIS POLICE FORCE

- The force operates a system which seeks to identify individuals who receive three or more complaints within a 12-month period. They use a number of measures to monitor or address improper behaviour.
- The force launched an internal investigation into how the PCSO was allowed to continue behaving in the manner he did. This also looked at why local supervision had not addressed the matter or raised it with the professional standards department.
- The force promoted campaigns about abuse of position and sexual harassment in the workplace.

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The PCSO involved in this case was found to have a case to answer for gross misconduct. A gross misconduct hearing took place and he was dismissed without notice. The PCSO had resigned from the force prior to the hearing.
- A parallel investigation was undertaken in relation to the PCSO's conduct with a female colleague. The PCSO was found by the IOPC to have a case to answer for gross misconduct in relation to allegations he inappropriately touched a female colleague on the backside on two separate occasions, touched the same colleague's arms and legs while she was driving without her consent, and sent persistent, unwanted text messages to a female colleague. A gross misconduct hearing was held at which the conduct level was proven. It was found that the PCSO would have been dismissed by the force had he not already resigned.
- The officer was also added to the barred list. This means he is prevented from re-entering policing for as long as he is on the list. Officers are placed on the list indefinitely, but can request a review after a period of five years (or three years where their dismissal is related to gross incompetence).
- Read the full learning report

CASE STUDY 6





Special Constable's use of Snapchat

Two special constables were tasked with looking out for anti-social behaviour incidents. They were on a 7pm to 3am shift and on patrol in a police car.

Special constables are volunteers who have the same powers as police officers.

The officers pulled into a car park close to some shops, which was a known spot for anti-social behaviour. They made their way over to a group of teenagers aged between 14 and 16 who were congregated around one of the shops.

As the officers approached CCTV shows the group splitting into two, with one engaging the two officers in conversation. The officers asked the teenagers what they were doing, where they had been, what their plans were to move on, and what time they were leaving.

One of the officers spoke to a few of the girls in the group and asked what time they needed to be home and how far away they lived.

One of the girls asked if they could take a photo with the officers. The officers agreed but asked the girls not to put the photos on social media

One of the girls asked if they could take a photo with the officers. The officers agreed but asked the girls not to put the photos on social media. One of the girls asked one of the officers whether he had Snapchat. He said yes but would not give his Snapchat details.

After leaving the group, the officers went to a nearby fast food restaurant to use the bathroom. Neither officer bought food and several of the teenagers went into the restaurant with them. One of the teenagers asked one of the officers to buy them food. He refused. The two officers returned to their vehicle and continued with the rest of their shift.

Later that evening one of the girls posted one of the photos to her Snapchat story with the text "handcuff me" on the photo. The photo was visible to any Snapchat user she was connected to for a period of 24 hours.

The next day the girl who posted the photo received



a Snapchat message from someone who had sent her a friend request a couple of months previously. The message appeared to have been sent by the officer with the Snapchat account and included a topless photo of him. The message was sent as a "red message" which automatically deletes after a short period of time, however the girl took a screenshot before it disappeared.

The officer messaged the girl to ask which one she was in the photo. She replied "it doesn't matter" before blocking him. She told her father who reported the matter to the force.

Two of the other girls in the group also had the officer in their friends list. ■

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

Does your force give officers clear guidance around use of social media, including whether they are allowed to use this to contact members of the public?

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The special constable involved in this case was found to have a case to answer for gross misconduct. He resigned prior to the hearing taking place. The hearing took place in public and the conduct level was proved. The officer was added to the barred list.
- **Read the full learning report**

Examining police response – a history of inspection activity

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) on how forces are tackling abuse of position for a sexual purpose, as well as recent commissions from the Home Secretary.

HMICFRS independently assesses the effectiveness and efficiency of police forces and fire and rescue services in the public interest. We ask the questions citizens would ask and publish the answers in an accessible report. We use our expertise to interpret the evidence and make recommendations for improvement.

Legitimacy inspections

It can be extremely difficult to detect the sexual exploitation of vulnerable people who have contacted the police for help. In 2015, 2016 and 2017 we inspected how forces are tackling police corruption. This includes abuse of position for a sexual purpose (AoPSP).

Over this period we found most forces had been slow to take the steps needed to root out this type of serious corruption. Some forces did not recognise it as such. This means they cannot intervene early to safeguard potential victims and tackle unacceptable and potentially corrupt behaviour.

We made several recommendations:

- Retrospectively reviewing AoPSP allegations and referring any not previously referred to the IPCC (now IOPC).
- Establishing effective procedures to identify future allegations for referral.
- Implementing force plans to make sure countercorruption units have enough capability and capacity, including the technology and resources needed to actively monitor IT systems.
- Building professional relations with people and organisations that support vulnerable people to prevent and identify cases of AoPSP.



Review of AoPSP force plans

In 2017 all forces were asked to submit their AoPSP plans. We assessed their progress against our 2016 national recommendations. Overall, we were disappointed to find 26 forces had not begun to put their plans into action. Alternatively, they had not supplied enough details to evaluate their progress.

Of the 26, 15 forces had adequate plans in place. However, we did not see evidence they had started to implement them. More positively, 15 forces had begun to implement their plans.

Integrated PEEL assessments

In 2018 and 2019, we revisited all 43 forces in England and Wales to assess their progress against

the recommendations as part of our integrated police effectiveness, efficiency and legitimacy assessments (PEEL).

We found some encouraging progress and an improved understanding of the problem across the whole police workforce. We saw examples of forces being proactive and creative in looking for signs of AoPSP. This included good engagement with external agencies who get feedback from those they support about the behaviour of officers and staff.

In September 2019 we published our findings in a PEEL spotlight report 'Shining a light on betrayal'. We outlined what police forces should be doing about police corruption and AoPSP. We identified four main areas of focus: prevention, understanding the threat, uncovering corruption, and taking action.

Our national recommendations included:

- Forces should comply with national vetting guidance and vetting all police personnel to the appropriate standard.
- The National Police Chiefs' Council (NPCC) and College of Policing should devise a standardised list of information shared between forces when someone transfers from one to another.
- NPCC, Home Office and software suppliers should engage to provide a proactive ICT monitoring solution for forces. They should establish a standardised approach to using the information such software provides.
- Forces should:
 - record corruption using national corruption categories
 - produce an annual counter-corruption strategic threat assessment
 - establish regular links between counter-corruption units, agencies and organisations that support vulnerable people
 - implement an effective ICT monitoring system
 - review workforce use of encrypted apps on police ICT systems to understand and mitigate that risk
- There should be enough trained staff to look proactively for intelligence about those abusing their position for a sexual purpose and investigate it.

We are pleased that, in direct response to our recommendation, a transferee recruitment checklist is included in the new Vetting Authorised Professional Practice (APP). This was published in March 2021

by the College of Policing. The Home Office has also engaged major IT software suppliers to resolve access problems to some police IT systems. The national anti-corruption advisory group is working with forces to standardise IT monitoring software and use it effectively.

