

## **Submission to the Joint Select Committee on the ethical conduct, standards and integrity of elected Parliamentary representatives and servants of the State**

### **Background**

The following comments put forward to the Committee are the result of a number of years of 'hands on' experience working with anti-corruption and – more importantly – corruption prevention strategies and practices within an Australian police service. For this role I was ideally suited having had the good and unique fortune of many years teaching philosophy, particularly ethics and critical thinking at university, followed by five years of operational police duties, and a further six years at the SA Police Ethical and Professional Standards Service, working alongside both internal investigations and the Anti-Corruption Branch as the head of the Ethics Research Unit. This has given me an insight into and understanding of the issues from both the 'coalface' perspective and a broader, more theoretical one, with the due respect and cynicism both are due. This does of course mean that there is a police focus in the following material, but the points made and principles expressed apply to all, for the issues don't change, only the potential consequences of corrupt and unethical practices and values.

I can only apologise for the somewhat perfunctory nature of this document – more akin to notes than a submission. I have recently moved to Tasmania and was unaware of this Committee until only a short time ago.

I make no recommendations. These are observations. I put this submission to the Committee in the hope that doing so will help to ensure a strong focus is maintained on what should be the main game – ethical values for individuals and organisations – rather than the popular, but misguided exclusive focus on compliance (ie. enforcement) issues. Compliance is important, but on its own is the equivalent of pouring water into a bucket full of holes.

Andrew Holliday  
Policy Officer  
Conservation and Planning Branch  
Department of Primary Industries and Water  
Level 4, Lands Building  
T: 03 6233 6569  
F: 03 6223 8603  
E-mail: [Andrew.Holliday@dpiw.tas.gov.au](mailto:Andrew.Holliday@dpiw.tas.gov.au)

\* \* \* \* \*

The ultimate justification for institutions such as government and its component parts is that they provide human goods and benefits. They exist because life is better with them than without them. In other words their ultimate justification is an ethical or moral one.

### **What is Corruption?**

*“The boundary between corrupt and non-corrupt activities is difficult to define because the issue is at heart an ethical one.”* (Newburn, 1999)

Most organisational definitions and understandings of corruption are of little use, being too narrow and legalistic in conception to achieve their ostensible goals. For instance the SA Police currently defines police corruption in the following manner:

- conduct of a police officer/public official involving a breach or neglect of duty or abuse of office engaged in, as a result of a bribe or threat, or to gain any financial or other advantage, or for any dishonest or improper purpose;
- conduct of a police officer/public official or any other person involving the soliciting, offering, taking or giving of a bribe or any financial or other advantage, or the making of any threat, to induce a breach or neglect of duty or abuse of office on the part of a police officer;
- the conduct of a police officer/public official or any other person involving a conspiracy or attempt to engage in conduct of a kind referred to above; where the conduct constitutes or involves, or might constitute or involve a criminal offence. (taken from General Orders)

At face value this would appear fairly comprehensive. It is also fairly representative of approaches taken by organisations generally. But from a *preventative* point of view this definition is of negligible value. It is overly legalistic and narrow in its definition. Corruption is essentially an ethical matter rather than (and *before* it becomes) a legal one.

The Kennedy Royal Commission into police corruption in Western Australia resulted in the Western Australian Police Service adopting a simpler and more useful definition:

Corruption is the abuse of a role or position held, for personal gain, *or for the gain or to the detriment of others.* [my italics]

This definition is straightforward and comprehensive. It applies to all employees and encompasses all forms of corruption, legal or otherwise.

Corruption is at one end of a continuum encompassing a range of behaviours, which includes actions that, although they do not meet the criteria deemed necessary to be regarded as corruption, nevertheless open the way and begin the descent into corrupt activities. Although not all of those who engage in organisational deviance will become ‘corrupt’ their professionalism and therefore the professional standing of an entire organisation is diminished. These activities may not themselves be illegal or breach any regulations but they do breach the *spirit* of those regulations and laws. Practices that are both unethical and pave the way for the development of corrupt practices are sometimes referred to as ‘organisational deviance’.

Corruption is the extreme culmination of unethical behaviour and organisational deviance is the fuel from which corruption is ignited. By intercepting this process, not only at an individual level but also at the cultural and structural level, an organisation can be fortified against corrupt practice.

