Corruption and Crisis Control:

The Nature of the Game –
New South Wales Police Reform 1996–2004

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DECLARATION

I, Jann Ellen Karp, declare that this thesis, submitted in partial fulfilment of the requirements for the award of the degree of Doctor of Philosophy, in the Department of Social Policy and Sociology, University of Sydney, is wholly my own work unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

Jann Ellen KARP

2007

DEDICATION

This thesis is dedicated *to improving* the leadership practices
of and for

all police officers.

ABSTRACT

Using the Wood Royal Commission into the New South Wales Police Service in 1994 as its major case study, this thesis hypothesises that, although this inquiry had a far reaching impact on both the personal and working lives of police officers in the organisation itself, it proved ineffectual in its attempt to control corruption. It argues that corruption, and the subsequent inquiries into this corruption, can be seen to have a cyclic nature and the failure of such inquiries has a long and international history. It contends that the nature of the public inquiry itself can be seen to contribute to the continuation of the cycle of corruption. Clearly, putting an end to corruption requires more than the investigation, public exposure and punishment of a few corrupt police, followed by a generalised tightening of the chain of command. Instead, this thesis demonstrates that the problem is primarily an organisational one and it is important to look at management reforms.

This thesis contends that the cycle of corruption involves the nature of police work; the catalyst that triggers the inquiry; the inquiry itself and the issue of the report; and the police and community responses. An examination of all these factors is crucial to understanding the cycle's dynamics. The final report of the Wood Royal Commission was in 1996 and this thesis specifically analyses the cycle of corruption in relation to the response of the police executive to this inquiry. It shows how the police response focused on the tactical crisis response central to operational policing — in this case appeasing official censure and community fears. As little more than a public relations exercise, senior management strategically addressed the specific recommendations of the report rather than creatively considering the implications exposed during the inquiry. The idea that corruption is a symptom of an ineffective system and not simply a slackening of effective control by senior management was never considered.

In the aftermath of the Wood Royal Commission there was much discussion about 'police culture' being 'a culture of corruption'. The forgotten casualties of the inquiry has been individual police officers, many of whom see policing as a vocation. This thesis has allowed many voices to be heard and used both qualitative and quantitative methods to analyse a wide range of information and data, which included personal interviews with serving police officers and members of external organisations, as well as printed material from Royal Commission Reports, Hansard and other government documents, internal Police Service documents and media reports.It has used Bourdieu's theoretical approach which allows an analysis of the complex relationships involved between police officers as individuals who operate within the wider networks of a specific organisation and the way the personal is important as an explanatory tool of what happens within a policing culture and how this culture is perceived differently from within and without. Bourdieu's theory also facilitates analysis of the interactions of this network with the wider community, putting in context the responses of both

the police service and the community. The connection with the personal is important as an explanatory tool of what happens within a policing culture and how this culture is perceived differently from within and without. Bourdieu constructs an understanding of the 'nature of the game' of policing and the shaping of the individual within police culture, giving insight into the source of moral dilemmas, personal beliefs and personal behaviour.

As the current management system of command and control is at the heart of this response, this thesis has also analysed the assumptions inherent in this management philosophy, considering both necessary operational strengths as well as organisational weaknesses. A central theme of the thesis is that open dialogue will reduce the incidence of corruption and risk within policing institutions. This thesis argues that there must be an integrative approach to reform — accountable, active leadership combined with critically constructed practical approaches that tackle the complexity of the dynamics embedded in the 'nature of the game' of policing itself.

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LIST OF ABBREVIATIONS

ALRC ....Australian Law Reform Commission
CAS ....Computerised Assessment System
CEO ....Chief Executive Office
CET ....Commissioner's Executive Team
CIS ....Complaints Information System
CJC................Criminal Justice Commission
CLR ....Commonwealth Law Reports
CMSU ....Crime Management Support Unit
COP ....Commissioner of Police
COPS ....Computerised Operational Policing System
EMS ....Employee Management System or Executive Management System
ICAC ....Independent Commission against Corruption
IT ....Information Technology
LAC ....Local Area Command
No. ....Number
NSWLR ....New South Wales Law Reports
NVIVO...........Trade name for software qualitative analysis program
OPR ....Office of Professional Responsibility
OCR ....Operational Crime Review
PIC ....Police Integrity Commission
PSC ....Professional Standards Command
PSW ....Police Service Weekly
QB ....Queen's Bench
QSARP...........Qualitative and Strategic Audit of the Reform Process
RC ....Royal Commission
S/Constable ....Senior Constable
Vol. ....Volume

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CHAPTER ONE

The Cycle of Corruption: The New South Wales Police Force and the Wood Royal Commission

1.1: Introduction

This thesis examines the question of why, despite numerous inquiries and investigations into corrupt activities within the New South Wales Police Service, there has been no apparent end to corruption within this organisation. It will argue that corruption, and the subsequent inquiries into this corruption, can be seen to have a cyclic nature. Using the Wood Royal Commission into the New South Wales Police Service in 1994 as its major case study, this thesis hypothesises that, while this inquiry had a far reaching impact on both the personal and working lives of police officers in the organisation itself, it proved ineffectual in its attempt to control corruption. Nor was this failure peculiar to this particular Royal Commission for this was just one instance in a long and international history of corruption inquiries that have done nothing to change the pattern of corrupt practices already in existence in policing organisations around the world (see also Appendix O). It is a major contention of this study that the nature of the public inquiry itself can be seen to be a contributing factor fuelling the continuation of the cycle of corruption. Clearly, putting an end to corruption must mean more than just the investigation, public exposure and punishment of the few 'rotten apples' and a general 'crackdown' on work practices for officers in the Police Service overall.

This thesis will demonstrate that the cycle of corruption existing within the NSW Police Force is composed of the following parts: first, there is the ongoing nature of police work; second, the crisis or catalyst that triggers the inquiry to be set up; third, the inquiry itself and the issue of the report; four, the police response; and fifth, the community response. Of course, as this model is a cycle that continues inexorably rather than a linear progression from one through to five, the numbering of these parts above is purely a literary convenience in the interests of clarity. These are parts rather than stages and frequently overlap with each other.

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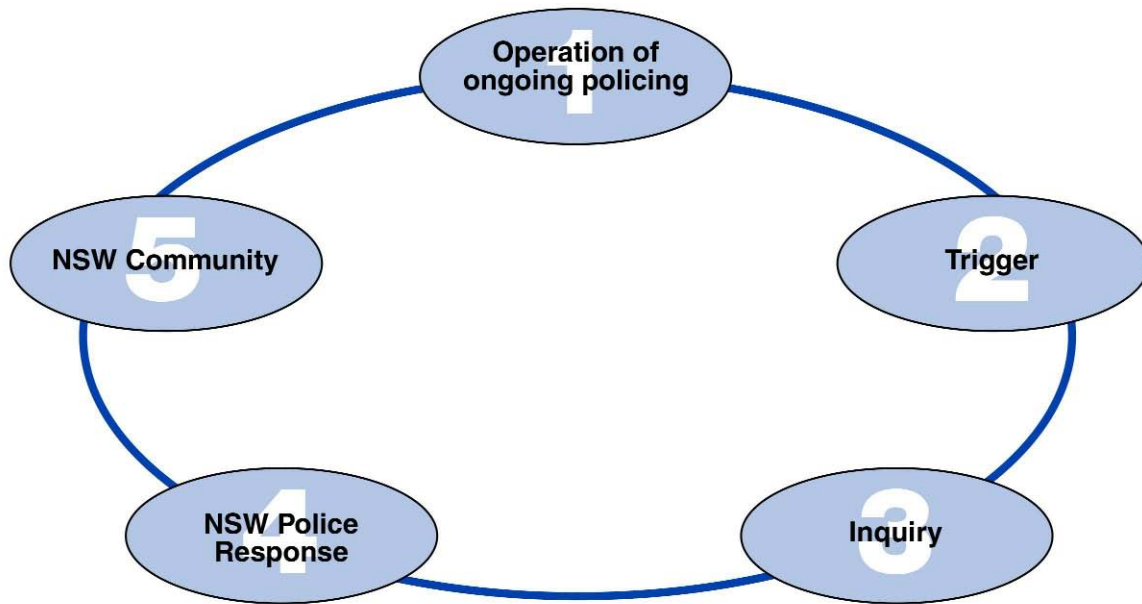
Design: Peter McPherson, NSW Police Printing & Design Services (2004)

Figure 1.1: The Cycle of Corruption: Inquiries, Crisis and Responses

The Wood Royal Commission made its final report into police corruption in the NSW police service in 1996 and this thesis will specifically analyse the cycle of corruption in relation to this period of inquiry. In terms of preventing corruption, one of the limitations to the effectiveness of inquiries such as the Wood Royal Commission lies in the fact that the executive police response necessarily becomes centred on how to satisfy official censure as well as allay community fears created during the course of the inquiry, concerning themselves with tightening and strengthening chains of control over the organisation itself. This response becomes, first and foremost, a public relations exercise, with senior management strategically addressing the specific recommendations contained in the report rather than creatively considering the implications of the broader picture exposed during the inquiry. In the crisis created by the Wood Royal Commission, it will be argued, the police executive demonstrated a marked lack of interest in the proposition that corruption is a symptom of an ineffective system not simply a slackening of effective control by senior management.

As the current management system of command and control is at the heart of this response, this thesis will also proceed by analysing the relationship of this response and the assumptions inherent in this management philosophy, considering both its necessary strengths as well as its

weaknesses. A central theme of the thesis is that open dialogue will reduce the incidence of corruption and risk within policing institutions. Commanders of organisations who have constantly been under review tend to respond to demands for further change with a negative and defensive attitude. This thesis seeks to prove the need for an integrative approach to reform — accountable, active leadership combined with the utilisation of command and control when appropriate. Police leaders presently demand accountability by means of rigorous and inflexible auditing, a process that offers little feedback and few problem-solving initiatives, and often exacerbates the problems.

However, although it will be arguing that command and control style management is largely inappropriate when applied to human resource issues, an in-depth analysis of alternate theories of management lies outside the scope of this thesis and for this reason will not been discussed. The research component of this thesis, therefore, is not directed at what and how the report's specific recommendations were addressed, but at the overall response of the Service and its workers to the pressures of the inquiry that was exercised on individuals during the period lasting from1996 to 2004. The aim of examining this entire period is to review the steps with which the organisation attempted to arrest corruption and halt the apparent unstoppable cycle of inquiries and discover the reasons why this response ultimately failed.

The thesis is both informed and strengthened by the researcher's personal experience as a serving officer. During the period in question I was able to observe the ongoing cycle of corruption not as a detached researcher but firsthand, from within the organisation. Being a participant in the process led to my questioning the relevance of the Royal Commission as a response capable of successfully tackling the phenomenon of police corruption. The evidence of the existence of ongoing corrupt activity I first observed in police work was in 1986 and the last executive police offence of alleged corruption I reported was in 2003. During this observation period it became apparent that there was a familiar pattern discernible in the personal stress and elements of behaviour exhibited during interviews with police officers at all levels over this ten-year period. In spite of the obvious specificity of individual circumstances, officers reported that they were still basically advised to be quiet; assured that the matter was already being properly taken care of already; or denounced as trouble-makers. The organisation can be seen to draw in on itself, responding with protestations, denials and convoluted self-justification to counter the outside condemnation and indignation of the community response. Almost invariably, the leadership remains reactively defensive. Nor is this pattern of response limited to the higher-ranking officers and directed entirely at controlling lower ranking officers. In fact, it is just as common between senior executive officers of equal rank and, in such cases, the opinion of the senior officer or the officer with the highest level of individual reputation usually prevails.

1.2: The Inquiry

Royal Commissions into police involvement in corrupt practices and other standing commissions — such as the New South Wales Police Integrity Commission 1996 — have long had a continuing role overseeing police activities, specifically in the area of police corruption. Such commissions of inquiry involve outside organisations reviewing the Police Service and calling its members to account for their behaviour in an attempt to establish the truth about serious police corruption. The Royal Commission court process then decides whether the accused police officer is guilty or innocent. It is generally assumed that commissions are about discovering the truth. Alternately, I would like to suggest that perhaps commissions are also about finding a truth that is considered to be acceptable to the public and to politicians. Is it possible for commissions to reveal a truth that has the potential to destabilise the government and create anxiety in the community? And while commissions can make recommendations, which may include the prosecution of individuals, they cannot decide guilt or innocence for they are limited by their terms of reference.

The focus of this study is directed specifically at the period *following* the Wood Royal Commission, from 1996 to 2004, when the New South Wales Government called upon the New South Wales Police to respond to the Royal Commission's Report and become accountable for its past and future actions. However, it is important here to put this inquiry in a broader context. The Royal Commission that commenced in May 1994 was established with broad terms of reference which included the efficacy of its Internal Informants program and of its Internal Affairs Branch (Wood 2000: 3). Commissioner Wood's terms of reference were to inquire into the nature and extent of corruption; the activities of the Professional Responsibility and Internal Affairs Branch; the system of promotion; the impartiality of the Police Service in investigating and/or pursuing prosecutions; the efficacy of the internal informers policy; and any other matters relating to the abovementioned matters concerning possible criminal activity, neglect or violation of duty, if the Commissioner considered an Inquiry into such matters to be in the public interest.

The commission came about as a response to the fact that a growing number of 'whistle-blowers' had for some time been signaling that all was not well and that there were people outside the police organisation who were willing to listen to them. As individuals or small groups, these concerned officers were hoping to effect change in a police organisation they saw as inherently corrupt. The issue featured heavily in the media, gaining a groundswell of support from the community, and politicians from the major parties began to find that they were being lobbied intensively to force the issue out into the open and make it subject to public scrutiny. In particular, the Independent state politician John Hatton made an historic speech in the New South Wales State Parliament on 11 May 1994, during which he stated that these were very serious issues of corruption indeed, involving such activities as the supplying of drugs;

conspiring to pervert the course of justice; and consorting with criminals. Hatton dramatically presented conversations he had had with serving police that made it clear that avoiding a Royal Commission into the New South Wales Police was not an option. It was an independent challenge that no Police Minister or Police Commissioner could comfortably ignore.

These sorts of public relations disasters are by no means unique to the New South Wales Police Service and are, in fact, an international phenomena. The 'whistle-blower', whether motivated by abstract notions of right and wrong or simply disgruntled and seeking retribution, is the catalyst for most inquiries. Since the late 1960s there has been a spate of these highly publicised government investigations into policing organisations around the world, all of which had been generated by allegations of misconduct, deviancy and corruption. In 1969 Lord Scarman conducted an inquiry into the controversial activities of allegedly anti-Catholic officers of the Royal Ulster Constabulary; activities that had already necessitated Operation Banner — the deployment of soldiers from the British Army to support the civil administration of Northern Ireland against increasing civil unrest. The report recommended a complete reorganisation of the Royal Ulster Constabulary, with the aim of both modernising the service and bringing it into line with other British police organisations.

The fact that these sweeping reforms were clearly ineffective became blatantly apparent fifteen years later when the issue surfaced again, forcing a second investigation: the Stalker Inquiry of 1984. This time the highly publicised evidence created political fallout that was even more highly charged. Headed by John Stalker of the Greater Manchester Police, this inquiry was again set up by the British Government and once more it involved the investigation of a series of shootings allegedly perpetrated by the Royal Ulster Constabulary. The victims were all members of Irish Republican Army, who had been ambushed and deliberately shot in apparent executions. In both cases it was alleged that the Royal Ulster Constabulary had unofficially decided upon a shoot-to-kill policy in operations involving suspected terrorists of the Irish Republican Army and the accusation was that this policy was widely exercised. If such activities were allowed to continue unchecked, it was claimed, the Royal Ulster Constabulary was just another terrorist organisation — an instrument of state oppression dedicated to the perpetuation of the protestant domination of Northern Ireland.

Another linked set of international investigations into police corruption occurred in New York City. The Knapp Commission of 1970 and the Mollen Commission of 1994 forced the New York Police Department into a highly publicised exposure of corrupt practices. Triggered by the furious media coverage generated by the public revelations of 'whistle-blowers' Patrolman Frank Serpico and Sergeant David Durk, the Knapp Commission was set up in1970. During the public hearings in late1971 the testimony of these two operational policemen was expanded by testimony from dozens of other witnesses, including former

Police Commissioner Leary and a number of officers and victims of police corruption and violence. In the aftermath of the inquiry charges were laid against several officers and recommendations were made to thoroughly reorganise and restructure the police organisation. Two decades later there was to be another major investigation, the Mollen Commission, set up to examine similar allegations and, once again, there were damaging public revelations. Again the inquiry caused a political furore, especially after a report finding was that the corruption uncovered was far more venal and criminal than the situation assessed by the Knapp Commission and allegedly redressed in the sweeping reorganisation immediately afterwards. There existed, according to these revelations, a 'blue wall of silence' actively protecting corruption against public exposure and blocking the ability of the organisation to reform.

In Australia, too, there was an immediate precedent. A few years before the Wood Inquiry there had been the Fitzgerald Inquiry of 1989, set up to investigate police corruption in Queensland and creating a national sensation after allegations had been systematically made public around Australia by an ABC *Four Corners* journalist, Chris Masters in a program he called 'The Moonlight State'. Put in this context, the Wood Royal Commission into the New South Wales Police Service in 1996, with all its sensational coverage and in-depth allegations, provided another warning blip on the radar. In all of these cases the very public nature of the inquiry must be seen to be of crucial importance because each incident has served to focus public attention upon the apparent inability of police services to control their ranks and to reform themselves from within. It is this obviously cyclical characteristic that is particularly relevant to this thesis.

Cited in the Wood Report, the Mollen Commission in New York had identified the main ways in which certain aspects of police culture facilitate corruption. First, they encourage corruption by setting a standard that nothing is more important than the unswerving loyalty of officers to one another — not even stopping the most serious forms of corruption. This was considered to embolden and gives excuse for the activities of corrupt police and those susceptible to corruption. Second, these attitudes effectively thwart efforts to control corruption. They lead officers to protect or cover up for others' crimes — even crimes of which they heartily disapprove (Mollen, cited in Wood 1997a: 10). The corruption issues involving the Royal Ulster Constabulary, although they more overtly political, bear a striking similarity in terms of the perceived solidarity and secrecy of the organisation under investigation. Clearly the investigations in Northern Ireland were just as much about criminal matters as those in New York. And, just like the Ulster Constabulary, there were found to be incidences of police allegedly being involved in conspiracy; perverting the course of justice by the supplying false evidence in criminal briefs, some of which led to convictions for homicide; and both committing homicides and covering up homicides committed by others.

Therefore, although those occurring in Northern Ireland might appear to be closely tied to the highly politicised events of 'the troubles', the criminal matters and methods of concealment demonstrate a remarkable consistency links these very separate police organisations.

Following the Knapp Commission a distinction had been drawn between the 'grass eaters', those who were involved in petty and generally unsolicited corruption largely due to the pressure to conform, and the 'meat eaters', those who were involved in aggressive premeditated major corruption of an overwhelmingly criminal nature. The Wood Royal Commission Report (Wood 1997a) contained numerous definitions of the term 'corruption'. Under both the law and police practice policy, corruption includes behaviour by an officer who expects or encourages someone to neglect duty, or conduct which results in the officer being improperly influenced in the exercise of functions (see Appendix I). Specific acts of corruption can involve major transgressions such as the fabricating or planting evidence; giving false evidence; applying trickery; using excessive force, threats or other improper tactics to procure a confession or conviction; or improperly interfering with or subverting the prosecution process. Corrupt police officers can also conceal forms of misconduct by fellow members of the Service, or assist them to escape internal or criminal investigation. These corrupt activities were described by Justice Wood as the conventional kind — 'process' and 'noble cause' corruption (Wood 2000: 3). Further to Wood, the Independent Commission Against Corruption (ICAC) found that police also engage in serious criminal behaviour and that, in each case, the relevant conduct is considered to be corrupt, whether motivated by an expectation of financial or personal benefit or not, and whether successful or not (ICAC 2001).

Overall, corruption in the Police Service Act can be taken to comprise any deliberately unlawful conduct on the part of a member of the Police Service, whether by act or omission, that utilises his or her position for unfair advantage, whether on or off duty, and the exercise of police powers in bad faith. It includes participation by a member of the Police Service in any arrangement or course of conduct where that member, or any other member:

- is expected or encouraged to neglect his/her duty or to be improperly influenced in the exercise of his/her functions;
- fabricates or plants evidence; gives false evidence; applies trickery, excessive force or threats or other improper tactics to procure a confession or conviction; improperly interferes with or subverts the prosecution process;
- conceals any form of misconduct by another member of the Police Service or assists that member to escape internal or criminal investigation; or
- engages him/herself as a principal or accessory in serious criminal behaviour.

In each case, according to the Wood Report, the relevant conduct is considered to be corrupt, whether or not it is motivated by an expectation of financial or personal benefit, and whether or not it is successful (Wood 1997a: 25).

The above definitions apply to an officer deliberately neglecting his/her duty — that is, where the neglect is intentional rather than a mistake or error of judgement. It is necessary to include seemingly 'unintentional neglect', even though this may only appear to be a 'cutting of corners', for this simple act of compromise can lead to greater corruption and it can occur when corrupt officers witness neglect of their professional responsibilities. Corruption also includes behaviours ranging from receiving bribes to process or noble cause corruption, which can result in defendants being convicted on the basis of manufactured or improperly obtained evidence. It is important that leaders/managers in any operational command consider all aspects mentioned in the above definition, as it was apparent from the Wood Royal Commission that much of this behaviour was common, not just in specialised squads, but throughout the whole Police Service (Wood 1997a).

The Wood Royal Commission concluded that police in management hierarchies should be required to take radical steps to ensure that the environment supporting corruption was eliminated. In short, the culture that allowed corruption not only to survive but also to thrive was to be broken down entirely by sweeping reforms. Significantly, Wood noted in a public address in 1998 that:

> What has been universally recognised is the imperative for change, and the need to break the cycle of corruption, scandal, inquiry and reform, and return to corruption? That cycle has been shared by many Police Services, and New South Wales has not been an exception to it, having undergone scrutiny through several Commissions of Inquiry and investigations (Wood 2000: 10).

The data presented in this thesis supports this concept of a cycle of corruption but expands this to suggest that periods of inquiry and response are both inter-related parts of that same corruption cycle. Far from corruption merely developing as a recurrent problem it should be seen as just one of linked phases of a much more complex cycle. So although police officers' behaviour is covered by statute law, common law, government policy and departmental policy, (i.e., point 1, in Figure 1.1, The Cycle of Corruption) the nature of police work and police management responses nurtures this cycle.

1.3: The Response

In a document labelled Appendix 31 of its final report the Wood Royal Commission (Wood 1997a: 246) offered a plan suggesting what reforms should be effected in the police

organisation — a series of defined problems that needed resolution — and the Police Service at the Executive level concentrated heavily on this checklist. Policy operators and senior police distributed copies of the appendix and quoted it readily as a source of direction. But, although Appendix 31 was referred to often within the Police Service, no one really understood them. Nor did the Wood Royal Commission offer any insight into how to make the concepts found in the appendix operational.

In design, Appendix 31 was not intended to be specific about practicalities. It was not a step-by-step plan for reform. Rather, it was a way to measure reform and evaluate if the recommendations of the Report were being satisfactorily put into place. In this regard it resembled earlier guides that had been circulated during equally ineffectual and piecemeal approaches to the implementation of new management strategies. Appendix 31, which introduced terminology such as 'key reform areas', did not contribute any positive suggestions about how to implement the key reform areas of this process. Identified simply as 'effective leadership and management'; 'changing culture and value'; and 'an honest Service which repels corruption', such key reform areas were pitched at an abstract level and were, therefore, less than precise. The police executive simply adopted the language without providing support to effect their implementation, thus making any lasting or deeper changes virtually impossible. Although there were, in total, ten key reform areas and this should have involved detailed educational support, significantly, the Police Integrity Commission simply distributed them. And while the Hay audit group (2000) certainly endeavoured to give effect to the recommended reforms, they were given little chance of success.

One key reform area suggested that progress should result in a greater acceptance of diverse and innovative ideas and cultures — certainly an important abstract goal but in practical terms hardly feasible without a carefully research strategy. Unfortunately memos from further up in the hierarchy glibly demanding immediate results are hardly conducive to promoting the acceptance of abstract innovations. Indeed, this thesis argues, the repetitive cycle of corruption inquiries and the exposure of new instances of corruption at regular intervals only serves to rigidify both the internal culture of fear of ideas and the traditional command and control style response. The fear apparent in the culture of policing had already been documented in previous Royal Commissions (see Appendix G: 1954, 1971, 1978, and 1979). Any innovative ideas presented by observers who had been closely watching the police response to the Commission — for example, academics such as Janet Chan (1996) and David Dixon (1999) and independent politicians such as John Hatton (1994) — were effectively thwarted by the fact that there was no agenda with which to introduce them. Instead, anxiety about innovation strengthened a determination to rely on known management styles and this was the predominant reaction of an executive that was well aware that they, too, were under external review.

In essence, the demand for change created the very fear that stultified the possibilities for change within the organisation. This research indicates that a key reform area should have been to start to define what the word 'reform' actually entailed in the NSW police organisation and how this could be converted into a both a theoretical structure and a practical strategy. Fundamental questions needed consideration but there was no forum in which to do this: just a series of commands for control trickling up and down through the hierarchy. Specific acts of corruption by individual officers had been identified and those individuals had been heavily condemned for their actions after public revelations — especially in regard to the use of video and telephone interception. In contrast, the organisation's executive had not been publicly embarrassed during this inquiry, nor were they ever to be so despite their failure to arrest the ongoing cycle of corruption and its negative effects on those within the organisation or the community it served.

Certainly the existence of a management problem had been recognised by Commissioner Wood in the opening pages of the report.

> It is a matter of serious concern that senior management appears to have been unaware of the extent of the problem or, if aware, have failed to adequately respond to it (Wood 1996: 3).

However, 'serious concern' or not, immunity was assured to any individual of high rank on the assumption that such decisions had involved a necessary decision to ensure the protection of the organisation rather than simply their colleagues or themselves. For this reason one of the major obstacles to the reform process was never addressed. This is hardly surprising as traditional command and control leadership practices have never really been challenged in the Police Service despite brief flirtations with incorporating fragmentary ideas from other management strategies — such as, for example, the Total Quality Management approach that had been adopted from overseas industry work sites and was never really given sufficient in-servicing or organisational support.

The historical development of the police organisation itself goes a long way towards explaining the persistence of this management style (See Appendix N). The first European settlement was a penal colony but although emancipists and free settlers were soon challenging this as the colony gradually evolved into a democracy, the lines of control brought intact from Britain, a state structured by class, remained hierarchical. Policing reflected the need to preserve public order and protect private property and the security of individuals living within the state. Significantly, therefore, policing retained a military model with the closed relationship of the command and control environment restricting dialogue to questions about how the managers are managed further down the line. Command and control involves the defensive, reactive model of finding error and dealing with it by punishing the recalcitrant,

bringing the troublemaker into line to protect the integrity of the chain of command. Whistle-blowers cannot be effectively managed with an iron glove. Unofficially, the troublemaking officer may be ostracised, given inconvenient shifts, isolated, defamed and placed under informal sanctions. With command and control as the dominant management philosophy in the New South Wales Police Service innovative theory is reduced to the level of crisis management.

> The leaders of the New South Wales Police Service did not know of the problems of corruption in the Police Service, or if they were aware, they failed adequately to respond to it … [M]any leaders give lip service to anticorruption plans, the statement of values and other high sounding propositions, although the reality of their command is that they encourage corruption and incompetence (Finnane 1994b: 3).

Commissioner Wood's observation that management played an important role in the cycle of corruption was not a problem peculiar to the New South Wales Police Organisation. Following the Knapp Commission's investigations one of the most important features to surface in the proposed reforms was a policy of strict accountability (Palmer 1992: 121). Commanders were to be held accountable for the actions of their subordinates and produce reports detailing key areas that could foster corruption. They should monitor corrupt activities and, overall, they should encourage better recruitment and human resources selection policies and introduce policies to effect changes in police attitudes. With the Knapp reforms, Bracey (1989: 3) suggested that managers and supervisors were made personally responsible for the actions of their subordinates, making ignorance and surprise at the discovery of corruption constituted a *prima facie* case of bad supervision. In other words, bad management should have been culpable.

As Henry suggested at the time of the Mollen Commission two decades later, policing organisations urgently needed to 'sustain vigilance and attention to the issue and the practice of corruption as environments change, and to adapt policies, strategies and structures accordingly' (1994: 175). A year before the former Queensland Criminal Justice Commission, now the Crime and Misconduct Commission, had also emphasised the importance of having ethics training programmes for staff, not only to point out behaviour that should be avoided, but also to help officers develop skills in moral reasoning on the job. Gordon (2003) suggested that in organisations such as the New South Wales Police, one cannot be sure that apparent structural change, which aims to transfer leadership, power and control to the front line and, through this, to create more democratic work environments, will actually have the anticipated effect. Despite the Commissioner's claims to the contrary (Ryan 1998, 2001), power still remain centralised in the hands of a dominant few (Gordon 2003: 167).

Tunnell and Gaines (1992: 12) reported that when police chiefs were questioned about the general pressure encountered in the performance of their jobs, 56 per cent reported that they

were under political pressure. In practice, it is extremely difficult to maintain a working balance between police responsiveness and political accountability. From an ethical perspective, police executives must be accountable to their authorising environments for their performance and that of the departments they lead (Moore and Stephens 1991: 50). Therefore, for practical and ethical reasons, police executives must engage their political environments regularly and often. The record of accomplishment in reports, which are filed with different kinds of overseers and authorisers, maintains police credibility in the community (Moore and Stephens 1991: 52).

The failure of the Knapp Commission reforms to effect meaningful structural change can be seen in the emergence of much the same insistence on reform in the report issued by the Mollen Commission. The same can be said in regard to the inquiries in Northern Ireland. The report of the Scarman Inquiry clearly did little to effect any real changes in the organisation of the Royal Ulster Constabulary, a fact that led directly a decade and a half later to an even greater level of conflict between Protestants and Catholics in Northern Ireland and enlarged rather than curbed the level of corruption existing in that police service. Reflecting on this failure Stalker drew lessons from the events which were unfortunately ignored.

> What I quite failed to anticipate, however, was the studied reluctance of some senior police officers and government officials to admit that these contradictions existed – even in the face of evidence to the contrary (Stalker 1988: 12).

If the inquiry had not been obstructed, he believed that trust and openness could have developed, even though this might have needed to be over a long period. Stalker's guiding concerns are equally relevant to the issue of police corruption in New South Wales because, in his words, 'If the police fail the government fails' (Stalker 1988: 254).

The final report of the Wood Royal Commission stated that there were four main explanations for the long-running corruption in New South Wales: command non-accountability; ineffective supervision; a lack of risk management; and poorly-run internal investigations. Given that accountability means to be held publicly responsible for one's actions, police officers, as public servants, are accountable for their actions both by a legislative oversight regime and by their personal ethics and each police officer must be seen to be acting in good faith. This means all officers are accountable by law for the decisions they make when they use the power attributed to the position of police officer within the community even when they are off duty. Moore and Stephens (1991: 61) argue that 'strong mechanisms of external accountability are a key to legitimacy'.

Strategic goals involve much wider issues such as cooperation with other external agencies. When police organisations fail to meet the objectives set for them by the community and

parliament then cover-up measures can become involved — particularly if the reasons behind the failure of an organisation will create a high level of political fallout.

> At the level of parliament and the community, there is also a fifth class of question, which has the most leverage of all: there is a high level of interagency contact although often it can be defensive and marred by elements of secrecy in all that are involved rather than being seen as an opportunity for problem solving. This is obvious at parliamentary level where ministers guard the problems in their portfolios secretly. Very clear examples of interagency cooperation at ministerial level are areas concerning youth unemployment, welfare and health issues (Godfrey 1993: 44).

A relevant question in this area of study, although not at the heart of this thesis, is: what is the government's role with the police organisation to counteract police corruption? This question is relevant because it is the government that is working with or demanding that the police organisation counteract corruption.

The then-Chief Justice of New South Wales has written:

> Another constitutional principle which is of large practical significance for the role and operations of the police force is the rule of law. In our community no one is above the law and this includes those who apply and enforce it. The police have to obey the law, rules and regulations which, in the last resort, and if necessary, will be enforced by the courts (Gleeson 1993: 29).

Fundamentally, the cycle of corruption has been perpetuated because neither the relevant government administrations nor police executive actively encourage real change over time through constructive interagency support and involvement. Nor do they choose the hard option of positioning responsibility overall, particularly examining the upper levels of ministerial, judicial or police corruption activity. Instead, the overriding aim is to rebuild a sense of stability in the community by dealing with corruption as an exercise geared towards masking its existence.

A few years after his dismissal after false evidence had been given to discredit him, John Stalker coupled his feeling of personal loss — 'I devoted two years of my life to this task and I failed!' (Stalker 1988: 9) — with a sense of anger that he had been thwarted by a determined cover-up that many believed had extended into the British government itself. Stalker's review (1988) of the inquiry poses important questions. Was the Ulster situation any different to everyday policing within countries not engaged in a political dispute? How can the police and community build a relationship of trust when the police appear to be abusing their power and using this to threaten members of that community? How can the police organisation reform itself from within? What does accountability mean? Stalker argued that it was apparent that if

accountability had been welcomed in an open and honest fashion, then the community at large would have trusted the police more willingly. Instead, the Royal Ulster Constabulary united to form a formidable opponent, virtually impervious to his questioning. In his opinion the actions of a few had led to the loss of credibility of the whole police organisation, within both the government and the community. The few that he is referring to were high up in the power structures of the police and government organisations who, he believed, had good reason to fear his success.

> [T]he way my removal was handled has left the firm conviction in many people's minds that I was getting too close to the truth about the activities of policemen operating under cover and without proper control in Northern Ireland (Stalker 1988: 10).

Although John Stalker's predicament as was made far more public than most it is similar to the experience felt by many of those who attempt to apply open policing to public accountability. The Report of the Wood Royal Commission found that the police organisation appeared to be marked by a code of silence so strong that Justice Wood described the service as having a siege mentality. In the New York inquiries this was described as 'the blue wall of silence' behind which individual police officers could safely hide because it united most officers in their resolve to give investigators the "standard police answer" to awkward questions — memory loss. Certainly this siege mentality is one of the greatest obstacles to conducting investigations into corruption in any policing organisation. To Justice Wood the code of silence refers to the reluctance of those in the Police Service to discuss the existence of corruption but it also functions as a term adopted by policing cultures to protect sources and confidential information. For the purposes of the analysis in this thesis, however, the code of silence will be used to describe that ethic of silence created due to fear. A group or individual within a police organisation may disagree with what is happening, or may want to change the situation, but fear of organisational retribution renders them too afraid to speak out.

In the broader sense, any corrupt or criminal group will have some version of the code of silence. A related and lesser definition, however, is the 'need to know', which implies that people do *not* need to know. Honest police officers who become witnesses in internal affairs investigations face ostracism, alienation or even retribution if they do not respect the code of silence and can rationalise this by arguing that investigators really do *not* need to know. In the case of the Wood Commission, however, the discovery of this apparently criminal 'code' led to an examination of leadership as central to the practice of police corruption. Clearly the role of the police executive as leaders in times of organisational crisis, historically and currently, needs to be considered, as does the issue of whether this can be inflexibly conflated as a criminal code. When executives have to deal with complex issues, a sense of urgency is passed down the line. Considerable media pressure is exerted so that issues can be resolved as quickly

as possible. Appendix H has been compiled to list the events upon which the media has extensively reported in relation to inquiries — in this summary there are eight pages of events highlighted by written media reports. The response is then motivated by a political agenda and the timeframe is often impossible to meet effectively. As a way of diverting attention away from the true crises, executives tend to focus on easier issues that are not operational disasters, an inappropriate and inadequate response brought about by the pressure of events. The present form of command and control management does nothing to resolve conflict within the police organisation; conflict from the community about policing; or conflicts between individuals within the organisation.

A major scandal that has erupted during all of these inquiries has been the opaque nature of policing procedure, inevitably regarded as a perverse solidarity designed to protect corrupt activities and effectively block any reform measures that threaten their existence. Certainly this level of individual and organisational loyalty can be seen to have a secret nature. Internationally corruption has been actively kept in place within an organisation that is not necessarily in itself corrupt but is indisputably secretive. An examination of the factors that govern this secrecy, therefore, is for this reason crucial as it is embodied in the 'nature of the game' of policing itself.

1.4: Policing: The Nature of the Game

Investigating the nature of the game is a key to understanding one of the most important dynamics underlying the resilience of police organisations to change and explaining why the cycle of the corruption is kept in motion. It is important to consider that secrecy is not simply put in place for the purpose of perverting the course of justice but plays an important part in the effectiveness of policing operations. The pressures of an operationally complex environment in which experienced and mature officers must carry out their investigations as quietly as possible involves high levels of confidentiality to achieve results. The secrecy of operational work is part and parcel of the job, as is its protection of trust as the binding force behind a team. However, it is equally obvious that there also needs to be a balance of openness. The Police Service's future depends on addressing this necessary survival behaviour without destroying the ability of the organisation to carry out its brief in the most effective manner.

Professional organisations involved in service that is stressful, urgent and life-saving are observably different from services based on economics. The exclusive nature of operational environments, closed to outside influences, can be observed in occupations such as policing, medical and other emergency services. At the same time professional occupations involved in public services appear to need to protect themselves and their colleagues while they work under pressure or come under scrutiny from the general community, particularly if the

organisation is subjected to an inquiry. Some would argue these environmental factors cannot be changed. Rather what is needed is an officer's ability to change his or her responses to this environment. But as police are given the power to 'produce effects intended by the legislature' (Alderson 1979: 11) it is important that they get the balance between secrecy and obstruction just right. Alderson, formerly a Chief Constable, believes that an open relationship with the general public is more than just a public relations exercise.

> The police in using their law enforcing powers will generally be effective with public support and generally less effective without it (1979: 11).

The fact that police enforce laws makes them particularly vulnerable to criticism, even though they are bound by formal policies about how to conduct this work. Often what direction they should take in their working day is determined by the needs of the community. Discretion is an important part of an officer's power: they can decide whether or not to press charges against an individual although they should have very good reasons to support this action. Discretion should not serve as an excuse for avoiding work; protecting the guilty or removing individuals who inconveniently close to discovering the truth like John Stranger. It is simply a filter that can be applied when making decisions.

Falling back on discretion to hide corrupt activities perverts this power. For example, members of a police executive knowing of corruption among their own ranks and failing to deal with it lawfully is not an example of the exercise of discretion. Commissioners of Police who are aware of corruption and have failed to deal with it are committing offences under the authority of their employment, the Police Service Act. However, both the community and the police officers themselves need an appreciation of the limitations of ascribed power. Former NSW Police Commissioner Lauer has been quoted as dismissing the idea of generic corruption within his force, although he later conceded that the organisation had a limited problem with corruption and agreed that corrupt officers should be dismissed.

It is unfortunate that a career in policing, which is often individually motivated by the expressed desire to serve the community, is frequently seen to be dominated by the activity of officers serving their own needs and abusing their powers. Irish academics Mulcahy and Ellison (2001) have explored the notion of 'service' and how it influences police attitudes towards corruption, policing conflict and offering a service to the community. When a conflict of values occurs within that community, the Police Service will often gather together to form a united front which identifies the police as doing 'the public good':

> Modern police work is an onerous and diversified task. Police are called upon not only to enforce 'the law', which is a relatively small proportion of their work, but also to be counsellors, social workers, psychiatrists, ministers, and even doctors (Sarre 1989: 105).

However, police who engage in corrupt activities will also strenuously argue that they are engaged in 'good work' and may also incorporate improper activities as part of this work. Mulcahy and Ellison (2001) describes the construction of the notion of public good as follows:

> The notion of service provision presents policing in benign terms, as an essentially positive entity for which there is a clear necessity and an express public demand … Values such as order, peace, equality and justice may be promoted through effective and fair police work … however, in societies where the legitimacy of the state is questioned values such as those described above are neither universally shared nor maintained … thus any hint of conflict can be deflected, and a commitment to the wider community can be highlighted (2001: 395).

Of course, the importance of the idea of all police officers as universally providing a community service has to be balanced against the realities of ongoing police corruption. Chief Constable Sir Ronnie Flannagan has defined officers in the Royal Ulster Constabulary in terms of public service.

> We are no more; we are no less, than public servants delivering public good – that of the policing service (Royal Ulster Constabulary 1996, cited in Ellison and Smyth 2000: 7).

This thesis argues that it is clear that some police are often involved in activities that are not in the public's best interests. Yet while researching the thesis, I discovered how powerfully the concept of public good is experienced by those in police culture and that any suggestion of corruption within the Police Service as a whole creates high levels of conflict and confusion, particularly when the suggestion is coupled with the threat that corruption may be revealed. Corruption allegations cause just as deep a division and as much anxiety within police organisations as they do in the wider community they are employed to serve. It becomes extremely stressful when the idea that police do 'good' work is repeatedly challenged by the growing cynicism of a general public that has frequently been given cause in the media to mistrust police authority. So although many career officers consider policing as a vocation linked to service, power and duty of care, recent employment trends show that officers are now less likely to stay in the service for a lifetime and far more likely to move into other professions (Gardner 1997: 5).

The seemingly multifarious definitions of corruption causes great levels of distress to serving officers, particularly when it encroaches on the officer's basic level of discretion. For example, Punch (1985) has extended the definition to mean:

> Corruption is when an official receives or is promised a significant advantage or reward (personal, group or organisational) for doing something that he is under a duty to do anyway, that he is under a duty not to do, for exercising a legitimate discretion for improper reasons, and for employing illegal means to achieve approved goals (Punch 1985: 103).

The phrase 'significant advantage' is a hard concept to tie down. Did Punch mean that an officer who accepts a free McDonald's meal is not corrupt? Does accepting a free cup of coffee constitute corruption? Kania (2004), who is also a police theorist, believes it is justifiable for police to accept gratuities and further suggests that suitable gifts as a police practice can benefit the community. Just as police officers must find a place to live and that choice provides an 'undemocratic' benefit to their neighbours, police officers also need a place to eat. Wherever they dine — whether free, at discount, or for full price — they are providing that restaurant with more protective service than the other establishments they do not, at that moment, frequent. If, as the ethically rigid officer describes, the officers bring bag lunches and eat in their cars or go home for their meals, they are denying their services to the general public altogether for that brief period of time? That seems to be a more serious denial of services than the alleged impropriety of taking the discount (Kania 2004: 7).

This level of debate over the diversity of definitions is now extremely prevalent in the policing community and it can be seen to enjoy a resurgence whenever the police organisation is under pressure. Unfortunately, it often reflects a level of debate that does not address the complex nature of the problems constituting police corruption. Certainly corruption is not unique to occupation of policing but, given the formal powers of police officers and the informal power that they can utilise within the policing environment, the prevention of corruption here is crucial. The community, the politicians, the serving police officers and the generations to come need to have confidence that the police will not abuse their powers. While common sense dictates that ongoing corruption inquiries will restore the community's confidence in the police force it can also be argued that an unrealistic definition of what constitutes police corruption promotes cynicism in serving officers just as much as it undermines the confidence of the community in the police establishment. Rowse (2000) believes that institutions inhibit the building of trust, particularly if they are perceived not to trust their clients.

In his definition Punch (1985) has attempted to draw a line that in most situations cannot be drawn. If police are seen to stay below a certain threshold of financial or other reward, there can be confidence that officers are not behaving corruptly. However, this does not sound like the basis for a realistic debate in an area where ethical decisions are already complex. Such notions are trivial and yet this type of argument indicates this is a difficult area in which to lay

ground rules. It is important to define exactly what does or does not constitute corrupt behaviour and to make such boundaries an integral part of officer education and training. Palmer, a former Commissioner of Police, states that in order to regulate the acceptance of benefits, the *Queensland Police Service Code of Conduct*, established in 1990, properly excluded such things as incidental gifts, customary hospitality, or other benefits of nominal value (Palmer 1992: 104).

This research reviews corruption as constituting a variety of types of behaviour occurring within police work. Police can accept the importance of having a clear, open definition of these behaviours so they can be avoided. However, as in all work environments, clear boundaries and guidelines can quickly become blurred where there are competing interests needing to be addressed. The pressure of external accountability can send an already struggling system into an extremely defensive and even more rigid and punitive command and control response so understanding the impact of command and control is crucial to this discussion of police corruption. Barker and Wells make a pertinent point here in clarifying that not all misconduct is corrupt (1982: 9). They attempt to make a clear distinction between misconduct and corruption:

> Police misconduct is not related to corruption when there is any pattern of behavior which meets two basic criteria: it is a form of police occupational deviance; and may not involve a material reward or gain (1982:9)

Henry, a New York City Police Policy Officer, quotes Professor Herman Goldstein, who defined corruption as conduct involving an individual misusing authority in a manner designed to produce personal gain for him/her or for others (Henry 1994: 160). The important point here is the misuse of authority and personal gain. Henry clearly delineates the important role of power and authority as being the essential component of corrupt behaviour.

In this study, misconduct that involves the misuse of power is considered corruption — for example, a police officer who is aware of a corrupt action having taken place is bound by law (the Police Service Act) to report that corruption to a senior officer. The serving police officer does not have discretion in this instance not to report the corruption that has been witnessed. To not report would be to participate in systemic corruption and commit an offence under the Act. The main type of corruption referred to during the Wood Royal Commission is systemic corruption. This is defined as corruption that is accepted as part of the way of life or ethos of the organisation, which a significant proportion of its membership either pursues or tolerates at some stage of their careers (Wood 1997a: 26).

Policing, like organised criminal activity, is based on networks, and police officers can understand the organisational similarity more clearly than outside observers. Criminal activity

involves networks of criminals maintaining a code of silence in relation to each other and when a member of that community reveals information about those networks to police, the network has been betrayed. Police are also more effective if they are acting as parts of a cooperative team and can rely on the confidentiality of those in the team. A connection to other serving officers who are involved in arresting, detaining, even possibly having to kill in self-defence or in the defence of others, results in the formation of very tight bonds. Corruption can amount to a kind of defiance that can provide alternative resources and interactions. Networks, friendships, peer values and storytelling are characteristics of the police profession that can be seen as essential to the survival and sense of security of officers who frequently work together under alienating, unpredictable and dangerous conditions.

However, while the group loyalty aspect of police culture is positive when it results in the safety of officers, the solidarity associated with this strong sense of group loyalty has also been established as a support for the proliferation and concealment of police corruption. So, while police have the function of keeping the peace, and as police engage in this unique position, they are exposed to actual and potential corruption. Police, when they decide to perform a corrupt act to obtain a financial gain, for example, by accepting bribes or diverting evidence away from the court, make a decision that is a misuse of power. Police can also simply abuse their authority to achieve corrupt ends. Bertrand Russell defined power as being 'the production of intended effects' (Knight 1939: 253). With police power, there is a duty, a moral and ethical demand, to use power responsibly. Police must protect property without taking that property; they must protect the lives of those in the community without endangering those lives. They may deal with women and men who offer them sexual favours, or police may use the vulnerability of a victim to divert that victim from reporting an offence, such as, sexual assault or domestic violence. Social relationships may develop between criminal organisations and individual officers who may seek information, or economic gain — not only financial gain but to gain acceptance by a powerful group.

Policing is an ongoing, twenty-four-hour responsibility; an officer can never truly be off duty. An off-duty officer can make a decision that involves the use of power and, as will be discussed later, those decisions offer the opportunity to make both ethical or unethical decisions. It is therefore obvious that rank-and-file police officers need to work in an environment where the demands placed on them and their managerial counterparts are transparent and open to dialogue. This thesis identifies the conflict that individual officers can experience as inevitable from the nature of the policing tasks ascribed. For example, a police officer may want to correctly log in an expensive computer that has been found, but their own child needs a computer and so they may look at that property wondering if they can take it illegally.

Victims may present as domestic violence victims or in a circumstance that makes them vulnerable, and an officer may consider asking them out for a meal, or a date, or just sending them away from the police station unassisted. Police officers genuinely will want to stop criminal offences such as drug supply, armed hold ups, car thieving from occurring, however they will think that to really get close to the criminal activity in order to stop it they will need to join the criminal organisation. A police officer may, as is colloquially understood, 'freelance', or in other words, contact criminals to gain information with which to make a good arrest. This type of individualised tension between police and their police work can be a constant dilemma for operational police.

Alderson (1979) writes that:

> The police represent force as a form of coercive power, and it is regarded as important that it should not be concentrated in the hands of a government or a person (1979: 12).

Individual officers can use coercive power; they can use covert means to obtain illegal outcomes; and they can overtly manipulate situations to resolve a situation in a manner that suits an individual who is not under the terms of the rule of law. An officer may make decisions with a degree of personal conflict, or an officer may make decisions with intent, acting on them criminally. The above cognitive practices are a part of daily operational police working life. Executive police decision makers will often have to make decisions where they know, for example, under the Act, that they must report a corrupt police act. However, if it is a colleague, a relation, a peer, then a senior officer will be thinking seriously about the action that they are supposed to take and the ramifications of that decision. This can lead to executive officers into making risky decisions which are corrupt to suit themselves, their colleagues or the organisation.

This thesis examines the role of individuals as leaders in a policing organisation; the ways in which leaders at all levels in the activities of policing must see Alderson's concept of 'coercive power' as one that should be used responsibly; and the means by which officers are held publicly accountable for the uses of that power. As executive officers face the reality of being publicly accountable, it almost has the reverse affect of senior police wanting to hide 'friends' who are corrupt so that they, the reporting officer, the friend and the organisation remain in a stable, unscrutinised state.

Organisational leaders, in particular, traditionally hold positions of dominance by virtue of the acceptance of their superiority by others and, not surprisingly, subordinates have come to rely on leaders to make decisions, or as Foucault wrote, 'construct new truths'. The ability to do this is a phenomenon central to the transformational leadership thesis. Consequently, this

privileged position has allowed traditional leaders to control agendas and thus '... produce a corpus of statements which not only create new 'truths' but also recreate the justification for their own existence' (Haugaard 1997: 208). In short, their privileged position allows them to consolidate their need to exist and to embed their right to power within the historical antecedents and meaning systems of organisations (Gordon 2003: 163). An underlying argument of this thesis is that active and creative leadership that is flexible and open to discussion will do much to interrupt the present cycle of corruption. by seeing change as an organisational commitment rather than a survival mechanism (see Appendix M).

The active leadership model involves three-dimensional and complex thinking about issues. For example, it asks questions like: what is the problem? How are we going to address it? What is the timeframe? How can we resolve it with outside or internal assistance? What are the strategic implications? Is the officer involved or is the organisation at risk? The actions that follow such thinking lead to a knowledge base that contributes to the organisation over time. That knowledge base is not restricted to one individual but is accumulated by the whole team laying the foundation for strategic action in which strategies are examined and future risks are much more effectively identified. Experienced managers can then identify risk through open dialogue with team members rather than perpetuate the closed relationship of the command and control environment, which restricts dialogue to questions about how the managers are managed and the crisis is damped down. Leaders at all levels in the organisation who listen can then act to avoid risks. Experienced personnel who can encourage dialogue in risky areas ensure the risks become identified before corruption and the resulting crisis occurs.

1.5: Theoretical Approach

This thesis has used Bourdieu's theoretical approach because this goes to the heart of analysing the complex relationships involved between police officers as individuals who operate within the wider networks of a specific organisation. It also facilitates analysis of the interactions of this network with the wider community, putting in context the responses of both the police service and the community to the Royal Commission revelations. The connection with the personal is important as an explanatory tool of what happens within a policing culture and how this culture is perceived differently from within and without. Bourdieu constructs a 'feel' for the nature of the individual within society (Shusterman 1999: 51-52), giving insight into the source of moral dilemmas, personal beliefs and personal behaviour.

Briefly, employing Bourdieu's theoretical structure, individual police officers act according to their own bodily dispositions and perceptions (*habitus*) of the nature of 'the game' (the *field*). The field, in this case, is the police organisation: the hierarchical structure in which individual officers occupy various positions of dominance and subordination. In Bourdieu's theory, however, this field is not just structured vertically by official rank but is also structured

horizontally by socially acquired personal status and prestige (*symbolic capital*) that creates a social dominance irrespective of official status. Individual police officers operate within a number of different fields, which can be either autonomous or interrelated — the team, the department and the police organisation; as well as society as a whole. The analysis of corruption as an aspect of behaviour existing within police culture is, in this way, greatly assisted by a framework or theory that allows the interpretation of how individuals think and interact.

Bourdieu's theory (1977), which will be conceptualised fully in the next chapter, has already been explored by Janet Chan (1996) in her article published in the *British Journal of Criminology*, 'Changing Police Culture'. Written in the aftermath of the Wood Royal Commission, Chan used the theoretical concepts of field and habitus to explain the importance of the role of the individual officer located within the police organisation — 'police culture'. She argued that the individual's habitus, their personal disposition and that internal point of view informing their social behaviour and social relationships, could then be located within those particular social networks existing within the policing organisation and the cultural rules of that institution — that police culture that had been revealed to be a culture of corruption.

Webb et al. (2002) have described the abstract concept of field as that:

> … constituted by, or out of, the conflict which is involved when groups or individuals attempt to determine what constitutes capital with that field, and how that capital is to be distributed (Webb et al. 2002: 22).

This explains the apparent need of individuals to gain different forms of personal cultural capital, symbolic capital, even if this involves the use of corrupt practices. This concept does not simply conflate with monetary capital or financial gain but includes abstract intangibles such as prestige, respect, honour, influence and personal authority unrelated to rank. Such an analysis makes it possible to examine a police officer's behaviour without the value-added notion that corruption amongst police is necessarily only a 'deviant' activity. Instead, the functioning of individual officers in the working life of the police organisation is examined in an attempt to go beyond notions such as 'bad apples' to construct an holistic theory of the process of policing.

This thesis argues that the concepts of field and habitus provide a model for the way police culture develops, both individually and as a group. Each individual has an unconscious habitus which, when grouped together with others practicing similar moral values, becomes group behaviour. The field then becomes the expression of wider, more formal values that impact on the habitus. The concept of habitus describes the dynamic workings of all police officers, their role(s) and their beliefs within the community in which they work. The field, as the context within which policing occurs, is therefore of primary importance to this investigation. The

field is understood through discussions of cultural capital which, in the Police Service, may be, for example, expressed through the symbolism of wearing a uniform, acting with authority, 'doing good' for the community and being decisive in response to disasters and other critical incidents. The social field, the culture of policing is established through police work, such as protecting life, protecting property, preventing crime, arresting offenders, and keeping the community safe.

The habitus, therefore, constitutes the subjective opinions and actions of each officer. Habitus in this work is exemplified in an analysis of narration, interviews and recorded comments. This study locates the habitus in the behaviour, demeanour and disposition of every officer. This is not dependent on rank or hierarchical position but indicates that they are merely officers within the policing organisation. Hierarchical positions define where a person is formally located in the organisation but not necessarily the ways in which they behave. The habitus is how the individual thinks and acts. Very important to this thesis is the relationship between the habitus and field. Are they related, interrelated, at times do they mould and influence each other?

Chan's use of Bourdieu's concepts of habitus and field offered a broader and, in places, a more specific way for her to explain how ideas, beliefs and behaviours become static in any organisation. I have extended the discussion to develop the arguments into other important areas such as *symbolic capital*, how an individual comes to ascribe notions of power to another individual and that individual's group, and the *doxa*, the fundamental unthought beliefs that, taken as commonsense, are seen as self-evident and universal truths. The development of a *doxic* relationship between the habitus and the field construct an individual's opinions within that particular field. The term field, as used in this thesis, represents the area of policing. Two fields are identified for analysis in this study: first, the field represented by the police executive and its links to the community being served; and second, the field represented by the operational arenas, for example, the Local Area Commands, specific task forces and highway patrols. The term habitus, as used in this thesis, describes the internal feelings, thoughts and behaviours of individual officers, concerning an individual's disposition and his or her embodiment as a police officer at the level of a police officer's role in a local police station. In this thesis it is suggested that the dominant doxa of policing is 'command and control' — that is, the inter-relationship between field and habitus is the dominant philosophy of command and control. For Bourdieu the concepts of field, habitus and doxa are dynamic, representing relationships of power, conflict, action and non-action.

This expands the notion of policing as located in a 'social field' and the relationship of that field to the 'habitus' of the police officer. This is necessary as central to this thesis' understanding of why and how police reform does or does not occur are the specific structural relations operating within this field — specific power relations, specific formal and informal

relations and specific forms of discourse. The concept of symbolic capital is useful in explaining the narrow focus of most definitions of police culture which can't comprehend the importance of the group's capacity to increase an individual's cultural or social standing as well. Hence, the attraction of a police officer located in a policing organisation, to an alternative and more attractive set of networks.

Bourdieu's work becomes more complex when it is applied to police corruption. A person may act against her or his own moral values within a group activity or within the cultural norms in which they work. These actions against an individual's sense of honour can result in a deep and lasting internal conflict. It is these concepts that are applied in this study to the operational police world. The notion of omitting to act, or non-action, has not yet been adequately developed within the existing literature of policing. It is particularly with reference to notions of police resistance to matters of reform, fear of change and non-action that this thesis develops Bourdieu's work.

1.6: Research Data and Methodology

The research data collected for this thesis includes 120 in-depth interviews involving twenty police officers and carried out over a five-year period. All but two of these interviews were audio-taped and twenty-five of these fully transcribed. Twenty of the transcriptions were scanned using the NVIVO analysis process, a qualitative method that allows huge amounts of data to be linguistically analysed pointing towards similarities of theme, emotion and attitude and even towards relationships between people. Interestingly, the language of encouragement or praise was noticeably missing from these interviews whereas the language embodying direction or demand was markedly plentiful. Those interviewed came from various levels of the hierarchy and interviews frequently took place several times a year during the five-year period. Many of these interviews were carried out at Police Headquarters but a variety of different police stations in different locations were also sourced. Although the interviews were all directed at collecting data about the interviewee's participation in the reform process, these were semi-structured and the method employed was as unobtrusive as possible. Both male and female officers were interviewed but the questions were not especially concerned with gender issues as these were outside the scope of this thesis.

Ten executive police members were interviewed, including the present and one past Commissioner of the NSW Police, as well as employees of the Police Integrity Commission. Ten operational general duties police officers of different rank were also interviewed, and three detectives working in Command positions. A number of one-off interviews were also recorded with three unsworn but highly placed administrative officers; two officers from the NSW Police Association; and two consultants who had been employed to assist in the reform process during the years 1996 and 1998 — the latter two interviews were the only ones not recorded

on tape. Except for the operational police, all of those interviewed were in positions that could make it possible for them to influence the direction of the police organisation. The general duties police and detectives were interviewed primarily to gain an insight into how the Wood Royal Commission had affected their personal lives while working for the police organisation.

The research framework of this study draws both on deductive reasoning, testing theory in practice, and inductive reasoning, developing theory from practice (Langley 1999). In this way, the framework takes steps towards bridging the gap between theory and practice. As issues of confidentiality are important within the qualitative investigation, the thesis adopted a mixed methods approach, the qualitative approach being distinct because the nature of the inquiry demanded strict adherence to methodological practices designed to protect the confidentiality of all participants to an extremely high degree.

The research began by collecting evidence in several areas. Firstly, the relevant literature was reviewed in order to understand more about key concepts such as culture, reform, change, leadership and learning, as well as analyses of international inquiries for comparative purposes. Given that the literature was often general in its descriptions and not police specific, the research extended to material relating to past Royal Commissions and inquiries into corruption with the NSW Police and, from here, to data available from the NSW Police Association about the history of the police organisation and commentary in the media about past Inquiries and Commissions.

Statistical data relevant to the research question was also collected over a five-year period. Again different areas were sourced including arrest data; conviction rates; complaint data; community surveys and police surveys. Data was also gathered from the New South Wales Bureau of Crime Statistics and Research and this was chiefly broken down according to type of crime or department, rather than, for example, location. These statistics were included in order to examine some examples of police activity during this period of reform.

1.7: Structure of the Thesis

The thesis is structured into six chapters. Chapter One has introduced the thesis problem and issues as well as the conceptual tools, methodologies and data collection procedures adopted for the research. It provides a summary of definitions of police corruption and sketches the role of leadership as a contributing factor in the continuing cycle of corruption.

Chapter Two incorporates a literature review of the research relevant to discussions of police culture and police management, and develops the theoretical work of Bourdieu in relation to police corruption. This chapter also focuses on the assumption that leaders are extraordinary

individuals who are superior to 'their' followers. The common assumptions are that leaders' decisions are not corrupt, but here they will be analysed as an integral part of the process of corruption which is usually unchallenged. The role of command and control as a solution to improving police behaviour is reviewed, as is the role of past Royal Commissions.

Chapter Three details the development of the methodology and rationale that was employed in assessing the New South Wales Police Service's response to the issues of corruption and leadership. Both qualitative and quantitative methods were employed in the collection and analysis of information and data, which included personal interviews with serving police officers and members of external organisations as well as printed material from Royal Commission Reports, entries in Hansard and other government documents, internal Police Service documents and media reports.

Chapter Four then proceeds to analyse the research data. The dynamics perpetuating the cyclical nature of corruption is elucidated in this chapter, which is basically a description of a police organisation in crisis mode as it struggles to demonstrate change without necessarily understanding the holistic nature necessary to carry out this change. During years immediately following the Wood Royal Commission as various quick-fix methods were introduced in the effort to contain the fallout generated by the public and political response. With a new Police Commissioner in control and new imported policing strategies being introduced, the police organisation was apparently entering a new era of operational policing. But underneath, as this chapter will demonstrate, the old command and control management was still retained and internal communications about the apparent requirements to facilitate reform were rarely discussed. As many of the Wood Report expectations were simply handed down through the chain of command there was much confusion about what was to be changed, and who was responsible for the changes.

Chapter Five is an in-depth summing up of the principal research findings. This chapter examines the reasons it is difficult to affect change in police organisations, in particular the resistance of the command and control structures and their inability to create the environment necessary for major reforms. Other research questions that will be explored include what measures were employed by the executive to reform the organisation and describe how it was predicted what the reform measures would produce.

Chapter Six, as the final chapter in this thesis, offers practical solutions to the dilemmas discussed both by the Wood Royal Commission and those emerging from the data analysis undertaken during this research. The history of command and control management structures in policing is demonstrated as a major dynamic implicated in the cyclical nature of inquiries into police corruption. The practice of external supervision is reviewed to discover its

effectiveness as a method of supervision of the state police organisation. The thesis concludes that changing the nature of existing management approaches will open up the organisation to meaningful change, although it is stressed that this will never satisfy the 'quick-fix' demands of politicians, media commentators and, through them, the wider community — all major players in the cycle of crisis that fuels the repetitive cycle of corruption inquiries.

In this concluding chapter, it will be demonstrated that the thesis has moved in structure from ideas to practice, necessitating a return here to the integration of theory and practice. It will argue that previously the notions of culture, reform and change have been presented in existing literature in the field of policing as generic concepts and that these important ideas need to be discussed as integral to the innermost workings of the Police Service. Some proposed leadership recommendations are also put forward, including the recommendation of an integrated policing leadership model of active leadership combined with command and control traditions. Importantly, the suggested model, Changing Police Culture (see Figure 6.5) highlights the need for integration with the community in policing management and operation issues.

The confidence of the community is an important part of a successful policing organisation. Justice Brennan in *Police Service Board vs. Morris* stated that:

> The effectiveness of the police in protecting the community rests heavily upon the community's confidence in the integrity of the members of the police force, upon their assiduous performance of duty and upon the judicious exercise of their powers. Internal disciplinary authority over members of the police force is a means — the primary and usual means — of ensuring that individual police officers do not jeopardise public confidence by their conduct, nor neglect the performance of their police duty, nor abuse their powers. The purpose of police discipline is the maintenance of public confidence in the police force, of the self-esteem of police officers and of efficiency (Police Service Board vs. Morris (1985: 156 CLR 397).

Confidence, however, has to be gained. It is clear that to successfully implement police reform requires far more than simply the investigation, exposure and punishment of a number of corrupt police officers followed by a major reassertion of command and control discipline over the organisation as a whole, leaving in its wake disgruntled, stressed and disillusioned police officers primed to act as a trigger to ignite the cycle once again. Instead reforms should be critically constructed practical approaches that understand the complexity of the issues and have given much thought to the dynamics that are embedded in the 'nature of the game' of policing itself.

CHAPTER TWO

Setting the Scene

2.1: Introduction

This chapter presents a literature review of the most relevant material concerning what has come to be known as 'police culture' and the use of command and control as the dominant management philosophy in the New South Wales Police Service. It also examines and further develops Janet Chan's (1996) use of the theoretical work of Bourdieu to provide a tool for the analysis of the cycle of corruption, corruption inquiries, and the police responses to demands for reform using command and control management techniques in which a leader, in this case a new politicised Police Commissioner directs and controls change.

During and after the Wood Royal Commission a huge body of articles and books were written about police corruption from both journalists and academics. Media reports peppered the pages of daily newspapers and popular magazines and television and radio news and current affairs reporters relayed specific allegations in day-to-day detail, making this appear more like a show trial than a Commission of Inquiry. Current Affairs programs and forums expounded theories and discussed issues about the findings. And academics such as David Brown, David Dixon and Janet Chan observed the Royal Commission and analysed both the Wood Report and the New South Wales Police Service in great detail. Book and articles such as *Breaking the Code of Silence* (Brown 1997), *A Culture of Corruption: Changing an Australian Police Service* (Dixon 1999) and *Changing Police Culture: Policing in a Multicultural Society* (Chan 1997) brought to a wide audience not only the details of what had been uncovered but also an assessments of the reform processes themselves.

The titles themselves speak volumes. This was a 'Culture of Corruption' maintained from within by powerful networks. The Report of the Wood Royal Commission had found that the police organisation appeared to be marked by an extraordinarily strong code of silence that Justice Wood described as a siege mentality. Brown's account in *Breaking the Code of Silence* drew a disturbing picture of a police culture that has more in common with a criminal organisation than a police service — the 'brotherhood' remains silent when questioned about the misconduct of their colleagues, making investigation inquiries difficult and reform almost

impossible (Brown 1997). It was argued that the Wood Royal Commission and the appointment of a new politically responsible Police Commissioner from outside the existing organisation represented a straightforward victory for the anti-corruption campaigners such as the independent MP John Hatton and a defeat for 'the forces of complacency' represented by the former Commissioner Tony Lauer. It was the complacency of the "old guard" rather than complete institutional corruption that had kept this culture of corruption in place. And although complacency had been defeated by the arrival of an outsider to take up the reins of command and restore discipline, there was still a powerful resistance from the ranks to the changes being implemented by new educated police managers.

John Hatton himself had made reference to the effects of this secrecy in the New South Wales Legislative Assembly and on 11 May, 1994 he had called for a Royal Commission that should have particular reference to entrenched corruption, the activities of the Internal Affairs Branch, systems of promotion, the failure of the internal informers' policy and other matters concerning possible criminal activity that were deemed to be of public interest.

> This House calls upon the Premier, in consultation with the Leader of the Opposition, to establish a Royal Commission, staffed by personnel other than serving or former New South Wales Police, to inquire into the operations of the Police Service (New South Wales Legislative Assembly. Hansard. 11 May, 1994: 2285).

The new Commissioner was warned about the powerful aspect of this fear of speaking out existing within the police organisation and how this would attempt to systematically block the real details of corruption from emerging. This culture was represented by the media as a 'dark' organisation. For example, in this extract from the *Sydney Morning Herald,* written by investigative journalist Trudy Harris, the article was headlined 'White Knight Meets the Dark Force' and it was also claimed in the headline that the new Police Commissioner had been warned by Hatton, 'Don't Trust Top Police'.

