

# Counter corruption

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While it is clear that the overwhelming majority of police staff are committed and professional, and that corruption is in no way endemic in the police service, there is a small but pernicious element whose corrupt actions have a negative effect on public confidence.

The authorised professional practice (APP) on counter corruption seeks to assist practitioners to address the threat of corrupt activity by police officers, staff, partners and volunteers to the security of information and operational activity within law enforcement agencies. It has been divided into the following sections:

- Communication and engagement
- Intelligence (the local counter-corruption unit will provide further information on how to access this module)
- Prevention (the local counter-corruption unit will provide further information on how to access this module)
- Enforcement (the local counter-corruption unit will provide further information on how to access this module)

## Communication and engagement

Communication and engagement plans can be used to manage the risks to public confidence following a counter-corruption investigation. They are also required for identifying and prosecuting corrupt activity within law enforcement agencies (LEAs). Investigators should ensure that they identify potential issues and develop effective internal and external community impact assessments (CIA) and communication plans.

The extent to which trust and confidence may be damaged by a counter-corruption investigation will help determine the governance framework that the leadership of the LEA employs. Plans should be

prepared for overt activity or as part of a coordinated response to an operational compromise. Investigating officers should also identify and disseminate learning opportunities at appropriate local and national levels.

## Continuum of the investigation

Communication and engagement activities differ at each stage of a counter-corruption investigation. These include the following activities.

### Pre-arrest – covert phase

The senior investigating officer (SIO) assesses the potential community impacts and reports at command level those of significant risk to individuals. Engagement is likely to be limited, based on restricted sharing of information and inclusion. Contingencies are developed for operational compromise.

### Overt action – arrest

Consideration should be given to briefing senior line managers and affected groups. Media strategies need to be prepared, including statements if required. Timing should be determined by a balance between risks of operational compromise and harm to community confidence.

### Charge or misconduct

The inquiry is overt and the investigating officer should engage with the groups involved to review the impact of earlier activity and future key events, for example, trials or hearings. A pre-trial briefing for the media may be appropriate in serious or complex criminal cases. Note: misconduct proceedings are private matters.

### Trial – gross misconduct hearing

In a criminal trial, evidence is heard in public and is likely to be widely reported by the media. A gross misconduct hearing may be heard in public.

### Outcome

The outcome of the criminal trial or misconduct proceedings will have an impact on both internal and external communities. This should be assessed and actioned according to strategic considerations.

The ongoing CIA will influence the investigating officer's decision making and communications strategy.

For further information see [\*\*Process of investigation\*\*](#).

## Strategic considerations

The investigating officer needs to consider the wider strategic implications of communication and engagement with key stakeholders in a counter-corruption investigation. The timing, content and format of the information to be shared and whether it is part of a staged or complete disclosure process may be significant.

Each investigation is different and for the purposes of communication and engagement it is important to consider how to:

- maximise confidence among internal and external partners and stakeholders
- minimise the harm caused by corruption
- investigate and prosecute corruption effectively
- learn lessons to prevent future corrupt activity
- identify and support potentially vulnerable staff

## Managing risk

Current professional expertise has shown that covert counter-corruption investigations have three distinct areas of risk. These should be considered when developing a communication and engagement policy. They are the:

- harm caused by the corrupt practice under investigation
- impact on internal and external communities when the corrupt practice is exposed
- operational security of the covert investigation

In a covert investigation, communication and engagement methods are managed using the principles of 'need to know' information sharing. This is in compliance with the specific operational

security requirements for an inquiry.

## Operational security requirements

A covert investigation into the activities of a member of an LEA community presents unique challenges. An operational security assessment needs to be undertaken at the start of the investigation. This will identify the policing skills the subject has acquired and any loyalties to groups or individuals with whom the subject is in close or regular contact.

For further information see [\*\*Internal and external stakeholders\*\*](#).

## Compromise

The communication strategy should ensure that any engagement is properly managed in order to prevent individuals or groups from compromising the investigation at a covert stage. Compromise can occur through intentional disclosure or by a noticeable change in behaviour of an individual with whom covert material has been shared.

## Information sharing

Who can be trusted and the information that can be shared changes as an investigation progresses. Disclosures usually occur after the investigation moves to the enforcement phase. However, there will be occasions when the potential community impact requires information to be shared and advice sought before any overt activity takes place.

