



National Strategy to address the  
issue of police officers and staff  
who abuse their position for a  
sexual purpose

2017



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## Foreword

The public expect and deserve to have trust and confidence in their police. When police officers or staff therefore abuse their position for a sexual purpose, particularly in respect of vulnerable persons, such behaviour represents a fundamental betrayal of the public and the values for which the police service stands.

The NPCC are unequivocal in condemning absolutely such reprehensible behaviour which can never be justified or condoned. Such behaviour amounts to serious corruption and is treated as such. Those who abuse their position have no place in the service.

The vast majority of our officers and staff consistently conduct themselves in accordance with our high standards and much has already been achieved in this difficult area of practice. More can and should be done however to ensure that the whole service performs to the standard of the best of our individual forces. Our combined efforts need to be more systematic, meticulous and sustainable.

In developing this national strategy, the service aspires to a common framework against which to tailor local services, policies and practice to reflect the standards of the best in class. This strategy gives proper emphasis to our principle desire which is to prevent such behaviours from occurring in the first instance. It also sets out the means by which we will improve our collective approaches to the utilisation of proactive tactics to better gather intelligence, identify corrupt individuals and vigorously pursue perpetrators in an effort to remove them from the service for the benefit of the public and the service alike.

This strategy faithfully reflects the fulsome commitment of the whole service to tackle this type of abuse effectively. It, together with the accompanying implementation plan, similarly reflects HMIC recommendations and ministerial direction in this regard. The delivery of this strategy will combat the clear potential for this most serious form of abuse to erode public confidence and trust in the service. Most significantly, our dealing with these issues proactively will underscore our primary duty of care to potential victims of this type of misconduct, exploitation and, on occasions, criminal abuse.



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# 1. Background

British Policing is founded on public co-operation resulting from approval and respect for officer behaviour. The legitimacy of the service is strengthened when the public have faith in the professionalism of officers and staff; conversely it is undermined by behaviour that erodes trust and confidence.

The public expect police officers and police staff to protect them; that is their role. When this role is compromised by officers or staff who abuse their position for a sexual purpose then this behaviour amounts to serious corruption and can never be condoned. Exploiting a position for a sexual purpose is a violation of the trust that the public put in the police to serve and protect them.

In 2011, the ACPO Counter Corruption Advisory Group (ACCAG) commissioned a questionnaire which was sent to all (then 51) police forces in England, Scotland and Wales. It attempted to gain a better understanding of this type of corruption. At around the same time the Independent Police Complaints Commission (IPCC<sup>1</sup>) also began to research the same topic due to an increase in the numbers of referrals being made to them relating to these matters.

In 2012, the IPCC, in conjunction with ACPO (now NPCC), commissioned a report relating to the abuse of police powers to perpetrate sexual violence. The report illustrated six case studies and outlined a number of recommendations including a checklist for the police service to self-assess its position around prevention, prediction and investigation of this conduct.

The Code of Ethics was introduced by the College of Policing in 2014 for everyone who works in policing in England and Wales and 2013 for Scotland. The code highlights the responsibility that officers and staff have to behave in such a way that they will gain and maintain the trust and support of the community. In particular the code highlights that improper sexual relationships should not be pursued with anyone who an officer or staff member comes into contact with in the course of their work or who may be vulnerable to an abuse of trust or power<sup>2</sup>.

In December 2016 Her Majesty's Inspectorate of Constabulary published its Legitimacy report as part of the 2016/17 PEEL inspection programme. This report highlights the issue of police officers developing inappropriate relationships with victims of domestic abuse and vulnerable individuals and stresses the need for a comprehensive national policing response, including clear messages about the

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<sup>1</sup> Note: all references to IPCC/IOPC are not relevant in Scotland

<sup>2</sup> Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales, College of Policing, July 2014. Available at: <http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx>

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seriousness of this form of corruption and an emphasis on prevention<sup>3</sup>. Despite sometimes significant pressures, it must be stressed that the vast majority of police officers and staff conduct themselves with the highest standards of integrity; however the inspection found that nearly all forces have dealt with or are dealing with cases where there has been an abuse of position for a sexual purpose. The position of power that police officers and police staff (including PCSO's) hold, means that the service must ensure reasonable and proportionate safeguards are put in place to ensure this is not exploited, and that when it is, it is quickly identified and addressed.

