

# U4 Expert Answer



## Best practices in addressing police-related corruption

### Query

**What recent insights are there regarding best practices to address police-related corruption and police reform to reduce corruption in the (security) sector? Are there success stories? And what are the lessons learnt from, for example, reform in Georgia (after a few years)? What are the crucial points to consider, also taking into account criticism regarding the weaknesses, rule of law standards, long-term sustainability and so on?**

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### Summary

In many countries, the police force is commonly identified as one of the most corrupt governmental institutions (Transparency International 2017b). Police-related corruption may comprise of petty corruption where, for example, the public are expected to pay bribes for alleged traffic violations; at the other end of the spectrum, corrupt police officers can conspire with criminals and organised crime gangs in the trafficking of drugs, humans and weapons (DCAF 2012).

Case studies and literature reveal that there is no “one size fits all” approach to curbing police-related corruption. Rather, the case studies explored in this paper demonstrate that any measures must take into consideration the political, economic and social environment of a country and address the root causes of corruption rather than adopting a symptomatic approach. For example, in Singapore and Georgia, low salaries and poor working conditions for members of the police force were identified as a cause of corruption among lower level police. The cases of Hong Kong, Georgia and Singapore also highlight how determined police administrations, continuous political commitment, and an anti-corruption approach with wide alliances between the public, private and civil society sectors, can make a huge difference in anti-corruption reform efforts (DCAF 2012; Hope 2015).

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## 1. Overview of police-related corruption

### Background

Much of the literature adopts a broad definition of police corruption, which follows Transparency International's definition of corruption: "the abuse of entrusted power for private gain". Police corruption broadly refers to "acts of misconduct by police officers aimed at obtaining financial benefits or other personal gains in exchange for selectively enforcing or manipulating rules, as well as the conduct of investigations and arrests" (Chêne 2010).

However, cultural considerations must be taken into account in any study of police corruption. Police officers are often confronted with morally ambiguous dilemmas in the course of their work and, as discussed briefly below, corruption in the police can take many forms and occur in many situations across many different cultures. This moral ambiguity is exemplified by the dilemma of "noble cause corruption". Police are agents of the state and are bound by strict policies and procedures. On the other hand, they are morally committed to the "good end" (Crank, Flaherty & Giacomazzi 2007). These roles can be conflicting because the policies and procedures in place to protect officers and the public can obstruct an officer from obtaining this good end (Caldero & Crank 2011). Noble cause corruption therefore occurs when a person tries to produce a just outcome through unjust methods, for example, police manipulating evidence to ensure a conviction of a known offender (Merrington et al 2014)

Pyman (2012) argues that it is more pragmatic to accept a broad definition that permits further, healthy discussion. Further discussion on the definition of police corruption can be found in [Arresting Corruption in the Police: The Global Experience of Police Corruption Reform Efforts](#).

### Types of police corruption

Corruption in the police ranges from petty corruption and small acts of bribery to criminal infiltration and political corruption (Chêne 2010). Several reports provide a more in-depth discussion of the different types of police corruption (see, for example, USAID 2007; DCAF 2012; Transparency International 2012; Council of Europe 2015). However, police corruption is generally categorised into four types:

- Petty corruption among lower level police officers includes acts of bribery in everyday interactions with citizens (for example, by traffic police). According to Transparency International's Global Corruption Barometer, the police is the institution most often reported as being the recipient of bribes (Pyman et al 2012). For example, in the Middle East and North Africa, one in four people who dealt with police paid a bribe (Transparency International 2016).
- Bureaucratic corruption or administrative corruption refers to the misuse of internal procedures and administrative processes and resources for private gain, such as licensing or a lack of response to citizen's complaints against police officers.
- Corruption linked with criminal groups includes misconduct such as misleading investigations or tampering with evidence.
- High level or political corruption occurs where high level police officials abuse their power for personal gain or for the benefit of political groups to which they are formally or informally affiliated – in other words, criminal infiltration of the state. Political interference may also occur in police investigations, false investigations and the "framing" of political opponents.

### The impact of police corruption

The impact of corruption in the police can be far reaching. When basic functions of law and order are compromised by corrupt practices within a police force, the state cannot legitimately prevent and punish violations of the law or protect human rights (Pyman et al. 2012). Police corruption results in public mistrust of the police, rendering it more difficult for the police to perform what should be their primary task, countering crime (DCAF 2012). It compromises the institutional integrity of a policing system and undermines its legitimacy (Hope 2015). Further, if the public is to respect the law, they must be confident that the police adhere to the law in general, and that, in applying the law, they treat people equally (DCAF 2012).