Once the individuals with relevant information and experience have been identified and their integrity reviewed, the investigating officer must decide which information should be shared to meet the strategic considerations.

## Minimising disclosure

Inclusion or indoctrination agreements mitigate the risk of disclosure.

Professional expertise suggests that disclosure should be based on the following criteria.

- Legality – what are we entitled to reveal?
- Operational security – are covert tactics or sources revealed? Will a linked covert investigation be exposed?
- Necessity – what do I need to disclose to reassure or fill the knowledge gap?

- Timing – the stage of the inquiry and the potential for compromise.
- Confidence – the damage that may arise from limited disclosure.

For additional information on inclusion or indoctrination, see enforcement.

## Assessing harm and impact

The investigator's initial assessment of harm and impact will include individuals or groups who may be affected or who can provide information for a CIA and communications strategy. Where significant risk is identified, the matter should be reported to the LEA organisational lead.

The balance between the risks of communication and engagement and the requirements of operational security changes as an investigation progresses.

For further information see [Learning opportunities](#).

## Community impact assessment

The key principles of a CIA are the same for all investigations. However, counter-corruption investigations create additional considerations for investigating officers. A CIA has a direct bearing on any subsequent communications strategy.

For further information see [Engagement and communication](#).

## Measuring the impact

A CIA will take into account the impact that a counter-corruption investigation will have on:

- internal communities
- external communities
- internal and external stakeholders

This includes cross-border considerations, for example, where an offence or investigation takes place in one area, but the subject lives or works in another area.

## Commissioning a community impact assessment

The investigating officer decides whether to commission a CIA after determining which internal and external communities might be affected by the corrupt activity and associated investigation, together with the issues raised from the investigation and desired outcomes.

Issues raised	Desired outcomes
<ul style="list-style-type: none"> <li>• Which internal and external communities may be affected.</li> <li>• The information that is required to properly scope the impact.</li> <li>• Who can provide the information required and who will oversee the work.</li> <li>• The information that should be revealed to identify the extent of the impact and appropriate responses.</li> <li>• Consistent operational security requirements.</li> <li>• The timescales for completion and implementation.</li> <li>• The review period and governance.</li> </ul>	<ul style="list-style-type: none"> <li>• An improved understanding of community impact and appropriate actions.</li> <li>• Identification of vulnerable adults and groups.</li> <li>• A comprehensive communications strategy.</li> <li>• Rebuilding trust and confidence.</li> <li>• Providing an assessment of community confidence in the police response.</li> <li>• Developing community intelligence.</li> </ul>

The fact that a CIA is not commissioned because there are limited or no identified community impact considerations should be entered in the policy book/decision log (see enforcement).

## Reviewing a community impact assessment

Triggers to review the CIA occur during the continuum of the investigation. However, the investigating officer has the freedom to instigate a review whenever they feel it is necessary. Professional experience suggests that engagement with key stakeholders and an effective communication strategy lead to a comprehensive CIA.

## Internal communities

A counter-corruption investigation can have a significant impact on internal communities, and experience suggests this can be magnified by current events, particularly in small organisations. Internal communities may include the individual's team, station, department, area or other groups to which they belong.

For further information see:

- [\*\*Critical incident management\*\*](#)
- [\*\*Internal incidents\*\*](#)

## Level of impact

Current professional expertise suggests that the impact following any corruption investigation can be seen at an individual, team and organisational level.

### Individual level

- Am I being investigated?
- How does this affect the cases I have worked on?
- Should I have seen or prevented this?
- What are my colleagues and the public going to think about me?

### Team level

- Damage to individual and team morale.
- They've got it wrong, 'they are a good person'.
- Lower productivity.

### Organisational level

- Loss of trust and confidence.

For further information see the [\*\*case study\*\*](#).

### External communities

The potential impact of a counter-corruption investigation on the public should not be underestimated. Investigating officers should consider:

- any specific external groups with which the LEA member was associated

- the area in which the LEA member lives in relation to the areas affected by the corrupt activity

## Neighbouring law enforcement communities

These communities can be affected by the corrupt activity or the associated investigation. This may not always be clear to members of the public, and any loss in confidence or breakdown in community relations may have repercussions in neighbouring LEA communities.