## Enforcing Ethical Behaviour

*“Simply put, past reform efforts have failed because they have ‘aimed at the wrong target’. They have had their sights set solely on the legal frame as opposed to moral soundness. Positive long term results will only occur when sights are positioned on moral soundness.” (Barry 1999)*

There are a number of ways in which organisations can address the need for ethical standards. One of these strategies is to legislate against unethical behaviour. This can extend from legislation itself through to codes of conduct, guidelines and mission statements.

It is a very common approach. Society already does this through the implementation of laws prohibiting certain behaviours. Instead of implementing an ethics training and education program or supporting ethical values within government, it could be argued that all we need are more or better rules or laws. The more laws or rules, the less likely we are of behaving unethically. While this strategy may initially seem attractive as it appears to directly address unethical behaviour, there are significant limitations to this perspective.

Consider policing. Clearly it is impossible to legislate for every conceivable situation and incident (not that police services haven't tried). Police discretion is not only necessary, it is an integral part of police work. Policing involves dealing with all members of the community and therefore having to engage with several different perspectives at the same time as upholding law and order and maintaining peace and social well being. If discretionary powers are reduced policing can still be conducted in a restricted sense, in that they can *apply* the law in order to uphold it, although without the discretionary powers police possess this application may lack contextual justification and be at the expense of maintaining the peace. Nor does such an approach deal with other aspects of policing such as the need for consultation and negotiation with the community in order to maintain social well being. The implementation of this model of policing would restrict policing to a punitive rather than a community model of policing.

More importantly in this context, nor does reducing the discretionary powers of police prevent unethical behaviour from occurring. A significant repercussion of the restriction of police powers is the potential to reduce the morale of police officers. If policing becomes restricted to only being about the prevention and detection of crime, then police work and the skills involved in undertaking that work, are also restricted. This can lead to a decrease in job satisfaction and therefore contribute to cynicism and a potential loss of professionalism. It is in this workplace environment that occupational deviance and corruption are likely to manifest themselves. The discretionary powers of police help to ensure the diversity of police experience and indirectly help to maintain job satisfaction, morale and pride in one's work.

Another limitation of legislating 'ethics' is that it can, paradoxically, sustain the development of unethical behaviour as it can mask the culture from which that behaviour emerges. For example, the stricter legal enforcement of ethical behaviour in relation to racial and sexual discrimination may have the effect of reducing the unethical behaviour of its practitioners; their lack of ethical values now being hidden by their adherence to legally enforced codes of behaviour. This has short-term advantages, as it would appear that the unethical behaviour has ceased, yet this does not actually address the cultural norms that allowed those views and practices to manifest themselves in the first place – and they will simply re-emerge further entrenched. Unethical cultural norms can grow unhindered and various unethical

practices can continue unacknowledged because there may not be an appropriate piece of legislation outlawing it. Legislation, or strict codes of conduct, are useful organisational scapegoats (they mimic addressing a problem) and allow organisations to avoid responsibility for misconduct ('we have a policy for that!') without making any significant difference to the real problems that exist.<sup>1</sup>

Attempting to enforce compliance to codes of conduct/ethics etc will not work and are counter-productive. As Andrew Brien put it,

"the enforcement approach assumes that members of an organisation cannot be trusted. It also fails to respect individuals, their autonomy and integrity, and their capacity to assume personal responsibility for actions they perform. Respecting these things has been identified as a major factor in an organisation having a strong ethical culture. The enforcement approach, relying upon the blunt use of power, fails to affirm, promote and encourage the engendering of the very values at the heart of a strong ethical culture...Used alone, enforcement fails to develop the motivation base for reliable compliance and is ultimately self-defeating." (Brien, p. 73)

This means changing organisational culture and the way to do that is to turn the focus away from members of the organisation – something many members experience as an imposition and one that often engenders cynicism – and instead turn that focus to the organisation itself.