> The incoming New South Wales Police Commissioner, Mr Peter Ryan, of Britain, was warned yesterday against trusting senior officers in the initial months of reforming the country's largest police force. Veteran anti-corruption campaigner Mr John Hatton, who helped trigger the New South Wales Police Royal Commission into corruption in the force, warned Mr Ryan that he was at risk "of being used and abused" and should be "extremely wary" of advice from his "key players". Mr Hatton further recommended that contracts for senior officers – assistant commissioners and senior superintendents – should not be renewed for the next six months (Harris 1996: 5).

And another journalist in the *Australian* had reported Hatton as suggesting significant precautions in a submission to Commissioner Wood.

In a submission to the Royal Commissioner, Justice James Wood, Mr Hatton recommended an extensive database on officers, detailing their duties, reporting Corruption and discipline to be accessed by the New South Wales Police Board. He also recommended returning detectives to uniform, abolishing middle management and forcing senior officers to take redundancy. During that time, the officers must prove that they investigated internal corruption, were capable of charging fellow officers with misconduct and would protect whistleblowers (*The Australian*, 29 August 1996: 2).

The idea that there was more than just a problem with individual or at least isolated groups of "rotten apples" was given a new, although considerably less sensational dimension by Janet Chan (1996) in an article published in the *British Journal of Criminology* in 1996 entitled 'Changing Police Culture'. This transformed the media's conspiracy theories into sociological analysis and replaced 'White Knights' and 'Dark Forces' with the mundane existence of an organisational culture badly in need of reform. Pruned of unnecessary exaggeration, the police culture she sketched in her article was far more realistic. Developing this structure in a book of the same title published the following year (Chan 1997), this in-depth cultural study opened up a whole new field of research. For in both these documents Chan had introduced the theoretical work of French sociologist and philosopher Pierre Bourdieu and, with this, added a new dimension. Prior to this, examinations of corruption in the police organisation had focused on corrupt individuals sheltering within a complacent organisation and discussed the way 'rotten apples' could be publicly exposed, controlled and disciplined by good management practices. However, by looking at corruption in such a fragmented way an holistic approach to corruption was clearly impossible.

2.2: Janet Chan and 'Changing Police Culture'

Chan (1996) introduced the importance of the theory of habitus and the role individuals within the police play as agents in cultural change in terms of developing an appropriate structure of police accountability and establishing legal regulation and social reforms (Chan 1997: 14). Chan's work prefigures this thesis in the way it applies Bourdieu's theory to the more practical aspects of policing. Or in the words of Bourdieu who compares the logic of practice to a sportsperson's 'feel for the game'.

> Having the feel for the game is … to master in a practical way the future of the game, is to have a sense of the history of the game (Bourdieu 1998: 80).

Chan's study of Bourdieu crystallised the link between theory and my knowledge of police practice. In many ways her work provided the catalyst that allowed me to develop the structures in this research. But, while her analysis necessarily meant labelling behaviour as an outside observer, my personal insider knowledge of the field of police work and the

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experience of police culture brought practical experience to an intersection between theory and field work that was impossible in Chan's analysis.

Bourdieu argues for a strong relationship between empirical evidence and theoretical propositions and explains the location of individuals within social fields. Theoretical constructs and practical experience are important in this study and both are regarded as equally valuable. While Bourdieu opens the discussion towards the understanding that fields are the site of competitions and conflicts which help produce the internal beliefs of individuals (Bourdieu 2000: 183), Chan (1996) could only argue this very point from the social structure periphery. Bourdieu (1977) works from the inter-subjective point of how the various forces that construct police culture and relationships interact, and therefore gave me a deeper understanding of the dynamic within which I was located. For this reason the thesis will also argue that command and control leadership styles are not only ineffective at combating corruption but are integral to the environment that both shelters and creates this.

Chan (1997) supports these thoughts in her statement:

> A sound theory of police culture should recognise the interpretive and active role of officers in structuring their understanding of the organisation and its environment (Chan 1997: 66).

Chan's view (1996) is important and useful. As a researcher she records the projection of Bourdieu's reading of dynamic relations as she observes policing. Her observations introduce the reader to the first level of theoretical analysis presented here, one which opens the door to the deeper equations that Bourdieu was clarifying within sociological inquiry (Carles: 2001). Police culture is described by Chan as 'a convenient label for a range of negative values, attitudes and practice norms among police officers' (Chan 1996: 110). Her observations are helpful in that she challenges previous generalisations. However her position represents an anthropological collective opinion that does not lend itself to purposeful notions of how to interpret these particular relationships. Habitus is understood in Chan's (1996: 115) analysis to be 'cultural knowledge'. This thesis argues that it is the 'habitus' of the individual, influenced by both their working and their private life, that causes conflict in a police officer's actions when faced with police corruption as an accepted police practice.

The problems are clear enough when described, but understanding the complex dynamics underlying them is where Bourdieu is valuable. Bourdieu stresses the use of the empirical evidence to understand cultures. Chan writes:

> Bourdieu's theory recognises the interpretive and active role played by police officers in relating policing skills to the social and political context of policing (1996: 115).

However, Bourdieu's intellectual map manifests realistic coordinates in locating the dynamics of 'culture of mind' within the police, specifically in relation to such matters as personal gain or cultural capital, which are crucial in understanding the culture of police corruption. The empirical evidence offered in this thesis is of the significant conflict and internal arguments between the private and the public. As referred to in general discussions of police culture, this also involves the issues of self-reliance and independence and interdependence in the working environment. Janet Chan (1997) describes 'the close relationship between police culture and the structural conditions of police work' within the police social field. Chan (1996: 117) states that the link between structure and culture has long been recognised but it is particularly the structure of the interpersonal that this thesis explores.

This thesis will develop a theory of change in the field of police operations by taking Chan's theories a step further, gathering evidence to reveal how culture and structure actually find their points of interaction. So policing is viewed by external commentators who are in a sense 'watching' the collective engagement of structure and culture and trying to make theoretical sense of these observations. Bourdieu analyses these points of intersection and reads from them the dynamics of the 'nature of the game'. Police culture, of course, has often been described by referring to institutional practices. This assumes that if police behaviour is watched in certain situations, police culture is also being watched. However, police culture cannot be sufficiently defined or quantified by merely observing the workplace. It needs to be experienced. As Chan states:

> The active role of police actors forms links between the structural field and cultural knowledge, and since they make choices about their actions, these relationships between the elements are neither uni-directional nor deterministic (1999b: 114).

Chan at this point is starting to look at the complex interpersonal relationships that are part of the habitus. Bourdieu offers a way of exploring the links between structural conditions, cultural knowledge and institutionalised practice, whereas Chan depicts a model that shows the line of causality between behaviour and structural conditions (Chan 1999b: 117). A theory of police culture must, therefore, situate culture in the political and social context of policing (Chan 1997: 67).

This work aims to engage with the interpersonal and personal tensions and unresolved ethical problems that are variously shared by many individuals in the police environment. Chan is attempting to reconcile discussions of police culture through describing the different

subgroups. Positions in police organisations are highly structured; individuals compete for positions which are structured around power relations. Chan attempts to reconcile the discussions of culture by employing separate descriptions of knowledge, language and behaviours. However, applying Bourdieu's distinction between 'habitus' and 'field' to policing, it is important to emphasise that culture does not exist in a vacuum (Waddington 1999: 295).

Instead, daily police activity involves everyday tensions based around ethical decision-making which may be exacerbated or endowed with greater significance by intense scrutiny from outside the organisation — from the media or the community or from politicians and external advisers. The 'disposition' of the individuals who are the subject of this thesis are also aware of the intense periods of personal and group isolation that inquiries cause in the work environment. Police take seriously the 'moral' and public discussion of the 'good' and 'bad' behaviour of individual officers. They internalise these criticisms and judgements and these can produce the underlying feeling of disquiet or discontent that can lead to whistle-blowing, especially as the responsibility of individuals as leaders within the organisation is less often highlighted.

Chan (1996) identified the existence of different languages and different sub-cultures, addressing the fact that public opinion, informed by media analyses, views police culture as a singular, uniformed group identity. This opinion is very important as it affects how the police are scrutinised from outside by external observers. It is easy to label 'police culture' as a 'culture of corruption' without discerning the different divisions within this culture. It is easy to talk about a conspiratorial idea of the police organisation as a group of criminals bound together by a 'code of silence' that shelters a 'brotherhood' of 'dark forces' without considering the peculiar operational needs of this culture. The political overview tends to concentrate on the traditional need to keep the community safe and the inability of a culture of corruption to do this. Importantly, in her analysis Chan moved past these one-dimensional simplicities and, in doing so, she also introduced the issue of management reform.

Traditionally the task of management can be considered as the reorganisation of individuals' behaviour in relation to the physical means and resources to achieve the desired goal (Pugh 1999: 11). Management is thus concerned with the manner in which a working organisation is structured to achieve optimum outcomes. When describing the culture of the police work environment, academics traditionally observe how structures of networks may present a defense against public scrutiny but they could also emphasise the necessity of team unity to reduce the dangers of police work that will result in personal injury, sick leave, work performance issues, or low morale. A typical suggestion might be the external consultant's proposition that the organisation encourage a positive work environment by the application of a reward system.

Theorists, or other non-police observers tend to view the surface of the police organisation's practices, but they are aware that they are 'crossing a boundary into unfamiliar territory' when they comment and talk about it. On the contrary, police officers understand corruption on an experiential level as 'being party to a practice that they do not necessarily want to be a part' for they are aware of a deeply personal conflict of interest — excluding, of course, those officers who engage in corruption without any insight into the moral dilemmas. Outsiders have a limited understanding of the machinations of police work practices; the sorts of things that become 'commonplace and unnoticed' to those who are engaged in them for a long time (Anthony 1994: 52). For example, police observe and chat about how 'they got a free meal, when they worked there, or she is his god daughter she seems to have got a great promotion, or did you know that superintendent … did not report that ... there has been no official complaint made so nothing has happened, that is the way they like it.' Within police culture it is commonplace for suspicions to be voiced about alleged incidents of corruption. There are also known acts of corruption that are less overtly discussed but are generally known about, particularly when they reoccur.

So while police culture has been described and criticised by outside observers, it is observed differently from inside, as Anthony suggests:

> It is in the nature of a culture to be unperceived by those who share it and difficult to penetrate by those who do not (1994: 52).

Much of the literature on policing organisations describe police behaviour in generic terms such as 'codes of mateship'; 'police feel more comfortable'; 'police share the experience'; 'police comply with commands'; 'police and adhere to group norms' (Bull et al. 1983: 72). Chan (1997) challenges these homogeneous codes or attributes by introducing the notion of a series of sub-cultures, existing within a broader police culture which may be described according to the different types of work done, such as traffic police. In each description of the different ways of police, networks and separate sub cultures there are different forms of gain. For example, detectives may involve themselves in the practice of "noble cause corruption" to gain a guilty plea, apparently "for the benefit of the community". Conversely, highway patrol officers may gain money by coercing a bribe. The executive may gain promotions for their colleagues or avoid public exposure of corrupt behaviour in the organisation by not reporting that activity to an outside organisation and preventing others from disclosing the act.

Chan (1997) also clarifies that:

> Understanding police culture involves explanations that can be derived from structural and cultural organisation of police work. Police practices reflects the current priorities and values built into our laws and institutions (Chan 1997: 11).

The research candidate found Chan's work to be extremely perceptive. It is also true at one level that corruption is always specific to the circumstances in which it appears and worth noting that most non-police theorists and academics emphasise traditional management practices rather than looking at deeper explanations involving decision-making within police cultures. In contrast, Chan (1997) suggests we need to understand the deep structures of decision-making and not just traditional management practices.

But the power that police lawfully have also comes with the discretion to use or not use that power. For instance, police can make decisions not only about how to apply the rule of law; they can decide *not* to apply that rule and thereby deliver an advantage to the officer or offender. This behaviour can be advantageous to the officer — for example, they may increase their economic capital through corrupt means. However, the advantage gained may not only be financial. It can also be symbolic — perhaps social or cultural. Whatever view is taken on the definition of corruption, ultimately it has to be tested against legislation. It also must be acknowledged that the process of corruption does not just concern a small and disconnected number of problematic individuals; it is a systematic process. This thesis presents police as people who struggle with their personal beliefs and their work location in an ethically demanding environment.

C.Wright Mills has reminded us that:

> Perhaps the most fruitful distinction with which the sociological imagination works is between 'the personal troubles of the milieu and the public issues of social structure'. This distinction is an essential tool of the sociological imagination and a feature of all classic work in social science (1970: 14).

Mills' comments introduce the important issue of the relationship between the public issues of social structures and personal troubles. General management principles can be assessed in reference to theoretical issues but at the conceptual heart of the equation must also be a consideration of the way private life affects work. Such considerations must have a central part in the management of reform. So while oversight is needed to examine the internal workings of the organisation, it must also acknowledge the external pressures this produces. In 'Governing Police Practice', Chan (1999a) acknowledges the importance of the concept of habitus as well as field through the temporal dimension as 'two modes of the existence of history', or, better yet, 'two realisations of historical action' (1999a: 124). The relationship between habitus and field comprises 'conditioning and cognitive construction'. Conditioning occurs as field structures habitus, while the habitus constructs or constitutes the field as a meaningful world. This activity of practical construction, even of practical reflection, actually serves to obstruct ordinary notions of thought, consciousness and knowledge (1999a: 121).

Chan (1996) introduced the analogy that officers who have learned 'a feel for the game' — gained cultural knowledge — are not restricted as to the number of 'moves' — modes of practice — they can make. The specialised nature of police thinking gives the notion of habitus its power. As my research progressed, I became more aware of the dimensional power of the concept of habitus and of how internal dilemmas result in ethical dilemmas, conflict, or the learning of new attributes which also become parts of an individuals' personal dispositions.

> Habitus, on the other hand, is closer to what has earlier been described as cultural knowledge. It is a system of 'dispositions' which integrate past experience and enable individuals to cope with a diversity of unforeseen situations (Bourdieu and Wacquant 1992: 18).

Chan's use of Bourdieu's concepts of habitus and field offered researchers a broader and, in places, a more specific way to explain how ideas, beliefs and behaviours become accepted props in any organisation. I have extended the discussion to develop the arguments into other important areas such as *symbolic capital*, how an individual comes to ascribe notions of power to another individual and that individual's group, and the *doxa*, the fundamental unthought beliefs that, taken as commonsense, are seen as self-evident and universal truths. The development of a *doxic* relationship between the habitus and the field construct an individual's opinions within that particular field. The term field, as used in this thesis, represents the area of policing.

Two fields are identified for analysis in this study: first, the field represented by the police executive and its links to the community being served; and second, the field represented by the operational arenas, for example, the Local Area Commands, specific task forces and highway patrols. The term habitus, as used in this thesis, describes the internal feelings, thoughts and behaviours of individual officers, concerning an individual's disposition and his or her embodiment as a police officer at the level of a police officer's role in a local police station. In this thesis it is suggested that the dominant doxa of policing is 'command and control' — that is, the inter-relationship between field and habitus is the dominant philosophy of command and control. For Bourdieu the concepts of field, habitus and doxa are dynamic, representing relationships of power, conflict, action and non-action.

In this thesis Bourdieu's conceptual work will be employed to examine police corruption in terms of the accumulation not only of economic gain or capital but also of other specific forms of symbolic capital, for example social or cultural gain or advancement. Individual police officers can acquire very significant social gains by connecting with influential people who can facilitate the obtaining of promotion, status, and power through their connections with others. Symbolic gains can also consist of being recognised as an operational police officer with a great capacity for doing highly praised police work — for example, having the status of elite

investigator will enable that officer to use his/her power to influence the decisions of peers and lower ranked officers. The most recognised form of gain, of course, is economic gain, which consist of financial reward obtained by means of knowing and practising corrupt practices. Furthermore, police corruption leads to the acquisition of either a personal or public advantage. I draw on Bourdieu's concept of 'field' to refer to the set of personal (habitus) and public (social field) relationships that form the cultural world of policing. Concrete examples, will be offered later in the chapter.

2.3: Bourdieu and Police Culture

Bourdieu and Wacquant (1992: 49) states that the sociologist's role is to 'denaturalise and to de-fatalise the social world'. In this instance that social world is both the 'field' of a police officer's work environment and the exercise of that power (the perpetuation of a system of domination) internally and externally to the work place, i.e. the New South Wales Police Service as a whole. By analysing these relationships it should be possible to do more than describe the complexity that makes up police culture, potentially having an impact on the organisation's ability to 'escape' from its history of inquiries and crises.

Chan's argument highlights the relevance of relationships and policing in that:

> Bourdieu's theory can be used to understand and recognise the interpretive and active role played by police officers in relating police skills to the social and political context of policing (1996: 115).

This expands the concept embodied in the police literature which condemns the relationship existing between police and describes this as a culture of corruption, without discussing the 'moral agency' of what is possible between police (Bourdieu and Wacquant 1992: 50). Decision making and police operational decision making is learnt from experience and education in the field. However, non-operational decision making relies on intuition and morality, forms of 'knowledge' rarely open to the formal training provided inside police educational units.

The fact that I have regularly discussed the powerful relationships within the work environment with my fellow police practitioners means that my connection with the research becomes one that is not simply 'neutral, detached, apolitical or uncontroversial' (Bourdieu and Wacquant 1992: 51). Bourdieu has noted the way internal struggles can rarely remain independent from their object of study.

Examining the field and habitus adds to an understanding of the way police practitioners' relationships operate with each other at all levels. Managers/leaders can identify with this group, be a part of the group or be separate from it. Bourdieu's discussion of a dominant class

or dominant authority can be used to illustrate the manner in which hierarchical systems dominate both the core values and discourses of organisational cultures, and the individuals within that culture. Bourdieu's work reviews the impact of the public sphere on the private:

> It is the potent instrument of self-knowledge through the intimate knowledge of the other (Wacquant 2004: 403).

I have followed his example in writing the results section, Chapter 4, where the public review of police work is set against the interview material, thereby engaging with the public/private dichotomy. Importantly, though, by applying Bourdieu's ideas to the material gathered here, it becomes possible to expand the notion of the private in relation to policing into a new analysis of police culture which represents a departure from the more general discussions and a direct engagement with the very 'dispositions' of police officers. The analysis can move from the macro to the micro; from the public to the private, from theory to practice.

Bourdieu's theory has been extremely useful in analysing the empirical material, such as the interview material, the work performance statistical data and the documentation of intellectual policy directions, providing the theoretical framework for my analysis. Particularly important is the notion that the field generates and reinforces a certain habitus, and that this habitus in turn reinforces and sustains the social field. The nature of the important relationships and embodied dispositions that are continually forged, maintained and perpetuated within the 'field of policing' must be understood before systemic corruption can be successfully addressed. This also leads to an understanding that there is no universality to the concept of 'culture'. Instead, what is offered is an analysis of the structure of relationships, history, power and finally the possibility of their transformation (Bourdieu and Wacquant 1992: 89).

The field of policing is described here as comprising the powers ascribed to police through government legislation in conjunction with the informal rules governing police behaviour. Two forms of management are described, one formal and the other informal, which also constitute part of police culture. One of the most powerful aspects of the concept of habitus is that it is not only subjectively constructed, but also objectively put into practice. In this way, the habitus is useful to social scientists trying to bridge the gap between subjective and objective sociological theories. But more importantly these theoretical discussions lead to the possibility of examining previous struggles in an effort to transform the current structural relationships. The struggle will involve contradictions, tensions, and the relations of force which will constitute subsequent transformations (Bourdieu and Wacquant 1992: 91).

Variations in power groupings can destabilise hierarchical structures. The movement of symbolic capital between different levels of expertise appears to introduce levers within the

informal organisational structure. The formal relationships within the police organisation are hierarchical. However, these relationships are still open to manipulation by the command model of leadership that remains firmly in place. In fact these rules cover the covert nature of relationships which can place individuals in the hierarchy against the formal rules of engagement. This 'bending the rules' is then observed by officers close to those in senior positions (peers, subordinates and supervisors) and their internal angst increases, effecting the individual and the group, as the covert relationships modify the rules and regulations.

Bending the rules/corruption can have a negative impact resulting in the deterioration of that individual's commitment to the organisation. Therefore, another very important point made by Bourdieu is that individuals within cultures need to have a 'capacity for goodwill,' and, furthermore, 'a willingness to be instructed' (Carles 2001). The individuals who obey and conform to survive within a culture are those who will be rewarded.

2.3.1: Habitus and Crisis

If an officer does not trust that environment or questions its values, the field in which s/he works becomes a place of conflict. Below is a list of the main concepts reviewed by Goldsmith (2005) that pinpoint where the cognitive struggle begins for the operational police officer who, frustrated within the organisation, will become the trigger for a crisis to occur within the police force. The list includes neglect, indifference, incompetence, venality (petty corruption), extortion, discrimination, inconsistency, intimidation, excessive force and finally brutality (Goldsmith 2005: 454-457). When a police officer experiences a set of values and behaviours at work that may differ from those that characterise his/her private social lives, as most working people do, there is no place for discourse around these conflicts. On the other hand, despite the limiting nature of the police field and the fixed nature of habitus, individuals are dynamic, open to change and to different ways of interpreting the world.

It is therefore possible that the ideas of change, reform or doing police work differently are a private consideration for many officers, even if, as members of the Service, they actively resist reform. Police officers have individual attributes and personal preferences for choosing certain courses of action. At the same time, however, they are strongly linked to the field of practice and when they are challenged, a form of conflict — cognitive dissonance — takes place (Gordon 2003: 144). Individuals faced with a range of dilemmas have the choice of whether or not they seek guidance from others in the hope that an alternative exists. When an individual is confused, organisational and personal goals also tend to become confused.

Chan's (1996) analysis describes this 'top down', hierarchical system that is accepted as the culture of the police service, a system that does not leave much space for conflict and power

relations within informal structures. Officers do, however, express observations and opinions in conflict with directions received from above:

> [They] muddle through, improvise, and make things up as they go along … police stories provide officers with tools they can use to get them through the business of police work without minimising the fact that this still requires individual initiative and daring (Shearing and Erickson 1991: 490).

Corruption as a practice is both a public and private activity. It is an intensely secretive, covert set of relations, occurring in language, behaviour and joint activities, and is maintained by external contacts. The activity is also part of the public and private world of the police environment.

2.3.2: The Field of Policing

A field is a concept that is revealed through analysis and application. In this work the concept of field is interpreted as how individuals interact within the social fields of policing. Individuals have their own beliefs, values and work practices that are moulded by their social field. However, the emphasis is not on the individual but the network of people in the social field (Reed-Danahay 2005: 104). Each person's beliefs and values generate behaviour (Reed-Danahay 2005: 64) and the practice of corruption occurs within the social field of policing. Reed-Danahay writes:

> Social fields are sites of struggle over strong interests of capital, social capital, and symbolic capital (2005: 115).

The concept of a field with individuals who are participants in corruption leads to an analysis of the social field as a site for corruption as a police work practice. In Bourdieu's analysis, when examining a social field it can be described by the 'logic of their [the police] practices' (Reed-Danahay 2005: 13). The acquired disposition towards corruption becomes 'mobilised' within the social field of policing. Bourdieu (1977) rejects the sociological concept of functionalism, arguing that social forms are *not* generally determined by the need for survival or integration. The field and the habitus can (and do) vary substantially over time and geographical boundaries. These forms are not based on functional determinants but on seemingly arbitrary social constructions. This suggests that social, economic and cultural capital all contribute to the existence of schemata. In situations where social capital and cultural capital are accepted as absolute, the assumptions behind the organisation are not challenged. Power structures remain unchanged and allow the continuation of symbolic violence with no possibility for effective cultural change. Within the police community, heroism is discussed and valued amongst police. For criminal groups, obtaining cash and

methods of acquiring it are a core value and discourse. When discussing profit and capital gain Horarik locates profit within the field by stating:

> The profit is not an outcome of embodied dispositions acquired in the field of business but a product of engagement with this field of playing its particular game. Habitus only enables people to spontaneously and unconsciously orient themselves to the field, to its demands and stakes of relevance, but they still have to play the game, strategise, and so on to derive benefits which make participation in the field meaningful (2006: 50).

Understanding the social field and the notion of playing the game over time successfully does require a process of identification. In the Police Service, this translates into a hierarchical structure in which status and class are ascribed by rank and income. Officers are granted authority in connection with their position and are regarded as people who will fix or determine the outcome of any given situation. With the granting of this status, they often choose to impose a set of values on those around them.

Officers who are in senior positions tend to perpetuate a culture that rewards them by adhering to and supporting the traditional military aspects of a male-dominated workplace. This places officers who are not aligned with this accepted tradition outside the dominant culture, a marginalisation that manifests itself in a variety of ways. Shifts can be allocated based on when one wants to work and with whom; people can be denied access to important information; officers can be denied the necessary tools, experience and networks for promotion; false reports of misconduct and corruption can occur; and officers are isolated and deprived of peer support, among other forms of persecution.

In the course of their work, police come into contact with people and other police officers whose actions they are empowered to determine or dictate. At times this power creates conflict within individuals, particularly when it appears that it is being exercised to allow such unprofessional behaviours as work avoidance and a failure to cater to the diversity of needs both within the Service and in the wider community.

The relationships between the policing field and habitus have developed historically. The field, which Bourdieu also refers to as a 'game', refers to a picture of historically developed patterns of communication and acting. The habitus describes the 'incorporated history' of the individual (Reed-Danahay 2005: 133). The field and habitus are complementary concepts. You cannot have one without the other since habitus is not just the internalisation of culture but the internalisation of the patterns of culture. The discussions in this thesis move from the structure of the personal to the structure of the organisational culture and then return to issues of personal decision making. The main issues discussed are how individuals operate within the

police culture and specifically how the 'habitus' connects with the 'field' within Bourdieu's theoretical conception. Reed-Danahay writes:

> For Bourdieu, emotion and feeling are part of the habitus which is both structured by and helps structure, systems of power and domination. The ways in which dispositions that lead to various 'emotional reactions are inculcated in the body are in ways that are beyond the conscious control of the individual' (2005: 102).

2.3.3: Economic Capital within Police Culture

Most definitions of capital acquisition see this in terms of money. Corruption is criminal because it deceives the public. Organisations are harmed as well as the public and the distribution of benefits from society to recipients is distorted. Garnham and Williams assert:

> Economic capital is more liquid and more easily transferable from generation to generation, making it particularly useful in continuing the process of reproducing class legitimacy and domination over time. Cultural capital can be converted into economic capital, just as economic capital can be converted into cultural capital, and however, these conversions happen at different rates of exchange (1990: 203).

In policing, the social field offers opportunities for economic gain as part of policing activity. Competition within the social field also increases the attractiveness of economic gain as a way to gain power within the social field. An example reported in the written media:

> Roger Rogerson exemplifies such a situation: he was known to discuss past years when he could get as much as $1000 from individual criminals and is on record talking about getting ten per cent of contracts (*The Daily Telegraph*, 5 June, 1999: 84).

2.3.4: Symbolic Capital within Police Culture

Even more interesting, however, is the acquisition of symbolic capital. This functions in policing in the sense that the more operationally experienced and the more dangerous the area of expertise, the higher the level of symbolic capital granted. There is a need to differentiate between different forms of cultural capital within the wider community, the Police Service and criminal groups. However, a closer look at criminal relationships is not offered within this research.

The concept of symbolic capital is separate from the notion of a particular field. A field is the structure of a group, its formal entity, and symbolic capital is a group of practices that are recognised as important within discourse and behaviour. Waddington (1999) argues that discourse gives meaning and identity to police and police work. The concept of 'cultural

capital' refers to a behaviour, ritual or practice valued by the majority — for example, do the right thing; do things by the book; do not trust outsiders. This 'majority' may be an individual who is part of a set of individuals; or individuals within a common group; or a group with a common purpose. This definition is useful in all social scientific disciplines as a means by which the origin of a group's core values might be understood. It can specifically be applied to police interests in corrupt behaviour as it links corrupt practices to different types of gains, some of which are not economic. It is also worth mentioning briefly some other forms of symbolic capital, for example those associated with being perceived as an outsider, by being the honest police officer. On the other hand, for the person who collaborates in a culture of corruption such an activity can result in a feeling of shame.

Another aspect of symbolic gain occurs when detectives are recognised for their character within a social field. Not everyone capitalises on this, but a good example would be Detective Superintendent Robert Inkster handing back to the force his own accolades, describing as essential the work of the entire policing team and saying that press comments ignored the contribution of countless other police officers. He went on to say:

> An individual can't do and achieve all those things credited to me, and I don't take
> that credit (*The Daily Telegraph*, 24 August, 2004: 19).

Superintendent Inkster, a respected, experienced detective who joined the NSW police in 1966 and retired in 2004, is well known for his hard line against criminals as well as for high figures of arrests by his task force, both regularly reported in the media. In accepting the role as Task Force Gain's commander, Inkster delayed his retirement (*The Daily Telegraph*, 24 August, 2004: 19). He was prepared to forego the economic and personal benefits of that retirement to assist in fighting crime.

Bourdieu's analysis clearly describes the competition between individuals within a social field as being directly attributed to the need for economic gain, in the form of property, goods, cash, food and alcohol. Police can compete for relationships that deliver such profits within the social field. However, the reporting of such corrupt acts manifests itself when authority figures 'diffuse' information as a process of domination. The process of diffusion creates an opportunity to keep systems in place that support the 'acquisition of gains' (Carles: 2001). An example of diffusion is to make a complaint that you are being dealt unfairly by the internal police system of review.

'Systemic' police corruption can be defined as corruption that is accepted as a way of life for those in the Police Service, and which a significant proportion of its membership either practises or tolerates at some point during their police careers. A core belief of police work is

that police, as part of their office, should protect property. However, there are accounts, criminal convictions and many complaints linked to the misappropriation and theft by police of property. Police officers come from diverse socio-economic, cultural and social backgrounds. The Police Service is not a workplace field that embraces those diversities; however, the different police environments do provide rules and structures that any officer can embrace. The shared knowledge of the organisation may not allow the manager to set standards or behave independently from the group s/he manages. Managers set the tone of the organisation and can influence the prevailing culture. A very significant aspect of this work relates to the previous discussion concerning the private and public lives of police officers, as habitus overlaps into more fields in a police person's life than in most other occupations.

According to Bourdieu, social capital is made up of 'satisfactions of interest with the prestige or respect, which almost universally reward actions motivated by respect for the rule' (1990a: 109). Leaders, the police, criminals and all others afforded this public level of respect, obtain social capital. Social capital is similar to economic and cultural capital in that each is 'recognised as having value and can be traded and exchanged for desired outcomes in their own field' (Webb et al. 2002: 109). It can be loosely defined as one's network, as well as the means by which one is able to access that network for support, protection or approval. This access is particularly important when one is a member of the policing field. When social capital is gained from situations, people and places, it becomes very difficult to change individual or group actions. In situations where the social and cultural capital is absolute, the assumptions behind the organisation are not challenged. The power structures remain unchanged and allow the continuation of symbolic violence, with no possibility for effective cultural change. As evidenced previously, in this work it is suggested that it is through influencing the habitus as well as the field that change can be effected.

Symbolic capital can be ascribed by people to other individuals and sometimes this is highlighted in the media reports. Other police often regard an individual at the centre of power of the organisation as being possessed of great symbolic capital. They may try to use this knowledge or cultural capital for themselves to compromise that person's power, to obey their directions, or to challenge their position in the organisation. Individual officers who respond to an officer with symbolic power can find their own personal moral values challenged or enhanced. The detectives as a group have a work role and hence an identity that clearly distinguishes them from other police officers. The recognition of the detectives' role as significant and different from that of other police is an example of symbolic capital. For example, the print media reports as follows:

> Elite detective squads face the axe in the most dramatic shake-up of the New South
> Wales police force in more than a decade. Hundreds of specialist investigators may

receive orders to pack and move within weeks if regional crime squads and State task forces are disbanded as planned (*The Daily Telegraph,* 5 June 1999: 5).

The move to radically restructure the Police Service caused alarm among many senior police and anti-violence lobby groups who feared specialist expertise would be lost in the quagmire of general duties, with almost all detectives expected to return to uniform. Under the plan adopted by the New South Wales Police's State Executive Group in the North West, North, South and South West, regional crime squads were to be dissolved. For example:

> An unknown percentage of the detectives specialising in the investigation of arson, homicide, drugs, armed hold-ups and intelligence-gathering would be dispatched to district offices to form the core of small serious crime teams. These officers — some of whom have spent more than a decade investigating particular types of crime — would be expected to respond on demand from individual police stations to any major incident within the district (*Sunday Telegraph*, 14 April, 1994: 17).

In the terms of this theoretical analysis the 'social field' of the detectives mentioned in the above discussion had reached the public domain and the external contact with the media established the strength behind the symbolic capital of the detectives as a different section of the operational police environment. The above citations come from public discussion in the media of decisions made by police administrators that appear to be challenged by the working detectives. The private social field is becoming an item of capital in itself. Private police management decisions become public, then the strength of the 'field's' ability to access support becomes apparent. This is an example of Bourdieu's description of how sub-cultures start to influence the social field.

Two opposing examples of the possession of symbolic capital will now be discussed. They are the case of Roger Rogerson, a former, now disgraced New South Wales detective serving in the 1970s, and Chief Superintendent Bob Inkster, a highly regarded investigative detective, who retired in 2004. In 2004, Roger Rogerson was described as a highly intelligent family man who had great pressure placed on his command to arrest identified serious criminals. A local journalist recorded:

> He had the skills, intelligence, resources and authority over the people with whom he worked and those he policed, to obtain good results. He had a reputation as a superstar detective and junior staff that did not know him …. Wondered what he would be like before he arrived. For 23 years he was the epitome of what Australia wanted from its police force (*The Daily Telegraph*, 5 May, 1999: 84).

As an example of the effects of the wealth of symbolic capital, Rogerson was covered in the print media as an identity worthy of note, despite his concurrent and long-standing identification as a corrupt officer. For example:

> 'Rogerson's middle name, Caleb, means Bold One. Fortune favours the bold and for 20 years Rogerson has ridden confidently through storms of allegations' (*The Daily Telegraph*, 5 May, 1999: 84).

Serving officers in 2004 were talking about and recalling the activities of an officer of a period nearly 30 years previously. This is an example of symbolic capital as a practical concept of recognising cultural icons. Another holder of symbolic capital, but one, who administered his power in a very different manner, was Robert Inkster. The symbolic capital he represented was again reported in the written media:

> Bob Inkster, the gruff, no-nonsense detective, widely known as The Snake — because of the low profile he enjoyed — has distinguished himself by working on some of the nation's most infamous crimes involving the hardest, toughest criminals (*The Daily Telegraph*, 27 August, 2004: 19).

Bob Inkster commented that he:

> also mourned the loss of honest, strategic risk-taking among police and the fact that police have become gun shy when dealing with criminals due to fear of having complaints laid against them (*The Daily Telegraph*, 24 August, 2004: 19).

Police are almost frightened to have contact with serious criminals when the policing environment is under extreme review — following a royal commission, for example. Instead the focus turns to data and paperwork, creating flow charts and recording arrest rates, which is meant to demonstrate effective policing. Major crime and its complexities are made invisible both to the public and the internal police environment to avoid allegations of impropriety and corruption, unless there is a political imperative where there was a high immediate risk to the community and serving police officers.

An example of this can be seen in Operation Gain, established in response to homicides occurring in the Lebanese community. In this example, it could be seen that stopping crime in the Lebanese community would gain cultural capital within the social field of policing. For example, high arrest rates for drugs and property crime in the gangs associated with Lebanese culture is regarded as successful policing. That symbolic capital, when analysed, can on occasion be seen to be founded on questionable principles. Measured against police corruption, symbolic capital as an influence on discourse and behaviour can be exercised unchecked by persons of authority and status. I will now explain how economic capital relates to police activity.

2.3.5: Cultural Capital

Bourdieu's interest in culture centres on aspects such as intellectual and artistic activity and the works produced by it; and development and enlightenment of the intellect through special training and development (Lawley 1994: 5). I am not suggesting that Bourdieu's approach is about individualisation as he:

> Rejects the subjectivist approach because it fails to take into account the close connection between the objective structures of a culture, which include the values, ideas, desires and narratives produced by and characteristic of, cultural institutions such as the family, religious groups, education systems and government bodies, on the one hand and the specific tendencies, activities, values and dispositions of individuals on the others (Webb et al. 2002: 33)

Bourdieu has been adopted as the main theorist in this work because his theoretical approach emphasises the notion of 'field' not culture, and looks at how culture is structured through the nature of relations within a field. Moi (1991) quotes Bourdieu as defining the field in this way:

> A space in which a game takes place; a field of objective relations, between individuals or institutions that are competing for the same stake; that stake is the amassing of capital, in order to ensure the reproduction of the individual or institution's class (Moi 1991: 1021).

Moi's thinking inspired me to relate my subjective and objective view to the actual structure of police practice. This thesis places the individual as a core member in the discussion of culture, utilising Bourdieu's suggestions that a field is where:

> ... social agents utilise the 'feel for the game' or the practical sense. He contrasted the field in a game with the notion of social fields – the products of a long slow process of automation and are therefore so to speak, games in themselves and one is born into the game, with the game ... The field as a concept is a relational ... one that seeks substances or essences in individuals or groups and which foregrounds the individual ... A field of power refers to situations in which people with a lot of cultural capital are able to dominate in a field (Reed-Danahay 2005: 134).

Culture can be understood by its elements, values, norms of behaviours, structures such as institutions, and historical artefacts belonging to that culture's past. A high level of cultural capital means that someone has a level of knowledge about those elements that empowers their ability to survive and live within that culture. So, in relation to police work, if as an officer you have a good working knowledge of the language, work practices and behaviours within the police work environment then you possess cultural capital.

2.3.6: Developing a Theory of Police Culture

Using an analysis of field and habitus a pattern of inclusion and exclusion can be seen to exist in police or organisational culture. This thesis will apply Bourdieu's work to the practice of policing in New South Wales, arguing that there is an interrelationship between the habitus and the social field. Chan's (1997) work refers to language as an important element with which to capture descriptive detail and she discusses at length Sackmans' work (Chan 1997: 72-73). Bourdieu's model of analysis encompasses the recognitions of workers attributes such as:

> Gender, ethnicity, and linguistic domination as well as social class, and points to a powerful re-thinking of the culture concept as either 'in the mind' or exterior to the individual (Reed-Danahay 2005: 127).

Chan (1996, 1997) has explained how cultures are sustained but added to this analysis are the notions of embodiment, emotion, and feeling – issues that the concept of culture has not always incorporated (Reed-Danahay 2005: 127).

For example, the acquisition of cultural capital might be illustrated by a French family who instructs their children in the French language spoken in academic circles.These children will move into the academic French environment with an acquired cultural skill. In policing, if you acquire cultural capital that is a scarce resource, such as powerful familial or social networks, then your knowledge of the police environment is enhanced prior to and during your work history. Bourdieu's ideas about cultural capital can be applied to studies of cultures described as criminal. Cultural capital is acquired by police but it can also be acquired within criminal circles. For example, leaders of gangs are held in a position of high status by the group within which they operate. The criminal social field has its own values, norms and histories within which its members recognise a leader, whether formally or informally. What is the nature of criminal cultural capital, criminal economic capital and criminal symbolic capital? Would these frameworks, when applied to organisations such as the mafia, function as they do when applied to a police service? Corporate organisations might also exhibit examples of symbolic capital located in the social corporate field. These ideas offer an expanded research area in relation to police corruption. It is possible, via the legitimate power of a police officer, to influence the flow of economic capital, exchange of information about drug use, supply of drugs, acquisition of benefits by deception, fraud and receipt of goods in custody. An individual grows and develops unaware that they are complying with a field.

The culture of police work is one that exemplifies characters who dominate and use their power within the organisation to continue corrupt practices. This research work highlights aspects of police corruption as being partly economic, social, cultural and political phenomenons. A person, a new recruit who is willing to do good for the community and then

is faced with challenging modes of decision making, becomes immediately confused and may be viewed as an enemy of police who sustain corrupt decision making. Junior police, or police who have a value system that is not flexible in its application of honest principles, are viewed as not being part of the team that supports the leaders' positions of power and 'flexible' decision making practises (Kustaryov 2003: 3).

Police work is described as a distinctive culture and hence its corrupt practices are also distinctive, linked to the power relationships within the networks of police work. Culture is central to the behaviour of groups of people and in this research it is defined as the 'social field' of policing. It is important to obtain an in-depth understanding of what constitutes Bourdieu's (1977) concept of 'culture'. Bourdieu describes patterns, traits and products as important in helping the researcher explain the social relations, attitudes and understanding of the 'social field' of inquiry (1977: 12). Police culture, like others encompassed by Bourdieu's definition, is about social behavioural patterns, beliefs and the products of human work and thought. The individual within the police group is defined as the 'habitus' and their actions as the disposition and 'embodied' behaviours of police officers.

While culture is an important part of Bourdieu's work, he concentrates on *the individual* observed in a social setting. The individual's thoughts, behaviours and moral positions are, in Bourdieu's terms, a person's *embodied disposition*. This theoretical approach leads the researcher to examine the core values of the individual located within a social field. This has lead to the following questions: Are the core values of police work found in historical practices? Do an individual's values within the police field compare to their values in the community? Are an individual's core values maintained in the social field of policing? Watson argues:

> When individuals draw on their personal moral perspectives, their decisions will depend on the circumstances within which they are placed (2003: 18).

Bourdieu's theories allow us a closer look at the culture of an organisation and to conceptualise it as a series of embedded assumptions made about human nature and human relationships. By applying the theory of Bourdieu on a micro level it is possible to tease out the role of the individual police officer. The reform periods I have studied were characterised by fierce debates about how to change the police organisation and personal crises for many police officers who may, as a result, become imprisoned, commit suicide, take sick leave, resign, and or prematurely retire. These issues highlight the personal nature of the effects of inquiries. I am not suggesting that all, or even many, of those in crisis were corrupt officers but rather that a high proportion of officers were seriously affected by the highly critical stance of the community. At the same time, the police force experienced the pressure of political demands for change and speedy reform, which became the primary focus of the media on a daily basis for a long period.

During the course of this literature review I have examined some of the issues involved in changes in police culture, such as reform, change, culture and leadership, although they have been reviewed from literature that is more remote from the police environment and which is usually located within the study of sociology. I have focused heavily on the 'personal feelings, beliefs and experiences' of individuals engaged in police work, utilising Bourdieu's concept of the 'habitus'. Extrapolating from Bourdieu, it was insufficient just to record the behaviour of individual police, the relationship between the individual and the field of policing had to be explored as well, and then this relationship studied in the context of the command and control leadership style employed throughout the police force. This becomes crucial to the analysis to be presented in the results and discussion chapters. Bourdieu's (1977) theoretical position does not sidestep generic cultural ideas but offers an avenue into the deeper layers of police practice. As Heifetz suggests:

> We can trace the richness, creativity, and complexity of our cultures and organisations to our ability as individuals to carry on an internal debate among a variety of voices, including the one we call our own (2000: 62).

This research does not replicate Chan's (1996) research or arguments but builds much further along the conceptual plane that Bourdieu (1977) offered. Chan (1997) also referred to relationships between the individual and the social field within which they work as essential to developing deeper explanations. Chan's (1996) work on changing police culture draws on the work of Bourdieu and this thesis develops a deeper appreciation of Chan's work, particularly regarding the role of 'the habitus' and the 'field'. Bourdieu's approach examines how the personal 'habitus' interrelates with 'the field'. These complementary elements lead to the title of the thesis; Bourdieu's descriptions of power relations as the 'nature of the game'.

Bourdieu's concept of cultural capital is presented within his framework of a 'general theory of the economy of practices' (1990b: 122). Bourdieu's theoretical approach to the way individuals operate within symbolic cultural systems provides a platform from which reform or change can be encouraged. By accurately describing what happens within policing, specifically how the individual police officer's habitus contributes to the corrupt decision to place personal gain ahead of ethical and moral considerations, we can ask, is this what we want? Posing this question is the first step towards achieving change. Bourdieu's theory of capital ties it to the continuing struggle between the dominating and dominated. Within the police world, that is the hierarchy of formal and informal networks within the 'field'. The dominating individual within a cultural group can ensure his or her own legitimacy and survival by acquiring symbolic cultural, economic and social capital. The system described in this research relies on the theory of symbolic cultural capital in particular, which helps to

explain how police corruption develops over time. For example, symbolic cultural capital occurs when the police field develops enduring or short term relationships with the criminal world. The culture, group activities and the individuals that make up the team are what constitute the 'nature of the game'. The game in the above example is the connections between the police and those policed, i.e. the criminal. It is worth noting that the mechanisms of police corruption are similar to the workings of criminal organisations such as the mafia as both rely on networks of relationships that seek various forms of gain.

Robbins and Muverji consider aspects of the roles of an organisation's cultures, stating that an organisation's cultures informally support a group's cultures:

> [They] support a group's objectives or goals, establishing an overall strategy for achieving these goals, and developing a comprehensive hierarchy of plans to integrate and coordinate activities. A culture is concerned, with the ends (what is to be done) as well as with means (as how it is to be done) (1990: 7).

Bourdieu's strength is his recognition of personal dispositions and their relationship with the social field within which people work. Chan (1996) applies these concepts to police work, but I have drawn on the specific nature of power relations involved in understanding corruption and the acquisition of 'gains'. The gains referred to in this thesis are symbolic, cultural, social and economic. In practical policing terms, the gains may be status, promotion, financial advantages, property and helpful networks. In simple terms, corruption is the activity of unfairly manipulating gains. It is this emphasis on the individual's interests that is Bourdieu's greatest contributor to understanding police corruption.

The affiliation process between police–the connections between individuals — is essential to the work task being accomplished successfully. This development of connection is crucial to the social field of policing. This social field is hierarchical in structure, and multi-layered. There is also a dependence with external relationships as well. And yet the social field of policing is also a fertile ground for the development of corruption. Similar layers and inequalities exist in other fields, including criminal fields. For example, there are different relationships involving economic exchange within the police. Police are formally prohibited from lending each other money. They are not supposed to have gambling, drug and alcohol problems — all activities based on economics that can involve corrupt activity. These activities occur as part of many different relationships inside and outside the policing field. Sometimes these exchanges involve distinctly different social, cultural or economic groups.

Bourdieu's work provides important insight into the endemic nature of police corruption and the cyclical nature of corruption enquiries. The recurrent nature of corruption inquiries

indicates that the problems of corruption have never been adequately addressed in the past. Various inquiries have had evidence of:

> gratuities and improper associations; substance abuse; fraudulent practices; assaults and abuse of police powers; compromise or favourable treatment; theft and extortion; protection of the drug trade; protection of club and vice operators; protection for gaming and betting interests; drug trafficking; interference with internal investigations and the code of silence and other circumstance suggestive of corruption (Wood 1997a: 83).

Drawing on Bourdieu's theories, I argue that corruption is connected within the networks of power, politics, and the field of policing. The public view holds corrupt conduct is less likely to flourish where the managers set high standards and lead by example as well as help other officers understand and accept the values of the organisation (ICAC 1994: 41). Opportunities for corrupt conduct can be reduced by good administration and management (ICAC 1994: 41). Yet it is too simple to say that 'bad managers are surprised by corruption' (Bracey 1989: 170).

The historical patterns of policing have included command management not only of operational settings but also of human resource issues. In this research it will be argued that the conscious/unconscious adoption of military styles of management has influenced contemporary policing in that social practice, common cultures, and 'shared body of knowledge' demonstrate:

> A successful socialisation process that will get agents to act as accomplices in their own destiny (Bourdieu cited in Reed-Danahay 2005: 52).

2.3.7: Symbolic Violence in Police Practice

The command and control style of management often results in individuals either consciously or unconsciously behaving in ways they feel that they should not behave. Leaders who behave in the command manner are often subtly or directly manifesting a form of symbolic violence. Forms of violence include individuals being treated as 'inferior, denied resources, limited in their social and (professional) mobility' (Gordon 2003: 142). Gordon also suggests that power is historically constituted in people's knowledge of their world. This knowledge is imbued with structures of control constituted by the outcomes of a prevailing web of power relations. Escape from these power relations is limited and officers have resorted to retirement, resignation, sick leave and even suicide as a direct result of the dysfunctional nature of their work place.

Bourdieu's concept of symbolic violence is useful in developing an understanding of how the doxa of command and control promotes deviant, corrupt or overly compliant behaviour in the

police organisation. Webb et al. (2002: 114) explains the power of symbolic violence as follows:

> Violence is symbolic because it is not directly physical, but its effect is just as significant because it enables certain groups occupying privileged positions to maintain dominance over others. In some situations, symbolic violence has been, and still is, 'the natural order of things' (Webb et al. 2002: 24).

When leaders cannot motivate compliance with the 'social field', or in fact compliance is demanded in spite of complex differences between officers, then command and control management will be used to 'motivate' compliance. Symbolic violence is a useful concept for examining the interrelationships between police, police structures, social relationships between members and the nature of the connections between members and the community. A useful hypothetical example is the conflict an officer might face when confronted by an off-duty colleague breaking the law: the officer's habitus would dictate taking the correct legal measures to apprehend and charge the colleague, while the conditions of the field — the danger and camaraderie, the poor treatment of whistle-blowers — would encourage the officer to ignore the offence, thereby engaging in corruption. Bourdieu's analysis accounts for conflict, power relations and information flowing within different informal structures.

It is clear that how people think, their environment, routine and relations with others all need to be understood in an analysis of the important issue of police corruption. The more this process of symbolic violence is hidden from sight and left unchallenged, the more powerful it is in reproducing class dominance. For this reason Bourdieu's theory of symbolic violence is crucial in this analysis. Symbolic violence occurs when an individual acts against his or her core beliefs, often because he or she is encouraged or ordered to do so. The direction (formal, informal, conscious or unconscious) to act against those core beliefs occurs within the field. As core beliefs exist within the habitus, the pattern of violence or symbolic violence occurs when an individual attempts to maintain core values and discourse within the field and that person's habitus is changed by the field. The habitus becomes moulded, and as Chan (1996) has recognised, sub-cultures can form but they do so directly as a result of a competition for capital, be it symbolic, economic, social or cultural.

Are individuals within policing in a state of conscious anxiety about competing moral decisions? Are individuals unconsciously complying with a system of authority that is corrupt? Is the police community complying unwittingly with the system in the belief that the cycle of inquiries is creating change? One of the objectives of this thesis is to recognise the importance of individual decision making within existing networks and processes. Bourdieu's discussion of the concepts of habitus and field assist in describing the location of an individual police officer within the environment and point to confirmation of Heiftzer's suggestions concerning a type of specific leadership — adaptive leadership (see Appendix M).

Where the literature on policing explores the issues of theory, policy and practice the theoretical approach adopted in this work focuses on and exposes the 'public-private, political-personal dualisms', mentioned above as the macro-micro dualism (Watson 2003: 2). Importantly, the discussion moves from the general to the specific and explores the relationships between these. In this way this thesis achieves a significant interdependence between the managerial discourse and the personal stories of police work, an approach that until now has been rarely highlighted.

If an individual officer's disposition within that social field sits comfortably within the police world then the perpetuation of symbolic violence continues when that person's unconscious values are in opposition to and ignored by 'the game' within which they are located. For example, if the 'field' is motivated to command police resources in a racist manner then the 'habitus' of the individual officer will struggle with personal conflict.

Internal conflict between the personal and the public becomes paramount in the public and private life of the individual. Fulop and Rifkin (1997: 59) examine individual fear in organisations which are trying to change. It describes a process by which one expresses fear and then sees that fear interpreted and re-expressed by others. This thesis records examples, first-person stories of individual experiences, and accounts of respondents' fears and the manifestation of those fears in their current work life, as does Fulop and Rifkin's work. They explore and analyse fear, emphasising workers' fear of change in the conditions that maintain their economic life.

> Police who are not disposed to accept their part in the game, who can consciously recognise the social field of corruption, will then feel a constant conflict (Horarik 2006: 217).

As reform involves accepting that the profits of policing have to be given away (changed/reformed/stopped) in response to political imperatives as well as community demands, it requires an acknowledgement that personal economic gain from any form of corrupt behaviour is unacceptable to all serving police officers and that it is unacceptable, indeed criminal, for a police officer to engage in this type of activity. Despite economic considerations in resources and management, it is necessary to have open dialogue within the team about gambling, or any other personal crisis that may influence an officer's morale.

The fear of exposure deserves closer scrutiny to determine why it might be in opposition to learning. Schneider and Shriffin's (1977) psychological, cultural, literary and historical exploration of shame and associated fears of exposure and disconnection become relevant here. This concept of exposure is reminiscent of Garfinkel's (1956) famous article, 'Conditions

of Successful Degradation Ceremonies', with the focus on threats to identify via exposure and issues of shame, guilt and disconnection. Feher, Heller and Markus' (1983) book, *Dictatorship Over Needs,* covers similar concepts, especially in terms of surveillance in a totalitarian state. Schein (1993) also discusses these issues in terms of preserving 'face' and its effect on learning in organisations.

Schneider and Shriffin explain that shame 'reveals the limits of the self'. One sees one's self as lacking (1977: xxi). Schneider and Shriffin (1977: 22) talk of 'disruption, disorientation, and painful self-consciousness', and he quotes Sartre in *Being and Nothingness* (1943) as saying, 'Shame is by nature recognition. I recognise that I am as the other sees me.' Schneider and Shriffin offer that with this sense of shame, disgrace sets in and the 'ordering of one's world disintegrates' (Schneider 1977: 22). This disgrace–shame (Schneider and Shriffin 1977: 21) has further, relational facets. Schneider and Shriffin (1977: 26) explain that one senses a threat of disapproval and ostracism, a fear of contempt and, deeper than that, a fear of abandonment (Fulop and Rifkin 1997: 21-2).

Such discussions of fear, its revelation and its role in policing and learning about change are rarely connected either in the literature or in practice. As Fulop and Rifkin comment:

> One issue that attracted many authors towards making this connection is the noticeable absence from Senge's popular book, The Fifth Discipline (1990), of a discussion of emotions such as fear, anger, hatred, lust, envy and vengeance. In trying to begin to fill this void, the authors selected to focus here on the representation of fear because it is that representation, and not the original stimulus or resulting emotion, which seems to play the more significant role in collective learning. In other words, in collective learning, the impact of the interpersonal representation and interpretation process seems to outweigh the impact of the intra-personal feeling and revealing to one's self (Fulop and Rifkin 1997: 61).

This thesis considers that a conflict of interest is also an important facet of the problem of corruption. Self-disclosure of the practice of corruption is necessary to stop the cycle and yet doing so will cause fear and confusion in the general public and will change the public opinion of police. These two related factors are in opposition with each other; one is about revealing, and the other is about hiding. The current management process does not allow discussion to take place about the link between these two elements. Academics, as observers, do not manage to uncover these elements as they are outside their field of inquiry. Being out of the game they can only observe its outer manifestations. Insiders on the other hand have difficulty distinguishing the elements of corruption when they can be presented as a daily accepted, and apparently integral and logical, part of police practice.

2.4: Implications for Management Reform

Organisational structures are necessary for a central authority to provide the constraints that permit an organisation to survive. Organisational structure is to some extent affected by the need for a dominant group to control those it dominates. The purpose of organisational structure is to ensure the efficient use of resources within a framework of accountability and control. In some instances, however, the process of doing so may create a culture of fear that makes it resistant rather than responsive to change. Relationships between individuals who perceive they have joint futures will assume the form of a strong and enduring union of self-interest. Bourdieu calls this behaviour 'docile' (Carles 2001), seeing culture and social field as a 'reproduction of inequality through acceptance' (Carles 2001). As workers comprising a social field, the police officers' interest is in maintaining a position of stability. In Bourdieu's words 'this is the right thing to do, means, that it is the right thing to do for the 'agent' (Carles 2001: 33).

This is borne out in the following examples of police workers being told that 'nothing you say will make any difference', or advised to 'keep your mouth closed and do not cause any trouble', or threatened that 'if you know what is good for you, you will keep your trap shut'. So control is exhibited between close personal working relationships, and private thoughts. Furthermore, the leaders are seen to be in control of the outcomes of any potential change and that is usually observed as a transfer, resignation, sick report or some form of punitive human resource management process. It is important to examine and contrast the differing structures of the Police Service before and after Commissioner Ryan's tenure as this will demonstrate any changes to the 'field'. It is hoped that this process may also illustrate that looking at shared understandings of the field as a total example of culture or sub-cultures, rather than as a structure, is an inflexible approach.

A culture will typically encourage the development of types of behaviour that lead to success within the organisation. In the case of policing, the main such behaviour is 'domination'; particularly domination that is effective because the person or people being dominated are unaware of it. Police culture stands at the threshold of the criminal justice system, effectively controlling the enforcement of criminal law. Individual officers have the discretion and opportunity to exercise extensive authority over all citizens and are in principle bound to apply the law in a just and ethical manner. Police officers may act within principles that are universal and abstract but their working lives are founded in the reality of daily experiences which involve moral dilemmas.

Waddington (1999) goes further by suggesting that the lack of comparison within cultures leads academic postulations about culture to reflect more on academia than on the organisations being studied (Waddington 1999: 292). Corruption is in the arena of analysis that

can and must include the intimate relationship between the organisation and individuals, despite the fact that researching this intimate level of an organisation is difficult. The individuals involved in police corruption are also involved in corruption within police relationships and the external environment. Waddington observes that:

> Faced with all this diversity, it seems that sub-culture — as a set of shared artefacts — almost disappears entirely (1999: 290).

In reference to this research it would seem that the acts of corruption are not different within the different sub-cultures of policing. Instead the reintegration of the importance of economics and individuals behaviour in the pursuit of illegal gain is tied with the study of culture. If culture is generational, it is not sufficient that reform or culture is alone tackled as if the culture is static and therefore unchangeable. Knowledge and awareness of how to sustain changes for the long-term future must acknowledge the conflict, power relations and the information flows within the informal structures. When core values are discussed, the abuse of power can be ascribed to deviant or inverted values.

Generally, the practice of command and control is the standard means of controlling police organisations and although alternative management styles are occasionally adopted at a surface level — usually imported as abstractions from non-policing industries — the hierarchical structures remain with the Police Commissioner giving orders and those beneath following and forwarding these down the line as a disciplined para-military group. One example of this was the flirtation with Total Quality Management in the early 1990s, a fashionable approach in the industrial management movement in Japan and the United States of America that was introduced into the NSW police force at that time and disappeared from the lexicon soon after. Much management theory is too general and descriptive for a satisfactory application to policing and, when the main problem is one of ongoing corruption, it is specific and current work practices that have to be examined and this must take place within the peculiar requirements of effective operational policing.

This thesis argues that the command and control management structure is a major factor in perpetuating the cycle of corruption within policing organisations, a fact that is testified by the regular reoccurrence of corruption inquiries not only in New South Wales but in other organisations from New York to Northern Ireland. The Wood Royal Commission pointed to failures in the police executive but reform took the shape of strengthening not reassessing and restructuring. The replacement to Tony Lauer as Police Commissioner was Peter Ryan, another leadership figure wielding even greater politicised powers to command and control. Given the cyclic nature of police corruption, it becomes necessary to examine possible causes and contributing factors with existing police structures and practices. This thesis studies the nature

of police work in all its complexity, both inside a police organisation but also outside police officers, in terms of links with the community.

Police officers belong to specific groups — for example, they might be traffic police or detectives or officers in the Aboriginal liaison section. Within each group individual officers are regarded as being included with other members of that group. However, anyone who is not part of that group is excluded — for example, traffic police are excluded from the detective group. What is important to understand is that it is the nature of police work itself that provides the opportunity for power and the mechanisms of domination that allow the corrupt 'gains' to be obtained. Subgroups are largely irrelevant, for example, a general-duties officer may be included in the general-duties group, but excluded by those in the traffic section. As a consequence, the location of symbolic culture changes in its interpretation but still occurs in an individual's private life and public working life. Corruption occurs in all police groups and subgroups and Bourdieu's important contribution is that he develops from his logic of practice that as capital is accumulated it can be transformed to other forms of capital.

This, for example, would apply to policing in the case where a leader, who is regarded as highly important, makes influential decisions that are unethical in relation to promoting his colleagues. Despite this these favours will add symbolic and possibly economic capital to his personal 'gain'. Another example may be the actions of a highly regarded detective who involves himself and others in the sale of illegal drugs. He or she has converted their symbolic cultural capital (from being a detective) into economic gain (the money made in selling drugs). The Commissioner is included in the organisation as a whole and is the leader of the wider organisation, but he is not regarded as included in the separate groups. An individual's social capital is determined by the size of their relationship network; the sum of its cumulated resources (both cultural and economic) ;and how successfully (quickly) the individual can set them in motion. According to Bourdieu, social networks must be continuously maintained and fostered over time in order for them to be called upon quickly in the future (Bourdieu 1996: 30-37).

This pattern of social networking and putting relationships quickly into motion is easily understood and applicable to the framework of command policing. There is an historic reality to this pattern of either belonging or not belonging. One reason that John Avery was appointed as Commissioner was because he was seen as an outsider — he came from the traffic area, as opposed to the larger and more influential Criminal Investigation Branch. Commissioner Avery's appointment was meant to strengthen the command and control model by breaking up the existing culture within the ranks of detectives and, thereby, making the Police Service more honest. Given the nature of the social field of policing, however, all this would have meant is that the cultural capital specific to a particular field, for example the detectives, would still have experienced a direct gain. Tony Lauer, the next Commissioner, was drawn from the ranks of detectives.

Bourdieu comments that in order to observe an individual 'You have to understand what the person is not doing' (Carles 2001: 37). This is particularly relevant to the individual's choices around following the law. It is essential to understand when legislation directing police behaviour includes Section 316 of the *NSW Crimes Act 1900*. This Act states that it is an offence to conceal a serious criminal offence. The question remains, however, are police disclosing all acts of police corruption, particularly at the highest levels of office? By law, *police must self disclose facts and evidence of police corruption.* Clause 20 of the regulation *Police Service Act 1990* places with the individual police officer the clear obligation that a serving officer must report any act of corruption. The inflexibility of law is one thing, however, and practice is another. The community responds to the corruption but is never aware of the subtleties of field and habitus.

Ideally, the social field becomes connected to the community in an interrelationship that is functional and contains open dialogue. The next step, however, is to discover the role of the habitus in the relationships between the fields. The power to make and implement decisions changes as one moves up and down between existing levels within the hierarchy, depending on the power of the individual involved. In 1994 the decision-making role was decentralised or 'forced downwards' to a broader spread of executives. The executives had difficulty coping with their new responsibilities to such an extent that decision-making responsibilities were reclaimed by the Commissioner, creating resentment in the executive team, especially as it seemed to close future decentralising initiatives.

Reform is more likely to be successful if police officers are connected to professionals who understand some of the complexities of policing and the networks of progressive police leaders (regional, national and international). During the reform period and with Assistant Commissioner Terry Collins support, Dr Hilary Byrne Armstrong and Dr Peter Melser (2002) made an important contribution to the New South Wales Police Service with the creation of a program called E-Coach, a small-step approach to changing police culture. The focus of E-Coach was behavioural reform and it aimed to enhance professionalism and ethical decision making in everyday operational policing. In the longer term, however, its aim to build sustainable cultural reform through cumulative small steps taken by officers within their everyday policing environment were thwarted by the limitations of its trial (Armstrong 2002: 1). Having spent several days as an observer on the program during its initial implementation in the Hunter region, it was clear that its possibilities had not been exploited before it was discontinued. As Assistant Commissioner T. Collins had recognised the benefits of educating the younger and operational officers in his command, the program. Unfortunately, the program was predominantly pitched at the lower ranks in the organisation and the executive, who also needed to learn about alternatives in cultural change programs, was excluded. Another reform proposal was the Witness Support Policy in which the police organisation attempted to create a situation where police informants marginalised by reporting corruption can be protected.

Major structural change cannot be forced upon an organisation from above as it involves the careful adjustment of the unconscious to the conscious world to inform new patterns of behaviour. According to Hilary Byrne Armstrong, change is 'learnt walking in the shoes of another'. For Bourdieu, however, cultural change is possible through changes in the field or in the habitus, although no explicit theory of change is outlined. What needs to change is the unconscious system of thought and behaviour that applies both to reform and corruption. People should also be asked: How could you change your attitudes? Could you change your attitudes through effecting other personal changes? Does changing the structure of the field create change? For example, would rotating people through different types of police work assist in producing change? This thesis suggests that changing structures alone does not assist in producing reform. Rather, it is actual behaviour, the decision making process that shapes it, that must be changed. Only if that two-fold approach is taken can reform succeed.

Armstrong and Melser (2002) examined the issue of ethics in the workplace. They wrote that enabling and supportive ethical professionalism exhibits well-developed communication skills, recognition by the boss, support for interventions, and fair treatment. The ability to give constructive feedback openly is also essential. Conversely, ethics in the workplace are undermined by working environments in which teams are not cohesive for various reasons — for example, there is rudeness and unfriendliness or employees feel isolation from the team. The authors argue that managers are integral to this negative situation when they override, dismiss, patronise employees, look for mistakes, use punishment instead of encouraging learning and exercise discrimination, unfairness, favouritism and cronyism. Armstrong and Melser maintain that:

> [O]fficers in the lower status levels see command & control culture as undermining ethical conduct. This occurs in at least two ways, simple obedience to commands removes the responsibility that underlies ethical action. It is arguable whether simple compliance can be ethical, although it can be judged unethical when the actions taken are judged unethical (2002: 32).

While encouraging in its approach, E-Coach was not used by the executive as a learning tool for different hierarchical groups in the organisation, so while operational officers were committed, financial resources assigned to the project were limited. The E-Coach program was the first real attempt by the department to address the personal meaning of reform rather than respond to the political demand for immediate reform. As such it is an important precursor for the sort of reform argued for here. Significantly, it could potentially address the problem of the cycle of corruption and inquiries so damaging to the NSW police force.

Unfortunately, the impetus for change has mainly come from the political and social environment. Couper and Lobitz (1991) contend that leadership is constantly working to

improve existing systems and processes, and to develop solutions through participation and joint consultation (1991: 47). Imber (1989: 154) wrote that whatever the level of action, the effective management and deployment of resources is not only important but also crucial for the continued success of the Police Service. Bayley argues:

> It seems natural to seek the cognitive analogues of organisational belief, as some of this work does. What is more interesting, however, is that this line of work seeks explicitly to join the psychology of individual cognition with the organisational setting that provides much of the cognitive field. When studies of formal structure dominated organisational research, there were few obvious opportunities for developing the social psychology of organisations, and the distance between organisational sociologists and organisational psychologists grew, through the study of organisational culture, that distance may be diminished (1990: 473).

It is necessary to get a better understanding of the impact of command and control style management within this particular command management organisation to be able to provide a critical analysis of the shortcomings of this type of management. This research highlights that the stress experienced by individuals facing workplace changes may come from internal dilemmas that are not only derived from the workplace but also from their private lives. Small everyday tensions may well be exacerbated or endowed with greater significance or intensity as a result of the demanding work or personal circumstances of the police officer (Watson 2003: 12).

There can be no doubt that the work environment of a policing organisation at times can be extremely stressful — from moment to moment it requires that members variously care for, protect, and defend both themselves and their colleagues as well as the those they investigate, arrest and detain. At yet other times, police must endure long periods of boredom, and story telling of past police incidents amongst officers assists them to make meaning of their working lives (Waddington 1999: 287). Butler (1984: 227) argued for the need for comprehensive planning when reacting to any change. It is also important to establish the structure and procedures when implementing an action plan and to structure education and training to facilitate the understanding of these changes. The ability to manage change and innovation is a key and crucial skill for present-day leadership, whether leaders are in the public or the private sector (Etter 1995: 275). Etter predicted that an independent or civilian body would take over the police administration, and she argues that:

> … policing can no longer afford to fumble along to wait for a crisis to spur it into action or have the form of any change dictated by external agencies or forces. Change needs to be planned, change that is proactive and purposeful, rather than just reactive measures to ensure survival (1995: 255).