For further information see the [case study](#).

## Internal and external stakeholders

Most police forces have a template for a CIA, which identifies internal and external stakeholders who can assist in assessing community impact. The officer carrying out the assessment should be allowed the freedom to make choices based on the prevailing circumstances.

For further information, see [Whom the police should engage with](#).

### Internal stakeholders

These can include:

- police force command
- basic command unit or departmental head
- SIO and family liaison officers (for linked inquiries)
- Police Superintendents' Association
- Police Federation
- police staff associations (for example, Unison)
- equality and diversity associations
- occupational health unit
- geographic crime manager
- geographic intelligence unit
- community and race relations staff and/or the police force race equality scheme coordinator (or equivalent)

### External stakeholders

These can include:

- Independent Office for Police Conduct (IOPC)
- Crown Prosecution Service (CPS)
- police and crime commissioner (PCC)
- local authority chief executive
- partner agencies, for example, probation, health, housing, primary care trusts and local health boards
- local councillors
- independent advisers
- race equality council members
- residents' associations

## Communication strategy

This is developed from the CIA to support the strategic considerations identified during the investigation. If an investigation has been referred to the **IOPC**, primacy in communications is determined by statute in accordance with the IOPC's decision on the mode of investigation.

Investigating officers should consider the operational security requirements arising from disclosure and appoint a dedicated media officer. They should also ensure that records are kept securely.

For further information see [\*\*Face-to-face communication\*\*](#).

## Media

The communications strategy may use media such as newspapers, television, radio, social media, internal communications and stakeholder communications. The strategy should be written in consultation with the LEA's media department.

## Contents of a communication strategy

The investigating officer should carefully consider the contents of a communications strategy because counter-corruption investigations generate interest from both internal and external communities.

The content may change as the investigation progresses, but it should be consistent with the strategic considerations in the inquiry and include the:

- aims and objectives of the strategy
- intended audiences
- stakeholders
- key messages
- proposed delivery tactics
- review periods
- final evaluation measures

## Internal communication tactics

Professional expertise has shown that a range of internal communication tactics can be used to deliver the key messages to staff. The main aims for the internal element of a communications strategy are usually to increase the following.

### Awareness

These methods can be used to help increase awareness of what has happened and to prevent misinformation:

- communications from human resources (HR)
- communications from staff associations
- force email
- intranet news page
- face-to-face briefings
- team briefings

### Understanding

These methods can be used to help increase understanding of why certain actions were taken:

- frequently asked questions (FAQs)
- intranet
- force email
- dialogue with staff associations

- face-to-face meetings/briefings
- departmental meetings
- manager's briefing document
- published hard copy briefings

## Reassurance

These methods can be employed to provide reassurance, maintain confidence of internal communities and to minimise fear and distrust in the organisation:

- communications from HR
- communications from staff associations
- preparing responses to 'if asked questions'
- face-to-face briefings
- departmental meetings

## Guidance

These methods should be considered to provide clear instruction on what staff should do in given circumstances:

- intranet
- staff associations
- clear policy and procedure
- briefing documents
- force email
- departmental meetings
- managers' briefing documents

For further information see [Corporate communication \(traditional media\)](#).

## Pre-trial briefing

Owing to the sensitive nature of a covert counter-corruption investigation, a pre-trial briefing (PTB) for the media may be necessary. The investigating officer decides whether or not to hold a PTB after consultation with their media adviser, appointed CPS lawyer and counsel.

For further information see [\*\*Association of Chief Police Officers \(ACPO\) Communications Advisory Group\*\*](#).

## Objectives

PTB objectives can include:

- improving community confidence by demonstrating the robustness of a counter-corruption investigation, as opposed to reducing confidence by highlighting the actions of a few
- encouraging accuracy in a complex case
- steering the media away from exposure of covert methodology
- highlighting a good investigation
- deterring future corrupters

## Timing, location and content

These need to be considered before the PTB and the rationale behind any policy decisions should be recorded. For disclosure purposes, professional experience has shown that it is good practice to keep a record of everyone who attends the PTB and to make an audio or video record. It is also important to ensure that the information provided is safe to disclose before the trial.