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<sup>3</sup> PEEL: Police legitimacy 2016, A national overview. Available at: [www.justiceinspectorates.gov.uk/hmic](http://www.justiceinspectorates.gov.uk/hmic)

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## 2. Strategic Intent

This strategy will define the abuse of position for a sexual purpose and will provide a framework for the service to respond effectively to this issue which has the potential to undermine public confidence so significantly.

**The abuse of position for a sexual purpose is defined as:**

**‘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 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.**

**\*including volunteers or staff contracted into police roles**

The abuse of position for a sexual purpose is serious corruption and should always be treated as such, regardless of whether criminal charges ensue. Such abuse includes sexual intercourse, sexual touching or sexual contact whether or not it is initiated by the member of the public, requesting favours in exchange for pursuing or not pursuing a police function (e.g. a speeding fine or an arrest), gratuitous sexual contact (e.g. inappropriate or unnecessary searches) and sexually inappropriate communications or unnecessary contacts for the purpose of developing a sexual or improper emotional relationship (using police or private communications systems). The use of police information or systems to identify individuals with a view to pursuing a sexual or improper emotional relationship is also an abuse of position.

What is important to note is the imbalance of power between police officers or staff and members of the public. In abuse of position cases such as these, 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 victim may be seen as an aggravating factor.

Vulnerability may arise out of the citizen’s age, mental health, abuse of alcohol or drugs or their circumstances at a particular time, for example reporting a domestic abuse incident, being the victim of a crime, the suspect or witness in an offence, or suffering bereavement. However, vulnerability must always be considered in its widest sense and it should be recognised that victims of this kind of corruption often do not see themselves as victims or indeed vulnerable.

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The police service in England, Wales, Scotland and Northern Ireland will work together with partners to prevent abuses of position for a sexual purpose, gather intelligence to ensure cases are identified as early as possible, develop the policing response to such incidents and engage others to raise awareness and to build public confidence that the service takes the issue very seriously.

This strategy is designed to draw together the recommendations made by ACPO and IPCC in 2012, HMIC in 2016 and the direction given by the Minister of State for Fire and Policing on 8<sup>th</sup> December 2016 to address this issue<sup>4</sup>, as well as drawing on international academic research and recommendations.

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<sup>4</sup> Her Majesty's Inspectorate of Constabulary: PEEL Legitimacy and Leadership Report Publications: Written statement - HCWS336. <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-08/HCWS336>

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## 3. Key Principles

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

We will do these things by adopting measures including:

- Publishing national guidance on professional boundaries
- Equipping supervisors so that they understand the signs and signals of officers and staff who may be abusing their position and what action to take
- Introducing national and local communications plans that address this issue and communicate the standards that are expected
- Recruitment and vetting processes will ensure that officers and staff are selected and offered employment based on values that are in line with the Code of Ethics and the Standards of Professional Behaviour
- Ensuring that enhanced internal vetting procedures are in place in all forces for posts where officers and staff are more likely to have contact with vulnerable people
- Commissioning a problem profile to assist forces in enhancing the response to corruption of this kind
- Working with academic institutions to develop an evidence based understanding of the abuse of position for a sexual purpose and what works to prevent and detect it effectively
- Consistent publication of misconduct outcomes

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## Intelligence

The police service must 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 must have the means to report information regarding the abuse of position for a sexual purpose and have the confidence that it will be taken seriously and handled sensitively.

Forces will improve the way they look for and receive intelligence in the following ways:

- All forces must have a trusted means of confidential reporting
- Partner agencies who work with vulnerable children and adults will be made aware of how they can report concerns of this kind and that they will be taken seriously<sup>5</sup>
- Counter corruption units will maintain regular contact with partners to facilitate ongoing intelligence gathering
- Police forces to routinely analyse the information they hold in order to identify and investigate the abuse of position for a sexual purpose. This will include the audit and monitoring of the use of police systems
- Police forces will identify and address any intelligence gaps that they have in relation to corruption of this nature using a variety of intelligence sources
- All forces to use an evidence based risk assessment methodology to assess available intelligence and identify potential abuse of position for a sexual purpose and take appropriate action

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<sup>5</sup> As identified in HMIC PEEL Police Legitimacy Report 2016.

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## Enforcement

It is essential that the abuse of position for sexual purpose is identified as a form of serious corruption. As such it will be appropriately recorded and referred to the IPCC so that a decision can be made as to how the matter should be investigated. Where cases of abuse of position are not independently investigated by the IPCC they will be overseen by counter-corruption units with access to appropriate specialist resources. We will ensure that counter-corruption units have the skills, abilities, capacity and experience to investigate offences of this kind and that we work together with partners to establish the truth, support victims and witnesses, bring perpetrators to justice and maintain public confidence in the service.

