Misconduct by police leaders in England and Wales: an exploratory study

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Abstract

The study that this article is based on examined cases of alleged misconduct involving chief police officers and staff. It described the nature of cases that came to light, examined pathways that lead to misconduct, and suggested ways of mitigating risks. The study was based on interviews with key stakeholders and with investigating officers in chief officer misconduct cases since April 2008. Cases involving chief officer misconduct fell into two broad categories: those associated with professional decision-making, and those related to interpersonal conduct. In around a third of cases, no misconduct was found. There were various routes into misconduct. The ethical climate of a police force was a key determinant of chief officer misconduct. Behaviour was also shaped by individual vulnerabilities, including lack of support, lack of challenge, exposure to corrupting influences, and cognitive failures in decision-making. Various things can be done to mitigate the risk of chief officer misconduct: police leadership needs to develop a greater consensus on what constitutes misconduct; Chief Officers need to recognise the specific risks of cognitive failure that organisational leaders face, and the temptations of excepting themselves from rules and norms. There also needs to be an organisational ethos in which leaders can be challenged, and in which leaders are given the right sort of support when faced with ethical challenges. There needs to be more recognition of the impact of selection and training processes, and of performance management systems, on the ethical climate of police organisations.

Keywords: Police misconduct; police corruption; leadership

Introduction

Police decision-making very often involves ethical considerations, whether explicitly or implicitly. From its inception, policing has always been vulnerable to corruption, unethical behaviour and the glare of public scrutiny when things go wrong. In the case of England and Wales, every recent decade over the last 50 years has seen scandals which have resulted in inquiries and reforms. Until recently however, it has been rare for these scandals to touch the highest echelons of policing. In 2012, Sean Price of Cleveland Constabulary became the first chief constable to be sacked since Stanley Parr in 1977, having been found guilty of gross misconduct.

This paper uses the term 'misconduct' in its broadest sense, encompassing criminal behaviours but also those that do not meet the criminal threshold but are nevertheless in breach of formal regulations or in some sense unethical. As will emerge in our discussion of findings, there is no clear consensus with the police service about the boundaries of misconduct – beyond the rather circular definition that misconduct is behaviour which is judged to be so in investigations of misconduct.

The last decade has seen a growing number of investigations into the conduct of chief officers[1], touching on, for example, allegations of unjustified expenses, interfering with recruitment processes, unethical commercial decisions and relationships with the media, bullying and sexual harassment, professional malpractice, and even allegations of criminal conspiracy. Chief officers in England and Wales have been reprimanded, suspended, sacked and resigned – but also in a number of cases cleared of all suspicion. Two chief officers have committed suicide whilst being investigated. As at early-2015, over 40 cases of alleged chief officer misconduct since the early 2000s could be found in open source reporting, most relating to investigations since the start of 2008.

All of this has taken place in the context of renewed and vigorous scrutiny of the ethics of policing, particularly following the Leveson Inquiry (2012), the 'Plebgate' affair, the report of the Hillsborough Independent Panel (2012), and revelations about the undercover policing of domestic protest groups and the collection of information on bereaved families including the family of Stephen Lawrence (see, for example, Ellison (2014) and Creedon (2013; 2014a and b)). In 2013, the Home Affairs Select Committee published a report on leadership and standards in the police, and called for a new police code of ethics and integrity in England and Wales (HASC, 2013). A Code of Ethics for policing was subsequently published by the College of Policing (2014), and laid as a code of practice by Parliament in July 2014.

Against this background, the College of Policing decided to commission research into chief officer misconduct, and the authors of this paper formed the team that were contracted to do the work (Hales et al., 2015). The study is exploratory, examining a highly complex set of issues around misconduct. It presents interviewees' perceptions of misconduct, as such we have drawn on the insights of people who were well-placed to speak on the issues. Thus, the research provides a qualitative snapshot of the majority of chief officer misconduct cases that came to light in England and Wales since 2008.