## Disclosing information

There are clear dangers in disclosing any information sub judice. PTBs should not be undertaken lightly and must not be conducted without the knowledge or agreement of the CPS lawyer, who may wish to hold a joint briefing with the investigation team. It is good practice to obtain an embargo agreement, tailored to each case, from those present at the PTB. This will prevent any material being used before all relevant criminal proceedings have concluded (this does not include appeals against conviction).

### Issues to consider

Professional experience suggests that the following points can be considered for disclosure.

- Name, age, occupation (and posting if appropriate) of each defendant.
- General background and context on their role within the organisation.
- The relationship between the defendant(s) and victim(s) (if appropriate).
- The scope of the investigation (number of statements, exhibits, staff who worked on the enquiry).

- Key locations relevant to the trial and a brief explanation of their relevance.
- Details of the officer who led the investigation.
- Any particular expertise or specialist skills that were used during the investigation (being mindful of protecting covert methods).
- Information about any photographs, video or audio to be released at the end of the trial.

## Learning opportunities

These should be identified as they arise during an investigation and during any formal review process. The depth of a review is normally directly linked to the size and complexity of the investigation and the learning opportunities already identified.

## Staff conduct

Investigations into the conduct of LEA staff, whether they result from a complaint or a proactive investigation, can produce valuable lessons for prevention, intelligence and enforcement purposes. These can be used to improve investigation tactics and the integrity of law enforcement staff.

It is entirely appropriate that the scope and operational objective of a counter-corruption investigation should consider how an individual has been afforded the opportunity to act dishonestly or unlawfully within their policing environment. There will sometimes be systemic failures and the lessons learnt should specifically address these.

## Communicating learning opportunities

As part of the communications strategy, the investigating officer needs to share the identified learning opportunities to all key stakeholders at a local and national level.

## Review

A review should have two broad objectives.

### Organisational learning

This includes:

- investigative team learning

- gaps in policy that have allowed the corrupt activity to take place
- non-compliance with policy
- individual vulnerabilities
- early warning opportunities that were not identified in the particular case

## Supervisory learning

This should include reviewing:

- the aims and objectives of the investigation
- how effectively the aims and objectives were achieved
- tactics and how they were implemented
- evidence preparation
- outcomes
- internal and external communications
- timeliness and proportionality
- summarised learning

When undertaking a review, it is necessary to carefully consider the teams and methods used such as:

- the IOPC
- the Police Federation
- corporate communications

For further information see:

- [Debriefing](#)
- [Operational review](#)

## Thematic assessments

The National Policing Counter-Corruption Advisory Group (NPCCAG) and the [IOPC](#) have undertaken a number of thematic assessments which can help when carrying out force reviews.

The IOPC's Learning and Confidence Committee publishes a quarterly bulletin, [Learning the Lessons](#), to share information from across the police service and to enable forces to benchmark

themselves. This allows forces to determine if they are at risk of making the same or similar mistakes.

## Categorisation

It is important that the learning opportunities are classified in order to understand their strategic significance. They can be categorised as follows.

### Case specific

These arise out of the specific case for individuals within an organisation. They are not likely to apply to any other investigation beyond the team or supervisor of the subject.

Example – following a positive random drugs test, an officer's telephone was examined. A text suggested that a supervisor had previously challenged the officer, who smelt of cannabis. The officer had told the supervisor it was due to their brother using cannabis. The supervisor did not report the matter or request a 'with cause' drugs test.

### Basic command unit or department

These are unique to a single basic command unit (BCU) or department and could not have happened elsewhere within that LEA. They were permitted by specific local management or practice that is not replicated in other areas.

### Law enforcement agency

These apply to more than one BCU or department, and are likely to have led to changes in force-wide policy or procedure. They should be escalated to regional and national meetings.

### National

These are identified by a number of LEAs in different regions of the UK and have resulted in advice being given to all police forces from the NPCCAG.

Example – regions raised significant concerns at the level of sexual offending by police officers against vulnerable persons. The ACPO Counter-Corruption Advisory Group (a precursor to the NPCCAG) commissioned an analysis of this, which resulted in a joint report between them and the IOPC. Advice was then given to all police forces.

# Tags

Professional standards