

Police corruption and community resistance

Joanna Gilmore and Waqas Tufail consider radical alternatives to official mechanisms for holding corrupt officers to account

In January 2011 the trials of six environmentalist activists charged with conspiracy to commit aggravated trespass collapsed, following allegations that the Crown Prosecution Service had deliberately tried to suppress evidence that might have exonerated them. Allegations that the group had planned to occupy the Ratcliffe-on-Soar power station were withdrawn after the defence discovered that one of the 114 activists arrested in a pre-emptive raid was PC Mark Kennedy – an undercover police officer who had infiltrated the group and secretly recorded activists' conversations.

As the network of police spies planted inside protest groups began to unravel, allegations that police officers operated as *agent provocateurs*, sexually exploited women in order to boost their credibility with activists and used the identities of dead children as aliases undermined initial attempts from senior police officers to explain Kennedy's actions as those of a lone 'rogue' officer (Evans and Lewis, 2013).

The scandal escalated in June 2013, when it was revealed that undercover police officers working within the ultra-secretive Special Demonstration Squad (SDS) were ordered to gather intelligence on the family and friends of murdered black teenager Stephen Lawrence – information that was withheld from the subsequent Macpherson Inquiry into the police mishandling of the case (ibid). This was followed in August of the same year by revelations that information gathered by SDS officers on trade union activists was being passed on to a blacklisting agency that unlawfully

stored files on thousands of workers (see Whyte, this issue).

The recent crisis in undercover police work has arisen in the context of a wider crisis of legitimacy in policing. The publication of the report of the Hillsborough Independent Panel forced into the public spotlight evidence of systemic police corruption long known to those campaigning for justice for the victims and survivors of the tragedy. The tireless campaigns by the families of Ian Tomlinson, Sean Rigg, Mark Duggan, Jean Charles De Menezes and many more who have died at the hands of the police have revealed the violence, racism and collusion that exists at all levels of policing in Britain. At the same time the phone hacking scandal has laid bare the embedded relationship between the police, the political establishment and wealthy elites. The institutional corruption exposed in these cases has challenged traditional conceptions of police corruption as an abuse of power and authority by individual officers. As Punch (2009) puts it, the problem is not simply one of 'bad apples', but of 'bad orchards'.

Scandals of this kind are not new. Indeed, police corruption is as old as the institution of the modern police itself. In stark contrast to nostalgic portrayals of the 'Great British Bobby', during the last half a century the public image of the police has been tarnished by periodic scandals of financial corruption, arbitrary violence and miscarriages of justice (Reiner, 2010). In common with earlier periods of crisis, these latest revelations have called into question the legitimacy of official state organisations that ostensibly exist to hold the police to account. With

corruption a seemingly pervasive feature of police work in Britain, it is essential to ask – who polices the police?

The IPCC

The main body responsible for overseeing the system of police complaints in England and Wales is the Independent Police Complaints Commission (IPCC). Established by the *Police Reform Act 2002*, the IPCC is also tasked with investigating the most serious complaints and allegations of misconduct against the police, as well as handling appeals from people who are dissatisfied with the way police have dealt with their complaint.

The IPCC was established under New Labour in the aftermath of the Macpherson Inquiry, which found existing investigative procedures to be wholly inadequate. Whilst the statutory purpose of the IPCC is to increase public confidence in the police complaints system, the organisation has, since its inception, failed to secure public legitimacy. Much of this scepticism reflects doubts that the IPCC constitutes a genuinely 'independent' investigative body. According to the IPCC's latest annual report, seven out of eight of Senior Investigators are former police officers, as are nine out of 20 Deputy Senior Investigators and over a quarter of investigators (IPCC, 2013).