How can change be implemented? DiBella and Nevis (1998) offers several important suggestions. First is the need to focus on learning methods to improve what is already being done as well as focusing on the underlying assumptions of current practices. DiBella and Nevis refer to this as 'learning investment' and delineates it as 'personnel and money allocations to develop knowledge and skill over time' (DiBella and Nevis 1998: 374). Second, the organisation must be aware that both individual and group learning methods are required. 'Both individual and group development is necessary, and it might help to look at them as stylistic choices, as opposed to seeking them in normative terms' (DiBella and Nevis 1998: 372). Third, learning practices specifically need to be evaluated and developed in order to produce the capacity for organisational learning. These, DiBella and Nevis argue, must recognise the distinctions between 'unlearning what they know and do, [and] how they learn'. This is commonly regarded as the need to unlearn before learning can take place. Moreover, managers must assess how present capabilities bring about or inhibit learning. The question DiBella and Nevis posit in this regard is whether barriers to improved performance exist because of what is being learned as opposed to the question of the way learning takes place. Finally, DiBella and Nevis maintain that as there are many ways and reasons for individuals to learn, so too are there for organisations. There is a need to 'understand the relativity of these organisational characteristics and the relationship between learning orientations and other organisational processes … Further research in these areas would contribute to developing a pluralistic (rather than normative), view of organisational learning capability' (DiBella and Nevis 1998: 377–8).

It is difficult to understand how general management principles of learning can lead to change when examples of symbolic violence, as delineated by Bourdieu, also exist within the organisation. Here, the focus is on the ways in which symbolic violence occurs when people feel directed in a manner that creates cognitive dissonance within their habitus. Bourdieu's discussion of a dominant class or domineering authority leads to an understanding of how 'command and control' dominates the core values and discourse of organisational cultures (Webb et al. 2002:96). Understanding this theory provides a useful way to analyse the empirical material gathered in this research. The social field of the police officer involves stress, difficult work conditions, demands from the community and other pressures. Researchers external to the police have examined these factors (Bailey 1989; Reiner 1992), however, unlike these previous studies, this thesis has been proposed and undertaken by a serving police officer and underlines the conditions under which officers' work is pivotal to the analysis.

Describing community relations, Das stated that policing has benefited from police partnership with the community, and indeed, that it has already transcended the constraints of a military model (1986: 251). However, the way in which police decisions are made needs

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to accord with the acceptable standards of the society in which they are implemented (Bunyard 1978a: 312). Finnane (1994a: 155) went further, stating that the potential to deliver improvements in policing is limited by the reality of the profound institutional conservatism of police forces. Hilmer and Donaldson (1996: 21–44) warned that some organisations following modern management principles and structures have found them to be inefficient, and they are now turning back to more hierarchical structures. The thesis also argues that changing the command and control style management is important but that a certain level of hierarchy is important for the police force to function at an optimal level.

Stoner et al. (1985) stated that an organisation's communication channels influence variables such as group performance, leader emergence, and group member motivation and satisfaction. Overcoming barriers to effective organisational communication requires that managers recognise the difficulties inherent in the communication process. They also need to make information explicit, and to remain sensitive as to how a particular communication may affect its receiver. According to Moore and Stephens, police commanders must, for both ethical and practical purposes, regularly engage with their political environments, a contact which aims to maintain the balance of knowledge and understanding which is required when making operational decisions (1991: 40). This is exemplified by Commissioner Ryan's relationship with politicians. In his first year, he did not respond well to the pressures of being a political person. Ryan's ability to influence outcomes by his personal media profile made it more difficult for police and community and political expectations to be clearly delineated. The roles of police must be well delineated for, as stated by Brown, 'they will take on multiple roles such as planner, problem solver, community activist, community organiser and community leader (1991: 21).

Links with community members, journalists, politicians, and others put pressure on police programs. External pressure can create confusion in the leadership about future directions. Police may maintain that they know what they are doing and then government pressure — in fact, direct ministerial pressure — can create different agendas. This occurs at a local level, in regional areas, and then on a state level. Police organisations and their cultures cannot be understood without the dynamics impacting on policing being taken into account. In fact, public and political pressure actively contribute to the ongoing nature of the cycle of corruption.

It is all too easy to attribute resistance to change as the fear of innovation; this is far too simplistic an explanation. In Chapters Four and Five this thesis will present a different view of the reforms that were forced upon the New South Wales Police Service during the aftermath of the Wood Royal Commission, discussing the individual police officer's internal dilemmas when working in an organisation that challenges their moral values or in fact supports an officer's moral position that financial gain is more important than serving the

community honestly. The nature of the game will be described and the sense that this is one of the acquisitions of gains which can take the form of symbolic cultural importance rather than simply financial gain will be explained in practice. However, as these chapters deal extensively with the huge amounts of data collected for this research, it is to an examination of this thesis data and methodology that must first be described in Chapter Three.

CHAPTER THREE

Methodology

This chapter details the methodology used for my evaluation of corruption in the New South Wales Police Service; the way this is perpetuated by the cycle of corruption; and the implications this has for attempts to bring about reform based on the recommendations of the Wood Royal Commission (1997a; 1997b). The heart of this chapter reveals how I, as a researcher, was able to examine issues within the Police Service by gathering information from within the operational work place. As I was employed as an operational general duties officer and plain clothes officer investigating police corruption in relation to the organised gaming industry, I was able to observe first-hand not only the underlying existence of corruption but also the 'crisis or trigger' that led to the Wood Royal Commission and the perpetuation of this 'trigger' in the years after the Royal Commission when the Police Service was undergoing apparently radical reform. This helped me to question whether the Wood Royal Commission had effected, or could possibly have effected, any real change in the New South Wales Police Service.

Although the research approach was specifically designed to avoid listing and assessing each of the Commission's recommendations and the police organisation's response to each one, it addressed these recommendations by measuring their total effect. To facilitate this I conducted 120 interviews with 20 police officers over a five year period, both at Police Headquarters and at a number of different police stations. The methods employed were as unobtrusive as possible and were directed at the interviewee's participation in the reform process. I was not especially concerned with gender issues (the majority of the workforce being male), but primarily with the hierarchical structures of policing. The hierarchical structures are traditionally and intrinsically bound up with ideas connected to masculine decision making, but this thesis does not examine this issue. I wanted to understand why corruption was a perennial problem: one that reoccurred and reoccurred, as part of a system and as a part of a process of enduring networks.

During the research process, my personal experiences and those of many of my colleagues suggested that there was a cyclical pattern to inquiries and that nothing really changed within the organisation. I wanted to know why this appeared to be true or discover if it was true: why does nothing change in response to Royal Commissions and inquiries?

The views of those in upper-level, information-wealthy positions were recorded during my research. Any criticism that these views come from an entrenched, privileged and conditioned position is partially answered by recognising that this viewpoint has a unique value that is not often found in academic research. By recording this type of information and the experiences of the individuals in these roles, this research has reached into a level of executive response to police reform not recorded elsewhere.

By using *a priori* concepts generated from extant literature to guide an inductive study, the research framework of this study draws both on deductive (testing theory in practice) and inductive (theory emerging from practice) theory-building approaches (Langley 1999). In this way, the framework takes steps towards bridging the gap between theory and practice; tensions in existing theory guide the analysis of the adopted theory in practice.

The emergent theory will be grounded in the tensions and paradoxes between theory and practice; in this case, the theory and practice of dispersed leadership and power. Such an approach prevents the researcher from drowning in a sea of data, and also focuses the research on empirical evidence that reflects the effects of the theoretical tensions and paradoxes. The thesis will review a mixed methods approach and identify that issues of confidentiality were important within the qualitative investigation. A qualitative approach is distinct in that the nature of the inquiry demanded strict adherence to methodological practices that protected the confidentiality of participants to a high degree. In particular this research does not disclose, for example, the personal attributes of those interviewed. The difficult relationship between information sources can be described thus:

> the conventions of quantitative research require clear, explicit reporting of data and procedures. That is expected so that (a) the reader will be confident of, and can verify, reported conclusions; (b) secondary analysis of the data is possible; (c) the study could in principle be replicated; and (d) fraud or mis-conduct, if it exists, will be more traceable… In our view the same needs are present for qualitative studies (Huberman and Miles 1994: 439).

The use of multiple methodologies allowed me to do as Shearing (1991) offers:

> To re-think the idea of a 'generative program', take up the hints and suggestions that the rule-based paradigm has stifled, and give more specificity to concepts

like 'style' and 'strategy'. Finally, we might be able to discover something more of what is meant by 'analogous reasoning' and how it might provide the key to understanding how people produce activity through the knowledge that 'classic metaphysicians' called 'the domain of practical reason' (1991: 489).

The research began by collecting evidence in several areas. Firstly, the relevant literature was reviewed in order to understand more about key concepts such as culture, reform, change, leadership and learning. Given that the literature was often general in its descriptions and not police specific, I then moved to reading the past Royal Commissions and inquiries into corruption with the NSW Police.

From this collection of data I began looking at data available from the NSW Police Association about the history of the police organisation and commentary in the media about past Inquiries and Commissions. A short summary of other data collection follows. I collected over one thousand print media articles from the period of late 1995 to 2004 using reform and police culture, or police change as key words to include the article in the media collection. The articles were categorised into key subject areas such as; leadership, reform, corruption, police structure and miscellaneous. There was also a collection of police documents: policy, work agreements, correspondence and summaries of internal documents concerning reform analysed. I also carried out one hundred and twenty internal and a small proportion of external stakeholder interviews during the period immediately following the Royal Commission.

The statistical data was collected over a five-year period in different areas: (1) arrest data; (2) conviction rates; (3) complaint data; (4) community surveys and (5) police surveys. I also gathered data from the New South Wales Bureau of Crime Statistics and Research. This was chiefly broken down according to type of crime or department, rather than, for example, 1ocation. The statistics were included in order to examine some examples of police activity during this period of reform.

When reading past Royal Commission reports, it became clear that there were different components to the trigger. No matter what the components of the triggers were for past Royal Commissions, the general potential for and practice of corruption within the service have remained unchanged. A cycle of specific dissatisfaction, prompting an attempt at investigation and reform, followed by little real progress, creating another similar pocket of disillusionment, became evident.

Philosophically, the research questions were broad in their approach to the examination of organisational change and therefore required an inductive process of inquiry. The following observation describes this process of discovery:

> In all these cases, however, inductive and deductive analyses are mixed. When a theme, hypothesis or pattern is identified inductively, the researcher moves into a verification mode, trying to confirm or qualify the findings (Huberman & Miles 1994: 431).

The Wood Royal Commission offered an opportunity for an operational police officer to analyse the police organisation's response and results to the external demands for reform. The findings will illuminate some of the responses of the NSW Police to these pressures. The research focuses on the period following the Wood Royal Commission, between 1996 and 2003. The study records some major decisions, both formal and informal. It includes interviews with the executive as well as with interested commentators, some of whom were in a position to influence the reform process. I worked at the Rocks Police Station for at least twenty-four hours per week and then supplemented these hours to a full-time load investigating at police headquarters. I have not in this thesis attempted self-revelation or even self-commentary as part of the reflexivity that was part of the ethnographic endeavour (Coffey and Atkinson 1996: 18).

I interviewed senior executive police, operational police, and employees in organisations with responsibilities for reviewing the NSW Police organisation. I asked questions that examined the practical and theoretical aspects of policing along with the political influences on policing. There was an enormous amount of time given by the executive of the police service who participated in the interview process. It was essential for the leaders in the organisation to be interviewed as they had the responsibility of implementing change.

3.1: Ethical Considerations

I asked each interview participant to sign a Participant Consent Form regarding their participation in the research, which, among other things, guaranteed their anonymity. The participants also received a Participant Information Statement indicating the contact details for the University's Human Research Ethics Committee if those interviewed had any queries at any time concerning the research procedures. I did attempt to balance the need to clarify a respondent's position in the police service with the interviewees need for confidentiality.

I also presented a copy of a letter from the NSW Police Association and the Commissioner's letter of endorsement. This was a standard procedure within the organisation when research was being carried out; in a way that procedure explained the independence as well as the organisations support for the research, and again assured the anonymity of the responses.

The methodological process needs to include a declaration of the relationship between the researcher and the field of research as the 'personal embeddedness of the ethnographic

research tasks' can influence the procedures undertaken during the research process (Coffey and Atkinson 1996: 20). I was able to carry out this research because I was a known entity in the work environment. I was not viewed as separate from the environment being researched and this gave me unprecedented access. However, the:

> Denial of self has been received as epistemological necessity. At the same time fieldwork has been taken as a setting and a context for personal growth (Coffey and Atkinson 1996: 21).

Early in the process I understood that I was engaged in research in a way that Lofland (1984: 17) describes as 'studying up' rather than 'studying down'. The ongoing power relations between me and those researched was a conscious part of the process at all levels. Working with my colleagues, interviewing my colleagues, working with police executives, researching police executives and finally interviewing influential external commentators on the police organisation was a constant reminder of the fact that '[p]ower differentiation in fieldwork is concerned with status on a number of levels' (Coffey and Atkinson 1996: 71).

3.2: Methods and Practice

This research focuses on the need to understand policing and also relate theory as an explanation of that practice. While I was aware of many practices and theory, the demand for 'accuracy', when gathering data, led to combining qualitative and quantitative methods (Gordon 2003: 179). Examining behaviour that involves corruption is difficult and therefore, it was essential that the methods applied contributed to valid results. It was necessary to avoid organisational influences to gather data that only provided a positive story for the benefit of the employer.

The focus on accuracy has interpretative implications notably that the areas identified for research are of particular significance to a large state run organisation (Gunter et al. 1979 :9). It was important that the interviews must be interpreted accurately and then the statistical data contribute to an accurate assessment of the situation being studied. The document analysis undertaken included historical legal and media reports, all of which contributed to the interpretative analysis. Quantitative methods are used in the sampling and data collection procedures to systematise interpretation (Gunter et al. 1979: 179).

As early as the 1950s ethnographers, action researchers, narratologists and other theorists were calling for the gap between researchers, their subjects and readers to be bridged. More recently, Clegg and Hardy (1996), Garrick and Rhodes (2000) and Boje (2001) have suggested that academic writers cannot continue to promulgate their opinion of how things 'should' be from an assumed position of intellectual superiority (Gordon 2003: 178). The NSW police

organisation sought understanding and also wanted to gain an understanding about this part of its history. I tried to avoid taking a personal or political view or adopting an attitude taken by the community. Instead, the alternatives presented are:

(1) Inductions based on statements made by the individual or group or (2) inductions based on inferences from the actions of the individual or group (Lenski 1966: 36).

The work utilises an inductive approach when examining the police world. The initial question I was grappling with was broad, such as; how does a police organisation respond to a major review resulting from a crisis situation? At the conclusion and during the process of the production of results, I applied deductive logic.

3.3: Methods and Theory

The desire to render the process of qualitative research visible and the associated debate on validity in qualitative research are certainly connected to the growth of qualitative research projects, increasing competitiveness in the academic sector, and an emphasis on accountability, productivity and ethical practice (Holbrook and Butcher 1996: 59).

In summary, contemporary debates and arguments on theory-building in organisational studies appear to call for writers to adopt research frameworks that will incorporate multiple viewpoints and reflexive practices, research frameworks that adopt a 'both/and' approach to provide a richer, more balanced account of research settings. These alternative research frameworks will not privilege a paradigmatic view of how things 'ought' to be, but will focus on how things 'actually' are. Accordingly, the research framework developed here attempts to adopt a both/and approach by drawing on qualitative and quantitative methods, as well as inductive and deductive methods. It also takes steps towards bridging the gap between theory and practice (Gordon 2003:175–176).

Can qualitative studies establish causal relationships at all? That possibility is often attacked from both the right — 'Only controlled quantitative experiments can do that' and the left ('causality is an unworkable concept in human behaviour — people are not billiard balls'). The position we take here, is that qualitative studies (see van Maanen 1990) are especially well suited to finding causal relationships; they can look directly at the local processes underlying a temporal series of events and states, showing how these led to specific outcomes, and ruling out rival hypotheses. In effect, we get inside the black box; we can understand not just that a particular thing happened, but how and why it happened (Huberman and Miles 1994: 434).

My position as a researcher is also that of a police practitioner and student, which meant I was motivated to try to analyse police practice and to collect data likely to increase and enrich perception of how police change may occur. As a result, the interview material started from general questions that led me to start building a theoretical direction. Then, as the theory developed and contributed in a more complex way to the thesis work, I developed a deductive process that helped me contribute theoretical suggestions for changes in police management practice. In the light of the fast-changing nature of business environments (Clegg 1990; Weick 1995), it seemed appropriate to emphasise how the work and research contexts shift; I suggest that a study of how people theorise in practice would be beneficial. The work of Weick (1995) one could argue that 'sense-making' is a form of practical theorising. When people attempt to make sense of things, they are theorising.

This was the central insight that Clegg took from ethno-methodology in his 1975 book *Power, Rule and Domination*, when he referred to 'theorising power' as something done not just by professional theorists, but also by lay people. Irrespective of whether one values abstract theory or views sense-making as practical theorising, it seems safe to say that in the turbulent business environments of today, management researchers could learn from placing a greater emphasis on the ways in which contexts shift. To achieve this, however, they would need to adopt more reflexive approaches to their research work, and it is the reflexive work of Bourdieu that offers the greater explanation of the personal within cultures rather than just the description of work place behaviour.

In Chapter Two it was argued that mainstream management literature is far from reflexive; quite the contrary, it espouses versions of how things 'should' be. As an alternative, Clegg and Hardy (1996) suggest that no one viewpoint deserves privilege over another, and that to make such a claim would require one to adopt a sovereign position of power and assume intellectual superiority. In a cultural sense, this would also be ethnocentric (Haugaard 1997). Ethnocentricity is increasingly seen as dysfunctional in today's global business world. Clegg and Hardy (1996) also add that, in a world made up of diverse religious, cultural and political viewpoints, researchers need to become more reflexive, to dismantle their paradigmatic boundaries and converse with other viewpoints (Gordon 2003: 174).

Well-defined objectives are necessary to produce useful and valid measures of performance. Consistency in reporting the adopted measures is also desirable but was difficult to maintain. It is certain that future researchers in this area will encounter similar actors, in similar circumstances, who will still report difficulties with the issues of leadership, corruption and power relationships etc. This study has sought to create a textured and comprehensive picture of attempts at reform, rather than approximating a conclusion by reducing complex matters and attitudes to simplistic conclusions.

This meant that the research work was constantly developing. The following section reviews the aims of this dissertation, linking it to the methods employed and my endeavours to meet those aims. It will describe changes in direction necessitated by the emergence of new information during the research period. An outline of the processes by which data were collected, collated and substantiated will follow and such techniques will be supported by reference to relevant theorists and a discussion of relevant methodological issues.

The methods used informed the conclusions that address the very inner workings of individual police officers dispositions while illuminating the reform process from several points of view. Combining qualitative and quantitative techniques meant that the credibility of the findings was developed as the theory informed the results and the results informed the practice of policing. The techniques exposed by Knafl and Breitmayer (1991) and used here provide a more complete picture of the phenomenon under study, a technique Eisner (1991: 55) termed 'structural corroboration'.

Today, it is accepted that to produce a result, it may be necessary for a number of causes or conditions to be present (Preece 1994:35). Even relatively straightforward events can have complex causes and in the aim of reforming police, many events led to its instigation and its failure to occur. We cannot expect to find simple causes for complicated social phenomena (Preece 1994:37). It is important to acknowledge the limitations of this research to clearly delineate causal relationships between associations of patterns of behaviours or reported statements/opinions (Kellehear 1993: 37).

I also support my analyses with relevant references to the literature. Correct qualitative methodology is summarised as follows:

> The careful retention occurred in easily retrievable form, of all study materials, from raw field notes, through data displays and final report text. The solution, however, rests on another: a reflexive stance to the conduct of the study that assumes regular, ongoing, self-conscious documentation of successive versions of coding schemes, of conceptual arguments among project staff, of analysis - successful and dead ends (Huberman and Miles 1994: 439).

During the collation and interpretation process, certain standards, expectations and conformity to social mores and political constraints were identified. There is an advantage to making lateral comparisons — for example, between police management and general management standards — although obtaining common criteria for quality performance is difficult. Investigating ethical decision-making presented methodological difficulties. Police thinking or acting corruptly is not an issue that interviewees discuss easily. One best appreciates the significance of this issue when police officers finally realise that they have been carrying out

corrupt behaviours and then are empowered to want to change. They are then faced with how to do that in an organisation that condones an approach that hides corruption. Methodologically this means that complex answers are given to questions, or no relevant answers are supplied, or interviewee confidentiality becomes extremely important. Parlett and Hamilton (1977) and Stake (1983) encourage an eclectic approach to data-gathering, using more than one method. This enhances the validity of the results (Cronbach, et al., 1980; Guba and Lincoln 1981; Parlett and Hamilton 1977; Patton 1990; Stake 1983). This methodology, relying on a variety of sources for data, is congruent with the approach of Cronbach, et al. (1980), who suggest that a diversity of evidence justifies a broad conclusion. This criterion of member checking is described by Guba and Lincoln (1981: 239) as the single most crucial technique for establishing credibility. Credibility was therefore built by an independent assessment of the data.

Local knowledge may be recognised as a form of knowledge that is culturally, practically and contextually significant, and exists independently of, and at the extremity of, a broader social system. Haugaard's (1997) interpretation of, 'practical consciousness' resonates with Foucault's term 'local knowledge' (cited in Gordon 2003: 186).

3.4: Interviewing Methods and Identifying Habitus

Intensive interviewing in this case involved 'repeated and prolonged contact,' which involved listening to details of people's private as well as public lives (Lofland 1984: 13). Some of the questions were intended to 'elicit from the interviewee rich, detailed materials that can be used in qualitative analysis (Lofland 1984: 12). This was a process of discovery rather than a matter of determining a foregone conclusion. Guba and Lincoln (1981: 237) describe this as a substantial involvement which is sufficient to establish rapport and trust. The researcher needs to be immersed in the context and culture of the organisation. This criterion was met through the use of a full-time operational and academic police officer as the evaluator.

I interviewed ten executive police members including the present and one past Commissioner of the NSW Police. I also interviewed employees of the Police Integrity Commission. I interviewed ten operational general duties police officers of different rank, and three detectives in Command positions. I carried out one-off interviews with three unsworn and highly placed administrative personal. Finally, I interviewed two people working in the employment of the NSW Police Association. I spoke to two consultants who were employed to assist in the reform process during the years 1996 and 1998. (Except for the last two interviews, all conversations were recorded on tape). Twenty five in all were transcribed and twenty of those twenty five were included in the NVIVO analysis process. The people interviewed were all in positions that could influence the direction of the police organisation except for the operational police.

The general duties police and detectives were interviewed primarily to gain an insight into how the Wood Royal Commission had affected their personal lives while working for the police organisation.

Working as an operational officer meant that the researcher stayed in contact with the policing field during the research. The use of story telling as a way of making sense of what is occurring in the workplace is essential for the method of gaining the reconstruction of the scenario and the human thought at the time of the event being discussed (Goleman 2000). Officers were listened to and their opinions about what was happening during the reform period were also recorded. The researcher's field notes, made on a tape-recorder, contained personal experiences and opinions. People's comments were only recorded in formal interviews where consent had been given.

The audio-taped interviews were transcribed. Each tape was reviewed and any common meaning or idea running through the data was noted. The next step was to review the tapes for a particular emotion, fact or idea that could be important to the process of reform. In some cases, an important relationship or outcome for the process of change was indicated by only a single sentence. This resulted in a summary of that tape being included in the analysis.

The use of qualitative data meant that sentences and words that reflected decision-making qualities like empowerment had to be coded. In addition, sentences that completely ignored the question also had to be regarded as significant. The interviews were recorded, transcribed and then coded. The process is two-dimensional and interpretation of the responses revealed the cognitive dissonance and internal conflict that employees experienced about their organisation. The interviews gave people 'voice', a 'voice' tested by returning to the same or similar questions about particular themes. I tested the reliability of the answers by seeking corroboration: interviews were compared in an attempt to find similar issues, rather than just accepting each answer as a legitimate attempt at 'a right answer'. Police are practised at answering questions in a courtroom situation and, as I was from the police workplace, I was able to ease the interviewees into explaining how they understand their organisation. The thesis records the views of officers who are used to containing their voices. This research work gave police at all levels and opportunity to share their experiences of change with someone inside their organisation who was also being subjected to external/internal demands. I found it difficult when general duties officers expressed a desire that this research endeavour would change what was happening to them. I could not state that speaking to me would make a difference to future outcomes.

The various sections of this work record the historical antecedents, codes of order and disciplined practices that make up the New South Wales Police Service. The traditions from which the Service is built are derived from this information. These historical records also

reveal tensions that prior inquiries have caused. It is from the analysis of the historical documents that suggestions for future strategies for reform are derived.

The interviews in the field move between levels of data. The data began as descriptive and then as complexities developed the questions changed, asking for more specific detail. For instance, in the first interview, questions are general and relate to the field of policing, such as 'What do you consider the word reform means for your organisation?' The interviewee would talk about her/his general experience of police culture, often in very colloquial language such as 'We stick together when the going gets tough'. But as the questions become more detailed I began to get answers like 'We have all seen this happen before', 'It will pass' and 'We will get through it' These answers reflected either a tiredness with the interview process or an unwillingness to engage with the reform process. My interpretation was that it was not so much interview fatigue as reform fatigue. Those interviewed start to express more details about the interactions within the workplace.

3.5: Reflexivity

There was an inevitable and unavoidable risk of bias in this approach. To try to avoid personal bias, I tried to be reflexive in my assessment of whether reform took place; I found important the process of:

> Reflexivity, that is, part and parcel of ethnographic research while avoiding sinking into a self absorption that negates the possibility of any knowledge other than self knowledge (Guba and Lincoln 1981: 199).

Guba and Lincoln (1981) describe the criteria necessary to support the rigour of a study, which they claim are parallel to those used in conventional research. These criteria are credibility, transferability, dependability and conformability. These terms apply to the interviews conducted. Although the attributes of those interviewed do not appear in this work, their credibility is sustained in their length of commitment to the research and the organisation with which they worked or were involved.

Guba and Lincoln (1981) provide the following explanations to clarify the similarities between the concepts of traditional research and the criteria used in this methodology. The criterion of internal reliability is considered to be parallel to the criterion of credibility (Guba and Lincoln 1981: 236). External validity is parallel to the criterion of transferability and reliability. These factors are also considered by Guba and Lincoln to be the parallel of dependability. Objectivity, although not the aim of this methodology, is, in some ways, similar to the question of whether the research can be confirmed (Guba and Lincoln 1981: 242). Confirmation means the extent to which others can verify conclusions.

Objectivity allows for clear observation. The researcher has attempted to be objective; however, to be absolutely objective is not possible, particularly when you are researching your own work environment. Great care must be taken to observe, identify, measure and identify one's own responses during the research process (Preece 1994: 38).

This process of examining data and my own role retrospectively was crucial in that:

> a turning back on oneself, a process of self-reference: in the context of social research, reflexivity at its most immediately obvious level refers to the ways in which the products of research are affected by the personnel and process of doing research (Guba and Lincoln 1981: 4).

I have included interview data in my research as it is impossible to accurately assess police organisations solely via statistical graphs. Interviews with police in the organisation and observers outside the organisation allowed discussion at a deeper level than would normally occur regarding significant areas such as culture, reform and police corruption. Print media reports have not been used extensively, as they represent only a part of the external view of the reform process. However, it would be a weakness in the research to fail to refer to them at least in terms of media reporting of the Wood Royal Commission.

The qualitative data involved analysing tapes where words associated with positive management were clearly absent. The absence of words of encouragement reflected evidence of those words not being part of a police officer's internal language. The attempt to empirically identify the concept of habitus(individual disposition) was challenging and resulted in identifying themes of punitive management rather than positive comments. However, there were two relevant sources of data: personal experience and interviews that identified issues such as work avoidance, work security and the regard in which senior officers were held. The work of Morse (1999) is referred to here to assist in describing the methodology used. The interviews highlighted the story line and functions of the individual. Personal experiences were recorded on tape-recorder and later transcribed. I transcribed my thoughts as a method of engaging in reflective thought on the specific issue of what was the effect of my position in the field and how was it affecting the research process? These discussions concerned the potential conflict between my actions as an employed police officer and my report on police corruption. My employment conditions place my actions under the *Police Regulation Act* and I had to obey my legal obligations under the Act, as otherwise I could be subjected to disciplinary processes (Inspector Robert Martin, Internal Affairs, was my reporting officer for this specific process).

The interviews followed a semi-structured format. Each began with a general discussion of the interviewees' policing history, where they were positioned at the beginning of the Royal

Commission and their views of police corruption at that time. The interviewees were then asked to comment on the difficulties or problem areas in their present position and on their possible influence on the reform process and on the development of a changing organisation. The interviews were conducted over a period of five years. As a relationship of trust was established, the interviews developed in content, type of questions and depth. They became more relaxed, and the context of the discussions broadened to encompass very complex problems. Finally, the interviews were used to test the relevance and explanatory power of the models proposed.

The subjects were positioned at the executive level of the NSW police service. They were directly responsible for implementing reform strategies within the organisation. They were accountable to the police minister and parliament. They consented to interviews over a five-year period. They were interviewed four times per year for approximately one hour at a time. Each time the person was recorded on a tape machine and the researcher had prepared notes prior to the interview from the previous interview to check responses. The researcher also took notes during the interview to highlight important points throughout the interview and prompt the responder to answer the actual question.

Other interviewees were highly placed in government and public institutions. Their work was directly related to influencing change within the NSW police organisation at the time, during and post the Wood Royal Commission. Their positions were political, powerful and influential. They were guaranteed anonymity, which was maintained during the research process for all respondents. These interviews took place once a year usually for at least one to one and a half hours.

3.6: Limitations to the Interviewing Process

It was imperative to 'manage the self in order to conduct fieldwork successfully' (Coffey and Atkinson 1996: 5). I consulted with another police worker/observer within the organisation on issues such as confidentiality and the possibility of that confidentiality being broken. This consultation occurred during data collection and data analysis. The person assisted as the levels of analysis deepened in process and meaning. The officer knew the participants being interviewed but did not know whose interviews they were reading. At various points I asked the reviewer to attempt to identify the person recorded according to the content of their interview and in all cases, although the reviewer was convinced they knew whose comments they were reading, they were incorrect every time. Member checking enables stakeholders (police interviewed) to correct errors in fact or interpretation to provide additional information, to agree that the evaluator is accurately representing stakeholder views and to confirm the findings without their position in the organisation being revealed.

I did not check with the participants whether I had accurately recorded their comments while I was taping the interviews, because the questions were repeated over time which meant that their answers could be authenticated. However, as we know, what people say and what they do is not necessarily the same thing. This research encountered the difficulty that some of the participants' actions cannot be available for public analysis. So I have relied heavily on documentation to produce greater knowledge about the police world. The documents also contributed to the development of the results and conclusions drawn from the data, when integrated.

Sometimes the examples presented in the results section were exceptional; for example, the exact quote from Peter Ryan would not usually be presented, but then also some recorded comments were unexpected, such as an executive member openly discussing desiring the Commissioner's position in the organisation. Morse (1999) offers legitimacy to the unexpected being recorded in the narrative of those interviewed and how powerful these narrations can be (Morse 1999: 4). At a particularly stressful time there would be themes like: 'They are out to get me', or 'The crocodiles are waiting to bite'. Over time, however, the interviews 'funnel' from the general to the specific (Morse 1999: 4). I analysed the multiple interviews and selected a sample of the most relevant (twenty five interviews) for the results section.

Evaluating the interview tapes involved an extensive examination of the information gathered; however, the evaluation does go into areas described by Bourdieu and Wacquant (1992) as appreciation, which are, by his definition, acts of 'camaraderie'. This idea means that the actual working practices involved in describing work rules etc are not included in the interview data. Nor does it reveal what police do (action), nor does it look at people's perception of how the processes of police work are done such as technology attributes, but thoughts on such affects as fear and innovation are recorded.

The next step was to slowly bring the questions around to specific examples of the interviewees' experience of corruption and reform, and sometimes of 'worst case' or 'best practice' scenarios. Specifically coded words or themes would draw out the elements common to the respondents' experiences. For example, the absence of certain words, such as 'reward', 'positive', 'encouraging' and 'mentoring' indicated these were not in general use across the management strata of the police community. So, as the analysis moves from the general to the specific, the methods also enabled me to identify the field and apply the concepts to the habitus.

The people interviewed were upper-level managers, whose personal attributes, background, formal education and specific training for the job were known to the researcher. This study involves participants' past and continuing experience, educational and personal development

and managerial skills, methods, style and leadership ability. While these police professionals are viewed as relatively autonomous, they do have ancillary staff and expert backup. The police commanders are viewed as individuals, although as managers/commanders they operate as part of a hierarchy.

At this point I must also declare that there were people who were very well placed, based on their work experience, to comment on policing and reform that were also guaranteed confidentiality. These people asked that their tape-recorded conversations be used but not directly quoted at any time and destroyed after a period of time that they determined. There was also a very sensitive issue concerning three people who were interviewed and whose recorded conversations contained serious allegations which had to be dealt with formally.

There were also deliberate attempts by some individuals to interfere with the location of the tapes and reveal their content during the research process. There were also elements of personal vilification towards me as the research took place but that was not from interviewees, at any time. I was regarded as carrying out an important piece of work, my interviews were scheduled so that they did not take place when the respondents were extremely busy and the personal assistants made sure that the respondents did, as requested, have their points of view and experiences recorded. I received a high level of cooperation from those being interviewed. This view is supported by the level of time and commitment respondents gave to the interview process. Perhaps it was inversely proportional to the level of disdain that I experienced from persons not engaged in the process because they were not at the highest level of decision making. However, as I was working as a general duties operational Senior Constable and then as an Acting Inspector for twelve months, I also interviewed general duties and investigative officers that were working at that level in the organisation.

Initially, I had 120 tapes of recorded interviews. As the interviews and theory became more concise, the focus on specific interviews narrowed to the relationship between the individual officers and the command management system. As the key indicator of command and control kept reoccurring it became increasingly clear, that a streamlining of the empirical data was possible so the interview number included in the final presentation of the thesis was dropped to twenty-two tapes. The tapes that were often one hour in length and repeated with the same respondent over several years, recorded reflective and purposeful comments rather than just reactions to events.

Content analysis of the interview material involved deciding on certain categories from the questions, the sample of recordings, and the selected time period of the sampling. All these factors contributed to an observation of police that hinged on their personal reports of what was happening to them as individuals and as workers in the police organisation (Kellehear

1993: 36). Those people I interviewed had comprehensive narratives and the 'merging of stories facilitate [d] the development of a generalized story' (Morse 1999: 8). There were at times emotional responses wherein police committed to a course of action would very forcefully argue in support of it. For instance, an interviewee slammed the table and stood up and over the researcher to make sure the point made had been understood. On other occasions a story led to vulnerability or sadness, reflected in increased gaps and omissions in the tapes, hence the coding for non-responsive answers.

Each person interviewed had a different level of sophistication or understanding about the organisation in which s/he worked. No attempt was made to inform or change that view. The aim was to record their perspectives and beliefs as well as their actions in response to those beliefs. I attempted to record without engaging or in any way influencing the outcomes of the interviews, no matter what the relative position held by the respondent was. There were occasions when it became apparent that an answer was politically motivated. Data was not discarded if the respondent's purpose was doubtful. Instead, it was put aside for later use if required (Morse 1999: 8).

3.7: Document Analysis and Identification of the Social Field

The field studied for this thesis is the police work environment and, within that field, I am interested in the individuals engaged in police work and how that work as a dynamic occupation interacts with the public/private domain. Documents for analysis were provided by different sections of the Police Service.

Documents examined included, each strategic policy written during the period of 1996 to 2001. The ministerial updates that went from the reform group to the Police Minister's office on a monthly basis were reviewed through the period of 1997 to 1999. Executive officers occasionally supplied me with documents that were confidential that they thought should be included in the data collection process. For example, a work contract agreement.

I examined all previous Royal Commission reports. I also looked at the police responses to those Royal Commission reports. I examined any evidence available in newspapers, journal articles or parliamentary reports (Hansard) on past Royal Commissions and Inquiries. At the time the NSW Police Headquarters, which was were I was located, had a library holding some of the material. Royal Commissions, Inquiries, Hansard and government documents relating to past inquiries are referred to in Appendices G and H. New South Wales Policy Documents are referred to in Appendix I. Strategic Statements, Annual Reports, Police Integrity Reports, Royal Commission Findings and Ombudsman Reports were utilised for official police responses to the Wood Royal Commission. Internal police documentation was

a source of the formal internal response of the Police Service both to corruption and to reform recommendations and their implementation. Rather than relying solely on the interview material, official documentary evidence of decisions made by the Executive, in particular, was available for assessment.

These documents made available official information about, and analyses of, the reform process for comparison with the interviews and statistics. The documents were read and evaluated against the conceptual framework provided in the Wood Royal Commission's agenda for reform. They were also examined in the light of the inconsistency between the documents and the agenda of change. I analysed the documents and asked the question: How does the theory behind this document relate to policing practice? It was necessary to judge whether reforming changes had actually occurred and whether these changes were significant.

Financial data covering budgeting, staffing decisions and the support offered to various departments were obtained through discussions with the financial sections of the Police Service. As with the impact of media coverage discussed in the following section, the emphasis on financial restrictions became more relevant as time passed. The allegations of political interference or lack of political support were frequent and often tied to financial situations. Consequently, it was necessary to consider such data. Financial details were provided by an internal section of the police service (see Appendix J).

3.8: Statistics and the Location of the Field

Statistical graphs have been included to represent how external evaluators such as the Bureau of Crime Statistics and government bodies assess traditional police organisations. As later detailed in the statistics of work performance, these are also used internally by police as major indicators of whether police are doing the work they are supposed to be doing. The statistics appearing in this thesis are descriptive and simply offer patterns of work activity. The work may be affected by seasons, or political considerations or budget restraints. However, often governments will utilise statistics to justify the way they allocate police resources and police departments and governments will say the problem has been addressed. In some cases, outside stakeholders will use the statistics as a way to offer a two-dimensional view about complex issues, for example, about police corruption, although the statistical data is not reliable. Instead, the data has been extrapolated by those within the Service as a simplified statistical representation of police work.

Statistical data covering the years 1997 to 2004 inclusive were obtained with the assistance of the senior police statistician, Mr James Baldwin. This collection led to an analysis of recorded operational responses to the Wood Royal Commission. The statistical data presented was useful,

as it exemplified the means by which police, the Bureau of Crime Statistics, government and various other organisations assess police services, as well as providing clear evidence when combined with data from other sources. The statistics also contributed to the development and direction of the research. As the interviews, documentation and statistics were interwoven in analysis, a multi-dimensional picture of the reform process emerged. Examples of information that contributed to this picture were the number of police employed, and in what divisions, during and after the Wood Royal Commission, and details regarding the procedures then in place for formal performance assessment procedures. The levels of corruption recorded within the Department and the levels of community support for reform were examined at the same time.

It is important to note that the internal departmental statistical data is not sophisticated, but purely descriptive. It is the type of data used by government departments to assess police performance rather than being used as one tool analysis of performance. The community does rely on the statistical data to account for police operational performance. This dissertation does not detail or rely solely on these types of data. Although useful, statistical data needs the balancing influence of interview responses to reveal the complexities of police life, particularly when issues such as police corruption are examined.

3.9: Media coverage and Community Responses

Commissioner Ryan had provided me with written permission to obtain any data I needed for the research within the Service. However, it was a constant battle to obtain data and nearly impossible to get any assistance in retrieving historical data. Documentation giving me approval was ignored and at one stage I was reported to senior police as acting inappropriately, given my rank in the organisation.

I was already having difficulty obtaining data except, during the interview process. The importance of the collection of data other than interview material was important. For instance, the media would often be mentioned during the interviews. I then embarked on collecting over 1,000 print media articles for the study. These print articles tended to fall into certain categories such as: Commissioner Ryan, police reform, police and culture. The articles were collected between 1997 and 2001. The collection, beginning at the same time as the other areas of research, became equally important as issues developed in the interviews. The main sources were newspapers from New South Wales, especially *The Daily Telegraph* and *The Sydney Morning Herald*.

The relationship between the police organisation and the media is not one that can be controlled or manipulated in a particular direction. However, the power of the media to distract leaders, or the ability of commentators to influence decision making are included in small

sections to highlight a point. The media is unlikely in its relationship with the police to cause the police to act in a certain way, except in instances when the media assists in solving a crime. Nevertheless, the media was a constant source of comment by the executive, and the period was clearly characterised by an intensive media focus on the workings of the Police Service. The media comments became relevant when an interviewee would mark as important an event which had either been printed prior to the interview, or was written up in the media after the interview had been given.

Although in the scope of this thesis the media analysis could not be exhaustive, it nevertheless assessed the influence (positive or negative) that this external scrutiny had upon the organisation. Even if no definite conclusion could be reached regarding the exact causal relationship between the media and the reform process, this was an important perspective to consider.

3.10: Interviewing and NVivo Software Tools

The first level of analysis pertained to just the interview-sourced data, and employed the NVivo QSR software. The NVivo computer software enhances the interpretation process, enabling both quantitative and qualitative search tools to analyse the data. NVivo is a useful qualitative tool that allows the researcher to identify key concepts, and to assist in the analysis of the data. The identified areas in this study were mentions of corruption, change, reform, morale and leadership. These were the primary categories into which data were sorted for analysis.

Field notes and tape recordings of the interviews were transcribed and loaded into NVivo. This software provides a range of tools for handling data records and information about these records, browsing and annotating text, visually coding text as well as accurately and swiftly gaining access to data records. NVivo also has tools that allow the researcher to record and link ideas about the data and to search and explore patterns in those data. The software is designed to remove the rigid divisions between data and interpretation, providing numerous ways of interconnecting parts of a research project (Richards 2000, cited in Gordon 2003: 221). NVivo allows the researcher to create databases in a Project, Record and Nodal tree-structure. All the interview and field note transcripts become the files that make up a 'project'; each transcript is recognised as a 'record'; and each record is coded as 'nodes' and 'sub nodes'. By way of further clarification, each interview and field note transcript has its own record name and set of distinguishing attributes, for example, date, type of interaction (interview, meeting, observation, etc.) and position title (the position of the participating officer/s) (Gordon 2003: 222).

The raw data was open-coded, which means that each paragraph of a transcribed text is allocated or referenced with codes. These are categorised with respect to a node which becomes a part of the project's overarching database node-tree-structure (see Figure 3.1). The

reference codes selected to become the nodes and sub-nodes of each record need to resonate with the rationale for the research and methodological framework (Gordon 2003: 222). The way these referenced codes were selected will be discussed later.

Another question raised is whether research will be improved by the use of software. Most commentators conclude that it is too early to judge. So far the most positive answer is that the software improves validity, particularly what might be described as interpretative and theoretical validity as well as universality, although such claims would have very little appeal to those qualitative researchers who reject the notion of validity outright (Holbrook and Butcher 1996: 58).

The following Figure 3.1 shows the nodes and sub-nodes that were used to code the interviews. These nodes were developed after a series of initial interviews had taken place and themes were already becoming apparent through the conversations. The coding process was also used to identify situations in which interviewees did not answer a question. This does not mean that s/he actually refused to answer but would ignore the question and engage in discourse that avoided the question asked. In the node structure, discourse and resistance to discourse are noted.

The nodes listed below detail some of the sets of categories of people interviewed. The police and their actions were identified in several categories. These groups contained subjects who were commissioned and non-commissioned. Some subjects were highly placed individuals who were closely associated with the Royal Commission and the Police Integrity Commission. Community members included senior political and public servants directly involved in police reform during the period of the research. The majority of media commentators were inside the police service.

The code indicating the way people behaved was exclusively based on interviews with senior executive police. A sample of fifteen senior officers was interviewed several times over a five-year period. The coding involving the supervision of police and policing activities occurred mostly among the operational police interviewed.

The recording and coding of police structures and systems was based on interviews within the senior executive ranks, in particular the top five positions within the police service at that time. Comments that attracted these codes specifically mentioned the influence of police statistics as one example, or perhaps the culture as a system of bad or good as another example.

Nvivo provides the technological support to identify key themes in large amounts of interview material. As mentioned key themes underlying the work were identified and formed a foundation to the initial coding system which developed over time. Following is a figure that depicts the 'coding tree' implemented via the Nvivo technology.

Figure 3.1: All Nodes in Set

Created: 11/02/1998
Modified: 26/03/2000
Number of Notes: 200

(1)(1) *Discourse*
    (1 1) discourse/resistance

(2)(2) *Actors*
    (2 1) actions/sergeants
    (2 2) actors/headquarters
    (2 5) actors/media
    (2 9) actors/community

(3) *Ways of acting*
    (3 1) ways of acting/encouraging
    (3 2) ways of acting/supporting
    (3 3) ways of acting/blocking
    (3 4) ways of acting/resistance
    (3 5) ways of acting/ethical
    (3 6) ways of acting/forcing

(4) *Activity*
    (4 1) activity/supervision
    (4 2) activity/policing

(5) *System*
    (5 1) system/structure
    (5 2) system/role
    (5 3) system/culture
    (5 4) system/statistics

(9) *Issues*
    (9 1) issues/corruption
    (9 2) issues/change
    (9 3) issues/reform
    (9 7) issues/morale
    (9 8) issues/leadership

3.11: Limitations

Although the objectives for reforming the police service are written down and documented, it is difficult to make a clear assessment of whether change has actually occurred in (police) practice. Documentation provided by the Police Service was often a statement of where it wanted to be rather than of where it actually was. The Service's analysis detailed what professional leaders considered consensual, ideal, good or acceptable practice. Sometimes these practices involved identifying conformity to professional norms and standards of practice, although these practices did not necessarily lead to reform.

I was tested by realising that honesty and accuracy in reporting my data was crucial even though I had a long, personal commitment to the organisation. I needed to understand that an honest appraisal of the organisation was important and possible because of an historic connection to the issues. In other words, from my extended period of contact with the place studied, my credibility was based on not being 'different' from those researched. It was this credibility as an operational officer and academic that supported the Commissioner's decisions that allowed the research to continue.

The purpose of the evaluation was to assess whether change in policing practice had occurred or was occurring, an assessment made from several different areas. It was assumed that the executives and administrators interviewed were professional people who had the insight and ability to contribute to the change process, or at least that they were in a position of power from which they could make changes or influence outcomes. It was assumed that they were policing experts, at least in terms of the New South Wales Police Service.

3.12: Issues Specific to the Research Context

The responsibility for reform appeared to be placed with the senior leaders and they were expected to make noticeable and measurable changes. Official approval for this research was forthcoming on the basis that the work may help assist accountability for the police executive as they attempted reform. The approach adopted was to cover several of the elements that make up internal and external police work such as; the personal, the private, policy and public scrutiny. In undertaking the research, I ambitiously looked at several methods to obtain reliable and valid information, including simply observing behaviours and responses to questions. The acknowledgement of the views of a number of key stakeholders was intended to enhance the credibility of the findings. However, it was important to understand that:

> One of the major sources of error in questionnaires and interviews [is that the interviewer] believes what respondents say they do or does not believe what the respondents say they do (Kellehear 1993: 6).

As mentioned in the previous chapter, two audiences had to be catered to: first, my employer, the NSW Police and, second, the requirements of the examiners of the thesis. The theoretical concepts were tested in the field. Police officers had the capacity to understand and engage with the notion of 'habitus'. Their contributions to the discussions were very responsive to the inherent notions of dispositions and private dilemmas. The results were obtained by synthesising the key issues and main themes in those discussions. The research had many practical issues and as I explain the data collection methods it must also be noted that I was required to formally report to the Commissioner as a separate exercise from my work on this thesis. The data collected had implications for contemporary policing practice as the thesis work developed.

I encountered serious ethical issues as I moved physically, intellectually and legally between different police environments. Confidentiality, anonymity, fears of discovery of data, personal safety, and covert activity all became part of the research activity. I had a high level of responsibility to those interviewed, to the organisation I worked for and to myself in terms of my own personal beliefs. Also, my relationship with those interviewed could at times involve a passionate plea particularly from the general duties police for the research to make a difference to difficulties in the workplace. I felt commited to my work and my research. The process of reflection was important.

> Qualitative research, because it is more likely to be reflexively exploring everyday/every night lives must continually confront questions of the nature and assumptions of the knowledge we are producing, and who we are producing it (Watson 2003: 21).

The chief possible limitation of the research was that the original data would be distorted by analysis and collation; however, I avoided this as much as possible. When I wrote up the thesis I deliberately refrained from including quotes from participants as the only way of giving police a voice in this research. Police as readers of the research are familiar with comments about their workplace and the thesis argument was not only reliant on directly quoting participants. However, there are some direct quotes presented in the results chapter where the quotes exemplify an argument that answers any of the questions initially asked in chapter one. However, I have not relied on direct quoting in presenting this thesis. Lay observers as the thesis developed were interested in the words of the police officers interviewed. Rather, the themes in the quotes have contributed to the development of understanding of reactions, actions, social structures and systems that contribute to the theory application. I also avoided including quotes except in the results chapter to prevent disrupting the flow of the research presentation; however, the quotes appearing in the results chapter are included when they represent a general theme that points to a specific finding. Watson (2003) argues:

> The written record must reflect the aims and intentions of the study as must all other aspects of the research (2003: 36).

I attempted to limit the variables possible in each interview and tried to standardise the approach as strictly as possible. This was also attempted in any repeated interviewing of the same participant, the aim of which was not to generate new material but to confirm material the participants had previously provided. This process again was limited by applying a selective approach to the qualitative data as the research did result in an abundance of data. However, ethical considerations mixed with responsibilities to my employer and the research processes have resulted in an explorative development of this work. My location in the context of the research was a distinct advantage. I was part of and trusted by participants in this period of reform and turmoil. I understood really intimate 'group meanings' (Kellehear 1993: 8). As Watson (2003) suggests above, the written record provides the greater net for retrieving important information.

3.13: Conclusion

This study includes an evaluation of social conditions, opinions and attitudes. It has been my aim to use experience, observe objectively and be capable of identifying the important relevant explanation of social change. Having weighed the evidence and considered the alternatives, evaluators and primary stakeholders make their sampling decisions, sometimes painfully, but always recognising that there are no perfect designs. The sampling strategy must be selected to fit the purpose of the study, the resources available, the questions being asked and the constraints faced. This also holds true for the sample size (Patton 1990: 183).

Qualitative indicators were linked to the quantitative data, except that instead of being numerical they were social patterns – themes in decision-making. They revealed patterns of problem-solving through a series of extensive interviewing techniques. This research does not deal in certainties. It addresses human dynamics, decision-making and the failure to make decisions. Policing work has no certainties; it is dynamic, conflicting and changing. At the same time there is an honest recognition that I am subjective about aspects of the subject matter, as at this point I have worked for the organisation for twenty-three years. As a result of my location in it this research is a mix of quantitative and rich qualitative research as a method to avoid biased results. The different approaches ensure that the findings are not based on a single, cursory exploration, but rather on a sustained and critical appraisal, the requirement of which was met through the process of the use of several research approaches. Methodological uses of multiple types of data, which may be qualitative and quantitative, are useful to address the same research problem (Banik 1993; Morse 1991). In the process of this research I used qualitative and quantitative methods at

the same time (Field and Morse 1985). During the research process, however, it became clear that the methods employed were providing results that informed the theory and supported Bourdieu's notion that the field and the habitus were interdependent.

In order to incorporate insights into research practice, individual ethnographers in the field and out of it must seek to develop forms of research that fully acknowledge and utilise subjective experience as an intrinsic part of research (Guba and Lincoln 1981: 5).

Gordon (2003) states:

> A number of secondary methodological issues are considered in this research; such as how to deal with the qualitative/quantitative dichotomy, the 'interpretative leap' the research requires, and why theoretical sampling procedures are employed (Gordon 2003: 168).

The 'interpretative leap' mentioned above was, in this case, the conclusion that little or no meaningful progress had been made in eradicating corruption from the New South Wales Police Service. Qualitative (anecdotal, personal interview responses and media coverage) and quantitative (statistics and the public record) data and information combined in a sometimes difficult partnership to support this proposition. I can again refer to the print media who acknowledged the cyclical nature that needed to be explored:

> Astounding revelations this week have shown that despite all the reforms since the Wood Royal Commission a new generation of corrupt cops has emerged (*Sydney Morning Herald* 13th October 2001 p.51).

The results presented in Chapter 4 were obtained by corroboration during the interviews and by drawing connections between the empirical and qualitative material. It is important for the researcher to acknowledge that certain observations may be in error and that accounts of the same event may vary from individual to individual (Preece 1994: 38).

CHAPTER FOUR

Responding to the Inquiry: Restoring Command and Reasserting Control

4.1: Introduction

Using the data collected during this research, this chapter will describe the way in which the police executive tried to address the issues raised during the Wood Royal Commission and how this process was dealt with both personally and as an institution by police officers at all levels of the hierarchical structure of the police organisation. Unfortunately, as will be seen, this executive response had little to do with major management reform and everything to do with reinforcing control at those points at which the police performance had been found to be failing. Reform was, therefore, piecemeal to say the least, with responses targeted towards those key areas that had presented 'soft targets' for the judiciary, the media and the angry community. Throughout this chapter and the next the interview material collected for this research will be used extensively to demonstrate how police at different levels of the hierarchy viewed and experienced this reform process and their responses to these fundamentally punitive reforms that were seemingly being thrust upon them by the force of circumstances, changing their working lives in important, if ineffectual and often even obstructive ways. In the process the organisation not only retained but also exacerbated its problem areas and policing itself became less efficient and certainly a lot more stressful. This chapter, therefore, draws a picture of the purely technical response of a police organisation in crisis; a response fuelled primarily by urgency and necessity and, therefore, incapable of producing truly meaningful change.

As the opening salvos of the Wood Royal Commission were relayed with great detail in the media, the executive of the New South Wales Police Service went into damage control mode. In a highly political comment giving apparent support to the need for reform the NSW Police Association President stated at the time of the Wood Royal Commission that this inquiry 'into police corruption has exposed current police practices and the need for their reform, restoring community confidence in the police and the role of the police' (Alexander and Burgess 1999: 383). Simultaneously, the association also moved to have its members come under Federal awards to escape the Commissioner's powers. Even as he spoke the battle lines were being drawn between the police organisation and the rest of the community, especially the

clearly very powerful rival forces of the judiciary and the highly politicised whistle-blowers expounding at length through the media to a horrified audience. The police service shut down and tightened internal control to repel the enemy but they had no option but to fight a defensive campaign. With open-ness demanded by the media, the executive's public response was designed to showcase a willingness for accountability and compliancy with judicial findings but within the beleaguered organisation secrecy and suspicion dominated and grew commensurately as the inquiry unfolded its saga of dreadful condemnation.

This was a situation hardly conducive to the rational measured response that could have resulted in very necessary reforms. Instead technical and essentially cosmetic change was introduced in the form of an order passed down through the hierarchy. Command lines were strengthened in a desperate attempt to secure loose cannons to prevent any new outbreaks of whistle-blowing. And periodic ritual sacrifices were offered and eagerly accepted by a media that wanted retribution.

> Government will continue with a plan to put state's top 40 police officers on monthly contracts as they become renewable, pending the outcome of the Wood Royal Commission (*The Herald Sun,* 28 December, 1995: 17).

The sacrifices were clearly necessary and as the inquiry continued suspicion joined dread at every level of the hierarchy. The fact that even the Police Commissioner Tony Lauer, who had tendered an acrimonious resignation in January 1996, could be caught up in the fallout from the judicial process, was not a prospect that bred complacency. As the head of this now extremely controversial organisation since the retirement of Commissioner John Avery in 1991, Lauer's predicament was made untenable during revelations about the Criminal Investigation Branch which was being widely alleged to be riddled with corruption. In an effort to restore public confidence in the police organisation the New South Wales Labor Government decided to appoint a new commissioner who had no chance of being embroiled in the unfolding drama and Peter Ryan was recruited from England, arriving with a reform agenda that was welcomed by the media and dreaded by the hierarchy in equal measure.

The purge that resulted from this new appointment created panic in an already fearful chain of command. Police executive performance appraisals, contracts of employment and employment security became dependent on the ability to avoid being contaminated by connections with anyone who had any possibility of allegations being made against them. In this highly politicised environment the politically 'sound' survived, regardless of whether or not they had any demonstrated level of management or operational ability. It was felt that Commissioner Ryan's first decisions were based on eliminating police who were identified as loyal 'mates' to the outgoing Commissioner and removing anyone who might become a political liability. In this process several senior officers were effectively 'sacked' when their work contracts were

not renewed. The sackings and resignations of officers who had served in the force for decades and were alleged to be 'corrupt' was treated as a victory in the media.

> Assistant Commissioner Ray Donaldson became the highest placed victim of the Wood Royal Commission into police corruption when it was announced his contract would not be renewed (*The Australian,* 13 February, 1996: 4).

Although the number of police remaining within command structures apparently stayed fairly static, in most cases it was lower than the numbers estimated as necessary to meet the local area needs. From 1 July, 1996, the restructuring implemented by Commissioner Ryan resulted in a flatter management structure. This was a time when many senior staff, were sacked from their positions, and consequently their belief in job security at the top of the organisation was shaken. Brown recorded this process:

> While not making specific published findings against individuals, the Inquiry resulted in a significant number of police being dismissed or resigning ... and cleared the grounds for later dismissals, and possible prosecutions or internal disciplinary actions (1997: 221).

Despite these actions, however, the crisis refused to be put to rest. In fact, media reports ensured that it continued to gain momentum in an era supposedly rendered safer by the appointment of a new Commissioner from outside the existing police service. In the face of the fresh allegations of corruption still billowing from the media long after the new commissioner had taken up the appointment it seemed that nothing could stop the outbreak of fresh allegations and more whistle-blowing.

> NSW police are continuing to lie and distort evidence in criminal cases despite the practice being exposed by the Wood Royal Commission (*Sydney Morning Herald*, 21 July, 1997: 1).

> Five years after the Wood Royal Commission exposed some degree of corruption in the NSW police force, there is fresh evidence being gathered, some presented here, which suggests corruption still exists within the force even under the new Commissioner. There are those who believe some degree of police corruption will always exist (*The Bulletin*, 30 October 2001 v.119 n. 6299).

> Stealing amounts such as $250,000 (Senior Constable D.Ryan), obtaining benefits by deception, lying under oath, and fabrication of evidence in order to obtain a benefit (cited in Police Integrity Commission Report to Parliament on Operation Sandvalley 2006).

The media highlighted the idea that corruption was so entrenched as to be virtually ineradicable and even a 'further purge of corrupt officers' (Brown 1997: 222) could not meet

the stringent demands of a community saturated with sensational media stories. The fact that senior police were seen to be admitting that there were 'issues' officers still needed to address gave fresh fuel for investigation. If Tony Lauer's initial attempt at flat denial followed by cautious admission of the existence of a 'limited problem' had met with denunciation, the admission that there were major problems to be solved, if less controversial, was seen as a cause for alarm. During a 1996 interview Peter Ryan declared that he was sick of hearing about things in the past:

> *I want to draw a line in the sand and get on with it, look forward and upwards and outwards, and build on what is, not continue to ridicule (3801/08/11/1996).*

Unfortunately this was not to be an allowed option for five years after the both the Wood Report and the advent of the new Police Commissioner there were still problems. And, during interviews with police executives it became increasingly obvious that external influences on the police during the reform period was creating a lot of these problems.

> *I think there's a different set of rules being applied. They are much more, in my mind, conventional than what has traditionally applied here. The Royal Commission has said in its interim report, and I think it will say again in its final report, that there is far too strong a connection between the politicians and the union officials and the administration. The lines have become blurred, such that inappropriate messages and expectations are sent and delivered (3801/08/11/1996).*

During the early part of Commissioner Ryan's appointment he tackled the notion of leadership and the issue of turning the organisation around by directly communicating with the government about the need for him alone to direct change. As a criminologist, Brown wrote at the time:

> Much of the responsibility for the process of change rests with the new Police Commissioner, Peter Ryan, who has been given extraordinary powers to remove officers ... . (1997: 222).

It is clear that the police organisation was exercising a politicised approach to reform in order to aid its survival rather than executing a well thought out plan to implement very necessary change. At this time the Westminster system of the separation of powers between the police, the judiciary and the government had become blurred within the community. And at the same time that the organisation was proclaiming open-ness and accountability, it was really closing its ranks and exerting more control over its officers and distancing itself more and more from the judiciary as well as the community it was supposed to serve. Executive police were acutely aware of the extent of these external pressures within the police organisation. In the words of

one senior officer Commissioner Ryan's position had fundamentally changed from that exercised by Tony Lauer.

> *… what his* [Ryan's] *statement says and what he says to the people around the organisation, subsequently, will fundamentally change the balance of power I think in terms of the Police Commissioner. It brings with it of course huge responsibility. In many respects the Government says, 'Well we're giving you everything which you asked for. Now we'll be sitting watching, just to see how you use it (confidential).*

The pervading atmosphere of hostility where a highly politicised police commissioner clashed head-on with the police organisation at this time is described by another executive police officer in the comment that the police service *'isn't a democratic institution or benevolent society created for the benefit of the membership (Confidential).*This comment reflects a view that the leadership and observers within the police executive were not interested in approaching the issues of reform in any deeper or more complex way than sacking or applying punitive measures using the shorthand that all of these actions were purely in the interests of operational efficiency.

> *It will also be a strong test for response of the Service, because what has been put at round tables* [at the Royal Commission] *what has been put to the Commissioner as he's travelled widely is, you know, an identification that … that the performance by people who have been through assessment centres for executive development has been genuinely on the lower end of the spectrum … it has been compounded that people who have done poorly have subsequently received significant promotions (confidential).*

Executive team members and external consultants did not have access to the Commissioner. The Police Union members were denied any access to the Commissioner for discussions during the early days of the reform period, a fact causing conflict that was expressed in new rounds of whistle-blowing and a march on Parliament early in 1997 when police officers rallied and protested. For the first time I found myself policed by my own colleagues while participating in the protest march. Police yelled at Parliament House, 'Send the Pommy home!'

The Wood Royal Commission Report (Volume 2) supported the changing of the internal and external managerial process currently in place, arguing that this would assist in bringing about change in the police service. The NSW Police Board, a group that had advised the previous Commissioner Tony Lauer about appointments, found itself dismantled.

> *The Board was signified to wind up on the thirty-first of December and yet they are still the selectors of those people … so the Commissioner is only looking to try and make some appointments that collectively and individually will meld together into*

a powerful team and will not be divisive ... then the Commissioner wants the regional heads to go through an assessment centre ... in the meantime I want you to come on board and that will be an interim appointment for 6 or 12 months. And your job is to help me start to nail down some of the detail ... And start to identify those people who are currently going through the patrol Commander assessment ... and then we have to find a gracious and dignified way for the others to continue to make a contribution (3801/06/12/1996).

The winding up of the police board may have been direct result of communications between the Commissioner at the Police Service and Commissioner Wood. With regard to the striking police during the early part of the Service restructure, the Commissioner stated:

I would lead a march on Parliament House to ensure that the rights of those people [non-commissioned police] *were protected... it is putting in a different right of appeal. It simply reviews the process and what the decision was based on, and concludes whether a reasonable person could have reached the conclusion on the facts as they are, as they stand (22/11/96).*

Crucially, particularly in the early years of Ryan's leadership, officers usually held the view that Ryan was was hostile towards them.

I am constantly speaking to people who say to me quite critically in a disparaging way: He doesn't know what he's doing, he doesn't understand what's happening, and he doesn't understand our position. When is he going to tell us what's happening? ... The workers think they're lost ... not only lost but they're beaten with a stick, called the Royal Commission for some time (3804/07/10/97).

One new Commander was viewed as the change agent and Commissioner Ryan had publicly declared, '*Leave reform to me, and you get on with the front-line policing* ' *(09/11/1996).*

Peter Ryan was under an extraordinary level of pressure during his period in office not only from the politicians who had approached him to apply for the position in order to produce results but also from an executive team who wanted to be consulted about the reform process. Unfortunately he did not trust the executive police team generally. And the Police Association he did not trust at all:

He saw no particular need to see them, he was very happy for them to be involved in consultation and negotiation with the Assistant Commissioner, Human Resources (3407/03/08/1998).

This situation became a breeding ground for discontent — an environment in which disgruntled officers and whistle-blowers at all levels were nurtured, fuelling the cycle of exposures and

inquiries; further draconian responses; and more corruption as individual officers struggled to make sense of the new rules of 'the game' and maintain their individual positions within this new field. These reforms could not create an harmonious organisation in which operational police could carry out their work efficiently and whistle-blowers continued to cite instances of corrupt activity to a media receptive to the idea that the 'culture of corruption' had been retained unscathed. So while individual officers were identified as a 'risk' to the organisation it was never considered that the organisation maintaining its current practices was a 'risk' to itself. Nor could this problem be solved by the piecemeal and extremely punitive reform initiatives designed to appease outside criticism and give the semblance that a 'new broom' was sweeping away the corrupt and archaic old structures. Inside the organisation itself fear and stress created internal divisions that actively blocked the possibilities for breaking the corruption cycle by destroying any possibility for practical and creative reform. In fact, as will be shown in the next two sections dealing with the field of policing and the habitus of the individual police officer, the solidification of the command and control management structure was to strengthen the weaknesses of the organisation and weaken its strengths during this extremely important period of internal reform. The effect on the organisation itself was devastating.

4.2: The Experience of Reform: Changing the Nature of the Game

Routine police work necessarily occurs in an environment of prescribed rules and regulations but rigidifying these in relation to the work practices of police officers makes effective policing far more difficult. The nature of the game requires a flexible approach to individual situations and the exercise of discretion in instances where efficient community policing warrants this. In the wake of the Wood Royal Commission punitive structural reforms designed to block possible areas for corrupt activities resulted in widespread alterations to the rules of the game; changes that were not only resented but also proved ineffective and inefficient. For example, after the activities of plainclothes detectives had become the subject of serious allegations, the executive had instantly responded with dismissals and transfers regardless of the impact such actions would have on operational efficiency.

> Hundreds of Sydney detectives will lose their elite plainclothes status and be returned to uniformed ranks permanently based on a report from the Wood Royal Commission that less corruption occurs with uniformed police (*Herald Sun,* 21 June, 1996: 14).

> The criminal investigation squads of the NSW Police Service will be reviewed as part of further sweeping reforms in the wake of the Wood Royal Commission into police corruption (*The Australian,* 5 February, 1997: 2).

Breaking up highly integrated trained teams with a good track record for achieving results might serve to reduce the ability of corrupt officers to preserve their secrecy but it was clearly a retrograde step, made worse by the fact that the Qualitative and Strategic Audit of the Reform

Process (2001) would later conclude that such '[c]hanges had failed to achieve a desired and sustainable shift in culture and behaviours. To make a 'change' means to make something different, to alter or modify. While the reforms clearly made enormous changes in the day-to-day working lives of the operational police it is doubtful that these same changes were effective in reducing the possibilities open to corrupt police. Radical change is a change that is thoroughgoing or extreme; for an organisation to undergo radical change means that it needs to alter itself to the furthest limit. During the Royal Commission, the community accused the police of corruption so frequently that it seemed to be too frequent, too personal, although mostly at random. Often, when trying to control drunken members of the community, police would be accused of not having any reputable power base.