A serious result of police corruption is weakening ethical standards in society. If the public perceives the police to be benefiting from corruption, this could lower their own moral standards and make them more willing to engage in criminal behaviour (DCAF 2012). Police corruption can also damage a state's international reputation if, for example, there is evidence of police involvement in transnational

arms, drugs or human trafficking (DCAF 2012). In short, police corruption can be harmful to democracy, the role of police in society and the community trust's in the police force (Council of the European Union 2014). Further reading on the consequences of police corruption can be found in the [Toolkit on Police Integrity](#).

## 2. Case studies

Efforts to curb police corruption have occurred in many countries around the world, some more successful than others. The following section examines a number of case studies where reform efforts have been identified as successful, at least in part, in curbing police-related corruption.

### Georgia

Georgia is an often-cited example of successful reform to tackle police corruption. According to the US Department of State, low level corruption is almost completely eradicated in Georgia due to dramatic police and institutional reforms (US Department of State 2017), and overt bribery and extortion have virtually disappeared in Georgia (Light 2014).

Before the Rose Revolution of 2003, the Georgian Ministry of Internal Affairs was a militarised Soviet-style structure whose mission was to defend government authority. It had close connections with organised crime, and the drug trade in particular. Police officers extorted bribes from drivers daily, passing a portion of their gains to their superiors. Corruption within the police and other state organs in Georgia was so deeply institutionalised that an official position had to be purchased, and taking bribes was seen as a necessity to repay this initial investment (Di Puppo 2010).

With the election of Mikheil Saakashvili as president in 2004, the new government immediately targeted the corrupt police service. The reforms saw mass dismissals of police and Ministry of Internal Affairs officials, allowing for increased salaries (Di Puppo 2010; DCAF 2012). There was also institutional restructuring and service provision – eliminating several agencies and shifting mandates – whereby changes in jurisdiction removed the military from policing and limited police to law enforcement. Salary, training and personnel policy for the police were also significantly overhauled and revamped (Light 2014). The reform included education for police officers to train them to enhance professionalism, awareness and adherence to human rights and the rule of law (DCAF 2012).

Di Puppo concluded that targeting highly visible areas of corruption can quickly enhance public trust in state institutions and the reform of the traffic police had an immediate positive effect on the lives of ordinary Georgians (Di Puppo 2010).

However, despite its successes, there is evidence that high-level misconduct persists in the Georgian police force (Kupatadze 2012; Light 2014), and weak accountability of police structures remains a significant problem (Di Puppo 2010). Further, there is a mixed record on the human rights protections afforded by the police (Di Puppo 2010; Kupatadze 2012; Light 2014). The Ministry of Interior remains a powerful, centralised and hierarchical state organ and lacks transparency, accountability and external oversight (Kupatadze 2012). Without adequate checks and balances, the result may be a police force still perceived not as protectors of the citizens but rather of executive interests (Di Puppo 2010).

### Singapore

Police corruption was rampant in Singapore during the British colonial period (Quah 2014). Analyses of police corruption in colonial Singapore indicate that it was the result of a series of factors including: low salaries; poor working conditions; a high degree of formalism in the police force; poor recruitment and selection procedures; a lack of training programmes; and ample opportunities for corruption due to inadequate controls (Quah 2001). Measures to tackle corruption in the police force were introduced in 1952 with the establishment of the Corrupt Practices Investigation Bureau (CPIB). Since then, a myriad of reforms has reduced corruption within the Singaporean Police Force. Corruption among the police in Singapore is now very low, and Singapore is placed equal sixth in Transparency International's Corruption Perceptions Index (Transparency International 2017c).

The reasons for Singapore's success is considered to be fourfold: i) political will and the commitment of the government; ii) salaries and working conditions; iii) recruitment and selection procedures and iv) training and socialisation (DCAF 2012).

It is important to note, however, the social, political and economic context in which these reforms took place. Singapore is neither a developing nor a post-conflict country, and it has enjoyed decades of political stability and benefited from a considerable head start in the development of an independent anti-corruption body. Further, its small size means it must contend with few of the problems

encountered by geographically sparse countries (Transparency International 2012). This does nothing to detract from Singapore's success, but suggests that countries requiring police reform might need a considerable period of time before truly positive results can be expected (Transparency International 2012).

