AN EXPLORATORY STUDY OF NOBLE CAUSE CORRUPTION: THE WOOD ROYAL COMMISSION NEW SOUTH WALES, AUSTRALIA 1994-1997

Shannon Merrington
Faculty of Law, School of Justice
Queensland University of Technology (QUT)

Mark Lauchs
Faculty of Law, School of Justice
Queensland University of Technology (QUT)

Peter Bell
School of Criminology and Criminal Justice
Griffith University (GU)
*corresponding author

Robyn Keast
School of Business
Southern Cross University (SCU)

ABSTRACT

Noble cause corruption 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. Normal integrity regime initiatives are unlikely to halt noble cause corruption as its basis lies in an attempt to do good by compensating for the apparent flaws in an unjust system. This paper explored the nature of noble cause corruption using statements and evidence given by police officers in the Wood Royal Commission (1994-1997). The overall findings are that officers involved in corrupt practices suffered from a failure of leadership and from a lack of inclusion. Officers were motivated to indulge in noble cause corruption through a desire to produce convictions where they believed the system unfairly worked against their ability to do their job correctly. This perception was supported by a culture of exclusion, which depicted police as a victimised group which was stigmatised and oppressed by the judicial system and the community. To deter police from engaging in noble cause corruption, strong leadership, better equipment and long-term incentives are suggested to minimise this type of behaviour within the police organization.
Keywords: *leadership; moral distance; moral hazard; noble cause corruption; Wood Royal Commission*

INTRODUCTION

Police are an essential part of the public service and are the frontline actors in keeping the peace and facilitating social stability and community cohesion. A career in policing is not for everyone and it is not as easy as protecting the innocent and keeping the 'bad guys' off the streets. It is a career that requires police to take on a number of roles and responsibilities, such as enforcing the law, solving crimes, educating the public and generally making us feel safe and protected. Some of these roles however can be challenging and conflicting at times. On the one hand, police are agents of the state that are bounded by strict procedures and policies (and some argue an impossible mandate)(Manning, 1978)and on the other hand, they are morally committed to the 'good end'(Crank, Flaherty, & Giacomazzi, 2007, p. 103). 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; DeLattre, 2006; Muir, 1977). Sometimes, circumstances arise when good officers execute their duties in a manner that sets aside the normal / operational policies and procedures that their profession legally demands(Martinelli, 2006). Such circumstance force officers to confront the noble cause corruption dilemma of breaching fundamental laws in order to serve the greater good (Harrison, 1999).

Bending the rules for the greater good, under certain circumstances, can be viewed by officers as part of their job description, rather than misconduct or corruption (Pollock, 2007). Unlike monetary corruption, noble cause is often perceived as a positive act by the perpetrators and is seen to benefit society as a whole. Officers rationalize their 'ends justifies the means' behaviour by; denying the criminality of their actions and recasting their actions in a more favourable light(Caldero & Crank, 2011; Crank et al., 2007). Part of the motivation comes from 'perceived' injustice and incompetence in the judicial system(Skolnick, 1994). In other words, noble cause corruption lies within the values ofthe individual officer(Crank & Caldero, 2000). However, as its basis exists within an attempt to do good by compensating for the apparent flaws in an unjust system, measures used to prevent other types of corruption, such as penalties, investigations and procedural change are unlikely to halt noble cause corruption from occurring.

Similarly, detecting this type of corruption can be challenging for supervisors because it appears to be 'good police work' (e.g. arresting drug dealers, recovering stolen vehicles, obtaining confessions from criminals…etc.). Fellow officers are also unlikely to report its existence. It is the culture of police to support a 'code of silence'. This code has a significant influence on an officer's willingness to report misconduct by their fellow officers (Cockcroft, 2013). Police organizations also have a strong reluctance to discuss corruption in their organization and in an effort to keep the scandal out of the media(Ivkovic, 2003). Police leaders may implement a number of strategies to reduce the effect it can have on the organization by; sweeping corruption under the rug, denying its existence for as long as possible, or to publicly accuse particular individuals (to signal to the public there are only 'a few bad apples')(Punch, 2009). Ultimately, the behaviour of these offending officers are perceived almost exclusively as detrimental signs of a public organization's lack of integrity (Ivkovic, 2003, p. 597) and can result in the loss of trust in the police by the public(Goldsmith, 2005; Kääriäinen, 2007; Mattes, 2006; Semukhina & Reynolds, 2014; Tankebe, 2010). Researchers are therefore limited to collecting open source information on the incidence of corruption within a policing organization, thus significantly limiting informed commentary on the topic.