Research aims and methods

The project had four main aims:

1. To describe the nature of misconduct cases involving chief officers.
2. To explore the context in which the alleged unethical behaviour took place.
3. To identify the factors that may have contributed to those acts of wrongdoing.
4. To consider how best to mitigate the risks of misconduct.

The study relied on interviews with two main groups of respondent: key stakeholders – people, mainly senior police officers, who were well-placed by virtue of their professional experience to talk about misconduct at chief officer level; and investigators – with direct experience of being involved in chief officer investigations. We interviewed 11 key stakeholders, 3 of whom had investigated chief officers, and a further 23 investigators. The interviews covered 40 cases over a period of eight years relating to 33 chief police officers and equivalent police staff. These cases involved only a small minority of chief officers over the time period in question. Those who were interviewed were able to recall and discuss the detail of specific cases, and had well-developed perspectives on issues of chief officer misconduct. The sample of stakeholders was identified by College of Policing staff and from our own knowledge of the field. Most of the interviews were carried out in 2014. Interviews were semi-structured and typically involved one or two researchers interviewing a single interview subject. Interviews were recorded and professionally transcribed, and then analysed by the research team using NVIVO 9. A number of measures were taken to ensure the confidentiality of research participants and the cases they discussed, including the use of encrypted storage devices. We considered interviewing people who were the subject of misconduct investigations, though we had misgivings about the reliability of such data, and the risks of getting drawn into discussions about culpability. In any case, however, the practicalities involved in brokering access meant that this was not feasible within the timescales of the study. We also considered extracting data from case files, but again access would have been problematic, and we would have also needed help from investigators in

taking us through the files, so this option was not pursued. A fuller account of the study's methods can be found in Hales et al. (2015).

Research on misconduct

Most misconduct involves police officers and staff from the more junior and more populous ranks. However, police leaders at chief officer level set the tone for their organisations and wider public perceptions, and are understandably held to a higher standard. Research on the topic of misconduct by police leaders is limited. However, there is an extensive body of literature on police misconduct and corruption amongst rank-and-file officers (see Newburn, 1999, for a review), and on organisational conduct more generally (which tends to focus on leaders – see Treviño et al. 2014 for a review).

The latter body of literature is probably more relevant to our topic than the former. Whilst misconduct among chief officers shares some things in common with unethical behaviour among frontline officers, in some important ways chief officer misconduct is distinctively different: they are highly visible, exposed to multiple systems of accountability, and responsible for maintaining the reputation of their force; they carry a heavy burden of responsibility for ensuring the effectiveness and integrity of police work; and the nature of their role can also prove isolating, with limited preparation for the role, and a lack of both support and constructive challenge.

Cognitive vs volitional failure?

Work originating in Kahnemann and Tversky's (1979) prospect theory has found that the form of 'decision frames' that are available to decision-makers can affect ethical behaviour (cf. Kern and Chugh 2009; Greenbaum et al. 2012). Greenbaum and colleagues suggested that in some organisations decisions are framed within a 'bottom-line mentality' that involves "one-dimensional thinking that revolves around securing bottom-line outcomes to the neglect of competing priorities" (2012: 334). The 'bottom-line mentality' decision frame tends to exclude ethical considerations in decision-making. While the police service has no commercial objectives, there is an obvious equivalent to the 'bottom-line mentality' frame within policing in the form of an over-focus on quantitative crime reduction targets, as discussed in a Public Administration Select Committee (2014) report on crime statistics. Pressures to account for performance can distort judgement.

A more nuanced explanation that addresses the range of competing priorities confronting organisations can be found in Price's (2006) analysis, which is of particular relevance to this study given its focus on ethical failures of leadership. Price located the roots of misconduct in processes of cognition. He argued that misconduct by leaders was understood better as 'cognitive failure' than as 'volitional failure' – a failure of reasoning rather than a failure of motive. The volitional account is that leaders place their self-interest above ethical standards in the full knowledge that they are wrong to do so. They knowingly do wrong, and plan to get away with it. The cognitive account, by contrast, proposes that there are characteristic cognitive failures made by leaders which lead them to except themselves from the ethical standards that apply to the rest of their organisation.