We will do this by adopting measures including:

- All forces will ensure that the process for the public and the police to make a report of an abuse of position for a sexual purpose is readily available, straightforward and transparent
- So as to support the NCA in analysing cases of abuse of position for sexual purpose we will work with the NCA to develop the recording criteria including recording the outcomes of investigations<sup>6</sup>
- All cases of abuse of position for sexual purpose will be recorded as serious corruption and will be referred to the IPCC (IOPC) in accordance with the referral criteria
- Investigations will be fair and proportionate in the interests of truth and justice
- All cases will have the oversight of counter-corruption units (unless an IPCC MOI declares the need for an independent investigation) to ensure that all investigative opportunities available to the CCU have been taken
- An investigative checklist will be used to ensure consideration of all appropriate lines of enquiry
- Officers managing investigations into the abuse of position for a sexual purpose will ensure that appropriately trained staff and partner agency support is accessed throughout the investigation. This should include the provision of Achieving Best Evidence Interview trained staff, Rape and Serious Sexual Offence trained staff and partners who provide advocacy

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<sup>6</sup> As identified in HMIC PEEL Police Legitimacy Report 2016, page 33.

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support to domestic abuse and sexual violence victims as well as those supporting vulnerable adults and children more generally

- Recognising specific victim needs. Victims may be targeted due to their vulnerability. Care must be taken at all stages of the investigation to address any specific victim needs by virtue of age, mental health, drug or alcohol abuse, victim or offender status or any other vulnerability. It must be recognised that some victims of such abuse do not see themselves as victims
- Engaging with and raising awareness of this type of corruption with the Crown Prosecution Service and Crown Office and Procurator Fiscal Service (COPFS).
- The College of Policing indicative sanction guidance will make specific reference to cases of abuse of position for a sexual purpose to provide guidance on this matter to hearing chairs
- In cases where there is a criminal conviction consideration will be given to the use of pension forfeiture regulations

### Malicious Allegations

Police officers and staff can be subject to malicious allegations for a variety of reasons and therefore care must be taken to establish the truth about what has happened and make fully documented decisions using the national decision making model. The subject of an allegation of this kind can be under considerable stress and it is essential that a risk assessment is carried out to identify and manage the risk to the victim, other members of the public and the officer or staff member subject of the allegation or intelligence.

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## Engagement

Cases of this kind can be significantly damaging for public confidence. In order to maintain or restore confidence it is necessary to engage openly and honestly with vulnerable people and those who support them. It is also 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.

We will engage with employees, the public and partners in a number of ways including:

- Identifying partner agencies who work with vulnerable groups and working with them to raise awareness of this issue so that steps can be taken to prevent and detect corruption of this kind
- The development of a national communications strategy to raise awareness of this issue both within and outside of the service
- Raising awareness of this kind of corruption in particular with staff associations, police staff trade unions and senior leaders
- Engagement with the IPCC to ensure that lessons are learned from investigations into abuse of position cases and that they are disseminated effectively through appropriate channels including the IPCC Lessons Learned Bulletins
- Engaging 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

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## 4. Governance and Delivery

This strategy is owned by the chair of the National Police Counter-Corruption Advisory Group. Its implementation will be monitored and governed through this group. Regional Counter Corruptions Groups will monitor the local progress against the strategy.

Local leadership is essential to the effective delivery of the strategy and all forces will be asked to appoint a chief officer lead for Police Sexual Misconduct to set clear standards and ensure the strategy is delivered locally.

## 5. References

PEEL: Police Legitimacy 2016, HMIC January 2017

The abuse of police powers to perpetrate sexual violence, IPCC and ACPO, September 2012

Addressing Sexual Offences and Misconduct by Law Enforcement: Executive Guide, International Association of Chiefs of Police

California Police Sexual Misconduct Arrest Cases, 2005 – 2011, Stinson, Calogeras, DiChiro, Hunter, Bowling Green State University, 2015

Police Sexual Misconduct: Officers' Perceptions of Its Extent and Causality, Timothy M Maher, University of Missouri-St. Louis, September 2003

Police Chiefs' Views on the Nature, Extent and Causes of Police Sexual Misconduct, Timothy M Maher, University of Missouri-St. Louis

Breaking the Blue Wall of Silence: Risk Factors for Experiencing Police Sexual Misconduct Among Female Offenders, Cottler, O'Leary, Nickel, Reingle, Isom, February 2014

## 6. Appendices

Implementation Plan