## Hong Kong

Hong Kong is often provided as an example of a state that has been particularly successful in reducing corruption, including police corruption. Mass demonstrations in 1966 and 1973 saw the Hong Kong public demand that the authorities control corruption, especially in the police service. In response, the Hong Kong authorities established the Independent Commission Against Corruption (ICAC) in 1974, one of the most highly regarded anti-corruption bodies in the world.

From an institutional perspective, the establishment of ICAC was essential for holding the police accountable but also for enhancing institutional capacity in maintaining political order. The high degree of institutional continuity and integrity is one of the hallmarks of the Hong Kong ICAC (Hope 2015). Simultaneously, organisational reforms to the Hong Kong Police Force occurred with legal and regulatory instruments developed to ensure the proper ethical discharge of police duties which impose disciplinary measures on officers guilty of offences contained in the regulation.

Other preventive measures were also put in place, including transparent recruitment procedures and robust selection procedures. Integrity management has also been incorporated into the organisational structure of the Hong Kong Police Force through education and culture building, governance and control, enforcement and deterrence, rehabilitation and support (Hope 2015).

There are several factors that could account for the low level of police corruption in Hong Kong. First is the institutional integrity of the internal and external control mechanisms. The multi-pronged approach toward police anti-corruption in Hong Kong has created an institutional structure that discourages rent-seeking behaviour by the police. Second, the development of a values-based framework within the police force has facilitated the creation of a corruption-free organisational setup. In particular, the emphasis placed on professionalism, integrity and honesty is considered important in establishing a service-oriented police culture (Wong 2012). Third, the high degree of fairness and predictability in determining the pay and benefits of police force

personnel is considered to be a factor discouraging police corruption (Hope 2015).

## South Africa

In one study in South Africa, a reduction of bribery in the South African Police Service (SAPS) prompted research into the possible causes of such a reduction. Data showed that perceptions of corruption in the police had fallen in the Limpopo province between 2011 and 2015, suggesting that a wider shift had taken place in police-community relationships in the province. In 2011, according to Afrobarometer, more than half of those surveyed in Limpopo said that "most or all police are corrupt"; in 2015 that figure had nearly halved (28 per cent). The study found that police-related bribery reduction in Limpopo occurred at the same time that the national government led an unprecedented high-level anti-corruption intervention in several provinces (Peiffer et al. 2018).

The research suggests the police in Limpopo may have been especially reluctant to engage in bribery during this time because of an uncertainty as to whether they were also under investigation for corruption and because of the heightened anti-corruption action that took place. The drivers of bribery reduction in this case were likely indirect and unanticipated, a "benign side effect" of a separate anti-corruption intervention. The intervention in Limpopo was not targeted at local police, yet police likely feared they were under greater scrutiny as part of the perceived efficient degree of "command and control" national-level agents were exerting. The sustainability of the intervention's impact on bribery reduction in Limpopo is therefore questionable (Peiffer et al. 2018).

This case demonstrates that certain types of disruption may work to reduce bribery patterns, but only in a relatively short timeframe. For longer impact, disruption strategies likely need to be continuously inventive and re-inventive, and driven by strong leadership (Peiffer et al. 2018).

## 3. Lessons learned

Several analysts warn that there is no single anti-corruption strategy that has been sufficient to fully address police corruption (Newburn 1999). Such a complex problem needs a similarly multi-faceted solution, and second, no absolute solution is likely to be possible, although a huge reduction in the quantity of cases is.

Several caveats must be borne in mind in any discussion of police corruption. Firstly, the fluid nature of corruption makes it unpredictable and far from universal: some police departments are capable of operating for long stretches of time with relatively little scandal. Secondly, the exposure of police corruption, while frequently necessary to urge reform, can have the undesirable effect of destroying the morale of the police force as a whole: although this is a far lesser problem than the continuation of corruption. Thirdly, while the motivations behind corruption might be similar in vastly different environments, local traditions and structures mean that effective reforms need to be tailored to the targeted locations (Transparency International 2012).

Several best practices emerge from the literature and case studies explored above. As a general rule, for anti-corruption strategies to be successful and comprehensive they need to be embedded in the broader framework of democratic institution-building (Chêne 2010).

