

UNDER EMBARGO UNTIL 00.01 ON THURSDAY 5 OCTOBER 2017



Abuse of position for a sexual purpose

A review of forces' plans in response to our PEEL legitimacy 2016 national report recommendation

October 2017

© HMICFRS 2017

ISBN: 978-1-78655-570-0

www.justiceinspectors.gov.uk/hmicfrs

Contents

Foreword	3
Summary	5
Background	7
HMICFRS' inspection findings	8
National work in response to our concerns	10
NPCC's strategy to address the abuse of position for a sexual purpose	10
Maintaining professional boundaries guidance	11
Amendment to the IPCC's mandatory referral criteria	12
HMICFRS' review of forces' plans	15
Assessment criteria	15
Review findings.....	16
Overall assessment of forces' plans	18
Conclusion and next steps	21

Foreword

Police officers and police staff hold a privileged position within our society; they can use a range of coercive powers and under certain circumstances they are allowed access to people's homes, businesses and personal information. Often members of the public are at their most vulnerable when they come into contact with the police. It is therefore imperative that all police officers and police staff act with the utmost integrity at all times and do not seek to take any personal advantage from the position they hold.

No one wants to believe that police officers and staff – whose primary function is to help the most vulnerable people in our society – would ever be involved in taking advantage of people in such a way. Nonetheless, such cases do occur, and when they do they can have a devastating effect on the lives of individual victims and corrode the trust and confidence both they and the wider public have in the police. Police forces must therefore work tirelessly to prevent and seek out this form of serious corruption and to pursue the perpetrators.

The 2016 PEEL legitimacy inspection which was published in December 2016¹ by HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)² assessed how well forces were preventing and seeking out corruption. It had a specific focus on how well forces were tackling the problem of abuse of position for a sexual purpose. We were disappointed by what we found: evidence of a police service that had overwhelmingly failed to take heed of lessons from previous inspections and reports going back to 2012.

This year we assessed forces' plans for responding to our concerns. We found a variable picture across the country. There has undoubtedly been impressive work going on at a national level, and in some forces, but we were disappointed to find that this progress is not consistent across England and Wales.

¹ *PEEL: Police legitimacy 2016: A national overview*, HMIC, December 2016. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/

² This inspection was carried out before 19 July 2017, when HMIC also took on responsibility for fire & rescue service inspections and was renamed HM Inspectorate of Constabulary and Fire & Rescue Services. The methodology underpinning our inspection findings is unaffected by this change. References to HMICFRS in this report may relate to an event that happened before 19 July 2017 when HMICFRS was HMIC. Citations of documents which HMIC published before 19 July 2017 will still cite HMIC as the publisher.

UNDER EMBARGO UNTIL 00.01 ON THURSDAY 5 OCTOBER 2017

In the light of this mixed picture, and of our continued focus on improving the police service's ability to protect vulnerable people, we shall return to police forces' ability and determination to prevent, seek out and eradicate this serious form of corruption in our inspections in 2018 and beyond.



Michael Cunningham

HM Inspector of Constabulary

Summary

In January 2011, PC Stephen Mitchell from Northumbria Police was sentenced to two life sentences after being found guilty of two rapes, three indecent assaults and six counts of misconduct in public office. He had abused his position as a police officer to offend. Although an extreme case, it was not an isolated one. Other officers and staff have since been convicted of using their position to engage in sexual activity with vulnerable people they have met through their work.

This case should have been a watershed moment for the police service. However, despite a 2012 report³ on the scale of the problem and our 2014 inspection findings raising concerns about forces' anti-corruption capability and capacity,⁴ our 2016 PEEL legitimacy inspection continued to identify serious concerns.⁵ These included forces failing to recognise abuse of position for a sexual purpose as serious corruption, failing to refer cases to the Independent Police Complaints Commission (IPCC), and lacking the capacity and capability to seek intelligence on this form of corruption rather than wait for it to be reported.

The recommendation on page 37 of our 2016 report said:

“Within six months, all forces should have started to implement a plan to achieve the capability and capacity required to seek intelligence on potential abuse of authority for sexual gain. These plans should include consideration of the technology and resources required to monitor IT systems actively and to build relationships with the individuals and organisations that support vulnerable people.”

