

# UNDERSTANDING AND MANAGING PROFESSIONAL BOUNDARIES IN POLICE WORK

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# OVERVIEW OF PRESENTATION

1. The police role: power and influence, vulnerability
2. About professional boundary crossings & violations
3. Warning signs and risk factors in policing
4. Harms
5. Current police frameworks
6. Proposed framework

# ABOUT THOSE WE TRUST



# POWER AND INFLUENCE OF PROFESSIONS

- Specialised knowledge
- Status, standing, trusted
- Special powers or authority
- Control access to resources
- Knowledge of vulnerability
- Our neediness
- Ability to influence decisions about care/wellbeing/future

*Teachers - education, assessment, career, future.*

*Doctors - health, sense of safety, sense of self.*

*Religious leaders - spiritual wellbeing and community*

# POWER AND INFLUENCE IN THE POLICE ROLE

- Power over the physical person
- Power over a person's future
- Power over sense of safety and wellbeing
- Power that comes with expertise and knowledge
- Power of knowing of vulnerability
- Power to influence which comes from others' neediness, and intimacy and care

*... police officers hold a position of authority in our society. They are given significant coercive powers for the benefit of the community, and thus there will always be a power differential in their dealing with members of the public (Bazley, 2007: p. 247)*

# INHERENT VULNERABILITY

- Victims (inc. sexual, other crimes of violence and control)
  - Affected by trauma, personality disorders (ability to relate to others in healthy ways is damaged)
  - Drug or alcohol dependency, intoxication
  - Homeless, socially isolated
  - The young and the old
  - Mentally ill, cognitive or other form of disability
  - Communication difficulties (language etc)
  - Sex workers
  - Grief, shock
  - Being investigated, charged, held in custody or have previous convictions
- (IBAC, 2015; Bazley 2007: p 247)

# RELATIVE POWER IMBALANCE

- Power and vulnerability are relative concepts: depend on *inherent attributes* and *context*
- There is a power imbalance in most – if not all – encounters between police and public
- The power differential is likely to be greater where one person is inherently vulnerable



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**CONCEPTS**

# WHAT KINDS OF RELATIONSHIPS?

When is the concept of the 'professional boundary' relevant in policing?

- When a police officer has met and engaged with a member of the public (MoP) in the course of his or her duties.
- Not relevant when power differential and ability to influence is not in play

# OTHER TYPES OF RELATIONSHIPS

Concept is also relevant when:

- Police officer is acting as an instructor, teacher, assessor (professional duties as teacher)
- Police officer is a supervisor, performance assessor, mentor



# WHAT IS THE 'PROFESSIONAL BOUNDARY'?

The professional boundary describes the limit or border to the relationship that allows for a safe connection based on the member of public's needs.

The professional boundary:

- Defines where the police role stops: Keeps personal and professional lives safely apart
- Protects the other person and the police officer by controlling the power differential in the relationship and keeping an emotional space between them
- Provides a sense of 'personal privacy and safety' and 'predictability and consistency in behaviour' (Peterson, 1996:p 46)



# WHAT ARE 'BOUNDARY CROSSINGS'?

- Conduct which falls outside the police role
- *Not* intentionally exploitative, manipulative, deceptive or coercive; it might be the result of poor self-awareness, or be inadvertent or even altruistic
- Consequences can be helpful, harmful or neutral
- 'Shades of grey': room to disagree on where the police role starts and stops
- Boundary crossing may be a warning sign: may escalate
- Can take steps to restore relationship to a professional footing

# WHAT ARE 'BOUNDARY VIOLATIONS'?

*The police officer uses their position to pursue or engage in a sexual, financial or emotional relationship with a person whom they have met in the course of their police duties who may be vulnerable to an abuse of trust or power.*

- Typically involve:
  - exploitation of vulnerability;
  - misuse of power, authority or influence;
  - manipulation of emotions or circumstances; or
  - deception or coercionto obtain personal benefit (such as sexual or financial benefits)
- Consequences are likely to be harmful to the MoP
- Boundary violations are an impropriety (discipline action)

# **WHAT IF IT IS CONSENSUAL OR INITIATED BY THE MEMBER OF PUBLIC?**

- Power differential and vulnerabilities are at play
- Police officer has the responsibility to maintain the boundary not the member of public

# **DOMAINS OF BOUNDARY CROSSINGS AND VIOLATIONS**

- Personal or intimate relationships
- Meeting emotional and dependency needs
- Personal and financial benefits
- Altruism (genuine efforts to help, benevolent intent)
- Unavoidable or unanticipated (Reamer, 2012).

# TYPOLOGY OF CROSSINGS AND VIOLATIONS

	Personal or intimate relationships	Meeting emotional & dependency needs	Personal and financial benefits	Altruism (benevolent intent)	Unavoidable or unanticipated
<b>Boundary crossing</b>	<ul style="list-style-type: none"> <li>• Providing or using social media to contact MoP</li> </ul>	<ul style="list-style-type: none"> <li>• Inappropriate personal disclosures</li> </ul>	<ul style="list-style-type: none"> <li>• Seeking recommendations or advice based on MoP's expertise</li> </ul>	<ul style="list-style-type: none"> <li>• Over-servicing: special favours outside of usual policy (e.g. special timelines)</li> </ul>	<ul style="list-style-type: none"> <li>• Meet MoP in another context (e.g. club)</li> </ul>
<b>Boundary violation</b>	<ul style="list-style-type: none"> <li>• Actions undertaken with a view to pursuing a sexual or improper relationship with an MoP</li> </ul>	<ul style="list-style-type: none"> <li>• Applying highly unorthodox policing methods based on own beliefs (e.g. suggesting use of a psychic)</li> </ul>	<ul style="list-style-type: none"> <li>• Receiving a significant financial benefit (gift, loan, labour) or investment from MoP</li> </ul>	<ul style="list-style-type: none"> <li>• Offering accommodation to vulnerable MoP</li> </ul>	

# COMMON SEQUENCE OF BEHAVIOUR

1. Takes special interest in the person's life and issues
2. More time is spent discussing personal matters
3. Confides confidential information (e.g. about organisation, colleagues, investigation)
4. Discloses information about their own life (e.g. marital issues)
5. Over servicing of MoP (e.g. special time frames, extra help)
6. Personal contact outside the police role (e.g. social media, home visits)
7. Physical contact (e.g. hugs, caresses, kisses)
8. Role outside the policing role (e.g. family issues, welfare, housing)
9. Sexual relationship commences