Current inspection activity

Our inspection activity was suspended for part of the pandemic. We recognise this may have affected forces' ability to address areas we recommended they focus on. We restarted counter-corruption and vetting inspections in April 2021. Since then, we have inspected 16 forces and reported on eight of them.

We cannot give a national overview but have found:

- some forces have increased resources in countercorruption units
- standards of counter-corruption threat assessments has improved
- standards of corruption investigations and supervisory oversight is good
- limited proactive counter-corruption intelligence development
- significant improvement in the level of staff with current vetting
- forces have policies on the use of social media and encrypted apps
- some, but not enough, engagement with external agencies that support vulnerable people

Home Secretary commissions

On 16 July 2021, the Home Secretary commissioned us to inspect the Metropolitan Police Service. This followed publication of the Daniel Morgan independent panel report. This inspection will look at all aspects of counter-corruption work in the Metropolitan Police Service, including AoPSP. We will report our findings when our inspection is completed.

On 18 October 2021 we had a second commission from the Home Secretary after the murder of Sarah Everard by a serving police officer. The commission will carry out a thematic inspection to assess current vetting and counter-corruption capacity and capability in policing across England and Wales. It will include forces' ability to detect and deal with misogynistic and predatory behaviour. The inspection is underway and we will report our findings in 2022.





- 1. This guidance relates to professional relationships with members of the public and should be read in conjunction with the Code of Ethics. It is not intended to cover every situation but sets out the broad principles to support decision making and professionalism.
- **2.** The guidance applies to police officers, special constables, police staff and police volunteers. It does not apply to relationships with colleagues in the police service or in agencies or bodies working with the police.
- **3.** Police personnel must act ethically, professionally and appropriately and treat all individuals with whom they have contact with dignity and respect. The Code of Ethics states that officers/staff must not engage in sexual conduct or other inappropriate behaviour on duty and must not establish or pursue an improper sexual or emotional relationship with a person with whom they come into contact in the course of their work who may be vulnerable to an abuse of trust or power.
- **4.** Failure to follow this guidance may contravene the Standards of Professional Behaviour and may

constitute a criminal offence. There is no place in policing for those who abuse their position for sexual purposes.

A position of trust

5. The professional relationship between a member of the police service and the public depends on trust and confidence. Police personnel who display sexualised behaviour towards a member of the public who they have come into contact with through work, undermine the profession, breach trust, exploit a power imbalance, act unprofessionally and potentially commit a criminal act. Such behaviours also have the potential to reflect negatively on police colleagues and have an impact on the professional relationships they have with the communities they serve.

Interactions with members of the public involved in a current incident or investigation

6. Do not engage in, or pursue, a sexual or improper emotional relationship, on or off duty, with any member of the public who you have come into contact with during the course of your current work or duties.

- **7.** While you may find yourself attracted to a member of the public, or find yourself in a situation where someone is attracted to you, it is your responsibility not to act on these feelings. This is to prevent any harm that such actions may cause and to maintain the integrity of the policing profession.
- **8.** Inform a line manager as soon as is practicable if a member of the public attempts to pursue a sexual or improper emotional relationship with you, so that control measures can be put in place. Treat them politely and considerately and try to re-establish a professional boundary, in addition to informing your line manager. If their behaviour continues, discuss with your manager the most appropriate way for you to respectfully disengage from that individual while a policing response is still provided.
- **9.** Do not use your professional relationship with a member of the public to pursue a relationship with someone close to them. For example, do not use visits to engage in or pursue a relationship with a member of the public's family member.
- **10**. Do not end a professional relationship with a member of the public solely to engage in or pursue a personal relationship with them.

Relationships with members of the public where there was previous professional contact

- **11.** Depending on the circumstances, developing a sexual or improper emotional relationship with a member of the public with whom you have had former professional contact may also amount to an abuse of your position. Factors that may be relevant when assessing whether the relationship would represent an abuse of position include:
- degree of previous professional involvement
- length of previous professional involvement
- vulnerability of member of the public currently and when professional contact took place
- period since cessation of professional contact.

Power imbalance

12. It is your responsibility to be aware of the imbalance of power between you as a member of a police service and members of the public you come into contact with through your work, and to maintain professional boundaries. While a sexual or improper emotional relationship with any member of the public met through work is likely to be a breach of this guidance, the breach will be aggravated where the member of the

public is particularly vulnerable. Examples of particular vulnerability may include:

- missing or suicidal people
- domestic abuse victims
- people with alcohol or drugs dependencies
- young people
- · people who have been trafficked
- **13.** Do not use police systems to assess someone's background in order to check if a relationship would put you in breach of this guidance.

Communication

14. Use of (or providing) personal social media, email, telephone or contact details to contact a member of the public you meet during the course of current work or duties is usually inappropriate. Consider the potential risks involved in using personal social media and the impact that inappropriate use could have on the person's trust in you and in the policing profession. Follow force guidance on the wider use of social media and do not use work-based accounts, unless for professional reasons.

Help and advice

15. If you are not sure whether you are (or may be at risk of) abusing your professional position, seek advice from a line manager.

Responsibilities

- **16.** If you are concerned that a colleague may be involved in inappropriate contact, there is a positive duty on you to report this matter. Reporting can be to a line manager, professional standards or other route as described in the College's Reporting Concerns guidance.
- **17.** Supervisors and managers have a duty to ensure this guidance is followed and that appropriate action is taken where they become aware of any breach.
- **18.** Where potential breaches of this guidance come to light, they are likely to require mandatory referral to the IPCC, in line with their referral criteria.

More information

The guidance is available on the College of Policing website https://www.college.police.uk/ethics/integrity-and-transparency





CASE STUDY 7





Custody officer breaches professional boundaries

A man came into contact with a female member of police staff while detained in custody. She was a custody officer.

A custody officer provides support to custody sergeants and detention officers. It often involves one to one interaction with detainees, responsibility for drug testing, and carrying out cell visits to detained persons.

CCTV from the drug test room captured a lengthy interaction between them. The man asked about her age and whether she was single, and the custody officer made a comment that implied she found the man attractive.

They spoke about smoking. The custody officer had quit and the man said he should as well. She questioned whether this was to impress her. The man asked for her phone number but the custody officer refused and pointed to the CCTV camera in the room.

As they went through questions about the man's medication and drug use, the custody officer joked she could not believe he was lying to her already, and that it was not going to work between them.