Also, we said that forces needed to do more to help their workforces recognise and understand the problem, and that there needed to be a coherent, comprehensive, national policing response. Since then, national policing agencies have undertaken important work in response to our findings. This includes a national strategy developed by the National Police Chiefs' Council (NPCC), new College of Policing guidance on professional boundaries and changes to the IPCC's mandatory referral criteria to include all cases of abuse of position for a sexual purpose. National

³ *The abuse of powers to perpetuate sexual violence*, IPCC, September 2012. Available at: www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF

⁴ *Integrity matters*, HMIC, January 2015. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/

⁵ *PEEL: Police legitimacy 2016: A national overview*, HMIC, December 2016. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/

agencies have impressed us with the speed and commitment with which they have responded to our concerns.

We committed to reviewing forces' plans to address the recommendation of our 2016 national legitimacy report in the course of 2017. This desk-based review enabled us to assess forces' progress while at the same time giving them a reasonable period of time during which to make the required changes.

We assessed their plans on a number of criteria and found inconsistent progress across the country. We have now reported our findings to every force – each one has received a letter setting out our assessment of its plan. Forces now have another opportunity to make further progress before we return to the topic in 2018 and beyond.

Our 2016 report used the terminology 'abuse of authority for sexual gain' to describe the problem of police officers or police staff taking advantage of their position, authority or powers to pursue a sexual or improper emotional relationship with any member of the public. In the interests of consistency with the terminology used in the NPCC's national strategy, we refer to the problem as 'abuse of position for a sexual purpose' throughout this report.

Background

What is abuse of position for a sexual purpose and why is it important?

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

“Any behaviour by a police officer or police staff member,⁶ 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.”

In January 2011, PC Stephen Mitchell from Northumbria Police was found guilty of two rapes, three indecent assaults and six counts of misconduct in public office. He was sentenced to two life sentences. He had used his position as a police officer to facilitate his offending. While this case was unusually serious, it was by no means isolated. Other officers and staff have since been convicted of taking advantage of their position to engage in sexual activity with vulnerable people they have met during the course of their work.

The arrest and subsequent conviction of PC Stephen Mitchell should have been a watershed moment for the police service. National authorities did indeed react swiftly. The case led to the then Association of Chief Police Officers' Counter Corruption Advisory Group (ACCAG) and the Independent Police Complaints Commission (IPCC) producing, in September 2012, a joint report about the scale of the problem.⁷ The report set out a series of case studies and a checklist for forces to use to review their policies, procedures and working practices, so they could identify and address any inappropriate behaviour by police officers or staff. It urged the police service to put systems and processes in place to reduce the chance of its occurring and improve the likelihood of bringing those involved to justice.

⁶ Including volunteers or staff contracted into police roles.

⁷ *The abuse of powers to perpetuate sexual violence*, IPCC, September 2012. Available at: www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF

HMICFRS' inspection findings

In 2014, HMICFRS inspected forces on integrity and anti-corruption, producing the report *Integrity matters* in early 2015.⁸ We were disappointed to find that approximately a fifth of forces were still failing to develop sufficient corruption-related intelligence and more than half of forces did not monitor their IT systems regularly for evidence of misuse. We also raised concerns regarding the capability and capacity of counter-corruption units (CCUs): almost a third of forces did not have sufficient resources to deal appropriately with the level of intelligence being received, which limited the amount of proactive intelligence gathering undertaken.

In 2016, as part of our PEEL legitimacy inspection, we returned to forces to examine counter-corruption activity again, focusing specifically on how well they were addressing the problem of officers and staff abusing their authority for sexual gain. We examined a range of areas including the extent to which forces recognise, and treat, such abuse of authority as serious corruption; how well they seek intelligence; and how well they prevent this corruption from arising in the first place. We published our findings in December 2016.⁹

In our report we said that forces were generally good at assessing and developing intelligence once they receive it, and monitoring how their workforces adhere to policies that are related to integrity. However, we found that many needed to improve their ability to seek out intelligence, rather than waiting for it to be reported, so they can intervene early to reduce risks to integrity. This limitation was particularly serious with regard to forces' ability to tackle the problem of abuse of position for a sexual purpose.