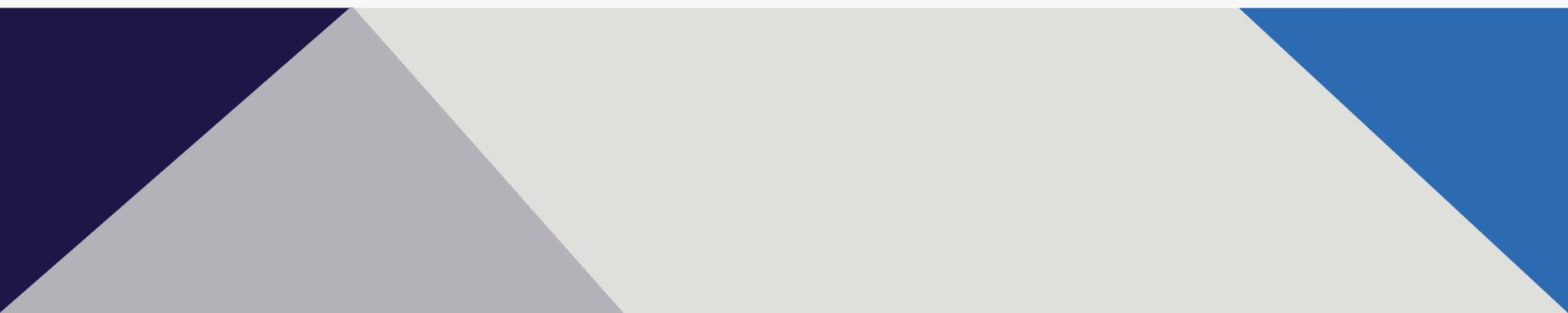
\*Adapted from Reamer (2012: pp. 59-60)

# **WARNINGS SIGNS IN POLICING**

- Misuse of police systems and databases
- Unnecessary contacts/call backs
- Meeting off-site
- Social media and personal phone use
- Over-servicing
- Unusual arrest patterns (tendency to stop check certain citizens)
- Frequent targets are victims of family violence

(Bazley 2007; IACP 2011; IBAC 2015; IPCC 2012, Maher, 2003; Sapp, 1994)

# WHICH POLICE ARE AT RISK?

- High risk roles (e.g. family violence, sexual crimes)
  - Emotional neediness
  - Previous conduct
  - Relationship break-up
  - Poor self-awareness
  - Financial or legal problems
  - Physical or mental illness
  - Substance abuse
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**HARMS**

# HARMS

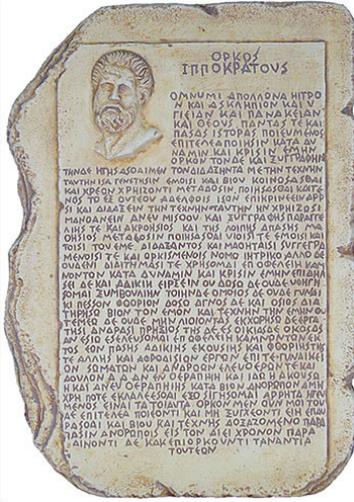
*Sexual misconduct typically has devastating consequences. For victimised clients common consequences include destroyed self-esteem, destructive dependency, mistrust of opposite sex, distrust of therapists, difficulty in subsequent intimate relationships, impaired sexual relationships, guilt, self blame, suicidal ideation, substance abuse, loss of confidence, cognitive dysfunction, increased anxiety, identify disturbance, sexual confusion, mood liability, suppressed rage, depression, psychosomatic disorders and feelings of anger, rejection, isolation, and abandonment (Reamer 2012: p. 63).*

- Significant public health issue
- Harms can manifest years later
- Member of public:
  - Self-blame, shame, embarrassment at being “conned”, betrayal, abandonment
  - Psychological harms: trust issues, depression, PTSD, trauma - worse if repeat victimisation
  - Reluctance to seek further help from police
- Damage to public confidence in police
- Other consequences - impact on organisational reputation and harms to colleagues, law suits

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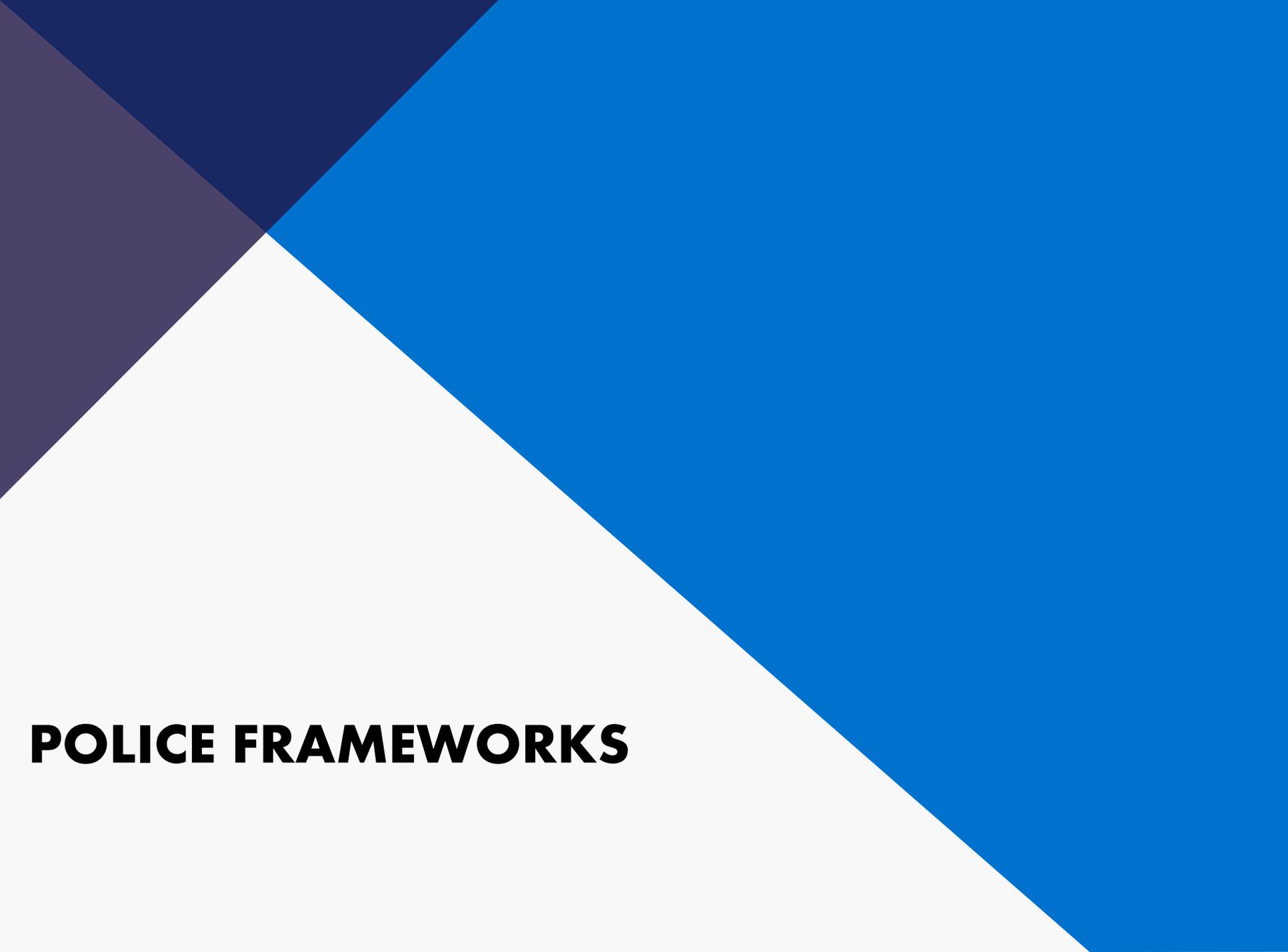
# **ETHICAL FRAMEWORK IN OTHER PROFESSIONS**