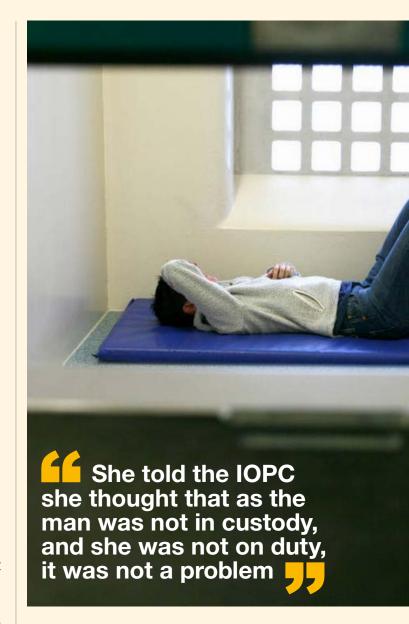
As she started the drug test, she said "right let's set you up". The man joked she meant set him up with her, and she said yes. The man asked if she would go for a younger man, and said he would look after her.

She handed him the drug test swab and told him to put saliva on it. She added "and then we'll see what happens after that".

The man asked where she lived. She named the town and asked where he lived. She checked the drugs swab and it had not turned blue.

They went on to discuss whether they wanted children, and she said she wanted to go travelling and focus on her career. He continued to encourage her to share her number, but again she refused.

The man asked if the swab had turned blue. She checked it before passing it back to him and saying "you're just going to have to keep going". He replied "that's what you're gonna be saying" to which she replied "yeah". She then appeared to retract her statement by saying "no comment". He asked if they could meet up, and they talked about places they



could go.

The drug test was completed and the man tested positive for cocaine and negative for opiates.

She said she would raise concerns about his behaviour. He said he would tell officers she had given him her number, and she said no one would believe him.

She asked if he had gone through the process before, and he confirmed he had. She joked he was not doing himself any favours telling her he was a "druggie". He denied this and said she would have to find out what he was like. They started talking about his dating history, and she said she thought she might have seen him around town.

With the drug test complete she escorted him back to his cell. She returned some time later to conduct what appeared to be cell checks. She could be seen standing at the cell door talking to the man for more than five minutes.



Around a month later the man was drinking at a public house when she walked by. They spoke and he alleges at this point she provided her full name, and said she had been looking at his Instagram. He said she told him she found him cute. They reportedly swapped Instagram details and started exchanging messages.

Five days after they met at the public house, the man was involved in a fight at a hotel. He disclosed to the two officers who attended he had got to know the custody officer when he was in custody, and was due to go to her house that night. The officers reported the man's comments to their sergeant, and the matter was referred to professional standards.

She told the IOPC she thought that as the man was not in custody, and she was not on duty, it was not a problem, and he was just like any other guy she would speak to in her personal life. Later she came to realise she had behaved inappropriately.

In interview with the IOPC she admitted the manner of interacting with the man in custody was, in hindsight, inappropriate. She attempted to justify it to a certain extent as rapport building and stated she was "chavvy" and interacted with detainees that way to get them to co-operate. She added if someone tried to make a pass at her she would always try and make light of the situation. She said she was aware it did not look good, but she was not really interested in the detainees. She just wanted to get the tests done, get out of there, and get on with her job.

She told investigators she had no knowledge of the Standards of Professional Behaviour or any force-specific guidance around the maintaining of professional boundaries, and they were not part of her training.

After the interaction with the man came to light, the custody officer's line manager disclosed there may have been inappropriate contact with additional detainees.

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

- What steps has your force taken to make officers aware of the Standards of Professional Behaviour?
- How does your force make assurances that allegations against officers and staff are handled consistently?

KEY QUESTIONS FOR POLICE OFFICERS/STAFF

- As a line manager, what action would you have taken if you were aware of concerns about how an officer/staff member under your supervision was interacting with members of the public?
- What action would you take if a detainee or another member of the public attempted to make a pass at you while on duty?

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The IOPC found the custody officer had a case to answer for misconduct. The force found the custody officer had a case to answer for gross misconduct and a hearing took place. The custody officer received a final written warning.
- Read the full learning report



Supporting work to tackle APSP

Marcus Griffiths talks about how the College of Policing supports work nationally around abuse of position of trust for sexual purposes (APSP)

The actions of Sarah Everard's murderer have had a detrimental impact on the trust and confidence that the public have in policing, especially amongst women. A huge effort is taking place nationally to rebuild that trust and confidence, by reassuring the public we serve that we will root out all those in policing who abuse their position.

Academic research shows that there are precursor behaviours for those working in policing who go on to abuse their position for a sexual purpose, such as inappropriate sexualised behaviours or inappropriate use of social media. Everyone in policing has a duty and responsibility to challenge and report any behaviour that betrays our professional standards or causes concern.

Support in tackling APSP

Policing is a noble profession. The majority of people working in policing are dedicated and hardworking, and want to keep people safe in line with the policing mission. We should all be invested in defending the reputation of policing and play our part in making sure those who abuse their position are removed from policing and unable to perpetrate harm.

The College of Policing, in support of the National Police Chiefs' Council (NPCC) Counter Corruption Portfolio, produced Guidance on maintaining a professional boundary between police and members of the public (see page 32 for more information). This was produced in 2017, when the first NPCC national strategy to tackle APSP was created. Recently, the College has worked closely with the NPCC working group on APSP to revise the national strategy and develop a good practice guide.

The NPCC working group on APSP has produced a short training video on APSP, which the College hosts on College Learn. All those working in policing should watch the video to make sure they are clear about what constitutes APSP.

In 2019, the College also produced guidance on Appropriate Personal Relationships and Behaviours in the Workplace to raise awareness of inappropriate relationships, how they can affect awareness in the workplace, and the responsibility to identify and declare conflicts of interest. It is important to make sure that inappropriate power imbalances are not used to initiate, control or maintain a relationship.

The Code of Ethics explains the Standards of Professional Behaviour, describing the expectations around demonstrating 'authority, respect and courtesy' and 'challenging and reporting improper conduct', which are both highly relevant to behaviours in connection to APSP.



The public places their trust in policing, but that trust must be earnt. Those in policing who abuse that power destroy that trust

The College is reviewing the Code of Ethics and intends to publish a revised version in 2022. The Standards of Professional Behaviour set in the Police (Conduct) Regulations 2020 will not themselves change. However, the review will look at how ethics can be more aspirational and inspirational in guiding the types of professional behaviour expected of those working in policing. It will support decision making that involves ethical considerations. This will make sure that the ethical positioning of policing reflects the requirements of both contemporary and future policing.

The College also manages and maintains the police barred and advisory lists. Those who work in policing and abuse their power will face disciplinary procedures and can be dismissed.

Where individuals are dismissed, or it is found they would have been dismissed (where they have resigned or retired), regulations require them to be reported to

the College and included in the police barred list. The individual becomes a 'barred person' and is unable to work in policing. The College publishes statistics from the Barred List. Between 15 December 2017 and 31 March 2021, 133 individuals were dismissed due to matters relating to APSP.