Price suggests that it is the unique position of leaders in organisations that creates the risk of this sort of cognitive failure. That is, leaders fail to see that ethical – or even legal – standards apply to themselves as much as they do to those they lead. They may do things that are judged to be ethically wrong without appreciating that their behaviour is problematic. The pressures that create this form of cognitive failure are to do with leaders' sense of the particular importance of the collective task that their organisation is pursuing, and their role in ensuring that the tasks are achieved.

Leaders advance the interests of their organisation – or the goals being pursued by their organisation – and in so doing earn an entitlement to special rewards. For the most part, leaders' self-interest sits in comfortable alignment with the goals of the organisation. Leaders' perception of their special position, however, can place them at risk of making exceptions of themselves and excusing themselves from general ethical standards.

According to Price's cognitive account, leaders will typically not 'get it' – or will fail to grasp the nature of their ethical failure – when confronted with accusations of misconduct, because they will think that they were entitled, as leaders, to do the actions under contention. As will emerge, in our study this proved to be a consistent tendency across different categories of misconduct, and is not specific to cases involving pay, perks, allowances and expenses.

Some support for this perspective can be found in the common patterns of misconduct among leaders from a range of different sorts of organisation. Leaders, almost by definition, are entitled to a larger than average share of the rewards that organisations offer their staff. Arguably, the special entitlement of leaders is actually a way of signifying, and thus consolidating, their authority. The risk that this situation creates, however, is behaviour that reflects a sense of over-entitlement. Against this perspective, the scandals associated with leaders – whether in politics, business, or in large state bureaucracies such as the police, the

military and the health service – tend to exhibit the theme of over-entitlement. During times of austerity, the 'public mood' (at least as reflected through, or created by, the media) is especially sensitive to cases where organisational leaders exceed their entitlement to organisational rewards. It should be stressed, however, that ethical failure in leadership can run far beyond issues of remuneration, and the common factor is the sense of entitlement to except oneself from the organisation's general rules and ethical standards.

Ethical climates within police organisations

Research on police misconduct has tended to focus on behaviour by front-line officers that is simultaneously illegal, against police regulations, and unethical. Of course, much misconduct is legal, breaching no criminal laws, and some unethical behaviour is not even covered by police regulations. The point here is that standards of ethical behaviour in policing cover rather more extensive terrain than police regulations and the criminal law; the terrain that is not covered by formal rules and regulations is governed largely by shared norms and standards – which flow from the ethical climate of the organisation. This issue raises important questions about the 'drivers' of the ethical climate in policing organisations. Drawing on the wider research into misconduct, Figure 1 aims to summarise how organisational processes and structures might interact to shape the ethical climate in any given police force, which in turn shapes patterns of misconduct.

[Figure 1 about here]

Figure 1 proposes that the ethical climate of an organisation is shaped by a number of organisational processes (the dark oblongs on the left). Formal codes of conduct and rules are an obvious and important shaping factor; so too are selection and training procedures, which determine the sort of people in the organisation, and how they go about their work. The systems for performance management and reward are likely to have a significant impact, as they embody and signify the organisation's values and culture. Finally the style of leadership can (but may not always have) a profound effect on the ethical climate.

The figure suggests that an organisation's ethical climate shapes individuals' ethical decision-making (the dark ovals on the right of the figure), but that this process is mediated by situational factors such as:

- Individual differences between decision-makers.
- The decision frames that have currency within the organisation.
- The presence or absence of ethical challenge and ethical support.
- The presence or absence of 'corrupting' colleagues.

On the far right-hand side of the figure, we have suggested that after an initial ethical failure, there is a dynamic process by which decision-makers can 'learn' from their experience in terms of whether misconduct 'works' for them, which may depend on whether and how their initial behaviour is challenged. This step in the model is an attempt to reflect the fact that some misconduct is not a 'one-off' lapse, and that patterns of unethical behaviour can develop over the course of a career if not challenged early on.