### Social, economic and political context

Police reform clearly needs to be grounded in the political and social realities of the country and the characteristics of the local police (Chêne 2010) rather than adopting a “one size fits all” approach. While some aspects of police corruption and misconduct appear to be universal, others are unique to – or at least more salient in – some contexts and cultures (DCAF 2012).

As Quah (2017) points out, Singapore and Hong Kong have favourable policy contexts for countering corruption, such as smaller land areas and smaller populations than their Asian counterparts. Geography can be an obstacle if the physical location, size or topography of a country hinders the implementation of policies (Quah 2007). Further, economic affluence means that their civil servants are adequately paid to discourage them from accepting bribes (Quah 2017).

In Light’s (2014) qualitative analysis of police reform in Georgia, he finds contextual factors play a key role in explaining the success of police reforms and concludes that a significant reduction of corruption in the police force was possible as a result of a unique mix of domestic and international factors.

Light also concludes that the way in which a regime (democratic or authoritarian) came to power seems to matter as much as the type of regime.

Democracies that emerge from “pacted transitions” (as opposed to revolutionary ones) may struggle to implement more drastic reforms such as those adopted in Georgia, and may require a more gradual approach. While the support of foreign donors may help, it is essential for the reforming government to be motivated and committed. In other words, domestic politics and power dynamics are crucial factors in ensuring the effectiveness of reforms (Light 2014).

### Leadership and political will

A crucial factor in any attempt to reduce police corruption and other forms of inappropriate behaviour is political will. Political will is only a necessary, not a sufficient, condition; without sufficient state capacity to support political will, the latter will make little impression in the struggle to improve police behaviour (DCAF 2012). States that are serious about reducing and containing police corruption must commit to a long-term approach. Although short-term tactics are at times appropriate for specific instances of misconduct, a successful struggle against corruption requires an on-going strategy of socialisation and vigilance (DCAF 2012).

Building political will is a prerequisite for police reform, as fighting corruption may challenge powerful vested interests that are likely to resist reform. Quah (2017) suggests that the most important reason for both Singapore’s and Hong Kong’s success in curbing corruption is the strong political will of their political leaders.

In view of the political risks attached it is also important to develop a solid understanding of the political economy of police reform. Similarly, it is important to gain support from civil society, which can prove challenging in deeply polarised and traumatised societies (Chêne 2010).

### Address the cause not the symptoms

In his recent assessment of the state of research on corruption, Heywood (2017, 2018) reports that much of corruption research has been focused on the nation state as a unit of analysis, and, in doing so, has largely failed to differentiate between different types of corruption, different localities of corruption and the differences in how corruption behaves across sectors. With respect to the latter of these observations, Heywood (2017) calls for a more “meso-level approach” that can draw attention to corruption’s sector-specific characteristics, so as to provide better understanding about the “modalities of corruption

and corruption related risks in key areas". Heywood (2017) argues for a more detailed understanding of how and why corruption takes place within these sectors: what it looks like in practice, what particular characteristics it has and how to better identify risks.

In Singapore, the government's comprehensive anti-corruption strategy is based on a logic of corruption control which views corruption as caused by both the incentives and opportunities to be corrupt, "attempts to eradicate corruption must be designed to minimize or remove the conditions of both the incentives and opportunities that make individual corrupt behaviour irresistible" (Quah 1989).

Corruption in the police can stem from different sources. For example, in Singapore, low salaries were identified as a cause of corruption. The unfavourable working conditions of the local policemen were further manifested in the lack of provision of housing accommodation, pension or medical care for them. Another consequence of the low salaries and unfavourable working conditions was that it could not attract suitably qualified candidates to join the police (Quah 2014).

Likewise, in Georgia, police corruption was driven by wages that were below subsistence levels (Devlin 2010). Officers arbitrarily imposed fines and fees, and pocketed receipts for themselves. The same low pay allowed criminal elements to buy off entire divisions of the force (Devlin 2010).

Quah (2007, 2014) argues that corruption can only be minimised in a country if comprehensive measures are initiated to rectify the various causes which contribute to the incentives and opportunities for corrupt behaviour.

However, these strategies need to be well considered. For example, before salaries are raised, it should be considered whether such a measure is supported by sustained economic growth (Quah 2007). While increasing salaries may reduce petty corruption among junior officials it likely does not eliminate grand corruption among senior civil servants and politicians. Further, raising salaries alone is ineffective in solving the problem of corruption if the incumbent government lacks the political will to do so, if the anti-corruption agency is ineffective, if corrupt officials are not punished and if opportunities for corruption are not reduced (Quah 2007).