Moreover, the IPCC only investigates a small proportion of complaints against the police – the overwhelming majority are investigated by the police force's own professional standards department. Some 130 independent investigations were completed by the IPCC between 2011 and 2012 (ibid). In contrast, 27,157 complaints were finalised by local investigation during the same period, of which only 12 per cent were upheld (IPCC, 2012a). The Commission's record of dealing with corruption complaints is particularly discouraging. Of the 837 corruption cases referred to the IPCC between 2008 and 2011, just 3 per cent were independently investigated by the Commission, and 12 per cent subject to a 'managed' investigation (IPCC, 2012b). The majority of complaints concerned allegations of

perverting the course of justice and dishonesty offences. In 2008, members of the Police Action Lawyers Group, a national organisation of lawyers representing complainants against the police, resigned from the IPCC's advisory board, citing 'increasing dismay and disillusionment' at what they described as 'the consistently poor quality of decision-making at all levels of the IPCC' (Davies, 2008).

In the rare occasions that the IPCC conducts a full investigation, its powers to do so are limited. Although regulations introduced under the *Police (Complaints and Conduct) Act 2012* enable the IPCC to require a serving police officer to attend an interview as a witness, the powers carry no sanction for refusal to answer questions, nor do they prevent a police officer from reading from a pre-prepared statement. Moreover, the Commission has no authority to compel a former police officer to attend an interview as a witness, regardless of the seriousness of the complaint investigation.

It is perhaps no surprise, therefore, that the IPCC has in recent years reported a significant reduction in the number of people making complaints against the police (IPCC, 2013). Figures collected by the Crime Survey for England and Wales show that only 10 per cent of those who recall being 'really annoyed' with the actions of a police officer in the last five years went on to make a complaint. The main reason for not complaining was that there was seen to be no benefit or point in doing so (Office for National Statistics, 2012). Of those who did, three quarters reported being dissatisfied with the way their complaint was handled.

Significantly, research commissioned by the IPCC found that those most likely to bear the brunt of corrupt policing practices – young people, ethnic minority groups and those from a low socio-economic background – are also those that are most sceptical of the system and least inclined to complain, with a significant

proportion (some 40 per cent of individuals from ethnic minority groups) fearing police harassment if they do (IPCC, 2012a).

Radical alternatives

The renewed crisis of legitimacy in policing has highlighted the need to look beyond official state mechanisms for holding corrupt police officers to account. Indeed, attempts to regulate police behaviour through legal reforms such as the *Police and Criminal Evidence Act 1984* have legitimised existing practices and resulted in less rather than more accountability.

A radical alternative is the establishment of independent police monitoring groups to investigate instances of police deviance and hold corrupt police forces to account. The recent creation of the Northern Police Monitoring Project (NPMP) suggests that such spaces of resistance can be found. Launched following a vibrant meeting in Moss Side, Manchester in October 2012, the NPMP acts as a forum from which individuals, groups and communities can collectively challenge corrupt policing practices and monitor instances of police violence and harassment.

Inspired by similar initiatives that arose out of the anti-racism struggles of the 1970s and 1980s, the NPMP works within communities experiencing some of the most repressive styles of policing, providing advice, advocacy and access to specialist legal assistance and supporting emerging campaigns as, and when, they are established. The NPMP aims to provide a genuine challenge to the official narrative on crime and policing. It therefore operates entirely independently from the police and other state agencies.

The NPMP emerged from the successes of 'Justice4Bolton' – a defence campaign launched in response to the arrest of 55 anti-fascist protesters at a demonstration against the far-right English Defence League in Bolton in March 2010. Following a high profile public

campaign and the systematic gathering of footage and witness testimony, charges were dropped or not pursued against 54 of the arrested protesters. Two police officers were subsequently charged with perverting the course of justice after footage emerged of an officer assaulting a 63-year-old man, who himself went on to be arrested on suspicion of a public order offence.

These examples serve as a powerful reminder of the dangers of relying on institutions of the state to self-regulate. As the experiences of the Hillsborough campaigners, Bolton protesters and many of the families of those that have died in police custody demonstrate, justice for the victims of police corruption is not something that is handed down from above, but must be fought for from below. ■

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