# ETHICAL NORMS IN THE PROFESSIONS



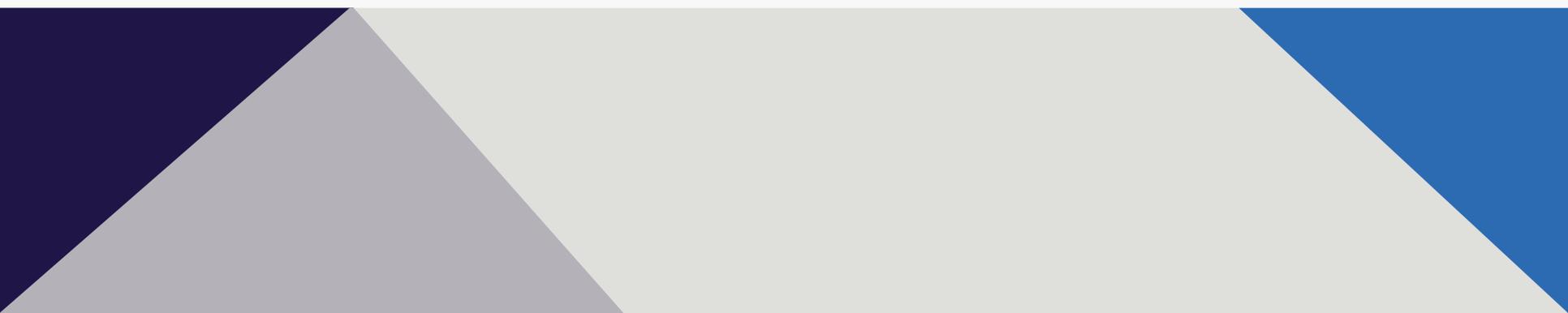
- Psychologists, Psychiatrists
- Doctors
- Physical and other therapists
- Nurses
- Lawyers
- Veterinarians
- Dentists
- Priests, ministers of religion, rabbis
- Social workers

- Clear behavioural norms and expectations
- Common language and concepts
- Learning – foundational and ongoing. Acknowledges complexity and “grey areas”
- Published disciplinary outcomes, reinforce standards
- Whole of profession responsibility (report, peer support)
- Professional body of knowledge (nature, prevalence, harms and risk factors)

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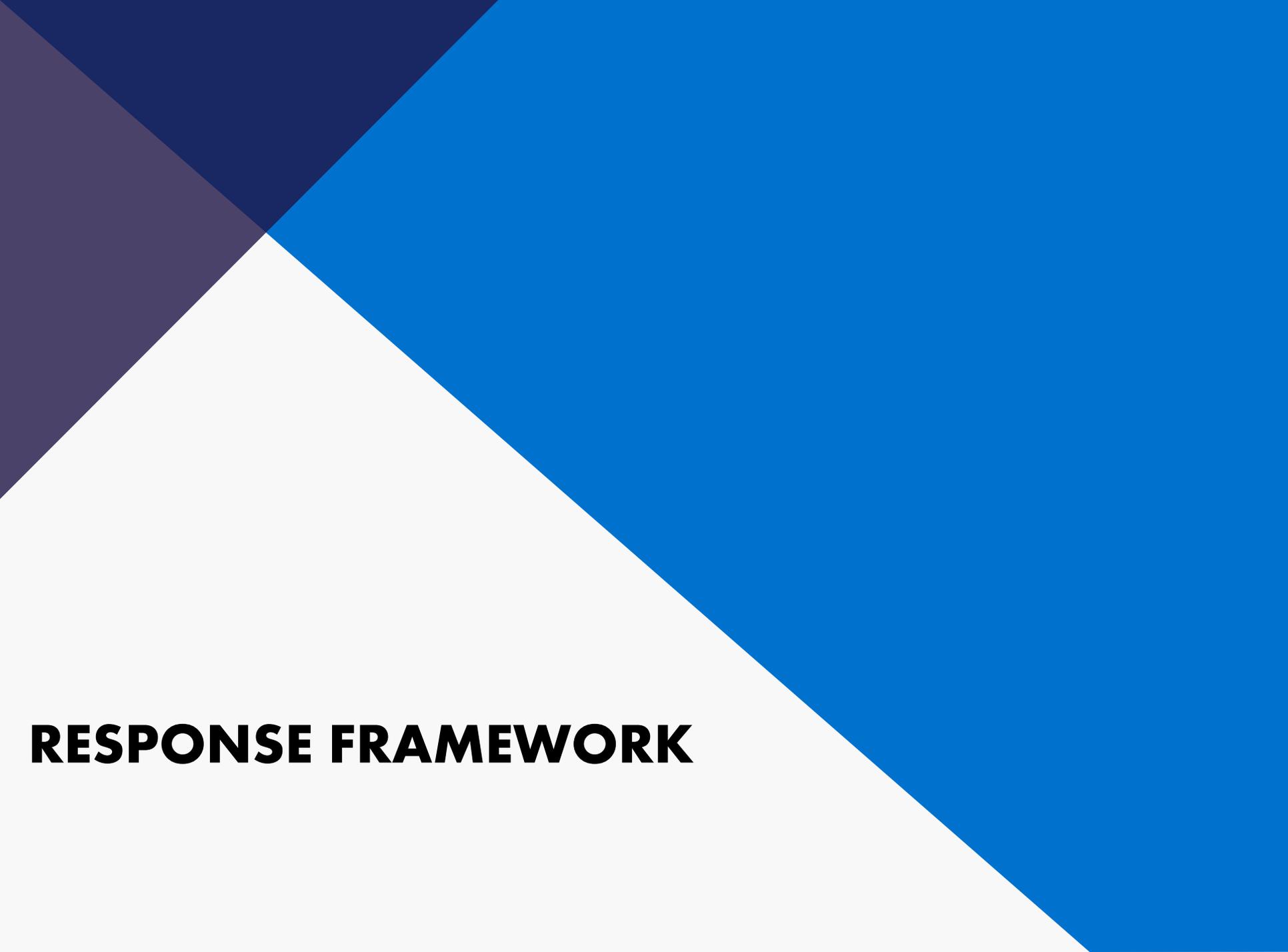
# **POLICE FRAMEWORKS**