### **Outcomes and Processes**

Conceptually, the values underlying most forms of police corruption, and of most risk to the public, are those culminating in noble cause and/or process corruption. These can be encapsulated by the term, 'Results Oriented Corruption' (ROC)<sup>2</sup>. Of significant concern is that many practices of this type have often been considered acceptable methods of 'getting the job done.' Generally, ROC is not addressed at all. Repeatedly, research has found that most police corruption is not only of this variety, but that most other forms of corruption develop from its practice. To make matters worse, the current corporate goals and priorities of police organisations reflect and promote the same values that are made manifest in ROC. It has not been unknown for police organisations to develop strategies and procedures that are, and have subsequently been identified as corruption generators. For example, in policing the move to intelligence led policing has left police forces vulnerable to far greater levels of potential corruption and 'intelligence' compromise than at any previous time<sup>3</sup>. The SA Police (like many others) aspires to be an 'achievement culture' – precisely the same goals as ROC. There is a need to recognise this connection (for it isn't going to change in the near future) and ensure that these values and practices are countered by matching levels of preventative and reactive anti-corruption measures.

Australian research indicates that *processes*, the 'how we do things (i.e. conduct) have no inherent or intrinsic role in the police value system at all; processes were simply a means to an end – and it was the ends that mattered. This is how police can end up breaking the law in order to enforce the law.

---

<sup>1</sup> On their own. Codes of conduct and the like do have a role to play in a larger strategy.

<sup>2</sup> Identified by Wood as particularly dangerous to the profession of policing as a whole and the most likely to become 'systemic'. Traditionally, most anti-corruption strategies have concentrated elsewhere.

<sup>3</sup> A problem identified in the UK in the Minerva Program developed by the Kent Constabulary. Greater use and recruitment of informants was specifically identified as increasing corruption.

No evidence was found that values such as honesty and integrity played any significant role in what police regard as their 'ethical values', instead,

“The research indicated that police officers tend to view the ethics and necessity of police misconduct *solely* in terms of risk avoidance. That is, misconduct that is risky tends to be viewed as being unethical for no other reason than because it is inherently risky” (Watson)

In contrast community values usually include those of honesty and integrity and these are process values, not outcome values. An 'achievement culture' is, by definition, outcome based. An emphasis at corporate level on 'achievement' will exacerbate and increase the risk of corruption (however we choose to define it). Therein lies the paradox. This should not be taken to mean that a focus on outcomes is synonymous with corruption, only that it is a significant risk increasing factor that needs to be acknowledged if it is to be addressed.<sup>4</sup>

In research undertaken into the Western Australia Police Service (in 1997/8 – no doubt this has changed completely now there has been a Royal Commission!) the general view held by WA police was that 'misconduct' only refers to behaviours regarded as 'risky'. Risk avoidance is identified as the dominant value in the police value system and the risks being considered include physical dangers and the disciplinary and legal consequences of being caught. Misconduct will be avoided if it is less risky than following procedure, but where procedure is less likely to achieve results (i.e. has a greater risk of failure), and the chances of being caught are low, misconduct will occur instead. Misconduct of this sort – RCO<sup>5</sup> – is believed to achieve 'positive policing outcomes'. As long as this occurs misconduct will continue.

A focus on outcomes cannot differentiate between an ethical police officer and an unethical one or for that matter, between a police officer and vigilante justice. This is not an insignificant thing.

All ethics and professionalism issues (as well as their corollary, corruption and misconduct) are issues revolving around processes, not simply results. It is the absence of ethical processes that results in corruption (and their eventual exposure and the inquiries that follow). These same values and associated problems can be seen reflected throughout all organisational levels.

An over emphasis on results (outcomes), rather than how those results were achieved (processes), sends a strong implied message – the real values of the organisation – that cascades down from the top. It should be obvious that this is not a problem unique to policing.

The point needs to be spelt out: an organisational focus on 'outcomes' is an implicit corruption generating mechanism.

The values and practices in government organisations need to be consistent and in alignment. As the SA Police (SAPOL) *Ethics Training and Development Strategy* (2001) states, “awareness of the importance of ethics and integrity to SAPOL is something that needs to be *normalised* as a key to understanding what policing is all about.” For these values are more enduring and fundamental to policing than

---

<sup>4</sup> On 8 October 2007 it was reported in the Queensland *Daily Telegraph* that police were allegedly fabricating breath test results to meet a quota for the number of drivers tested. As Police Minister Judy Spence commented, "It goes to the heart of their honesty and integrity..."