We saw this limitation as particularly serious because it meant that some forces were not able to intervene early to safeguard potential victims and tackle corrupt behaviour. This cause of concern led us to make the following recommendation:

“Within six months, all forces should have started to implement a plan to achieve the capability and capacity required to seek intelligence on potential abuse of authority for sexual gain. These plans should include consideration of the technology and resources required to monitor IT systems actively and to build relationships with the individuals and organisations that support vulnerable people.”

⁸ *Integrity matters*, HMIC, January 2015. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/

⁹ Force-level and national reports resulting from our 2016 inspection are available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/

UNDER EMBARGO UNTIL 00.01 ON THURSDAY 5 OCTOBER 2017

This current report considers the national work that has taken place in response to this and other recommendations from our 2016 report, alongside our assessment of how well individual forces have responded to this specific recommendation.

National work in response to our concerns

In addition to raising a concern about police forces' capacity and capability to seek out abuse of position, our 2016 report highlighted the fact that some forces were still failing to recognise abuse of position for a sexual purpose as a form of serious corruption, and so cases were not always referred to the IPCC. We also said that forces needed to do more to improve their workforces' recognition and understanding of the problem, and that it required a coherent, comprehensive, national policing response with "clear messages about the seriousness of this form of corruption and an emphasis on prevention". Since then, in response to our concerns, a range of positive work has been taking place across national policing agencies.

This work included a national strategy developed and agreed by the NPCC, newly developed and published College of Policing guidance on maintaining professional boundaries between police and members of the public, and changes to the IPCC's mandatory referral criteria to include a specific requirement for forces to refer all cases of abuse of position for a sexual purpose to them for their consideration.

This chapter provides more detail about each of these important pieces of work, and we hope that, together, they will support forces in making significant improvements to the way they prevent, seek out and respond to the problem of abuse of position for a sexual purpose.

NPCC's strategy to address the abuse of position for a sexual purpose

The NPCC is a national policing body that brings police forces in the UK together to help policing co-ordinate operations, reform, improve and provide value for money. It operates a series of committees and sub-groups under themed 'portfolios' to develop standards and policies and operational responses to a range of topics affecting policing. The National Policing Counter Corruption Advisory Group (NPCCAG) – a sub-group of the NPCC's professional standards and ethics portfolio – develops policies, tactics and plans designed to counter corrupt activities within UK policing. The NPCCAG is led by Chief Constable Stephen Watson, South Yorkshire Police, and is made up of representatives from various UK police forces, the National Crime Agency, the College of Policing, the Crown Prosecution Service and the IPCC. Following publication of our 2016 findings, NPCCAG swiftly formed a working group of counter-corruption practitioners to develop a national strategy in response to our concerns.

The strategy sets out the police service's intention "to prevent such behaviours from occurring in the first instance" and "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”.

The strategy sets out four main principles that they expect forces to focus on:

- Prevention – this covers vetting, professional boundaries training, and guidance for supervisors;
- Intelligence – this covers intelligence gathering, relationships with other agencies that support vulnerable victims, IT monitoring and audit, development of intelligence and the identification of intelligence gaps;
- Enforcement – this covers recording cases as serious corruption, oversight of the force’s CCU, referrals to the IPCC, use of an investigative checklist, victim support and access to suitably trained specialist staff; and
- Engagement – this covers working with support agencies, internal and external communication strategies, raising awareness and learning organisational lessons from previous cases.

These principles are reflected in the local implementation plan provided for forces to use, and in a communications plan that covers proposals for both an internal and external launch of the new strategy at force level. The strategy was circulated to NPCCAG members for comment before the final version was produced, disseminated and unanimously approved for adoption by all forces in England and Wales at the all-chiefs NPCC meeting in April 2017.

Maintaining professional boundaries guidance

The College of Policing was established in 2012 as the professional body for policing in England and Wales. One of its principal functions is to set standards for forces and individuals who work in policing. In May 2014, it published the Code of Ethics¹⁰ for policing, based on the following nine policing principles: accountability, integrity, openness, fairness, leadership, respect, honesty, objectivity and selflessness. Our 2016 findings made reference to the positive work that most forces had done to ensure that their workforces understood these principles. In addition, we acknowledged that some forces had gone further than others by producing documents to provide further clarity on acceptable and unacceptable forms of contact with people whom officers and staff meet during the course of their work.