Apart from the empirical assessments ofCrank et al. (2007) and Porter and Warrender (2009), much of the discussion surrounding noble cause corruption has been policy-oriented (Punch, 2000) or philosophical (DeLattre, 2006; Kleinig, 2002) in nature. This paper will make a meaningful contribution to the literature by providing insights into the nature of noble cause corruption and provides an analysis of the role of leadership and how it can be used as an instrument for prevention. This paper analyses evidence derived from statements and evidence provided by police officers called before the Wood Royal Commission (1994-1997). It also examines their participation in noble cause corruption activities and their rationalization of this behaviour. The Royal Commission into the New South Wales Police (also known as the Wood Royal Commission) investigated police corruption in NSW from 1994 to 1997. Justice James Wood, the Royal Commissioner, confirmed that there were significant levels of corruption among NSW officers such as, high-level organized protection, fabrication of evidence, assaults on suspects, extensive fraud and serious neglect by officers(Wood, 1997).

The paper commences with a discussion of police corruption, particularly the different types of police corruption. It outlines some of the characteristics of police culture and how it contributes to police corruption. It also

examines the role of leadership and the importance of positive role models and dispersed leadership in combating corruption. Finally, the paper concludes with a discussion on possible solutions to combat police corruption.

TYPES OF POLICE CORRUPTION

Police are more subject to corruption because they operate in an environment that offers both temptation and opportunity. In order to function efficiently, police are granted vast discretionary power which is necessary to react immediately to situations and make quick decisions(Kappeler, Slunder, & Alpert, 1994; Mastrofski, 2004). In particular, police jobs that involve a high degree of discretion aremore likely to be exposed to corruption (e.g. they have the ability to enforce or ignore the law)(Heidenheimer & Johnston, 2002; Lauchs, Keast, & Yousefpour, 2011). Also, opportunities to enact deviance vary depending on the organizational structure, with some officers having more power than others (Barker & Carter, 1991, p. 49). By their nature, most police duties have many opportunities to accept bribes to make particular decisions, which assist crimes or criminals.

According to the literature, police corruption falls into two main categories: *grass-eating*such as accepting free, inexpensive privileges such as accepting free coffee or free meals; or*meat-eating*which covers all forms of graft recognised by mainstream society, including bribes from criminals (Armstrong, 2012; Knapp, 1972; Punch, 2009, p.29). These categories can range from occupational deviance, when rules are bent to an employee's advantage and at the expense of the organization, such as theft at the workplace, to crimes committed by police officers(Punch, 2009). Noble cause corruption,also known as *process corruption*; refers to the manipulation of the justice system, usually to ensure a conviction(Australian Government, 2002; Caless, 2008). Such a process however, subverts the justice system by removing the opportunity for a fair trial and relying on proof beyond a reasonable doubt as the basis of guilt.

There is a history of this type of corruption, referred colloquially as verballing, which is a frequently applied mechanism and is common across Australia. Lucas (1977) explains:

> *"some, we are sure, would not "verbal", in any circumstances; some would, but only as the result of considerable provocation and with an absolute conviction that the person is guilty; but some do "verbal" persistently and without conscience (Lucas, 1977, p. 15).*

The use of verballing can be the result of *moral distance* between the officer and the suspect. Moral distance has two components: the punishment justification that is showing the person is guilty of a punishable/vengeful act, and the legal affirmation that is affirming the legitimacy of your own cause in acting against them(Grossman, 1995, p. 165-167). This position psychologically allows an officer to justify unethical acts such as stitching up or verballing on the basis that the accused is guilty and deserves to be punished(Chan, Devery, & Doran, 2003). Police can have a tendency to see themselves as the 'white hats' or good guys as opposed to the 'black hats' in the community. While this is literally true, there is a danger that entire groups, rather than offending individuals, are depicted as "malicious, alien forces intruding on the world of well-meaning, unsuspecting, virtuous people" (Baumeister, 1997, p.89).