<sup>5</sup> Referred to in the past as noble cause corruption, until it was realised there was nothing noble about it.

specific operational skills, that can change depending upon circumstances, location, and technology, whereas the values inherent to policing in a liberal democracy do not<sup>6</sup>.

Raising the profile of ethics and integrity within government is the area offering the greatest opportunities for improvement.

### **The Organisation, the Individual and Management**

The reactive approach to corruption is essentially a structured series of systems and processes that address already occurring and identified misconduct and corruption. However, a reactive approach, no matter how effective, will never address corruption in an encompassing, effective, or cost efficient manner. Such an approach addresses symptoms after the disease has already spread. From a prevention viewpoint such systems are predicated upon a false assumption – namely that corruption is essentially a problem of the *individual*. The data is clear, longstanding and unambiguous on this issue. The so called ‘rotten apple in the barrel’ approach is *false* and there is even evidence to suggest that its continued promulgation among some organisations is, of itself, an indicator of a corruption tolerant culture. Both Wood (1997) and Lusher (1981) urged that anti-corruption strategies should never be built around the rotten apple approach. Reactive, and even the proactive investigation and detection of corrupt police officers is largely predicated upon the assumption that all that has to be done is to find and remove the rotten apples. At best, rotten apples in an organisation are visible symptoms of a larger malaise; they are indicators of a problem, but they are not the fundamental problem itself, merely the visible tip of the iceberg. Therefore any tendency to focus in this area is obfuscatory, inefficient and misguided.

This individual, reactive approach is historically understandable for it is traditional policing turned inward upon the organisation itself. The apparent plausibility of this model disappears when we recognise that the organisation’s role in relation to its members is akin to that of the community as a whole, rather than that of the police role *in* the community. Therefore the approach should include policing approaches<sup>7</sup> to corruption but only as part of a larger canvas. The reactive approach is essentially a short-term, but ongoing *problem-solving* approach.

An effective preventative approach to corruption requires a different emphasis altogether. It requires culture change and monitoring, involving employee consultation, marketing and communication, training and education. Corruption should be understood as an organisational problem practiced by individuals, rather than an individual problem practiced within an organisation.

There’s another important point that needs to be made regarding the relationship between the individual and the organisation – the role of management. Any research into the issue of corruption and misconduct will quickly turn to the need for culture change within large organisations. There will be much discussion as to the various means that management can employ to ensure this culture change. There will be little, if any, discussion of how management exists within the culture it is seeking to change, or its own significant role in that culture as it currently stands.

Consider policing again. In many complaints regarding police culture and the need for change, police culture is treated as something separate from police management,

---

<sup>6</sup> At least, when they do change it is at a much slower pace.

<sup>7</sup> Corruption prevention is more than an augmented Internal Investigation Branch (the police’s police).

and management is assumed, if not explicitly stated, to be both immune from the [negative] effects of police culture and to have had no part in shaping that culture.

This leads to two possibilities. Firstly, this assumption is false. Secondly, it is (somehow) true. We would hope that the assumption is false. If management is untainted by and separate from organisational culture, it must also be, and for the same reasons, incapable of impacting upon, shaping or changing that culture. In this framework, management exists in a silo of its own, protected by an impenetrable barrier that cannot be crossed by either party. Stated like this the notion is obviously absurd, and yet it is implicit in almost all top-down assessments of the issues and problems relating to organisational ethics and integrity.<sup>8</sup>

The truth of course is that management is an intrinsic part of organisational culture, and many aspects that are identified as problematic can be seen reflected in and shaped by management itself.

There is evidence from Queensland of attempts to implement high ethical standards through rigid, one way, top-down, authoritative methods that have been interpreted as attempting nothing more than to 'promote the subservience of public servants', rather than the promotion and support for an ethical and corruption free organisation. How successful do we believe that is likely to be? The message is as much in the telling as the content. This is always true, but never more so than when the goals are culture change and values enhancement. The telling communicates the *real* values involved. Dr. David Coady has gone further, identifying authoritarian approaches as *encouraging* the growth of (police) corruption.