Figure 1 is a schematic device to show the sorts of factors which need to be taken into account when examining misconduct at any level in police organisations. An account of the pressures to engage in misconduct that ignores these organisational and situational factors is likely to be partial and incomplete. However, the picture becomes more complicated when it comes to misconduct at chief officer level, as chief officers can exercise a degree of control over the organisational factors that generate the ethical climate of their organisation. However, this control is usually constrained – chief officers' decisions may both shape, and be shaped by, their organisation.

Trends in chief officer misconduct

This study did not set out to examine trends in chief officer misconduct, and we have not gathered any data that would enable any firm conclusions to be reached as to whether misconduct is getting more or less prevalent. However, it was clearly an issue that arose in the course of the interviews, and something needs to be said on the topic. It is clear that many misconduct cases involving chief officers have surfaced over the last ten years after a long period when very few cases were reported. Our trawl of open source material located over 40 cases, the majority of which related to investigations that took place in 2008 or later. Lack of evidence means that we must sidestep the question as to whether the emergence of this volume of cases reflects falling standards or increased scrutiny. Before the introduction of PACE[2], when the police were effectively a closed institution, abuse of due process and corruption were widespread in some forces and in some squads. It also seems likely that misconduct stretched across the range of ranks. It is harder to say much about more recent trends. Several of the cases that have recently come to light are historic, while others are more recent. In aggregate, the recent cases – and their reporting by the media – may create an impression among the public of an 'institution in crisis' that is facing growing ethical challenges. Some of our interviewees talked in terms of there being an 'ethical crisis' in policing. If this is the case, some of the causal factors may be found in the global financial crisis of 2008 and in the period of austerity that has followed. Chief officers' roles have certainly become more challenging since 2008, as they have had to introduce significant budget cuts and 'do more with less'. This may have created pressures to cut corners in decision making, including those decisions with an ethical component. However, a large proportion of interviewees also suggested that scrutiny of the police was intensifying, and that the ethical climate in policing was actually changing for the better. Possible factors underlying more intensive scrutiny include the scandal relating to expenses for Members of Parliament that emerged in 2009, and an associated sensitivity in the mass media to stories about 'fat cats', whether in industry or heading public services, whose belts were not being tightened as austerity took its toll on the general public.

A typology of chief officer misconduct

As discussed above, this paper uses the term 'misconduct' in its broadest sense, encompassing criminal behaviours but also those that do not meet the criminal threshold but are nevertheless in breach of formal regulations or in some sense unethical. Organisationally, police forces tend to deal somewhat separately (in ascending order of seriousness) with:

- Grievances (i.e. workplace relations, management style and decisions).
- Professional standards (i.e. breaches of police regulations).
- Anti-corruption (i.e. criminal conduct).

In practice, however, it is clear that the boundaries are significantly blurred, and individual cases may cross into different categories.

In general, research on police misconduct has been concerned primarily with the 'rank and file', especially in public-facing and patrol environments. These environments are not especially relevant at the chief officer level. There are potentially fewer opportunities at this level for the classic forms of 'corruption' involving the perversion of due process (whether for personal gain or for 'noble cause' motives), abuse of suspects' rights or the soliciting of bribes.

At the same time, chief officers operate in a distinctive environment that presents considerable risks, pressures and temptations, including:

- The 'temptations of the powerful'.
- Isolation and a lack of challenge.
- A lack of personal support.
- Being under tremendous scrutiny and, at the same time, paradoxically, under very little scrutiny.
- A greater emphasis on non-law enforcement professional managerial responsibilities (e.g. HR, finance, commissioning and procurement).

There are two broad narratives for understanding chief officer misconduct that echo the academic analysis of frontline staff. The first focuses on structural risks and vulnerabilities relating to the nature of the professional task, selection and promotion processes, barriers to challenging misconduct, and weak

accountability mechanisms and other processes. The second focuses on individual risks and vulnerabilities, including the impact of seniority on decision-making. The typology below draws both on the analysis of our interview material and on the open source material.

