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HMIC Legitimacy Inspection: Findings in relation to abuse of authority for sexual gain

Last week's report by Her Majesty's Inspectorate of Constabulary sets out a generally positive assessment of forces acting with legitimacy in order to keep individuals safe and to reduce crime. The report highlights a number of positive messages about best practice that has developed in many areas that they inspected and we should commend the progress and successes that HMIC identify in forces across England and Wales.

However, the report also sends a very clear message that significant improvements are needed across many police forces in preventing and responding to the shocking issue of the abuse of authority for sexual gain by police officers and police staff. It is vital that there should be a concerted effort to build on successes in other areas, and progress made in some forces, in order to respond to these findings and to deliver the necessary improvements in every force and at the national level.

It is reassuring to note that the vast majority of those within policing operate with integrity, treating all members of the public with respect and courtesy. However, when it comes to the abuse of vulnerable people, any number of allegations is a cause for concern because of the unique role that individuals serving with the police have in our communities. And in relation to vulnerable people this is particularly so due to the powers and trust that are invested in them.

The damage caused by those who do take advantage and abuse their trust and authority causes damage to each of those who serve with pride in accordance with the values and principles that we expect. It also damages public confidence in policing.

Much more must now be done nationally across policing to build upon the steps taken in recent years to improve the response to these allegations. In response to this report, I look to you as the respective leaders of the National Police Chiefs' Council and College of Policing to be at the forefront of an improved response to these issues.

Leadership on Professional Boundaries and Personal Relationships

First, as the report makes clear there is a need for more visible leadership and the delivery of a clearer message through a specific code of conduct in relation to abuse of authority for sexual gain, in addition to the references to this issue within the Code of Ethics.

To bring the policing profession into line with other sectors including the medical profession, this code should clearly set out the expectations and responsibilities of all who serve in policing in maintaining appropriate relationships and not abusing positions of trust to establish inappropriate relationships or relationships for sexual gain.

I am therefore asking if the College of Policing could consider the feasibility of developing a supplementary addendum to the existing Code of Ethics, which would establish clear guidelines on Professional Boundaries and Personal Relationships, to be laid before Parliament with the Home Secretary's approval before the end of the current session of Parliament in Spring 2017. This could then be further supported by building this issue into training and other work on vulnerability already undertaken by the College.

NPCC led work to produce a national strategy for dealing with corruption and abuse of authority for sexual gain

Secondly, as we have discussed, work is already underway to produce an NPCC led national strategy for dealing with corruption and abuse of authority for sexual gain. This is an important piece of work and should focus on improving capability across forces to proactively identify perpetrators of this abuse, particularly those who seek to use policing systems, databases or devices in order to identify or make contact with potential victims. It would be beneficial to also set out the preventative work that forces should undertake to tackle this issue building on some of the good examples in certain forces.

The strategy will need to be adopted in due course by all forces, providing advice, guidance and best practice on intelligence gathering, profiling of potential perpetrators and monitoring techniques.

The importance and urgency of this work must not be underestimated and should therefore be completed by April 2017, for cascading to all Chief Officers and police forces early in the next reporting year to meet HMIC's recommendation to commence this work in every force within 6 months.

National Consistency in recording and reporting

Alongside the important prevention and detection work, there is a need to establish a nationally consistent approach to the definition used to identify these cases. There is a need for a common approach to recording and reporting to ensure a full and complete picture is available across all police forces and that appropriate action is taken in all cases. HMIC's findings indicate there is at present inconsistency in the handling, recording methods and definitions used by police forces across England and Wales, which is a cause for concern.

All forces should have a clear understanding of what constitutes an abuse of authority for sexual gain, how this should be investigated and a common definition of the related matters associated with inappropriate relationships, corruption and abuse of authority. It would be helpful for this to be in place early in the 2017-18 reporting year for all forces to adopt.

Mandatory Referral to the Independent Police Complaints Commission

Finally, we must ensure that the legislative framework is clear in setting out how these matters should be handled. The Inspectorate's findings and analysis conducted by the IPCC earlier this year suggests that not all identified cases of serious corruption have been referred to the IPCC under the mandatory referral criteria.

All allegations of abuse of authority must be handled correctly which is why the Government will seek to bring forward a change to the Police (Complaints and Misconduct) Regulations to introduce a new standalone criterion for all such matters to be referred automatically to the IPCC. This will ensure that when these matters are identified, they can be thoroughly, independently assessed and the appropriate form of investigation taken in response.

The way forward

In addition, as agreed at our meeting, you have undertaken to take forward a number of other actions including the development of the College of Policing Indicative Sanctions guidance for misconduct hearings (to be published following Royal Assent of the Policing and Crime Bill); contributing to the Law Commission's consultation on reform to Misconduct in Public Office to reflect reforms needed for these matters; and developing a clearer understanding of outcomes following these allegations.

The policing profession must stand ready to protect those who are at their weakest or most vulnerable and to take action when others do not. No person in a position of power or a holder of trust should abuse or misuse that which is invested in them. The message must be clear that those who do have no place in policing.

I am copying this letter to Sir Tom Winsor, Dame Anne Owers and Stephen Watson.



Rt Hon Brandon Lewis MP