POLICE CULTURE

Organizational culture is unique to a particular establishment and can be a powerful determinant of individual and group behaviour(Buono, Bowditch, & Lewis, 1985). There is a distinctive police culture driven by the nature of police work (Chan, 1999, p.136)with positive outcomes thatcan assist the functioning, survival and security among officers; and negative outcomes that allow corruption to flourish and facilitate the protection of wrongdoers from prosecution (Chan, 1999). Police culture can thus be defined as a: "mix of informal prejudges, values, attitudes and working practices commonly found among the lower ranks of the police that influences the exercise of discretion. It also refers to the police's solidarity, which may tolerate corruption and resist reform" (Waddington, 2008, p.203). This culture of solidarity and brotherhood by police officers in further supported in Cockcroft (2013, p.110), who also highlights Waddington (1999) contention that police culture is essentially two cultures consisting of an operational culture (which relates to how police officers behave, and an oral culture (which relates to how they explain their actions).

Police work is dangerous and the officers are often unpopular and can be stigmatized by society and criticized for any real or perceived excessive action they take. Police duties and the view of police by the general public can contribute to solidarity and isolation (Reiner, 2010). Police officers can also encounter difficulty in forging and maintaining relationships with individuals who belong to occupations outside the police organization (Skolnick, 1994). This mind-set can create a subculture setting where police isolate themselves apart from society with a group-think, 'us v. them' attitude (Sewell, 1999, p. 156). Officers develop strong bonds of loyalty, also

known as the 'police brotherhood', where officers backup one another (Punch, 2009, Cockcroft, 2013). This type of attitude often starts with graduation from the police academy and is continuously enforced throughout a police officer's career.

When a person becomes part of the police brotherhood, individuals usually take on the beliefs and values of the group. This is reinforced by the natural desire to be liked (Brown & Abrams, 2003) and not to cause social friction (Coady & Bloch, 1996). Group members emulate the ethics of their peers and prefer them, even over those of direct authority figures (Granitz & Ward, 2001). Consequently, a person feels he will 'join in' and act unethically rather than letting his friends or supervisors down (Beck, 1999, p.145; Grossman, 1995, p.153; Weber, Kurke, & Pentico, 2003). This drive to put the in-group's values and ideologies above all others clearly paves the way for collective corruption (Ashford & Anand, 2003, p.10).

The problem with this attitude is that when a conflict arises where the officer is faced with a choice between what is ethically right and their loyalty to their police brotherhood. Corrupt conduct can be perpetuated when a pattern of such behaviour becomes ingrained in a police pattern of socialization (Barker & Carter, 1991, p. 50).For example, when accepting small gratitude's (e.g., free food or coffee) can be seen as a test of loyalty(Lauchs & Staines, 2012). This group support for rule violations provides the conduct with a backbone or foundation for future corruption(Barker & Carter, 1991, p. 52). This behaviour can then become normalized as it is internalized by fellow officers as permissible and passed on to new recruits or the next generation of members (Brief, Buttram, & Dukerich, 2001; Zucker, 1977).

LEADERSHIP

Leadership plays a significant role in police work but it is not solely defined by rank. Instead, all officers convey some leadership skills because they operate in an environment where they are not under direct supervision. Leadership displayed by senior police officers can therefore impact on the amount, level and acceptance of corrupt practices. Specifically, Kramer and Tyler (1996)identified two key factors with regards to leadership and corruption. First, the more charismatic the authority figure is, the more likely subordinates will identify with them and trust that authority figure. Second, the processes and structures put in place by organizations can often insulate senior managers from blame and/or liability and further support corruption (Ashford & Anand, 2003). This highlights the potential for police to engage in corrupt activities.

So profound is the impact of police leadership on the level of corruption within an organization that, as Keane & Bell (2013) argue that:

> "… serious misconduct by senior police leaders can negatively impact the public's trust in the police in two ways: firstly, by failing to meet the more obvious expectations of leading by example, misconduct by police leaders are likely to bring institutional damage to the police4 (Holmes, 2010). Secondly, by the nature of any misconduct which appears to attack those whom they are tasked with protecting, police leaders may project a negative organizational image with more sinister overtones (Aplert& Noble, 2009, p.8)".