¹⁰ *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: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

In response to our concerns, the College of Policing and NPCCAG collated information about the positive work already undertaken in some forces to produce a national document entitled *Maintaining a professional boundary between police and members of the public*. This complements the existing Code of Ethics by emphasising the importance of professional boundaries in maintaining public trust and confidence in the police, and by setting clear boundaries in respect of the interactions with members of the public encountered in the course of their work. The guidance also informs supervisors of their responsibilities should suspected breaches be brought to their attention, and clarifies the expectation that any breaches should be referred to the IPCC. The guidance was agreed by the College and the NPCC in April 2017 and has now been circulated to all forces.

Amendment to the IPCC's mandatory referral criteria

The IPCC issues statutory guidance¹¹ designed to assist local policing bodies and forces to comply with their legal obligations and to achieve high standards in the handling of complaints and matters relating to conduct and death and serious injury, which is based on a framework, set out in legislation. The detailed guidance covers all aspects of recording and investigation, including identifying those cases that are serious enough to be referred to the IPCC.

The Police (Complaints and Misconduct) Regulations 2012 require appropriate authorities to refer complaints and recordable conduct matters falling within the mandatory referral criteria to the IPCC, so it can investigate or provide independent oversight of the more serious cases. At the time of HMICFRS' 2016 inspection, the regulations stated that the appropriate authority must refer to the IPCC complaints and recordable conduct matters that include allegations of conduct that constitutes:

- serious assault;
- serious sexual offence;
- serious corruption;
- criminal offence or behaviour which is liable to lead to misconduct proceedings and which, in either case, is aggravated by discriminatory behaviour on the grounds of a person's race, sex, religion or other status identified in paragraph 8.18 of the IPCC statutory guidance;
- a relevant offence; and
- a complaint or conduct matter which is alleged to have arisen from the same incident as anything falling within these criteria.

¹¹ IPCC's statutory guidance is available at www.ipcc.gov.uk/page/statutory-guidance

When forces find, or receive, complaints or intelligence about police officers and staff potentially abusing their position for a sexual purpose, these cases (generally falling into either the 'serious sexual offence' or 'serious corruption' referral categories) should be referred 'without delay' to the IPCC. This principle applies equally to those cases where there is not yet sufficient information to make an arrest, or where covert tactics are about to be deployed.

Our 2016 legitimacy report set out our concern that forces did not always recognise the problem of abuse of position for a sexual purpose as a form of serious corruption, and consequently were failing to refer those cases to the IPCC (or failing to do so immediately). Our cause of concern resulted in the following recommendations:

- Within three months, all forces should complete a retrospective review of allegations and consider referrals to the IPCC.
- Within three months, forces should establish effective procedures to identify all future allegations of abuse of authority for sexual gain as serious corruption matters and make appropriate referrals to the IPCC.

In response to these recommendations, Dame Anne Owers (IPCC chair) wrote to all chief constables in December 2016 raising the disparity in referral rates between forces, and advised them on how to make referrals when necessary on covert investigations. Chief Constable Martin Jelly – the chair of the NPCC's professional standards and ethics committee – also wrote to all forces in January 2017, re-emphasising the need for all forces to review cases from the previous three years to establish whether, in the light of the criteria, any further cases should be referred to the IPCC. The letter also contained a spreadsheet provided by the IPCC for forces to complete detailing information on closed cases that were not, but should have been, referred. The IPCC wrote separately in the same month to forces to remind professional standards departments of this obligation to review their cases, and most forces replied to this letter. When the professional standards departments did not reply, the IPCC wrote to the force's chief constable, and a response has now been received from all forces.

In response to the inspection findings, the Home Office introduced changes to the 2012 regulations¹² to include specifically abuse of position for a sexual purpose or for the purpose of pursuing an improper emotional relationship within the mandatory referral criteria. IPCC also worked with the NPCCAG and the Home Office to reflect these changes within its statutory guidance. The statutory guidance is updated periodically and, in between updates, the IPCC issues operational advice notes on

¹² The Police (Complaints and Misconduct) (Amendment) Regulations 2017. Available at: www.legislation.gov.uk/uksi/2017/575/contents/made

changes. One such note, coming into force on 22 May 2017 to coincide with the new regulations, was issued in April 2017.¹³ The 'serious corruption' mandatory referral criterion now makes specific references to cases of abuse of position for a sexual purpose to clarify that they are examples of serious corruption and must be referred to the IPCC without delay.