One development in response to the demands for reform was the introduction of the Operational Crime Review. The New York Police had reported Zero Tolerance Policing as an allegedly very successful strategy and they had developed a statistical process to report the success of reducing crime. Two employees went overseas to review the Operational Crime Review process and it was adopted on their return as the answer to the New South Wales police's problem of demonstrating apparently radical reform. When I interviewed two members of the team made responsible for implementing reform, they described the aim of the Operational Crime Review process to me in glowing terms.

> *Operational Crime Review, they're coming up with innovative ideas on how they are tackling certain issues. So there's, there's a cross pollination of learning taking place. There's a focus for the first time on crime being a major issue and what are we doing about it and how are we going to reduce it. There are ideas coming from the executive and from others saying, have you thought of this approach? (3809/23/06/1998).*

However, the operational supervisors who entered the process of review found it punitive and not discursive. One technique was to challenge any failures in reducing statistics concerning crime in particular areas. Piecemeal reform is unbalanced in itself and problems occur most often when a program is used in isolation as a type of 'magic bullet' to spread organisational change rapidly throughout the entire corporation. Specific targets based on complex issues needed problem-solving centres rather than just an oversighting mechanism based on statistical measures. The response instead was command based and highly supervisory in the way it addressed technical police responses.

The creation of the position of duty officer was seen as an integral part of improving policing at a local level, but the anticipated improvement is not evident in the data. The number of robberies remained high. Policing activity did not increase as a result of the new duty officer appointments. There also seemed to be ongoing difficulties with the role of sergeants as

supervisors, as there was no statistical measure by which to operationally evaluate their performance. Officers were assigned managing roles even in the operational areas; that is, sergeants/duty officers do not appear to contribute to the lowering of crime rates. A breakdown of gender-assigned tasks and charge rates also reveal quite different informal workplace practices that result in females doing particular types of work such as administrative rather than work being assigned on a non-gender basis.

One Commander of the review team stated in 1996:

> *It is almost like you have a scorpion on the table and you look at all its parts and then when you push, at one part of the upper body a leg moves in a particular direction. This is the type of response we are hoping to create (confidential).*

As a serving officer, I found the above comment almost offensive, as if operational officers were being described as insects pests or animals that could be taunted or tamed until they were manipulated. It was at this stage in the reform process than I began writing this thesis and collecting information, recording my thoughts and experiences in the form of a diary while working through this period of extreme change. The following section gives a small summary of what I experienced.

At the time I was working in an inner city patrol in a police truck as a senior officer with a junior officer. This daily contact with the 'coal face' of general duties included the pressure to perform at a certain arrest rate, a work rate that was specifically used to assess statistically and was also used to compare our work performance with others. Later, when I performed work as duty officer at the rank of Inspector for twelve months, my team was assessed as working at a statistically lower rate than most of the other teams. We were not judged on any other longer term strategy other than how many arrests or computerised entries we had made over a period of weeks.

My attempts at prevention or problem solving over a longer period of time, or working as a team so that my junior officers could grow in experience and skill were undervalued. I was specifically asked, in front of the command team, not to bring to the patrol meetings issues such as sexual harassment, as these were matters to be dealt with, on my own, within my team. I found these highly-paid executive strategists' notions of reform (the research for which had included visits to New York to see how the process was applied), to be very disconnected from the reality of my workplace.

My approach as a duty officer in a general duties posting was clearly one of abiding by the work policies in place at the time. Officers did what they were told to do or they were viewed as uncooperative, not part of the team and towards the end of the process, trouble makers. There was little support from any other senior officer — their senior officer's attitude appeared to be, 'you are getting paid to do the job so do the work'.

My team of junior officers, who were bright and keen workers, were reviewed as underperforming, as they did not produce the desired arrest rate. My performance as a duty officer was never assessed beyond the numbers of people my constables actually arrested. I found the monthly process of reviewing the number of arrests made by the team to be demoralising and irrelevant to the definition of successful policing. It may also have contributed to low morale generally in the police station for all participants. It became important for the duty officer leading a team to assign a person, usually an enthusiastic male or a couple of males, to spend shifts locking up shoplifters or writing parking tickets or entering the most 'Intel Reports'.

For example if you had a team leader who was dedicated to increasing their arrest rate etc., then your team overall would be assessed as successful which would mean you as a leader were successful. Boredom on night work might result in a competition type arrangement being organised. Perhaps one officer would bet another officer a lottery ticket that they could write more traffic infringement notices in regard to the related 'offence' for the evening than the other. Or when the time came to do the paper work for an arrest, an officer would constantly volunteer for the computer work, which would result in that officer being the arresting officer on more cases. This person then becomes the one that a duty officer would want on his or her team because the work load would go up. Also if you applied for a transfer and your work load was regarded as high – for example, high arrest numbers and intelligence reports submitted, all accompanied by low complaints - then you had a personal history that looked good. So arrest rates may influence what opportunities an officer may gain.

This could ultimately result in a person applying for a transfer to a more congenial police station or work location. When the personal work statistics were reviewed, if these officers had more arrests recorded than did the other competitors for an advertised position/promotion, they had a greater chance of obtaining the transfer. Police performance was dependent on personal opportunity and reward rather than any strategic type of local policing effort over the long term (1996-2000).

I was subjected to this type of review when I was researching my PhD thesis and I was identified as an 'extreme risk' to the organisation (2003). When I made a formal complaint about this description being circulated at executive level, I was told that it was the thesis that posed the 'risk', not me. The Commissioner at the time had been briefed regarding the results of the work but two members of the senior hierarchy (2004) who very concerned about the work suggesting I be employed 'on more meaningful work' (internal memo).

The 'informal' and sometimes covert practices described above are passed down the hierarchy as the pressure for statistical success increases. This whole process is in fact a distraction from strategic assessment in problem solving initiatives. For instance, there is no measurement for preventing crime. There is no success measurement for great customer/community relations. There

are no measurements for the traditional practices, later described as corrupt, of gaining the confidence of informants that may result in major arrests. In fact talking to criminals is fraught with so much internal danger that it is not a practice that can occur without extreme oversight measures resulting. All participants' at all local area commands were performing under this type of duress.

Another clearly observable pattern was that policewomen at the scene of any crime would generally do the administrative work such as filing details in a notebook, while a male officer would initiate the arrest report and would be credited for the arrest, increasing the appearance of a 'successful' arrest rate. I did ask that the statistics for gender-based work performance be examined and at the time of doing that assessment (2003–04) this did support the trend I had observed in the operational environment. However, the findings were not included as part of the Operational Review Process. No one really wanted to examine gender-based differences in the working environment. It might create another problem and not contribute to the demands for 'useful' statistical information. Useful information was information that reassured the government and the community that even under the duress of a Royal Commission police work was being carried out now in an efficient and readily verifiable manner.

The process of work performance based on statistical data falls away as you proceed up the ranks. The ranks of Sergeant and above are not reviewed under such a restricted basis, unless that Sergeant happens to be working on a police vehicle (as of 2004). The evidence for this result is found in the formal presentations that review work performance only at particular levels in the commands under review. There is no review within those discussions of the performance of higher ranks of any statistical or objective qualitative data. Brown comments:

> The Wood Royal Commission was remarkably successful when compared with recent inquiries such as the ICAC Milloo Inquiry (1994) in revealing extensive entrenched corruption in a wide range of areas (1997: 221).

The list of corrupt activities is long, serious in nature and does not highlight any failure of police to actually carry out their general duties. So a major section of the operational review, during the years that I was observing it, totally disregarded the recording of complaints against police, prior observations of corruption or the possibility of the failure of senior management. Instead the focus was on the operational. The middle supervisory ranks had not been subjected to this type of intrusive audit or performance evaluation, although the New York version of zero tolerance policing was in fact aimed at improving the performance of middle managers.

During the confused period (1996-1998) immediately following the Wood Royal Commission, in which the Service was being evaluated, leaders in the organisation made statements about the necessity of the individual accepting or rejecting change.

I think there are three categories of people: there are the new which is a minority; there's the old, really old, which is a minority; then there's a large group in the middle trying to make up their mind to get off the existing bus and get on the new one or stay where they are. And that is part of the process because everybody is in a decision making sort of area as to which way – life type decisions I think is what it's about … (1300/13/08/1996).

Directly after the Wood Royal Commission I collected data from a series of interviews with police at the executive describing not only the vacillating nature of individuals under stress to accept change but also spoke positively about 'turning the police organisation around' as 'a captain of a ship, this ship of change'. Then the tone of the interviews changed. Comments along the lines of 'you're actually being as critical as possible, reviewing what you have to do, but you have not got the resources or the personnel with the skills,' started to emerge and it was at this point that the introduction of Operational Crime Reviews commenced. The impression I gathered was the task was ill defined and therefore too difficult to implement. The executive began to lose confidence in the ability of the reforms to turn 'the ship' around.

The following quotes describe, importantly, the troubled relationship between managers and the operational police. The first part of the quote was recorded during the early years of reform and then the second part was recorded from the same interviewee in the later period. It is important to respect the confidentiality of the senior officer speaking, so there is no attempt to reveal her/his identity. Two examples of this follow:

Part one: *Now for some unknown reason you can send all of the … what goes out, we send out, and you can send them a message in every week's Police Service Weekly since last … but in my conversations I will say: 'Well tell me, what do you know about the reform?' And the feedback is: 'Well that is why you are here; we want you to tell us.' 'Well have you read all these things?' 'Well we've seen them around' but you know they really like to hear it sort of straight from the horse's mouth.*

Part Two: *There's still confusion and there's still concern and there's still, you know, people who are somewhat traumatised by the process, but I think that police have enormous resilience. We seem to be able to fall over and bounce back up again rather quickly. And I think they are probably coping better than I thought they would, but I am very mindful of that, that there is confusion and concern. I think someone described this morning, and it's a very good analogy, it's a hornet's nest organisation at the moment where every time there's a noise, a buzz, everybody comes out and buzzes around and it takes quite a while to settle back down again. And then something else, so there's this continual process going on and in some respects it's between the old and the new: there's a sense that something is happening and no one quite knows what, including me for that matter, and that's unnerving for people (13/08/1996).*

Managers are given responsibility for the 'brainwork' or the overall organisation of work. The operational police work can be said to comprise the 'brawn' work, the other operational tasks. This means that officers now who complete tertiary studies may be directed to the hardest, most repetitive and sometimes dangerous sides of policing while their intellectual skills, although required for entry, are not utilised. The work performance criteria do not include intellectual endeavour such as strategic development by the lower operational ranks. General duties officers do the break-and-enter, car theft, day-to-day policing tasks, while as the offences become more problematic the division of work is more apparent. Because of work demands, the individual talents of the police officer are put aside for the generic process of police work.

The division of work can be effectively described using recorded statistics and these are interesting not only when they are first analysed on their own, but also when they are compared with the information gathered in interviews during part of the data-gathering process. My evaluation of the service reflects how the measurement of reform has targeted only part of the services necessary to assess their terms of the core business of policing: crime rate and clear-up rates. Official crime-rate statistics are an imperfect yardstick. Inaccuracy is affected by a range of forces that can dilute the figures, such as incomplete messages and book-keeping errors. Caution needs to be exercised when using police statistics because of their tendency to be influenced by political and media pressure. However, the data provided by the Australian Bureau of Statistics (ABS) on crime rates are not subject to the same limitations; they are gathered separately and used for planning and policing purposes. For the purposes of this chapter, the ABS data are considered to be adequate. Clear-up rates are directly derived from the operations of particular state services, and consequently are not ideally comparable. However, they too are used by those forces for policing and planning purposes and will serve here to provide an overall picture. The aim, therefore, is to provide the basis for an assessment of Commissioner Ryan's reform endeavours. Any assessment of whether or not the reform process has worked by achieving a particular result (for instance, a reduction in the number of complaints about police) needs to be considered within the context of the effectiveness of fighting crime.

The following tables and figures show the actual number of sworn police officers during the years mentioned in the research period to demonstrate the numbers of police involved and affected during the Wood Royal Commission inquiry. These tables indicate the number of 'players in the field'. There are always requests for more police despite the fact that the NSW Police Service is the fifth-largest policing organisation in the western world.

TOTAL	1994-95	1995-96	1996-97	1998-99	99-2000	2000-01	2001-02	2002-03	2003-04
	16372	16568	16995	17245	17260	17303	17501	17735	18798

Table 4.1: Actual Police Numbers

(Source: SCRCSSP Report on Government Services 2005.
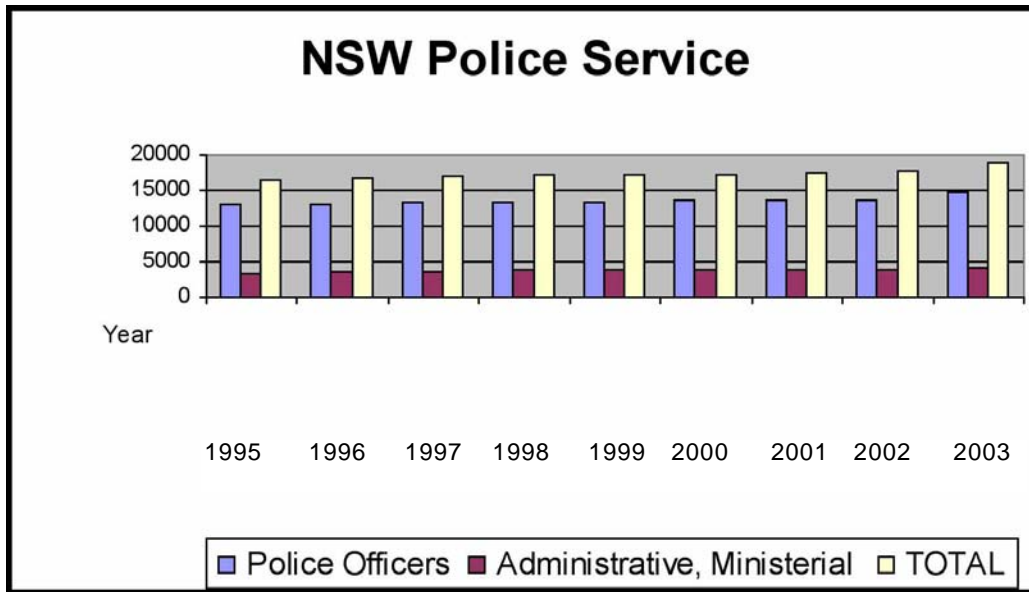
Figure 4.1: Total strength of NSW Police Service

(NSW Police Service Annual Reports, 1995–2003)

% Change in strength	94/95-95/96	95/96-96/97	96/97-97/98	97/98-98/99	98/99-99/00	99/00-00/01	00/01-01/02	01/02-02/03
Police Officers	-0.30%	1.80%	0.80%	0.40%	0.10%	1.00%	0.70%	7.50%
Administrative, Ministerial	7.00%	5.50%	3.80%	-1.10%	0.80%	1.80%	3.40%	1.00%
TOTAL	1.20%	2.60%	1.50%	0.10%	0.20%	1.10%	1.30%	6.00%

Table 4.2: Change in total strength of Police Service

(NSW Police Service Annual Reports 1995–2003)

Table 4.2 includes the numbers of civilian staff as well as sworn officers. The 1.1 per cent decrease in administrative staff actually occurred when Police Commissioner Peter Ryan requested an increase in civilian positions. His policy was to place desk police officers back into the operational environment as well as improving the administration support available to police. A sworn officer states:

> *The Commissioner is saying that you stop saying 'This is a police job and this is a civilian job. You say, 'That's an important job to do, do you need to discharge police powers in doing it'. Therefore appoint the best people you can find and manage it well and do it as efficiently as you can (3801/08/11/1996).*

However, the government financial arrangements resulted in a steady decrease in unsworn support after 2004. The administrative demands in this organisation are very high and so have been passed back to operational police. When the government made a commitment to recruit more police officers, civilian numbers were reduced with the result that support services have been reduced in an already overburdened organisation. This fact is reflected by an officer's statement below:

> *We still have things to do to keep on top of corruption. There is still corruption there in a whole variety of forms. We're expecting a few general duties, the youngest and least experienced, to carry the service when the rest of the experience doesn't seem to be contributing a great deal (3809/29/02/2000).*

Table 4.3 depicts the numbers of people being policed during the period 1970–2000. The population being policed in New South Wales is steadily increasing, and the demands for more police are usually raised during election years. The demands for greater police numbers are usually reported with regard to the increased need for safety in the community. The recording systems change over the years: in the earlier years the population numbers are recorded as an index figure with a base line of 100% providing the base point. From the year 2003 the actual numbers are recorded as per 100,000 per population. Discussions involving the demand for increased police numbers must reflect the increase in population numbers needing police services. For example, an inner Local Area Command such as Redfern has had phenomenal numbers of developmental flat locations (1998-2005) but no increase in police strength.

Estimated residential population by calendar year (millions)								
Population by calendar year								
	NSW	*Vic*	*Qld*	*WA*	*SA*	*Tas*	*ACT*	*NT*	*Aust...*
1995	6 138	4 524	3 274	1 738	1 470	0.474	0.305	0.178	18 101
1996	6 214	4 567	3 347	1 770	1 475	0.474	0.308	0.183	18 338
1997	6 281	4 612	3 405	1 805	1 481	0.473	0.308	0.187	18 549
1998	6 344	4 663	3 460	1 834	1 487	0.472	0.308	0.190	18 758
1999	6 407	4 716	3 514	1 861	1 493	0.471	0.310	0.193	18 964
2000	6 474	4 797	3 574	1 888	1 498	0.470	0.311	0.176	19 190

Table 4.3: Estimated Residential Population by Calendar Year

(Source: ABS 2001a, Estimated Residential Population, 1970–71 to 1999–00, cat. no. 3201.0; ABS 2000c, Projected Population: Series I, 1999–00 to 2050-51, cat. no. 3222.0 in SCRCSSP 2001)

These following figures record some of the traditional methods of assessing policing organisations. External and internal reports contain many statistical graphics to report police activity. This part of the results section records the standard reporting mechanisms concerning policing post the Wood Royal Commission. The selection of offences was chosen because they are typical of the community's, and therefore the police administrators', interests. Firstly, break-and-enter, assault and motor-vehicle theft offences, which are the 'bread and butter' of daily police work, are analysed. Two aspects of these offences are relevant here: the difference or similarities between New South Wales and the other two States we have chosen to compare them with (Victoria and Queensland); and the fluctuations (or otherwise) in these offences during the Ryan years.

Figure 4.2 shows the reporting of break-and-enters, that is, the number of incidents of this offence where police have attended, taken a report and proceeded to investigate the incidents. They may have solved a percentage and prevented a further percentage from occurring, while some offences would remain outstanding.

Unlawful entry with intent
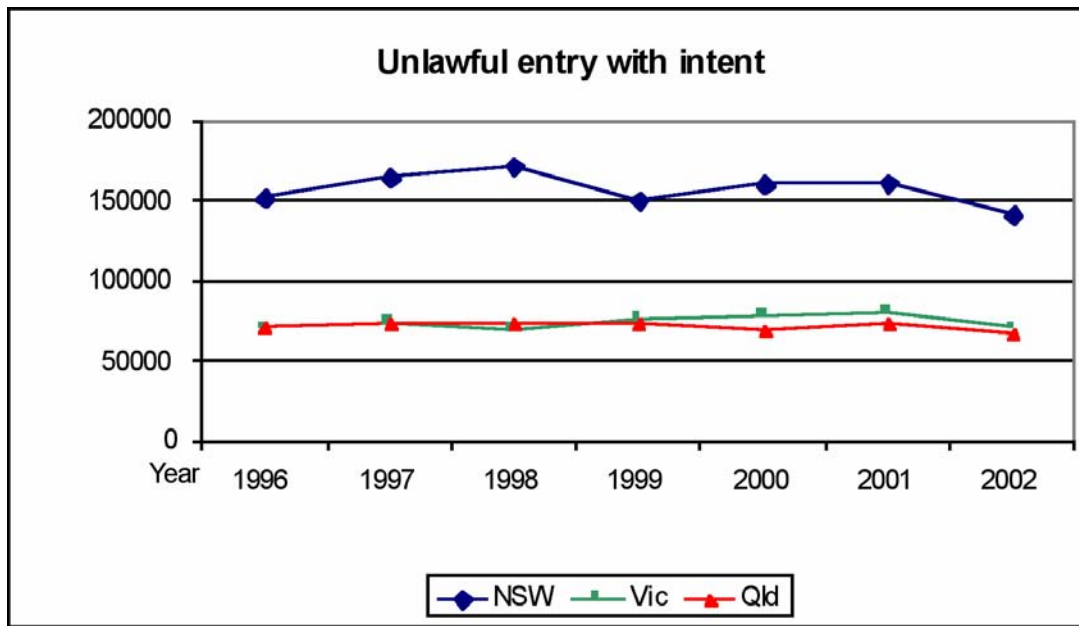
Figure 4.2: Break — Enter

(Source: Australian Bureau of Statistics Recorded Crime Australia – 2003)

Clearly, the rates for New South Wales are significantly above those of Victoria and Queensland. This can be explained by the clear differences in the preceding population charts (see table 4.3 above). New South Wales, as the most populous state, has around 15,000 reported break-and-enter crimes per year, which is more than twice the number for Victoria and Queensland. This is hardly surprising, given that the population of New South Wales is 6.464 million, that of Victoria 4.696 million, and Queensland only 3.564 million. Moreover, and crucially, the crime of break-and-enter is often 'drug-related'; that is to say, chronic addicts carry out property offences for cash in order to support their habit.

The following figure 4.3 shows police activity concerning actual numbers of cars stolen. There is no analysis, at this point, of the number of such offences per population as the data collected has previously shown actual numbers rather than number of offences per population.
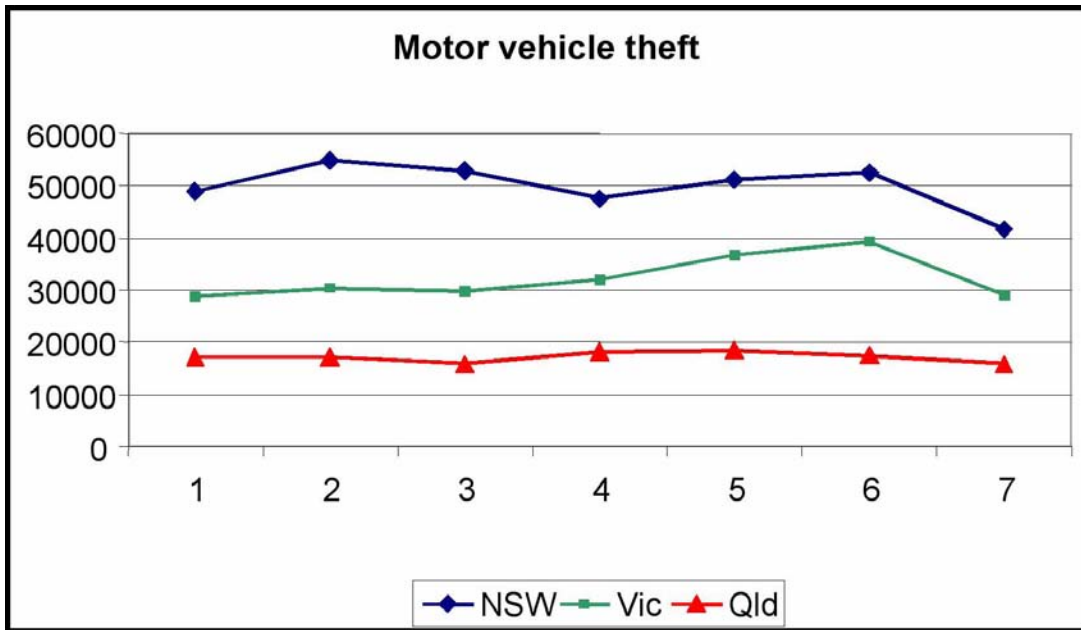
Figure 4.3: Motor Vehicle Theft

(Source: Australian Bureau of Statistics Recorded Crime Australia – 2003)
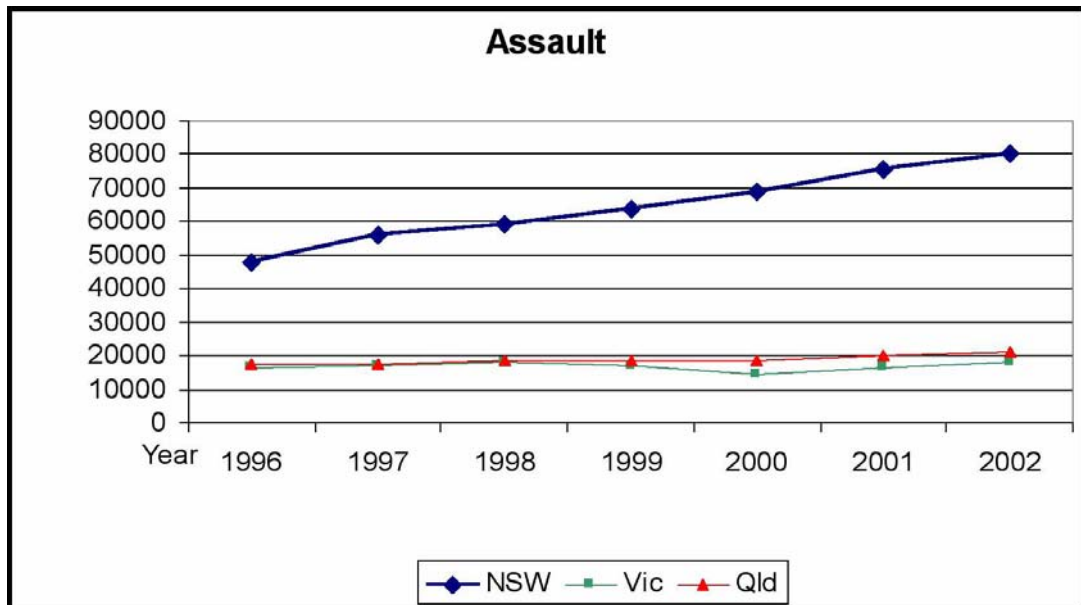
Figure 4.4: Assault

(Source: Australian Bureau of Statistics Recorded Crime Australia – 2003)

The data indicate that incidents of assault are increasing as population numbers increase and that a higher rate of more serious assaults occurs. The data are important for consideration, as they will determine how police are deployed and how community needs are met. Local politicians, state parliamentarians, lobby groups and the media will utilise these data as a method to gain police resources or try to influence police deployment. Criminal offences affected by factors such as changes to the law or regulations; for example, licensing regulations that highlight removing intoxicated people as important are then interpreted by the media as related to incidents of violence in a particular area. This in turn will affect how police supervise licensees' practices of refusing the service of alcohol.

Assault figures have been linked to alcohol consumption in the state's community since the earliest days when rum was a currency in the European colony. However, the political effects of restricting hotel hours mean this is a very unpopular response. Instead, police are asked to enforce licensing regulations for such behaviours as refusing to leave licensed premises. So when licensing premises come under the review of numerous complaints from the public or through the media, the tasking assigned to local police increase, reflected in police doing a 'walk through' and higher rates of information reports on local hotels.

It is therefore not possible to argue that the rising number of assaults is due to impaired policing. Rather (as noted above), the explanation must be sought in other factors affecting police work that in turn affected the crime level, for example, changes to licensing laws. Another cause affecting the rising rate of recorded assaults was a change in policy. Due to complaints to the Ombudsman early in the reform period stating that assaults were not being properly investigated, a new policy was introduced requiring that all assaults be formally recorded (1997 onwards). A separate new police policy required that incidents of domestic violence assaults also be formally responded to. These policies may affect the statistics and show an increase in *reported* assaults rather than in *actual* assaults.

The continuing upward trend in the number of assaults since the beginning of the study period is noticeably different from the relative stability of the level of break-and-enters and motor-vehicle theft offences during corresponding years. This is probably due to car re-birthing rings and the fact that this offence is restricted by the availability of or is it demand for a particular type of car. It is also a more secretive/ covert criminal activity.

The statistical data presented above derives from the period after the Wood Royal Commission Report. The most relevant aspect of the level of actual offences during Commissioner Ryan's tenure is its consistency. While the New South Wales Police Service was embroiled in the reform process, such disruption is not evident in the statistics. Certainly this did not result in a crime wave, at least as far as break-and-enter was concerned. In fact the overall pattern for

New South Wales' major crime rates is consistent throughout the Ryan period, despite the fact that reform was touted as a major restructuring proven to achieve increased efficiency. Instead we have consistent statistical data of police dealing with crime. In other words, police numbers reflect police activities at a constant rate independent of periods of review, certainly at the level of policing that involves arresting people. Operational police work at a level that reflects their capacity to work in the environment in which they are employed.

The following data in Table 4.4 show how the police assess their own police performance. A *'clear-up'* means that the complaint is written off in the police computerised recording system (COPS) within a *thirty-day period*. How is a high clear-up rate achieved with a percentage drop of incidents? It could be that these cases were written off without actually arresting anybody; in other words computerised entries are updated to close. The case is closed on the data entry base but this does not mean there has been an arrest. This sleight of hand can result with command and control type of management.

Outcome of Investigations: 30 days status					
	2001-02	**2000-01**	**1999-00**	**1998-99**	**1997-98**
Percentage of incidents finalised					
Assault	62	62	63	60	53
Unlawful Entry with Intent[a]	6	6	7	6	5
Car theft	7	7	6	5	4
Stealing	10	11	12	11	10
Robbery	17	18	18	15	12
Sexual assault	52	33	35	35	28
Murder	59	66	64	60	65

Table 4.4: Outcome of Investigations: 30-day Status

NSW Police Statistics Division

Possibly as a result of changes in the Operational Crime Review audit system, the clear-up rate for assault decreased between 1999–2000 and 2000–01, followed by a less significant decrease: the decline between 2000–01 and 2001–02. This decline coincided with an increase in the number of assault incidents. It is hard to maintain a rising clear-up rate, since, in order to maintain such an improvement, more police or person hours are needed than previously were available. The clear-up rate for sexual assault also showed a marked increase. This was

possibly due to policy changes, which meant that it became more important for police to investigate this type of offence. There is another reason, however. When command focuses on clear-up and arrest rates, police will update their personal work data bases, which will then show a higher conclusion of outstanding or cleared up cases when reviewed by a supervisor and entered into the computer records.

This is a process/technical response to a command/unsympathetic management structure. There were two significant increases in the clear-up rate for sexual assault. It rose from 28% to 36% between 1996–98 and 1998–99, and an even more substantial increase was recorded, of 32% to 54%, between 2000–01 and 2001–02.

The recording of statistical data reduces these complex police incidents and procedures into a formula that can be politically manipulated to demonstrate success. Clearly this data could be used to prove successful police work under the current executive team. The clear-up rates for the offence of murder were particularly low when Peter Ryan arrived as Commissioner and he was concerned that, compared to English statistics, the numbers of resolved cases was so very low. He employed the traditional approach of accountability, or reporting to a higher level of command, and demanded that the clear up rate be addressed. The clear-up rate improved considerably over the next twelve months as a result of the technical command approach. It is important to note that these figures refer to a clear-up rate within a period of only one month. As murders often include protracted inquiries, the statistics will not reflect clear-up rates that occurred outside this period. As a result of the command very competent homicide police updated their outstanding cases to 'no further action', so the clear-up rate appeared to improve as directed but to the detriment of effective operational policing. Homicide police are very experienced senior officers with enormous investigative experience, however, the pressure applied about performance statistics meant that they reacted by a strategy that avoided further censure.

These same specialist squads lost their expertise in the review process, as it became a standard practice to rotate police in squads when corruption allegations are raised, even if these are not proven. This practice of rotation began with Commissioner Avery nearly 20 years ago when the Criminal Investigation Bureau was identified as a site of police corruption. Clearly the practice of *disabling* specialist squads is not an effective operational strategy. Nor is it a deterrent. There are certainly better ways to address corrupt or unprofessional behaviour and such a strategy only serves to highlight any corruption within the working ranks but not at the leadership ranks.

It is essential to recognise that this defensive behaviour, from which the whole organisation suffered, came about because the command structure responded defensively to the Royal

Commission and the new, politically appointed Police Commissioner, with an audit that emphasised competency instead of an approach that emphasised problem solving. What the Homicide unit needed was support with evidence-gathering techniques and the restored ability to foster team networking and develop strategic approaches to improve efficiency. Instead they received commands and demands from the executive team and administration to address the issues but no organisational planning to make this happen other than as a sleight of hand. The incredible pressure and punitive oversighting placed on these specialist units to produce high clear-up rates works to their detriment and there is often no consideration of the type of workload, including the content of that workload.

Figure 4.5, showing the statistical evidence for clear-up rates for property crime after the Wood Royal Commission, tells a similar story.
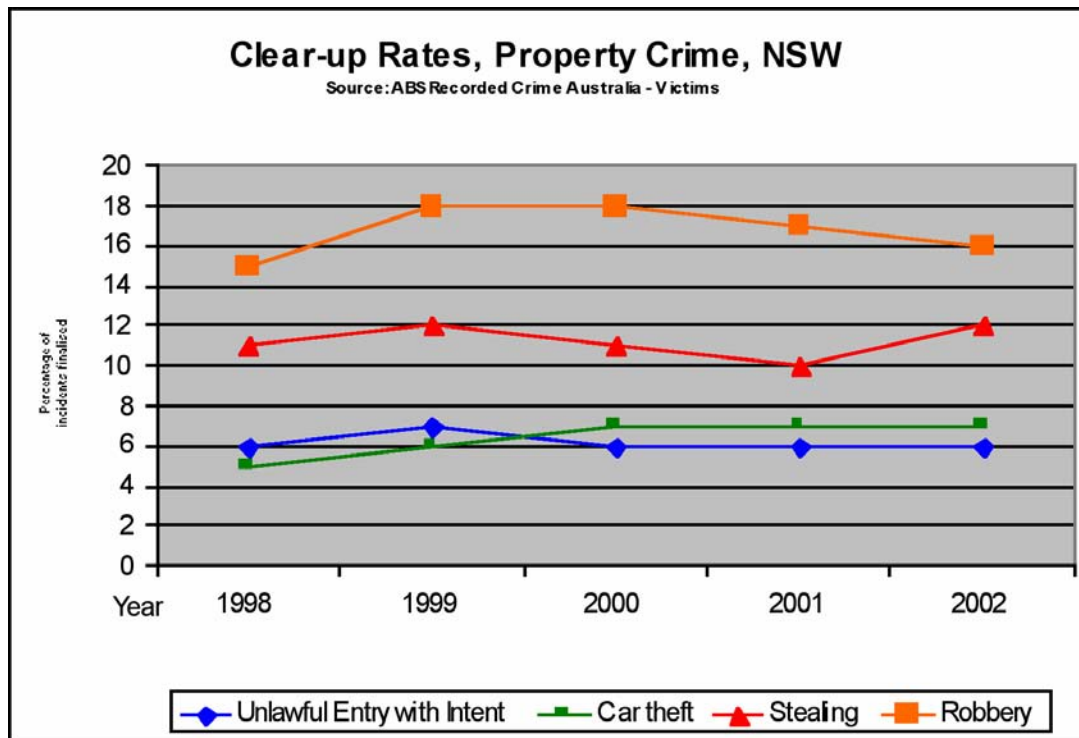
Figure 4.5: Clear-up Rates for Property Crime

(Source: Australian Bureau of Statistics Recorded Crime Australia – Victims 2003)

For a property incident to be written off, a person may have been arrested or summonsed, or no offender may have been identified. A case may also be resolved by mediation, which may result in the victim deciding not to press charges. The clear-up rate for assault increased from

53% in 1996–98 to 62% in 1999–2000 (NSW Police Service Annual Report 2001). For motor vehicle theft, the clear-up period was again set at 30 days. There was a slow increase in the clear-up rate, although 30 days is a short time to resolve this type of theft. Considering this, it is plausible that by extending the period to 90 days, a marked increase in the clear-up rate would result that would also reflect increased police activity, not just updated records. Motor vehicle theft dropped significantly when the re-birthing task force was at its most effective. That means there was a higher incidence of motor vehicle theft, and although there was a higher clear-up rate, the percentage of cases in which the offender was proceeded against actually declined. The specialist efforts in this area of police work did reflect a high performance achievement during the post Wood Royal Commission.

Victims of Recorded Crime					
	1996	**1997**	**1998**	**1999**	**2000**
Assault	47829	55998	59221	63811	68714
Motor Vehicle Theft	48842	54711	52833	47355	51249

Table 4.5: The Victims of Recorded Crime

(Source: Recorded Crime Australia 2000, ABS)

% of Recorded Victims Where Finalisation Was within 30 Days of Report					
	1996	**1997**	**1998**	**1999**	**2000**
Assault		53%	60%	63%	62%
Motor Vehicle Theft		4%	5%	6%	7%

Table 4.6: Percentage of Reported Victims for Whom Finalisation Was Achieved within 30 Days of Report

(Source: Recorded Crime Australia 2000, ABS)

% of Victims where Finalisation Was Achieved within 30 Days of Report and Offender Proceeded Against					
	1996	1997	1998	1999	2000
Assault	n/a	38%	52%	52%	51%
Motor Vehicle Theft	n/a	4%	4%	5%	5%

Table 4.7: Percentage of Victims for Whom Finalisation Was Achieved within 30 Days of the Report, and the Offender Was Proceeded Against

(Source: NSW Police Service Annual Report 2001)

The pressure of statistical evaluation is hated by effective police officers because politicised measurement agendas is not part of the job of 'bread-and-butter' policing.

> *People should have been asking these questions before; knowing exactly when and where crime was committed; by whom: by repeat offenders; on repeat victims, by location, hot spots and all that sort of thing. It's just bread-and-butter policing as far as I'm concerned (3809/23/06/1998).*

A primary function of any police service is the investigation of criminal activity or other activities requiring police attention, such as motor-vehicle accidents or illegal activities within the trucking industry. This officer's comment raises the issue that corruption is linked to the everyday issues associated with 'bread-and-butter' policing. It is therefore *not* recommended in these conclusions that statistical reviews of police corruption be the focus of management of corruption within police organisations. By the very nature of their role, police officers are in constant contact with those who engage in criminal activities, but the two issues of performance statistics and corrupt activity need to be understood. As criminal activity is usually very profitable, the offenders will do anything to maintain this situation, including offering bribes to police officers in return for protection from investigation at a deep level.

The nature of corruption varies as well, although the distinctions are not often acknowledged. For example there is so-called 'noble cause' corruption, in which police use evidence to prove a case in circumstances where that evidence has been collected in an unethical manner. The officers are involved in proving a case because *they believe* the person or persons are guilty rather than just putting the evidence available to the court so that the court can decide guilt of innocence. Evidence of possible noble cause corruption has appeared more frequently as new evidence collecting procedures of DNA establish the innocence of gaoled offenders.

Part of the reason for presenting statistics for public discussion and internal review derives from the political pressures on policing. Although these figures just refer to the basic role of policing, this type of presentation of police performance involves much discussion that is not useful when looking at policing in an holistic manner. In the words of one senior police executive, '*The issues that are going to win votes are getting crime down ... and we need good strategies to analyse some of the issues before they hit the press ... (3803/06/03/1996).* Consequently the results are descriptive and, although useful information can be gained, it is incomplete if it is not placed within the process and complexities of police practice itself. Pressure from internal and external observers encourages police to be secretive in their work environment so that they can get on with the time-consuming work of investigation which gets in the way of the desired statistic gathering. And it is to this inner world of the individual police officer that this analysis of the experience of reform will now turn.

4.3: The Experience of Reform: The Impact of Reform on the Individual Police Officer

This section of the chapter will take the discussion away from the limited world of statistic analysis into the qualitative results of the investigation relating to the working police officer. Only then can the link between statistical evaluation and narrative data be used to reveal the connections with corrupt police activity. As workers in a semi-military organisation, operational police must bear the personal brunt of the executive's failure. As police officers they take this as a team but as individual human beings they also internalise this emotionally. As one commentator observed, reform is a deeply personal experience.

> *They want us to embarrass and be involved ... in a disempowering process of people who carry high ranks and sit in important management chairs and who would like to be the controllers of information (1320/10/08/1997)*

The executive were suspicious of consultants and people who may have genuinely wanted to assist the police and offers of assistance or employment by consultants were responded to with the usual suspicion accorded to outsiders by a tight-knit network. There was a theme throughout all the interviews that senior officers were the 'old guard' looking to re-establish their power-base. 'You must come through me,' subordinates were told. In other words, access to the organisation was even more strongly than ever controlled via the processes of hierarchy. The relationship between executive members was based on control, always under threat from pockets of resistance and loose cannons liable to deviant or rebellious behaviour. Information was distributed in a form that reinforced the hierarchical model. As one constable reflected:

> *If a senior officer is in possession of more information than others ... he can't quite see that if we're in possession of equal information that we are not equally powerful and therefore a danger (1340/12/04/1998).*

The idea expressed above also provides an example of how some police regard 'information' as symbolic capital — a vital possession within the networks of a power hierarchy but fatal to the development of teamwork and the ability to learn from others.

The Royal Commission had clearly indicated in its report that it 'is persuaded that the Service will need considerable external assistance to ensure that reform is implemented' (Vol 11: 177) but, as the interviews indicate, any external input was regarded in a very defensive manner by the executive police. Thus the junior officers, who are required to be tertiary-trained, find that the use of formal knowledge, education and external data in general are often viewed with suspicion and speedily dismissed with derision. A typical response such officers heard was, *"We do not have time for this lecture, journal article, consultant meeting, or research"*. Occasions for useful work discussion are increasingly limited as stress builds up and uncertainty reigns. Police do not have time or do not as a practice reflect on the dilemmas within the work place. Once the old traditional practice of meeting in the pub and having a few drinks did provide a venue for debriefing. Discussions of a personal nature could be aired, with the benefit at least of socialising. However, the strains of culture change has slowed that socialising activity and nothing has been put in its place in terms of providing a safe, friendly, supportive and emotionally releasing environment.

So as the Royal Commission gathered momentum in the media and police were being scrutinised, the pressure increased within the organisation to avoid scrutiny and, as one executive officer commented, '*I think we're going to need a Brambles truck, to bring back all the briefs (confidential 1997).* The 'briefs' referred to, are the paper case trail of corrupt police activity. The Commissioner sacked officers, relocated others and ignored members of the Executive Team in a manner comparable to blowing a whistle to control a game. Police defensively placed more responsibility onto leaders within the peer groups at the lower end of the hierarchy rather than looking outside the organisation for support to assist the inside working of the police organisation. Abuses of power resulted in extreme oversighting within the organisation, with multiple auditing processes being implemented and individual officers suffering under the weight of non-support and suspicion. The community also suffered, as the punitive measure of zero tolerance policing was introduced in response.

As a police officer researching police and their location within the community I needed to understand how police sometimes make choices that resulted in corrupt and unethical decision making. The concept of the habitus leads to a greater understanding of the workings of individuals' thoughts and beliefs and the field analysis leads to a greater understanding of the relationship between an individual's beliefs and the environment within which that individual operates.

But if you put people through assessment centres and you pick the very best people you can, and you monitor how they behave and deal with their people and you instill a way of dealing with people which is open and honest and that's a requirement of their performance, then you start to shift the process. Now none of that's quick ... (Confidential 1998).

As the research progressed and I started to develop a visual representation of the theoretical concepts I was exploring, the theoretical approach was employed to expand the knowledge and analysis of police work. One very important theme that kept recurring was the nature of the twenty-four-hour responsibilities of being a police officer. The concept of 'habitus' with regard to operational police can be seen in Figure 4.6, which attempts to reveal its parts empirically.

What is the Police Officer thinking about?

Graphic design: Anna Ly & Peter McPherson, NSW Police Printing & Design Services (2004)

Figure 4.6: Habitus: The Individual Police Officer

During the interview process the inner thoughts, emotions and beliefs of police within the hierarchy and lower ranks began to open up to me in the interview database. This picture developed further as discussions with the individual officers were repeated and they described the themes and concepts that relate to why and how they performed their duties as an officer. Figure 4.6 shows some of the words that repetitively occurred during discussions with the researcher. The thoughts, ideas and work practices that police experience, both in their working and private lives, are represented as a model that approaches some of the elements of the *habitus,* or 'mental habit' (Lefebrevre 1991: 258), of a police officer.

So for each word in the figure there is a connection with how that person subjectively lives those concepts and then how those beliefs are then lived within the 'social stakes which determine structure, and perpetuate the field of policing' (Horarik 2006: 109). What the figure does not show is that habitus is also embodied; it is in the officer's physical body, in his/her stance, behaviour and in the way the police uniform is worn. Literally how police walk and talk. The behaviour of an officer originates in his/her thinking. Behaviour is linked to thinking and those two elements are connected to the private/public environment of the police world. When conflict, frustration and engaging in criminal activity occurs and become part of a working officer's life then that officer may behave in a way that permits an internal or external crisis to occur. In summary, Figure 4.6 depicts the author's conceptual perspective on the way Bourdieu's theoretical framework relates to contemporary policing.

As the trigger or crisis leading to whistle-blowing that can precipitate an official inquiry is located within the mind of disgruntled police officers, the way in which that emotion of anger, discomfort and anxiety comes to be in conflict with the social field of policing is an important concept to understand. If a police officer has acted corruptly at some level or other and another officer is disgruntled and this emotion is allowed to gather an internal momentum, that officer may seek an outlet for these emotions by networking with other individuals either inside or outside the organisation. The crisis for the police organisation begins once the media or a receptive politician becomes involved and questions are asked in public and the damaging revelations start to emerge. But, in reality, the crisis has existed for a long time before then. Managed efficiently, officers will not be able to continue to act corruptly and disgruntled officers will not necessarily become whistle-blowers as the only vent for their anger. Of course in a command and control hierarchy management means commanding the officer in question to remain silent, using authority exercised down the line to stifle a grievance.

Politically such internal 'leaks' are dynamite for a highly politicised police organisation and the decision to instigate an inquiry launches the police executive once more into damage control mode, even though it may still be dealing with the after-shocks of the last inquiry. For example, late in 1998 the following report appeared in the *Sydney Morning Herald*.

> A powerful 'brotherhood' of corrupt officers persists within the NSW Police Service despite the purge following the Wood Royal Commission, according to a report by the Police Integrity Commission (*Sydney Morning Herald*, 21 October, 1998: 1).

The comment apparently originated when disgruntled officers reported an incident to the oversight body, the Police Integrity Commission, and the media was alerted to this. The external leak could have come from the officers who actually made the official complaint or may have emanated from someone who realised they were making a complaint. Either way, a disgruntled officer who does not trust the internal oversighting mechanism has been involved. The Ombudsman's Office has been recording police officers involved in committing drug offences since 1994. In 1995, during the Royal Commission, there were 231 officers involved in illicit drug activities. This figure peaked in 1997 as the Wood Royal Commission released its report. The rate in 2000 was recorded at 128 offences (New South Wales Ombudsman Annual Reports 1994–2000).

In one case when discussing whether he had maintained contact with crime figures, a senior officer stated:

> *That was in my past life, when I was single … you know I have a family now, times have change (4526/02/04/2003).*

The officer had also experienced a change in roles so the demands in the area of criminal activity had changed as well. Officers could not further comment on how supervisors might assist junior officers with similar issues. The officers indicated these issues, which are personal and important, but when faced with how to resolve them in the work place, senior officers could not offer a solution. There appeared to be no language with which to talk seriously about personal or work ethical conflicts.

When asked about what would happen if s/he knew that a person under her/his command was involved in certain corrupt or criminal behaviour, another officer who held a responsible supervisory role in a Local Area Command could not openly discuss how s/he would resolve the situation. There is a distinct physical reaction in this regard by those who are interviewed and even when they trust the interviewer they cannot engage in discussing 'secrets' in the private or personal areas of police life. These 'secrets', which are often regarded as conflicts, had occurred in the past but still remained as a cognitive dilemma in the present. Some officers could not countenance the possibility that there was any confusion in their minds or in the minds of others about ethical issues. Such cognitive dissonance would be easier to record if officers could feel they are in an environment in which it is possible to discuss their ethical dilemmas. This highlights the dilemma often experienced by the whistle-blower and explains

why, for some individuals, the eventual strain of internal conflict can result in damaging private and public disclosures. Put simply, individual police do not know whom to trust and the command and control management style does not encourage open dialogue.

Immediately after the Wood Royal Commission everyone in the police organisation, whether they were leaders, general duties officers, association members, detectives or other operational police, were extremely wary about the people with whom they were working. They were concerned about outside criticism and anxious about the many changes being discussed but they could find no safe outlet for discuss their disquiet. The reverberations throughout the organisation involved the conviction that there were whistle-blowers and informers riddling the work environment and the best strategy for personal security was to keep a distance from other officers. During this period I had my files searched for tapes and it was rumoured in the station that I was working for the Wood Inquiry even though the Royal Commission policy was not to employ New South Wales police to carry out investigations into corruption — a decision made to prevent the inquiry itself from being corrupted. Nevertheless, police officers who were transferred from other stations initially were thought to be possible spies for the Police Integrity Commission. This concern, which verged on paranoia, riddled the whole organisation, even infecting those leaders in the organisation who was responsible and accountable for reform itself.

> *The Commissioner's confidence provisions would allow us to almost throw the entire disciplinary process overboard which says that you are managerially dealt with at every level until such time as you show that you are unfit to be a member … One of the things the Commissioner is having to wrestle with at the moment is that the only person with any security in the management of the police service is him … it makes people very nervous and can flow down (3801/08/11/1996).*

This statement highlights the perceived power of the commissioner to mastermind all change; a power that was emphasised further when the interviewee said, *'Until my own position becomes a little more secure, perhaps, I'm not all that good at focusing on the big picture' (3801/08/11/1996).*

As the process continued during which senior officers' contracts were not renewed, senior executive members looked for a solution. Police left the organisation whistle-blowing: leaking any form of information to the media to force a public review of issues. In this period this tactic became a regular practice.

> a trusted friend or a relative may be told of the act by one of the participants, and they may pass the information on to others; eventually the information may reach agents of social control (the police leaders). In order to foreclose this possibility, codes of secrecy, punishment for leakage of information and 'need–to-know' restrictions on access to information often develops in deviant groups (Sherman 1978: 19).

One of the impacts of inquiries is the ongoing leaking of information to the media as a form of release. This occurs when an officer believes the organisation is not dealing with an incident or a crisis correctly. One officer comments that corrupt officers believe:

> *That their behaviour ... in those sorts of things is understandable, forgivable in some fashion ... when in fact ... that is not true (30/08/1998).*

To a lesser degree there were officers who were interviewed who were open to discussing a wide range of 'possible transgressions' on the part of police. However, when it came to discussing what action should be taken in addressing the issues they would withdraw, stating that they were not sure what headquarters policy was regarding such issues. But the repetitive pattern of leaking information and whistle-blowing has rarely been observed to change the patterns of corruption within the police service.

Some police contain their working environment and their dilemmas within it by focusing on the operational task they are addressing. When police rely on structured ways of behaving, they are relying on traditional methods of thinking. Both my observations and my practice as an operational police officer have enabled me to develop a theoretical model of police practice. The following figures have been developed from documents and operational police activity to illustrate the type of black-and-white thinking typical in the professional world of a police officer. The constructs depicted can be and are applied to complex investigative tasks, and represent a sample of models that depict the manner of thinking on which career police officers are reliant. The complexity of the operational officers' steps and options, although black and white, still show a level of understanding of the law which is often unrecognised and rarely attributed to a job regarded by some observers as not significantly challenging. Police repeat the patterns of thinking and application of police procedures in these tasks and, once this work becomes repetitive, boredom, work avoidance, and the experience to develop alternative types of communication come into play, a fact that can allow corrupt activities to develop and become part of the everyday working environment.

Reform means that every officer needs to learn to think and consider options that are not represented in this symbolic black-and-white diagram. Today's police do consider different options as part of the process but when these avenues for flexibility are restricted by tighter rules and regulations, it becomes virtually impossible for an officer to think laterally. And, although the Wood Report suggested that the police organisation needed a greater acceptance of diverse and innovative ideas and cultures, the mechanism for these emerging from officers below the top rungs of the police executive was never considered. The police environment of command and control does not even offer a range of possibilities for discussion.

Ignore Offence	No Further Action
Signal to offender they have done wrong	No Further Action
Stop offender/ talk with them (Caution on Run)	No Further Action
Stop offender and record particulars but take no further action (Caution on Run)	No Further Action
Stop offender, record particulars, submit Intelligence Report	No Further Action unless used with other Intelligence to prove offence.
Stop offender, record particulars. FORMALLY CAUTION JUVENILES ONLY	Centrally recoded on COPS. Offender may be arrested. Cautioned in care giver's presence.
Stop offender, record particulars. FAMILY GROUP CONFERENCE JUVENILES ONLY	Centrally recoded on COPS. Offender may be arrested. Cautioned in care giver's presence.
Stop offender, record details, action Infringement Notice/Warrants	Warrant and summons processing
Stop offender establish evidence for arrest	Arrest

Layout: P. McPherson, Printing & Design Services, 2004

Figure 4.7: The Practical Habitus: Power–Service–Justice
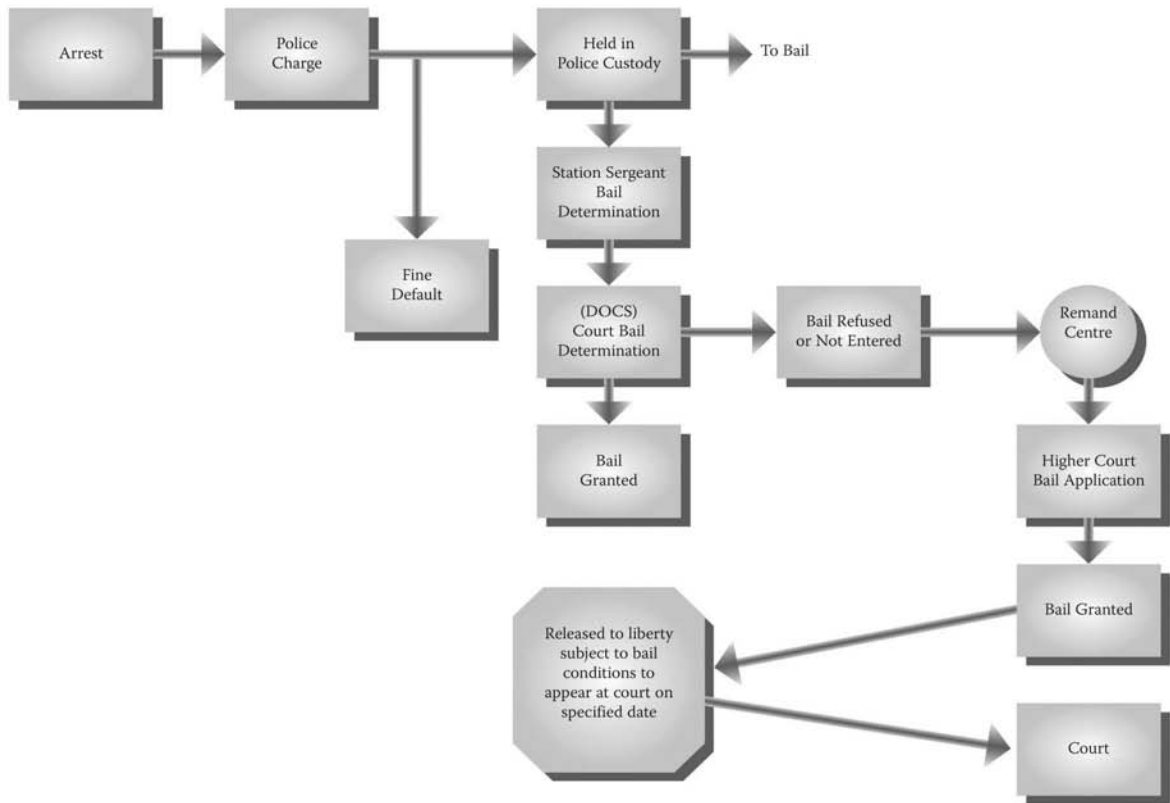
Layout: P. McPherson, Printing & Design Services, 2004

Figure 4.8: The Practical Habitus: Power–Service–Justice
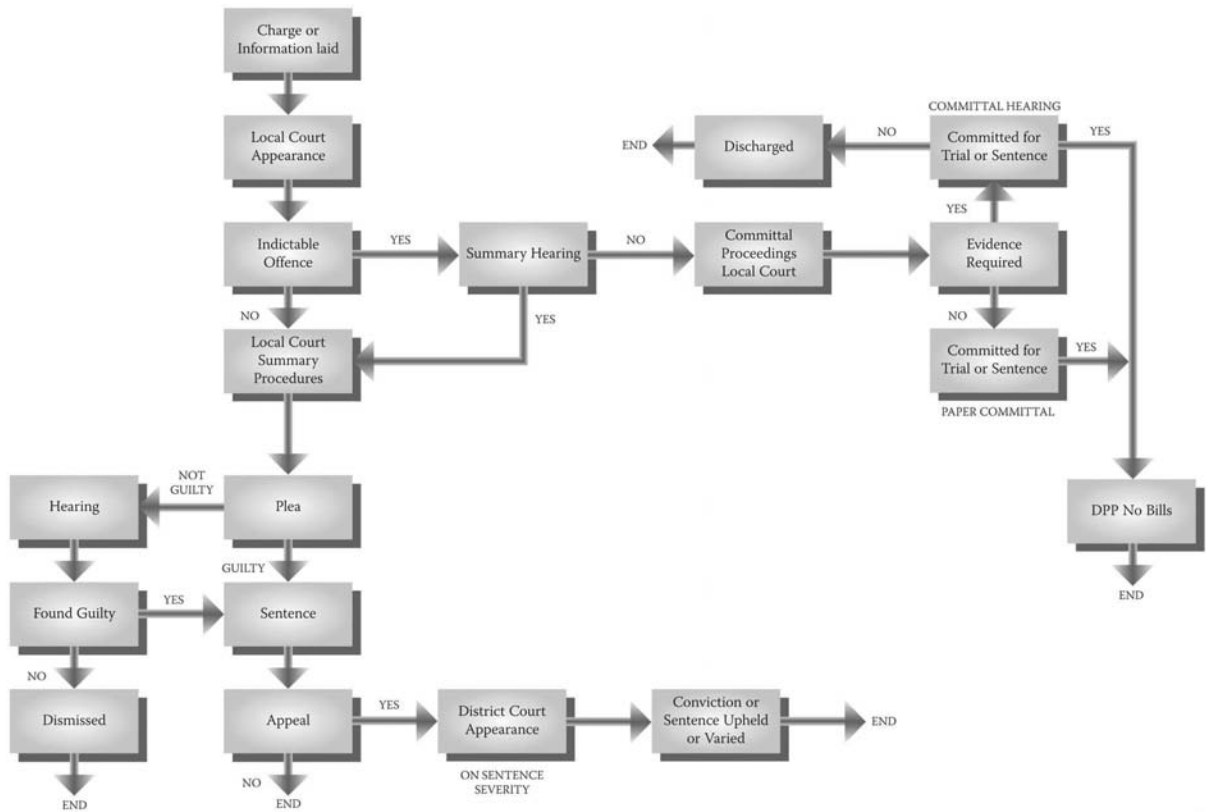
Layout: P. McPherson, Printing & Design Services, 2004

Figure 4.9: The Practical Habitus: Power–Service–Justice (contd)

The diagrams in Figures: 4.7, 4.8 and 4.9 represent the analysis of operational police work involved in arresting or processing alleged offenders. The processes are complex, numerous and constantly recurring and they go some way towards describing the complexity of police life, although they cannot show how each incident requires considerations of duty of care, ethical decision-making and the discretion to act or not to act. Incidents of this type are numerous. For example, they occur in traffic work, domestic arguments, noise complaints, disasters, emergency service work and bomb scares as well as racial, sexual and disability issues. They also do not show the huge range of inter-racial, multi-cultural and communication difficulties within the community. At this point, the above list is associated with policing activities such as arrests, zero tolerance policing, offences that relate to the audit, and operational crime review process. When police 'do the right thing' by working to meet the action 'by the book' demands of current management goals they are not always working within the more flexible bounds of effective policing. Action 'by the book' has sharpened with the heightened political focus of the police executive, producing results which are not necessarily in the best interests of the community.

Command, control and coordination depend on everyone obeying the leader and pulling together in the same direction whether or not this is the personally preferred direction. In order to be part of this accepted group behaviour, important rules must be obeyed, such as not informing on one's mates and not stepping outside the cohesive group, especially not to inform of misconduct. In other words, there is an attitude of 'stick together in emergencies and when in dire straits'. Pressured for results or bored when the tasks become repetitive, a situation of work avoidance may develop and this may become the subject of unofficial group rules and regulations. It could be argued that corruption stems from a cultural ideal that 'whatever the situation, mates always stick together'.

Legislation may outlaw the victimisation of police who report corruption, however victimisation and harassment take many forms and is not easily controllable in a tight working environment. An officer who witnesses corruption may have been closely involved professionally with the offending police officer, whatever his or her rank. Few senior police officers manage to spend thirty-odd years in a police service without bending the rules. Those who bend the rules and are watched by others as they move up the rank structure are then required to appease those who know of their past activities. Thanks to this mateship culture, and existing work practices, reform may bring technical changes but the exercise of individual unethical decision making at all levels allows the corrupt behaviour of police to continue.

Throughout their working and personal lives, police will frequently come into contact with criminals — it is part and parcel of the job. Police have formal contact with criminals at work and have informal contact and even socialise, or at least converse, with criminals. They may

have to deal with issues within their own families that also involve criminal activity. An example of a set of networks is often found in documents recording events within inquiries.

> John Hancock is a former NSW police officer. He is a former business associate of Kevin Ryan as well as being a family friend. Mr Hancock is also associated with both Daniel [a New South Wales Police officer] and Darren Ryan and SV1[a Criminal associate]. Mr Hancock was engaged to assist in the recovery of the $250,000 from SV1 (Operation Sandvalley 2006: 3)

Arrests and the disruption of criminal activity are often the result of information gained from the community, including the criminal community. The police service has information report systems, community sources and criminal sources, all of which contribute to arrests. There are several reasons why criminals pass on information to the police: they may want other criminals to be arrested to suit their own ends; they may want to be paid for relevant information; or they may obtain some other benefit by this means — for example, a letter of comfort or support, better gaol conditions or a plea bargain. It is very rare for criminals to give information unless this is in exchange for something that will benefit them. In fact, such an unmotivated exchange virtually never happens.

> The hearings and other inquiries conducted by the Commission revealed that Daniel Ryan, as well as being involved in various instances of police misconduct, also appeared to be involved either individually or in conjunction with his associates in a range of criminal enterprises including tax evasion, giving false evidence and obtaining financial advantage by making false statements (Operation Sandvalley 2006: 2).

Whenever police officers are placed in the position of receiving information, they are in a position of risk. This risk may affect their work, personal security, and stress levels. When it occurs in their private lives, it impinges on their time, their personal life and adds conflict within their personal world. Under a rigid command and control management system, the above interactions are less open to dialogue and highly scrutinised. Even if police are scrutinised intrusively, a police officer will often not declare their private interactions for fear of retribution, and this places the officer at considerable risk. The introduction of the informant management plan was based on a process of ethical contact between police and criminals but it is heavily weighed in administrative computer detail. An alternative, ideal scenario would be if a senior officer suggested to officers that they could actually gain credit and trust by bringing difficult or sensitive information forward, to his or her notice. The commander, supervisor or team leader needs to develop a working relationship based on trust, eliminating any concern that a contact or conversation with a criminal might pose a threat to the junior officer in the future. This would also reduce the potential for risk not only to that officer but also to the organisation. As relationships of trust are developed by openness between people over time,

giving officers and commanders the opportunity for open dialogue would greatly reduce the potential for corruption or a crisis.

The fact that a police officer is involved in criminal activity in his or her private life is a very different matter. Clearly such a police officer should unequivocally be investigated, and if there is evidence to support arrest, he or she must be arrested. However, it is important that there is a flexibility in the definition of committing a corrupt act that takes into account the needs of operational police to maintain contacts with criminals. Royal Commissioner Wood (1996) discussed the process of policing and an individual's daily life in the following way.

> Corruption has been taken to be deliberate unlawful conduct (whether by act or omission) on the part of a member of the Police Service, utilising his or her position, whether on or off duty and regardless of motivation (Wood 1996: 32).

Proven or established criminal activity while working as a police officer must result in arrest. In cases of consorting with criminals or deliberate unprofessional conduct, the police source-management system has been introduced. A major aspect of this system is its ability to remove risk from the officer as well as from ongoing investigations. Unfortunately the technology that is in place to prove informant and police contact is, as already mentioned, cumbersome. Perhaps the problem is that a technical response to a human behaviour-orientated problem is not appropriate. One way a leader can avert making any decision is to err on the side of not causing any conflict within his or her local area of command and decide for example, without making any inquiries, to accept an officer's claim that they had discussed an issue with another supervisor and that there was no conflict of interest. An example is in the liquor industry, where the officer may claim that they are a wholesaler and not selling direct to the public (Operation Sandvalley 2006: 59). This requires the leader, who is supervising, to disregard their knowledge of how associations with criminals work and allow consorting to occur unsupervised with corruption resulting.

Police process, systems and leaders dominate an individual's decisions to the extent that internal conflict can become distressing. The police officer has to decide whether to become corrupt, unprofessional, inappropriate, defensive, secretive, join the peer activity, or whistle-blow. There is no technique or soft option for locating the moral convictions, or habitus, of individuals in this command-based social field. A person's habitus changes, field and habitus can change together. In practical terms, for example, one may be a police officer with all the right reasons for conducting oneself in the right way, but then find *oneself* located in the work place, as a corrupt police officer. This can result in Commissioners of Police making unprofessional, corrupt and unethical decisions.

'Tactical' policing involves making decisions about one particular problem. For example, priorities may aim to (1) stop violent crime; (2) increase public confidence and (3) clear up outstanding crimes. This does not mean that supervisory practice becomes redundant, but it means that mature, experienced, timely and open dialogues must take place between officers within the police organisation. The common complaint amongst officers is that they do not have enough time for open dialogue: to talk, encourage, mentor or give advice. Effective leaders would find time to motivate staff in the right direction. In all the interviews undertaken and the analysis of the data, no words of encouragement or support were identified. The following comment describes one officer's frustration:

> *We knew there was something wrong with the system. It had been talked about continually. …we were aware of … inefficiencies, managerial problems, weren't aware of the – the corruption that was found* [can't decipher] *with drug runners in Kings Cross – but we knew there was a major management crisis within the police service. We knew that there were – there was a fair degree of, non-performance within the police service because everyone was watching each other and it was a very splintered organisation, not serving the public (3511/23/03/1995).*

Leadership can be frustrating with too much 'red tape' which gets in the way of efficient policing operations, as one of the executive interviewees explained.

> *One is going back to basics of policing; reversing the trends in rising crime, and to do that to, arrest and tackle repeat offenders, target repeat offenders. Second leg is public satisfaction. Delivering a police service to the community in a satisfactory way, in a timely way, in a polite way, and one that gives the public a feeling of professionalism and confidence in policing and it can be done, even on the telephone. And we fall down there, quite significantly in some places. The next phase is getting rid of red tape in the organisation. They are doing the job out there on the street, in the police station, at the offices, I deal with my red tape which is bad enough, I try and cut through it. We do need to find ways of improving our administrative systems, to cut out red tape for operational people particularly and improve systems all round there. And the final one is, and it's not the least one of course, of all these, if we put them that way instead of that way (3809/11/09/1996).*

This 'red tape' increased when the police executive was putting forward Operational Crime Review as the reform answer without critically evaluating its problems but lack of dialogue between the executive and those further down the hierarchy only obscured such problems.