## Meritocracy and quality control of personnel

The complex nature of policing means that the issue of ethics is central to corruption control and placing ethical scrutiny at the heart of recruitment and selection procedures and within in-service training is vital to the development of a policing culture that is intolerant of corruption (Newburn 2015).

Quah (2014) credits reliance on meritocracy to recruit more qualified candidates, and training and values to enhance job performance and integrity as a factor in curbing corruption among the Singapore Police Force. Likewise, a transparent recruitment process and a robust selection process for the Hong Kong Police Force was identified as a contributing factor to Hong Kong's success in curbing police corruption (Hope 2015).

## The role of civil society

A study undertaken by Transparency International UK in 2011-12 found there has been very little involvement of civilian groups or civil society organisations in police corruption reform. The report concluded that "there is a major, urgent need for civil society to find more effective ways of contributing to, stimulating and monitoring police anti-corruption efforts" (Transparency International 2012).

Civil society organisations, including media organisations, can play an important role in police reform efforts (Transparency International 2012). In the past, civil society has played a key role in raising awareness of corruption scandals and driving reform.

Community-based policing promotes partnerships between police and communities to address community concerns and ensure that the police respond to the needs of the broader public. This can be facilitated, for example, through setting up community consultation forums (Chêne 2010). The success of such initiatives relies on a set of contextual factors such as a minimum degree of order, a conducive political context and support from key actors such as government, the police and civil society (Groenewald & Peake 2004).

However, Menocal (2015) notes that "there is very little credible evidence regarding the effectiveness of citizen oversight agencies" and there is no evidence to determine whether external accountability mechanisms are more or less effective than internal ones.

Ivkovic (2005) further highlights that the role of civil society also has its shortcomings. In short, she says, current oversight tends to be “assigned to institutions that are temporary (e.g., independent commissions) or sporadic (e.g., the media), institutions whose focus is either too wide or too narrow (e.g., the mayor), or institutions that at best have the authority to examine only some elements of the agency’s control system (e.g. citizen reviews)” (Ivkovic 2005). She concludes that the challenge is to design an institution, or set of institutions, that will effectively be able to oversee and control the police agency’s control system as a whole on a continuous basis.

### Independent oversight of the police

Corruption control is unlikely to be successful without significant attention also being paid to external oversight and governance (Newburn 2015). External accountability mechanisms – human rights commissions, citizen complaint and review boards, police auditors – are widely heralded as important instruments of police accountability. Indeed, reform efforts are often limited and incomplete if undertaken without strong, independent external monitoring (Transparency International 2012).

Quah (2007, 2017) recommends the establishment of an independent watchdog for the police, one that is independent from police and political control.

Hong Kong’s ICAC is often considered highly effective. Scott (2017) suggests that the success of Hong Kong’s ICAC is due to the complex process of winning public trust, of ensuring certainty in outcomes, of establishing the authority of the commission in relation to other institutions and of monitoring anti-corruption systems. If this can be achieved, hostile exogenous factors may not easily disrupt long-established practices and may allow an ACA to retain or regain public support even in the face of serious scandals (Scott 2017).

Hong Kong’s ICAC adopts a three-pronged approach to fighting corruption through enforcement, education and prevention. Public education is a crucial element of its three-pronged strategy to reduce corruption. Early efforts of the ICAC saw community liaison officers place special emphasis on publicising the arrest and successful prosecution of prominent police members. This helped establish the commission’s strong reputation for a determined crack-down on large scale corruption (Chêne 2010). Large scale public education campaigns also enhance the legitimacy

of the ICAC, promote the knowledge of anti-corruption laws, and mobilise the public to report corruption (Chêne 2010).

Singapore’s CPIB is also widely regarded as successful. It enjoys extensive legal powers. For example, CPIB officers can propose legislative reforms, seize passports, and freeze assets. They also have extensive powers to carry out their investigations such as the authority to arrest a person suspected of corruption and the ability to access a suspect’s financial accounts or premises to search for evidence. However, like Hong Kong’s Independent Commission against Corruption (ICAC), the CPIB has no power to prosecute directly (Transparency International 2012).

Although deemed a successful measure against corruption, the CPIB produces no formal reports or quantifiable evidence to formally assess its success (Transparency International 2012). Further, some commentators highlight that the powers awarded to its officers risk potential abuses of authority (Transparency International 2012).

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