The IPCC continues to monitor referral numbers and draw attention to those forces that it believes may be under-referring. We intend to assess the extent of force improvements in this area when we return to inspect forces in 2018 and beyond.

¹³ Operational advice note (Mandatory referral criteria update), IPCC, April 2017. Available at: www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Operational_advice_note_mandatory_referral_criteria_April_2017.pdf

HMICFRS' review of forces' plans

The recommendation on page 37 of our 2016 national legitimacy report¹⁴ required all forces, within six months of the date of publication (8 December 2016), to develop and begin to implement plans to achieve the capability and capacity required to seek intelligence on potential abuse of position for a sexual purpose.

In recognition of the fact that the NPCC was developing a national strategy in response to our wider findings, and that making the required improvements would for some forces require a significant investment of time and resources (e.g. procuring IT monitoring equipment), we committed to reviewing forces' plans in the course of 2017. This approach enabled us to undertake a desk-based assessment of forces' progress, while also giving them a reasonable period of time during which to make the required changes.

We initially asked all forces to supply their plans (and any associated documentation) by mid-March 2017; we gave them an additional opportunity to resubmit updated plans by 31 May 2017 following the agreement of the NPCC's national strategy in early April 2017.

Assessment criteria

While we did not set out specifically what each plan should contain, we assessed the extent to which forces had credible and achievable plans to address our recommendation. We looked for:

- reference to each aspect of the recommendation: achieving the capability and capacity to identify potential abuse of authority for sexual gain; monitoring IT systems; and building relationships with the individuals and organisations that support vulnerable people;
- a gap analysis or clear understanding of the original force position compared with the requirements of the recommendation;
- a present position update, if work had already commenced;
- clear actions, with owners; and
- timescales for implementation.

¹⁴ *PEEL: Police legitimacy 2016: A national overview*, HMIC, December 2016. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/

These assessments of progress did not result in each force being graded, not least because while a force might have submitted insufficient information to allow a meaningful evaluation, it might still have been completing the necessary work to address the recommendation. Equally, a force might have submitted a credible plan in response to the recommendation but in actual fact be failing to implement it. A full assessment of implementation will only be possible following re-inspection. Instead, we provided each force with an individual letter setting out how credible we found its plan to respond to each element of our recommendation.

Review findings

All 43 forces across England and Wales submitted plans by 31 May 2017. During our 2016 inspections, we found that two forces – Derbyshire Constabulary and Merseyside Police – already had adequate capability and capacity in place, so our recommendation did not apply to them. The plans for these two forces, therefore, were not included in our assessment this year. An overview of our assessment of the remaining 41 forces against each of the three elements of the recommendation, and an overall assessment, is set out below.

Does the plan include improving the force's capability and capacity to identify potential abuse of position for a sexual purpose?

Our 2016 report reflected the fact that in almost a third of forces our inspectors raised concerns about counter-corruption units (CCUs) not having enough resources to deal appropriately with the level of intelligence being received, let alone to do more active intelligence gathering. We said that forces need to ensure that their CCUs are properly resourced and have staff with the necessary skills to develop and to investigate corruption intelligence thoroughly; not doing so poses an unacceptable risk.

During our review, we were disappointed to find that almost half (21) of the force plans did not contain reference to reviewing and improving the capability and capacity to identify potential abuse of position for a sexual purpose, even in some cases where they were otherwise comprehensive. A further nine force plans contained some elements of capacity and/or capability but the force had either not commenced implementation or had provided insufficient information for us to assess progress. In 11 forces, it was apparent that capacity and/or capability of the force's CCU had been considered, and implementation of their plans was already under way. We will be in a position to comment on the extent to which forces have improved the capability and capacity to identify potential abuse of position for a sexual purpose only once we have undertaken a full re-inspection.

Does the plan include improving the force's capability and capacity to monitor systems to identify potential abuse of position for a sexual purpose?

Our 2016 report explained that the ability of a force to prevent and detect misuse of the information held on its computer systems is an important means of preventing corruption. We were clear that forces must therefore be able to monitor and audit the entirety of their IT systems to identify individuals who misuse them for corrupt activity. We were disappointed to find that almost half of all forces did not have either the capability or the capacity to monitor and audit every aspect of their IT infrastructure.