Operational Crime Review is a practice that has been dependent on evaluating *highly visible* policing as a statistical work performance measure. The process was statistically connected because the work philosophy is linked to the notion of Zero Tolerance Policing, itself a measurement system. Certainly this was a 'quick fix', being a police operational and

management philosophy that was imported intact from overseas in 1996 where it had been introduced by the New York Police Department as a corruption identification strategy following the Mollen Commission.

> *Also the way that we're structuring the organisation, the way we're monitoring crime, our OCR (Operational Crime Review) process which is similar, is now almost as popular as COMPSTAT in New York. People want copies of our operating orders and instructions across a whole range of activities because they see them as being the best. I think that's excellent for the service and it shows the spread, and it's not just nationally, it's internationally (3809/10/12/1999).*

Unfortunately it was probably highly regarded by the police executive mainly because it came ready-made and could be introduced with a minimum of practical planning, although whether it had really reduced the incidence of police corruption in New York was not a demonstrable point given the flexibility that can be applied to statistics. Police leaders were soon concerned that there was a 'cunning game plan in existence' in that officers were using their own supervisors' emphasis on recording arrest rates and clear-up rates to their own advantage. As reform was emphasised, so was highly visible policing. It is quite possible that the government's enthusiasm also arose from treasury considerations (see Appendix J: The Financial Breakdown of Allocation Funds during the Wood Royal Commission Period). The gossip among middle managers speculated that the plan was not to offer redundancies, because that would cost money, but to use the process of assessment centres to assess officers and assess them as not fit as leaders.

Operation Crime Review and Zero Tolerance Policing sounded good to the media as well but for higher-minded reasons. The police were deprived of power and, as they had apparently been misusing this power, this was a good corruption-busting formula. It sounded good to the general community because it meant that police officers would have to "get tough on crime", an always-popular idea with voters who see crime, even when the indicators are arrest rates, as a policing failure rather than as operational success. Unfortunately, as has already been shown, both of these reform initiatives were deeply flawed and, the community was to be the unwitting loser by this initiative. Contradictorily, arrest rates and statistics were the very measures of the reform itself.

There was a feeling of self-satisfaction at the conclusion of the Wood Royal Commission that the real character of the police had been exposed and that this was typified by a culture of corruption; a secretive organisation in which power was misused and officers were as criminal as the criminals they allegedly were supposed to control. Having little or decreased confidence in the Police Service is difficult for the general public, as it undermines their respect and trust not only for the organisation and for each individual police officer but also for the capability of the organisation to fulfill its brief. If it is felt that the police cannot be trusted this has the potential to affect the stability of the whole community. The system of law and order has to be seen as

incorruptible with the police protecting the safety of every person in the community and providing a security that the society will not be allowed to descend into an anarchy in which the strong dominate the weak.

Never before had a Royal Commission been reported so voraciously by the media, which treated it as a show trial and cheerfully allowed a confused public to equate allegations of corrupt activities with proof of guilt itself. Day after day the 'findings' fronted the news; day after day fresh allegations were aired and discussed. Although there were later to be very few officers brought to trial after the Royal Commission had finally published its report, and even fewer convictions in the trials that followed, the media coverage had ensured that the stated impression was, unequivocally, that the police organisation was riddled with corruption and, even worse, generically corrupt. Previously, while individual officers had been identified as 'bad apples' in a Royal Commission, the integrity of organisation as a whole had remained intact. All this changed with the Wood Royal Commission, a high powered drama that was played out in the media in highly coloured tones. And the wave of resignations and breakdowns as well as the scattering of suicides that followed the pressure of this trial-by-media was similarly treated as proof of guilt.

Against this background the statistical surveys graphed below provide an interesting contrast. For despite the headlines confidence in the police did not plummet. More than three quarters of the people polled held that police were to be trusted and were basically honest.
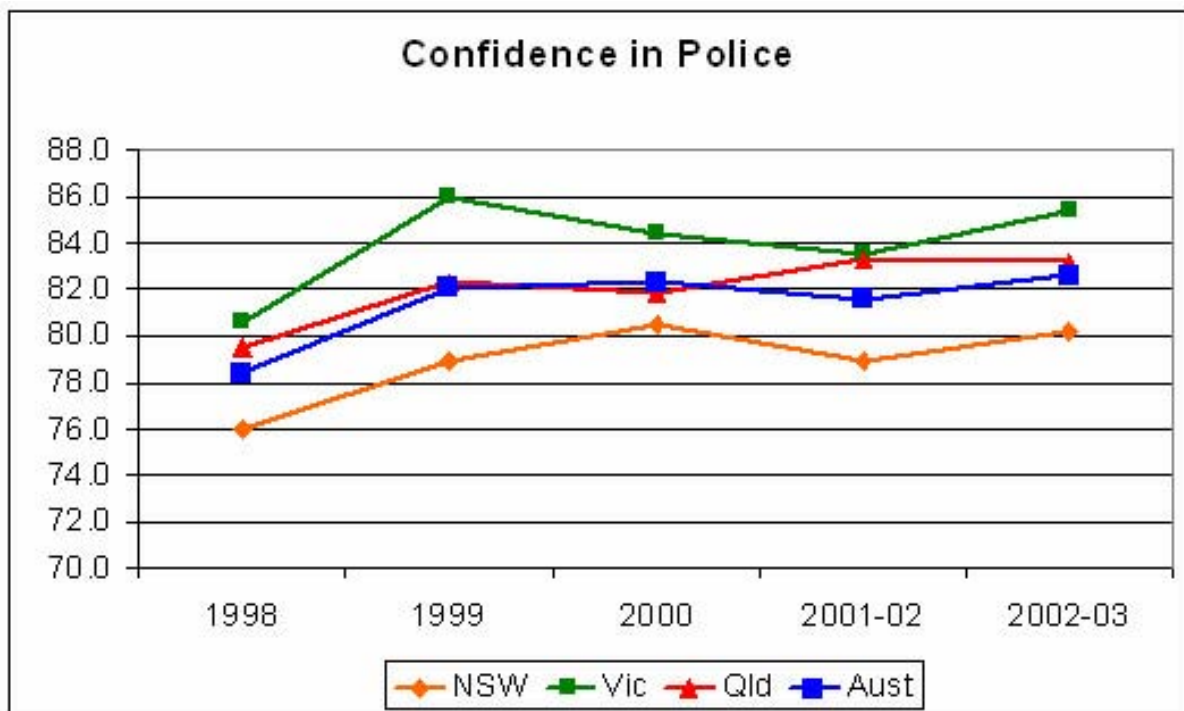
Figure 4.10: Confidence in Police (Steering Committee for the Review of Commonwealth/State
Service Provision (SCRCSSP): Report on Government Services, 2003)
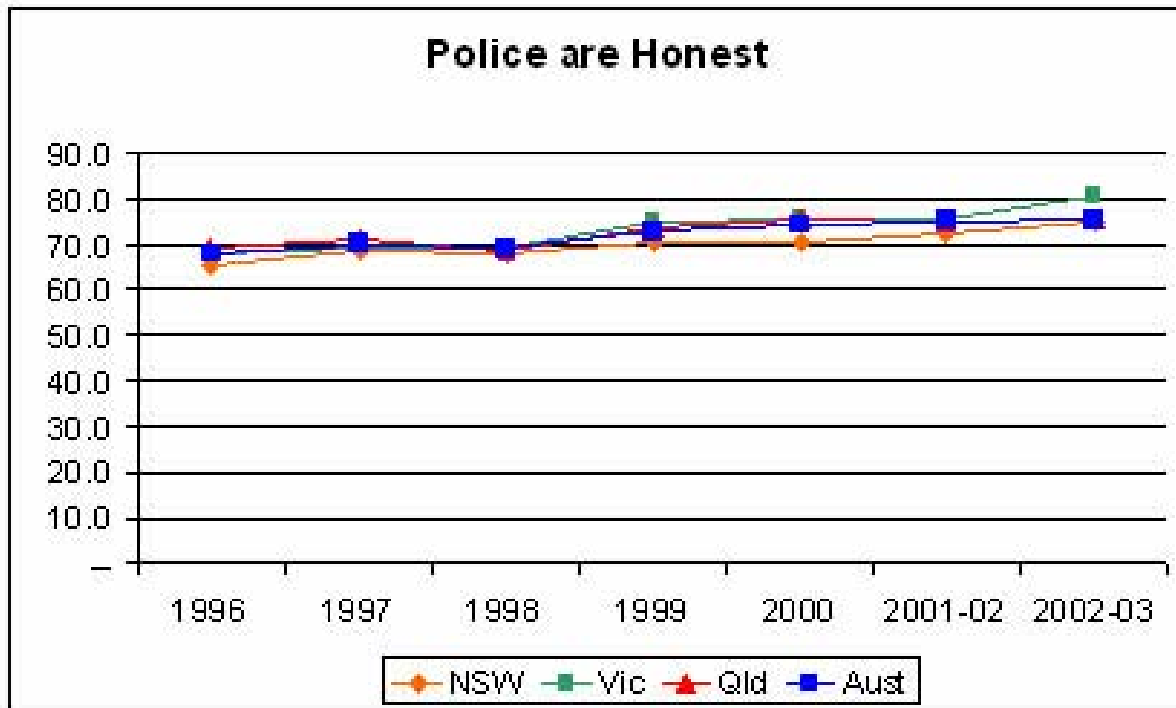
Figure 4.11: Police Are Honest

(Source: Steering Committee for the Review of Commonwealth/State Service Provision
(SCRCSSP): Report on Government Services, 2003)

In general, it would appear that the community has held onto a basic belief that police are honest. The numbers reflecting the opinions of the community about honesty in policing for New South Wales and Western Australia are very similar to each other and those for Queensland and South Australia are also similar, therefore figures for Western Australia and South Australia have been omitted from the graph. The decreases all follow a similar pattern as they occur at the same time. So they do not decrease just because of a particular crisis in a particular state.

The figures for Victoria are not comparable at this point in the data presentation owing different methods of collation and the Tasmanian data are too small in number to contribute any trend information of any significance. It seems that, despite the media coverage, the community wanted to believe that, while there were a few cases of corruption, generally speaking police are honest and have observed that after the Wood Royal Commission not many officers were charged or imprisoned. Generally there appears to have been an attitude that while corruption undoubtedly existed there were only a small number of people involved in 'serious' corruption.

The Figure below shows the level of complaints directed at police at approximately this same period.
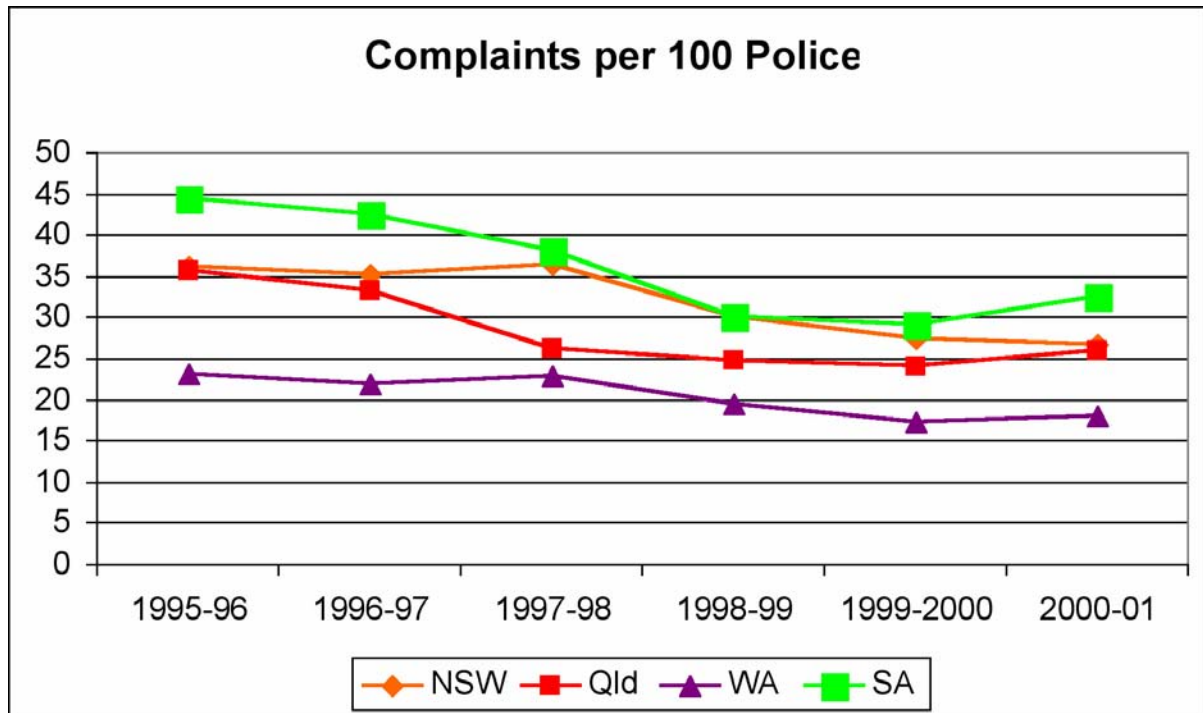
Figure 4.12: Complaints per 100 Police

(Steering Committee for the Review of Commonwealth/State Service Provision
(SCRCSSP): Report on Government Services, 2002)

Using complaint data as a way of assessing the degree of corruption in an organisation is very unreliable as there are the complexities of criminal offences compared to customer complaints. Criminals frequently make complaints against police after arrests or detention and so therefore the content of complaints in relationship with police practice is a very difficult one to assess. In addition to this, anonymous complaints can be generated by police officers within the organisation for reasons such as resentment, jealousy, promotion opportunities and anger. When the officer complains simply because of managerial unfairness or ineptness the cycle of inquiry described in this research continues, since the issue of corruption at its cause is not being addressed.

The findings lead us to understand that to make scapegoats of individual officers does not address the levels of corruption in a police organisation. But at this point the final analysis of the process of quantitative and qualitative data is the combination of both approaches. When clear-up rates or some other representation of low police performance in a particular area is highlighted, for example, using statistical data, then pressure will be applied and police

performance will be spotlighted. The next step will be a political demand for action. The following figure explains the process.
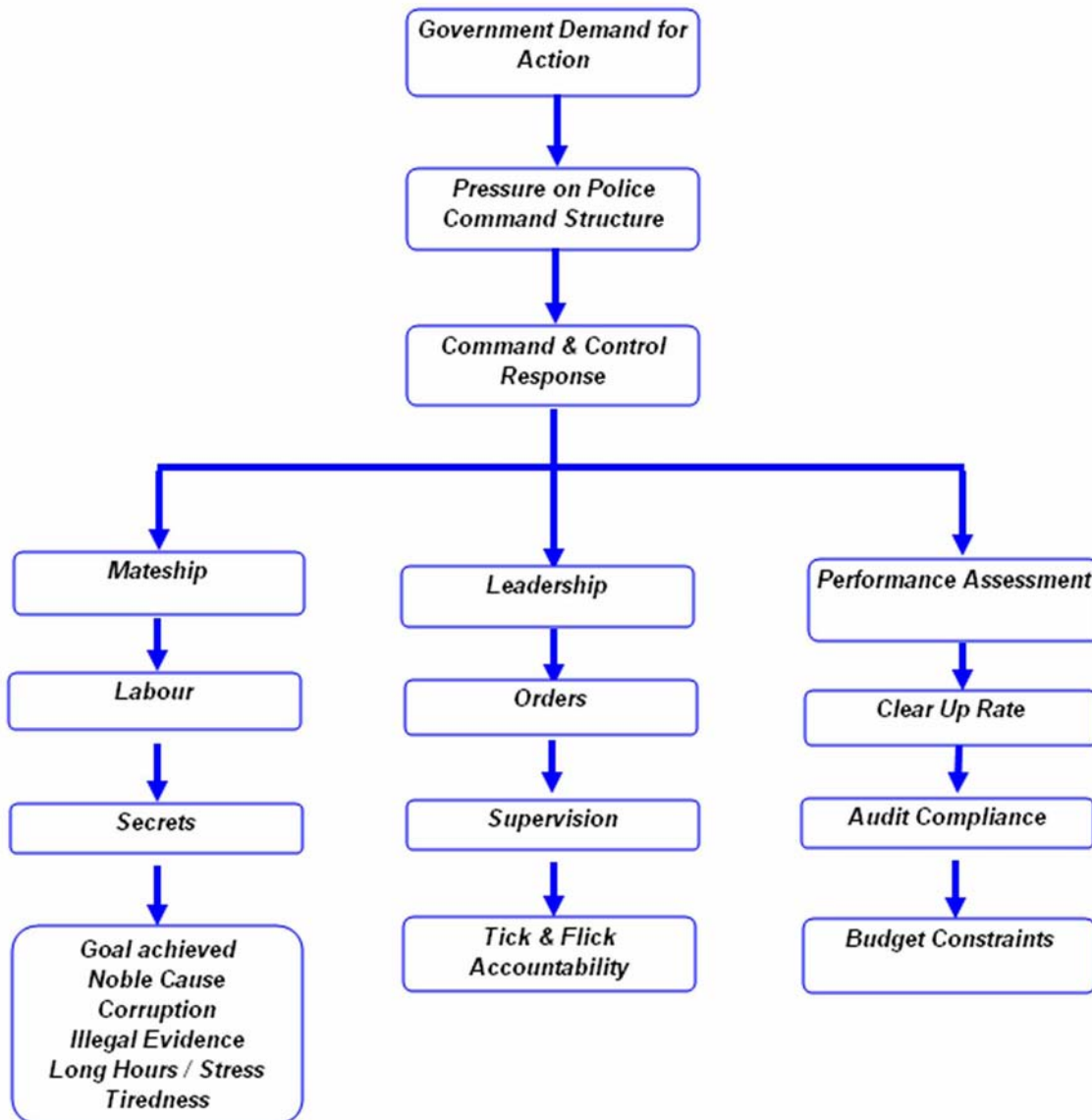
Figure 4.13: Pressure on Commands Causes Corruption

Political pressure and other external and internal pressures for resolution of criminal investigations can result in serious criminal conduct by police. External and internal pressure to produce results in investigations can also cause personal health issues to arise and officers will go on sick report. These symptoms may appear in various ways, such as low morale, physical and or mental illness, and can be due to ineffective management, lack of education, inexperienced officers carrying out inappropriately assigned tasks and corrupt behaviour that

causes mental stress. The topics for police action noted inside the boxes in the diagrams above delineate the cause and effect of policing. The community demands action in a certain area; parliament or the government of the day places pressure on the police command; and trying to meet those demands affects professional police performance. The results of the operational decision charts indicate that police can be compromised by the nature of the game itself. And yet, as will be shown in the next section, it is these everyday processes of policing that command and control reform agendas have failed to consider.

4.4: The Experience of Reform: Nurturing the Cycle of Corruption

There was very early in the process, prior to the arrival of Commissioner Ryan, an attempt at workplace discussions of how the reform process might take place, as one executive officer recalls.

> *We've had some focus groups of actual duty officers in actual LACs (Local Area Commands) deciding what are the functions that ... what is the Commissioner's perception for the roles and functions of a duty officer that could have been done even more expediently (Confidential 1997).*

But as paranoia built up within the organisation and the by now highly stressed executive team became focused on quieting political demands rather than considering the functioning of the police organisation as a whole, such measures were put aside. During the period of the Royal Commission, the desire for effective leadership by employees is exemplified by the statements below:

> *Three prime issues that most people want sorted out, transfer and tenure entitlements, the handling of complaints and promotions ... then people would begin to develop certain confidence in* [Ryan] *... to bring about some other changes (3801/05081998).*

The statement above indicates the confusion and desire for direction by police in basic management issues. Commissioner Ryan, as the first police commissioner to be recruited from overseas, was a personality who featured regularly in media articles — the popular new broom who was going to clean up the organisation and ruthlessly sweep away it's rotten core. There was no thought in any of the reports that there were stressed and innocent officers who were caught up in this ruthless clean-up. There was no thought that these reforms could be anything but in the best interests of the organisation. The experience of this period from the inside by the rank and file and vulnerable management, however, was far different. In talk amongst the employees to a great degree this was a purge; a reign of terror that left everyone vulnerable to certain degrees. Comments, of course, were both positive as well as negative and some put emphasis on the ability of a person being recognised or given the responsibility of changing and reforming a large organisation.

The view from the top, however, was very different. The cartoons appearing at the front of this thesis highlight the notion of isolation of the Commissioner and the serving officers. The following quotes represent this notion of a leadership with some charisma, however, they also point to the isolation of the Commissioner.

Commissioner Ryan has come in and instilled a lot of confidence in a lot of people, I think by his style, his leadership. He's very believable, he's obviously sincere, he's got ideas and he's going places. The R.C. are very pleased with him, the government is pleased with him. I think the troops basically are giving him at least the benefit of the doubt if not a broad endorsement ... various players want to see some definite action soon (3801/13/12/1996).

I have been staggered by his familiarity with the terminology and the language of this organisation. He's made an appreciation of people. He's made an appreciation of issues. He's introduced a whole new way of thinking about things in terms of project management in the organisation. He's emphasising things like front-line policing which I think a lot of police officers are happy to hear (3801/13/12/1996).

You don't have to be a dragon and breathing fire and smoke to be a leader and a manager. It means someone has to give directions on how things are done, and others are held accountable both for the directions they give and for the outcome of that direction ... one of the biggest anchors of any cultural change program is the lack of skills and knowledge of the workforce, see the police service have always been spoon-fed. Police services in the world want to be spoon-fed. Very few officers actually behave like a good doctor would and that is to constantly read up and research on the latest techniques, cures, possibilities, diagnoses so that they can treat their patient (3809/01022001).

There should be a distance between the Commissioner and the Executive. Is there going to be the same confidence if there is a change of government? There appears to be a close alliance between the government and Ryan (3812/02/09/1998).

Leaders want people who are affected by the changes to contribute to the way those changes are going to be made (3805/12/12/1996).

The Commissioner sent a letter to the Union saying: deal with the heads of human resources, finance or whatever, on minor issues and that he will meet occasionally on the more strategic issues and the R.C. ... The Commissioner is in a neutral position where he's not seen as a creature of any particular government or party but as a servant of the government of the day and out of party politics ... nor is he a puppet of any particular group or faction (3805/12/01/1996).

The Commissioner has been asked to make organisational and structural reform ... without evidence being made available to help with any decision-making ... for example real evidence and information to put the right people in the right place (390/06/09/2000).

The idea that an individual at the top of a police organisation can, or even should, singly produce radical organisational change demonstrates Commissioner Ryan's focus on command and control as a management practice that could produce results. Unfortunately, as has been shown, command management practice results in technical change alone. It is basically a tightening of discipline; a rigidification of rules and regulations that inhibits efficient policing practice; and a fundamentally destructive force operating on officer morale. The early focus groups were soon closed down, partly because they were time consuming and required too much attention directed towards the needs of the organisation and not enough attention to the specific political demands placed on the organisation to produce defined results. They also folded because insecure executives were fearful about external consultants who were working within the organisation already shut down to repel an outside enemy — the last thing to be welcomed by the organisation was a Trojan Horse in the image of a consultant. And an added problem was that they were expensive. In most cases the duty officers who carried them out were unsupervised and were receiving a high level of salary but there was no training and they were given no real understanding of the newly created leadership and supervisory roles into which they were being placed. Despite consultant Peter Crawford's best efforts, the experiment folded.

Certainly Peter Ryan's leadership 'new broom' swept in many strategic plans and policy initiatives while it swept out old practices. But it proved easier and less costly to instantly insert these as cosmetic changes in the technical areas such as computer technology — for example MapInfo, or imported command plans such as Operation Crime Review and Zero-Tolerance Policing — than as an holistic, well structured and directed organisational change that swept away the old hierarchical command structures. If police morale plummeted as a result of this reform it was not because officers were frightened about innovative management ideas but because they recognised all too well that this heightened command and control structure was anything but new. What they lost was flexibility and operational efficiency as well as the ability to have an input into the organisation and help to change this from within with team problem solving. And, most of all, they lost security and the knowledge that they were really a close-knit and supportive group, not just notionally a 'team'.

As the structure was being flattened, senior police lost their jobs. Other police were transferred and restructured into the organisation. As an officer commented:

> *The big problem is that the big central mass is instead lost ... and that central mass includes almost everybody from Deputy Commissioner to Shift Supervisor. At this stage the only person between your supervisor and the Commissioner who has any sort of formal connection to the reform process is the Commissioner... this is both dangerous and necessary. In order to formulate a*

new view of the world and become committed to it I need to get out of my existing comfort zone… nobody knows if they have a job … none of those things are clear and will not become clear for yet for quite some months (3801/06/12/1996).

The notion of creating uncertainty to get people to go is a totally inappropriate strategy. Now I think a little bit of it, is good to unsettle the organisation, so you can bring about reform. But I think the fact that it's gone on now for three or four months are going to prove to be potentially damaging, unless it's resolved (3801/8/11/96).

These statements speak volumes about the attitude behind implementing reforms. Certainly it is debatable whether reform is facilitated by 'creating uncertainty' or keeping people guessing 'if they have a job' but it is just as debatable whether it 'is good to unsettle the organisation' and keep people out of their 'existing comfort zone'. Reform passed down in a series of unexplained edicts with the expectation that these be passively accepted is an insult to any workforce and a sure catalyst for discontent. Reform without reciprocity and without any pretence at consultation to understand operational specificities is not good management practice. Instead of co-operation and enthusiasm such a management will get resentment and obstinacy. And this is not the same as resistance to new ideas and innovations.

As the figurehead directing operations with government and media backing, Commissioner Ryan was viewed by many operational police as a British leader coming out to reform the 'colonials' — to bring them into line and call them to heel. The community appeared to embrace the romance of the idea without thinking too deeply about the context. It was soon apparent that the media had 'adopted' Ryan and the community duly supported him. In his statements, Ryan often spoke and wrote using the first-person pronoun, for example: 'I will be looking for commitment' and 'I expect to see levels of satisfaction with police services rise'. Statements opening with words such as 'I have directed' were frequently recorded and there was a distancing apparent in his choice of command words that was reflected in his determined view of the correctness of the actions he was promulgating by directive.

The thrust of the early reform was to build a more effective management structure, a slammed down management structure, and a re-formed police response by way of regions and Local Area Commands so that our span of control wasn't as narrow as it had been with loads of tiers of management above it (confidential).

Reform here is imported, ready-made and the new 'more effective management structure' can be 'slammed down' once the 'loads of tiers of management' has been eliminated. The mechanism to carry out these reforms was to increase the 'span of control' by force, unyielding and carefully displayed. Technical equipment was the perceived bridge between the general and the troops — the 'support' that was lacking in communication lines was supposed to be

compensated by increased technical resources.

> *It was also to provide supervisors into front-line policing twenty-four hours a day which we've never really had before – I think we had in the darkness of time but it's just all got lost – to support officers in doing their job and you push down as many resources as I could afford. Into the front line, things like computers, phones, vehicles and other equipment. And quite a lot has gone out there, but of course it's never enough – never enough to satisfy everybody. So those were the major reforms as they affected the front line (confidential).*

There is no sense that there needs to be a shared commitment and a shared responsibility for reform. It comes direct from above and is distributed to the 'front line' with as many inanimate gifts as the commander 'could afford'. Although 'of course' these were 'never enough to satisfy everyone'. Disgruntled officers are being nurtured here as well.

The Royal Commission demanded abstractions, or what Ryan called 'philosophical' changes, and seemingly the only interpreter who would translate these changes into practice is Ryan himself.

> *The rest of the reforms, and certainly the Royal Commission reforms are – Royal Commission is very philosophical – there are few things that say, you should do this, but most of them are 'the Service ought to explore the possibility of' or 'ought to consider the introduction of' so they've stepped away from saying you should do, to you should consider the possibility of doing it. Now, all those things affect the systems of the Service and its organisation, they don't contribute to front-line policing, directly. So a young copper out there trying to do their job, or a detective, can't pick up many things from the Royal Commission and say, I'm expected to do this.*
>
> *They're expected to be ethical and act in a non-corrupt way, and treat members of the public properly and to put files and briefs together and treat prisoners properly. We know we're expected to do all that and that came from the Royal Commission, but the rest of the hundred and eighty four recommendations really don't affect them, so what I'm saying is because people were concentrating so much out in police stations on wondering what the reform was going to do for them other than give them supervision twenty-four hours a day and all these other things I've already mentioned, that they were beginning to lose the plot of it – of front-line policing (confidential).*

It is symptomatic of this command and control reform that the leadership could believe that, in regard to 'front-line policing', many of 'the hundred and eighty four recommendations really don't affect' the operational police. Kept similarly out of the planning at a significant level the higher level commanders were also asking what these

abstractions meant: what is cultural change; what is in it for me?

> *Not everybody: there's some damn good work going on out there, very, very good work. But the information coming back was well what's in it for us? We don't seem to have seen changes ... I thought, well we can't have this, and I've got to focus people's minds on delivering good, honest, open timely police services out there and bring down crime at the same time. And on the shirt-tails of all this focus on let's do it right out there, bring in other reforms, right (confidential).*

Here, once again, is the "need to know", or rather the "need not to know" principle of command management. The technical response is to concentrate on the policing task and process, rather than the human complexities of the work which are too difficult for lower level commanders to address.

> *So the other reforms that we're trying to introduce and a whole range of things ... should come in on the back of what the police officers doing the job that they understand, and that is operational policing (11/09/1996).*

In this parlance, the general plans the strategies and the troops carry these out and obey orders absolutely. There is no room in a battle for constructive thought from the ranks.

Unfortunately senior executives did not enjoy the open dialogue that the introduction of an apparently flattened management structure might suggest. Those interviewed reported a distance in aspects of their relationship with Commissioner Ryan, although this was explained away by the pressure of the work and the necessary pace of reform. Reports about the difficulty of getting access to the Police Commissioner's office and actually spending time talking to him were commonplace in the interviews. One executive police officer commented about problems the executive team was having, and the following comment reflects a common thread in those conversations:

> *I have good communication with him. Obviously he a very busy man and there are occasions when we'd like it to be more frequent, but I work on the premise of need to know. So if he needs to know, then I make sure I get through the door. But we have a regular arrangement where we arrange to meet. I work on the same premise with other region commanders. They'll tell me if I need to know. If something occurs and I've not got adequate information, then I ask for it (Confidential 10/7/1997).*

Clearly 'need to know' here has been given a totally different meaning to the secretive "need not to know" attitude as previously discussed. It assumes that work goes on independently to a certain extent and that clarification is sometimes required. However, this statement also reveals the retention of a closed and lineal structure of management and, through this, the

limitations of this reformed police organisation to co-ordinate strategic planning, with conversations restricted and time constraints preventing creative dialogue that should have involved problem-solving or strategic thinking. Instead the quote, from an officer with a wide span of responsibility, indicates that the basis to their working day is in fact reaction and control rather than the creative development of new ideas and responses within a team.

Management reforms like this can never eliminate corruption in the police organisation. Rather they embody the command control response mechanism that nurtures the whistle-blower, perpetuating the trigger or catalyst that ensures the cycle of corruption inquiries will continue. Reform must treat the police organisation as an holistic organism made up of real people carrying out real work for a real purpose. Management must embody this holism and creatively steer the very necessary and social work of policing into a new era of efficiency and harmony with the community it has been set up to serve.

CHAPTER FIVE

Perpetuating the Cycle: Policing in a 'Coping Culture'

5.1: Introduction

The Royal Commission into the New South Wales Police Service came into existence on 13 May 1994 and the Honourable Justice J. R. T. Wood of the Supreme Court of New South Wales delivered his final report in May 1997. There is no general statutory power authorising the Government to call for a Royal Commission as the issue of a letters patent for such a purpose can only be done by the Governor, who is exercising Vice-Regal powers as the Queen's representative in New South Wales. The trigger for the inquiry was John Hatton, Member of the New South Wales Legislative Assembly (MLA) for the South Coast, who had two days before spoken at length about allegations of corruption in the police service in the Legislative Assembly. These were serious allegations, he told the house and his information had come from concerned officers within the police service itself.

> This House calls upon the Premier, in consultation with the Leader of the Opposition, to establish a Royal Commission, staffed by personnel other than serving or former New South Wales Police, to inquire into the operations of the Police Service (New South Wales Legislative Assembly. Hansard, 11 May, 1994: 2285).

The issue of the Letters Patent made front pages in the press but the idea that serious corruption existed in the New South Wales Police Service was not a new one, for whistle-blowers had been talking to investigative journalists and concerned politicians such as John Hatton for years. Nor was the demand by an independent MP unsupported by others in the Legislative Assembly. Paul Whelan, at the time the member for Ashfield and later the Police Minister, roundly condemned the police organisation during the same debate.

> The Police Service cannot have any confidence in itself, nor can the public have any confidence in the Police Service, while allegations of the sort heard from the honourable member for South Coast and other honourable members of Parliament today continue to be made in public. That is my primary motivation in supporting this motion (New South Wales Legislative Assembly. Hansard. 11 May, 1994: 2339).

Over the next two years the media reports of the proceedings of the Wood Royal Commission would keep the issue on the front pages and, once the final report had been issued in 1996, the pressure was kept up on the new Police Commissioner to demonstrate results. The story would, it seemed, never go away. And why should it? For within the Report itself, could be found a prophecy of perpetuity mingled with a forlorn measure of hope:

> Corruption within policing tends to be a cyclical phenomenon. Following a period of scandal and disclosure, there is commitment and reform which lasts for a time, and then the cycle begins again. The occasion of this Royal Commission, and the strength of the present climate for change, provides an opportunity to challenge the inevitability of that cycle (Wood 1997b: 177).

Corruption in government bodies is, of course, a recurring problem, made worse in relation to the police force because of the particular power it exercises in its operations. Twelve years before Commissioner Moffitt had suggested that Parliament should require all levels of government at prescribed intervals to report to Parliament, in a form understandable to all, on what they have done in response to the recommendations of Commissions of Inquiry (Moffitt 1985: 71). Or, as Prasser (1994) theorises this:

> Inquiries appear to exist at random or, to use architecture parlance, are like a 'lean-to or make-do' structure providing occasional support. The police are accountable to the community, including the direction people's lives will take in the future. Referees, that is, the police, work within existing structures in the community and in police organisations. The 'nature of the game' is to maintain a co-operating, functioning society that is not confronted by violence, and to uphold a safe community (1994: 2).

The conclusion to this is that corruption reoccurs as it is embodied in the 'nature of the game' itself and measures to control it have been accepted as a constant task for a democratic government. The necessity for this was confirmed by Justice Stewart in 1983.

> Organised crime cannot exist without the corruption of Government and public officials. Corruption is not restricted to police officials, it includes the corruption of persons employed in Government service, officials of trade unions, officials of sporting bodies, members of Parliament and the judiciary and any other person employed in any official capacity in private (Stewart 1983: 677).

In the Legislative Assembly of the Parliament of New South Wales that same year, Nick Greiner, the Leader of the Opposition, had also made the observation that the issue of corruption could not be easily resolved.

> [T]he only point I make on the matters raised by the Premier is that the very talk of coordinating committees and of poor government co-ordination shows up the problem flowing from the concept of successions of Royal Commissions that

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traverse essentially the same ground. They eventually make their reports, it is then discovered that one is almost back to square one, there is talk of yet another Royal Commission, and one has to start again from scratch (New South Wales Legislative Assembly. Hansard. 17 August, 1983: 102).

Amplifying this, Greiner proclaimed his lack of confidence in the efficacy of Royal Commissions:

> It is no longer possible to place any confidence in a series of Royal Commissions. I say that not because of any lack of ability or integrity or anything else on the part of those who run or service commissions, but simply because organised crime does not fit readily into a conceptual framework involving a judge and varying judges over time, starting again from scratch. Six reports covering broadly the same area have now been issued and the results can best be described as minimal (New South Wales Legislative Assembly. Hansard. 17 August, 1983: 106).

The 'results' of these inquiries might well have been dismissed as 'minimal' in terms of producing a transparent police service that could be certified to be above reproach but the experience of the ordeal had not had a minimal effect on the police officers themselves. Continuing police corruption and its constant exposure is a cause of concern amongst serving police officers as well as of the community. Some examples of the allegedly corrupt activities include criminal offences such as assault or physical injury; stealing; conspiracy to pervert the course of justice; and drug offences but they also included alleged offences that encompass management matters, including providing unauthorised information; failing to exercise proper supervision; misusing office; using the wrong procedure with warrants; and matters involving personal conduct, including rudeness and customer service issues.

Corruption results in complaints and conflict within all organisations but is seen to be more serious when it occurs in the police organisation because of the power exercised by this service. Institutions and individual members of the community such as politicians, members of the judiciary and welfare groups rely on the police to carry out their duties lawfully. However when those police activities involve corrupt, unprofessional and unethical activities, individuals call attention to this through especially designated channels. What is significant is that both the community and police organisation are observing crises within the service on a frighteningly regular basis and that these are seen to be generally exposed through media reports or working involvement rather than through official channels.

The media, in particular, have tended to portray corruption as the dreadful, undermining activity of an 'individual' sheltered by the organisation. As one criminologist recorded:

> But it was the 'crotch-cam' shots of 'Chook Fowler' trousering wads of cash and uttering endless permutations on the F words, which achieved international media cult status (Brown 1997: 221).

Most exposures of police corruption concentrate on the activity of an individual 'bent copper' and dwell lovingly on images of the evidence of corruption, fleshing these out with re-enactments or file footage to build up the drama. In a sense this could be said to depict corruption as being separate from the main culture of the police but, as the images mount up inexorably over time, it is all members of the organisation itself that carry the blame and internalise community disapproval. And, as the 'media helped build a strong momentum for further revelation' the demand for reform also builds (Brown 1997: 221). And this, as has been shown, shapes itself around heightened levels of discipline within the existing levels of command and control management, demanding stronger leadership intervention and stronger attention to rules and regulations.

The New South Wales Police Service was invited to make submissions to the Royal Commission inquiries. On 14 November 1995, Commissioner Tony Lauer sent the following letter to Justice Wood:

> … I wish to refer to a recent press report which suggested that there is reason to believe that for some within senior command ranks and elsewhere there is still not a full commitment to the objectives for the Royal Commission and that damage control remains a first priority. In that regard may I again record my personal support for the Royal Commission...
>
> The potential to influence policing in this State (via the Commission) will occur into the next century, I recognise, therefore that it is of the utmost importance that the Police Service cooperate to ensure that the charter for the future provides the community with the best possible policing service (Lauer 1995RMS 8050197V).

In this letter Commissioner Lauer was acknowledging that the organisation needed to look to itself to resolve the problem. The police response recorded in internal discussion documents refer particularly to operational crime matters and these became the focus of the 'reform' efforts. Statistical data demonstrating the day-to-day operational activities would be made available in a basic audit or review of what police were actually doing. But reform should have been seen as more than just an apparent willingness to submit to external scrutiny.

In contrast to the media view of the guilty individual exposed during the inquiry, this thesis places corruption and its continuing occurrence within the decision making processes of the command and control leadership model of management. Leadership in this research includes any individual involved in making decisions at an operational and management level, including the police commissioner, the police executive, commanders of police stations and leaders in operational decision making arenas involved in internal reform. This chapter, therefore, specifically relocates responsibility for the corruption cycle at the level of command. For the responsibility for perpetuating a damage control response to external criticism and the willingness to showcase action rather than undertaking the more difficult task of planning this

at a meaningful organisational level that includes all officers in the process, makes senior executives wielding command and control management techniques culpable. When the crisis passes and the community is reassured through the media that corruption has been dealt with, allowing policing to return to normal within the police community, the organisation continues incubating fresh corruption and nurturing the catalysts for corruption exposure in the future.

And so the cycle continues. It is vital that it is acknowledged that the real avenue for reform is one of change and that the impetus for total organisational reform at present rests with the police executive itself.

5.2: Tactical Response in a 'Coping Culture'

As experienced operational officers, Police Commissioner Tony Lauer and his successor Peter Ryan responded speedily, if differently, to the demands for reform, introducing measures to proclaim various schemes for oversighting, accountability and technical change. Response is at the centre of efficient policing activities and experienced officers have learnt to recognise crisis situations and act fast to resolve them as quickly as possible. A technical response can also be interpreted as resolving an identified internal organisational problem or one created by external observers. A technical response is made apparent by its reliance on short, sharp, tactical, statistical and unilateral explanations. Unfortunately, efficient management is not the same as efficient policing. The crisis here was not a short, sharp shock and its resolution could not be instantaneous, although clearly the government, the media and the concerned public were demanding such a result.

Due to the complexity of organisational life, this tactical response mechanism cannot simply be applied to effectively restructuring an entire organisation. Rapid damage control responses to organisation problems are not good replacements for strategic planning and decision-making. Quick fixes involving a flurry of ultimately unrelated reforms If the New South Wales Police Service as whole did not easily grapple with major change it was because the changes themselves did not target the problem of corruption within the organisation. As one officer commented in 1996:

> They've seen what a mess it's in and that there's got to be change and yes, they want to change. But the question is, have we got the skill to bring about that change internally (3806/13/05/1996).

The problem, essentially, was will rather than skill and the police executive had no long-term strategy to facilitate meaningful change and no political will to plan for this, develop the management skills, and carry these into effect. The power to carry out meaningful reform remained tightly curbed. It appears unlikely that the police executive was

really aware of what the problem really was.

> The Commissioner and CET (Commissioner Executive Team) view reform as a
> series of projects, owned by members of the CET, rather than an integral part of
> the everyday work of the Service. Best practice change management indicators
> suggest, however … the devolution of responsibility for reform needs to be
> pushed further down the organisation. In our opinion, all members of the Service
> are needed to be considered responsible for and actively involved in the delivery
> of reform (Hay Group 2000: 221-2).

Commissioner Ryan was appointed on 30 August 1996 and the collection of statistics to
demonstrate effective reform commenced in the same year. He stated: 'I intend to make
changes in a measurable and methodical way to cement reforms in place' (Commissioner
Ryan Executive Team Meeting Internal Meeting). His term as Commissioner was marked by
great uncertainty, as reflected in the taped interviews with the previous Acting
Commissioner and his executive. Commissioner Ryan argued that it would take time to
make the changes and he, and to a lesser extent his team, would make them alone.

Interestingly, this reactive leadership response to the Wood Royal Commission can be seen
to mirror the historical response to other inquiries — see Appendix G. Following on from
his Report into British Prisons in 1992 Judge Stephen Tumin commented that the practical
response to the crisis had demonstrated the existence of what he called a 'coping culture'.

> It is my belief that much of what we attempted to achieve in the police service as
> a whole is something that can be described as a coping culture rather than actually
> addressing the issues (Judge Tumin, Home Office Internal Report: 1992).

Although Tumin's report had focused on the prison system, his findings were widely
discussed as being relevant to the British police organisation as well. Throughout an
extensive period of unsettlement, both the management and staff of the prison, where the
new initiatives in management were carried out, had been credited with the way they had
'coped with the prevailing circumstances'. According to Judge Tumin (Home Office: 1992)
there was a great deal of pride regarding the staff's abilities to respond to any demand placed
upon them, and to 'manage' the ensuing consequences. This had been recognised by many
as a notable organisational strength.

But is 'coping' enough? Judge Tumin did not really think so as he would have preferred a
measured response towards 'actually addressing the issues'. It would appear that the Wood
Royal Commission, the Police Executive and the Police Service as a whole, as well as the
media, have also had difficulty in recognising the limitations of 'coping' and the locus of
blame for 'resistance to change'. It is also clear from the results that no one in the police
executive had any interest in undertaking strategic discussions about what a 'reformed'

Police Service would look like. Given this fact, it is clearly impossible to turn a vague abstraction of a reformed Police Service into a fully-functioning organisational reality.

In the crisis that followed the Wood Report some police officers clearly 'coped' with the reform process better than others. But they were not necessarily coping with change but using their symbolic capital as a bargaining counter in the purge that followed in the name of reform. There were individual officers who acted alone or more readily formed groups or networks in order to gain privileges, status, economic benefits and nepotistic relationships — officers who knew how 'to cope' but had lost sight of the ideal of policing, instead redirecting their efforts inwards, towards personal gain or survival. 'Coping' therefore, is not necessarily dependent on ability to accept change.

The following statement is from a general duties officer with university training, feeling the effects of the Royal Commission and showing a fair degree of distance from the leadership of the organisation.

> *There are duty officers who think that all they do is flick and tick, six station controllers instead of one. Far from the truth; that is not the job; and it is not until we can roll out the roles and functions and then roll out a developmental training package associated with it that they are going to start to realise what the expectation is of them (1300/25/10/2000).*

This officer realised how crucial it is that a police organisation has clear strategic directions and statements of purpose that create an identity independent of contemporary political needs. The Royal Commissioner Justice Wood had indicated in discussions that the reform process would not succeed without the assistance of external experts. However, police leaders did not welcome external assistance, having shut down to organisation to tighten lines of command and stifle further whistle-blowing. The police executive did not utilise the skills offered to them by these professionals; they did not learn from them or give them the necessary information to allow a new strategic planning to dovetail to the organisation's internal peculiarities; they did not make their skills accessible to the lower levels of the hierarchy and allow the organisation to actively manage reform from within.

It seemed as if the police management was protecting the organisation from any invasion of new ideas and, in the process, all but the new police executive were labelled as resistant to change by outside observers. The operational police were simply seen as 'not coping' with this radical change. Senior police considered ideas geared towards securing the organisation against outside interference, rather than gaining a knowledge of new skills that could help them find how this could take place. If the police executive cannot open the organisation to incorporate external experts or agree to learn from others, then it is very difficult to consider how reform in the police organisation could possibly take place at all.

Command and control management creates both a rule-bound system and a 'coping culture' that forces reform from above without giving any real level of thought to the officers who will have to 'cope' with the problems created by the lack of creative planning. While the NSW Police Service employed rhetoric about moving into a new era of policing suitable for the twenty-first century, the strengthening of the command and control leadership style ensures that this will be nothing but rhetoric. This is reinforced by the notion that policing should be geared towards satisfying the needs of the government, producing instantaneous responses to a whole range of situations in order to keep the Police Minister in office.

Since the appointment of Peter Ryan it is the Police Minister who appoints the Police Commissioner, putting him effectively under the minister's command. So the Police Commissioner then needs to act daily as directed and make political decisions rather than organisational ones. There is also a general understanding that, as the police organisation serves the community, that community should have an active role in deciding what constitutes effective policing. Certainly the policing organisation holds its power on trust from the community and individual police in that organisation are accountable to them, but the community is also the body being policed and the laws that are being enforced are the product of the judiciary. This complex political and social relationship existing between the policing organisation; the individual officers within it; and the government, the judiciary, and the wider community, is implicated in sustaining the cyclical nature of Royal Commissions.

5.2.1: Not 'Coping': The Making of a Whistleblower

Although Royal Commissions are inquiries that have no right to prosecute any person, during the procedure wide-sweeping allegations are made and individual officers' reputations are ruined without trial and without even then need for a trial. Their personal sense of worth is destroyed and the peer groups of officers under review are implicated in corruption and, as a consequence, are left feeling extremely despondent and angry. It is important to understand that injustice to individuals can and does occur during the progress of an inquiry. Hallett (1982: 183) states the rules of natural justice have been described as being 'in a broad sense a procedural matter which is in fact nothing more than fair play in action' (Commissioner of Police v Tanos (1958) 98 C.L.R. 383, 396). Unfortunately, during a Royal Commission in which the media elevates allegations to the realm of proven fact and creates something that is very like a show trial, 'fair play in action' is clearly untenable.

As morale slumps and individuals are put under severe emotional stress, a few of these officers will fester within the organisation until they become the trigger for a new set of revelations and a new Royal Commission. A trigger is a point of crisis or risk to an

individual that propels that person towards a course of action that directs attention to problems within their organisation. The history of internal conflict in an individual or, in some cases, a group of individuals, is usually complex and has many facets, making the habitus, or mental habit, of the police officer who becomes a whistle-blower, very important to understand. For a police officer, talking indiscreetly and inappropriately out of school is a very serious business, revealing someone who could be disgruntled, desperate, frustrated, emotionally in conflict, anxious or even psychologically disturbed.   In the words of one interviewee:

> *… your life is not worth living if you say anything that might put in another police person for doing the wrong thing … there's a widely held perception that your career's finished if you say anything that might lead to action being taken against another police officer who's done the wrong thing (3804/13/05/1996).*

Whistle-blowing is therefore not something to be taken lightly and, above all, this can be someone who passionately wants to create change that will modify the organisation that they are working within and have no hope that this can take place in any other way.

Another form of 'trigger' can be someone, or again several people, who are outside the police organisation but have an unresolved issue or issues with the organisation. They might have a grudge, be indulging in payback, or they might believe they have been unjustly treated or have received information about an action or series of actions that they feel the organisation is unwilling to deal with properly. Again, these issues are unresolved and, apparently, irresolvable through any other means. These people can also cause a point of crisis that will precipitate an external inquiry of the Police Service. The concept of the 'trigger' is made clear when analysing past Royal Commissions. Basically a 'trigger' is very connected to individuals who become disenfranchised, disillusioned or determined to be heard. What is important here is that it is the police executive which has failed to address the risk by not addressing the cause.

As a general rule, police are willing to report on corrupt practices when they can do so anonymously. However, having to formalise their complaints discourages many from informing. Relying on the police to visibly inform on their colleagues as a way of identifying corrupt officers is not a successful strategy. One officer recorded:

> *He or she blew the whistle and look where they finished up … and they often finish up very badly … they just can't hack the pace any longer when they see that they're being discriminated against … it seems to flow from, that patrol commanders don't usually get involved in this sort of thing at the local level … an official reaction has to be demonstrated … a lot of it is a want of understanding and a lot of it is this skewed loyalty that's been skewed and*

> *absolutely put into the wrong context by those who want to protect themselves from being found out from corrupt or dishonest behaviour (3804/13/05/1996).*

As individuals working within a tight-knit group loyalty is important and this bond is recognised throughout the organisation. In the words of a senior police leader:

> *Being professional means that you demand from your peers professional behaviour rather than people from outside having to enforce it. A profession sets its own standards by its very nature* (3804/01/05/1996).

'Being professional' in this sense also implies 'coping'. Command and control managers 'demand' a 'coping' response but, with a disgruntled or dissatisfied police officer, there will be a time when 'demand' is no longer enough. In terms of individual members of the police, one of the elements that clearly created a difficulty in the media was the existence of the 'code of silence' which was equated with a decidedly contorted loyalty ethic. Certainly these conventions of loyalty have enabled corrupt police to expect protection and to feel able to call on their colleagues whenever any investigation occurs but it is not always a loyalty ungrudgingly given and is very much the subject of peer pressure, as one officer from the Police Association explained during an interview.

> *The Associations find it very hard to come out and stand up and say, we do not want corrupt police* [to expect us to] *spend their hard-earned dues on taking every possible legal point to stop corrupt police being dealt with (3804/13/05/1998).*

This twisted loyalty is also deeply entrenched and is difficult to break, even though it is misplaced and corrosive to police officers who are not themselves corrupt. Trying to talk about this aspect of police culture is difficult as it seems to simplify police corruption by distributing it amongst all officers, causing even further emotional conflict within the organisation as well as between the organisation and the community, who view this 'code of silence' as a criminal cover-up.

Ongoing major objectives have been supposedly set up to modify and correct inappropriate behaviour, involving line commanders being given increased levels of accountability and made directly responsible for ensuring acceptable standards of conduct. They are also supposed to expedite the removal of unsatisfactory officers from the Service. In the words of Paul Whelan:

> You can change behaviour through new legislation or management practices – such as random alcohol testing, or as 181 dismissals — which I am pleased to acknowledge have had a positive effect on police culture. But attitudinal change does not happen overnight — there has to be a willingness to change and it

takes time (New South Wales Legislative Assembly. Media release. 12 February, 2001).

However, the senior officers made accountable for this behavioural change are also individuals whose habitus has been constructed within the field of the police organisation. They understand the rules of 'the game' and share the same unconscious commonsense beliefs and values of their subordinates — in Bourdieu's terms they share a similar doxic relationship between habitus and field. Demanding 'attitudinal change' as a reform measure without an adequate understanding of the complexities of a particular organisational social relationship inevitably means generic 'personal development' courses which cannot work on the particular nuances of a team relationship within a policing organisation.

Junior officers may trust their supervisors' reputation, experience, and authority. The police process has an absence of any workable system to identify corrupt officers or, more importantly, to deal with and pursue of corruption in the first place. The refusal of many detectives to submit to the command and direction of uniform officers, particularly Local Area Commanders, means that the networks that proliferate corrupt practice continues. Local area Commanders delegate complete responsibility to the Commanders of the Detectives who are clearly aligned with their subordinates. This thesis suggests that it is not just the individuals who perform acts of corruption but the very process of oversight itself. Pressure to perform quickly, keep subordinates in control, and to institute change without clear strategic purpose can exacerbate corrupt processes.

The results amplify the role of the individual as a crucial part of any reform process. They show that to scapegoat or arrest an officer does not stop the corrupt behaviour occurring. Instead, it diverts action away from the problem and this ultimately puts stress on all the honest police officers in the organisation. It is essential that the police management rethink the process of decision making and learn how to resolve moral dilemmas and come to an understanding of the role of leadership as a method of insightful problem solving, rather than as an exercise in command and control. The Royal Commission had its beginning in a few heroes who stood up for what they believed in, becoming whistle-blowers who were simply branded as disgruntled officers who couldn't 'cope'. They can be said to be leaders, although they were not formally recognised as such.

Their leadership involved talking about a vision for a better Police Service but this future had no room for the changes that these whistle-blowers saw to be necessary. Perhaps those who spoke out did not share their vision of a reformed organisation but they were determined that things should change. A significant difficulty in attempting to analyse and define the role of a police officer is that most of the relevant texts and documents do not clearly state what police

are actually supposed to do. Even police documents, texts and journal documents struggle to define what 'it' is that police do. There is plenty of information about what they cannot do but little about this real purpose. This has been lost in the movement to close up loopholes and constrain corrupt action. Police are basically required to do the 'Right thing', or as said in the police environment, act by the book. However, when it is identified that they are not doing 'it' in a way that is transparent, accountable and honest, there is a call for Royal Commissions and inquiries to rectify 'it'.

5.2.2: 'Coping' with 'Reform'

Inquiries and crisis cause such confusion in their process of oversighting that the roles of the leaders and individuals who are an integral part of the process of sustaining the practice of corruption become almost invisible. We have to maintain social order so we cannot charge Commissioners, as a matter of response to corruption cycles of inquiries. But as it is in the community's interest to stabilise a police organisation and prevent the welfare of the society from being put at risk. Fear of negative outcomes cannot be allowed to permit ongoing generic corruption. the researcher was employed in 1985 to work as a plain clothes officer in a task force looking at the connections of organised crime to the gaming industry and this was a result of the earlier Lusher Inquiry. As the Wood Royal Commission reported its findings I observed police executive management responding by establishing a Reform Co-ordination Unit, with the aim of disrupting the connections between organised crime identities and serving police officers. If the aim had been to arrest corrupt police then there would have been, to use Bourdieu's words, a major 'cultural disjuncture' (Wacquant 2004: 388). Although police officers and ex-police officers were suspected of being involved in organised crime in the gaming industry no action was taken. As I reflected on the logic of policing corrupt police officers and watched the very same officers go on to be promoted during the course of years, I experienced a sense of internal conflict that made conducting this research as an insider an imperative. Bourdieu has described this as a 'fissuring of consciousness' (Wacquant 2004: 387).

The Police Integrity Commission is an external oversight mechanism set up in the aftermath of the Wood Royal Commission. According to Anne Martin, an external observer of the reform process, '*The Police Integrity Commission is like the video referee, the final judge* (Anne Martin, External Observer 2003). Past inquiries had their advantages, as some initiatives were specifically aimed at improving police/minority relations. Others involved blanket reforms for building a more professional, accountable and open police force. However, they also had their disadvantages. Commissions may run out of control and undermine reputations based on hearsay, and they are expensive. They may appear to act as a Star Chamber, investigating without the constraints of normal rules of evidence. These

factors explain the need for caution (Weller 1994: 266). External highly placed public bureaucracies are recorded commenting:

> *There should be a distance between the Commissioner and the Executive. Is there going to be the same confidence if there is a change of government? There appears to be a close alliance between the government and Ryan. We knew there was something wrong with the system. It had been talked about continually. We were aware of inefficiencies and managerial problems, but we weren't aware of the — the corruption that was found with drug runners in Kings Cross — but we knew there was a major management crisis within the Police Service. We knew that there was a fair degree of non-performance within the Police Service because everyone was watching each other and it was a very splintered organisation, not serving the public (2402/23/03/1998).*

During the Royal Commission, police culture became a convenient label for a range of negative values, attitudes and practical norms among police officers. The interview material shows that individual police officers also experienced the confusion that is very prominent at this period of review.

> *I'm describing a situation where the conditioning that occurs in a massive organisation like this, coupled with the militaristic approach that is part of the conditioning, makes it almost impossible for people within the Service to grasp new ideas and to cause them to be implemented because of all the constraints that they've grown up with. Every time they think about doing something different, there's a hundred and one reasons why you shouldn't do it and why you shouldn't rock the boat and why you should let status quo remain. And it's a very very difficult thing. (4001/13/0219/97)*

Many police officers who backed away from giving evidence to the Royal Commission or in the few criminal proceedings that followed became informants, either to the Police Integrity Commission or to interested journalists. This type of activity was so prevalent that it was said that informing became a popular habit. The Commissioner became the focus of so much media attention that the community was concerned that he might capitulate to pressure and resign. Community members expressed a desire to write to the Commissioner and tell him that they wanted him to stay. John Hatton had been fighting corruption in the Legislative Assembly for years and his history of fighting for an honest Police Service was the reason that police and other community members contacted him in order for an independent review of the Police Service to be established.

My research was started in 1996 when Commissioner Ryan had just begun his five-year tenure as the Police Commissioner. At this time much of the executive police dialogue was about cultural change and police reform. My doctoral research commenced with the Commissioner's permission and had been given two audiences: firstly, the Police

Commissioner, who was receiving reports from me twice a year on how the reform process appeared to be progressing; and secondly, the work was being prepared for thesis examiners. I mention my location within this review because I was a part of an historical event that has been linked to previous inquiries. Also, the management response was to review the literature on historical development within policing that may have led to a style of command leadership. So, as the above section describes, the military and command influences within which I found myself positioned were also the demands of operational police work. These led to the theoretical imperative to understand both the police organisation and the individual working in the police operational area.

Historically, police record their official response to inquiries with reports to the Police Minister. These documents are internal to the Police Service and are notable at times for their brevity. The police response, presented in written monthly documents forwarded to the Police Minister, attempt to address all recommendations made, at least by stating 'discussions continuing'; 'referred for advice'; or that the recommendation(s) had been directed to a particular staff member to address. One of Commissioner Ryan's responses to the Wood Royal Commission was an internal police document, distributed widely to operational officers. It promised that workforce reform would result in the following outcomes: a workforce aligned to the Services; stated objectives; demonstrably improved professional behaviour; jobs which focus on and enhance police practice; and a stable, enabled and supported workforce with effective supervision and management. The 1996 document had wide-reaching but non-specific initiatives such as the Command Management Framework, whose aims are recorded as crime reduction; rationalised and improved work practices; employee job satisfaction and motivation; public satisfaction; and police responsiveness (Hay Group 2001). A similar list of desirable outcomes can be found in the document produced by the NSW Independent Commission Against Corruptions document produced in 2001.

As these policy changes were introduced, an operational respondent stated:

> *We have not identified what we are trying to achieve, what is the heart and soul*
> *of reform. What is it we are trying to achieve? (3803/10/03/1996)*

Commissioner Ryan did introduced sweeping changes in the areas mentioned above, including a complete reorganisation of the command structure and the implementation of new recruitment criteria as well as training programs. One executive officer remarked:

> *The Commissioner is on a reform process and, and I have every confidence that*
> *he will in time deliver on these (3801/10/03/1996).*

At the beginning of his term in office, as Ryan introduced changes, he was publicly recognised as the 'new broom' but, over time, the media's attitude changed from supportive to critical. As the pressure on Ryan about his performance increased, particularly from politicians outside events, the failure of his 'magic bullet' to materialise inspired the media to apply additional pressure to him.

> *The police executive is marred by infighting; its members exaggerate their accomplishments without any substance and only exhibit a certain 'post-crisis' type of loyalty, as evidenced in the Police Integrity Commission Findings. The executive does not have any strategies for managing relationships within the executive: there are no systematic strategies in place generally. Their course of action is to 'react, react and react' (3708/04/07/1998).*

Short-term change seems to happen only in response to a need created by a crisis and a problem that needed long-range planning. Senior executive members consider tactical responses, often when they consider risks to be potential threats to themselves and their careers. Often the official excuse for incorrect decisions is that NSW Police Executive team does not have the time to bring about, plan, or even think about managerial reform change, because of hierarchical responsibilities and operational responsibilities. The Executive is consumed with operational demands and political pressure. The executive group also is reluctant to grasp and utilise its deep and wide intellectual resources located within its experienced police officers. Despite this visibly deteriorating situation, Ryan was reluctant to bring in consultants, almost as if it would be a personal affront to the executive.

Did Ryan have the operational skills to make decisions? He appeared to have a habit of gathering information from different sources and then slowly making decisions, often over months. He was clearly not a reactive leader and making decisions was not a skill that he overtly displayed. However, he was capable of making technical decisions regarding such matters as resource issues, and he implemented organisational structural problem solving. The first decisive action that drew Ryan to the attention of the media was the removal of several members of the executive — an action that was seen to show that there was a new leader at thehelm and complacency was in retreat. In this decision, however, there was very little consultation with the executive, or indeed with any of his team.

Does the notion that Ryan as an outsider could create change fit comfortably with the rules of the existing 'game'? In traditional policing communities, decisions were and are passed up the hierarchical chain. This was one aspect of running the organisation that Ryan immediately challenged, creating an unintentional vacuum that by default invested more decision-making power in the lower ranks of the executive. It became apparent that leaders within the organisation were very conscious of trying to do what 'the boss' wanted, and

above all wanted to please him and meet his requirements. It also became apparent that senior police officers were used to passing decisions 'up the line' and had difficulty assuming the new level of decision-making, particularly when they realised the new, higher level of accountability that came with the authority to make decisions.

A closer relationship with the Police Minister by a Police Commissioner became part of Ryan's Commissionership, developing a dangerous precedent. Earlier Police Commissioners had not practiced this, as I had observed when working with Commissioners Avery and Lauer. When Commissioner Ryan, and later Commissioner Moroney took command, a closer relationship between the government and the police was forged; one of regular contact. Police officers started regularly voicing criticism that the relationship with the Ministry was becoming too apparent and dangerously close to the internal decision making of the 'independent police organisation'.

It is clear the officers were confused and divided regarding the value and intentions of the proposed reform. This was partly due to the increased public and political scrutiny. Ryan attempted to provide direction in his foreword to the corporate plan:

> Our reform agenda includes a continuing attack on corrupt practices through the use of Commissioner's confidence legislation, targeted integrity treating and the development of corruption-resistant systems (New South Wales Police Service 1998a: 1)

Police were to utilise this formal statement by declaring to the public that they have defined a set of standards and that all personnel have read it. Police managers would then ask police if they understand the ethics statement and so a 'Cultural Awareness Survey' advised the executive:

> The New South Wales Police Service officers indicated that clarifying rules about ethical behaviour would improve practical ethics. They also identified a need to support good behaviour and recognise honesty as being integral to the Service (New South Wales Police Service 1996a: i).

Interviews recorded showed a feeling frustration as one commander after another grappled with the management of policing in this period.

> *How do patrol commanders handle things, one of the barriers to actually doing that well is the same culture which on the street says you arrest and incarcerate and punish, that is the same culture that says you charge and penalise and take before the tribunals, the police. Am I making that clear, on the basis of police arresting others we may then also result in arresting police? Which of us … stand still so that the due process of law can be applied … is this reform …? (Confidential 1999)*

However, as previously discussed, zero tolerance on community behaviour followed by police leadership zero tolerance on inadequate crime prevention becomes the focus of police generally and reform becomes irrelevant. However, at the same time a clear statement of intent about reform is recorded in the following confidential statement:

> *... the report simply recommends that eighty police be moved* out [of police headquarters] *and that those jobs be done by qualified civilians, but then management structure also be reduced from about twenty-seven layers ... no, I am exaggerating, from five or six layers — to about two; that there be clearer supervision and support and encouragement of people; that the ... Management of people occur at patrol level ... even today managers are still imposing directly, under the existing system, all those sort of things you know ... draconian things anyway on the basis of sexism, racism and all those other things (confidential).*

However, in an interview, a very senior police executive stated confidentially late in 1997:

> *I guess you have to look at who is saying things. I am not too sure that there was nothing that happened to them either. I mean, the indignity, the loss of credibility, the loss of respect to their families and the loss of their job was a price that they paid for that indemnity. I just wish we'd have had the ability to have picked them up before that and charged them and put the due process of law... in place (confidential 1997).*

The above statement reflects the frustration and issues that operational police experienced with the due process of inquiries as they took place in the early days of the Royal Commission. Senior officers expressed their frustration with corrupt officers as if they are an anomaly within the organisation. Anyone benefiting from corrupt practices and unprofessional behaviour will resist change that will result in the loss of those benefits. But this is only part of the reason that reform does *not* occur. Neither will it occur unless all employees are convinced of a different vision involving a new or evolving ethical base supported by changes in management behaviour that flow through the whole organisation. Instead the changing structures and improving technology of the police organisation conspired to hide the continuing failure to reform from those outside the organisation — a failure that is exacerbated by the organisation's closed and secretive community.

Becoming transparent, accountable and open would have shown the community that reform *was* changing individuals' cultural behaviour. This would have resulted in an increase in openness by individual officers as well. In fact, where there is no disenfranchisement and no disgruntled employees, there is a safe environment in which innovators can be heard and whistle-blowing is not the only way concerned officers can affect change. When reform or

changes in culture are imposed, leaders remove responsibility from the rest of the culture; and police throughout the hierarchy cannot make decisions.

Enforcing the rules and setting up intrusive supervisory regulations provide a false sense of social and organisational cohesion. Those who want to maintain the benefits gained by corruption also want to maintain their perceived great individual freedom in carrying out corrupt acts. Trying to introduce new ideas, therefore, needs to first combat or remove the benefits gained from old practices. In this thesis it is suggested that informing individuals of new practices in policing that combine operational command and control with the interpretation of situations and adaptation of management skills in an open manner will result in fewer instances and opportunities for corruption. It would only be if the leaders are those who benefit from corruption, then new practices will not be introduced.

5.3: Changing Management, Changing the Organisation

When it is pressure from the politicians and the media that informs the pressure for organisational change, reorganisation and reform hinges on the traditional policing response to policy, regulation, management and resource management. Policy directives are issued, for example, copies of a Code of Ethics will appear in frames and be distributed to all sections of the organisation. This is regarded as a preventative measure. Davis (1991: 16) defined a code of ethics as a formal statement of a group of ethics, whether as a description of a pre-existing practice or as a formula creating a new practice.

The recommendations of the Wood Royal Commission were not written on tablets of stone but it seemed as if they were edicts not recommendations. Commissioner Ryan and Police Minister Whelan both claimed that their approach was vindicated by success in affecting crime rates, accessed using new statistical approaches. Perhaps it is understandable that the Service should prefer to focus on something as tangible, publicly popular and apparently 'deliverable' as statistics apparently showing the reduction of crime, rather than on the amorphous and challenging task of planning sweeping cultural change (Dixon 2001: 213). The Police Service's obsession with image was criticised by the Legislative Council inquiry into policing in Cabramatta (New South Wales Legislative Council. 2001: 168; Dixon 2001: 206) but basically the smoke and mirrors had done their work with the community response. Honour was satisfied with a few ritual sacrifices.