It is a privilege to work in policing. Whether you attribute 'with great power comes great responsibility' to Voltaire or to Spider-Man's Uncle Ben, the sentiment could not be more apt to policing. The public places their trust in policing, but that trust must be earnt. Those in policing who abuse their power destroy that trust, and with it the confidence the police will keep people safe. We must all rise to the challenge to earn back the public trust where it has been lost, and we must make it clear that we will not tolerate those working in policing who abuse their power.



Marcus Griffiths is Policing Standards Manager for Ethics, Integrity and Professional Standards at the College of Policing



CASE STUDY 8





PCSO maintains inappropriate contact with vulnerable women



A woman reported to the police that she was being abused by a neighbour. She was assigned a Police Community Support Officer (PCSO).

The PCSO contacted the woman at regular intervals to offer advice and assistance and arranged numerous visits to her house. They spoke about the problems she was having with her neighbour, but also talked about everyday matters and relationships.

After one visit the PCSO sent the woman a text message saying he could see her breasts through her top. He asked "Are you shocked, you know, that I'm telling you this?" She replied she was pleased he had told her. He added "well I enjoyed looking".

The woman described herself as vulnerable due to medical issues. The PCSO was aware of this information as it was detailed in the woman's initial report to police.

After a few months the contact between the PCSO and the woman switched to WhatsApp.

In one text exchange the woman offered the PCSO coffee and he said "I just noticed that my message

earlier on sounded like I said I don't want coffee but I'll have sex." She replied "[You're] not unappealing to me as I find you attractive and I like being in your company. I don't have casual sex not willingly anyway x". He replied "Not willingly" followed by laughing emojis. The woman went on to explain via WhatsApp she had been hurt by men in the past.

The next day he messaged her to say it was probably best she did not mention to anyone she had his personal number.

A few days later, the PCSO and the woman were exchanging messages on WhatsApp. He described his relationship problems and said "Do I find you attractive in that. Of course I do. But if you don't want to that's fine. I've not made any advances towards you which shows I'm genuine." She replied and asked him to visit her so they could talk face to face.

The PCSO visited the woman's house in the evening, in uniform. While in the hallway the PCSO kissed the woman. He disputes this version of events and says she initiated the kiss.

In her email she wrote "It has concerned me as the PCSO asked me for sex even though I had given him no reason to suspect that I would be a willing participant"

The woman described her whole body as tensing up and trying to pull away. She described how after the kiss he removed his jacket, and she tapped him on the forehead and told him to "get his thoughts straight." She said he kept pressuring her, even though he said he was not going to. He left soon after.

When questioned, the PCSO said the woman was not vulnerable despite her medical conditions and living circumstances. He maintained his relationship with her was professional until the kiss, which he agreed was not professional or appropriate.

The woman reported that after he left he sent her messages saying he was back at the police station and aroused, and could drop everything and come back and have sex.

Some time later the woman emailed the force's professional standards department (PSD) to detail concerns she had about the PCSO. In her email she wrote "It has concerned me as the PCSO asked me for sex even though I had given him no reason to suspect that I would be a willing participant". She added "I feel that this officer has taken advantage of the situation... as I had divulged the fact that I suffer with depression and anxiety."

Following the woman's complaint, an audit of the PCSO's activity on force systems was conducted. A second woman, who had been the victim of harassment and stalking, was identified as having contact with him, and was spoken to by investigators.

The second woman had been diagnosed with a borderline personality disorder and was affected by depression and anxiety. The PCSO was aware of this.

While there are some similarities with the interaction with the first woman, the PCSO had also sent the second woman pictures of male genitalia and sent her

a video of a man masturbating, which she assumed was him. The PCSO and the second woman had met and talked about having sex. They subsequently had sex while he was on duty and in uniform. She had continued to text the PCSO following this, but he did not reply.

When asked by investigators about whether he knew the second woman was vulnerable, the PCSO said he did know, but did not feel he had taken advantage of her.

Following the complaint from the first woman, a sergeant spoke to staff he supervised about the PCSO. A female PCSO came forward and made an allegation that the PSCO had previously touched her bottom. This formed part of the investigation.

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

- Where members of the public allege an officer has abused their position for sexual purpose, does your force routinely examine the officer's contact with other members of the public, or make contact with colleagues to see if they are aware of any concerns?
- What steps has your force taken to support staff to report any concerns they might have about the behaviour of colleagues?
- How do supervisors in your force stay informed about the daily activities being undertaken by singlecrewed staff?

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The PCSO involved in this case pleaded guilty to two counts of misconduct in public office. He was sentenced to eight months in prison and 12 months on license upon release.
- The Crown Prosecution Service did not progress the charge of sexual assault through court over the allegation the PCSO had touched a colleague's bottom.
- **Read the full learning report**

Witness engagement and multi-agency work in the IOPC

The IOPC's two Survivor Engagement Managers, Lauren White and Rachel Fenton, discuss the work the IOPC does to engage with vulnerable witnesses.

The Survivor Engagement Manager (SEM) role was created within the IOPC (then the IPCC) in 2016. This followed the growing number of referrals about the police response to non-recent child sexual abuse. We recognised we were engaging with vulnerable people who required extra support and engagement, and that there were no specific guidelines or assistance for our staff. The SEM team, made up of staff experienced in engaging with vulnerable people, multi-agency teams and IOPC investigations, was formed. This role has now expanded so any member of IOPC staff can use them as a resource.

We recognise that our investigations often involve vulnerable witnesses and complainants. This is particularly relevant in thematic investigations such as abuse of power, domestic abuse and mental health. It is important our witnesses feel listened to, and supported, throughout our investigations, no matter the outcome.

Our lead investigators, and their force SPOCS, collate information and complete 'quick time' actions at the start of an investigation. Where there are potentially vulnerable people involved, the lead investigator can contact the SEM team for advice about engaging with witnesses. Our lead investigators and SEMs are also required to complete risk assessments about contact with witnesses – to safeguard both the witness and our staff.

Our SEMs review all the available documentation, searching for key information regarding witnesses. This





includes potential vulnerabilities, professionals/agencies who may engage with them, and what support may be suitable/available. They highlight to lead investigators what information may be missing and what may help to engage with the vulnerable person. A bespoke report is created for each vulnerable witness. This details engagement plans and key multi-agency contacts.

We build up a clear plan for the vulnerable witness to enable us to support them throughout our investigation. We may contact forces and other agencies for further information to help us do this. Some forces have not shared engagement plans or risk assessments they have created for vulnerable witnesses (these are often put in place following numerous concerns for welfare calls to the police). This has meant we have not been able to share relevant information we have about a vulnerable person with the relevant professionals.

We recognise that our investigations often involve vulnerable witnesses and complainants.