Police forces' ability to monitor IT systems is currently in transition due to the introduction across many forces of hand-held devices – also known as 'mobile data'. The traditional software applications used to monitor forces' IT systems are not always able to monitor use of hand-held devices by police officers and staff in the same way that they can the use of networked computers. Forces have been working with software providers to make this possible but meanwhile, since the increased use of hand-held devices, some forces that would previously have been considered to have adequate IT monitoring capabilities now have a significant gap in their ability to seek intelligence on potential abuse of position for a sexual purpose. With this in mind, we assessed the extent to which this gap had been considered in the plans to address our recommendation.

We found that 16 forces had plans demonstrating that they were already in the process of introducing software capable of monitoring all aspects of their IT infrastructure, and 2 others indicated that they already had this technology in place. In 14 forces where there did appear to be plans to address this, either implementation had not begun as of 31 May 2017 or we were not provided with further information on implementation. Generally, the reasons for this were protracted procurement processes, the need to develop suitable software and continuous bids for funding. Nine forces failed to provide us with sufficient information to be able to assess how much consideration they were giving to IT monitoring. We do accept that implementing technical resources may take a significant investment of time and money, but we hope that by the time our PEEL inspections begin again in 2018 forces will have the capability required and the capacity to use it proactively.

Does the plan include improving the extent to which it seeks intelligence from organisations that support vulnerable people?

Our 2016 report set out the results of our survey of domestic abuse practitioners, which suggested that victims of domestic abuse do report abuse of position to practitioners, whose job it is to support domestic abuse victims and their children. It is important, therefore, that forces' professional standards departments and CCUs develop trusting relationships with these practitioners – and those working with other vulnerable people – so they can seek intelligence on potential abuse of position, and so practitioners have the knowledge and confidence they need to report any concerns. We were therefore disconcerted to find that only a small number of forces could provide us with evidence that they had made significant efforts to build links with the staff in agencies that support the individuals and groups that are particularly vulnerable to this type of abuse.

Our subsequent recommendation addressed this aspect of our concern, and we were pleased to find that most forces have now responded positively to it. We would have been concerned if they had not done so because this is an area of proactive counter-corruption work that does not have to be resource-intensive, and we would expect forces to have existing relationships with local practitioners. The plans for 21 forces included sufficient information for us to see that they had already begun communication with local organisations. In the case of 14 forces, the plans contained evidence that they were intending to forge links with local organisations but they had yet to do so. Most disappointingly, six forces failed to provide sufficient detail in their submissions to reassure us that these links were being developed or even considered.

Overall assessment of forces' plans

As well as making an assessment of each force's plan in response to each element of our recommendation, we also considered each plan in its entirety. We found very few forces making the same progress on each individual element of the recommendation, particularly in terms of the extent to which forces considered the overall capability and capacity of their CCUs. As such, we have provided an overall assessment of progress for each force based on the balance of progress across all elements, giving greater weight to the extent to which forces addressed IT monitoring and links to other agencies, because we considered these to be the most important aspects of capability and capacity. Table 1 contains our overall assessments of forces' plans. More detail on individual findings can be found in the individual letters to forces, describing the results of our assessment in more detail.¹⁵

¹⁵ Individual force letters are available at www.justiceinspectorates.gov.uk/hmicfrs/publications/abuse-of-position-for-a-sexual-purpose

Table 1: Assessments of forces' plans

	Capability and capacity	IT monitoring	Links with agencies	Overall
Insufficient information to assess plan	21	9	6	11
Plan in place but implementation has not yet commenced	9	14	14	15
Plans in place and implementation has commenced	11	16	21	15
Not assessed (all aspects already in place)	2	4	2	2

Overall, we were disappointed to find that, on the basis of the information forwarded to us by 31 May 2017, 26 forces had not begun to implement their plans, or had supplied such minimal detail that we could not evaluate their progress. Specifically, 11 forces did not provide us with sufficient information to be able to assess whether they were responding to any elements of our recommendation.

Of the 26 forces commented on above, we assessed 15 as having an overall plan in place to address the recommendation, although we did not see evidence that they had commenced implementation. The quality of these plans varied, but some were comprehensive and contained evidence (e.g. briefings and advice on maintaining professional boundaries) that reassured us that these plans would be implemented.