# **CURRENT POLICE FRAMEWORKS**

- Relies on complaints being made and pursued
  - Conduct requirements not sufficiently clear to support reporting or action by colleagues and supervisors
  - Not supported by education and training
  - The intention of the police officer is the key relevant consideration, rather than the resulting public harm
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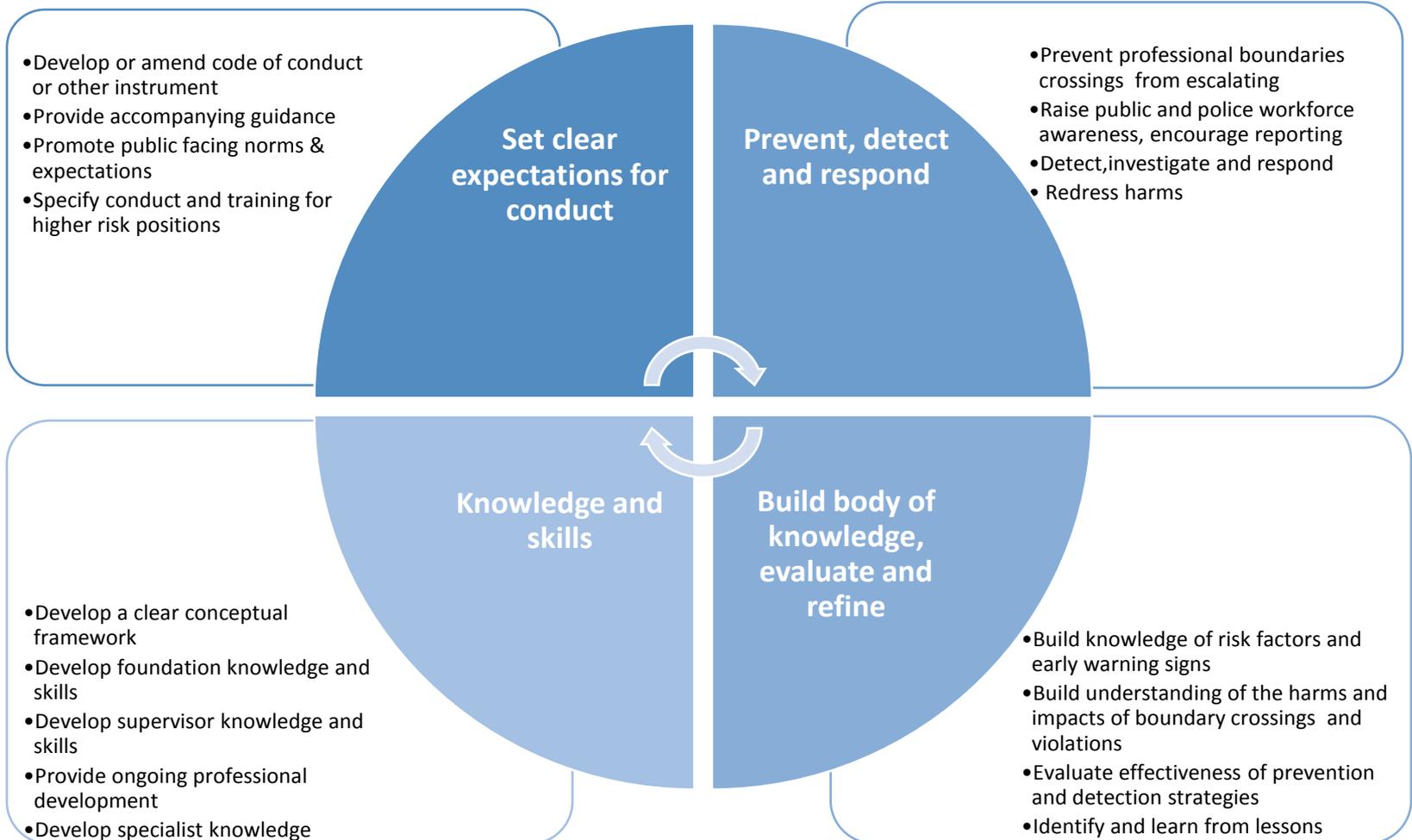
# RECENT DEVELOPMENTS

Victoria	United Kingdom	New Zealand
<ul style="list-style-type: none"> <li>Report on Victoria Police officers involved in predatory behaviour against members of the community (IBAC, 2015).</li> </ul>	<ul style="list-style-type: none"> <li>Report on the abuse of police powers to perpetrate sexual violence (IPCC, 2012).</li> </ul>	<ul style="list-style-type: none"> <li>Report on standards of conduct, including sexual misconduct of police officers (Bazley, 2007).</li> </ul>
<ul style="list-style-type: none"> <li>Taskforce Salus established to investigate complaints of predatory behaviour by Victoria Police officers including both behaviour against other police personnel and against members of the public.</li> </ul>	<ul style="list-style-type: none"> <li>Code of Ethics includes explicit direction that police officers must:               <p>‘not establish or pursue an improper sexual or emotional relationship with a person with whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power’ (College of Policing, 2014).</p> </li> </ul>	<ul style="list-style-type: none"> <li>NZ Police Code of Conduct includes specific directions not to use position for advantage:               <p>‘We must not act in a way that uses our influence, role or position to personal advantage ...It also includes never entering into a sexual or intimate relationship with someone we have met in the a professional capacity if an imbalance of power exists, or if that person is vulnerable’ (NZ Police, 2015).</p> </li> </ul>
	<ul style="list-style-type: none"> <li>Work on national strategy to address police officers who abuse their position for sexual purpose, guidance for police officers and indicative sanctions guidance for disciplinary panels (NPCC, College of Policing, ongoing)</li> </ul>	

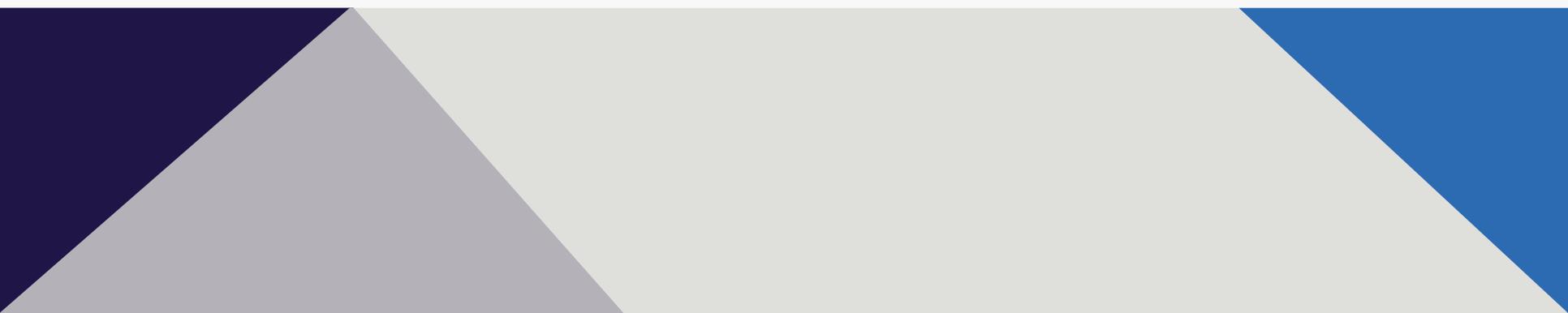
The background features a large, abstract geometric design. A large blue triangle points downwards from the top right corner, overlapping a white triangular area that points upwards from the bottom left. The top left corner is filled with a dark purple triangle. The text 'RESPONSE FRAMEWORK' is positioned in the white area.