We will contact agencies for advice and safeguarding information if possible. Multi-agency work is essential to help us understand whether it is appropriate to contact the witness (sometimes they have other ongoing issues such as police investigations, social services and mental health intervention). If it is appropriate to approach them, professionals can advise us how best to do so and of any potential safeguarding concerns. We are able to ask them about ongoing support that can be provided for the vulnerable witness throughout our investigation, at any hearings (where relevant), and after we have exited.

Please be assured that if you are asked for information to assist an investigation, it is because we are trying to safeguard, and risk assess our vulnerable witnesses.

Lauren White and **Rachel Fenton** are Survivor Engagement Managers at the IOPC. Both have an extensive background in engaging with vulnerable people, multi-agency work and investigations.

CASE STUDY 9



Unofficial cadet scheme



A girl joined an unofficial cadet scheme run by two PCSOs while she was at primary school. She had known one of the PCSOs for a number of years as he worked at the school.

When she was 12 – 13 years old, the girl regularly saw the PCSO on her walk home from secondary school. She often saw him watching over the park with other PCSOs from their police vehicle. She would often chat to him when she walked past with her friend, often two or three times a week.

The girl opened Instagram and Snapchat accounts and the PCSO added her on Instagram. He started to send her messages to ask if she was OK. She thought the PCSO's behaviour was strange and would often provide blunt replies to try and end the conversation.

She said when the PCSO first added her on Instagram, he would unfriend her and then follow her again. She said he deleted most of his messages and told her she should do the same. On a number of occasions, he also told her not to tell anyone he had messaged her.

One of her friends recalled the girl had said the PCSO was always parked around the corner from her house. She said her friend was worried about walking

Investigators analysed the PCSO's interactions with other individuals on Snapchat and found similar content to that included in the messages sent to the girl

home from school because of the messages he had sent to her.

The PCSO went on to send the girl a number of inappropriate messages across multiple platforms, including Instagram and Snapchat. The content of the messages included complimenting the girl's appearance and telling her he liked her.

The girl subsequently told her parents about the PCSO. They reported the matter to the force.

Investigators analysed the PCSO's interactions with other individuals on Snapchat and found similar content to that included in the messages sent to the girl. The PCSO's personal mobile phone contained a number of social media and messaging applications, including WhatsApp, Facebook, Line, Anygram and Snapchat. The download showed a volume of contact with various users however it was not possible to establish their identities or ages.

A number of explicit photographs and videos were found in a WhatsApp sent folder but it was not possible to determine who the images had been sent to.

The scheme being run by the PCSOs was described as an unofficial cadet scheme, run separate to the national volunteer police cadet scheme run within the force. The scheme had been set up after the PCSOs involved submitted a business plan to the force. Concerns had been expressed by senior leaders that the scheme would not have the same practices around safeguarding training, vetting or risk assessment found in the official scheme.

Senior leaders allowed the unofficial scheme to operate on the understanding no field trips should be arranged by the force, a teacher must always be present, and the term cadet should not be used. Senior leaders also made contact with the PCSOs to see whether any additional training or support was needed. The PCSOs were given time to complete an online child protection in education course and DBS checks were conducted in relation to the PCSOs.

G Cadet schemes

Unofficial cadet schemes and youth diversion schemes should not exist. Any such initiative must be registered with Volunteer Police Cadets (VPC) governance within force.

Any engagement that takes place with young people on a regular basis should be a regulated activity and subject to DBS and VPC Safe to Operate standards. Forces should contact the National Safeguarding and Standards Manager for more guidance (Helen. Nellany@VPC.police.uk).

Grooming and abusive behaviour often goes unreported and unchallenged. Successful cadet schemes must operate with proper scrutiny, management and oversight. The VPC Safe to Operate standards encourage the growth of a safe space culture where challenge is welcomed.

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

- Does your force give officers clear guidance on use of personal social media and the importance of not using this to contact members of the public?
- What steps has your force taken to make sure any schemes involving young people have proper procedures in place around vetting, risk assessments and safeguarding?

ACTION TAKEN BY THIS POLICE FORCE

- The force revised its policy governing use of social media. Student officers now receive an input on use of social media on day three of their training. Similar inputs are also provided to newly promoted sergeants who are asked to cascade information to their teams through briefings and one to one discussions.
- The deputy chief constable tasked the head of corporate communications to produce a full communications plan around learning within the organisation. It will include how key messages are communicated to staff.
- The force's safeguarding adults and young people lead has devised a new safeguarding policy which will be promoted in the volunteer police cadet newsletter and shared with school based officers.

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The PCSO was found to have a case to answer for gross misconduct. A gross misconduct hearing took place and the PCSO was dismissed without notice.
- There was a criminal investigation where offences of misconduct in public office and sexual communication with a child were considered. The Crown Prosecution Service found there was insufficient evidence to charge the PCSO.
- **Read the full learning report**



Chief Constable **Shaun Sawyer** QPM from the NPCC discusses the work that has been done to ensure the safe delivery of the Volunteer Police Cadets, highlighting how abuse of position cannot go unchecked.

photo: Alamy

The Volunteer Police Cadets (VPC) was established in 2013. It is a national youth movement based on agreed aims and operates in every police force in Great Britain. It has grown significantly in reach and age range, and the benefits to young people, their communities and the police are well evidenced.

Pre-pandemic membership sat at 17,000 young people aged 8 to 18 years. More than 25% of those young people identified as vulnerable, due to family or social circumstances. Across the UK, 28% of the members are from minority communities, significantly higher than other sections of policing. In areas of London, this increases to 98% of members.

The national VPC framework expects forces to deliver within agreed aims and principles. Each Chief Constable, as a Corporation Sole, delivers the framework locally for the VPC scheme, as well as managing the risks associated with it. The local VPC are led and managed by police officers, police staff and support volunteers. Many officers and police staff volunteer in their own time.

Gaps in VPC oversight

In 2018 a police officer was arrested for inappropriate conduct towards young people. This, and other anecdotal evidence, led to a review by the VPC national team between 2017 and 2019. That review coincided with the Independent Office of Police Complaints writing formally to the National Police Chiefs' Council (NPCC). Concerns were also raised by the Safeguarding Minister.

The initial review by the NPCC team found there had been at least 18 investigations involving alleged inappropriate behaviour of cadet leaders. Of the 18 incidents, nine involved serving police officers.

The level of incidents highlighted gaps in the oversight of VPC. National approaches to safeguarding had not been adopted to the standards expected elsewhere in the youth sector. In part, this was due to people relying on existing 'police systems' providing sufficient protection with force employees dealing with vulnerable people; expecting existing systems to report concerns

and wrongdoing; and a genuine lack of appreciation by those supporting cadets in understanding the context of working with children.

The potential vacuum provided opportunities for those who wished to abuse their position of power to go unchecked. Within the VPC, the power imbalance is increased as many of the young people are vulnerable or want to join the police in adult life. As such, they place trust in well-respected adult leaders. This position reflects the situation that has occurred in other areas of youth work or sport, most recently within football and gymnastics.

