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Powerful Perpetrators

The police and sexual
misconduct: A summary
of the literature

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Powerful Perpetrators is a five-year project (2023-2028) looking at sexual misconduct and abuse perpetrated by professionals, and the regulatory and administrative justice mechanisms used to investigate and sanction their behaviour. The project team are Dr Natasha Mulvihill (principal investigator); Dr Nathan Birdsall; Dr Emma Yapp and Dr Hannah K. Richards. More information is available at: www.powerfulperpetrators.org

Stage 1 of the project (May 2024 to October 2024) involved searching and synthesising the available literature on professional sexual misconduct. This work is collated in the following open access briefings:

- Yapp, E., Birdsall, N., Mulvihill, N., and Richards, H. 2024. *Doctors and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.
- Richards, H., Yapp, E., Mulvihill, N., and Birdsall, N. 2024. *The legal profession and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.
- Richards, H., Yapp, E., Mulvihill, N., and Birdsall, N. 2024. *The military and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.
- Birdsall, N., Mulvihill, N., Richards, H., and Yapp, E. 2024. *The police and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.
- Mulvihill, N., Richards, H., Yapp, E., and Birdsall, N. 2024. *Politicians and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.
- Mulvihill, N., Richards, H., Yapp, E., and Birdsall, N. 2024. *Religious leaders and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.
- Richards, H., Yapp, E., Birdsall, N., and Mulvihill, N., 2024. *Professionals (general) and sexual misconduct: A summary of the literature*. Bristol, UK: University of Bristol.

The briefings and our 'literature summary interactive tool' to compare our findings for each profession is available on our website: www.powerfulperpetrators.org/publications



What is the nature and extent of sexual misconduct and abuse by police officers in the UK and internationally?

Police sexual misconduct can occur to both members of the public, as well as fellow police officers (1). International evidence identifies how misconduct occurs across a wide section of the public, including victims, witnesses, offenders, children (2,3), detainees (4,5), sex workers (6,7), and those with those with drug dependencies (8,9). Sweeting *et al.*, (3) adapted themes from a US context to fit police sexual misconduct behaviour within a UK context, illustrating how such behaviours involve: Voyeurism; (Attempted) sexual relationships with victims, witnesses, vulnerable people; (Attempted) sexual relationships with offenders/suspects; Sexual contact/behaviour with juveniles/children; Sex on duty; Unwanted attempts to establish sexual contact with members of the public (not victims, witnesses or otherwise vulnerable); and, Pornography (adult).

In terms of prevalence within the UK, the most recent statistical report by the Independent Office for Police Conduct (IOPC) reported that in 2022/23 there were: 74 complaints of 'Abuse of position for sexual purpose', 208 complaints of 'sexual assault', 20 complaints of 'sexual harassment', and 65 complaints in connection to other sexual conduct (10). Whilst the overall number of formal complaints makes up 0.27% of all police complaints, they likely underrepresent the true extent of the problem (11). The harms emanating from sexual misconduct in the police (12,13) have resulted in the lowest levels of public confidence and trust since measurements began in 2017 (14).

What administrative justice mechanisms do police regulators currently have in place to respond to sexual misconduct and abuse by their members?

Following legislative changes through the Policing and Crime Act 2017 (which came into force in 2020), Home Office guidance (15) states that complaints after 1st February 2020 should be handled through a new framework using the Conduct Regulations 2020 (termed "post-commencement" cases). When a complaint of sexual misconduct is made to a reporting mechanism in the UK, it is first sent to and handled by the force's Professional Standards Department (PSD). The force will assign an 'appropriate authority' (Chief Officer but can be delegated to an Inspector or above), who must conduct a severity assessment and/or refer the case to the IOPC if it falls under the mandatory referral criteria (i.e., serious sexual offence or serious corruption (including abuse of position for sexual purpose or pursuing an improper emotional relationship)) (16). If the case is referred, the IOPC will determine the mode of the investigation and work with the police force to investigate the complaint. If the investigation indicates a criminal offence may have been committed, the IOPC/appropriate authority can refer the case to the CPS. In cases where the outcome relates to misconduct only, the appropriate authority must decide whether there is misconduct, gross misconduct or there is no case to answer (15). If there is misconduct, the College of Policing guidelines on outcomes must be followed (17).



How do (a) perpetrator characteristics; (b) victim characteristics; and (c) the context of sexual misconduct and abuse, compare across the police?

Internationally, there is no agreed 'profile' of police sexual misconduct perpetrators (1), though perpetrators are mainly male (3,18,19), had a military service background (18), and had/should have had previous sanctions for misconduct (13,18). International literature does converge on victim type, illustrating how victims are often 'vulnerable' female victims (3,8,9,20,21). Vulnerability covered a wide range of personal and historical circumstances (22), and for police victims also includes 'career aspirations' (13). Within the UK, Sweeting *et al.*, illustrate how officer rank is connected to victim type, and that this is largely due to the context of their work environment. Their work suggests that those in more senior police roles (such as Sergeant and above) tended to perpetrate against female staff in lower ranks, whereas Constables tended to perpetrate against the public (3). Furthermore, those perpetrating against the public either employed rapid sexual contact with specific and highly vulnerable victims (termed "sharks"), or cast a wide net to many potential victims (with similarities to grooming), yet often failing to make sexual contact (termed "fishermen") (22).

How do social relations of power operate and intersect with context and opportunity at the (a) individual (b) organisational-professional and (c) socio-cultural level, to account for the perpetration of sexual misconduct and abuse by police officers?

Given that police officers have legal powers over other members of the public, it places them within a privileged position within society (11). In the UK, the 'policing by consent' model requires police officers to act with honesty, openness and accountability (23), and to challenge unprofessional behaviour within their forces (24). Yet, policing organisations have an entrenched masculine work culture (13), which can result in misogyny (12) and females holding 'token' status within forces (25). Where such culture is prevalent, power imbalances create a hostile environment for reporting sexual misconduct (1,2). This is further complicated by the cultural adherence to the 'blue wall of silence' (26,27). Victims who report sexual misconduct often report that "nothing happens" (12), and can suffer institutional betrayal (28) due to failings by the very justice mechanisms meant to protect them, ultimately leaving them feeling powerless.

How effectively do current administrative justice mechanisms (a) sanction past sexual misconduct and abuse and (b) seek to deter future sexual misconduct and abuse?

There are several failings across administrative mechanisms in both preventing and responding to sexual misconduct in the police. First, there are failures in vetting and ensuring that the integrity of officers is beyond question (29). In addition, improvements are needed in investigating patterns of behaviour of officers when they are subject to complaints (12,13), as well as a need for greater consistency in misconduct outcomes (29). Literature also suggests that isolated and/or specialist policing units may have specific issues relating to misconduct and need greater levels of supervision and oversight (30).



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