It is often difficult to reconcile the high quality of individual officers whose aim is to serve the community with the secretive character of the organisation. The cliché about 'rotten apples in barrels' may not only need to be revived but also to be revised — all too often, the barrels rather than the apples appear to be the source of the problem. So the organisation had

external auditors continuing to comment about the organisation's performance and the organisation itself was reverting to old behaviours caused by continuing confusion and lack of strategic direction. As Dixon commented:

> The continuing series of rivalries, insults, disputes, feuds and antagonism exposed by the inquiries into 'Cabramatta and the BCP [Behavioural Change Program] would stretch the imagination of a scriptwriter for a soap opera' (Dixon 2001: 216).

The media's concern with complaints about police resulted in an executive leader in the police organisation recording the comment:

> *The relationship between media image and public confidence needed to be explored, because Ryan's personality was crucial to the reform process (confidential 1997).*

In the media fanfare surrounding Peter Ryan's appointment as Commissioner, the public saw that some kind of action was finally happening within the Service–the old complacency appeared to be on the run as sackings and resignations demonstrated change even though the NSW Police Ombudsman's office indicated in its Annual Report in 1999 that corruption was still prevalent in the Service. Positive managers were now actively supporting officers who blow the whistle on corrupt colleagues. This suggests that it is possible to make a significant inroad into fighting the battle against corruption. It also gives hope that one day the battle to create a corruption-resistant Police Service will be won.

When Ryan resigned and Michael Costa MP became the new Police Minister in 2003 police structures were changed again, the Police Service was renamed, and different leaders were appointed — for example, Assistant Commissioner David Madden (subsequently medically retired in 2005). And a new medal for long service was struck as a reward for police officers achieving long service — 'coping' with the 'change'. However, there was still no overt, timely or prolonged interest in the management of leadership styles, ethical education or any deep appreciation of the very complex role of the police within the community.

It is this concept that leadership and decision making is the very core of police activity at every level that needs close examination. The practice of organisational reflexivity was not at any time embraced as a management practice. The research I have been conducting, although it was undertaken for the organisation, was also considered a threat — an activity to be watched, challenged and if possible stopped. The style of leadership that remains closed, secret and defensive when called to account remains one that is applied to police human resources/operational and executive police management style. Perhaps the next inquiry will introduce a serious discussion of the double bind that individuals within the

police organisation at all levels often face and with which they have 'to cope'. Police culture must include an acknowledgement of the implications of the twenty-four-hour nature of a police officer's ethical dilemmas. If 'reform' again becomes an agenda item, police need to be engaged within the executive to examine exactly what is actually meant by the term.

The final chapter engages in the discussion of where the contemporary police organisation may strategically move in the operational arena.

CHAPTER SIX

Conclusions and Future Directions

6.1: Introduction

As an operational police officer when this research began, the intellectual voyage of this thesis has necessarily travelled from practice to theory and then back to practice. In the writings of Bourdieu, I found the theoretical lens through which I could make sense of the complexities I had been experiencing during my working life in a police organisation struggling to satisfy the stresses and strains of urgent demands for change. As I observed the experiences of my team members under stress from reforms that they couldn't always understand and personally observed reforms that made policing more difficult and certainly more inefficient, I could see the truth personified in Judge Stephen Tumin's observation that this was very much a 'coping culture'. I observed whistle-blowers, early retirees and suicides in the making, worn out with the struggle to reconcile inner conflicts. I observed excellent police officers with severe psychological distress being forced to meet the numerous, inflexible and insignificant accounting procedures while less able or committed 'flick and tick' ones were cheerfully taking promotion. All this misguided frenetic activity has lost the organisation so many mature, experienced investigators, so much potential leadership, and in the name of reform the community has lost a great many good police officers as well. I came to the conclusion that the police executive needed to do more than expect these officers to 'cope', for coping is not enough. Planning must be the next step. And it must come from within the organisation not without.

The argument presented in this thesis is that the ongoing cycle of corruption will only be reduced when every police officer can examine their ethical dilemmas in a safe and open environment. While the twenty-four hour nature of the pressures of police work require specialist leadership skills, it is equally important that that this dialogue can take place without punitive repercussions. Command and control management is a necessity in policing operations but it is not necessary to impose this intact within the management structure of the organisation itself. And it is certainly not a good management tool with which to build an internal system of organisational openness, not devoid of rules and regulations but certainly with flexibility for police officers to engage in open dialogue. Such discussions will involve complex ethical dilemmas and need to be undertaken by police officers who are

knowledgeable about the laws governing the reporting of corrupt activities but also able to help resolve issues that occur outside the workplace in an officer's private life.

At the close of the Wood Royal Commission the media celebrated its completion with a statistical sense of triumph — for example, in the *Economist* in March 1997 reform was seen as a series of numbers.

> After taking evidence from 640 witnesses over two years the Wood Royal Commission into police corruption has ended. Already the Commission's findings have resulted in large scale changes to the ranks of the NSW police and more dramatic changes are expected after the Commissioner's finding are handed down ... (*The Economist*, 22-28 March 1997: v.342 n.8009).

That these statistics represented a huge number of innocent people under great stress was never part of the story. The media conflated 'large scale changes to the ranks' with purposefully targeted reform; and 'witnesses' giving evidence to the inquiry with officers alleged to be corrupt — a confusion that had disastrous effects on police morale and personal self-esteem.

The Wood Royal Commission highlighted the idea that corruption is a generic problem in policing in this community and that management was not controlling this. There had been apparent complacency in the chain of command and its ability to control. As Kelso and Plant stated:

> Evidence of the volume and nature of corruption within the service suggests that a radical overhaul of systems and procedures is required (Wood 1997a: 7).

The main source of information about corruption came from serving police officers who 'rolled over' to the Commission. Their provision of primary evidence about first hand knowledge of corruption in the organisation protected them from criminal litigation by the state and also, as they provided information, there was a snowball effect with other police becoming aware of their vulnerability to detection, and possible gaol sentence, also 'rolling over'. The main police informants on corruption within the police organisation were detectives. The areas of corruption involved drug supply, use and accompanying offences such as stolen goods, prostitution, gambling and so on. As further police came to give evidence to the Commission they behaved in the same way as the criminals they are trained to arrest — they denied involvement until evidence accumulated to such a degree that it became expedient to make a confession with protected witness status.

These police were operational officers in the middle or lower ranks of the organisation. The police association maintained legal support at a consistent level and offered moral support to officers who were fearful of allegations being made about them and their colleagues. They had to do this for all their members, however, a fact that sometimes caused

friction when it involved protecting corrupt police.

> *The police association have a legal assistance scheme and no doubt some police who have availed themselves of that scheme had been supported financially and ultimately found out to be corrupt police officers, but ... we don't pretend to be judge and jury: if people profess their innocence to us, if they have a valid case, then our legal assistance scheme generally takes them in ... we're there to preserve and protect the industrial rights of our members ... the current furore is ... really a specific attack on a basic fundamental union right, and that's the right of appeal against dismissal ... this has come from the Royal Commission in an interim report to the government and the government has therefore drafted legislation based on that interim report (3802/27/11/1998).*

Officers who had no case to answer became swept up with officers who did engage in illegal activity. Some officers died as a result of the stress and a few committed suicide. In the face of unrelenting criticism one interviewee said:

> *We can't do everything at once, you can put us on the front page of the Daily Tele saying the reform is failing, but we can't do everything. The hundred and seventy-four changes plus two hundred recommendations in the reform project are huge (2301/09/11/1997).*

During and after the inquiry, the government response was to create a politicised police organisation, making the Police Commissioner an entirely political appointment, as if the whole organisation had been put on parole. Peter Ryan became Police Commissioner on the 30 August 1996 and stayed in that position for six years. During this time, the police continued their operational work and the community regained their confidence in the police. Although the media enthusiastically greeted Ryan's leadership, it was also a cause for disquiet as some police officers felt that the separation of powers was being eroded.

By 1999 that image of Ryan as a successful reformer appeared to be breaking down.

> The resolve to reform the NSW Police is slipping away and there is a very real risk of a return to the corruption which ran rife before the Wood Royal Commission (*Sydney Morning Herald,* 15 October, 1999: 7).

The *Sydney Morning Herald* seemed at the time to be heralding the need for a further inquiry: a prophecy that John Hatton himself had made two years before in an article published in the *Daily Telegraph*.

> If the major challenges thrown up in the final report are not properly addressed, expect another explosion in 5 to 10 years. See you at the opening of another police royal commission after the closing ceremony for the Olympic Games? I hope not! (*Daily Telegraph,* 16 May, 1997: 11).

The cyclical nature of corruption inquiries has been a phenomenon that has been often observed. A decade and a half before Nick Greiner had declared that it was 'no longer possible to place any confidence in a series of Royal Commissions'. Although 'six reports covering broadly the same area have now been issued', he observed that, 'the results can best be described as minimal' (New South Wales Legislative Assembly 1983: 106).

That this is not simply a problem peculiar to the New South Wales Police Service is attested by similar patterns existing elsewhere in Australia and around the world. Bradley and Nixon (1996), who were both very familiar with the police executive world, observed that 'Police reform everywhere has a sad history'.

> It is littered with broken promises, false hopes, failed intentions, unrealised dreams. It is a history of short-sighted ad hoc tinkering, quick fixes and bad faith. It is a history punctuated by scandal, and littered with sensationalist banner headlines, read today, forgotten tomorrow. It is a history of déjà vu (1996: 7)

It is time to arrest this 'sad history' not just because it contains so many 'broken promises, false hopes, failed intentions, unrealised dreams' but because so much more of its sadness is embodied in the broken lives and 'unrealised dreams' of the people who joined the police organisation filled with the great desire to serve the community.

6.2: Breaking the Cycle of Corruption

This thesis has theorised the internal logic of this recurring phenomenon and broken the cycle of corruption and corruption inquiries down into its constituent parts: the 'nature of the game' itself; the crisis or catalyst that trigger s the inquiry to be set up; the inquiry and the publicity surrounding the issue of the report; and the responses of the police organisation, individual police officers and the community. The culture of policing has been theorised in this thesis as a 'social field' of shared understanding between individuals, ranks and groups of police, the complex nature of which has been made discernible by the theoretical work of Bourdieu. Translating this theory back into practice has been made possible by the author's twenty-three years of police service, which has given the researcher a vantage point within both the social world of policing and the theoretical viewpoint of Bourdieu — the researcher, as an 'insider', has reflected on her experiences throughout this work.

During and immediately after an inquiry, operational officers continue to work at the levels that their resources and personal morale allows. There are only a certain number of incidents that officers can respond to in a day and, even in the face of recriminations erupting as the Royal Commission runs its course, operational policing must continue. On the surface, police returning to their standard level of work, appears to support the claim that the inquiry has done its job – the corrupt officers have been weeded out and all can return to normal. But this

superficial survey can be misleading. The very fact that things have gone back to normal can just as equally suggest that that nothing has really changed. This 'back to normal' response also reinforces the cycle of inquiry. There has been no change in the pattern of leadership or management behaviour. There is nothing to prevent another event, another crisis, from erupting.

This thesis suggests that governments and police organisations need to be give time to come to an understanding of what reform actually means for the Police Service. To date, the various inquiries have devoted little attention to understanding corruption and how it becomes embedded in the hierarchical para-military structure of policing organisations. To break the cycle of corruption it will be necessary to think outside the square of the 'command and control' management approach. The tactical response is inevitably increased control and tightened levels of command. As the organisation pulls itself in a tactical response mode there is no space for long term objectives and the much more difficult skill requirement of effective, mature and experienced communication, are not invoked as priorities.

Police are compromised unless a discussion such as the one proposed in Appendix M: Dialogue with a Leader, is considered as an option for the leader. A leader in this research is not only a leader in a hierarchical sense; a leader is any police officer who makes a decision. Each individual officer will engage in the role of leader with all the responsibilities of leadership at different times within different levels of the hierarchy. In other words, every police officer needs to understand and appreciate the core tasking capabilities of a leader and decision-maker. In contrast to public common sense beliefs, Appendix M suggests that it is important for leaders to acknowledge the limitations of their individual capacity to produce fast police reform or even reform within the time limits provided by the community. There are no quick fixes.

Dr P.Melser and Dr H.Bryne Armstrong attempted significant contributions to the changes required at the individual level of changing police dispositions. As they record:

> The aim is one of enhancing professionalism and ethical decision making in everyday operational policing. Longer term, sustainable culture change is to be built through cumulative 'small steps' taken by officers within their everyday policing environment (Armstrong and Melser 2002: 1).

Reform requires every officer to make a conscious decision to relinquish the benefits of corruption. Police personnel's level of satisfaction with reform kept falling over the three years of Qualitative and Strategic Audit of the Reform Process (Hay Group 2002: 258). At one level, corrupt police ignore external advisors and internal voices because they choose to continue behaviours that benefit them. These covert behaviours and attitudes prevent reform. At another level, that of public accountability, internal and external advisors protect not only themselves, but the very police organisation itself.

While the command and control approach is effective in certain operational contexts, it is less effective as a day-to-day management strategy. It is possible to supplement the command and control management practices with two important different approaches: first, an investment in individuals with effective, first line supervision; and second, ensuring that all leaders and supervisors are accountable for their actions and decisions. These two factors would reduce the possibilities for corruption and the risk of corrupt practices at all levels in the organisation. Significantly, the above comments do not just address the lower hierarchal structures, but are also very relevant, perhaps even more so, to the executive police members. Brunsson and Olsen (1993) wrote that characteristics of a non-changing organisation are overtly waiting for orders; covering one self against errors; punishing whoever was responsible; minding your own business; protecting territory; and getting detailed information; and covertly acting in a corrupt way.

 In addition, briefly listed here are the minor categories that can be recorded against police as complaints in their work practices. Unfortunately, in practice, these supervisory measures almost amount to harassing innocent police officers — and not only officers of junior rank. Meanwhile, corrupt officers continue to go about business as usual. They are recorded here to show the level of minor review that can be investigated and recorded against, for example, detectives who conduct major and very serious investigations. These so-called 'offences' are supervised and investigated at the local level and reflect a clear example of command and control. Examples being, incorrect procedures, loss or damage to departmental property, wrong procedure with warrants, conduct concerning departmental conduct, customer service, court procedures, interviews such as incorrect procedures, failure to warn witnesses and failure to complete investigations. These so-called technical responses to reform leave management practice untouched and reduce police productivity.

The above list has shown that some supervisors are incapable of dealing appropriately with police matters within a team environment. This reflects either a lapse in professionalism or a lack of supervision by any other peer who could stop this type of police practice from occurring. This petty and useless type reform needs to be redirected to more meaningful police practices such as conflict in ethical decision making practices. If an officer becomes targeted by the method of scrutinising the smallest level of detail, that is, a fault-finding approach is used to undermine his or her work, then personal vilification results and causes an enormous level of stress for the individual. Of course this also totally undermines the success of the task force officer or general duties police officer. For example, this method has been used to identify officers as a 'risk' to the organisation. Significantly executive levels of police do not come under this type of supervision.

Chan's (1996) work was discussed in Chapter Two, showing that little cultural change within the NSW police had occurred because the changes were directed at structural work practices.

Chan's (1999b) analysis of the social field of policing offers a view of policing as a series of networks that work tactically rather than strategically. The police executive response concentrates on the operational tasks. The results found here (and presented in chapter four) indicate, though, that work performance does remain tactical. However, the constant demand for a response means that the available officers will respond in a consistently operational manner. The statistical data indicates that in spite of recurring crises some operational managers and officers continue to perform their tasks at the level expected of them. However, in times of crisis people compete more for resources, so arguments over resources can become the main focus of managers in a crisis period. This focus detracts from the central concern: corruption and the required reform. Hence, corruption, per se, does not get addressed.

Justice Wood (1997a: 31) suggested that police officers should develop a set of values, norms, perspectives and rules which mould their conduct. Bourdieu's theory suggests strongly that police officers or individuals rely strongly on their internal moral structures and dispositions. As discussed in this thesis, there are often many complex factors that influence police decision-making. Commissioner Wood emphasised that leadership was an important factor in changing a police organisation and overseas examples supported the belief that a reactive response does not work. The Mollen Commission Report (1994) conducted in New York, stated:

> [The Mollen] Commission's evidence indisputably establishes that an anti-corruption system that relies primarily on the receipt of corruption complaints – i.e., a reactive system – will grossly underestimate the extent and nature of police corruption today (Mollen 1994: 101).

Wood offered a similar viewpoint when he added:

> [T]he most serious criticism of all should be reserved for the past failure of the Office of Professional Responsibility (OPR) to maintain broad-based intelligence gathering operations, and to use aggressive, proactive and covert investigations … This has been the primary reason for the failure of the Service to detect and deal with serious misconduct and corruption (Wood 1996: 58).

Royal Commissioner Wood later reiterated this opinion; going even further by stating that a series of strategies are needed that can bring about fundamental change and maintain the momentum so that ethics, integrity and professionalism become a way of life within the Service (Wood 1997b: 523). These management strategies involved integrity testing at recruitment, the recognition of ethical performance, integrity in the promotion system, introduction of professional standards councils, ethical counsellors, a uniformed service and rotation and tenure (Wood 1997b: 492–504).

This thesis concludes that reactive processes and a technical response do not work in the everyday contexts of the policing organisation. Instead, accountable, integrated and adaptive management responses that consider and include the very nature of corrupt practice are needed — see Figure 6.1. This nature includes the individual's desire to gain economic, cultural or symbolic benefits that remove the isolation of policing practice and offer an identity within the practice of corrupt associations. It is a fact that truly corrupt police officers seek economic gain despite knowing that it is an illegal/unethical decision. Other police will experience a state of ethical confusion or criminal behaviour. Their behaviour is exacerbated by the fact policing is a profession that has twenty-four-hour responsibilities. The temptations never stop. The responsibility of decision-making in the face of moral dilemmas is an ongoing cognitive conflict with which every officer is confronted. These conclusions also develop the notion that theory can be developed alongside practice. In reverse, police management practice can also be informed by theory. This thesis challenges some of the assumptions around the causes of police corruption through evidence presented in the data collected and through applying sociological analysis to this research data.

This research offers an example of an adaptive response called Active Leadership.
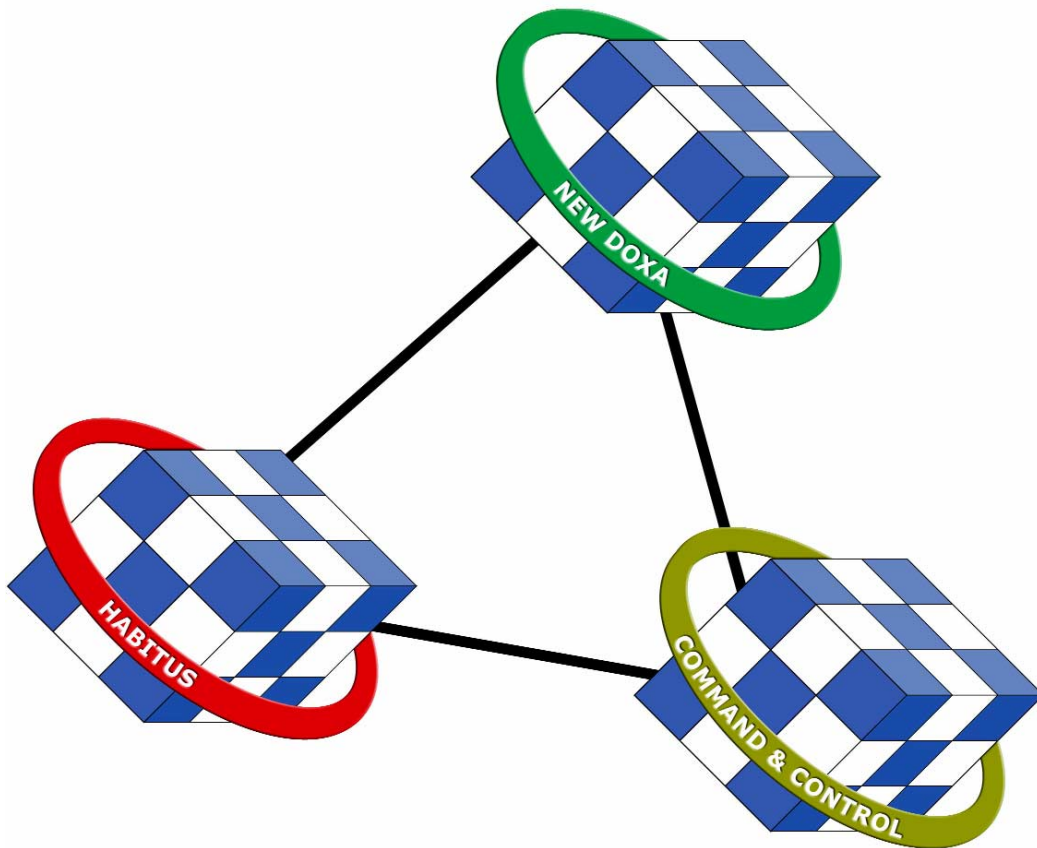
Figure 6.1: Cube Model: Accountable, Integrated and Adaptive Management

6.3: Proposals for Change: New Management, New Doxa

A number of initiatives/strategies are available to the New South Wales Police Service to assist in changing behaviour. The first is an acceptance that people outside police culture have information other than technical information that is useful to police organisations. Armstrong and Melser's E-coach program was an example of an outside program that reached into the areas of open dialogue and problem-solving techniques for operational police. Their work was reviewed in the literature summary in Chapter Three. Police need to be encouraged to overcome difficulties and defensiveness about managerial creativity. The command and control structure needs to be supplemented by two initiatives: first, an investment in individuals using effective, first line supervision, and secondly, a strategy whereby leaders and supervisors need to be externally accountable for their actions and decisions.

Brunsson and Olsen (1993: 147) suggest further that the present 'new' approaches to reform will include the following: test, experiment and make suggestions; take risks; reward people who take on responsibility; get people involved in change; see the whole strategy involved in reform and actively share objectives with all participants in reform. I shall now refer again to some of the more serious complaints about police officer illegal/ unprofessional/corrupt behaviour that local commands can deal with. These include improper behaviour, common assault, theft, possession of drugs, obtaining a benefit by deception, illegal use of a motor vehicle, and damage to personal property, domestic violence offences and improper association. These in some cases are crimes that police commit. They come under notice as complaints that directly relate to the management practices of the organisation. Police have personal issues, work issues, stress and moral dilemmas that are an integral part of the shared understandings of the human condition, not just the social field of policing. Supervisors and leaders within an organisation who take on responsibilities and provide avenues for different methods of problem-solving will communicate at such a level within their teams and organisations that these categories of complaints can be significantly reduced.

Establishing work performance contracts may assist in removing officers who have the potential to use their experience and maturity but who refuse to take on the responsibilities of reflective leadership leading to reform. The leaders caught in the past methods of management do not encourage reform over time.

Police work performance contracts need to be oversighted, internally and externally. The wording of performance agreements between the Commissioner and the Executive for example included the following types of management statements such as:

Establish and monitor corruption prevention measures and ensure all staff is aware of the standards of professional responsibility they are to uphold at all times. The following Performance Indicators were utilised: Staff awareness of corrupt and potentially corrupt practices heightened through a planned program of education at command level. Procedures/measures to prevent corrupt practices established and their observance monitored regularly. The number and nature of any instances of suspected corruption uncovered within the Command (Internal Performance Agreement 1997: Written permission granted for inclusion).

To use myself as an example: I'm an officer and researcher in my work place, bound by a contractual agreement which states that I will accomplish the above within a twelve month contract period. The Command in this instance is the New South Wales Police Service in its entirety. These agreements need to be reworded to articulate clear, realistic and practical objectives as opposed to the broad statements that currently exist. I suggest that recommendations from Commissions of inquiry and directions from Ministers that ask for reform are followed up by performance agreements between employer and employee that require realistic action and are relevant to operational objectives that are then externally reviewed.

The former New South Wales Police Commissioner, Peter Ryan, had a high regard for the practice of establishing professional standards councils, as they formed a site where dialogue about resolving corruption at the local level could occur. However, this dialogue opportunity has now been replaced by local command complaint committees which unfortunately continue the practice of investigating complaints about officers in their own commands. This means that complaints may be investigated by officers who have a conflict of interest. Ethical dilemmas are not reviewed; for example, an officer may review an officer that they have had a past close working relationship with that may mar their opinion. A reviewing officer needs to be able to objectively review the level of misbehaviour and appropriate action needs to be the source of open discussion. In the case where a senior officer is aware of corrupt practices of other senior officers they are bound by legislation to report that behaviour. This legislated responsibility is prescribed: a reporting function that has a level of obligation to the police practice as it is an unequivocal direction by virtue of Clause 30 to the Regulation of the *Police Service Act, 1990* (NSW). The regulation may only be the investigation mechanism that requires oversight by another senior officer.

According to Davis (1991: 15), moral principles allow us more flexibility in the choice of how to act rather than just reliance on rules. Police culture and therefore corruption can be changed by introducing contract policing, financial probity, random employee drug-testing, assessment centres, promotion on merit, empowerment, rotation, the increased use of civil litigation, recruiting for diversity and redefining the police role, as well as developing a deep understanding of the moral dilemmas and moral conflict for individual police officers.

Improved supervision is an important tool in combating corruption; however it needs to accompany informed discussion. Justice Wood considered corruption within the New South Wales Police Service as the fault of the leadership, particularly its traditional approach of command and control in areas such as staff relations, promotion, training and education. The contrasting establishment of genuine, trusting relationships within the workplace could assist in the identification of corruption. A resistance to corruption could be built into each team and into each command. This would mean each leader and senior officer would act with integrity, matching rhetoric with behaviour. This would encourage the detection and targeting of corrupt acts. The Wood Royal Commission indicated that part of the problem was a lack of any real sense of responsibility at a local level. There was a common belief that the role of corruption prevention and detection should be left to Internal Affairs (Wood 1997:198). This awareness of the role of moral/ethical and individual dispositions connected to the behaviour of individual officers, means that the responsibility for professionalism belongs with everyone.

Stoner et al. (1985: 455) argued that participative management enables the transition period of change to be much smoother than enforced change. They also argued that resistance to change could be reduced or even eliminated by allowing those who will be involved in or affected by the change to participate in the design of the change. Chapter Two suggests that hard management options may not result in change over a long period of time or the strategic development of management policies. Stoner et al. suggested:

> Change imposed from above is likely to make people feel that their knowledge and skills are being ignored (Stoner et al. 1985: 4).

The movement of contemporary management towards a soft management approach as discussed previously in Chapter Two advocates strategic management of change over time. Robbins and Muverji (1990) are also advocates of participative management, a term used for a different type of management prior to the options offered by the 'soft management' option. They argued that it is difficult for individuals to resist change when they have been part of the decision-making process.

(1) *Identify the adaptive challenge*. Diagnose the situation in light of the values at stake and unbundle the issues that come with it.

(2) *Keep the level of distress within a tolerable range for doing adaptive work.* To use the pressure cooker analogy, keep the heat up without blowing up the vessel.

(3) *Focus attention on ripening issues and not on stress-reducing distractions.* Identify which issues can currently engage attention; and while directing attention to them, counteract work avoidance mechanisms such as; denial, choosing a scapegoat, externalising the enemy,

pretending the problem is technical or attacking individuals rather than issues.

(4) Give *the work back to people, but at a rate they can stand.* Place and develop responsibility by putting the pressure on the people with the problem.

(5) Protect *voices of leadership without authority.* Give cover to those who raise hard questions and generate distress – people who point to the internal contradictions of the society. These individuals often will have latitude to provoke rethinking that authorities do not have the skills to manage (Heifetz and Sinder 1989: 127). There is an example of this application of leadership approach at Appendix M.

Changing police leadership practice is very difficult and one of the main reasons is a fear of what change will bring to currently accepted practices. Of course this also means fear of abandoning practices that result in the accumulation of economic, symbolic, cultural and social gains. Fulop and Rifkin (1997) contends that fear regarding organisational change can either prohibit, propel, or have little effect on learning:

> Whether, and what type of, learning occurs depends not only on the nature of our individual fear but also, and perhaps more significantly on the processes of interpretation, filtering, and sanitising of representations of that fear and other fears stimulated in the organisation (Fulop and Rifkin 1997: 42-6).

The discussion of fear of change is relevant to the New South Wales police in that the organisation is steeped in a tradition of military and command precision that does not allow avenues of flexible learning to take place. Essentially, being asked to change and reform management and police practice means that discussion would have to take place about how these changes may be implemented. Those discussions, if they were to take place, would require time and sponsorship from educationally based sources. Instead the police organisation is told to change, pressured to change and embarrassed into changing by outside community-based groups, politicians and the royal commission inquiry. This promotes fear, reaction and regression instead of a learning, problem-solving environment. (For an outline of how this participatory decision-making occurs, see: Appendix M: Exploring Active Leadership). Care needs to be taken when 'imposing' new approaches, as they can be construed as a form of symbolic violence or an act against individuals' internal moral values. If an active leadership is recommended and engaged, there will be resistance. One cannot demand innovation and cooperation: individuals will oppose the demand. Existing command and control practices will cause resistance to a new (human resource) management philosophy. Organic change, i.e. change that originates in the organisation itself, will have the greatest chance of success.

The current practice of policing is hypothetically represented in these percentages which are representative proportions of contemporary management practice, within the NSW Police Service:

80%	= Command and control
10%	= Innovation
10%	= Human error

This management practice results in the organisation appearing professional from the outside, sending out an overt message to the community that the organisation has reformed and is well organised. It is, however, in essence, a form of collusion between community consent, public opinion and the rhetoric of the police force using the media to publicly declare itself as a reformed structure. The message conveyed through the media and political conduits implies this is what reform looks like and now; hopefully, everyone will leave the police alone. The referee, who could be a Commissioner, a group leader, or an individual officer, can get on with the job of controlling the game of policing.

The new model presented here suggests that it is necessary to change the priorities of existing management practice. This specifically relates to the degree to which the existing structure is engaged in the doxa of command and control, while at the same time devaluing innovative reform strategies. The figures are arbitrary but are presented in this form so that the reader has some idea of the different weight given to old management processes.

60%	= Adaptive philosophy (applied to management situations)
30%	= Command and control (operational settings)
10%	= Human error

The new model involves acknowledging complex thinking, an adaptation, which is a form of evolution: one that is technical for operational necessity, yet at the same time *not* command and control for day to day management. While, as I have previously stated, it is necessary to retain a degree of command and control in certain critical circumstances, the new model above reduces command and control and at the same time develops a new adaptive philosophy which will improve the substance of command and control when appropriate. The relationship between implementing an enhanced focus on new adaptive philosophy and an improved command and control will result in a reduced degree of human error. DiBella and Nevis (1998) writes:

> Finally as there are many ways and reasons for individuals to learn so too are there for organisations. Rather than presume that there is only one form of organisational culture or structure appropriate for learning, we need to understand the relativity of these organisational characteristics and the relationship between learning orientations and other organisational processes. We also need to understand the fit

between an organisation's learning style, its product or service, and its industrial environment. Further research in these areas would contribute to developing a pluralistic (rather than normative) view of organisational learning capability (DiBella and Nevis 1998: 377–378).

The elements discussed above are applied to the new model-specific policing. This model, as it has been presented to the reader, offers options that have not been open for discussion previously. These relate particularly to the practicality of fashioning a reformed police organisation by engaging in dialogue that is usually secretive or not discussed at all. The following discussion offers further potential areas for future research.

6.3.1: Active Leadership

Active leadership starts with organisational commitment to the individual officer. The notions of doing good and doing ethical police work are still in place in the belief system of serving police officers. Command and control is effective as a response to 'critical policing incidents'. However, the process of listening and engaging in open dialogue with serving officers is not in place. Strategic thinking is not in place. Tactical responses are still the norm. When complex analysis is introduced and alternative approaches thought about, rather than reacted to, risks in the form of internal crisis will reduce. It is necessary to engage those affected by change, both to achieve actual change and to improve the quality of the outcome. A reduction in the old doxa of command and control will reduce resistance to change. The following figure depicts the elements of active leadership. No particular order is prescribed, as it is a flexible and dynamic model.

Layout & Design: Peter McPherson, Police Printing & Design Services, 2004

Figure 6.2: Active Leadership

Command and control is situated in the diagram as a crucial element of critical incident operational management. In addition to incidents of operational urgency, it is imperative that leaders take the time to listen and act strategically, thereby reducing risks to the organisation and the individuals who work within it. The next figure summarises the importance of command and control, a new doxa and habitus. In the discussion following, these elements are put forward as a new model of integrated management.

6.3.2: The Individual (Habitus)

There needs to be ongoing dialogue about personal problems located within the private/public nature of the workplace. This is especially important considering the twenty-four-hour nature of policing responsibilities. The result will be that the separation of an officer's personal and public worlds is not easily resolved but it is at least engaged with throughout the ranks. An ongoing dialogue would require a genuine commitment to openness, not necessarily to the public, but at least between individuals. Time should be allowed so that each officer is supported and encouraged under a leader's guidance. This dialogue would also see the use of command and control behaviour as a last resort required only in specific operational circumstances where it must be employed. 'Ticking the square' or 'ticking and flicking' are terms that aptly describe a particular managerial style used by supervisors to provide generic impersonal approaches to deal with officers within their command. These officers are also under the officers' and organisations' 'duty of care'. In the contemporary approach, however much distress or difficulty officers may find they are facing, they still may only gain the minimal amount of concern. This often commences with a question such as: 'Do you want to see the counsellor?' Supervisors can 'tick off' and be satisfied they have asked the relevant question and this supposedly ends the extent of their responsibility and care. The supervisor then makes a paper notation for example, officer spoken to responsible counselling for suicidal tendencies.

The contrasting approach of openness and dialogue proposed here would mean that ticking the squares is no longer high on the agenda. Rather, the extent of responsibility and care would further engage recognition that the personal lives of officers are integral to their professional lives. The 'habitus' disposition, including the moral values of officers, becomes crucial for teams and their leaders in successful operational working environments or social fields. This would enhance the organisation's ability to respect a reformed group vision that recognises the specific needs and individuality of each person within that group. Even when there is corruption in an organisation, corrupt behaviour originates in the individual within the current processes. The field places an individual within an established network of social structures. An officer engaging in corrupt behaviour is moving outside his or her field towards establishing a relationship and position within another field, or another set of rules. Over time, individuals who engage in corrupt behaviour may finally re-establish themselves in an entirely different field. If peer leaders are communicating within their executive teams or at local police level there is a chance that corrupt behaviour could be discussed and perhaps even prevented *before* it occurs. It is essential for leaders to accept and recognise that inappropriate or unlawful behaviour exists. It is argued here that all members of the police are at the same time leaders, captains, coaches, referees and players.

The above discussion on new doxa (philosophy), command and control and the importance of the individual must be clarified at this point. It is strongly suggested here that *every* individual is a coach and a team player, as well as being a referee when required: that is the nature of the game. To focus on individuals as the wrong-doers is to rely overly on the individual analysis rather than, as previously stated, locating corrupt activities in the processes of a complex organisation. The conclusion is that it is not just 'one bad apple or one bad decision'. Police executives downplayed allegations of systematic corruption within this organisation, referring to it as an individual problem. The New South Wales Police organisation is careful never to admit that this corruption is a system of behaviour tied to management practice.

This acceptance acknowledges that the cycle will continue. This work concludes that it is not the death of an old management style that is required, but the utilisation of a command style in conjunction with an active leadership approach. Noble cause corruption is one example where open dialogue concerning the employment of ethical means should result in the team openly regarding correct procedure as essential. The cycle of public dissatisfaction and scandals, resultant inquiries and changes, increased paperwork and public acceptance is just that: a cycle where the wheel of events turns but the same result occurs. In short, a few rotten apples are not the problem; the true crisis emerges when the entire barrel has corrupt processes in place within the culture that destroys police morale.

6.3.3: Individual Decision-Making

The following discussion emphasises the role of the individual decision-maker. In the following diagram we see an integration of many of the issues discussed in this thesis with regard to the cognitive dilemma of the individual police officer when choosing what action to take.

Taskings - Performance Indicators - Reviews - Operational Crime Review - Command Strategies

Cognitive Dissonance Ethical - Moral - Racial - Religious - Cultural - Internal Dialogue

Pathological self interest deviant behavior peer pressure pragmatism

Personal - Lifestyle - Training - Family - Time - Rest

Education - Career - Promotion - Status - Class - Personal Power

The Practical Habitus: Power-Service-Justice

Work Avoidance - Peer Pressure - Achieving the Outcome - Corrpution - Unprofessional

Economic cultural & social moral & ethical preferences

Personal issues, addiction, mental health,family stress

Work Decisions - Discretion - Compromise - Criminal Act - Benefit of Arrest - Previous Arrest - Court Outcome - Field CAN

Risks - Organisation - Individual - Community - Strategy

External - Media - Oversighting Organisations

Design & Layout: P. McPherson, Printing & Design Services, 2004

Figure 6.3: Conflict in Individual Decision-making

In the centre of the figure of the police officer's head we can see a further representation of the diagram that was previously presented in Chapter Four. The external boxes represent areas of concern that are external to the formal processes of policing. In one box the elements of cognitive dissonance and internal dialogue are represented. This figure summarises the

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elements of police practice that contribute particularly to corrupt practices. Importantly, the red circles highlight the source of corrupt behaviour into police practice. Formal practices are influenced by external pressures. The red spots highlight the areas where different types of corruption occur. This diagram identifies three main areas of concern to police reform. The first is the rare instance of pathological self-interest. The second is the attraction of a serving police officer to external economic and cultural groups for individual gain. Lastly, the figure represents the concerns of officers who suffer from mental health issues, addictions, and/or high levels of stress. The elements in the diagram seek to convey the idea that police are trained to follow legal and procedural process with other complex issues impacting on that process. This is particularly important when exercising discretionary power. Exercise of discretionary power forms an extremely important aspect of policing.

It must be acknowledged that discretion can profoundly influence the relationships between civilians and the police. In short, discretionary power can profoundly affect the lives of civilians. Factors that will determine the decision-making process are influenced essentially by the disposition of the individual officers. When those individual officers are in an emotionally ill, pathological criminal state, or have immoral and corrupt ideals, then it is those persons who are interested in a benefit for themselves. The individuals described may develop this type of moral persuasion or behaviour over time. They may struggle with the decisions to be made, they may learn to eventually strike a balance between self-interest and community benefit, noble cause corruption and application of the law; alternatively they balance those objectives and then choose corruption. There are also officers who apply the law regardless of personal benefit or consequence to the community.

An example of the technical response to police corruption has been a renewed emphasis on police investigating police with highly intrusive and covert means of surveillance and inquiry. These investigations are in line with existing structures of command and control. While necessary in particular circumstances, these methods are not always appropriate. They can perpetuate a logic that violates common sense through searching for extreme risks, high risks, or simply risks within the police ranks. Invariably the risky persons are assumed to be located within the lower ranks of the organisation. As recently reported in the written media:

> We have had a gutful of being over managed and under resourced (*The Sun Herald*, March 27, 2005: 29).

In other words, this blanket effect of finger-pointing rather than producing thorough and open investigation perpetuates insecurity and anxiety throughout the organisation. This is counterproductive to reform, as it reproduces a system reliant on practising a 'code of silence' as discussed in previous chapters. If effective action is to be taken to prevent corruption, there

needs to be a complete cultural transformation involving all members of the Police Service. To bring about this change, operational police officers must discuss the following questions. Do they act with integrity, professionalism and fairness? Do they 'walk the talk' as Armstrong and Melser suggest (2002: 207) In other words; are their beliefs in ethical policing demonstrated by their own actions? Do they have a transparent policy, and a reputation that promotes or invites communication from all members of the command? If the answers to these questions are 'no', action should be taken to rectify this. External review of police contracts would be one avenue.

6.3.4: Changing Police Culture

Figure 6.4 depicts the adoption of a new policing philosophy that has been developed as a possible method to reduce the cycle of corruption and inquiries.
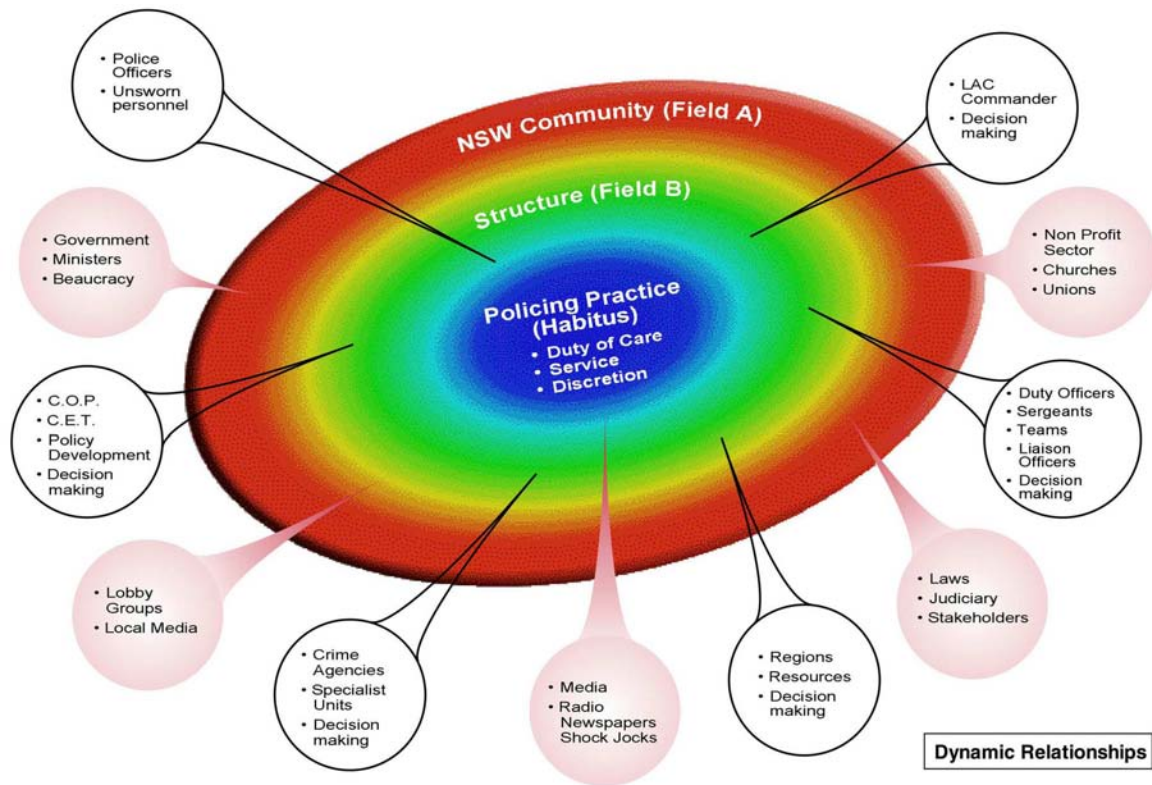
Graphic design: Anna Ly & Peter McPherson, NSW Police Printing & Design Services (2004)

Figure 6.4: Changing the Cycle of Corruption and Crisis

The diagram introduces further discussion for police practice in the future. The police are located in the midst of the community. The community is located at different points within the service. Non-profit sectors, unions, judicial educators and lobby groups have points of contact

within the organisation encouraging open dialogue. This does not mean police are divulging private operational practices or imperatives; it means that they listen and offer in return information that builds positive relationships. The dominant view that `one person knows all' becomes a practice of the past. The rules and regulations governing police structures are in place and police officers located within formal structures. Importantly, the elements of police practice are formally recognised at the centre of the model. Figure 6.5 integrates the theory presented in this work with police work. In this model the field is the New South Wales Police Service and the habitus is the collective notion of a police disposition. This point moves the discussion towards future research. Is there a collective notion of habitus in the police organisation? If there is a collective habitus, what are the defining features of this? In this work the relationship between the social field and the habitus is described as the doxa, or the influence of the major management practice of command and control. In other words police talk, communicate, and dialogue in the form of orders and directions the majority of the time, instead of reserving that practice for the emergency, disaster, hostage, hold-up and other operational police interventions.
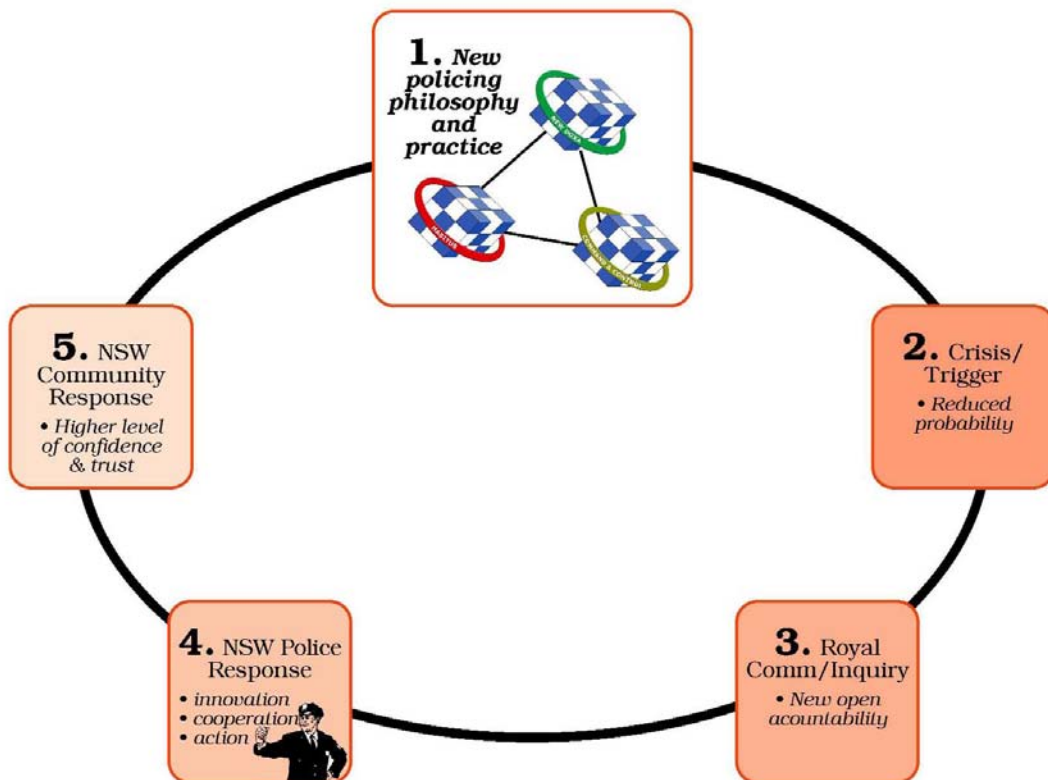
Design: Peter McPherson, NSW Police Printing & Design Services (2004)

Figure 6.5: Practice Model: Changing Police Culture

Opening the organisation to outside influences and integrating them into the policing organisation takes time. The notion of integrating organisations into the police organisation has not been considered widely by the police executive but would be one method of gaining outside expertise. Change through defensive action has caused inappropriate measures of police work and police performance and has not produced answers to the problems of corruption. Outside influences would create positive forms of oversight performance measures. However, it is clearly not enough to simply order the change to occur; employing consultants who understand little of the sensitivities of the history of policing and of its demands, complexities and secret nature, will not help to bring about change.

6.4: Implications for Organisational Change Without Crisis

Another criticism of police culture is its apparent insulation from the impact of external social, political, legal, and other organisations. However, it is salient that police corruption and misconduct could not exist without the tacit approval of the community. When a member of the community makes a personal gain from police corruption s/he is colluding and condoning that practice. In other words it is not only a police officer who may gain from that police officer's corrupt act. This can make proving police corruption with evidence difficult. The individual who is gaining the advantage will not want to admit to it. An example of this may be an officer on a major highway being paid by truck drivers not to write them a ticket. Both the truck driver and the officer make a gain – an example of the community agreeing to and taking part in police corrupt activity.

The notion that there is a repetitive cycle to the inquiries into police corruption that result in no change has been a part of community awareness over the years. When there are discussions of costs and failures to arrest or formally call Commissioners to account, the idea that there is a conspiracy by government to cover up the real findings is part of local dialogue. These ideas in the community are detrimental to the police organisation, the judiciary and the government of the day. However, unless individuals at the upper level of the hierarchy are made publicly accountable for the decision-making process, these negative ideas will continue. They are unhealthy for a community as they perpetuate fragile trust between those policed and the police.

In Chapter One, the Ulster Constabulary was mentioned as coming under review by an English police leader by the name of John Stalker, who more than twenty years ago influenced me to ask questions about what was occurring within my workplace. Further to the argument that police inquiries into corrupt behaviour are historically cyclical in occurrence and content, the following title appeared recently in a New South Wales weekend newspaper: 'Police Examine Ireland Killings'. The article described a team of detectives who are planning to look back at unresolved killings that have occurred in Northern Ireland's conflict approximately 37 years ago.

The investigator, Mr Cox, another former officer in London's Metropolitan police, refused to specify any cases. Specific cases may come from the conflict that involved riots in Belfast and Londonderry. Britain deployed troops, a move that sparked riots, leading to eight people being killed, mostly by police gunfire. Mr Cox stated that looking into these past 'homicides' allegedly by police would take some time.

> The project (the investigation) is expected to run for at least six years (*The Sunday Telegraph*, 30 January, 2005: 47).

What the article fails to clarify is the need for public confidence in the peace processes that led to the new inquiry, a need that arose nearly 40 years ago and may be obtained in another six years' time if the community can trust the police. Briefly, the Northern Irish experience is similar to the experience in New South Wales, although the acts of corruption involved a 'shoot to kill policy'. British troops police Northern Ireland. The community has triggered the move for investigations and inquiries in response to the need for ongoing peace in the territory. However, it appears the cycles of inquiry followed by no reform or reform via a technical approach have been repeated in Ireland as they have in New South Wales Australia. As Brown argues:

> Reflexivity starts at home ... Police clearly do a lot more than investigate criminal offences and initiate prosecutions. But this is an important dimension of police work, bringing the Service into contact with, and to some extent under the scrutiny of, a range of other agencies ... (1997: 222).

Investigations, responses and ideas need to be converted into a new philosophy of open dialogue about complex police decision making. Reformers have to work within the field's current capacity for change and act ethically while encouraging reform.

Chapter Two introduced in summary the 'hard' and 'soft' management approaches. To refer to this again briefly, as Paul Kelly summarises Dean Joseph Nye's work (a soft power analyst from Harvard's Kennedy School):

> 'Soft option for hard heads' and again 'Soft Power and the Rule of Law' – They require international co-operation. And they require what has been called 'soft power', which can be defined as a country's ability to influence events through persuasion and attraction, rather than by military or financial coercion (Paul Kelly, *The Weekend Australian,* 17 April, 2003: 11).

For the long term, individual police officers are encouraged to develop enduring resilience so that they can tolerate the higher pressures that tougher issues generate, somewhat independent of the personal issues that are also inseparable from their police work. They can promote an

ethos of learning and creativity. Over time, a community can become familiar with adaptive work and active leadership – its pain and its successes.

6.5: Conclusion

This research has thrown up a number of questions for future research. How do you persuade police to give up the benefits of corrupt behaviour? How can the police service be restructured so that symbolic capital is attained only through ethical behaviour? How do we acknowledge or support police who make the difficult decision to maintain honest police work? And on the other hand, how do we ensure that those who choose corrupt behaviour lose symbolic and economic capital?

Researching the practice of policing has led me to record a reflection on one historical event, the Wood Royal Commission (1996). The research process has resulted in an 'insider' account. Policing issues of corruption and its recurrence are reviewed within literature, including policy accounts, legal documents and parliamentary records. The study is summarised in the following diagrams. Firstly, the thesis question concerned the way the New South Wales Police Service responded to the Wood Royal Commission findings. The evidence collected leads to the following conclusions. Figure 6.5 shows the logic of the thesis argument. The first column shows the components recognised in the command and control management structure: control of individuals, rule-driven behaviour, governed by patriarchy, mateship and nepotistic behaviour. The current management practices are a set of value-driven behaviours which are located in the habitus of individuals and supported by the field in which they operate. The results of these behaviours are listed in column three: corruption, illegal acts, noble cause corruption, unprofessional behaviour; the results involve crises.

The results indicate that more crises will occur that will result in further inquiries. In other words, corruption has not stopped or reduced its impact on the police organisation. In Figure 6.5: Corruption Control Model, the results of the research are broadened to a wider audience, suggesting ways to address the problem as it currently exists.

Active Leadership	Respect for Leadership	Ethical Policy
Open Dialogue	Support in Decision Making	Aware of Options to Avoid Compromise
Organisational Commitment	Team work Enhancement	Respect for Individuals
Complex thinking	Moral Dilemmas Discussed	24 Hour Accountability
Leadership instiled in Every Officer		
Command & Control Energised Colleagues	Aberrant Behaviour Identified Quickly	**Timely Considered Strategic Decision Making**

Figure 6.6: Proposed Crisis and Corruption Control 2006

The first column proposes implementing active leadership: open dialogue, organisational commitment, complex thinking and leadership resulting in effective command and control. The second column reveals the components of the new process: respect for leadership, support in decision-making, team work enhancement, moral dilemmas discussed, and rapid identification of aberrant behaviour. The proposed reduction in crises for the organisation and for individual officers results in ethical policy implementation, awareness of options in avoiding compromise, respect for individuals, twenty-four-hour accountability, and timely considered decision-making. One result is open dialogue with a strong strategic direction for the police organisation.

One of the most apparent and important findings of this research is that the existing patterns of command and control can create the trigger effect that results in a cycle of formal inquiries which do not appear to yield any real change in the cycle of corruption inquiries into the police. Over the many years that Royal Commissions have advocated changes in the management style of the NSW police organisation, the community, including politicians, the judiciary and the police, have not understood the complex relationships between external and internal management and police corruption.

This thesis has been constructed over a ten-year period by a serving police officer who (at the time of completing the thesis) had worked for twenty-three years in an organisation that both

contributes enormously to the stability of the NSW community, but has also spent an enormous amount of time and resources reacting to external pressure to change. The thesis has tried to understand the patterns recurring within the NSW Police Service and offers a proactive approach that will not stop, nor should it stop, the Police Service being accountable for its actions, but may instead make this accountability and openness ongoing, rather than simply forming a reaction to reoccurring crises.

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APPENDIX A

NSW Police Senior Command / Management 2004

Commissioner

- Audit Group
- Executive Support Group
- Protocol Unit

Deputy Commissioner Operations

- State Crime Command
- Assistant Commissioner Operations Support
- Crime Management Faculty
- Operational Policy and Programs
- PYC and CSG
- Traffic Services
- VIKINGS
- Special Investigations
- Special Projects

Deputy Commissioner Support

- A/C Communications
- Business and Technology Services
- Communications Group
- Police Assistance Line
- A/C Counter Terrorism
- CTCC
- State Protection Group
- Director, Forensic Services
- A/C Professional Standards
- SCIA
- Employee Management Branch
- External Agencies Response
- Director, Public Affairs
- A/C Special Services Group

Executive Director, Corporate Services

- Corporate Infrastructure
- Executive Support Group
- Finance
- Infrastructure and Procurement
- Operational Information Agency
- Education Services
- Human Resources
- Legal Services

Western Region Assistant Commissioner

Region
Barrier
Barwon
Canobolas
Castlereagh
Chifley
Darling River
Lachlan
Mudgee
New England
Orana
Oxley

Northern Region Assistant Commissioner

Brisbane Water
Coffs/Clarence
Hunter Valley
Lake Macquarie
Lower Hunter
Manning / Great Lakes
Mid North Coast
Newcastle
Richmond
Tuggerah Lakes
Tweed/Byron
Waratah

Inner Metro Region Assistant Commissioner

Ashfield
Botany Bay
Burwood
Campsie
City Central
Eastern Beaches
Eastern Suburbs
Harbourside
Hurstville
Kings Cross
Leichhardt
Manly
Marrickville
Miranda
Newtown
North Shore
Northern Beaches
Redfern
Rose Bay
St George
Surry Hills
Sutherland
The Rocks

Greater Metro Region Assistant Commissioner

Bankstown
Blacktown
Blue Mountains
Cabramatta
Camden
Campbelltown
Eastwood
Fairfield
Flemington
Gladesville
Green Valley
Hawkesbury
Holroyd
Kuring Gai
Liverpool
Macquarie Fields
Mt Druitt
Parramatta
Penrith
Quakers Hill
Rose Hill
St Marys
The Hills

Southern Region Assistant Commissioner

Albury
Cootamundra
Deniliquin
Far South Coast
Goulburn
Griffith
Lake Illawarra
Monaro
Shoalhaven
Wagga Wagga
Wollongong

APPENDIX B (1)

Population estimates by Age and Sex, LGAs of NSW, 30 June 2002

Persons

Local Government Area	'0-4	'5-9	'10-14	'15-19	'20-24	'25-29	'30-34	'35-39	'40-44	'45-49	'50-54	'55-59	'60-64	'65-69	'70-74	'75-79	'80-84	'85 and over	Total
Albury (C)	3030	3298	3226	3474	3310	2875	3092	2985	3401	3087	2750	2274	1744	1524	1484	1252	882	772	44460
Armidale Dumaresq (A)	1440	1689	1949	2866	2517	1421	1463	1560	1706	1681	1490	1244	993	755	665	557	435	373	24804
Ashfield (A)	2167	2050	1947	2057	2883	3674	3856	3627	3311	2902	2528	1815	1536	1535	1423	1171	879	1039	40400
Auburn (A)	4362	4076	3868	4446	5139	5178	5316	5030	4759	3893	3364	2551	1956	1672	1578	1342	953	652	60135
Ballina (A)	2145	2570	2846	2773	1797	1756	2088	2513	2981	3003	2851	2283	1910	1784	1844	1712	1169	864	38889
Balranald (A)	207	222	210	188	155	165	207	211	237	212	171	134	111	105	92	75	42	20	2764
Bankstown (C)	12164	12440	12026	12032	12162	12551	12981	12614	12661	11133	10330	8791	6926	6344	6562	5885	3572	2196	173370
Barraba (A)	121	132	125	127	76	86	109	134	165	139	150	169	192	164	149	80	54	60	2232
Bathurst (C)	2054	2058	2373	3165	2663	2046	2094	2054	2309	2007	1800	1538	1139	963	907	772	497	491	30930
Baulkham Hills (A)	9388	10483	11581	12221	10732	9453	10435	10985	12087	11767	11998	10391	6612	4196	3168	2385	1526	1164	150572
Bega Valley (A)	1752	2249	2546	2047	1072	1262	1640	1975	2545	2432	2186	2114	1901	1589	1444	1195	693	522	31164
Bellingen (A)	729	978	1085	900	372	447	643	875	1111	1057	887	799	728	619	580	452	299	206	12767
Berrigan (A)	516	566	606	529	332	385	493	478	558	564	544	533	500	440	413	328	223	178	8186
Bingara (A)	91	131	145	93	71	74	125	117	136	131	150	167	153	148	115	95	64	49	2055
Blacktown (C)	22862	22686	21002	20289	20211	21318	22848	21293	20310	17903	16724	12891	8962	7003	5744	4139	2343	1581	270109
Bland (A)	512	494	506	435	300	355	374	441	504	463	449	354	353	316	298	243	119	126	6642
Blayney (A)	466	536	537	455	284	341	435	486	507	495	428	385	344	292	286	163	98	80	6618
Blue Mountains (C)	4894	5475	5823	5736	4335	4239	5046	5467	6399	6287	5948	4824	3330	2632	2327	2081	1402	1181	77426
Bogan (A)	238	284	244	180	156	190	264	219	202	173	196	213	175	147	113	68	59	41	3162
Bombala (A)	148	178	145	145	138	124	150	197	191	197	193	187	150	116	98	99	67	58	2613
Boorowa (A)	157	177	192	138	85	118	118	173	205	191	159	173	146	126	108	77	49	48	2440
Botany Bay (C)	2334	2184	2151	2319	2722	2927	3172	2974	2846	2547	2353	2105	1712	1434	1346	1041	659	572	37398
Bourke (A)	388	393	320	244	252	329	341	297	282	227	211	176	151	110	110	57	35	24	3947
Brewarrina (A)	217	222	182	105	155	176	210	165	157	128	99	101	69	66	56	34	18	15	2175
Broken Hill (C)	1318	1403	1515	1406	991	1074	1291	1403	1635	1495	1418	1217	1027	974	1032	779	502	428	20908
Burwood (A)	1578	1647	1828	2091	2586	2710	2407	2311	2312	2084	1927	1527	1290	1117	1125	910	692	589	30731
Byron (A)	1686	2099	2411	2066	1400	1601	1940	2318	2910	2883	2315	1646	1157	937	912	800	520	417	30018
Cabonne (A)	772	964	1023	861	558	555	714	836	947	872	916	845	768	642	513	378	232	205	12601
Camden (A)	4164	4276	3870	3353	2974	3829	4462	3971	3717	3122	2838	2124	1426	1100	904	754	537	442	47863
Campbelltown (C)	11585	12920	13300	13677	11668	10805	10567	11099	12034	11149	10299	7124	4662	3162	2548	1988	1229	815	150631
Canada Bay (A)	3640	3340	3105	3315	4306	5494	6007	5430	4921	4266	4262	3530	2795	2420	2310	1959	1398	1133	63631
Canterbury (C)	9899	9180	8194	8668	9472	10483	11451	11372	10534	8874	8052	6805	5880	5297	4644	3701	2428	1868	136802
Carrathool (A)	277	283	240	180	204	225	255	278	284	225	200	152	168	128	98	70	38	44	3349
Central Darling (A)	178	195	152	124	142	175	205	179	167	182	184	163	134	79	73	39	37	16	2424
Cessnock (C)	3276	3612	3594	3399	2912	2957	3286	3297	3615	3342	3240	2715	1985	1755	1611	1365	904	701	47566
Cobar (A)	469	443	424	324	324	384	423	416	435	338	275	219	210	167	136	73	46	51	5157
Coffs Harbour (C)	3809	4572	5045	4754	3122	3084	3643	4208	4984	4853	4363	3671	2977	2758	2582	2106	1363	1012	62906
Conargo (A)	121	155	170	126	82	71	115	151	144	161	120	110	92	77	48	55	17	11	1826
Coolah (A)	282	323	278	243	127	178	230	284	275	261	259	265	262	216	164	131	85	82	3945
Coolamon (A)	296	347	351	269	160	184	266	278	329	287	233	247	227	193	162	134	87	71	4121
Cooma-Monaro (A)	572	679	753	632	423	458	586	605	772	718	642	570	536	421	349	316	214	170	9416
Coonabarabran (A)	438	532	566	446	282	290	360	445	480	495	506	452	369	333	309	218	159	153	6833
Coonamble (A)	390	453	387	262	247	259	349	368	346	318	289	238	227	201	196	122	81	68	4801
Cootamundra (A)	465	580	601	452	320	383	466	503	575	507	520	482	457	367	401	280	166	142	7667

Source: Australian Bureau of Statistics (ABS)

Male/Female figures and LAC to LGA list available from C.I.U. (Memo #ESGCIU)

APPENDIX B (2)

Population estimates by Age and Sex, LGAs of NSW, 30 June 2002

Persons

Local Government Area	'0-4	'5-9	'10-14	'15-19	'20-24	'25-29	'30-34	'35-39	'40-44	'45-49	'50-54	'55-59	'60-64	'65-69	'70-74	'75-79	'80-84	'85 and over	Total
Copmanhurst (A)	272	330	381	342	194	215	266	320	371	398	387	289	229	192	182	130	63	57	4618
Corowa (A)	519	546	604	529	340	402	466	521	587	597	548	580	511	549	482	411	232	159	8583
Cowra (A)	890	1021	971	838	581	704	752	883	913	860	882	809	723	659	611	467	293	251	13108
Crookwell (A)	258	327	336	250	157	161	224	309	320	282	318	287	293	284	218	158	105	66	4353
Culcairn (A)	255	323	338	341	135	162	222	259	253	261	288	277	237	177	177	148	106	103	4062
Deniliquin (A)	589	628	631	508	449	486	559	561	622	557	504	437	391	382	373	301	180	164	8322
Dubbo (C)	3123	3282	3205	2908	2353	2535	2849	2818	2909	2617	2358	2007	1607	1290	1141	915	546	439	38902
Dungog (A)	530	650	684	572	326	385	535	595	709	629	602	527	493	354	295	250	162	119	8417
Eurobodalla (A)	1752	2159	2487	2040	1222	1325	1677	1970	2579	2526	2423	2452	2419	2217	2093	1630	1020	634	34625
Evans (A)	316	371	421	415	231	264	341	419	447	468	479	394	265	200	169	95	73	41	5409
Fairfield (C)	12834	14165	13968	14784	14272	13854	14270	14539	15163	13555	12061	9056	7462	6115	5323	3844	2145	1479	188889
Forbes (A)	680	712	849	784	512	555	584	670	691	648	703	614	552	462	386	304	243	206	10155
Gilgandra (A)	303	393	400	331	219	231	270	279	371	323	326	276	277	222	199	168	100	89	4777
Glen Innes (A)	378	442	436	398	279	296	369	329	435	379	413	369	325	307	289	221	196	159	6020
Gloucester (A)	245	348	391	330	177	178	257	338	372	323	356	341	305	287	270	181	126	111	4936
Gosford (C)	10095	11439	11830	10751	8561	8760	10358	11516	12489	11418	10340	9066	7235	6636	7038	6441	4759	3452	162184
Goulburn (C)	1414	1471	1498	1645	1347	1412	1521	1469	1503	1456	1263	1240	934	817	846	665	440	362	21303
Grafton (C)	1127	1263	1372	1234	880	904	1019	1161	1332	1188	1079	931	792	747	730	651	509	422	17341
Greater Taree (C)	2740	3277	3646	3182	1846	1969	2351	2801	3380	3126	3108	2924	2607	2376	2165	1702	1094	847	45141
Great Lakes (A)	1537	1960	2193	1800	1073	1210	1542	1815	2186	2105	2103	2479	2551	2412	2289	1801	1165	707	32928
Griffith (C)	2048	1982	1887	1666	1633	1775	1848	1909	1820	1556	1422	1177	1013	871	794	674	362	295	24732
Gundagai (A)	288	282	283	229	180	188	250	279	290	242	239	239	225	158	151	123	78	73	3797
Gunnedah (A)	910	1018	1008	837	595	634	794	857	942	881	764	717	629	566	501	392	247	211	12503
Gunning (A)	179	176	170	129	75	98	167	219	199	174	182	166	143	85	63	57	27	21	2330
Guyra (A)	309	370	355	280	205	215	295	316	323	275	313	304	249	201	182	133	86	77	4488
Harden (A)	258	286	303	228	159	196	214	235	273	251	267	272	242	189	180	132	85	61	3831
Hastings (A)	3627	4434	4947	4232	2576	2689	3520	4078	4804	4506	4471	4491	4020	4012	3796	3153	2109	1622	67087
Hawkesbury (C)	4886	5262	5222	4788	4175	4410	5165	5069	5121	4393	4065	3312	2221	1642	1370	1039	694	520	63354
Hay (A)	286	299	274	215	175	224	243	287	279	212	219	214	165	173	119	87	72	62	3605
Holbrook (A)	169	189	182	170	103	100	159	157	188	171	199	154	130	103	120	87	56	58	2495
Holroyd (C)	6292	5849	5693	5812	7016	7861	7538	6984	6452	5643	5581	4836	3736	3056	2781	2326	1496	1061	90013
Hornsby (A)	9226	10225	11400	11841	10714	9125	10250	11485	12703	11993	11062	9100	6397	4951	4523	3921	2938	2854	154708
Hume (A)	474	668	740	615	301	332	468	553	687	656	599	527	423	294	268	146	80	46	7877
Hunter's Hill (A)	711	794	970	1441	716	691	805	880	970	973	946	796	633	415	447	439	410	519	13556
Hurstville (C)	4549	4399	4483	4765	5348	5326	5775	5872	5640	5034	4570	4039	3307	2867	2708	2632	1921	1468	74703
Inverell (A)	1060	1156	1279	1058	798	833	981	1024	1141	1008	987	991	895	775	669	491	323	358	15827
Jerilderie (A)	147	155	147	100	80	97	142	159	144	139	130	116	109	85	71	46	29	14	1910
Junee (A)	361	435	462	428	343	407	445	420	485	414	425	352	227	208	174	170	90	74	5920
Kempsey (A)	1750	2119	2272	1924	1090	1189	1447	1744	2138	2086	1988	1769	1598	1348	1138	982	617	421	27620
Kiama (A)	1130	1476	1648	1491	897	892	1078	1305	1657	1604	1315	1140	1009	849	905	786	541	416	20139
Kogarah (A)	3198	3115	3112	3273	3713	3967	4218	4259	4137	3707	3456	2890	2337	1970	1790	1730	1312	1066	53250
Ku-ring-gai (A)	5462	7207	8504	8742	7462	4619	4941	6685	8500	8332	8413	7153	5193	4213	4048	3674	2639	2527	108314
Kyogle (A)	599	769	912	733	334	369	496	692	842	837	730	594	452	420	378	278	196	148	9779
Lachlan (A)	575	651	563	452	398	437	489	511	543	525	484	396	375	339	319	231	134	120	7542

Source: Australian Bureau of Statistics (ABS)

Male/Female figures and LAC to LGA list available from C.I.U. (Memo #ESGCIU)

APPENDIX C

Appendix
RESEARCH PROPOSAL

INTRODUCTION:

The NSW Police Royal Commission in the New South Wales Police Service has outlined in its interim report the necessity for change.