Misconduct associated with professional decision-making

- Abuses of due process and other forms of misrepresentation, suppression of information and dishonesty
- Abuses of force procedures relating to recruitment and procurement
- Material/financial misconduct, associated with pay, perks, hospitality, travel and expenses
- Other forms of professional misjudgement (e.g. mis-authorisation of police powers, disclosure of confidential information, email communication and use of social media)

Misconduct associated with interpersonal conduct

- Bullying
- Prejudice and discrimination (e.g. racism, sexism)
- Sexual misconduct (e.g. lewd remarks, sexually inappropriate behaviour)

Unfounded / vexatious allegations

The point about separating these types of misconduct – while acknowledging inevitable overlaps – is this: interpersonal misconduct may exist on its own but not otherwise relate to the substance of professional practice (e.g. strategic or operational decision-making); and someone can commit misconduct while discharging their management responsibilities, without compromising their standards of personal conduct. A specific category of unfounded and/or vexatious allegations has been included in the typology to reflect the complete profile of misconduct allegations received by chief officers , even when ultimately they are found to be without merit.

A summary of the 40 allegations against the 33 chief officers in our sample is presented in Table 1 and uses this typology to describe the alleged misconduct involved in each case, the rank of the officer investigated, and the outcome of

the investigation (where known).

[Table 1 about here]

Routes into chief officer misconduct

We found that the perspective of previous research on misconduct formed a good fit with the cases that our interviewees told us about. Implicit – and sometimes explicit – in their accounts was the interplay between structural risk factors relating to the organisation's ethical climate and more specific individual risk factors.

Structural risk factors

Three deeply inter-woven themes emerged as especially significant:

- political-cultural factors that shape organisational values;
- career progression processes; and
- a lack of challenge when misconduct is evident.

Reference to *cultural values* frequently emerged in interviews. Interviewees described how targets associated with crime and its detection had engendered a narrow emphasis on crime performance as the basis for evaluating professional ability and that this narrowly instrumental 'bottom-line mentality' had eroded public service values. We were told that some chief officers tended to see themselves as being more akin to 'captains of industry' than public servants – with all the entitlements and privileges that came with the CEO role. Several interviewees described a 'culture of entitlement' at chief officer level. It also appeared that in some areas, local governance bodies had themselves at times been complicit in fostering this culture.

If the idea of corrosion of previously more robust public values suggests a decline in standards, an equally common theme was that the culture of some forces had simply failed to keep up with improvements in ethical standards. A culture of entitlement among some leaders had become ingrained to an extent that rendered it impervious to the changing ethical landscape associated with

'austerity'.

Some interviewees suggested that policing has fundamentally lacked ethical values, offering various explanations. One was that the legalistic training of officers upon recruitment and the managerial pressures on middle and senior officers left little room for ethical considerations. Another was that policing 'doesn't value difference', and that officers felt under pressure throughout their careers not to 'step outside the mould'. A third was that there were values, but the 'wrong kinds' of values that stemmed historically from a command-and-control style of management and the toleration of bullying within a 'boys' club' culture.

Career progression processes were often identified as contributing to misconduct. These processes were seen as highly competitive at senior level, creating both a narrow focus amongst candidates on 'gaming' the processes and – in those who succeeded – a sense of exceptional achievement and, thus, entitlement. Several interviewees described how the Strategic Command Course tended to create close mutually supportive and inward-looking networks. The training was thought to be light on ethical issues and on questions of values. It was also suggested that chief officers tended to select and appoint people 'in their own image', thus reproducing the ethical climate prevailing among police leaders. Some interviewees regarded high potential (accelerated promotion) schemes as sources of risk, suggesting that these officers gathered breadth of experience but not the depth of experience needed to develop robust ethical standards.