More positively, 15 forces not only had plans but, from what we could see, had begun implementation. South Wales Police and Gwent Police produced comprehensive plans reflecting the national strategy, and provided evidence that implementation had begun. Greater Manchester Police produced a comprehensive plan divided into actions involving covert counter-corruption activity and other activities associated with wider professional standards work.

Since we had found a 'cause of concern' and associated areas for improvement in 2016, we were pleased that the tri-force alliance of Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary submitted comprehensive joint plans to address both our recommendation and wider concerns, including a range of supporting documents to demonstrate the concerted action being taken.

Lancashire Constabulary's plan was another good example of a comprehensive set of actions that reassured us that the force is taking the matter seriously. Although not directly related to our recommendation, one aspect of this plan stands out:

Lancashire has updated its notifiable association policy¹⁶ to include a requirement for employees to inform the force of any personal relationships formed as a result of meeting people during the course of their duties. This approach not only reinforces in the minds of officers and staff awareness of the need to think before attempting to form personal relationships, also, it also allows the force to give guidance to individuals and demonstrates openness on the part of the officers or members of staff reporting such relationships. At the same time, it helps forces to take swift action should unreported relationships come to light.

Finally, it is notable that Merseyside Police and Derbyshire Constabulary, both of which were found to have sufficient capability and capacity when we inspected them in 2016, still produced plans in response to the findings in our report. The plans, which were also in line with the national strategy, were produced to reassure these forces that they were in fact doing everything they could to tackle the problem. This commitment to continuous learning and improvement is commendable.

¹⁶ Notifiable association policies are designed to protect officers and staff from inappropriate relationships that have the potential to be an integrity risk to the force and the individual. All force employees must report any associations with people who fall into certain categories. These generally include relationships with people with criminal convictions, people dismissed from a force, journalists, people on bail, etc. This policy allows the force to review the association and give appropriate guidance to officers and staff regarding their future relationship with the individual, avoids officers and staff doing unauthorised checks on individuals and informs the force of potential threats to the integrity of its workforce.

Conclusion and next steps

Since the publication of our national legitimacy report in December 2016, we have been impressed by the speed and commitment with which national agencies have been working together to respond to our recommendations. Together, the national strategy, professional boundaries document and IPCC's statutory guidance provide clear information to help forces improve the way they prevent, seek out and respond to the problem of police officers and staff abusing their position for a sexual purpose.

Our review of actual force plans has presented more of a mixed picture. While there is no doubt that all forces have understood the need to improve the way they deal with the problem – we received at least some form of documentation from all 43 – the pace with which they are planning to deal with the matter is variable. The extent to which forces are already taking the required action is even less consistent. In many cases, the plans submitted to us were in their early stages, while others contained so little detail that we could not make any assessment of progress.

It was particularly disappointing that by 31 May 2017, 26 forces appeared to have not yet begun to implement their plans. On a more positive note, 15 forces produced comprehensive plans and supporting documentation that reassured us they are taking timely and appropriate steps in response to our recommendation. Finally, although we were not assessing plans on this basis, we were pleased to find that 32 plans reflected the principles set out in the NPCC's national strategy.

Ultimately, we cannot assess how well forces have implemented their plans to address our recommendation until we re-inspect them. Forces now have another opportunity to make progress before we return to this important matter in 2018 and beyond. Between this feedback provided in our individual letters to forces, the national strategy, College of Policing guidance and IPCC referral criteria, we believe that all forces have the information they need to produce and implement effective plans to address our recommendation, and to improve the way they prevent, seek out and respond to the problem of abuse of position for a sexual purpose more widely.

On our return to forces from 2018, we will be particularly interested to find out how far they have been able to resolve technical problems associated with monitoring hand-held devices and the extent to which they have developed constructive and sustainable links with local agencies supporting vulnerable people.

Also, we will be interested to see how well forces have taken to heart the principles set out in the NPCC's national strategy. We hope that, following these inspections, we will be able to reassure the public that forces have improved their ability to seek out intelligence on abuse of position for a sexual purpose, rather than waiting for it to

UNDER EMBARGO UNTIL 00.01 ON THURSDAY 5 OCTOBER 2017

be reported. Such early intervention is the best way to safeguard potential victims and tackle this form of serious corruption.