# **RESPONSE FRAMEWORK**

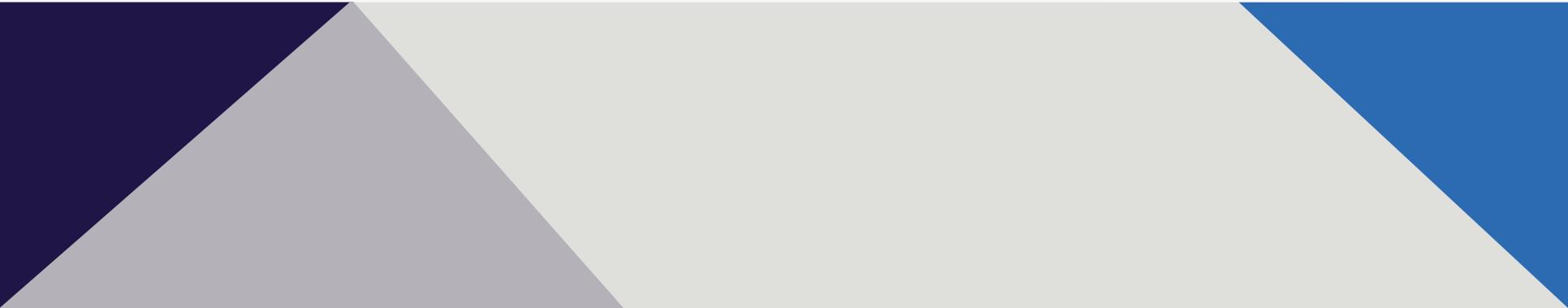
# RESPONSE FRAMEWORK: POLICING



# KEY LEARNINGS

- Learn from other professions (don't reinvent)
  - Understanding of the power which comes from others' neediness, and intimacy and care, knowledge of vulnerability
  - Acknowledge complexity and 'grey areas'
  - Wide range of boundary issues
  - Need for professional learning about psychological dynamics and harms
  - Clarify expectations to assist with reporting and response
  - Apply proactive detection methods
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# **QUESTIONS OR COMMENTS**



# BIBLIOGRAPHY - POLICING

Bazley, Dame M. (2007) *Report of the Commission of Inquiry into Police Conduct*. Vol 1. Wellington, New Zealand: Commission of Inquiry into Police Conduct.

College of Police (2014) Code of Ethics, available at: [www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx](http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx)

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Independent Police Complaints Commission (IPCC) (2012) *The abuse of police powers to perpetrate sexual violence*. London: IPCC.

International Association of Police Chiefs (2011) *Addressing Sexual Misconduct of Law enforcement Executive Guide*. Alexandria: IAPC.

New Zealand Police (2015) *NZ Police Code of Conduct*, available at: [www.police.govt.nz/sites/default/files/publications/ourcode.pdf](http://www.police.govt.nz/sites/default/files/publications/ourcode.pdf)

Sapp, A. (1994) *Sexual Misconduct by Police Officers*. Barker, T & Carter D. (eds). *Police Deviance*. Cincinnati : Anderson Publishing.

## **PRSB - Decisions on discipline reviews**

Published decisions - <https://www.prsb.vic.gov.au/reviews-and-appeals/reviews/review-decisions>

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Reamer, F. (2012) *Boundary issues and Dual Relationships in the Human Services*. New York: Columbia University Press.

Peterson, M. (1992) *At Personal Risk: Boundary Violations in Professional Client Relationships*. W.W. Norton & Company.