Leaders do not have to engage in corrupt activities themselves to serve as role models (e.g., ignoring or rewarding corruption) and can often send a clear signal to subordinates, whether intentionally or not (Ashford &Anand, 2003). Police may perform unethical acts through the direction of a superior, to emulate the actions of a respected person of higher rank, so they do not endanger the opportunity for promotion. It is more likely that an officer will comply if the superior is able to observe whether compliance occurs. The superior may also obtain compliance by providing absolution for misdeeds, that is, the superior says that he or she alone will wear responsibility for actions performed by the actor (Bauman, 1989, p.21-22). Nonetheless, some officers will still comply out of respect. For example, Milgram's (1974)obedience experiments showed that most people find it difficult to disobey orders even when they do not agree with them (Hamilton & Sanders, 1992). This inclination to obey has been affected by many aspects: we are told to follow orders and rules through social education; the officer has to make a decision between a possible wrong action and an actual wrong disobedience. The choice is difficult but obedience is more likely;especially as most people do not like to second-guess superiors. They assume that the superior has all the facts whereas the actor has only their narrow perspective(Baumeister, 1997, p.267-268).

MORAL HAZARD

Moral hazard is fundamental to the state given that its laws can only be enforced by appropriate actions from state officials and agents, such as police officers (Myerson, 2011, p. 4). As the government is a network made

up of agents, on various levels, holding different levels of power, government agents have the opportunity to abuse their power (Myerson, 2011). In order for police officers to be more inclined to behave in a manner that is consistent with the government and society's expectations, long-term rewards for serving the state, called *moral hazardrents*(as incentives for not abusing their power) must outweigh the benefits gained from engaging in corrupt activities(Myerson, 2011). This is referred to as the *moral hazard problem* and is defined as: "the problem of creating incentives for agents to behave in some prescribed manner when their behaviour cannot be directly observed by others" (Myerson, 2011, p. 2).

A police officer's incentives or rewards, depends on the judgements of their superiors andtherefore, the incentives will depend on the top leaders in the organization (Myerson, 2011). Some officers have been more inclined to escalate their career prospects by engaging in corrupt acts, such as falsifying evidence, accepting bribes or planting fake evidence in order to get a conviction in the hope that they will be rewarded by their superiors. Thus, there is a moral hazard problem at the top leadership as agents must trust that their superiors will judge their performance in a positive manner and will reward them accordingly. Alchianand Demsetz(1972)recognised a similar problem in the private sector and called this 'the metering problem in firms'. Therefore, organizations must promise and provide rewards to its agents as well as trust that the organization will implement the terms properly.

The existence of noble cause corruption is proof of the efficacy of the moral hazard problem in policing, but it does not ensure that the problem is addressed. Integrity systems are not always effective against corruption. Becker and Stinger (1974, p. 3) identify that the level of enforcement will depend on a variety of factors:

a) is the degree of honesty of the enforcers; thus the police who investigate the police may participate in the same corruption. Also, some otherwise honest enforcers will condone the noble cause corruption;
b) is the structure of incentives to honesty; the practice will continue if the perpetrators obtain greater rewards from the corrupt act than the investigators do from successful investigation;
c) the frequency and visibility of the violation; it is harder to detect if it does not happen most of the time in a regular pattern; and
d) crimes, such as bribery, that do not produce an aggrieved victim are harder to detect. Noble cause corruption does produce an aggrieved victim but they may not complain.

Given that noble cause corruption will be hard to detect, and therefore difficult to stop through integrity regimes, a solution needs to be found that relies on incentives. The aim of this paper is to understand why corruption is pervasive, how it occurs and the role of leadership as a mechanism for prevention.

RESEARCH APPROACH

Data was obtained from the transcripts of hearings of the Wood Royal Commission(The Royal Commission into the New South Wales Police, 1995).The transcripts include testimony of officers who had agreed to cooperate with the Inquiry and discuss their corrupt behaviour. This study has concentrated on the testimony of five (5) officers who worked in and around Kings Cross, Sydney to ensure that there is some uniformity of background in the evidence. The NSW Police Officers; Haken, Demol, Pentland, Swan and Scullion all provided evidence of their involvement in activities surrounding noble cause corruption. The study also concentrates on their admissions in relation to the types of noble cause corruption in which they participated and the rationalizations of that corruption they provided to the Inquiry.