The gap between the messages sent and those received was highlighted further in a 1996 survey of the SA Police's organisational culture that concluded that breaches of professional standards are partially the product of 'reality gaps' between the ethical rationale that management thinks it prescribes and the comprehension of organisational values by subordinates.

We would do well to remember that,

"Most managers exhibit a preference for dealing with 'hard' outcomes of strategy (systems, structure, product/market options, employee training and skills) rather than the 'soft' processes (culture, values, motivation, affiliation) that accompany such outcomes. It is often the latter processes that determines the success or failure of organisational change."

(Viljoen, J. Dann, S. (2003), *Strategic Management*, (4<sup>th</sup> Ed.), Prentice Hall, NSW, p. 368.)

Genuine, inclusive and organisation wide consultation and involvement will eliminate this 'reality gap' as well as providing genuinely important and valuable information to identify problem areas and issues.

---

<sup>8</sup> Perhaps management, like other human collectives, tends to exhibit less insight as a group than its members possess as individuals.

## Organisational Citizenship

*"In the public sector, serving the public interest should be the defining ethic."*  
(Larmour & Wolanin, p. xxi)

The **Australasian Police Ministers' Council – Directions in Australasian Policing 2005-2008** document includes the following:

**Direction 3:** Professionalism and accountability  
Enhancing confidence in, and respect *within* and for, the police.

### 3.1 Integrity

Enhancing individual and *organizational* integrity and the proper exercise of authority and discretion." (p. 4, my italics.)

The above quote explicitly identifies the area that requires attention. Particularly since the 1980s there has been greater attention paid to establishing, inculcating and reinforcing appropriate standards of ethics and integrity among individual members, particularly recruits, and in more recent years, among the more senior ranks – elsewhere known as middle management. However, there has been next to no analysis of the integrity and ethical stance of the organisation as a whole. Business models and strategic plans mention little in the way of reflecting upon the ethical stance of the organization (although there is often mention of the need to ensure compliance and accountability from members).

"When looking at the concept of organisational culture among police one quickly finds many paradoxes. The literature is filled with accounts of police deviance caused by the existence of cultural traits...[Yet] many organisations expend considerable time and effort to instil these same traits in their members." (S.J. Harrison)

What is required in any organisation is a strong sense of 'organisational citizenship'<sup>9</sup> – in which the values of the organisation are owned by its members – and those values themselves are ethical.

'Organisational citizenship' should not be confused with loyalty to the organisation, as it frequently is. Loyalty is a different and problematic issue of its own.<sup>10</sup> The notion of organisational citizenship involves organisational integrity – establishing a social norm within an organisation that accurately defines and resists corruption. It is the inverse of the rotten apple theory, resting on the assumption that "measures which target the individual are less likely to be effective than those which address the organisational context in which individuals operate." (Larmour & Wolanin, p. xxi) It is the organisation that needs to operate along ethical lines, and the members' behaviour will reflect and exemplify this.

This can be seen in the traditional 'public good as public service' model of behaviour, something that has been partially and deliberately dismantled, only to be replaced by clumsy appeals to a mis-match of self-interest based career advancement (often cloaked within a 'merit' based system) and customer service. There is an unresolvable tension here; self-interest as prime motivator cannot be squared with the public good. This is perhaps best illustrated by the assumption that self serving ambition can be used as a key to identifying the best people for the top jobs. Throughout history this has never been the case and is unlikely to be so now. It isn't

---

<sup>9</sup> The phrase is from Brien, p. 74.

<sup>10</sup> There is no intrinsic value in the notion of 'loyalty'; it has only an instrumental value depending upon what or who the loyalty is to. The all too readily assumed value ascribed to loyalty is a serious problem that needs to be addressed and explored – but that is a problem for another discussion.



realistic, corroding the character and motivations of the best among us, while pandering to the worst. The emphasis on achievement via personal ambition, rather than a commitment to the principles and values underpinning service and professionalism, attracts, and is aimed at, the same psychological profile to be found among the more seriously corrupt members of society. This should be obvious yet we shy away from any formal recognition of this perhaps confronting observation.