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# TYPOLGY OF BOUNDARY CROSSINGS AND VIOLATIONS IN POLICING

A CONTINUUM OF CONDUCT	PERSONAL OR INTIMATE RELATIONSHIPS	MEETING OWN EMOTIONAL AND DEPENDENCY NEEDS	PERSONAL AND FINANCIAL BENEFITS	ALTRUISM <i>efforts to help, benevolent intent or for clear public good</i>	UNAVOIDABLE OR UNANTICIPATED
<p><b>WITHIN ROLE</b></p> <p><i>Conduct which is clearly within the police role and is understood as such by the MoP and others.</i></p>	<ul style="list-style-type: none"> <li>Brief (non-sexual) physical contact (such as touching arm, hand or shoulder) to comfort distraught person</li> <li>Meeting off-site such as in a home or coffee shop in the interests of MoP (e.g. taking coffee break when taking a statement or to assist traumatised person)</li> <li>Personal exchanges to establish rapport (e.g. making small talk and sharing interests)</li> </ul>	<ul style="list-style-type: none"> <li>Brief reference to own situation (e.g. to explain reasons for delay)</li> <li>Personal exchanges to establish rapport (e.g. making small talk and sharing interests)</li> </ul>	<ul style="list-style-type: none"> <li>Accepting modest gift in accordance with employer policies and social norms, where no expectation of favour</li> <li>Offering modest gift in accordance with usual social practices (e.g. birth of a baby) especially if gift is identified as being from the station (not individual)</li> </ul>	<ul style="list-style-type: none"> <li>Donations or gifts (within policy) e.g. station donations</li> <li>Small acts of kindness and care within policy to (e.g. buy a coffee)</li> <li>Conduct clearly within the particular police role and established policies (e.g. community engagement, youth programs, victim support roles, referrals, procuring social assistance)</li> <li>Self-disclosures - to show understanding or encourage help-seeking (e.g. disclosing that you are an AA member or victim of crime)</li> <li>Conduct to establish trusting relationship as part of the police craft (e.g. intelligence gathering)</li> </ul>	<ul style="list-style-type: none"> <li>Remote locations: police officers are expected as part of their role to take on community and leadership roles</li> </ul>
<p><b>CROSSING</b></p> <p><i>Conduct is outside the police role and may confuse the MoP and or others about the nature of the relationship. Conduct may be a sign of escalation or the result of a lack of boundary awareness. May require steps to restore the relationship to a professional footing (objective and impartial).</i></p>	<ul style="list-style-type: none"> <li>Affectionate forms of address, or inappropriate use of nicknames</li> <li>Accepting invitation to celebration or social occasion</li> <li>Comments on personal appearance</li> <li>A greeting or physical touching such as a kiss on the cheek which while not intended as a sexual overture could be misinterpreted</li> <li>Unnecessary questions about personal life</li> </ul>	<ul style="list-style-type: none"> <li>Seeking support, understanding, or comfort from MoP for own emotional needs (troubled relationships, work stress or frustrations, own health, childhood issues etc.)</li> <li>Inappropriate personal disclosures (about relationships, workplace, political or religious views)</li> <li>Social contact to meet PO needs (e.g. loneliness, crisis)</li> </ul>	<ul style="list-style-type: none"> <li>Disclosing own financial problems</li> <li>Seeking recommendations or advice based on MoP expertise</li> <li>Giving a gift which has significance (intimate, or emotionally significant, expensive) which may confuse MoP about the nature of the relationship</li> <li>Asking MoP to donate to causes, participate in industrial campaigns</li> </ul>	<ul style="list-style-type: none"> <li>Inviting MoP to become involved in the same external organisation as PO (e.g. sports, church, community)</li> <li>Over-servicing: special favours outside of usual policy, work late, drive MoP, run errands, buy meals, visit at home, special timelines</li> <li>Over-involvement: Giving advice or getting involved in MoP family and other relationships outside of police role</li> </ul>	<ul style="list-style-type: none"> <li>Meeting MoP in another context (e.g. children's school, public place, club, through friends)</li> <li>Unavoidable professional dealings with a person with whom PO has an existing dual relationship with (e.g. in rural locations overlapping social, business, community relationships)</li> <li>Unavoidable emotional or personal involvement (in emergency situation, bereavement etc.)</li> </ul>
<p><b>MAY BE A VIOLATION</b></p> <p><i>Conduct is clearly outside the police role. Often intended to obtain a personal benefit. May represent a violation depending on circumstances, context, vulnerability of MoP, impacts and harms and whether it is declared. Conduct may be an impropriety (or create an appearance of impropriety) and result in discipline action.</i></p>	<ul style="list-style-type: none"> <li>Pursue or have an intimate or sexual relationship with a friend or relative of MoP</li> <li>Pursue or have an intimate or sexual relationship with MoP with whom PO previously exercised police duties (depends on the nature of the dealings, any vulnerability, time elapsed)</li> <li>Becoming over-friendly (focus of relationship shifts to personal discussions, frequent informal and friendly exchanges, clear special treatment, confidential exchanges)</li> <li>Providing or using personal social media, email, telephone or contact details to contact MoP other than for legitimate purposes</li> </ul>	<ul style="list-style-type: none"> <li>Bringing own religious or political views and practices into the professional relationship (e.g. encouraging MoP to attend church, to vote a certain way, to not vaccinate children)</li> <li>Seeking support, understanding, or comfort from the MoP for own emotional needs to the extent that the relationship is serving PO personal needs rather than the professional purpose.</li> <li>Social contact to meet PO needs (e.g. loneliness, crisis)</li> </ul>	<ul style="list-style-type: none"> <li>Receiving a bequest (named in person's will) (if not managed)</li> <li>Seeking or being given advice by MoP (e.g. professional or business advice) for own benefit</li> </ul>	<ul style="list-style-type: none"> <li>Offering accommodation in own home to vulnerabl MoP</li> </ul>	
<p><b>VIOLATION</b></p> <p><i>Conduct that exploits MoP vulnerability; misuses power, authority or influence; or manipulates MoP emotions or circumstances to obtain a form of personal benefit (such as sexual or financial benefits). Consequences are likely to be harmful.</i></p> <p><i>Boundary violations (especially intimate sexual relationships or financial exploitation) are an impropriety and are likely to result in discipline action or criminal prosecution.</i></p>	<ul style="list-style-type: none"> <li>Certain forms of physical contact with established social meaning of sexual intimacy (e.g. caresses, close body hugs, stroking hair)</li> <li>Actions undertaken with a view to pursuing a sexual or improper relationship with MoP:             <ul style="list-style-type: none"> <li>Unnecessary contacts / call backs</li> <li>Use of police systems to identify individuals</li> </ul> </li> <li>Sexual harassment, sexualised behaviour toward a MoP (sexualised humour, comments, gestures, intrusive personal questioning)</li> <li>Pursing or engaging in sexual intercourse, sexual touching or a sexually intimate relationship with MoP, regardless of whether or not it is initiated by MoP</li> <li>Coercive sexual or other behaviours through any form of threat, coercion or duress, express or implied such as sexual assault, rape and stalking</li> <li>Gratuitous physical contact with suspect (e.g. inappropriate or unnecessary searches)</li> <li>Sexual shake downs (e.g. requesting or obtaining sexual favours in exchange for pursuing or not pursuing a police function)</li> </ul>	<ul style="list-style-type: none"> <li>Applying highly unorthodox policing methods based on own beliefs (e.g. suggesting use of a psychic)</li> </ul>	<ul style="list-style-type: none"> <li>Offering a loan to MoP or investing in their business</li> <li>Receiving a significant financial benefit (gift, loan, labour) or investment from MoP</li> <li>Seeking or accepting significant free /discounted goods, labour or services from MoP for own benefit</li> <li>Seeking a bequest in MoP will</li> </ul>		

**LEGEND**

**PO** Police officer  
**MoP** Member of public PO encounters in the course of police duties

## PROFESSIONAL BOUNDARIES IN POLICING: RESPONSE FRAMEWORK

### 1 SET CLEAR EXPECTATIONS FOR CONDUCT

#### Develop or amend code of conduct or other instrument

Specify a clear requirement that police officers must not use their position to pursue or engage in a sexual, financial or emotional relationship with a person whom they have met in the course of their police duties who may be vulnerable to an abuse of trust or power.

College of Policing (2014) *Code of Ethics*:

#### **2. Authority, respect and courtesy**

##### **2.3 Relationships**

*According to this standard you must:*

- *ensure that any relationship at work does not create an actual or apparent conflict of interest*
- *not engage in sexual conduct or other inappropriate behaviour when on duty*
- *not establish or pursue an improper sexual or emotional relationship with a person with whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power.*

It is important that such a code is developed in a collaborative and consultative way, with input from police members at all ranks. This will ensure that it is accepted, sets clear behavioural norms and is seen by all as reflecting the values and expectations of the policing profession as a whole (rather than being perceived as a 'top down' direction or control). The approach used in the development of other professional codes should be applied (i.e. steering committee representing all interests; preparation of an issues paper with expert and community perspectives; public and police consultations; a consultation draft; further consultations and endorsement).

#### Provide accompanying guidance

The code should be accompanied by practical guidance material which defines and explains key concepts, aids understanding through illustrative examples, and provides practical methods to assist police manage their boundaries. Guidance should:

- Explain that police officers have responsibility to establish and maintain clear professional boundaries and have a positive duty to report any concerns about a colleague being involved in inappropriate conduct.
- Assist police officers to understand that they occupy a position of trust and authority and that a boundary violation breaches this trust and exploits the power imbalance.
- Explain the harms and impacts which are caused if a professional boundary is violated even when the relationship is consensual, not 'coercive' or initiated by the vulnerable person.
- Outline the likely employment consequences for violating professional boundaries.