Applying a grounded theoretic approach, the first reading of the material was undertaken without preconceptions to allow for unanticipated material emerging from the data(Noaks & Wincup, 2004). The coding process included developing sensitising concepts derived from the literature to direct the classification of material (Patton, 2002). Next *open coding* was conducted to identify new issues that did not appear in the existing literature (Noaks & Wincup, 2004), otherwise known as *testing emergent themes*(Marshall & Rossman, 2011).For example, justifications appeared which related to the reliability of investigations and technical resourcing; issues which did not appear in the literature. Similar justifications appeared in more than one of the testimonies and where given the same new code. Finally the material was collated into groups to formulate arguments and theories concerning the general is ability of findings.

FINDINGS

Analysis of the NSW officers evidence in the Wood Royal Commission suggests that there was a wide range of noble cause corruption and this corrupt activity took place at three stages: arrest, interview and when giving evidence in court. Each of the practices mentioned below were related by the witnesses to rationalizations provided in the next section.

Arrest: Phase 1

Some officers who could not obtain evidence for a charge would give drug dealers a "stern talking to" to show them that the police were "in charge of the street" (Pentland, p. 10401)[1]. They also participated in harassment, such as following a known drug dealer everywhere three steps behind, so they could not operate, with the intention of forcing them to leave the area:

> "*It was – yes only if they'd swallowed the caps on us or if we'd turned them over a couple of times during the shift and we just got sick of them and there was nothing on. It was just Howard's and my sense of humour. It was probably not a bad policing technique, I suppose, get them out of the area*" (Pentland, p. 10498).

Others would get around the lack of evidence by *loading up*, that is, placing drugs back on a dealer so that charges could be laid. Haken preferred to say that "*...evidence was manipulated to achieve certain ends... merely a return of certain property to the possession of the person who had previously had it*" (Haken, p. 11935).Police would also load up a person with drugs to increase the severity of a charge:

> "*The ambition was to make the matter more serious in the eyes of the court and to make it apparent on the street that he had overstepped the mark, to take him down a peg or two...*" (Haken, p. 12010).

Alternatively, police would change evidence to a lesser charge as a trade-off for information or to cultivate an informer (Scullion, p. 9959).

Interview: Phase 2

Police are required to issue a judges caution to an accused before commencing a record of interview. However, police knew that if they gave a judges caution, then the accused would refuse to answer any questions, and in the 1970s and early '80s, "*you were looked upon as a fool if you actually cautioned someone*" (Scullion, p. 9901).Consequently, police would retrospectively claim that a caution was given. This practice was prevented with the introduction of the requirement to electronically record interviews (Scullion 9960). However, even then, police would still have a preamble conversation with an accused to induce them to make a confession, even though this would render the confession inadmissible (Scullion, p. 9900). Verballing was also used but not as the sole evidence against an accused: "*… but with those verbal admission, there's also circumstantial evidence that accompanies that admission, which includes sometimes photographs at the banks, firearms, shoes*" (Swan, p. 9786).Some police also extorted money from known criminals who paid to ensure they would not be arrested and verballed (Haken, p. 14280).

Giving Evidence in Court: Phase 3

A fundamental rule of court proceedings is that witnesses not discuss their evidence with other persons in order to ensure that their testimony was not compromised. The witnesses stated under oath that most police shared information amongst the witnesses before a trial- both police and civilian. They did this in three ways. First, some said that they were simply tryingto cover gaps in their story, not invent new evidence – "*I don't think it was a matter of working out false evidence. You have to look through the brief and you check it out and say, 'Oh, we are missing something here*" (Demol, p. 9736).Alternatively, it was used to fix up sloppy cases (Demol, p. 9739). Interestingly one of Demol's complaints was that defence witnesses always did this (Demol, p. 9685). Others said that these *scrum-downs* were designed to refresh memory not invent new evidence – "*there wasn't anything sinister in that*" (Scullion, p. 9890).