The organisational citizenship approach builds ethics and corruption resistance into all practices and procedures via ethical values, thereby being able to address all situations presented to it (whereas the established interventionist and managerial approaches can only address those problems and situations already identified, due to their reactive and literal nature). The interventionist and managerial models approach corruption and misconduct as a problem separate from and outside of an organisation's 'core business' – a crucial mistake - and any approach that is tacked on can just as easily be discarded; an integrated, values driven approach cannot be discarded, without the entire organisation's identity and purpose being lost.

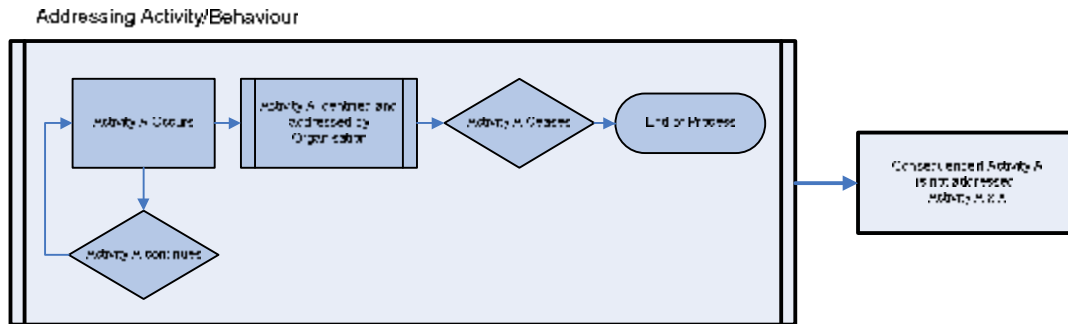
### **Values Management**

Traditionally, attempts to address corruption and misconduct in government and government organisations have focussed on catching the corrupt person *after* the fact, or during it, but little other than lip service is applied to prevention. Until that changes little will be achieved. In short, any corporate strategy should be **values driven**, rather than **compliance driven**. Let's see why.

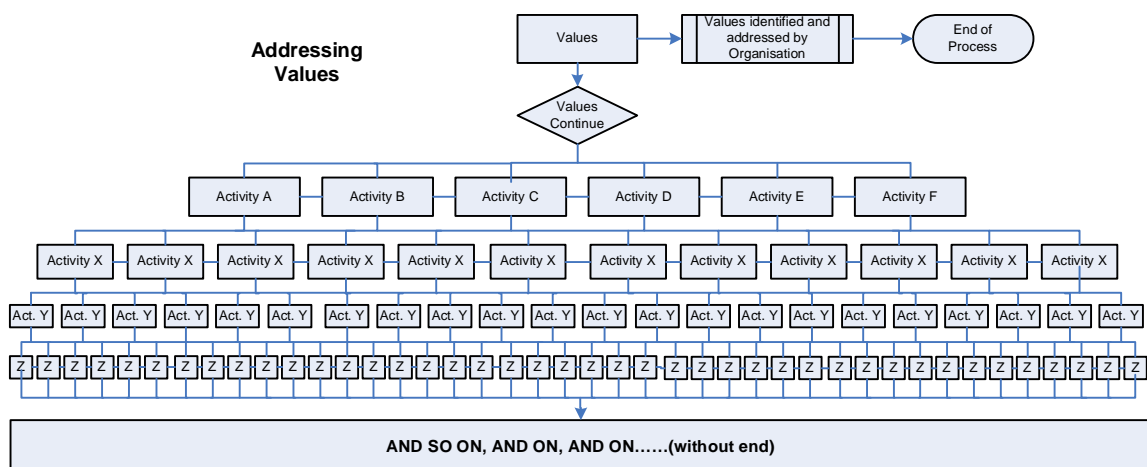
In policing the anti-corruption focus has been on (1) those areas of policing in which the greatest opportunities and temptations are apparent, namely undercover policing, and the areas of (so called) victimless crimes; illicit drugs, gambling, licensing, prostitution, etc. Additionally (2), there are those police activities and individual behaviours that tend to generate formal complaints (abuse of force/authority, etc.). Contemporary findings throughout Western policing, from London to Queensland, indicate that the most widespread forms of corruption involve (3) the access to, and unlawful disclosure of, confidential information, with the rapid increase in information available being matched by a corresponding rise in the corrupt misuse of this information. This is not something unique to policing and is only going to become greater and more problematic as both opportunities and the information available increase.