Mr Peter Ryan the New Commissioner of the Service will need to know, whether change is occurring in the NSW Police Service? consequently a five year study is proposed to monitor and assess the implementation and impact of those changes.

It is intended to monitor, assess, give feedback to the community and outline our progress by recording over time four key factors, these are:-

arrests and convictions;

community perceptions;
police morale and police corruption.

AIM:

To provide an assessment of four key factors that indicate fundamental changes in the service. Provide confidential feedback to the Commissioner on those areas giving indications from a baseline on whether change is occurring and in what areas and whether it is negative or positive.

HYPOTHESIS:

That the NSW police service is experiencing real change between 1996 and 20001. These changes in the four key areas will be documented and linked to both management strategies and operational policing needs.

METHODOLOGY:

That three levels of data collection take place hard quantitative data collection, interviews with key people, and observations of police "culture on the job". These three methods would be employed in a longitudinal study during the five year period. This process means that the service would be monitored and the key areas would indicate in the worst case scenario that there is a negative response, or that we were status quo, or that there was actual real change for the better. The result would be an assessment of an end product that derived from across time studies conducted over the period.

CONFIDENTIALITY:

The material used through the study and the progress reports would be sent to the Commissioner for his information. There is no requirement for the information to be utilised in any other manner except at the end of the five year report a comprehensive thesis would result reflecting an active recording of history as it is occurring. This thesis would be placed on the shelves of the Fisher Library, Sydney University. The thesis would be an important reflection of the accountability the service feels necessary as a result of the findings of the Royal Commission.

LIMITATIONS:

Access to data is dependent on the support of the Commissioner of Police. Several studies would have to be undertaken, this would involve a financial commitment. Perhaps other avenues for finance are available. Confidentiality of the data would be maintained during the study.

RESEARCH SUPPORTED BY THE UNIVERSITY OF SYDNEY
Dr Alec Pemberton Supervisor. Researcher: **Senior Constable Jann Kar**p PhD Student.

A. **Research Design for a Longitudinal Study of Change From Key Areas of the NSW Police Service.**

Year	Arrests (Convictions)	Community Perceptions	Police Morale	Police Corruption
T1 – 1997				
T2 – 1998				
T3 – 1999				
T4 - 2000				

Empirical data would be gathered on these four key areas. Detailed analysis of patterns emerging available through the five year period with a summary of the historical data at the end of five years.

B. **Longitudinal Study of Focused Interviews with Key Personnel**

Name	T1 – 1997	T2 – 1998	T3 – 1999	T4 – 2000
Commissioner P. Ryan				
Assistant Commissioner J. Jarratt				
Assistant Commissioner C. Nixon				
Associations Representative				

C. **Participant Observation: 'on the job' organisational culture recording of police through the normal employment on operational duties for a period of three months each year by Senior Constable Jann Karp.**

CONCLUSION:
This research offers an integral role in achieving success, overtime by the process of obtaining regular feedback, making judgements and adjustments while strategic change is occurring. This research proposes to support the Police Service in its endeavour to change.

APPENDIX D

To Whom It May Concern.

10 March 1997

RE: **Senior Constable J. Karp.**

This letter will serve to introduce Senior Constable Jann Karp, of the NSW Police Service, whom I have approved to undertake a research project into the current reform of the Service.

The research to be conducted will provide crucial support for the organisation as it undergoes the reform process. In particular, it offers a system of monitoring how the Service is progress1ng as changes are initiated.

The Senior Constable's study will record change in four key areas, namely police morale; police corruption; public perception; and arrest rates. The research will record historical change, change in culture, and the success or failure of management to cope with the challenge of improving the Service.

Several methodologies will be used including the collection of statistics and the conduct of ongoing interviews and surveys. The research is a longitudinal study, constantly providing feedback during a five year period, and will result in a record of the Service's history as it is occurring.

Your support for this project is greatly encouraged and any assistance you might be able to provide the Senior Constable in her endeavours will be appreciated not only by myself and her colleagues here in the Service but by the community we serve.

Yours sincerely,

P.J. Ryan

Commissioner

APPENDIX E

POLICE ASSOCIATION OF NEW SOUTH WALES

P:O. BOX A 1097, SYDNEY SOUTH, N.S. W. 1232
PHONE: (02) 9283 5567   FAX: (02) 9283 5589   EAGLENET 57071

11 April 1997

TO WHOM IT MAY CONCERN

This letter introduces Senior Constable Jann KARP of the New South Wales Police Service and a member of the Police Association of New South Wales. Ms Karp has been approved by the Commissioner of Police to undertake a research project into the reform currently under way within the Police Service.

The research will provide support for the Service as it undergoes the reform process. In particular, it provides for and offers a system of monitoring Service progression as changes are introduced.

Ms Karp's research is centred on recording change in the key areas of police morale, police corruption, public perception and arrest rates. These issues are of course linked to matters in which the Association has a vital interest.

Any support that you may be able to offer to assist Senior Constable Karp in this important project would be greatly appreciated.

Yours sincerely,

P J Tunchon
President.

COMMON SEAL

APPENDIX F

PARTICIPANT CONSENT FORM

I,……………………………………………………………………………………
(NAME)

of…………………………………………………………………………………...
(ADDRESS)

Have read and understood the information for participants on the above named research study and have discussed it

………………………………………………………………………………………
(SIGNATURE)

I am aware of the procedures involved in the study, including any inconvenience, risk, discomfort or side effect, and of their implications.

I freely choose to participate in this study and understand that I can withdraw at any time.

I also understand that the research study is strictly confidential.

I hereby agree to participate in this research study.

Name:…………………………………………………………………………………...

Signature:………………………………………………………………………………

Date:……………………………………………………………………………………

Name of
Witness:………………………………………………………………………………...

Signature of
Witness:………………………………………………………………………………...

APPENDIX G

Appendix The Cycle of Corruption Inquiries listed as relevant historical policing Events. This chart has been adapted from the Final Wood Royal Commission Report (1996).

DATE	EVENT	SOURCE
1788	Marines of the First Fleet take on responsibility for public security within the Colony, including custody of all prisoners. Two and a half weeks after arrival of the First Fleet, Governor Phillip appoints a freeman, John Smith, as a constable.	B. Swanton, The Police of Sydney, 1788-1862, AIC, 1984, p.1.
1833	*Sydney Police Act 1833* is passed, an Act for regulating the Police in the Town and Port of Sydney and for removing and preventing Nuisances and Obstructions therein. Its enactment effectively places Sydney's Police Force (84 strong) on a statutory basis. Police organisation and personnel are formally subjected to control of magistrates. The Force's staff comprises many convict and emancipist officers, but from 1834 is bolstered by the first of several groups of police recruited from the United Kingdom.	Sydney Police Act 1833, No.7; B.Swanton & G. Hannigan (eds), Police Source Book 2, AIC, 1985, p.380.
1840	Police Magistrate Henry Croasdaile Wilson *retires* following complaints of impropriety. Sydney's police strength grows to 128 employees.	B. Swanton & G.Hannigan (eds), Police Source Book 2, AIC, 1985, P.380; Australian Dictionary of Biography Vol.2 1788-1850 I-Z, Melbourne University Press, 1967, p.699.
1862	Captain John McLerie appointed the first Inspector-General. Holds office until 1874.	NSW Police Force, Centenary Brochure NSW Police Force 1862-1962, Govt. Printer, Sydney, p.22.

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30/7/67 1867	Report of the Commissioners appointed to inquire into the State of Crime in the Braidwood District. After examining the conduct of magistrates and police in relation to bushranging, the Inquiry identifies several instances of *misconduct and inefficiency* on the part of certain members of the police.	Report of the Commissioners, State of Crime in the Braidwood District, 30/7/1867, RCPS Exhibit 2790A/9.
1892	Report of the Royal Commission on Alleged Chinese Gambling and Immorality and Charges of Bribery Against Members of the Police Force, appointed 1891. Finds allegations against police <u>not substantiated</u>.	Report of the Royal Commission on Alleged Chinese Gambling and Immorality and Charges of Bribery Against Members of the Police Force, Commission Report, (Manning, Abigail, McKillop, Tart, Hawthorne), 22/1/1892, Sydney.
1916	Members of the political group the Industrial Workers of the World arrested on various charges relating to arson and sedition. Following the trial, an inquiry under the Police Act and a Royal Commission reviewed the evidence against the accused and actions of police.	Inquiry Under the Police Inquiry Act 1918: Report of Mr Justice Street, the Commissioner appointed by the Act, Govt. Printer, Sydney, 1918; Royal Commission of Inquiry into the Matter of the Trial and Conviction and Sentences Imposed on Charles Reeve and Others, Commission

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		Report, (Hon. N.K. Ewing, Commissioner) 11/8/20), Sydney.
1920	Royal Commission examines conviction of Industrial Workers of the World.	Royal Commission of Inquiry into the Matter of the Trial and Conviction and Sentences Imposed on Charles Reeve and Others, Commission Report (Hon. N.K. Ewing, Commissioner) 11/8/20, Sydney.
1930-35	Walter H. Childs appointed first Commissioner of Police. Holds office until 1935.	NSW Police Force, Centenary Brochure 1862-1962, Govt. Printer, Sydney, 1962, p.24.
13/3/1935	*Police Regulation (Amendment) Act 1935* assented to. The amendment changes the official title from Inspector General of Police to Commissioner of Police.	Police Regulation (Amendment) Act 1935.
1/12/36	Justice Horace Francis Markell's Report of the Royal Commission of Inquiry into Allegations against the Police in connection with the Suppression of Illicit Betting published. Markell finds the situation regarding police activities *serious* and in urgent need of investigation. He finds 'several members of the police (including two senior officers) guilty of charges made under the Commission' and says he has to *'comment adversely on the conduct of others'*.	Report of the Royal Commission of Inquiry into Allegations against the Police in connection with the Suppression of Illicit Betting (H.F. Markell, Commissioner), 1/12/36.
1954	Report of the Royal Commission on Liquor Laws in NSW is presented. Commissioner, Justice Alan Victor Maxwell: • Notes the suspicion that `wholesale unchecked	Report of the Royal Commission on

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	breaches of the liquor law could be in part explained by police connivance' had not be removed. • Agrees with Counsel for the Police Department that it is not possible on the evidence to find that there `is widespread corruption amongst members of the Vice Squad'. • Is critical of policing in this area, including senior officers. • Notes an apparent *lack of leadership*, enthusiasm and ingenuity. • Makes reference to several senior police officers' accretion of assets although can not make specific findings in relation to them as there is no evidence that such assets are the result of the administration of, or failure to administer, the Liquor Act. • Questions Police Department's policy on acceptance of testimonials upon retiring.	Liquor Laws in NSW, (A.V. Maxwell, Commissioner) 1954, pp.90-99.
5/10/1954	Report of the Royal Commission into *allegations of police brutality* to David Edward Studley-Ruxton released. The Commissioner rejects Ruxton's story that he was bashed by police. The Commissioner is unable to find how the injuries to face and arms were received, however, he entertains `more than a slight suspicion' that these may have been caused by police.	Report of the Royal Commission of Inquiry into certain matters relating to David Edward Studley-Ruxton (Dovey, Commissioner), 1954.
18/3/65	Policewomen cease to be known as special constables; are sworn in as operational officers.	M. Tynan, 80 years of women in policing NSW, NSW Police Service, 1995, p.28.
8/12/71	A judicial inquiry into the Ng, Stanevics and Rixon cases is resisted, as is the attempt by the Leader of the Opposition to establish a Select Committee to inquiry into all aspects of police administration.	NSW Parliament, Hanzard, 8/12/71, p.4091.
Dec1971	Detective Sergeant Jack McNeill, then in charge of Consorting Squad, receives information re Bally America's connections with organised crime. This leads to the setting up of a special police inquiry. Its reports are sent to Government with Commonwealth Police reports and lead to questions and allegations in the Legislative Assembly, and later to the establishment of the Moffitt Royal	Royal Commission into Allegations of Organised Crime in Clubs in NSW (a. Moffitt, Commissioner),

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	Commission.	Aug. 1974, p.5.
20/8/73	Royal Commission into Allegations of Organised Crime in Clubs in NSW commences. Justice Athol Moffitt was the Commissioner in charge of the inquiry.	Royal Commission into Allegations of Organised Crime in Clubs in NSW (A. Moffitt, Commissioner), Aug 1974, p.1.
5/8/77	Justice Philip Morgan Woodward appointed Commissioner of the NSW Royal Commission into Drug Trafficking.	Report of the Royal Commission into Drug Trafficking (P.M. Woodward, Commissioner), Oct. 1979.
1978	Nineteen general duties police officers dismissed at Parramatta for involvement in an organised tow truck racket.	NSW Ombudsman, investigation of alleged police involvement in tow truck rackets, Sept. 1982, p.9.
March 1978	Privacy Committee examines Special Branch and criminal records in NSW, and criticises record keeping practices.	Privacy Committee, NSW Police Special Branch, No. 45, March 1978.
23/8/78	Establishment of Parliamentary Select Committee into Organised Crime, headed by Dr. Derek Freeman. Select Committee lasts only about three weeks because State election called.	NSW Parliament, Hansard, 23/8/78, p.494.
11/9/78	*Police Regulation (Allegations of Misconduct) Act* enacted (PRAM Act). Assented to on 11/9/78. Commences operation on 19/2/79. This establishes the Internal Affairs Branch and complaints become notifiable to the Ombudsman. *The Police Tribunal is established to hear matters relating to disciplinary charges for misconduct.*	Police Regulation (Allegations of Misconduct) Act 1978, No. 84.
5/6/79	Police Commissioner Wood resigns amid allegations of widespread police corruption.	NSW Police Department, Annual Report

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		1979, p.7; SMH 6/6/79, p.1.
16/7/79	The Commonwealth-New South Wales Joint Task Force on Drug Trafficking (JTF) commences operations. Uses unlawful telephone intercepts installed by NSW Police Service Technical Services Unit, after seeking approval from the officer in charge of the BCI.	Royal Commission of Inquiry into Alleged Telephone Interceptions, (D.G. Stewart, Commissioner), vol.1, April 1986, p.216.
Oct 1979	Final Report of Woodward Royal Commission released. Finds that Donald Mackay had been murdered by a Griffith based drug organisation. Describes local businessman Robert Trimbole as the practical, if not the titular, head of the organisation, and finds that Detectives Ellis, Borthwick and Robbins had close ties with marijuana activities.	Report of the Royal Commission into Drug Trafficking (P.M. Woodward, Commissioner), Oct 1979.
14/11/79	Commission to Inquire into NSW Police Administration commences under Justice Edwin Augustus Lusher.	Report of Commission to inquire into NSW Police Administration (E.A. Lusher, Commissioner), Sydney, April 1981.
25/6/81	Royal Commission of Inquiry into Drug Trafficking (also known as `Mr Asia' Royal Commission) commences. Justice Donald Gerard Stewart, Commissioner.	
3/7/81	Crime Intelligence Unit renamed Bureau of Crime Intelligence (BCI). Again renamed State Intelligence Group. Now existing in part as decentralised local units and has other decentralised functions in Crime Agencies	Royal Commission of Inquiry into Alleged Telephone Interceptions (D.G. Stewart, Commissioner), vol.1, April 1986, p.85.
Aug 1982	Ombudsman's inquiry into complaints re dealings between police and tow truck operators.	NSW Ombudsman, Report re alleged police

		involvement in tow truck rackets, 1982, p.3.
Nov 1983	Government introduces a series of bills aimed at eliminating corruption and improving investigation of complaints against police. • Police Regulation (Allegations of Misconduct) Amendment Bill • Police Regulation (Further Amendment) Bill • Ombudsman (Police Regulation) Amendment Bill.	NSW Ombudsman, Annual Report for year ended 30/6/84, p.93.
28/6/84	Final Report of Special Task Force headed by Executive Chief Supt. Milton (J.M.) Pry on further investigations re Age Tapes (Cessna/Milner proceedings).	Royal Commission of Inquiry into Alleged Telephone Interceptions (D.G. Stewart, Commissioner), vol.1, April 1986, p.255.
Aug 1985	NSW Police Service Operation Raindrop commences, to examine a prison informant's allegations of corrupt dealings between himself and a number of police.	ICAC, Report on Investigation into the Use of Informers, vol.2, Jan 1993, pp.357ff.
21/8/85	Report of the Committee on Gaming is presented.	Report of the Committee of Inquiry into Gaming in NSW (Lloyd-Joes, Chairman), Aug 1985.
30/4/86	Report of Royal Commission of Inquiry into Alleged Telephone Interceptions (The Age Tapes Royal Commission) presented.	Royal Commission of Inquiry into Alleged Telephone Interceptions (D.G. Stewart, Commissioner), vol.1, April 1986, p.3.
14/11/86	Report of Special Commission of Inquiry into the Police	Report of the

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	Investigation of the Death of Donald Bruce Mackay presented. Makes strong adverse findings against Executive Chief Supt. Parrington (including failure to make due inquires, withholding evidence from inquest) sufficient to warrant prosecution for attempting to pervert the course of justice. Finds that Constable Eric Harold Campbell neglected to make proper inquiry. Criticises internal communication, police filing system.	Special Commission of Inquiry into the Police Investigation of the Death of Donald Bruce Mackay (J.F. Nagle, Commissioner), 1986, pp.309-14.
Dec 1986	Amendment to Police Board Act 1983 provides that integrity is to be considered by the Board as a component of merit in respect of promotion matters. Also to be considered by Government and Related Employees Appeal Tribunal (GREAT).	Police Board of NSW, Annual Report 1986-87, p.55; Statute Law (Miscellaneous Provisions) (No.2) 1986; Date of assent 23/12/86, NSW Government Gazette, No.20, 30/1/87, p.483.
Aug 1987	Task Force Omega (I) is established to investigate the attempted murder of Detective Sergeant Michael Drury.	"We weren't set up just to get him, police insist', SMH, 23/11/89, p.7.
4/8/87	Ombudsman Special Report to Parliament. The first three years of the NSW Police Complaints System.	Ombudsman of NSW, Special Report to Parliament. The First Three Years of the NSW Police Complaints System, Aug 1987.
11/1/89	Operation Casper ends. Casper 2 commences. (Mentioned by Hatton – Results in Wood Royal Commission)	NSW Parliament, Hansard 11/5/94, p.2288.
17/10/89	Royal Commission into Blackburn Affair announced.	Government Gazette 20/10/89, p.8579.
4/4/90	Ombudsman Special Report to Parliament. Failure of the	

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	Commissioner of Police to take satisfactory action in relation to previous recommendations of the Ombudsman concerning a review of the Special Weapons and Operations Squad procedures and instructions. The Report observed that recommended changes had not been made to SWOS procedures and the critical aspects of arrest, detention and interrogation had not been addressed.	
June 1990	Report of the Royal Commission of Inquiry into the Arrest, Charging and Withdrawal of Charges Against Harold James Blackburn and Matters Associated Therewith is released by Justice Jack Lee.	Report of the Royal Commission of Inquiry into the Arrest, Charging and Withdrawal of Charges Against Harold James Blackburn and Matters Associated Therewith (J. A. Lee, Commissioner), June 1990.
May 1991	The ICAC Report on investigation into Police and Truck Repairers released. The report finds that police received payments from truck repair companies to act as `spotters'.	ICAC Report on Investigation Into Police and Truck Repairers, May 1991.
Aug 1992	The ICAC Corruption Prevention Project: Secondary Employment of NSW Police Officers is released. Recommends that secondary employment can be undertaken on the approval of Police Service management if there is no conflict of interest with police duties/responsibilities and no compromise of Police Service integrity. No officer may own or be director of a security company, private investigation company or licensed premises.	ICAC, Secondary Employment of NSW Police Officers, Aug 1992.
Dec 1992	Commissioner establishes task force to identify the scale, nature and trends of corruption in the NSW Police Service. It undertakes a review of all serious complaints against Police between 1987 and 1991. This involves analysis of 6,855 files. The task force concludes that whilst general complaints had risen consistently between 1987 and 1991, the number of complaints alleging corruption have fallen since 1989.	NSW Police Service, Internal Affairs Branch, Complaints Against NSW Police: A discussion of the scale, nature and

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		trends of allegations against New South Wales Police 1987-91, p.5.
23/1/93	NSW Ombudsman Special Report to Parliament: Inquiry into the circumstances surrounding the injuries suffered by Angus Rigg in police custody and into the subsequent police investigations presented.	NSW Ombudsman, Inquiry into the circumstances surround the injuries suffered by Angus Rigg in police custody and into the subsequent police investigations, Jan. 1993.
30/3/93	Interim Report of NSW Crime Commission on French's Forest matter is submitted to its management committee.	NSW Crime Commission Annual Report, 1992-93, p.9
1994	Steering Committee established by the Board to examine problems with Police promotions system. This Committee is assisted by a working party led by Executive Director of Human Resources. Outcomes are: • Workforce reform agenda, the Career Advancement Planning System (CAPS); • 1995 interim changes to the promotion system.	NSW Police Service `Career Advancement Planning System', 5/6/95, RCPS Exhibit 2463/9, p.1.
Feb 1994	The ICAC `Milloo' first report released (Investigation into the Relationship between Police and Criminals).	ICAC investigation into the relationship between Police and Criminals, First Report, Feb 1994.
14/4/94	NSW Ombudsman Report, Improper Access and Use of Confidential Information by Police is released.	NSW Ombudsman, Improper Access and Use of Confidential Information by Police, April 1994.

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11/5/94	Debate on the need for a Royal Commission in the NSW Legislative Assembly. John Hatton makes a lengthy speech and his motion calling for the establishment of a Royal Commission is passed.	NSW Parliament Hansard, 11/5/94, p.2286.
12/5/94	Royal Commission into the NSW Police Service established.	Letters Patent, 13/5/94, RCPS Exhibit 2197AC/2.
July 1994	Discussion paper by NSW Ombudsman: Race Relations and Our Police released.	NSW Ombudsman, Race Relations and our Police, July 1994.
Sept 1994	The ICAC, Interim Report on Investigation into Alleged Police Protection of Paedophiles is released.	ICAC, Interim Report on Investigation into Alleged Police Protection of Paedophiles, Step 1994.
24/1/95	Report by NSW Ombudsman: Police Internal Investigations: poor quality police investigations into complaints of police misconduct is released. Recommends that the Police Service reviews the management of investigation of complaints against police officers and that the review address organisation structure, performance monitoring, staffing, training, and methodology.	NSW Ombudsman, Police Internal Investigations: poor quality police investigations into complaints of police misconduct, Jan. 1995.
March 1995	Police Service establishes an Internal Witness Support Unit to develop and implement an Internal Witness Support Program. This program replaces the Internal Informers Policy. The term `internal informer' is replaced by the term `internal witness' and responsibility for implementation is transferred from Professional Responsibility Command to the Human Resources Command.	L. Scott, RCT, 12/4/95, pp. 5539-40, C. Smith, Statement to RCPS, 24/9/96, RCPS Exhibit 5785, p.3.
15/1/96	Commissioner Lauer resigns.	The Australian 16/1/96.
11/6/96	Announcement of the selection of Mr. Peter Ryan as the new Commissioner.	
Jan 1998	Commissioner Ryan releases the next phase – The next stage of the reforming of the Service.	"Reform of the NSW Police Service".
Dec 2000	Commissioner Ryan releases "Future Directions 2001-2005".	
April 2002	Commissioner Ryan resigns	

APPENDIX H

Appendix
Media reports of the HISTORY OF EVENTS
Compiled from searching media data bases looking for information relevant to police corruption inquiries.

DATE	EVENT
1789 – 1975	BABIES AND BASHINGS: LOW POINTS IN POLICE HISTORY: *SMH 16/05/97 page 12.*
	1789: Governor Philip appoints a night-watch patrol of the best behaved convicts which becomes known as the 'constabulary'.
	1840: Police magistrate Henry Croasdalle Wilson retires after complaints of impropriety.
	1954: Report on liquor laws notes: Suspicion that 'wholesale unchecked breaches of the liquor law could be in part explained by police connivance. Apparent lack of leadership enthusiasm and ingenuity. Several senior police officers accretion of assets.
	1954: Royal Commissioner investigating allegations of brutality by David Edward. Sudley Ruxton rejects Ruxton story by entertains more than a slight suspicion that injuries may have been caused by police.
1962	NORMAN ALLAN COMMISSIONER: *SMH 12/6/96 page 1.* NORM ALLAN 1962-72: Police corruption thrived in the 1960s – Allan admitting that he could not stop it, attempted to cover magnitude by falsifying crime statistics. Retired under pressure in 1972 and died of brain tumour five years later, breeding speculation that he was not mentally well while in office.
1965	ROBIN ASKIN, PREMIER: *SMH 16/5/97 page 12.* **1968:** Ng Biu Kuen reports senior police in Dixon Street casubi, He is allegedly assaulted by police and later charged with possession of opium – says this was payback.
	1968: Geoffrey Rixon assaulted by police, later brings a successful civil action against two officers.
1971	**June:** police informer Shirley Britman alleges corrupt practice by Sergeant Fred Krahe and 34 members of CIB. **December:** Sergeant Phil Arantz blow whistle on Commissioner Allan's falsification of crime clear-up rates.
1972	Arantz dismissed without pension: Allan retired with pension: Fred Hanson Commissioner; Krahe retires medically unfit with pension; no action taken in NSW on Britman's allegations.
1972	FRED HANSON COMMISSIONER: *SMH 12/6/96 page 1.* FRED HANSON 1972-77: Ordered sacking of 28 corrupt police on taking office and announced that drugs were the biggest problem facing police. Retired in 1977 after allegedly being seen duck shooting with drugs boss Robert Trimbole and was later labelled a crook in State Parliament. Committed suicide on Oct 26, 1980; left estate of around $1 million.
1973	*SMH 16/5/97, page 12.* Sergeant Pat Pitzer states on TV he can name at least one club where police are being paid.
1973-74	Moffitt Royal Commission on organised crime in clubs; no charges laid but Crime Intelligence Unit formed.

1975	Askin retires.
1976-1981	
1976	Labor Government in Office.
1977	Mervyn Wood appointed Commissioner. MERVYN WOOD 1977-79: *SMH 12/6/96 page 1.* International rower with follow officer Murray Stewart Riley; Sergeant Riley resigned from the police in 1962 and joined organized crime. Merv Wood rose to Commissioner but reputation damaged over alleged connections with Abe Saffron, George Freeman and others. Resigned after 30 months, was charged in 1987 with perverting course of justice over Cessna-Millner affair (but case did not proceed).
1977	*SMH 16/5/97 page 12.* **1977:** Internal undercover operation to investigate allegations police involved in organized crime. **1978:** Nineteen general duties police officers dismissed at Parramatta for involvement in an organized tow truck racket.
1979-81	*SMH 12/6/96 page 1.* Presided over shortest, but most tempestuous, period in police force's recent history, Tenure dogged by scandals, culminating in shooting of Warren Lanfrachi by then Sgt Roger Rogerson. In 1981 Lees issued statement to senior police on Sep 13, 1981 saying he had not been consulted on appointment of deputy, Bill Allen, and would retire shortly.
1979	Magistrate Murray Farquhar gives Roy Cesna bond in Cessna-Milner drug case; Wood resigns following questions about his role in Cessna-Milner case; Jim Lees Acting Commissioner, Premier Neville Wran QC appoints Justice Edwin Lusher to inquire into police administration.
1979	*SMH 16/5/97 page 12.* Final report of Woodward: Royal Commission finds three detectives had close ties with marijuana activities.
1981	*29/04/81 Lusher Reform* **April:** Lusher ends rotten apple theory; rays the only way to deal with corruption is to treat it as if endemic; says civilian-dominated Police Board essential; **June:** Armed Holdup Squad Sergeant Roger Rogerson shoots Warren Lanfranchi dead in Dangar Place, Chippendale; **December:** Cecil Abbott succeeds Lees as Commissioner. Coronial jury declines to find that shot fired in self defence. *SMH 16/5/97 page 12.*
1981-84	*SMH 12/6/96 page 1:* **CEC ABBOTT 1981-84:** Former drug squad head and Assistant Commissioner for Crime, Abbott investigated roles of Murray Farquhar, Morgan Ryan and Mervyn Wood in Cessna-Milner case. Opposed implementation of Police Board after Lusher Report. End of reign began when recommended no criminal action against then Corrective Services Minister, Rex Jackson, on allegations that prisoners were buying their way out of jail. Retired the following year.
1983-1984	**1983, October:** Police Minister Peter Anderson introduces anti-corruption package; **December:** Wran accepts Police Board.
1984,	**August Avery** appointed Commissioner; **November:** Rogerson charged with attempting to bribe Drug Squad officer Michael Drury in September 1983. **1984** Police Board established.

1984	7/8/84: Avery appointed Commissioner.
1984-91	*SMH 12/6/96 page 1.* **JOHN AVERY 1984-91** Set up major inquiries into allegations against officers. Began community-based policing and declared it would take 'a young commissioner who will have 10 to 15 years in the job' to clean up corruption in the force once and for all. Avery made no secret that he believed Tony Lauer was that man when he retired – officially for health reasons – in 1991.
1984	*SMH 16/5/97 page 1.* Stephen Basley, former member of Mr Asia syndicate alleges on ABC's Four Corners that seven NSW officers were involved in heroin trafficking protecting drug dealers using standover tactics and —————— redistributing drugs for their own profit.
1985-1993	**1985 June:** Rogerson acquitted on attempted bribe charge, but his influence wanes when it emerges in November that he had $100,000 in accounts in false names.
1985	*SMH 16/5/97:* NSW Police Service Operation Raindrop commences, examining a prison informant's allegations of corrupt dealings between himself and a number of police.
1986	Rogerson dismissed from force.
1988	
1989	
1989	*SMH 16/5/97 page 12:* International Security Unit initiates Task Force Flintstone, to investigate the role of civilians and police allegedly involved in conversion of stolen car racket. Independent Commission Against Corruption (ICAC) established. Royal Commission investigates the wrongful arrest and treatment of a senior officer – the Blackburn Affair
1989	**17/10/89:** Blackburn Royal Commission announced.
1989	*SMH 16/5/97 page 12:* ICAC report on Hakim matter is released, relating to an investigation and hearing arising from a raid on Frank Hakim's premises; after which it was alleged that evidence was fabricated by senior police.
1990	**June 1990:** Report of Blackburn.
1990	**28/12/90:** John Avery served as Commissioner until this date.
1990	*SMH 16/5/99 page 12:* Former detective Roger Rogerson found guilty of conspiracy to pervert the course of justice.
1990	Darren Brennan shot by police during raid.
1991	ICAC report on Sutherland Licensing Police finds that: Meals and liquor often given to licensing officers.
1991	Staunton Report on Brennan shooting is released. Four police face charges for neglect of duty.
1991	ICAC finds police received payments from truck repair companies to act as 'spotters'.
1991	Angus Rigg held in cell overnight. Attempts suicide, left severely brain damaged.

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1991	**21/3/91:** Lauer's appointment as Commissioner.

1991-96	*SMH 12/6/96 page 1:* **TONY LAUER 1991-96:** Came to the job as corruption fighter but concerns over this issue peaked during tenure and feuded badly with Police Minister Ted Pickering. Lauer argued no entrenched police corruption when Wood Royal Commission established (May 1994). Within year shocking picture of corruption emerged. Lauer retired in January 1996 after strains began with new minister, Paul Whelan, and as Wood's revelations continued.

1992 16/9/92:	Angus Rigg matter; and subsequent 14 month delay in investigation; are brought to public notice.

1992 23/9/92:	Pickering resigns.

1993	*SMH 16/5/97 page 12:* Gaming Squad disbanded following evidence of corrupt conduct in ICAC hearing. Source: Selected from Appendix 25, Wood Commission report.

1992-94	**23/9/92 – 27/6/94:** Griffiths was Police Minister.

1994	*Hansard 11/5/94 pp:2286:* **11/5/94:** Debate on need for a Royal Commission in NSW. Parliament Legislative Assembly. John Hatton makes a lengthy speech.

1994	*The Australian 16/5/97:* **May 12:** Hatton gets the numbers to force the government to create the NSW Royal Commission into Police Corruption. **May 13:** Wood appointed Royal Commissioner. **May 17:** Griffiths concedes corruption exists in NSW police service. **August 9:** Government refuses Wood request for increased powers to tap phones. **November 24:** Hearings begin. **December 1:** Grusovin uses parliamentary privilege to name solicitor John Marsden and former MP Frank Arkell as alleged paederasts. **December 2:** Grusovin forced to resign. **December 6:** Lauer appears before the Commission. **December 14:** Fowler ordered to appear under threat of arrest. Louis Bayeh appears. **December 15:** Bill Bayeh makes first appearance. *The Australian 16/5/97.*

1995	**January to August 1995 1995** *The Australian 16/5/97:* **January 27:** Prominent solicitor Chris Murphy says 'Hitler would have been proud' of tactics used in Commission. **February 21**: Whistleblower senior constable Greg Wheadon testified that he received a death threat from fellow police. **February 24:** Mooney turns whistleblower despite threats against his family. **February 27**: Hatton resigns, citing stress over the commission. **March 1:** Sergeant Peter Lewis cries, admitting he and Constable Brett Hartmann based a civilian with a baton. **May 2:** First surveillance video released showing three off-duty police punching, kneeing and kicking an unconscious man outside a Sydney hotel. **May 7:** Detective Constable Kathleen Hooke admits she lied to the inquiry after anonymous callers warned her not to change her evidence.

May 15: Former bodyguard to one of Sydney's biggest alleged drug dealers says police sanctioned protection racket had been paid thousands of dollars to ignore illegal casinos and drug networks.

May 23: A young prostitute says Kings Cross brothel owner 'Fat George' supervised a rape and torture session against her at Pink Flamingo massage parlour.

June 1: Staunton, an associate of alleged heroin dealer Bill Bayeh, is the first witness jailed for refusing to answer questions.

June 5: Corrupt detective sergeant turned informant Trevor Haken is exposed as the Commission's star witness when he is shown in a secret videotape passing $30,000 in bribes from criminals to Fowler. Haken's wife and four children are taken into the witness protection scheme. Fowler suspended.

June 13: Inquiry hears that thousands of dollars were paid to two detectives to fix a Supreme Court criminal case in which two underworld gunmen were charged with shooting up the home of Louis Bayeh.

July 14: A businessman who provided secret information about alleged police harassment and corruption commits suicide.

July 27: Galea becomes the second person to be jailed indefinitely for refusing to answer questions.

August 1: Lauer refuses to say whether he will stand down at the end of the inquiry.

August 3: Louis Bayeh rolls over and says he paid hundreds of thousands of dollars to police over 20 years

August 7: Bill Bayeh admits lying to the inquiry when he denied paying corrupt police more than $100,000 over past five years for protection.

August 17: Lysaught stood down after corrupt allegations. Dismissed on December 12.

August 23: Haken begins a week of evidence during which he adversely names 200 people, including Lysaught. He alleges that Bill Bayeh is the biggest supplier of heroin and cocaine at Kings Cross, denied by Bayeh.
The Australian 16/5/97.

1995	*SMH 16/5/97:* *Name:* Charles Staunton *Charge:* Wilful refusal to answer *Sentence:* 11 months jail from August 1995.

1995	**September – December 1995:** **September:** Haken gives evidence of corruption in State Commonwealth Joint Drug Task Force. **September 7:** Gosford Drug Unit segment of hearings commences. **September 11**: Donaldson says he intends to resign after allegations he received $1000 from a drug taskforce scam known as the 'Christmas Club'. **September 29:** Government announces inmates who might have been wrongfully convicted will have their cases reviewed.

November: On urging of Justice Wood, Carr Government offers general amnesty to corrupt police. Tony Lauer publicly admits he was wrong about extent of police corruption.

December: Gosford Detective Sergeant Wayne Eade caught on video organising drug deals while having sex.

November 29: Three-month amnesty offered to corrupt police.

December 11: Eade pf the Gosford Drug Unit is suspended after a videotape shows him having sex with a female informer, sampling cocaine and bartering over a child pornographic film.

December 17: Government says police engaged in protecting paedophile rackets will not get amnesty.

1996	*The Australian 16/5/97.* **<u>January – October 1996:</u>** **January 15**: Lauer says he will retire early.

January 16: Wood rejects suggestions from Marsden that the inquiry used illegal method of entrapment.

February 5: First interim report finds systemic and entrenched corruption and recommends establishing a Police Integrity Commission to investigate.

February 19: Lauer's resignation.

March: Paedophile term of reference begins. Evidence given that millionaire Phillip Bell sexually assaulted young boys.

March 18: Paedophile inquiry begins.

March 29: Inspector Robert Tait, 49, shoots himself dead at a country NSW police station after being mentioned at the Commission.

April: Evidence emerges that police and Catholic Church failed to deal with sexual assault allegations against the late Brother Michael Evans.

May: Former Wollongong mayor, the late Tony Bevan alleged to have organised child sex ring.

June: Police superintendent in charge of the Sydney Olympics security, John Garvey sacked for allegedly assaulting a prisoner.

June 11: British policeman Peter Ryan appointed Police Commissioner.

June 6: Garvey stood aside after accusations he assaulted a prisoner with mace.

July 12: Urquhart named to run the permanent PIC.

July: Bill Bayeh arrested after leaving the witness box.

August 8: International manhunt for Moller ends with his arrest in New Zealand on drugs charges.
SMH 16/5/97:
   Name: Clinton Moller (deceased)
   Charge: Failure to answer a summons to appear.
   Sentence: 8 months jail from November 1996.

August 31: 'Ryan swore an oath to protect the people of NSW and lead its policemen and women into the future'. *SMH 11/4/02 p.12.*

September 9: First officers to be charged plead not guilty to supplying false or misleading information to the Commission.

September 23: Detective Senior Constable Wayne George Johnson, 31, who is named at the Commission for cheating on his travel allowance, murders his wife then shoots himself dead.

October 31: Franca Arena names former Supreme Court judge David Yeldham and former State MP Frank Arkell as being given preferential treatment by the Commission. Four days later Yeidham, 67 commits suicide. The Commission had heard claims of paedophilia against Robert Joseph 'Dolly' Dunn and Phillip Bell, who both escaped prosecution by fleeing overseas.
The Australian 16/5/97.

1996

November 1996

The Australian 16/5/97:

November: Ryan is given more powers. *The Age 11/4/02 p.2.*

November 12: Second interim report grants Ryan massive powers to hire and fire officers.

November 14: Griffiths admits he ordered Lauer to send officers to State Parliament to support him during a debate on police.

November 19: Lauer admits corruption is entrenched in force.

November 19: Phase One Document is released by Ryan.

November 20: Major police demonstration outside Parliament House resulting in 'send the pommie home'.

November 20: Ryan appears at the Commission and outlines first phase of a reform program.

November 23: Police union denies claims that corrupt officers orchestrated a campaign to intimidate Ryan.

November 26: Charges against the first 14 officers put in doubt after a magistrate dismisses the first case.

1997

1/1/97: PIC commenced operation (CN 97/8) **1997 January:** Ryan sacks a dozen senior officers. *(The Age 11/4/02 p.2).* **1997** *SMH 16/5/97:*

January 18: Bell arrested in South Africa.

February: Failure of Education Department to deal with teacher who had 20-year history of sexual misconduct with female students.

March: Special Branch commander Neville Ireland admits agency kept files on barristers and civil liberties activists. Police Commissioner Ryan abolishes Special Branch.

March 13: Last sitting date.

March 14: NSW Supreme Court rules that secretly bugged phone evidence cannot be used to pursue petty criminals.

April 2: Staunton jailed for 10 years in Canada for helping to smuggle $300m worth of hashish.

April 14: Moller found hanged in his prison cell.

April 16: Whelan overrules Ryan's decision to reform the notorious Special Branch unit.

April 24: Supreme Court rules that 10 search warrants issued by the Commission were 'impermissibly broad and manifestly lacking.

May 16: Peter Ryan gets his copy of the Wood Report.

1998   **January 1998:** Phase 2 – the next phase document released.

February 1998: Peter Ryan accuses senior officers of 'white anting'. *The Age 11/4/02, p.2.*

1999

2000   *Daily Tele 5/3/02, p.3.*
The Story so far . . .
October 2000: James Ritchie, a member of the crime management support unit set up by Mr Ryan, says officers scuttled reform and began a witch-hunt on CMSU members.

December 2000: Mr Ryan sacks Mr Ritchie, CMSU member Englishman Ken Seddon without explanation.

2001   *Daily Tele 5/3/02, p.3.*
March 2001: Malta hearings begin, PIC told Mr Ryan set up the CMSU two weeks before he was due to appear before the Parliamentary Budget Estimates Committee in June 2000.

March 2001: Mr Ryan's former Internal Affairs chief Mal Brammer criticises Mr Ryan's role in setting up CMSU and for improperly pursuing Seddon and co-workers over claims they rorted travel expenses.

The Age: 11/4/02, p.2.
July 2001: Peter Ryan rejects calls to resign over gang warfare.

The Age: 11/4/02, p.2.
September 2001: Peter Ryan sacks his Deputy Jeff Jarratt.

Daily Telegraph 5/3/0, p.3.
September 2001: HR chief Edd Chadbourne tells PIC that a member signed by Mr. Ryan, in which Mr. Ryan denied knowledge of the employment terms of CMSU members, was 'false'.

2002   *Daily Telegraph 5/3/02, p.3.*

February 2002: Dr Chadbourne is sacked without explanation.

The Age 11/4/02, p.2.
April 10, 2002: Ryan quits.

April 11, 2002: 'He walks away from the position as the nation's second highest paid public servant with a $455,435 golden handshake….'

Manly Daily 11/4/02, p.2.
April 11, 2002: 'Mr Carr was full of praise for Mr. Ryan, who finishes on April 17.'

April 17, 2002: Mr Ryan finishes and his Deputy Ken Moroney, fills in the position.

APPENDIX I

CONDUCT

All Service personnel are expected to conduct themselves with a high level of ethics. For more information refer to the Code of Conduct and Ethics and the Police Service Regulations.

Public expectations

The people of NSW are entitled to expect laws are upheld, public peace is preserved and that police exercise authority responsibly. Treat all people in a fair and impartial manner, regardless of:

- sex

- race

- age

- culture etc.

Balance your commitment to prevent and investigate crime with the need to Speak courteously. Do not harass or hinder any person.

Treat people under your control properly remembering, no matter what the alleged crime a person is innocent until proven guilty.

When detaining anyone, adhere to the principles of the Code of Practice for CRIME.

Avoid involving yourself in neighbourhood disputes, trivial street offences and matters concerning family and friends when off duty, unless immediate intervention is justifiable.

When on duty avoid becoming involved in police matters which concern family or friends or in which they have a personal interest unless immediate intervention is justifiable. Handover the investigation without delay.

As a general rule, do not become involved in civil disputes (particularly over property), unless you have to prevent a breach of the peace.

If you do intervene, use considerable caution. Check COPS in advance for AVOs concerning the parties or location. Ensure you do not facilitate a breach of an AVO and that the parties understand you are impartial and there to keep the peace.

Do not mediate in property disputes. Advise the parties to seek a resolution through court action or a Community Justice Centre if they cannot sort the matter out for themselves.

Do not write a complaint off as a `civil matter' without satisfying yourself that a criminal offence has not been committed.

Off duty conduct

When you are off duty you should involve yourself in incidents only to the extent that your involvement is proportional to the need for immediate police intervention. Additionally, when you are off duty and unarmed:

- you are not expected to directly respond to any incident in a way which might bring you into contact with armed people

- exercise powers which might put you in a dangerous situation.

Examples include, confronting an armed person or using your powers to search for dangerous implements under the Summary Offences Act, or giving a reasonable direction under that Act.

When you are off duty and a police response is required but direct intervention by you would place you in danger, you should respond by focusing on:

- contacting local police for help

- attending to injured people

- excluding anyone not involved from the danger zone

- closely observing the offenders for future identification

- disengaging if your safety is at risk

- minimal or no engagement of offenders

APPENDIX J

Source of Police Service Funding Difficulties

A range of analyses have been undertaken to identify the major causes for the current financial difficulties being confronted by the Police Service. Research has identified the following factors as impacting on the availability of funding to support Police Service operations: -

- Reductions in funding.

- Unavoidable cost increases.

- The cost of the re- structure following the Royal Commission

The Combined Impact

The following Table outlines the progressive impact of the factors impacting on funding availability on actual and projected budget results.

2000/2001 financial year the service had its budget eroded to the extent of approximately $103.5M.

Summary of Factors Eroding Funding

Description	1993/ 1994	1994/ 1995	1995/ 1996	1996/ 1997	1997/ 1998	1998/ 1999	1999/ 2000	2000 2001
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Factors Decreasing Funding								
Productivity Savings (Cuts)	7,163	10,163	10,613	16,583	31,557	42,301	47,301	50,301
Award Increases Not Fully Supported By Treasury				500	2,000	7,500	9,167	9,891
Costs Increases Not Fully Supported By Treasury		(50)	2,119	213	8,005	21,064	34,638	33,838
Salary and Grade Creep from the New Police Service Structure					4,331	6,416	9,499	9,499
Funding Decreased By	7,163	10,113	12,732	17,296	45,893	77,281	100,605	103,529
Factors Increasing Funding								
Generation of Additional revenue		7,000	6,000	4,000	4,000	4,000	4,000	4,000
Rundown of Cash				10,000	5,000			
Treasury Supplementation						18,000	25,000	(9,000
Funding Increased By	–	7,000	6,000	14,000	9,000	22,000	29,000	(5,000)
Costs Absorbed / (Overrun)		297	20,831	7,773	(19,689)	35,916	60,605	42,529
Budget Result		(2,816)	14,099	4,477	(56,582)	(19,365)	(11,000)	(66,000

Notes:
1) Rundown of cash refers to use of the Police Service cash from its bank account.

The Service's Ability to Absorb Budget Reductions and Cost Increases

The Police Service does not have the flexibility to manage its budget from a global perspective. External pressures to maintain both police numbers and an outdated service outlets (police stations) places severe restrictions on our ability to absorb the cumulative impact of the budget reductions already imposed.

Our capacity to absorb costs and funding reductions needs to be examined within the context of the proportion of the budget from which savings have to be made.

The flexible component of the Police Service budget represents that portion of the budget where the Service can 'technically' make a decision to reduce costs. In reality from an efficiency and effectiveness viewpoint this does not mean that these costs are 100% discretionary.

> *The relationship with Treasury is reasonable. I think there are unrealistic expectations. They're coming from a direction where they say 'We are giving you this amount of money to run the police service: get on and do it and we'll make you accountable for the way you spend this. There are certain restrictions on that, you must do these things.' Unfortunately that collides with political reality being there must be thirteen thousand six hundred and however many police by 31 December 2001. I can't say where a new police station is to be built. That is a political gift. Or a new police station is going to be refurbished. It's a political gift. (3807/2002-01-01)*

The second thing is that the Treasury operates as they often do, as economic rationalists; they expect to make savings from a declining revenue budget. The only extra money we've had in the police service of any consequence has been salary. The salary base has gone up enormously hence the budget over all looks like it's gone up enormously, but the actual revenue base upon which we support operations has not really gone up at all. It's gone up so marginally it's almost in the greater scheme of things negligible. But at the same time they've agreed large pay rises where I've got to find six per cent, so I'm supposed to be the employer in law and I've got to find six per cent; the only place it can come from is operating revenue, which has never really moved in the five years I've been Commissioner. So we're struggling a little bit. And the way we've made ends meet in the past is to use the uncommitted salary because we have a vacancy factor running all the time: it peaks and troughs, peaks and troughs, and we finish up with a lump of money which you can then use or we did use, to balance the books at the end of the year in revenue terms. So Treasury have these expectations and then they'll suddenly turn round and say: 'Right, everybody has to save two per cent this year. You've got a new computer system, it has to result in cash savings of percentages.' And then we get into the political smoke screens of if we do this it will save 'x' number of police and they'll all go back on the street and all of that sort of thing. Now I've been fighting that all the time. I do not like mentioning numbers, it's a smoke and mirrors thing anyway, and I'm fighting one at the

moment where there is a new process to be introduced in the courts of the electronic transfer of files you've probably heard about it and it will eventually result in the judge having a computer on the desk and the magistrate, everybody walks in with a CD ROM, you stick it in and away we go, and that's the prosecution and defence case, the judge has got it all there, video and the whole nine yards, and they're already looking for this must be an enormous cost-saving to police. My response is: No. We've still got to type it all up, the officers have got to develop the file, it's then got to be transferred onto a disk, the only time saving is barristers walking around with a sheaf of papers. It does not result in guilty pleas therefore cops do not go to court. So that's the sort of silly translation we have and there's this dichotomy between being given responsibility for the budget but at the same time Treasury constantly dipping their fingers in saying 'We want two per cent here, six per cent there' and holding you to those performances. It's very difficult. (3807/2002-01-01)

Flexible Component of Net Cost Service
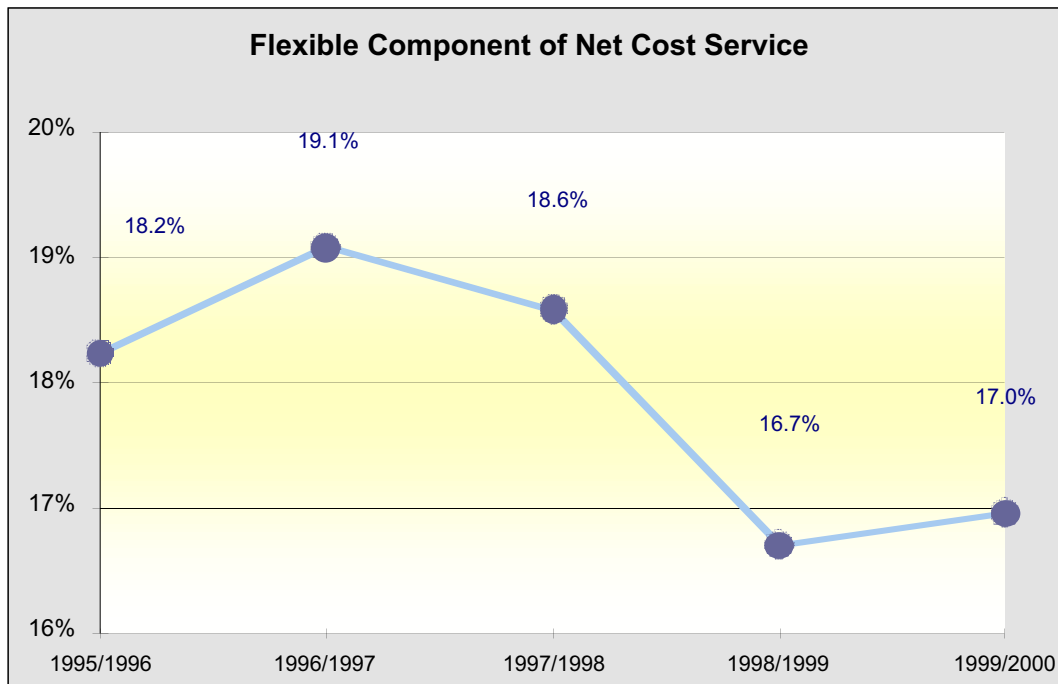
In 1994 this component amounted to 18.9% of the Net Cost of Service (NCS) and currently stands at 17.4%.

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Net Cost of Service 1999/2000

Flexible
Component of
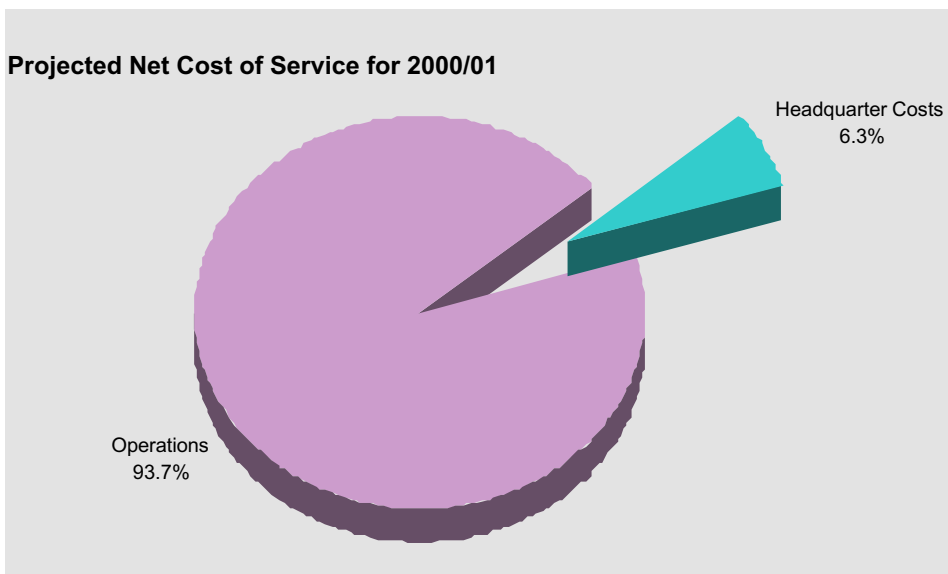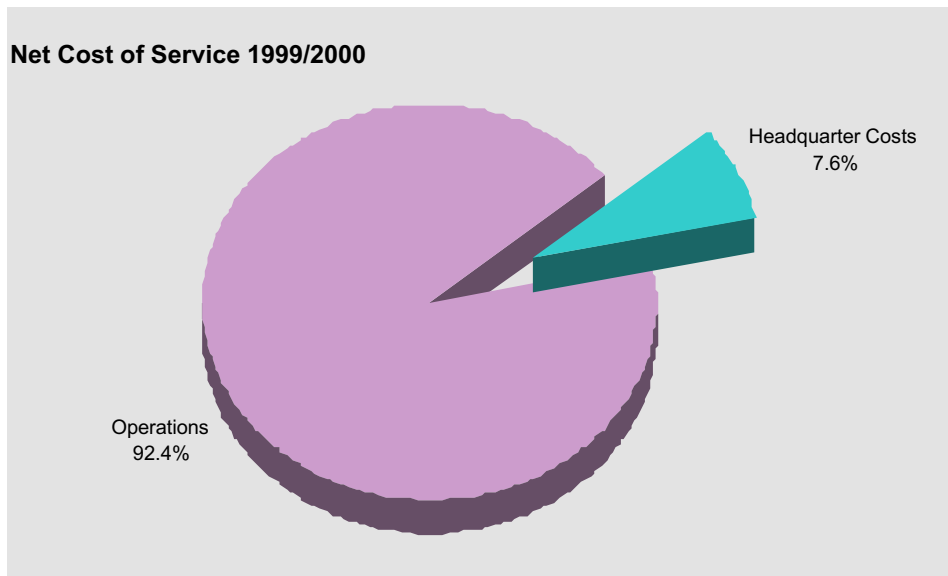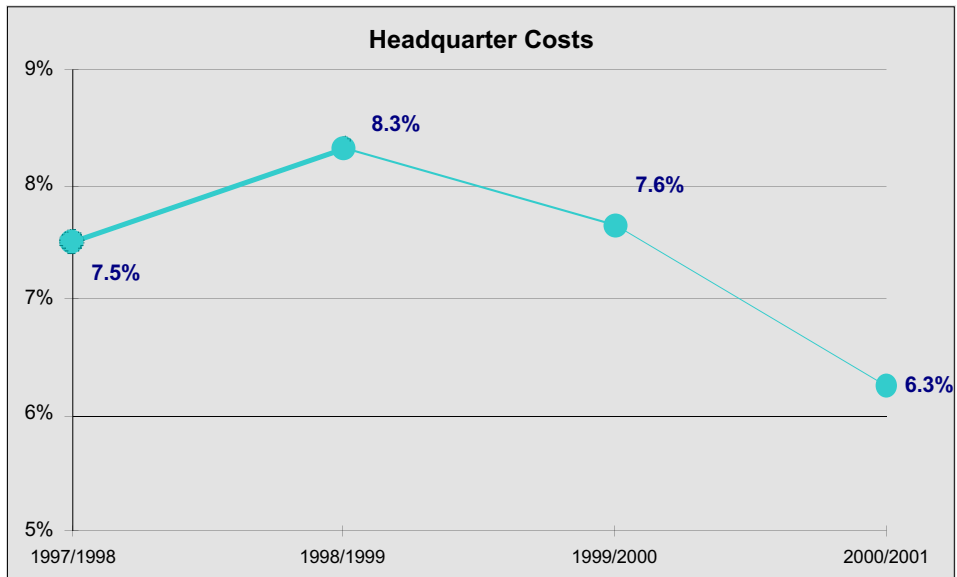NCS
17.0%

Non-Flexible
Component of
NCS
83.0%
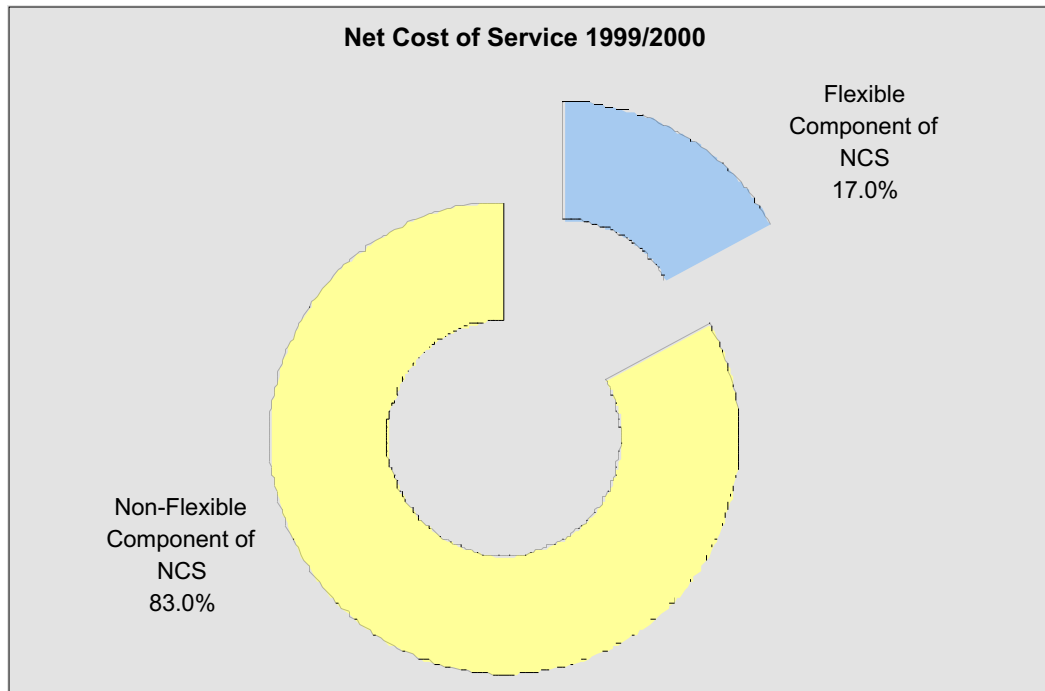
As a proportion of NCS the flexible component in contracting.

Analysis of Corporate Support Services

The area of Corporate Support costs is always seen as a potential target for budget savings. The Police Service has already taken action to improve efficiencies in this area of the budget.

- The Service has been pursuing several key strategies in corporate support areas including: -

- Assessing services against industry benchmarks and studying of outsourcing opportunities.

- Definition of service levels and development of Service Level Agreements with customers.

- Rationalisation and modernisation of service delivery models, business processes and structures.

- Investment in new technology to improve business efficiency and reduce costs.

In particular improvements have either been put into affect or commenced in the Infringement Processing Bureau, Fleet Management, Firearms Registry, Property Services, Purchasing and Supply Corporate Records and HQ Logistics, Security Industry Registry, Legal Services, Financial Services, and Human Resource Services.

Headquarter Costs

Net Cost of Service 1999/2000

Headquarter Costs
7.6%

Operations
92.4%

Projected Net Cost of Service for 2000/01

Headquarter Costs
6.3%

Operations
93.7%

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The following table reflects the impact of the changes already introduced and proposed in the area of 'Headquarters' support functions.

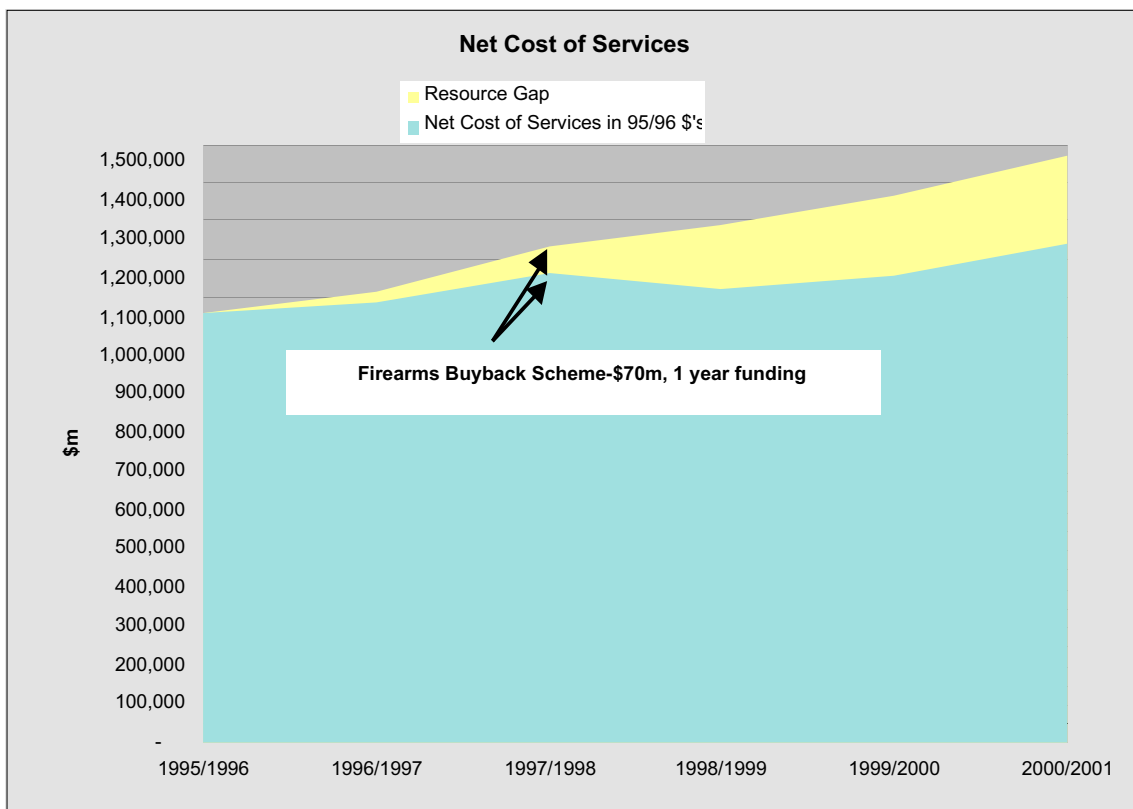## The Real Increase in the Police Service Operating Budget

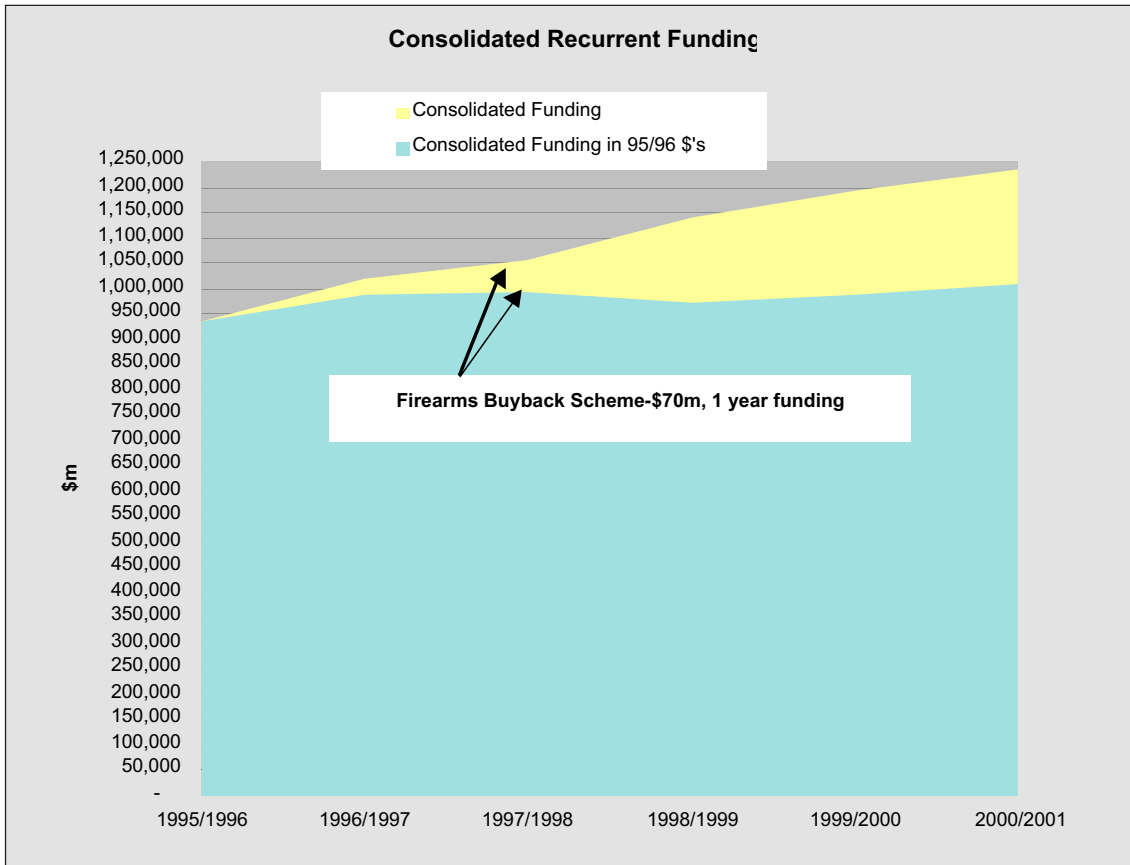In recent years the real value of the Police Service budget has been

- Inflated by salary increases and CPI adjustments

- Devalued by unavoidable cost increases, and

- Devalued by a range of productivity based funding reductions.