The final structural factor that emerged was the *lack of challenge* inbuilt into police culture. Challenging more senior ranks was widely considered to be career-limiting. In addition, several interviewees referred to an organisational failure to challenge misconduct at earlier stages of people's careers, and indeed a preparedness to ignore or tolerate misconduct either when selecting people for chief officer rank or when providing references on candidates. It was also suggested that integrity vetting (which has different levels of intrusiveness) could be inadequate.

Other organisational vulnerabilities were also identified, which related to

organisational structures and processes. The main ones were as follows:

- The nature and demands of the chief officer role.
- Weaknesses and changes in governance arrangements.
- Weak internal processes.
- Issues relating to procurement processes.

Individual level risk factors

If features of the organisation provide the backdrop against which people make decisions that result in misconduct, individual factors are also of obvious importance for shaping conduct. Individual vulnerabilities include absence of ethical or emotional support, lack of challenge, exposure to corrupting influences, and cognitive failures in decision-making. As discussed above, research unrelated to policing has suggested that leaders are prone to particular forms of cognitive failure – in failing to recognise that excepting themselves from organisational standards and requirements is ethically problematic. In our interviews, cognitive failure was much more evident than volitional failure, which might help explain how people get to the highest levels of police leadership, yet show a lack of integrity. There was a consensus among our interviewees that only a very small number of chief officers who have been involved in misconduct have done so for personal gain.

Where chief officers appeared not to be motivated by personal gain – and this applies to more cases in our sample – one of two issues was evident. First, some chief officers who were found to have committed misconduct were reported to have disputed their behaviour constituted misconduct at all. Second, we were told of cases of exceptionalism, in that chief officers seemed to have understood the rules, but felt they did not apply in their particular case.

In a number of cases there were individual vulnerabilities that appeared to be relevant to their behaviour. Interviewees identified various individual weaknesses that they regarded as risk factors. Some suggested that arrogance is a corollary of decisiveness, which is considered a desirable and necessary attribute in chief officers. Lack of ability and incompetence were also mentioned

– especially in the context of austerity cuts that required generalist senior officers to undertake specialist functions for which they were poorly equipped, for example in procurement. A minority of cases in our sample hinged on relationship issues, including:

- complaints made by spouses or partners at the point the relationship had failed;
- claims for expenses incurred while officers conducted affairs;
- relationships that had not been disclosed to vetting officers; and
- inappropriate, and potentially predatory, sexual conduct towards junior colleagues.

Several cases illustrated the risks associated with chief officers approaching retirement and turning their attention to life after policing – involving improper use of time or resources while pursuing post-retirement job opportunities.

Conclusions: responding to misconduct

This paper has set out the findings of an exploratory study into chief officer misconduct. It is a qualitative piece of work, and we have relied heavily on the insights of those whom we interviewed. One of the key themes of the research is that one of the best ways of improving ethical standards within an organisation is to ensure that there is intelligent and open debate on the issues. This paper may help to ensure that debate of this sort takes place.

We hope that we have identified processes and procedures that damage the ethical climate of police organisations, and those that can help promote high ethical standards. However, in research of this nature, conclusions can never be definitive. Ensuring that there is more of a consensus on ethical standards in policing, and on the values that the police service should espouse, is ultimately a task for police leaders themselves.

While interviewees painted a rather bleak picture of the recent ethical health of *some* chief officers in *some* forces, it was clear that across chief officer ranks as

a whole the appetite was very much for change. Indeed, the very change interviewees spoke of had already started to embed itself among many chief officer teams around the country. Interviewees discussed the importance of policing with integrity and promoting strong and ethically intelligent leaders who value and encourage challenge, manage with integrity, and possess an ethical intelligence that imbues the chief officer team and, thus, the rest of the workforce. Shortly after the completion of this research, the College of Policing published a leadership review (College of Policing, 2015), many of the recommendations of which echo the proposals discussed in this section.