What is noteworthy is that these three broad streams of potential corruption have very little over-lap in terms of the activities concerned. Areas of high temptation and opportunity, being victimless, rarely generate complaints, and the victims of inappropriate information access are generally unaware of its occurrence. Therefore, targeting any one of these *activities* will not impact on the others, and attempting to address each specifically, with finite resources, risks achieving nothing at all. In terms of continuous process improvement the most effective means of addressing corruption is to look for underlying commonalities that can be addressed effectively. Targeting actions and behaviours is not as effective, comprehensive or as flexible as addressing the values underpinning them. Values management rather than activities risk management is the key.

The point applies generally. Any government or corporate strategy should be values driven, rather than compliance driven. Addressing an activity, via a compliance approach is of course appropriate when the activity in question is the problem:



Such an approach is perfectly appropriate for dealing with one-off separate incidents. That is, when the activity itself causes the problem. However, when the activity is merely a symptom rather than a cause, as is the case with misconduct and corruption, an emphasis on particular activities is essentially futile, as the behaviours and activities will simply multiply and change. It is only by addressing values that prevention can occur:



In this diagram, when the values are addressed (the top of the diagram) the problem is solved. When the values are not focussed on and it is the activities that result from those values that is targeted (a reactive, compliance approach), the problems spiral out of control ad infinitum.

### Professionalism and Ethics

Corruption is a sub-set of a broader issue, namely acting ethically, with integrity and honesty, all falling under the rubric of 'professionalism'. To appreciate the relationship between ethics and professionalism fully we need to be clear about just what being professional means. Professionalism is the process each individual takes on of realising and fostering the internal values of a particular job. From this standpoint, "[a]n ethic of professionalism, then, will be an ethic that is grounded in an understanding of the standards that frame the work on which one is engaged, and a commitment to doing that work in a manner that enhances it" (Kleinig 1999). Just as important is the social role that being a professional entails. As the *Australian Council of the Professions* points out, a professional is someone who, "must at all times place the responsibility for the welfare, health and safety of the community

before their responsibility to the profession, to sectional or private interests, or to other members of the profession” (Longstaff, 1999).

Applied to the public sector and then in turn tailored to each department, these are the values that need to be focussed on. They benefit (and respect) the individual member, the organisation and the community they serve.

### **Communication is Vital**

*“The key to having the receiver retain messages is to send them in a variety of creative and cost-efficient ways, while maintaining a consistent philosophical approach.”*

(Crime and Misconduct Commission, (2005), *Fraud and Corruption Control: Guidelines for Best Practice*)

The three main reasons for unethical behaviour by individuals in organisations are:

1. *Believing the activity is not unethical.* This can be countered by promotion (i.e. marketing) and education in order to ‘sensitise’ members to ethics.
2. *Believing the behaviour was in the best interests of the organisation.* This view is often aided by organisational goals and practices that are in alignment with potentially corrupt behaviour. This can be countered by marketing and education in order to ‘sensitise’ members to ethics, and by reviewing and ensuring all policies and operational procedures are in alignment with ethical values held by the organisation at a formal level.
3. *Believing the behaviour will not be noticed or acted upon if noticed.* This can be countered by marketing and education in order to ‘sensitise’ members to ethics, and by ensuring effective internal investigations and identification of corrupt behaviour.

Police services have focussed almost exclusively upon the last of these, which in effect is only one third of the problem. These areas are best addressed up front. Identify that these are areas of policing that are not going away, at least not by police choice, but do entail the risk of corruption. High levels of awareness of these risk areas develop stronger resistance to corruption and eliminate the possibility of an ‘ignorance defence’ being offered by the suspect police officer. Within existing practices we cannot prevent the possibility of corruption but we can make it transparent that such practices are corrupt. Doing so also makes it harder for corrupt police to act openly or to (easily) recruit or corrupt others. Emphasising these issues also changes the cultural milieu, further inhibiting the growth and/or practice of corruption.