National safeguarding framework

In response to the situation, a safeguarding gold group was established and a safeguarding manager appointed. With the support of a youth sector safeguarding expert, a national safeguarding framework for VPC was developed and adopted by all forces in February 2020.

In early 2019, two independent academic studies identified cultural and structural issues that could develop unnoticed by management and prevent others to identify and challenge inappropriate behaviour towards young people.

An identified power imbalance was found in the leadership of VPC units. Police hierarchical structures influenced the behaviour of cadets, adult volunteers and community support officers. They were reluctant to challenge the warranted officers who were viewed as 'unit leads' and beyond reproach.

A structural disconnect was also identified between the delivery of the VPC as a regulated youth activity requiring a specific set of standards, and the delivery of operational policing. Although there was huge support for the VPC at all levels within policing, there was inconsistent evidence of a structured approach to the safe management of the VPC locally. This was due to the demands placed upon police leaders and a lack of a coherent, youth focused, governance structure that forces could adopt.

In response to these issues, it was agreed the UK Youth Safe Spaces Framework would be adopted as the benchmark for the safe delivery of the VPC.

An identified power imbalance was found in the leadership of VPC units

What has been learnt Policing response to identified issues since these incidents came to light? Running the VPC as a Police chiefs agreed that all regulated youth activity VPC units will operate within requires a different set the UK Youth Safe Spaces of standards to those for standards. delivering operational policing. A strong 'youth centred' Each force has a designated governance approach is responsible officer at executive essential for the safe delivery level who is accountable for of the VPC. delivering their VPC within the UK Youth Safe Spaces standards. Clear roles and Designated roles were responsibilities throughout the identified within each force to command chain are vital. ensure a consistent approach. A 'safeguarding culture' must A national safeguarding be driven and overseen from gold group was established, the top of the organisation. supported by a safeguarding manager who works with forces to implement and maintain a strong 'safeguarding culture'. Police officers and other All VPC leaders received. adults require training and and will continue to receive, support to make sure they specific training about understand the environment safeguarding within the VPC which focuses on good they operate in. safeguarding behaviours and professional boundaries. Young people, their families Various methods to report and other concerned adults wrongdoing, including through must be empowered the NSPCC, direct to the to challenge and report safeguarding manager vpc. inappropriate behaviour. safeguarding@vpc.police.uk and via the VPC website www.vpc.police.uk, are available. They are highlighted during safeguarding training and cadet activity.

The structural changes that have been introduced, together with the introduction of the UK Safe Spaces Framework, provide the platform to allow policing to deliver VPC safely. This is in line with youth sector standards. Considerable effort will be required to embed the standards into everyday practice across all police forces.

The NPCC has a dedicated funding stream to resource a full-time support. That role will monitor the adoption by forces of the UK Safer Spaces Framework and associated materials. The NPCC has followed the approach used by the Football Association. ■



Social media is a fantastic tool to engage with the communities we serve. However, we recognise that every new technology can bring challenges. The misuse of messaging apps is as an issue with concerns raised about the number of cases involving allegations of police officers sharing racist, misogynistic, homophobic or otherwise equally unacceptable and inappropriate material on social media. We welcome the recommendations recently set out by the IOPC following its review earlier this year.

The nine IOPC WhatsApp recommendations

 Police forces should review their practices, policies and guidance on WhatsApp and other instant messaging applications to ensure they are consistent with their legislative obligations under UK law. Policing has clear standards of behaviour and a code of ethics and we expect all officers to adhere to these when using messaging apps

- Where forces update their practices, policies and guidance on WhatsApp and other instant messaging applications, they should put in place accessible guidance that reflects changes to ensure personnel are working consistently.
- Where personnel have dual purpose phones, police forces should explore the capabilities and potential risks this presents, particularly where instant messaging and social media can be accessed, in order that comprehensive measures and guidance can be put in place to negate, manage or make informed choices about risks.
- Police forces should explore options to monitor use of WhatsApp when used for policing purposes and develop appropriate guidance.
- Guidance to be produced by the National Police Chiefs' Council (Information Assurance Portfolio) for police forces on the use of WhatsApp and other instant messaging applications for police work, with specific focus on potential risks arising from the application, risk mitigation and risk management.
- When developing guidance on the use of WhatsApp and other instant messaging applications by police, forces should consider the issues outlined in this review such as location of server and potential sharing of information, WhatsApp security features, potential data breaches.
- Police forces ensure consistency between WhatsApp use, their own social media policies and APP/ACPO guidance taking into account that information placed on social media may end up in the wider public domain.
- Forces keep the implications of smart devices and instant messaging application developments under review to ensure any associated risks arising from police use are effectively addressed in guidance.
- When developing guidance, forces should consider including instant messaging applications and software other than WhatsApp which may be used by police forces.

In response to these concerns the NPCC commissioned a working group of representatives from the IOPC, College of Policing, Home Office, Staff Associations, Police Digital Service and practitioners from forces.

I now chair the NPCC Inappropriate use of Instant Messaging and Social Media working group set up in May 2021. It is a subgroup of the NPCC Professional Standards and Ethics Portfolio which aims to provide strong, visible and emotionally intelligent leadership in order to develop and promote all conduct issues.

The purpose of the group is to oversee and lead the development of best practice and change relating to inappropriate use of instant messaging and social media. It aims to deliver national coherency, provide the best service to the public, support to officers and staff, and coordinate work streams.

This led to NPCC Professional Standards and Ethics portfolio lead Chief Constable Craig Guildford QPM to request all forces to consider implementing the nine recommendations.

A national strategy has been developed and approved by the previous National Policing Counter-Corruption Advisory Group lead, Chief Constable Stephen Watson QPM. The emphasis is again on our principal desire to prevent such behaviour from occurring in the first instance, and to clarify the boundaries of acceptable and unacceptable conduct.

One of the strategic objectives of the delivery plan is to create an analytical problem profile to better understand the issues associated with this subject. To develop the problem profile, we require forces to complete a data collection document to allow us to gather sufficient information to produce a meaningful product. This product will complement the current efforts of the working group and provide future direction for early intervention, prevention, and organisational learning.

Policing has clear standards of behaviour and a code of ethics and we expect all officers to adhere to these when using messaging apps. While we know the vast majority of them do, unfortunately we have seen cases where messaging apps, such as WhatsApp, have been used inappropriately. Officers will be managed robustly if they do not meet the expected standards of behaviour. This could lead to loss of jobs or in the most serious cases, criminal conviction.

We are actively working with the IOPC to put further guidance and safeguards in place for forces. This will provide consistent advice on policy and practical tools to brief our staff. Much has been done to make sure officers and staff understand how they should use social media ethically and for the good of the public.