Reshaping the ethical climate in police forces

The future ethical climate needs to be consciously shaped not only by chief officers and staff but also by those that govern and provide oversight – the PCCs, the IPCC, the College of Policing, the Home Office and HMIC.A clear theme to emerge is that the ethical climate of a police force is seen as a very significant factor in shaping the behaviour of both chief officers and rank-and-file. Our interviewees were unanimous about the centrality of ethical leadership in shaping the ethical culture both of the senior command teams and their forces. Respondents were clear that the ethical direction and moral health checks of chief officers need to come from within. Interviewees were clear that chief officers need to set out a clear and simple expectation of how they will behave, how they will challenge their peers who do not meet the standards expected of their office, and how they will protect the integrity of both their own force and the wider police service.

Several interviewees drew links between styles of leadership and models of performance management. The suggestion was that performance management systems that were overly mechanistic and narrowly instrumental would necessarily be in tension with some public service values. A number of interviewees believed that officers that adopt a commercial leadership model with narrowly defined goals will inevitably steer themselves into difficult moral territories.

A consistent theme was that the ethical climate within the organisation was closely linked to the workforce's experience of organisational justice (cf Colquitt

et al., 2008). The value of pursuing organisational justice within a force is that it can help support an ethical climate within which chief officers themselves are likely to be less at risk of misconduct.

Selection and promotion

Many interviewees highlighted that the identification and selection of chief officers lacked transparency and rigour. A recurring theme was the tendency to support candidates for promotion who were unlikely to challenge the leadership style or question the status quo. The selection process needs to ensure that the best candidates are selected rather than the hand-picked convenient candidate who stands as a mirror image of their current chief.

Building a consensus on ethical standards

One of the most important themes to emerge from this study is that there are significant divergences of view about the ethical standards that apply to chief officers, and about the gravity of different forms of misconduct. Some of those we interviewed felt that the system could sometimes respond disproportionately to chief officer misconduct. Others felt that police leaders as a group still had a long way to go in developing coherent ethical standards. The development and introduction of a Code of Ethics is clearly important, but there remains a significant challenge to ensure there is a consistent outlook among individual chief officers, the National Police Chiefs' Council (the successor body to ACPO), College of Policing, PCCs, HMIC, the Home Office and the IPCC. In addition to a greater consistency in approach, chief officers need to actively promote and encourage a culture where ethics, integrity and values are at the heart of policing, not just within the chief officer team, but throughout the force.

Protecting against cognitive failure

One potential strategy for reducing the risk of this sort of cognitive failure would be to increase chief officers' awareness of the risks, and to encourage them to be more explicit about when and why they have excepted themselves from any ethical rules. Exposing their thinking in this way might enable them to test whether the exception is justified or not. Senior managers clearly need to be more sensitive to the consequences of ethical misjudgements. There may be

scope for reshaping and broadening the dominant decision frames within which police leaders make decisions. On the issue of entitlement, many interviewees disclosed how the unethical reputations of some chief officers were common knowledge among their peers, but that these officers were left unchecked and unchallenged. Interviewees shared the opinion that offering protection to errant officers was a sign of weak internal governance.

Support and challenge

There are many practical things that can be done to mitigate the risks of chief officer misconduct. Chief officers need to ensure that they have access both to support in their decision-making and to constructive challenge, and barriers to challenge need to be addressed (for example, through whistle-blowing provisions which provide genuine safeguards to those who call attention to misconduct). Organisational change in any large institution can take time, and is likely to require its architects and champions. In the eyes of our interviewees, these architects and champions already exist at the chief officer level.

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Endnotes

1. This paper defines 'chief officers' as sworn police officers and civilian members of police staff holding a position of – or equivalent to – assistant chief constable (commander in the Metropolitan Police) and above. As at March 2014, there were 204 chief officers in England and Wales (Home Office 2014: Table A), down from 216 in 2012 (Home Office 2012: Table A) and 223 in 2010 (Home Office 2010: Table A).

2. The Police and Criminal Evidence Act 1984 (PACE) was introduced following the Royal Commission on Criminal Procedure (HMSO, 1981) , and provided a new framework for regulating police powers. While PACE extended police powers, its codes of practice also increased police accountability (Reiner 2000).