- Provide tips and self-reflective, ethical decision-making tools to assist police officers to identify when they are vulnerable to boundary crossings and how to restore relationships to a professional footing after an inadvertent crossing.
- Provide confidence to police officers on when and how (and why it is important) to report concerning behaviour and about how to raise professional boundary issues with police colleagues in a collegiate manner.
- Include clear guidance (and rules if relevant) on matters such as social media engagement, use of personal phones, provision of phone numbers, meeting in private settings, welfare checks, out of hours contact etc. Place the onus on the police officer to justify why the conduct was within the police role.

### **Promote public-facing norms and expectations**

The code and guidance should be publicly accessible documents, which clearly articulate to the community the expectations they should hold of behaviour from their police members.

### **Specify conduct and training requirements for higher-risk positions**

Where positions involve higher risks of harm, (e.g. family violence) reiterate personal behavioural requirements, the obligation to report boundary violations by others and the consequences to ongoing employment if not compliant. Training requirements should also be included in position documentation.

## **2 PREVENT, DETECT AND RESPOND**

### **Prevent professional boundary crossings from escalating**

- Based on research learnings, seek to better understand risk factors for police officers (e.g. emotional neediness, previous conduct, marriage break-ups, poor self-awareness) and for victims (trauma issues, nature of vulnerability); warning signs; typical behaviour escalation patterns; and appropriate intervention strategies to apply at an early stage.
- Identify high-risk roles and victims (see: IBAC report). Prioritise training and other interventions to such high-risk areas, particularly for supervisors.
- Apply robust standards of vetting for high-risk roles to ensure no previous conduct issues, which would suggest that the police officer is predisposed to such behaviour.
- Provide education and guidance to supervisors about risk factors, likely escalation patterns, 'red flags' and indicators of inappropriate conduct and the action to take. At early stages (boundary crossings), health and welfare support or performance management /professional development response is likely to be appropriate.

### **Raise public and police workforce awareness and encourage reporting**

- Raise awareness among the community, victim support services and the police workforce of behavioural expectations to manage professional boundaries and the harms which can arise from violations.
- Improve confidence that complaints will be treated seriously and victims will be supported and that their privacy will be protected. Provide clear procedures for members of the public and police officers to report complaints and concerns.
- Publish (and publicise) outcomes of relevant misconduct/discipline cases to illustrate and reinforce to the community and the policing workforce the standards of behaviour expected of police officers. Ensure that discipline outcomes are disseminated through communications to the workforce to act as a deterrent and encourage the reporting of concerns.

## Detect, investigate and respond to early warning signs and boundary violations

- It is important that the detection and investigation of professional boundary violations is not solely 'complaint-driven'. The nature of predatory sexual behaviour and grooming and the shame and damage which results, means that complainants are highly unlikely to come forward, and may not perceive themselves at the time, as being a victim - or when they do, it may be many years later. It is important that reporting by police colleagues is required, and reporting by support services and members of the public is encouraged.
- Other pro-active methods of detecting professional boundary violations include: proactive auditing to detect and monitor unusual patterns of behaviour (e.g. use of IT systems, phone calls, records of 'welfare checks'); liaison with agencies that support vulnerable groups (e.g. refuges, domestic violence practitioners, victim advocates) to raise awareness of the issue and facilitate intelligence gathering.
- Develop specialist capability to investigate serious professional boundary violations (especially sexual conduct) noting the pattern-prone nature of offending, including behaviour towards colleagues, and use appropriate victim-centric investigation models (see: *Salus Taskforce, Victoria*).
- Disciplinary actions should be applied with full awareness of the applicable professional boundaries framework. Outcomes should be applied after consideration of: the nature of the police role; the circumstances of the interaction; nature, timing and duration of relationship; the relative power imbalance/vulnerability; the harms caused (or likely to be caused) to the member of public; and the impact on community confidence in the police service.

## Redress harms

- Ensure that members of the public, who are affected by police misconduct, are provided with appropriate support, including referral to specialist services.
- Ensure victim's privacy is protected in all aspects of the process.
- Consider a process for redress for harms caused to members of the public.

## 3 KNOWLEDGE AND SKILLS

### Develop a clear, shared conceptual framework and language

- It is important that there is a consistently applied, simple set of concepts, which underpins the code of conduct and all associated actions, including education. Core concepts and language should - over time - become basic, ethical concepts and methods, and an accepted part of the police profession body of knowledge and police craft.
- The framework should cover concepts such as: the professional role, power imbalance, vulnerability, and the professional boundaries continuum. Concepts of power imbalance need to extend beyond misuse of police powers/authority to encompass the power which arises from the cultivation of trust and empathy within the police/member of the public relationship.

### Develop foundation knowledge and skills

- Foundation training should introduce and explore professional boundary concepts and language (prior to commencing duties).
- Foundation training should explore all categories of behaviours (not just sexual), risk factors and typical escalation patterns.
- The Code of Conduct and Guide should be the foundation documents that are integrated with foundation training.
- Training should be delivered by experienced educators/ facilitators (e.g. experienced in ethics or professional education) and provide experiential learning opportunities (e.g. reflection, group

discussions, scenarios, roles plays). It should use complex and nuanced scenarios, which assist participants to explore 'grey areas' and ensure a supportive, conducive and non-judgemental learning environment.

- Training should at a minimum cover the following learning outcomes:
  - Understanding of professional boundary concepts (power imbalance, vulnerability, continuum);
  - Understanding harms caused by professional boundary crossings (such as confusion about role) and violations (including serious mental health consequences) and the harms caused to the police organisation, the administration of justice and to the police officer;
  - Knowledge of possible employment consequences of non-compliance with expectations;
  - Ability to identify the potential for boundary crossings/violations in self and others; and
  - Ability to implement prevention, communication and risk management strategies, to hold peer-to-peer-conversations, to call out behaviour of others and to report concerns.

### **Develop supervisor knowledge and skills**

- Front-line supervisors are vitally important in detecting potentially risky behaviour, acting on emerging concerns and in escalating and investigating professional boundary violations.
- Education and guidance should be mandatory for supervisors in sergeant qualifying programs: refresh foundational knowledge; explore risk factors; 'red flag' indicators of inappropriate conduct and likely escalation patterns; what action to take, including having professional conversations; options for health and welfare support or performance management/ professional development (where appropriate) and when and how to investigate and report concerns. Part of the sergeant's skill-set should be the ability to assist police officers to be self-aware of their potential for inadvertent or 'helpful' boundary crossings and to understand the potential impact on wellbeing and mental health of over-involvement and over-servicing.
- Workplaces which support probationary officers should be a priority for training and education. These workplaces should promote and model appropriate behaviours and assist new officers to cultivate appropriate professional boundaries in their police role.