Mark Travis is Assistant Chief Constable responsible for the operational support portfolio at South Wales Police.



Former Metropolitan Police Commissioner Dame Cressida Dick recently said UK policing was "the most scrutinised in the world". Police officers guilty of misconduct frequently make headline news. But how are the police held to account and what purpose does the disciplinary system serve?

The disciplinary system

The disciplinary system is the framework for dealing with allegations of misconduct against the police, either via a public complaint or through an internal allegation. The system comprises various pieces of legislation, guidance and a Code of Ethics. It also maintains a careful balance in its purpose:

- to maintain public confidence in, and the reputation of, the police service
- to uphold high standards in policing and deter misconduct
- to protect the public

Key to the system are the ten Standards of Professional Behaviour which govern all officers' behaviour. The standards are set out in the College of Policing's Code of Ethics but actually originate in legislation. Therefore, there is a legal obligation on officers to abide by them. Breaching these standards can result in disciplinary action.

But breaching the standards is no longer automatically a disciplinary matter. In February 2020, the government reformed the complaints and disciplinary systems, including amending the definition of 'misconduct'. Previously, misconduct was defined as any breach of those standards. This resulted in unnecessary investigations into low-level conduct where learning would be more appropriate especially for minor errors or mistakes. Misconduct is now a breach so serious that it justifies at least a formal written warning. Anything less can be dealt with using reflective practice (introduced as part of the 2020 reforms) so officers can genuinely reflect, learn and improve.



How disciplinary proceedings work

It is important to understand that proceedings can take two forms: a misconduct meeting (for matters amounting to misconduct), or a misconduct hearing (for matters amounting to gross misconduct - or misconduct where a final written warning is already in place).

Misconduct meetings are internal processes chaired by a more senior officer. Officers can be issued with a written (or final written) warning if misconduct is found proven.

The government has made a number of changes to misconduct hearings in recent years to improve accountability, transparency and independence. Since 2015, the presumption has been for 'open justice', with misconduct hearings routinely held in public. This was followed in 2016 with the introduction of independent legally qualified chairs to hear hearings, instead of Chief Constables, as

part of a three-person panel. It is the decision of the panel, having heard all of the evidence, whether an officer has committed misconduct or gross misconduct. They also decide what sanction should be applied if appropriate. This can include written warnings or dismissal. Since 2020, officers can also be demoted.

When any individual is dismissed, they are not just dismissed. Since 2017, they are also added to the police barred list. This prevents them from re-joining any police force or working for other policing bodies such as Police and Crime Commissioners (PCCs) or the IOPC.

Police officers cannot lose their pensions for being dismissed. However, like within many other public sector bodies, officers can have their pensions forfeited following certain criminal convictions.

This can happen if they are convicted of a criminal offence committed in connection with their service as an officer and which is certified by the Home Secretary as either 'liable to lead to a serious loss of confidence in the public service' or 'gravely injurious to the interests of the State'. If a certificate is issued, the decision on whether or not to forfeit an officer's pension is one for PCCs.

A final word

The government's improvements to the system in 2020 were significant. They made it more accountable, more proportionate and more timely. It now focuses on those officers committing serious misconduct and supports others to reflect, learn and improve when their behaviour falls short of the high standards expected of them.

It is important to recognise the reforms were part of much longer-term improvements, which have seen the introduction of public misconduct hearings, independent legally qualified chairs, the police barred list and provisions enabling disciplinary action against former officers.

UK policing might just be the most scrutinised in the world. But it has a comprehensive, robust and fair disciplinary system, making sure officers are held to account when they fall short of the high standards that the public and their colleagues rightly expect of them.

lan Balbi is a former detective. He is responsible for government policy on police misconduct and counter-corruption at the Home Office.



CASE STUDY 10





Forming an inappropriate relationship with a vulnerable victim

A woman reported a domestic incident involving her ex-husband to the police. She was visited by an officer who carried out a risk assessment. He recorded the woman was vulnerable.

The woman told the IOPC she had a conversation with the officer about chess and invited him for a game. The officer initially told her he could not do this as he was involved in the investigation. Soon after, the investigation was passed to the safeguarding unit.

A couple of days later, the officer emailed the woman on his personal email address and they arranged a date to play chess at her house.

The officer attended the woman's address on the agreed date and the woman said they spoke about their hobbies and interests. She said the officer did not make any sexual advances towards her. The officer said he viewed the woman as a friend.

The officer admitted to meeting the woman on two further occasions after their initial game of chess.

The officer's Mobile Data Terminal (MDT) GPS location data showed he was in the vicinity of the woman's address on several occasions in the next two weeks. The officer was not deployed to this area during this period.

The officer admitted to meeting the woman on two further occasions after their initial game of chess. He accounted for the other occasions by saying he was dealing with personal, non-work related issues. He declined to explain what these were.

The woman was visited by outreach workers who told her not to contact the officer again. The woman said she contacted the officer and informed him of this. She said he was very professional and understanding.

Approximately a week later, the officer informed his inspector about the first meeting with the woman where they played chess. He was told not to contact her again under any circumstances.

At the time of this incident the officer had completed an online training package on sexual misconduct and abuse of position (which includes emotional relationships). He said he did not believe he had formed an emotional relationship with the woman as she was not his girlfriend.

The College of Policing issued guidance on maintaining a professional boundary between police and members of the public prior to this incident and this guidance was highlighted on the force intranet. The officer said he had never seen this guidance prior to interview with the IOPC.

The officer told the IOPC he did not believe his relationship with the woman was inappropriate because her investigation had been handed to the safeguarding unit. He said he subsequently carried out his own research and came to understand the relationship may have been inappropriate.

KEY QUESTIONS FOR POLICY MAKERS/MANAGERS

What steps does your force take to make sure all officers and staff are aware of the College of Policing guidance on maintaining professional boundaries between police and members of the public?

KEY QUESTIONS FOR POLICE OFFICERS/STAFF

Would you have been aware that forming an emotional relationship with a vulnerable victim is in breach of the Standards of Professional Behaviour?

OUTCOMES FOR THE OFFICERS/STAFF INVOLVED

- The officer had a case to answer for gross misconduct. This was in respect of the allegations he used his position as a police officer to pursue an inappropriate relationship with a vulnerable female and intentionally omitted to give full details when disclosing this relationship to his inspector. He resigned from the force. A misconduct hearing was held where misconduct was proven.
- **Read the full learning report**





Abuse of position for a sexual purpose is 'any behaviour by a police officer or police staff member, whether on or off duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public.'

This checklist has been developed by the APSP working group through consultation with the IOPC, Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services, academics and practitioners. The checklist is designed to help forces ensure they are meeting the National Police Chiefs' Council revised strategy on abuse of position (2021) in relation to prevention, intelligence, enforcement and engagement. The response to the threat of abuse of position requires a whole force response and should not be left to anti-corruption units.