The area of greatest potential impact is that of marketing and communication. Communication strategies establish standards, create attitudinal change, and this, in turn, leads to behavioural change. Communication strategies are not add-on extras, they are critical to success. Compare advertising to legislation and enforcement. Which is most effective in shaping attitudes, values and behaviour? The Mollen Commission Report into corruption in the New York Police Department (1994) emphasised that by not giving a high profile to anti-corruption measures sends the message that detecting and reducing corruption is not a high priority to the organisation; and this in turn increases its likelihood. Training and education has a

significant role to play here, but the key is to address corruption and the risk of corruption in as high a profile, and by as many means as possible.<sup>11</sup>

*“The time and resources spent preventing ethical compromise through credible instruction and pro-active supervision are infinitely less than those required to conduct internal and criminal investigations, convene investigative commissions or restore community trust and repair police/community relations.” (Gilmartin and Harris 1998.)*

Most people in the government (or the community) are ethical. It's as simple as that. The purpose of promoting ethics and integrity awareness is no different than the purpose behind regular exercise - it doesn't make you fit but it does maintain fitness. And the people that benefit most are those that are already fit. Raising the profile of ethics and integrity is the same - the people who will most benefit will be those that already practice ethical behaviour.

### **And Finally...**

And a final reason why a narrow focus on enforcement and compliance is mistaken is a very simple one – it won't work. It won't work any more than its role model – the police – is responsible for maintaining law and order in the community. The police reinforce and symbolize the values underpinning law and order more than their role in actually ensuring it. This is not, for a moment, meant to diminish the impact their activities have on those they directly deal with (although this isn't many). Consider the numbers. In Tasmania there are less than 1500 sworn police officers. Of these, a considerable number are involved in administrative and/or office duties. At any given moment less than a third will be on duty – and many of these will be on leave, have paperwork, possibly be in court etc. There is likely to be less than 300 on active duty to maintain law and order for a little under 500,000 people across the state. The 'thin blue line' is simply too thin. And were there enough to actually do the job they're charged with the community would be living in a dystopian nightmare. What maintains law and order are the values held and shared by the vast majority of the community (this is why laws really do need the consent of the people if they are to be sustained or actually practiced). The police play an important role in reinforcing and reflecting many of those values, but they aren't the difference between order and anarchy.

The same point applies to ethics and integrity within the government sector. It is dependent upon the values of those within it, not on the strength of an anti-corruption watchdog.

---

<sup>11</sup> One-off glossy brochures cannot be regarded as high profile.

## References

Australasian Police Ministers' Council, (2005), Directions in Australasian Policing 2005-2008, Direction 3 Professionalism and accountability.

Barry, D.P., (1999), *Handling Police Misconduct in an Ethical Way*, (M.A. Thesis), University of Nevada.

Brien, A. (2001), in Larmour, P., Wolanin, N., (eds.) (2001), *Corruption and Anti-corruption*, Asia Pacific Press, Canberra.

CMC, (2005), *Fraud and Corruption Control: Guidelines for Best Practice*, Crime and Misconduct Commission, QLD.

Gilmartin, K.M., Harris, J.J., (1998). 'The Continuum Of Compromise', *The Police Chief*, Jan 1998, pp. 25-28.

Kleinig, J. 'Ethics In Training', *Ethics In Policing Conference*, Ethical Standards Command QPS, Brisbane.

Larmour, P., Wolanin, N., (eds.) (2001), *Corruption and Anti-corruption*, Asia Pacific Press, Canberra.

Longstaff, S., (1999), 'Ethics And The Police: A Vision For The Future', *Ethics In Policing Conference*, Ethical Standards Command QPS, Brisbane.

Lough, G. (1996), *Organisational Culture in the South Australia Police Department*, unpublished dissertation, Flinders University.

Mollen, M. (1994), *Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department Commission Report*, New York.

Newburn, T., (1999), *Understanding And Preventing Police Corruption*, Police Research Series Paper 110, London.

Viljoen, J. Dann, S. (2003), *Strategic Management*, (4<sup>th</sup> Ed.), Prentice Hall, NSW.

Watson, R. (1998), 'The Implications of police value systems for internal investigations', Office of the State Ombudsman, Perth, WA.

Wood, J.R.T., (1997), *Royal Commission Into The New South Wales Police Service*, NSW Govt, Sydney.