---

[1] All references in this section refer to The Royal Commission into the New South Wales Police (1995) and provide the witness' name and the page reference.

International Journal of Management and Administrative Sciences (IJMAS)
(ISSN: 2225-7225)
Vol. 2, No. 4, 2014 (18-29)
www.ijmas.org

A. *... everybody discussed the case before it and you read through the statement to refresh your memories to give evidence. You were involved in that many matters, you know, you've got to refresh your memory somewhere. Most of the briefs are usually finished within three or four days of arrest...*

Q. *So there was no adding to statements and change statements?*

A. *No.*(Demol, p. 9743)

However, they were aware that this practice was illicit and were told to never admit they had done it (Scullion, p. 9891).

Second, police incorporated material from civilian's evidence into their own. This was because civilian witnesses were unreliable; they may not tell the same story as their original evidence or even show up to court.

A. *So if you had information from a civilian about what they'd heard or what they'd seen, you might try to incorporate that into your evidence.*

Q. *Either in the form of a verbal admission or by substituting yourself for the witness?*

A. *Basically, yes.*

Q. *That kept the briefs smaller and more manageable?*

A. *Yes...*

Q. *I imagine that, on these occasions, you might be somewhat fortified by doing this in the knowledge that, 'Well, at least the civilian said he saw or heard this, so it's not as though I'm making all this up; I'm just delivering the evidence that would otherwise be given by them'?*

A. *That's correct.* (Scullion, p. 9892)

Third, the primary investigating officer prepared statements for junior officers as a means of saving time (Haken, p. 14417).

The final type of noble cause corruption was designed to protect police from investigations by Internal Affairs (IA), the Independent Commission Against Corruption (ICAC) or the Wood Royal Commission. They would always tell other police when they are under investigation (Demol, p. 9685; Scullion, p. 9949). They would advise the officer that there was a "Whale in the Bay", in other words, there was an investigation into that officer's actions (Haken, p. 14323).

REASONS FOR CORRUPTION

As discussed above, the NSW Police Service had a distinct culture and saw themselves in an 'us versus them' situation(Chan, 1996; Sewell, 1999). This perception was enacted in a number of ways. Any agencies which investigated police were '*the enemy'*. As Demol states: "*Yes, it's like the enemy. Internal Affairs, Internal Security, The Royal Commission, ICAC – they're all the enemy*" (Demol, p. 9671).Police referred to a need to 'cover your arse' in the sense of covering themselves from inquiries into their behaviour by units such as Internal Affairs (IA) (Demol, p. 9579).Demol regarded it as a "*built-in thing*" in the police force (Demol, p. 9700). The need to '*cover your arse'* was taught at the academy but from the perspective of 'do nothing wrong.' Officers twisted this reasoning by extending it to providing protection from investigation – "*cover your tracks*" (Demol 9760).

In addition to this was the need to respect the code of silence. Haken said he would not break the code even when he saw some activities that he regarded as wrong (Haken, p. 14270).This said, there were always a small minority who did not participate in noble cause corruption and these actions had to be kept secret from them (Demol, p. 9739; Scullion, p. 9901; Haken, p. 11817). Allofficers involvedin the corrupt practices mentioned that if they did not support such efforts, they would have been ostracised (Demol, p. 9587; Swan, p. 9786; Scullion, p. 9889).

The witnesses stated that there was no faith in the judicial system, which was regarded as a "*joke*" (Demol, p. 9685). The rules of evidence were too toughand penalties were too weak (Demol 9711). Still police claimed that they only used noble cause corruption on minor matters and very rarely on a matter that would lead to imprisonment for terms of less than 12 months (Demol, p. 9741). It was usually used in drug supply matters as there were no independent witnesses (Demol, p. 9743).Demol said that when he worked at the NSW-DEA he did not need to falsify evidence as that section had the resources *"... like listening devices, telephone intercepts, undercover operatives, video surveillance..."* (Demol, p. 9743). Likewise, Scullion (p. 9902) said that these techniques were less necessary with the introduction of better forensic methods.