At the same time the budget has been increased by

- Increases in authorised strength, and

- A range of budget enhancements

The following table takes all of the above into account in plotting the real or effective increase in Police Service resources since 1995/96 from both a net cost of service and recurrent funding basis.
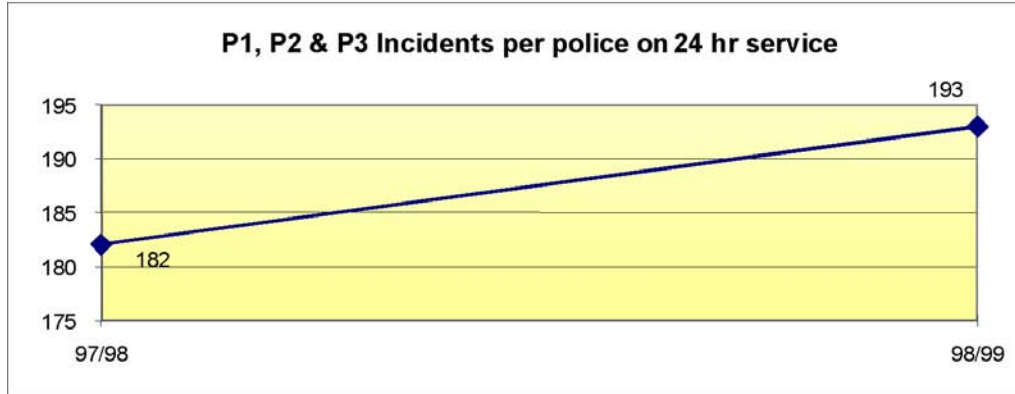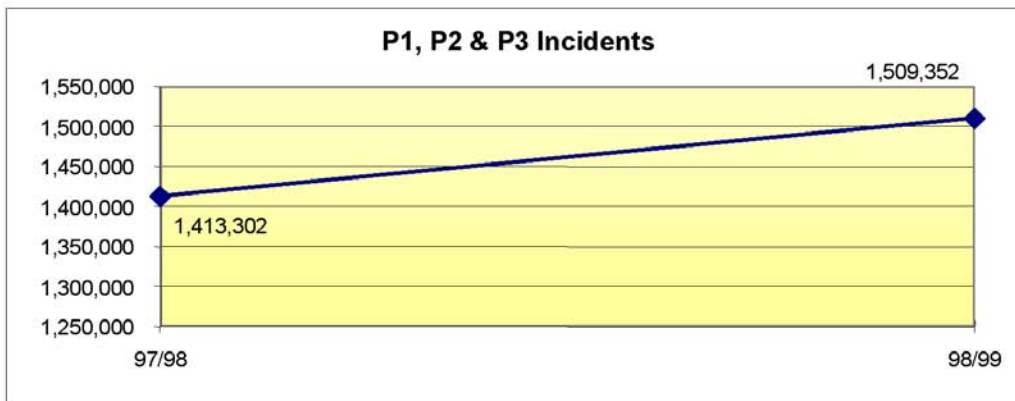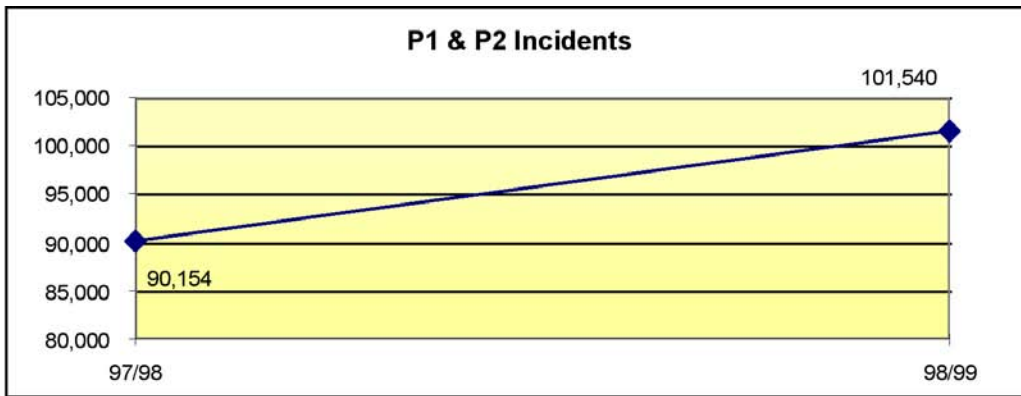
Consolidated Recurrent Funding

Legend:
- Consolidated Funding
- Consolidated Funding in 95/96 $'s

Firearms Buyback Scheme-$70m, 1 year funding

$m

Y-axis values: 1,250,000 / 1,200,000 / 1,150,000 / 1,100,000 / 1,050,000 / 1,000,000 / 950,000 / 900,000 / 850,000 / 800,000 / 750,000 / 700,000 / 650,000 / 600,000 / 550,000 / 500,000 / 450,000 / 400,000 / 350,000 / 300,000 / 250,000 / 200,000 / 150,000 / 100,000 / 50,000 / -

X-axis: 1995/1996 | 1996/1997 | 1997/1998 | 1998/1999 | 1999/2000 | 2000/2001

Increased Demand and Workload for Policing Services

Demand for Service

Reported crime represents a measure of demand for policing services.

The Service categorises calls from Priority 1 to Priority 5 with the categories P1 to P3 representing those calls requiring police attendance.

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P1 & P2 Incidents

101,540

90,154

97/98   98/99

P1, P2 & P3 Incidents

1,509,352

1,413,302

97/98   98/99

P1, P2 & P3 Incidents per police on 24 hr service

193

182

97/98   98/99
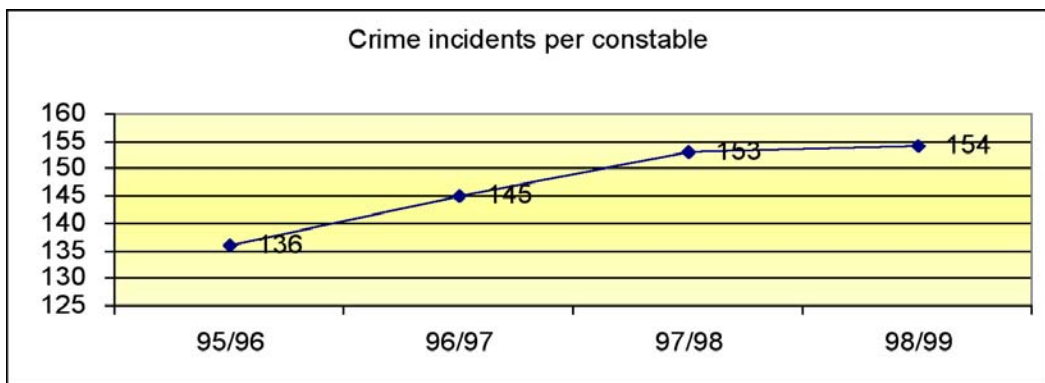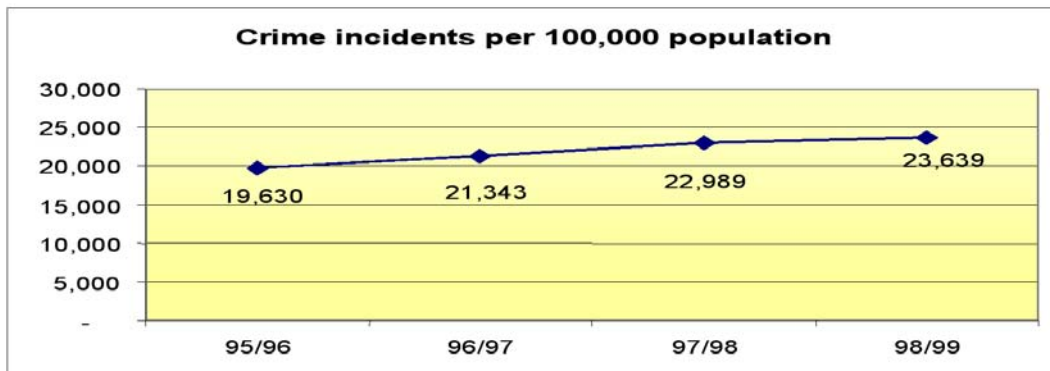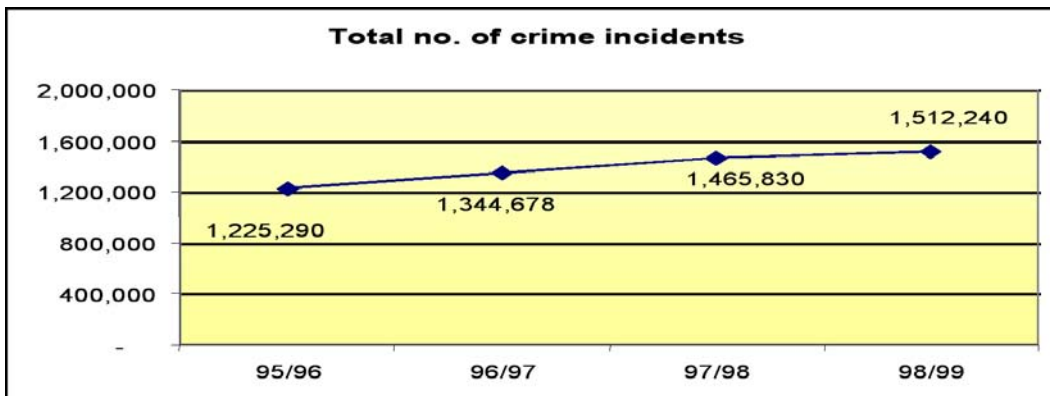
The graph highlights the following: -

- An increase in the number of calls by 7% over the past year.

- The number of calls per officer on 24 Hour policing duties has increased by 6% over the same period evidencing an increase in workload.

- An increase in the number of P1 and P2 calls by 13%. These calls require multiple unit responses (average 1.63 units per response).

Increased Workload

Crime Incidents - The following graph examines the movement in the total number of crime incidents over the period 1995/96 1998/99. It is reflective of the workload handled by police on 24 Hour service duties.

Total no. of crime incidents

95/96	96/97	97/98	98/99
1,225,290	1,344,678	1,465,830	1,512,240

Crime incidents per 100,000 population

95/96	96/97	97/98	98/99
19,630	21,343	22,989	23,639

Crime incidents per constable

95/96	96/97	97/98	98/99
136	145	153	154

The graph highlights the following: -

- An increase of 23.4% in total incidents.

- An increase of 20.4% per 1000,000 population.

- An increase of 13.2% over the last year in the number of incidents per constable.

Attending Court — cases that result in defended hearings at Local Courts involve police officers attending court. This results in officers not being available for deployment on crime reduction activities.

For the period 1995/96 to 1997/98 (latest available figures) the number of defended matters increased by 16.2%.

Drug Offences — the corporate strategy to target drug offenders has resulted in an increase in drug offences of 24% since 1995/96.

Legislative Change — During the period under review the Police Service has also experienced an increase in workload as a result of changes in legislation. Unfortunately our systems do not capture resultant workload data in relation to each of these changes.

Organisation Performance

Although the Police Service has been operating in an environment of contracting resources and increasing demand there has been an improvement in service delivery outcomes.

Crime Reduction

The Service has adopted a strong focus on ethical cost effective crime reduction and has concentrated effort on reducing levels of crime in the areas of Assault, Break and Enter, Robbery, Stealing, and Motor Vehicle Theft.

The following graphs illustrate a reduction in levels of crime in each of these crime types.
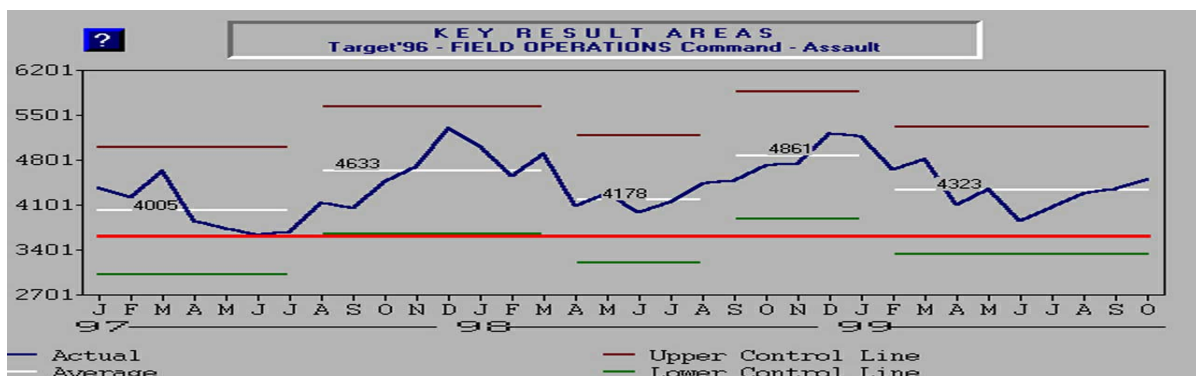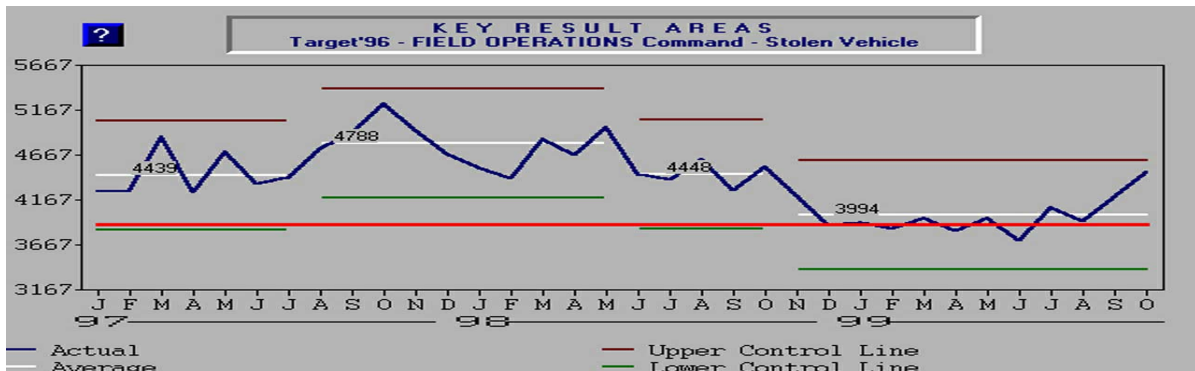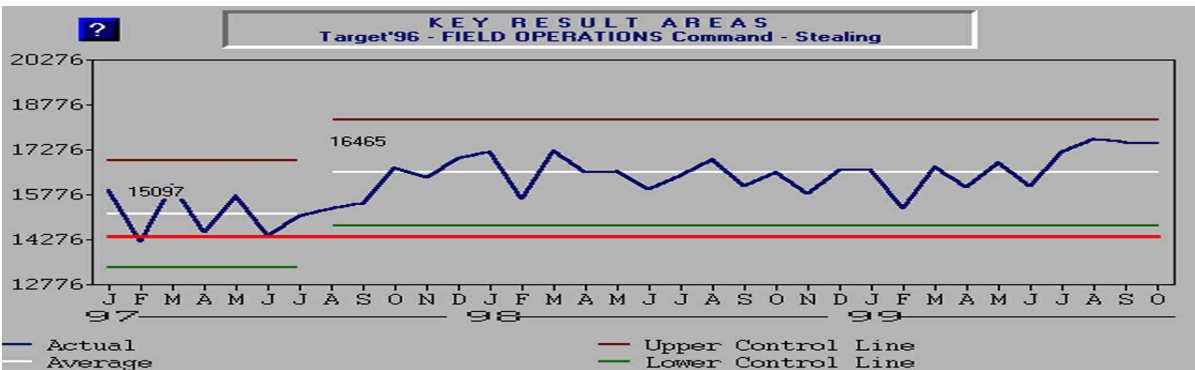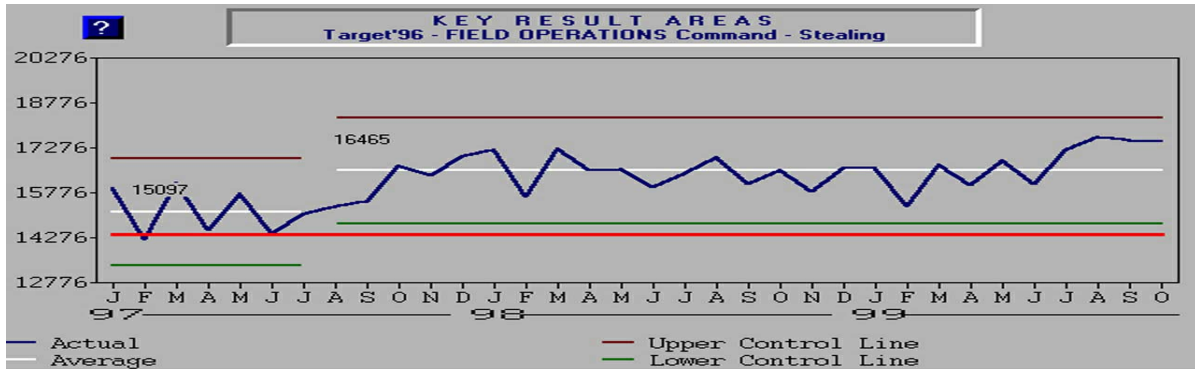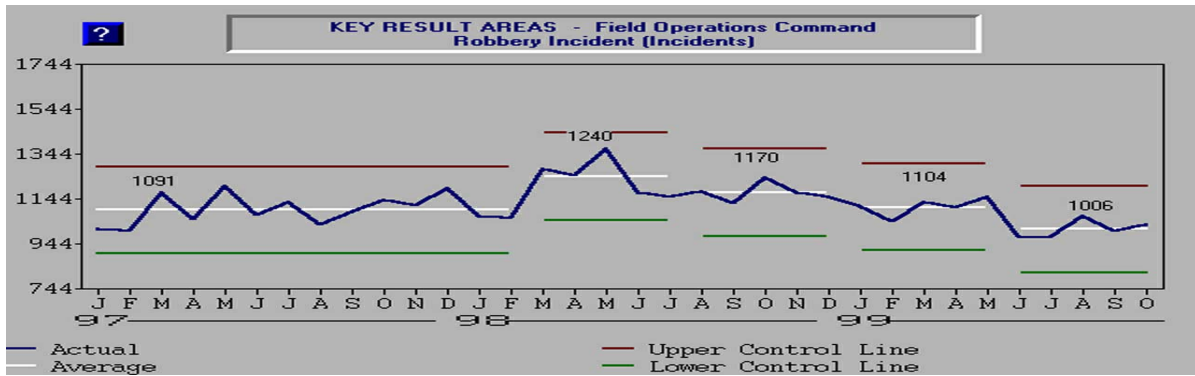
On 6 August 1999, the Director of the Bureau and Crime Statistics and Research
Dr Don Weatherburn commented on the crime reduction results saying: -

'Over the last two years police have engaged in a deliberate policy of targeting repeat
offenders for arrest, not just for serious offences but for any offence they commit. This is a

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clever strategy because overseas research has shown it to be an effective way of bringing crime rates down.'

- The onset of the Olympics has had an impact on this performance because of the following two factors: -

- The diversion of approximately one third of local police staff to Olympic duties during the event, and

- The impact of the loss of police on leave post the Olympics, because of the requirement for police to defer their leave entitlements.

Road Trauma

Improved deployment of Highway Patrol police (times and locations) has also contributed to an 8% reduction in road deaths since 1995/96.

Conclusions.

Although the overall satisfaction rate has decreased slightly (currently 63%), there has been a steady increase in public satisfaction regarding professionalism, and honesty. In terms of complaints against police there has also been a significant decrease in adverse findings. One external spokes person said,

> *Community perceptions I don't think there has been much change in the last ten years. I think even through the worst part of the royal Commission the community thought the local police were doing a good job by and large. I think it has gone up. A good measure of that is the media. The media think the sun shines out of police at the moment (3801/1996-08-30v2).*

Another person records the federal view that,

> *We may have been surprised that - that the New South Wales Police Service had such strong links to drug people and we knew that they were all forms of - police and prostitutes and police and gambling and - but I never realised that the New South Wales Police was on the nose federally. (3811/1998-03-23v2).*

APPENDIX K

New Doxa Applied in Operational Decision-making
(some examples provided by a Detective Sergeant at Manly))

Public Order Management

Situation: Whilst working as a Duty Officer at the Manly LAC during the night of Australia Day, I was confronted with the potential for large-scale public disorder and negligible police resources. The nights leading up to the Sunday, Australia Day, had been relatively incident-free due to a large commitment of Operation Vikings staff (30) extra beat police. A Licensing Accord agreement had also restricted public access to various hotels on those nights. Our commitment to Vikings staff (10 staff for two nights) resulted in few staff being available for beat policing on the Sunday night, despite our concern for it being a busy night. A late request from the Region for staff to assist in the Sydney CBD practically depleted us to the First Response Agreement (which was the minimal amount of police for an ordinary, quiet Sunday night. However, the crowds continued to pour into the area in droves. This over-crowding, combined with the fact that there were no restrictions on trade, and because the next day was a public holiday, meant that late-night anti-social behaviour escalated into offensive conduct and street fights.

Objective: To maintain public order with the limited resources available.

Action: I tasked all available General Duties crews to conduct regular walk-throughs of the hotels, to create an appearance of a large policing presence. I spoke with various licensees to gain an appreciation of the number of 'problem times'. Realising earlier in the evening that I had insufficient staff, I had requested the assistance of the Regional TAG staff. Though few in number, they too were tasked with high visibility patrols. Having an appreciation of the potential problems and the intoxication level of the crowd, I negotiated with the operation commander in the CBD for the early return of the Manly staff (4). I also managed to 'borrow' a further four staff from a neighbouring LAC, who were also returning from their commitments in the CBD. I conducted a briefing at the station with these eight staff, divided them into teams and deployed them to problem areas. In the absence of a field supervisor, I remained in the field with the teams, giving them support and advice. Although many officers were tired and needed breaks, I encouraged them to stay in the field during the peak times, for example, when the hotels closed, advocating prevention over arrests and time consuming investigations.

Result: The high visibility and early intervention approach proved successful, with police rapidly intervening and dispersing the crowds. Very few arrests were made and no extra costs were incurred to the Command. The 'borrowing' of staff did not compromise any other LAC or operation.

New Year's Eve 2002

Situation: I was tasked by the Commander of Manly LAC to compile the operational orders for New Year's Eve and to coordinate the necessary resources. Planning for NYE 2002/03 contrasted with previous years because of the upcoming war in the Middle East, the potential for terrorism and the change in Regional boundaries which resulted in Manly LAC coming under the Inner Metropolitan Region.

Objective: To plan and coordinate the policing response to New Year's Eve 2002 to ensure the safety of all those involved in the festivities.

Action: As part of the planning, I sourced previous operational plans, sought feedback from managers and staff on the effectiveness of those plans and identified external service providers such as the local Council, RTA, Youth Services, community groups, emergency services, the military and managers of large infrastructures, for example, the wharf and transport services. I ensured that delegations were followed up and staff had the competence to complete their tasks. I arranged for negotiations between the local Council and RTA over the legality of changed traffic conditions (as an anti-terrorist strategy) and provided a solution for the Council to recoup some of the money it had to outlay.

I also fulfilled the role of liaison officer between various support services within the service (Mounted, OSG, VKG, Water Police, POC, REV). I sought advice on each agency's capabilities and incorporated their services into a comprehensive set of operational orders. These orders included the identification of potential terrorist threats, preventative strategies and contingency plans. As the liaison point, I conveyed to various participants how they contributed to the overall success of the operation, thereby minimising confusion and gaining their commitment.

Result: NYE at Manly went according to plan and without significant harm to any individuals or structures. The Commander complimented me on the comprehensive planning that contributed to the success of NYE.

Identification Parade, East Timor

Situation: During March 2001, whilst working in East Timor as a member of the United Nations Civilian Police and investigating Crimes Against Humanity, I organised and managed an identification parade in a remote village for two men suspected of Crimes Against Humanity.

Leadership skills were paramount to the success of the operation, due to uncertain environmental factors and the absence of protocols (there were no legal precedents and no policies). There was considerable community hostility towards the suspects and the likelihood of bloodshed was

compounded by inexperienced staff, which was made up of local police as well as police from other third-world nations. There was negligible infrastructure, equipment was scarce and there were extreme communication difficulties.

Objective: To peacefully conduct a large-scale identification procedure in a potentially volatile environment, ensuring that the rights of the offenders were balanced with the needs of the victims and the wider community.

Actions: I had to utilise my leadership skills to convey my objectives, identify and inspire local resources (police and community leaders) and maintain control of the process. I identified the critical components of the parade which were prisoner security, prisoner protection, victim welfare and transport, admissible statements and interpreters. I also identified competent individuals who were able to manage these issues. Time was a critical factor, due to the legal requirement of having to bring suspects before the Court and the need to cope with the diminishing daylight. I briefed each manager on their roles, explaining how they contributed to the overall objective. Some managers were police, some were UN staff while others were community leaders.

The local UN Human Rights officer, who had a close rapport with the community, located similar-looking people for the parade. I later tasked the same officer, who was to remain independent, to take photographs for evidence. I had a very competent Singaporean officer make a staging post in a nearby field for witnesses who intended to participate in identifying the suspects. I arranged for an Australian investigator and a military interpreter to take statements from witnesses after they took part in the parade. I briefed the group of 'similar' persons via an East Timorese police officer who interpreted to a village chief, who then spoke to the group. The village chief maintained control of the villagers. I tasked the local UN police (African police) with maintaining public order and prisoner security.

Result: Over three hours, eight witnesses went through the outdoor 'ill production line,' identifying both suspects for various crimes: rapes, homicides, assaults and intimidation. Quality evidence was obtained whilst police maintained order and cared for young children. Both suspects were indicted for Crimes Against Humanity.

The parade was conducted in three languages and proved to be one of the most difficult, yet rewarding, experiences in which I have ever been involved. Many of the victims/witnesses reported a great deal of satisfaction in confronting their perpetrators and community involvement improved chances of future reconciliation within the community. After the exhausting process, I picked up the tab at the local restaurant for all the people involved in the process (both witnesses and police), since many villagers had travelled days to attend the parade and had little or no food with them. For many, it was their first meal in a restaurant; others never passed up a free meal!

Operational Briefing

Situation: During February, 2002, I organised and led an overt operation focusing on Public Order, Alcohol and Theft offences in and around licensed premises in the Sydney CBD. I drew on the resources of City East Street safe police, SPG Dog Squad, general duties staff, licensing police, staff from NSW Gaming & Racing and Highway Patrol. In all, there were some twenty police from six different sections, and two civilians, many of whom had never worked together before.

Objective: As the Operation Commander, I wished to convey clarity in the purpose of the operation and to ensure that staff acted in accordance with their specified duties.

Action: I made formal written requests to the respective commands (SPG, Streetsafe), requesting their resources and outlining the general nature of the operation being planned.

On the night of the operation, I arranged for civilian guests to be looked after by an appropriate officer. I arranged a briefing room of sufficient size and with appropriate refreshments and facilities, such as toilets.

I handed out numbered operational orders that I had compiled, setting out the background of the operation, the objectives, the means to achieve those objectives and team-tasking. I arranged for specific sections to give an overview of their area of expertise and what they could contribute to the operation. Intelligence gave a briefing on local crime trends, Dog Squad personnel, spoke about their operational procedures and legislative requirements, and Gaming & Racing spoke about their licensing powers. My presentation integrated each of these components, alluding to the intelligence and how the teams would operate. I drew attention to the need to act ethically, and to the various cameras and recording devices used in and around the hotels. I addressed contingency plans and the need for flexibility, as covert officers in the field directed the operation.

I conducted the debriefing along similar lines, recording each of the locations 'raided' on the white board and tallied the number of drug searches, intelligence reports, FCANS and arrests. I also encouraged each of the specialist sections to give a short debriefing on their experience of the operation.

Result: The operation ran smoothly, with no identified problems. There were adequate staff, records and equipment to achieve the objectives of the operation. The staff worked well together and performed their duties professionally, in accordance with the briefing. Six hotels were searched with the use of a drug dog. This resulted in some 40 people being searched, drugs being located and a total of three arrests. The overt nature of the operation sent a very clear message to patrons and licensees alike, with licensing issues being pursued by licensing and NSW Gaming & Racing. All staff reported a very successful operation; I have since had further requests to be part

of similar operations. I was impressed with the teamwork displayed and gave written feedback to the Commander of Street Safe which was passed on to all the staff involved.

Community Liaison

Situation: As a Crime Coordinator, my role involved the identification of potential problems, and the development of strategies to curb impending problems. Through liaison with my peers at other LACs and Regions, it was suggested that robberies were being committed by groups of youth from a particular ethnic background. A suggested reason for their activities was that they might have had difficulties adapting to a multi cultural environment. Whilst the local robbery level was low, there were indications that similar youth groups frequented our posting and lived locally.

Objective: To identify any emerging trends in violent crime among a particular ethnic youth group.

Action: In consultation with the Ethnic Community Liaison Officer (ECLO), I sought to gain a better appreciation of cultural diversity. It was suggested that this group was undergoing problems similar to those that many other ethnic groups. It was agreed that the ECLO would take the lead role in making contact with the community and their elders. I attended some of those meetings to hear the problems first-hand

Through these meetings, common areas of interest were identified. I gave some undertakings to the group elders which were within the scope of my team resources, i.e. to improve communication between the community and the police. then advocated to my Command to pursue these contacts to meet a long-term need. I encouraged discrete investigative operations to target potential problem areas, whilst tasking my Youth Liaison Officer (YLO) and ECLO to conduct regular overt visits to the community.

Result: In the short-term, a few members of this community were arrested and charged with the robbery offences that occurred within our LAC. A number of short-term, covert operations identified potential problem youths within the community; this improved police awareness of the problem.

The ECLO has established a good relationship with the community elders and the YLO is still making inroads into the youth scene. This long-term strategy has the interim support of the Command. In time, provided some tangible results can be shown, the programme is likely to get greater support from the police force than previously.

Command and Control

If it wasn't for police officers the whole community out there would be – there would be blood in the streets and the disorder would be extraordinary. There's an assumption there that one police officer working at a police station at eleven o'clock at night is keeping order in the community. Actually we are so responsible here, that all of us have a role to play. It may well be that because of my particular position I have some additional responsibilities, but I can't possibly discharge those without tremendous support from a whole body of people. That's an Avery notion, which says you've got to do it with the community. (3801/1776-08-30v2).

APPENDIX L

THIS MEMORANDUM OF **UNDERSTANDING is made on 9 November, 1997 by the Commissioner of Police (Police Service) of the one part and Senior Constable Jann Karp.**

OBJECTIVE

The objective of the understanding is to enable an ongoing monitoring process of the reforms of The NSW Police Service in response to The NSW Royal Commission findings.

Four key areas will be monitored and provide feedback to the police administration over the next five years. Those four areas are arrest rates (and conviction rates), police morale, police corruption and community satisfaction. These will provide information about those serving the community and the community we serve.

The objective of the Understanding is also to facilitate the completion of a PhD thesis to be submitted for the award of Doctor of Philosophy, Sydney University being undertaken by Senior Constable Jann Karp.

THE UNDERSTANDING

(1) That the NSW Police Service will financially assist with the surveys undertaken concerning police morale and community perception.

(2) That guidance will be provided by Senior Constable Karp in the composition and completion of those surveys.

(3) That police data collected in all four areas will be utilised in a PhD thesis that will be placed on open access at Sydney University Library.

(4) That bi annual reports be made available to The Commissioner depending on the data collection process however,

(5) That an annual report be available for consideration each year of the project,

(6) That each annual report and the final document may be utilised in any audit process required by parliament.

(5) That parts or all of the thesis may be utilised to develop policing policies or strategies.

(6) That Senior Constable Jann Karp will undertake the research programme as part of the Royal Commission Implementation Unit or other section deemed suitable on a part time basis.

(7) That Senior Constable Jann Karp will undertake two operational shifts per week and two shifts per week involving recording the reform process. A minimum of a total 38 working hours per week. Any variation to this arrangement must be approved by the Commissioner.

(8) That three different methodologies will be utilised, (a) data collection: arrest rates, corruption rates, community perception and police morale; (b) interviewing key administrators; and (c) situational analysis.

(9) That the need to gather this important information is supported y The Commissioner.

(10) This understanding will be effective from the 1st December, 1996 to 1st December, 2001.

THIS UNDERSTANDING IS DULY SIGNED BY

P. Ryan
Commissioner
New South Wales Police Service

J. Karp
Senior Constable
New South Wales Police Service

APPENDIX M

APPENDIX M: Example of a dialogue concerning the application of Active Leadership. This dialogue has been drawn for the work of Heifetz (1994).

V1: What is authority?

V2: For police, authority is something given by others. The police are seen as an authority on crime. People in authority are regarded as people with all the answers. They will 'fix' the problems.

V1: How is that different to leadership?

V2: Leadership is knowing that you may have to help others to arrive at the answers.

V1: So, in the policing and other changing, adaptive contexts, exercising real leadership from a position of authority means going against the tradition of expecting leaders to come up with all the answers. Does that mean that leaders pose questions?

V2: In technical (or command) situations, we expect authorities to define the problem and propose a corresponding solution. This is about restoring order and maintaining norms.

V1: So leaders who are faced with problems other than technical ones ask questions. Authorities in adaptive situations exercise leadership by generating questions to identify the nature of problems, not just answers to them.

V2: Take corruption, for example. Instead of addressing it with 'answers', active/adaptive leadership encourages questions around what is causing it in order to address it.

V1: So what do we, as police do when we feel under threat?

V2: Instead of a leader protecting everyone from outside threats, they disclose corruption itself as the real threat. People's sense of responsibility to contribute to the questions and hence solutions under strong leadership is also important. In this sense, it is important for the leader to disorient roles rather than affirm people in their existing ones and seeking to restore order. Active leaders expose conflict instead of scrambling to restore order and assuming sole responsibility for a 'quick fix'. They allow the nature of conflict to emerge and be acknowledged.

V1: But our police and general community generally experience a lot of conflict, both internal and external.

V2: That's why dialogue is so important, especially one that recognizes and engages diversity, value conflict, economic issues and personal dilemmas.

V1: In doing so, you allow norm values to be challenged?

V2: That's right. To reflect on this, there are five strategic principles of leadership. Firstly, identify exactly what the strategic/adaptive challenge is: what are the values at stake? Secondly, keep the level of distress in a tolerable range. Too much pressure threatens and destabilizes people while too little disinclines them to change or become active in change. Thirdly, focus attention on the issues rather than trying to 'reduce stress' by providing distractions, scape-goating, externalising the enemy, pretending the issue is technical, attacking individuals or getting rid of people. Participants become involved in change with their own interests at stake. Fourthly, you have to 'pace' the issues by presenting aspects of the problem to people gradually at a rate they can handle. And finally, you 'protect' the voices of those who ask questions but do not carry authority. In doing so, the Commissioner could advocate to open dialogue but allow advocates who work for the executive to engage in it.

V1: That's fine, but in a model where authority is expected to fix problems, power comes through having authority.

V2: That power only comes through the expectation of a service, which is to fix the problem. You assume complete responsibility and blame in return for the gift of power. The expectation is that that person with the authority, in the case of police, the Commissioner, will be infallible, protect everybody and offer direction.

V1: People then absolve responsibility and defer problem solving to the authority figure as their leader. And if the Commissioner can not fix it, we then look to the politician as a higher authority to fix it. If the politician can not fix it, then we'll set up a Royal Commission, which fulfils a general expectation that an answer or solution is forthcoming.

V2: Yes, and what invariably happens is that no one can fix the problem, which is adaptive by nature, because there is no engagement.

V1: At the same time, it meant police and the community did not have to 'deal' with it because someone else had responsibility.

V2: Authority that exercises leadership will acknowledge the difficulty of arriving at a solution, but invite people to be a part of it by offering direction and an assurance of safety. The leader is also upfront about not having the answers but being willing to arrive at possible ways forward through dialogue with people at a rate they can tolerate.

V1: That's why we may fail in people's expectations to clear up corruption immediately. People who fear things not being in control are threatened by this and interpret leadership as weak.

V2: The temptation for that person in leadership is to throw the question out as 'too hard'. Otherwise, they can highlight the difficulty of the question and invite everyone to work on the solution, which means exercising leadership and challenging values.

V1: As long as it is with a clear purpose and not just to 'keep people happy'. This reverts to technical authority, not real leadership, and once again, people will expect solutions.

V2: That's right. Authority is seductive in that you're seen as having the answer, and you're given the power to look like you're actually providing the answers, or in fact making the problem 'go away'. Authority is a power granted in exchange for a service.

APPENDIX N

Origins of Command Policing in New South Wales

In the early days of the New South Wales colony, soldiers carried out policing functions. In 1788 the First Fleet marines took on the responsibility for public security within the colony, including the custody of all prisoners. The original role of the marines was to protect public property, and indeed the culture of policing at the time was dominated by rules about the protection of property. Two and a half weeks after the arrival of the First Fleet, Governor Phillip appointed a freeman, John Smith, as Constable (Swanton 1984: 1). The Judge Advocate Collins and Governor Phillip had no knowledge of police or of police systems (O'Callaghan 1923: 277). At this early point in the colony the task of securing property and public order was given to a few men (marines) who were immediately set apart from the new local community. The security role of the marines was then taken over by pardoned convicts. A night watch was started in August 1789, consisting of twelve people led by Judge Collins:

> The men composing the force were selected from amongst the best behaved of the convicts. They were at that time described as constables, and did police duty by day as well as by night when necessity arose. No pay was given to these men, but they were clothed, housed and fed by the Government (O'Callaghan 1923: 278–279).

The allowances promised to them included entitlement to emancipation and the liberty to leave the settlement once they had served as constables for a set period. At this early stage the policing role offered an important advantage over those being policed in that the working police officers had access to more resources in the new colony. The men were not encouraged to work in teams; instead, they worked in isolation (O'Callaghan 1923: 279). From 1796, additional elected freeman constables supplemented the night watch:

> In November 1796, Governor Hunter issued an order in which he drew attention to the disorderly conduct and frequent disgraceful breaches of the peace committed in the town of Sydney and its neighbourhood. He said that he had thought it necessary to number the houses and to divide the town into certain portions, the inhabitants of which should proceed to elect from amongst themselves three of the most decent and respectable men residing within such portions, to be appointed as watchmen (O'Callaghan 1923: 279).

The men were placed in a role that separated them from the community and worked in isolation. Governor Hunter stated that his police and his watchmen were not only unreliable

but also corrupt (O'Callaghan 1923: 280), with the exception of a few. These same sentiments are often expressed regarding today's police force.

A 'general order' issued by Governor Hunter only three years later in July 1799 stated:

> That an increased number of nocturnal robberies, have given much reason to suspect that the petty constables and divisional watchmen are either extremely negligent in their duty, or that they suffer themselves to be prevailed on by the housebreakers to be less vigilant than they ought to be, and to connive at their depredations upon the honest and industrious. A continuance of this unpardonable remissness in the duty they are charged with will certainly give room for strong suspicion of their honesty, and dispose the more respectable inhabitants to suppose them partakers with the thieves (O'Callaghan 1923: 280).

In 1801 New South Wales police were under the control of the Provost Marshal, a military officer. The control and management of the police was entrusted to magistrates, amongst whom were several military officers. There was occasional friction between the Governor and the Military Commandant in relation to these magisterial duties (O'Callaghan 1923: 281). Disputes frequently erupted over whether a military regulation permitted the performance or omission of some act. For a period of time during the early 1800s, military personnel controlled the police. The Governors wanted to control the military and their duties within the new policing model. In 1810, Governor Macquarie directed policing towards the suppression of vice and immorality, the encouragement of marriage and the establishment and preservation of order (1923: 284).

On April 1, 1810, a police fund was established. From that date, three-quarters of all the duties and customs collected in the port and town of Sydney, as well as in the other parts of the settlement, were to be paid into the hands of the treasurer of the police fund (1923: 284). On June 29, 1810, orders were issued to the magistrates and police to regulate Sydney's traffic. New police attended to the orders so strictly that only a few months later, the street traffic was under complete control (O'Callaghan 1923: 288). Magistrates were responsible for carrying out police regulations and for managing police in the town and port (O'Callaghan 1923: 292). In December 29, 1810, Mr D'Arcy Wentworth was appointed Superintendent of Police (1923: 282). He was also appointed a 'magistrate of the territory, and upon him was placed the responsibility of dealing with all offenders arrested by the police' (1923: 286). The expanding police duties were supported by new regulations and the role of the police within the new community became established (O'Callaghan 1923: 288).

In 1811, Governor Lachlan Macquarie introduced a system of 'semi-civilian' constables under the direction of Superintendent John D'Arcy Wentworth. During this time, police upheld the law and also responded to commands from pastoralists and magistrates. Constables who were appointed in rural areas by local justices became known as 'Bench Police' or 'Benchers'. It was not until 1821 that the police system was fused into a centralised organisation (King 1956: 214). The character of the colony changed as the proportion of convicts in the population declined; by 1821 the convict population made up less than one and a half per cent of the whole population. However, the incidence of crime in proportion to the total population remained high (King 1956: 20). The organisation of policing had been restructured but this had not affected the crime rate.

The year 1833 saw the beginning of a new era with the passing of the *Sydney Police Act* (4 Wm 1v, No. 7). In some respects, this Act was based on the *London Metropolitan Police Act 1829*; certain clauses were almost identical. Large sections of the *Sydney Police Act*, however, bore no relation to its prototype. The Sydney police were given extensive powers to remove nuisances and obstructions. Many of the provisions of the Act related to matters of health and hygiene; for example, the police were given power to prevent pollution of the public water supply. Other provisions related to matters that underlined the entire absence of any form of local government (King 1956: 218). Indeed King argued:

> In New South Wales, the police constable could hardly be said to represent the local community, for the local community had no real cohesion, no vital corporate life (1956: 219).

The British colonial control had become a case of the military versus the community. The military personnel became the police leaders and they directed the early community settlement. The Commissioner appointed a civilian called Augustus Miles as a Commander of the Sydney (1833) Police area. He had no practical experience in the Metropolitan Police but had been in close contact with the Commissioners, and was an enthusiast for 'The System' (King 1956: 220). An account of the New Metropolitan Police Force in London during the early 1800s stated:

> Miles intended modelling the Sydney Police even more closely on London's Metropolitan Police Act. He brought out various forms such as were used in London and framed regulations strongly influenced by those of the London Metropolitan Police. The prestige of the force was not improved when, in 1848, charges were heard against Miles of insobriety while on duty and that he had wrongfully dismissed an Inspector of Police (King 1956: 222).

The Sydney Police Act, passed in 1833, regulated police activity. Its enactment effectively placed the eighty-four-strong Sydney police force on to a statutory basis, and the police personnel and organisation were formally subjected to the control of magistrates. The force's staff still comprised many convicts and emancipated officers. However, from 1834, it was boosted by the first of several groups of police recruited from the United Kingdom. The 'New South Wales Police' (as such) was established in 1862 by amalgamating several co-existing police forces including water, mounted, metropolitan foot and gold police (Brien 1996: 12). In 1833, policing in Sydney came under the influence of the British Metropolitan Police and was one of the earliest colonial forces to do so. Police organisation in New South Wales was by then dispersing. By the 1840s, there were six independently controlled separate forces. At this time, the force management style was autocratic and the historical practices of that can still be recognised in policing practice today. Fosbery, a former Inspector General, cited the humble education of most police officers as the reason why strong leadership was needed, and he urged that the Inspector General be given all the power necessary for a tighter command approach to leadership. His attitude to promotions indicated that he was governed less by merit and performance than by public opinion (Brien 1996: 13). Fosbery also stated:

> I think it would be an exceedingly bad thing for this community if the head of the police department, acting solely on his own authority, were not in a position to purge the police force of men who were not considered capable of carrying out the high duties devolving upon them (in Brien 1996: 14).

Military discipline existed in the armed forces and there were prison regulations for convicts. Civil matters were dealt with separately (Castles 1982: 39). Men in military service and convicts were still subject to 'ordinary' law, which was in effect, British law. The role of the judiciary was to oversee law enforcement by police officers; this in practice blurred the boundaries between police and the courts. There was then (as now) a fear of making mistakes. Mistakes were not, and are still not permitted, as is discussed later in this chapter. The organisation was, and is still, ruled by a fear of punishment. The punishment today can be transfer, holidays cancelled, suspension of or relieving of duties, or informal peer pressure of non inclusion. In 1838 the first police magistrate, Colonel Wilson, was suspended from office for alleged misconduct, supposedly for misappropriating public funds. This led to an immediate divorce between the officers of police and police magistrates. In traditional policing communities, decisions are passed up the hierarchical chain.

In August 1838 a further Act was passed, separating the role between the police and judiciary further, empowering the Governor to appoint police magistrates for Parramatta, Windsor, Maitland, Bathurst, and other towns. These magistrates were to appoint and control police in those places. The magisterial control and direction of police in New South Wales, which had existed for almost sixty

years, was set aside by this Act. Police numbers were drawn from convicts, the military and the marines, and there was dissension between the different types of members in the service. The military members of the police were criticised by magistrates for changing their loyalties from the civil areas toward the criminal areas. The convicts were rewarded with freedom if they stayed in police employment. Police inspectors came from English and Irish backgrounds and each group had a different concept of what a professional police force should be. There were not enough free persons to fill all the necessary positions in the Government Service (King 1956: 20).

King (1956) argues that there are two fundamentally contrasting principles upon which police systems may be based:

(1) that of making the community itself responsible for upholding the law and maintaining the peace; and

(2) that of imposing a rule from without, by means of agents (1956: 21).

When the latter principle is applied, it often takes the form of centrally controlled military or semi-military armed forces, which remain alien to, or at least somewhat apart from, the ordinary life of the community in which they operate. Sir John Moylan, Receiver of the Metropolitan Police District in England in 1934, suggested that the constitutional theory of the English police system represented not the central government, but more the local community. He stated that police discharged duties and exercised powers, which, by common law, belonged to all citizens. During a period of reform in the New York Police Department in the late nineteenth century, President Theodore Roosevelt (1828–1919) expressed the view that the police structure should be modelled along military lines. According to critics at the time general attempts at professionalising the force led to militarisation, which originated as a 'reform strategy' (Walker cited in Das 1986: 268). There are often periods of public scrutiny in which more involvement from the community is recommended (Commissioner Avery 1984) and then a general movement towards command and control within the NSW police (Commissioner Ryan 1996). It is open to question who is most competent to judge whether or not a reform has been successful. A common approach is for external evaluators to use measuring instruments that they consider to be general or objective. For example, the evaluators might compare the initial objectives of the reformers with the effects that can be measured, and if they find agreement between aims and effects, they see this as indicative of the reform's success. In this thesis, I apply a different means of measuring success. A successful reform is one which results in obvious behavioural change. Reform cannot be unambiguously described; it is a social construction. However, as the community understands, the police are not the army, although it is the police who are most aware of the 'marginality' of their role, particularly when strike breaking or controlling demonstrations and

policing terrorist threats. Waddington clarifies the distinction between military action and police services as:

> The crucial distinction between the police and the military is that the former do not confront an 'enemy' but fellow citizens and that makes their position acutely marginal, for they must exercise coercive authority whilst retaining at least the grudging acquiescence of those over whom such authority is wielded (1999: 298).

Waddington (1999) recognises the historical influences that unify the roles and identities of policing which are shared throughout the United Kingdom, including Scotland and Northern Ireland, though there are disparities. Waddington states:

> Despite the liberal democratic mythology of the police as 'citizens in uniform', the reality is that they (the police) are set apart, by the authority that they wield (Waddington 1999: 299).

Police action that takes the style of a military type reaction always causes media commentary and often public outcry, which is dealt with by initiating critical academic discussion over the management style used. The contemporary style of 'hard management' as described by academics referring to military type civilian action such as quelling civil disturbances is utilised by the NSW Police. However, this military management style is utilised in form if not with the same force in most daily decision making. Hard management is described by Robbins et al. (1997) who define the 'omnipotent' and 'symbolic' concepts of management:

> Omnipotent view of management: The view that managers are directly responsible for an organisation's success or failure. The symbolic view of management is the view that managers have only a limited effect on substantive organisational outcomes because of the large number of factors outside management's control (Robbins 1997: 87).

The movement of the police management style away from its military traditions has been discussed as an option by policy analysts and also by judges in the final reports; for example, Justice Lusher and the Lusher inquiry (1983). However, the cycle of inquiries in NSW suggests that the continuing policy of command management as a day-to-day practice does not prevent corruption from occurring. Appendix N: lists historical events that depict the ongoing nature of policing and inquiries from the early periods of policing to 1996.

APPENDIX O

The following data supports places corruption activity within an historical process. The Model presented in Chapter One, summarises the cyclical nature of inquiries and crises as they occur in the New South Wales Police Service. The information below details the results of the analysis of past Royal Commissions and Inquiries.

Report of Royal Commission of Inquiry into the matter of the trial and conviction and sentences imposed on Charles Reeve and Others Commissioner Ewing 1920.

Commissioner Ewing examined the convictions and sentences imposed on several men who were members of the Industrial Workers of the World (IWW).

Trigger:

> Public opinion is that the defendants in the IWW were wrongly convicted (Legislative Assembly New South Wales 15 June 1920: iii).

Terms of Reference:

> To inquire into the diverse matters touching the guilt or innocence of Reeve and others convicted of conspiracy before the honourable Mr Justice Pring (New South Wales Parliamentary Papers 1920 Vol: 1 2nd session: iii)

Recommendations:

> Not the duty of the government to (a) assist in the employment of people released from prison, (b) no compensation to be considered.

Police Response:

> Police action was supported in the matter.

Community response:

The community accepted the judge's decision, as stated in his conclusion, that:

> there are many aspects of the case with which I have not attempted to deal and I wish it to be thoroughly understood that throughout the matter I have applied the principles to which I have already referred namely the giving of the benefit of the doubt, if any exists, to the accused (New South Wales Legislative Assembly Parliamentary Papers [72012])

Although at the beginning of the proceedings it is admitted that:

> The evidence of these witnesses was properly placed before the jury, and the presiding Judge left the jury to say, whether, under all the circumstances, these witnesses were accomplices, but whether the jury placed them in this category cannot now be ascertained. They were admittedly police informers [72012].

The implication is that police were corrupt in that they manufactured evidence against the accused and police witnesses were used, who admitted being police informers. These witnesses appeared to be crooks and liars. The inquiry appeared to be at least a partial whitewash, in that it accepted wrongful conviction by blaming the witnesses. No action in response to the inquiry was required from the police; the impetus for inaction appeared to be with the Commissioner.

Report of the Royal Commission of Inquiry into Allegations Against the Police in Connection with the Suppression of Illicit Betting Commissioner Markell 1936.

Trigger:

Mr Lazzarini (Marrickville) Questions and Answers [New South Wales Legislative Assembly 3 March 1936] Start-price Betting, [3.10] moved (1) that a select committee be appointed to inquire into and report upon the methods and procedure adopted by the police in apprehending and securing convictions against persons alleged to have been guilty of starting-price and street betting.

> The notion of motion has been on the business-paper for nearly two years and I have made a number of unsuccessful efforts to discuss it in order to ventilate certain aspects of the methods adopted by the police of this state The police do not appear to have the flair for dealing with serious crime that they have for getting around hotel bars on Wednesdays and Saturdays, apprehending men who are alleged to engage in starting-price betting, and getting them convicted on the most flimsy evidence [New South Wales Legislative Assembly Hansard 2314].

Captain Chaffey (Tamworth) Colonial Secretary [Hansard 3.31] moved that:

> as the allegations are of such a serious nature the government feels that a select committee such as is proposed in this motion could not investigate the charges as impartially or as properly as could a Royal Commission clothed with comprehensive terms of reference. The vote 38 against 32, the majority being 3 [New South Wales Legislative Assembly Hansard 10 March, 1936, [2424].

Terms of Reference:

> Be appointed with respect to the methods and procedures adopted by the police in apprehending and securing convictions against persons alleged to have been guilty of start-price and street betting.

It is interesting that the member for Marrickville, Lazzarini, also spoke against the issue of the Royal Commission after it had been issued, saying:

> I have seen the results of too many Royal Commissions that have been held in this country. A little while ago a Royal Commission, known as the Milk Board Commission, inquired into the conduct of a number of men who held important positions. A report was submitted upon which the Crown Law office suggested that certain action should be taken. But no action has been taken. Although the judge said that one man could not be believed, as anyone who obtains a copy of the report can read; and although the Commission cost thousands of pounds, it lies pigeon-holed in the Minister's Department, and no action has been taken [New South Wales Legislative Assembly Parliamentary Papers Hansard 1936 [2427].

Recommendations:

> The R.C. found a substantial amount of improper police action, with reports of police framing defendants, false evidence being presented, inducing guilty pleas and wrongly entering private premises. It also found that the remarks made by members of Parliament were substantially justified, and that the activities of the police in regard to the suppression of illegal betting were urgently in need of investigation.

> It appears to me that quite irrespective of the evidence that is placed before the bench in these cases, the magistrate invariably convicts… I am charging the police with deliberate perjury (Markell 1936).

Police Response:

> It must be kept in mind the officers who have been found guilty represent a very small proportion of the total number of men engaged in this branch of Police activity. The evidence of Mr Commissioner Mackay and Sergeant Keefe shows that every endeavour has been made to ensure that the law is properly enforced with a due regard to the rights of private citizens (Royal Commission Report Markell 1936:116).

This type of response is identified here as the 'bad apple' explanation. The Inquiry's conclusion indicated that there would appear to be no reason to believe that the irregular

practices are general. The police as an organisation are vindicated.

The police senior management responded by laying down ethical rules.

It appears that every precaution has been taken to prevent abuses, and particular the Commissioner, when Metropolitan Superintendent, delivered three lectures in relation to these matters dated respectively 2 August, 1932, 2 July, 1934 and 20 December, 1934.

These lectures speak for themselves, and it appears from the evidence that they are either read or handed for perusal to all the Police officers who are put on to this special work before they take up duty so that may fully appreciate the way in which they are expected to act (1936)

Community Response:

One remedy proposed was a judicial one, rather than police organisation change, being that 'if the Gaming and Betting Act were amended in the direction that police would be prevented from being tempted for any Police officer to act in this way' (1936: 117).

The Inquiry revealed a state of affairs that appeared to be exceedingly serious. It must have had a very disturbing effect on the attitude of the community towards the Police Service. The public are entitled to expect the police to act honestly and fairly, because it is their duty to see that laws are obeyed. In doing so, the police should at least fulfil the primary obligation of telling the truth, particularly when they have sworn to do so. Instead of being able to rely on trustworthy guardians of the law, the community is faced with the harsh reality that their police force is untrustworthy. The Service was undergoing investigations and facing allegations of police impropriety in their methods of securing arrests as well as convictions for street betting and starting-price betting.

The inquiry also included statements such as:

There can be no doubt that betting in hotels is an evil from every point of view. It leads to large numbers of people congregating in the vicinity on Wednesdays and Saturday afternoons, which is most undesirable, and as a result, the tasks of the Police in endeavouring to suppress illegal betting is rendered very much more difficult (Markell 1936:117)

Report of the Royal Commission on Liquor Laws in New South Wales Commissioner Maxwell 1954

Trigger:

Beer was so scarce that *Smith's Weekly* noted: 'there is ample beer to go around in Sydney, but not at regulation prices. You can get it but only if you deal 'on the black'' (Hickie, 1982:99). Hansard included a full debate on the terms of reference, which examined who was making money from the gambling and illegal sale of alcohol. The Judge stated that the evidence provided:

Shows the care with which the whole House set forth the several terms by which the Commissioner was to be, and is bound. This feature is rendered not less, but rather more representative appearing before the Commission; none of the counsel who was given leave to appear found any real difficulty in understanding the extent or the limits of the enquiry. Counsel assisting the Commission and those instructing them; spared no effort to adduce complete evidence on every aspect which could be said to be relevant to any of the terms of the Commission (Maxwell 1954).

Terms of Reference:

Investigate ownership of financial interests in and control of hotels, the 'tied house' system of liquor trade, effect operation and application of the Liquor Act.

Recommendations:

There was an abuse of police powers in interrogations, police corruption in the licensing area and that the 'practice' of police unity in the face of internal investigations (New South Wales Legislative Assembly Parliamentary Papers [3.40]). The report also suggests that a Royal Commission can result in negligible consequences. However, the conclusions are extensive, however, statements from the Commissioner include statements such as:

[it] is, however, indiscreet, to say the least, for a licensing inspector to accept a testimonial which comes substantially from the liquor interests in his district, or from the gambling interests in his district since the policing of the latter also comes under his general duty (Maxwell 1954, Term, 8:99).

The emphasis on change talks about structure. Inspector Young, as I understand his evidence, suggested that a reorganisation of the licensing police force, by delegating the clerical work to clerks or similar officials, would be an improvement. He calls for a tightening up of investigations and some form of reorganisation of the licensing branch.

Police Response:

The inquiry suggested that a licence branch should be reorganised to constitute a separate career branch of the police that would be in some way independent of the remainder of the force and 'without interchange of personnel with other members of the force'. The Learned Counsel for the Department submitted that this was undesirable for reasons of promotion, as it restricted promotion prospects and moreover, 'you can not leave even the most trusted officers in such a position as to become open to temptation' (Maxwell 1954:100).

Community Response:

The community became aware of the diversion of alcohol from licensed hotels to illegal venues, illicit sales through the city's nightclubs, dummy ownership of regular hotels and systematic police corruption at the highest levels (Hickie 1982: 100).

Did it lead to another inquiry? Police were recognised as falling short of the duty imposed on them. Maxwell was satisfied that nightclubs were tipped off about police raids and noted that the occasions when everybody but the waiter were arrested at restaurants were marked exceptions (Hickie 1982:100). The next Inquiry was linked to the Maxwell Inquiry; this was to be the Moffitt Inquiry.

Report of the Royal Commission of Inquiry into Respect of Certain Matters relating to allegations of Organised Crime in Clubs Moffitt 1974.

Trigger:

Mr Dowd, New South Wales Parliament Hansard, extract, Address-in-Reply, 12 September, 1979:

I have been particularly concerned in the area of organised crime, as it became more apparent to me that respectable money is used to finance criminal operations and that a series of company structures are used to hide those involved in criminal operations. Organised crime, SP Operations and illegal casinos are also used to cloak that payment of money and the laundering of funds used or drug purposes… it was necessary for … questions upon notice in this House before the Premier would do anything about them (Moffitt 1974:739).

It is interesting to note that the member of the assembly stated:we have corruption in sections of our police forces, indeed, have all police forces throughout the world [but] *one should not have to change Commissioners of Police to get SP operations and illegal casinos closed down* (emphasis added Moffitt 1974:740).

Terms of Reference:

Moffitt (1974) stated in his Recommendations that:

The terms of reference call upon me to make factual decisions. They do not provide for the making of recommendations [317]. The terms of reference in summary had three aspects to them, to examine files and disclose if there is sufficient reason to take proceedings against any person in respect of alleged organised crime in relation to Clubs registered under the Liquor Act 1912, whether there has been any attempt by the government of New South Wales to cover up the existence of such crime or the identity of any person responsible and whether the Bally Corporation of America offers a risk of infiltration of organised crime into or in relation to Clubs (Moffitt 1974 part 1,(2)).

Recommendations:

The first recommendation was that; 'there be a frank and drastic review of the methods of investigation of organised crime of overseas and local origin and that particular procedures be established appropriate to this as a special class of crime' (Moffitt 1974 318 (1)).

Police Response:

Police acted on the above recommendation and also on the following comments by establishing a special squad of police to follow up on issues arising from the inquiry.

The recommendations led to two further inquiries, the Woodward and Lusher inquiries. According to Moffitt:

A stage was reached when it appeared that the inquiry, as it touched upon the position of Bally, was quite unsatisfactory. The further the inquiry proceeded, the greater were the revelations and in a more concrete form than mere intelligence material of significant affiliations of Bally with criminals. Bally was asserting the affiliations had been discontinued, but was complaining it was unfair that these grave matters might be referred to adversely in my report, in the course of report upon the police inquiry. The police had not reported upon these matters in the final report and in fact discarded this aspect of their inquiry (Moffitt 1974 [48]).

Moffitt (1985) also made an important recommendation that played a significant part in the inquiries that followed. He stated:

that for the protection of persons investigated or charged and for the protection of police officers, police instructions concerning note-taking and concerning return and security

of notebooks and diaries be required to be observed and that any other form of *'unofficial'* recording be not regarded as relaxing the requirement and that such other recordings be not privately retained but be held as other official police records [318 (6)] (emphasis added)

Moffitt also asserted:

there needs to be a change in attitudes to 'political' appointments not only to judicial posts but to all other offices that are intended under constitutional theory or which are held out to act independently of external and in particular political influence. A change in attitudes and practices needs to be not only by appointing governments but by oppositions, which no longer object and by professional bodies and the media which now rarely object and by the community (Moffitt 1985:240).

The community's response was also evidenced by the Federal Parliament's establishment of the National Crime Authority on July 1, 1984 (Bottom 1984:164).

Report of the Royal Commission into drug Trafficking Commissioner Woodward 1979.

Trigger:

Family and public concerns about the disappearance of Donald Bruce McKay; the community believed that the disappearance was probably linked to drug activity in the Griffith area. Family members also had reason to suspect that certain police officers in the Griffith area were not trustworthy.

Terms of reference:

There were inquiries into the cultivation, production, manufacture, distribution, supply, possession and use of drugs, and the identity of persons involved in drugs that are for the time being drugs of addiction, or prohibited drugs within the meaning of the Poisons Act, 1966. There was also provision made for a review of the laws concerning the above offences.

Recommendations:

The inquiry resulted in 89 recommendations. Two of these recommendations were specifically directed at conducting investigations into serving police officers. There was also an important, Recommendation 62, which required police accountability with regard to the use of search warrants (62 (a), (b) and (c)).

Police Response:

Police activity in drug-related crime has been under review for as long as police have been policing illegal drug activities. Each inquiry has revealed inappropriate, criminal and unprofessional behaviour. Drug inquiries are very good examples of the cyclical nature of police response to community demands for accountability. Police accountability and practice has improved over the years; however, in this area – an area involving economic advantage – police seem to always find a method to circumvent the legal practice.

Report of the Commission of Inquiry into the New South Wales Police Administration: Commissioner Lusher 1981.

The report by Mr Justice Lusher of the Commission of Inquiry into New South Wales Police Administration was submitted on April 29, 1981.

Trigger:

The contemporary position follows many decades of either an awareness or indifference to developments necessitating change, or an inability to grapple successfully with them on the part of successive government and police administrations (Preface to Lusher Report, Lusher 1981:i).

Terms of Reference:

Inquire into the structure, organisation and management policies of the police force, including the rules and policies governing recruitment, appointments, promotions, seniority, classification, training and development of members of the police force and other such personnel matters.

(i) The structure of the relationship between the Police Force and the Executive Government, including the functions and responsibilities of the Police Department; and

(ii) The structure, organisation and management policies of the Police department. And to make such recommendations as is thought fit for improvements and changes therein (Lusher 1981:ii).

Findings:

The Inquiry found that the administration tended to rely excessively on the authoritarian style of management which is facilitated by the rank structure and the disciplined nature of the Force. Moreover, until very recently training of police was minimal and certainly did not include any content on management principles.

> As the Police Force has always been regarded as a career service and as there is no avenue for lateral entry, then it is not surprising that the approach to management which is general throughout the Force is outdated and includes many informal traditional 'police' practices (Lusher, 1981:69).

The impression gained by the inquiry was that sergeants, inspectors and superintendents all tended to see supervision as consisting of simple things such as visiting stations on a regular basis, checking station records and signing occurrence pads, etc.

Recommendations (one of many):

> Professor Wilenski went on to suggest that the first practical step could be the establishment within the organisation of an Organisational Development Unit with professional expertise to promote organisational change. However, he warned such units should be established only in those organisations where senior management are genuinely committed to change and the re distribution of power (*away from themselves*) that such change brings' (Lusher, 1981: 117; emphasis added).

One important implication from the Lusher Report is as follows:

> [In the] Inquiry's further opinion, it is desirable that a government should have the power to dismiss at pleasure. Accountability is an essential part of the Commissioner's responsibility to the executive for her superintendence of the Force. It is equally desirable that a Commissioner and his reputation should have such protection as Section 4(4) offers if it is desired to remove him for the reason of misbehaviour or incompetence specifically and to publicly assign such conduct as its reason (Lusher 1981:128).

The Royal Commission of Inquiry into Drug Trafficking, Commissioner: The Hon. Mr Justice D.G. Stewart 1983.

On September 8, 1980, the Prime Minister, the Hon. Malcolm Fraser, issued a press release stating that the life of the Royal Commission of Inquiry into Drug Trafficking was to be extended until February 28, 1983. The Governor General and the Governors of New South Wales, Victoria and Queensland formally approved the extension.

Trigger:

> The Victorian Coroner indicated that one of the criminal groups was engaged in a very large operation of illegal drug trafficking at enormous profit and appeared to have engaged in the corruption of several law enforcement agencies. To quote: 'present law enforcement methods have had only limited success in bringing members of these groups to justice'

(Stewart, 1983:2). A police team was established to examine elements of the Stewart inquiry that related to New South Wales.

Terms of reference:

Inquire into and report on the drug trafficking activities of Terrence John Clark and associated matters.

Police Response:

At this particular time, the tone of the evidence was not flattering to police. The Inquiry was told that police lied on Wilson tapes (*The Courier Mail*, 3 July, 1982) (Bryett & Harrison 1993:88).

State police departments responded to 102 formal recommendations in the areas of law enforcement and justice. Clark died in prison and police will have a difficult task in following the prosecution trail in many instances. In some cases prosecution has proven to be out of reach (Stewart 1983:102).

The Stewart Royal Commission reached a similar conclusion to other Commissions in that police have an apparent compulsion to defend their own turf against possible invaders (Etter & Palmer 1995:112).

Community response:

Their views [the Royal Commissioners'] as to the setting up of such an authority with wide powers were supported by the later comments from positions of considerable experience. The recommendations for a permanent authority were accepted and implemented, but in such a watered-down way and omitting such essential elements recommended by all such Commissioners that the resultant National Crimes Authority represents a totally ineffective attack on organised crime (Moffitt, 1985:106).

Did it lead to another inquiry? Mr Justice Stewart became the inaugural Chairman of the National Crime Authority. Bottom (1984) suggested that under the limited powers of the National Crime Authority, Stewart would make the best of a limited brief. He also argued that the Federal authority cannot even demand that people give their name and address. Yet compulsory interrogation powers are already embodied in the Bankruptcy Act.

The Report of the Royal Commission into Drug Trafficking Commissioner Woodward 1979.

Trigger:

Family and public concerns about the disappearance of Donald Bruce McKay; the community believed that the disappearance was probably linked to drug activity in the Griffith area. Family members also had reason to suspect that certain police officers in the Griffith area were not trustworthy.

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Recommendations:

The inquiry resulted in 89 recommendations. Two of these recommendations were specifically directed at conducting investigations into serving police officers. Recommendation 62 required police accountability with regard to the use of search warrants (62 (a), (b) and (c)).

Police Response:

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