### **Provide ongoing professional development**

- Professional boundary concepts and understanding should be continually reinforced after foundational training, including through staff communications, discipline case reporting, in scenarios and studies used in training, in staff feedback discussions and muster talks.
- Remedial training, psychological support and mentoring options to support police officers who have engaged in less serious cases of professional boundary crossings or violations should be developed.

### **Develop specialist knowledge**

- Specific training should be provided to police in roles which involve intensive contact with vulnerable members of the public.
- Specialised investigation skills should be developed (on detection and investigative methods). Discipline panels and tribunals should be educated in the professional boundary concepts and frameworks and in victim harm considerations.

### **Build knowledge of risk factors and early warning signs**

A range of risk factors have been identified for professionals who violate professional boundaries in the caring professions, such as stress related to employment, marital or relationships problems; financial problems; physical or mental illness; legal problems and substance abuse etc. It is expected that these risk factors are translatable to policing, however, there is a gap in the policing literature. It would be desirable for a collaborative research program across policing jurisdictions to:

- Identify possible risk factors for police recruits (e.g. risk-taking, poor boundary control) to vet candidates before entry and for specialist roles.
- Identify those behaviours most predictive of future boundary violations (e.g. meeting off-site, over-servicing members of public, misuse of police systems, social media and personal phone use etc.) to inform policies and investigative and education strategies.
- Identify police officer traits which are most associated with boundary violations (e.g. through analysis of data including police officer's employment records and conduct history).

### **Build understanding of the harms and impacts of professional boundary crossings and violations**

- There is a significant body of research about the impacts and harms (including serious psychological harms, loss of confidence, shame, adverse health and life outcomes) caused by professional boundary violations in the caring professions, including psychology, medicine and social work.
- There is a need to test and explore whether these harms apply in a similar way across professional boundary violations in policing or only in some contexts. The nature of the harms and impacts should also be examined.
- The potential adverse impact of forms of 'well-intentioned' boundary crossings (such as over-involvement and over-servicing) on police officer well-being should also be explored.
- The research outcomes should be used to refine policies and be communicated to the workforce to enhance understanding of the potential harms and impacts.

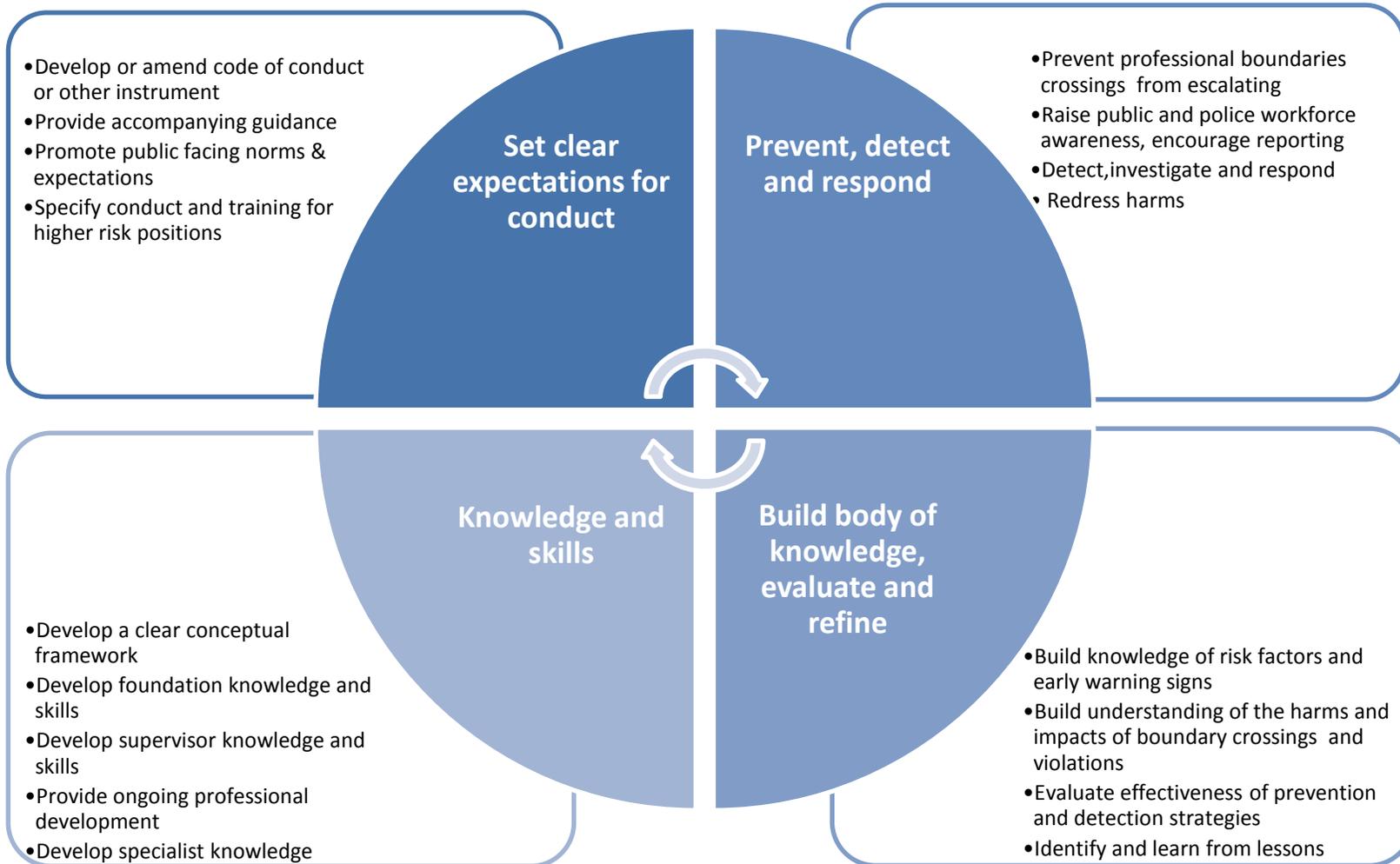
### **Evaluate effectiveness of prevention and detection strategies**

- Policing should develop an evidence-base of prevention strategies, including the effectiveness of forms of early intervention, guidance and formal education and training.
- Prevention and education strategies should be continuously reviewed and refined to ensure that the desired outcomes are being achieved.

### **Identify and learn from lessons**

- It would be desirable to conduct in-depth case reviews of established incidents of professional boundary violations to maximise opportunities for learning about the issue and to understand the environment and factors which enabled such behaviour.
- To allow consistent and effective monitoring, it is strongly desirable to develop and apply consistent recording criteria based on the professional boundaries conceptual framework and code of conduct to understand the extent and nature of boundary violations. Ideally, this monitoring framework would be consistent between jurisdictions to allow for ready comparison.
- An independent regulator should have full oversight of this data and be able to report on the trends, incidence and outcomes of cases of professional boundary violations (e.g. Victoria's IBAC).

# 5 PROFESSIONAL BOUNDARIES RESPONSE FRAMEWORK



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