Prevention

We will prevent officers and staff abusing their position for a sexual purpose by establishing clear boundaries, recruiting, posting, training and supervising staff to minimise the risk of such abuse and carrying out analysis to develop an enhanced response to this issue. Forces should consider:

 Develop a 'speak up' culture across policing, through training public facing officers and staff on the threat of abuse of position, the signs of this behaviour and how to report concerns (this links to the IOPC national recommendation referred to in case one). Ensure that auditable records are kept of any such training

- Publicise the revised national guidance on professional boundaries to officers and staff
- Ensure that supervisors understand the signs and symptoms of those who abuse their position
- Ensure that all officers and staff are vetted to the appropriate level for their role
- Undertake re-vetting (aftercare) for all staff within the timescales prescribed in the Vetting APP
- Ensure enhanced vetting procedures for designated posts to include those working in specialist domestic abuse roles
- Develop recruitment processes that ensure that those offered employment in policing understand and demonstrate the principles of the Code of Ethics and the Standards of Professional Behaviour
- Consistently and clearly publicise the outcome of misconduct cases involving abuse of position for both police officers and police staff, both internally and externally (where appropriate)
- Effectively investigate all allegations of internal sexualised behaviour to negate any concern of that sexualised conduct being replicated with members of the public

Enforcement

Forces will ensure effective reporting, recording, referral and investigation of these cases. Forces should consider:

- All cases of abuse of position will be treated as serious corruption and will be referred to the IOPC
- Anti-corruption units to be properly resourced to undertake effective and thorough proactive investigations
- Anti-corruption unit officers and staff to be trained and equipped to undertake effective abuse of position investigations, including attendance on the College of Policing Counter-Corruption Investigators Course
- Forces should ensure that those reporting such concerns around officers/staff are engaged with throughout the investigation and specific needs met by consideration to referring to relevant partner agencies for support
- Actively consider arrest and criminal proceedings for perpetrators for offences of Misconduct in Public Office, or Section 26 Corruption
- Have a robust process in place to consider pension forfeiture orders in all relevant cases
- Forces to make effective use of accelerated case hearings where appropriate

Intelligence

Forces will improve the way they look for and receive intelligence: Forces should consider:

- Have a trusted means of confidential reporting of concerns for both an internal and external audience
- Ensure that anti-corruption units themselves brief and actively engage with a variety of relevant partner agencies to encourage reporting of concerns and provide reassurance that they will be taken seriously
- Ensure anti-corruption units maintain ongoing contact with partners to facilitate intelligence gathering
- Have in place an effective auditing capability for all devices, including force issue mobile phones, to include passive monitoring and keyword searching
- Develop intelligence based watchlists for individuals who present a cause for concern
- Undertake system audits for those on the watchlists

- Undertake regular analysis of the information held by forces, such as mobile phone billing data, in order to identify and investigate abuse of position for a sexual purpose
- Use an academically informed evidence-based risk assessment matrix
- Ensure that Dedicated Source Units are briefed on counter-corruption threats including APSP
- Debrief dismissed perpetrators post hearing for learning and intelligence
- Actively use Centurion to capture organisational learning in every case

Engagement

We will seek to maintain confidence in the legitimacy of the service by engaging others internally and externally. Forces should consider:

- That the process for the public to make a report of abuse of position is accessible and straightforward, particularly for the most vulnerable victims
- That those reporting such concerns around staff members are debriefed by appropriate staff from within the Anti-Corruption Unit/ Professional Standards Department even after initial engagement is unsuccessful
- Identify partner agencies who work with vulnerable groups and consistently work with them at manager and practitioner level to raise awareness of this issue and encourage reporting of concerns
- Engage with the IOPC to ensure the lessons are learned from investigations and disseminated effectively
- Engage with agencies that provide services to victims and witnesses to ensure they are aware of the nature of cases of abuse of position for a sexual purpose and can provide appropriate support to victims and witnesses where required
- Engage with the academic work aiming to identify profiles of APSP perpetrators and development of an evidence-based risk matrix

More information

Contact Detective Chief Superintendent Colin Paine (colin.paine@thamesvalley.pnn.police.uk) for more information.



YOUR FEEDBACK ON

ISSUE 39: Child sexual abuse

(September 2021)



Thinking about the content of issue 39

80%

of respondents (16) said the structure of this magazine felt about right.

90%

of respondents (18) said the mix of cases and feature articles felt about right.

95%

of respondents (19) said the case summaries were clear and easy to understand.

Thinking about the impact of issue 39

65%

of respondents (13) said this magazine was a useful tool to help drive change in police policy and practice.

75%

of respondents (15) said this magazine provided them with useful knowledge to supplement information they receive from training, briefings or practical experience.

75%

of respondents (15) said that reading issue 39 prompted them to reflect on their experience, and consider whether they need to do anything different when they come into contact with people who have experienced or been affected by child sexual abuse.

50%

of respondents (10) said that reading issue 39 prompted them to change their behaviour in one or more areas when they come into contact with people who have experienced or been affected by child sexual abuse.

70%

of respondents (14) said that they intend to share issue 39 with colleagues to help share the learning it contains.

Note: Based on 20 responses to the survey. Not all respondents answered all questions.



Support and information

Women's Aid

www.womensaid.org.uk

A grassroots federation working together to provide services for survivors of domestic abuse in England. Building a future where domestic abuse and violence against women and girls is not tolerated.

Victim support

www.victimsupport.org.uk

Provides emotional and practical support for people affected by crime and traumatic events.

Rape Crisis – National Telephone Helpline

https://www.rasasc.org.uk/

The National Helpline is provided by Rape Crisis South London. It offers confidential emotional support, information and referral details.

Rape Crisis – Live Chat Helpline

https://rapecrisis.org.uk/get-help/live-chat-helpline/about-the-live-chat-helpline/

The one-to-one Live Chat Helpline is a free, confidential emotional support service for women and girls aged 16 and over who have experienced sexual violence.

Samaritans

www.samaritans.org

Samaritans are open 24/7 for anyone who needs to talk.

Respond

www.respond.org.uk

Respond supports people with learning disabilities, autism or both who have experienced trauma in their lives.

Reporting - general

Crimestoppers

www.crimestoppers-uk.org

Contact Crimestoppers if you have intelligence that may help the police.

Reporting - for police officers and staff

IOPC Corruption Line

08458 770061 (9am - 5pm)
reportline@policeconduct.gov.uk
Local force confidential reporting line





We have created a new virtual panel, bringing together a range of stakeholders from the police, the community and voluntary sector, and academia, to support the development of future issues of Learning the Lessons.

If you are interested in joining the panel, please complete our online registration form to register your interest.

Panel members will be invited to review and provide feedback on drafts six to eight weeks before publication.

For more information email learning@policeconduct.gov.uk