Police learnt the heuristics of noble cause corruption by copying the actions of their peers. They were not instructed on how to behave, but followed the example of more senior officers (Demol, p. 9633; Scullion, p. 9893;

International Journal of Management and Administrative Sciences (IJMAS)
(ISSN: 2225-7225)
Vol. 2, No. 4, 2014 (18-29)
www.ijmas.org

Haken, p. 14270). All these practices were passed down to an officer on joining the force and then passed on by him to the next generations as standard procedure (Scullion, p. 9961). For example, a '*scrum down*' was regarded as a normal part of preparing for a case to ensure justice was done (Scullion, p. 9893). Haken had no issue with perjury when it was necessary and he saw this as normal practice (Haken, p. 14288). Having good evidence was not always guaranteed to get a conviction (Swan, p. 9787). Police justified manipulation of evidence or verballing by saying it was only done to criminals who were guilty (Demol, p. 9684; Scullion, p. 9894) or to "lock up an active drug dealer who couldn't be locked up legitimately" (Haken, p. 11821). They also believed that no one trusted police testimony (Demol, p. 9684). "*It's a common sort of belief that you've got to do what you can to get a conviction, because you won't get it, because no-one believes you, a jury won't believe you, judges won't believe you*" (Demol, p. 9685). Ironically, they also believed that the majority of the public (the "good people") were behind them and that the courts accepted noble cause corruption. "*The actions of the police was certainly accepted by the courts and it was my belief that that was not accepted blindly on a lot of occasions*" (Haken, p. 14278).

Noble cause behaviour was not constant and all police saw themselves as working hard and producing otherwise honest work. (Demol, p. 9631; Haken, pp. 11871 & 11935 & 14262 & 14311). The witnesses stated thatthe majority of the evidence given was entirely proper and swearing false evidence was a rare occurrence (Demol, p. 9739; Haken, p. 11821). They took great pride in their work and obtained job satisfaction (Demol, p. 9633; Haken, p. 14275). There was no attempt to try and reconcile the two attitudes; they did not see themselves as working in a contradictory manner (Demol, p. 9711). "*I don't know that I reconciled – the situation was in existence and that's just the way it was*" (Haken, p. 14292).They stated their actions were necessary to do their job. "*I considered it to be quite acceptable behaviour in the normal course of being a detective and there appeared to me to be nothing out of the normal course of activity*" (Haken, p. 11815).Hakenwas concerned about getting caught by Internal Affairs but knew the chance was slim due to the '*code of silence*'.

Those involved also reversed the situation to paint themselves as victims. They claimed that criminals used the same techniques: "*Sir, with verbal evidence, people, or offenders, there are other times – what I'm trying to say is that they are making the excuse they were verballed, where there is something else to suggest that they, in fact, committed the crime*" (Swan 9788). Similarly, the integrity services used the techniques on police. Pentland (p. 10467) claimed that IA arrested him in front of a detectives' class on a training course; put him through five hours of intimidation before the commencement of an interview; threatened him and made false claims that they found drugs in his locker, and then verballed him. "*I haven't treated an offender or an alleged offender as I was treated [by IA]*" (Pentland, p. 10470).He was offended that this was done to him by police officers that he thought where "*like one of us*" (Pentland, p. 10471).Haken viewed IA as hypocrites; officers he knew had participated in corrupt activity transferred there, as it was seen as a career path with rapid promotion (Haken, p. 14322). Warning of a '*Whale in the Bay*' was not seen as corrupt and almost all officers would give the warning as part of the extension of the '*us vs. them'* attitude (Haken, p. 14234). The culture of the police force and connections across units allowed them to know about every pending or active inquiry. "*The basis of those organizations in so far as mateship or the culture was that they leaked like sieves and any information that was being sought by those organizations was readily available to people who were involved*" (Haken, p. 14326).

DISCUSSION

This study aimed to understand why noble cause corruption is so pervasive, how it occurs and the potential role of leadership as a mechanism for prevention.The outcome of this examination suggests that NSW officers suffered from a failure (or absence) of affirmative and positive ethical leadership and from a lack of inclusion. The witnesses believed that they were being ostracised from the same community they were protecting. This disconnect took three forms:

a) a lack of support to do their job properly due to inadequate laws of evidence;
b) being undermined by the courts who would often undo their good work; and
c) receiving worse treatment through noble cause corruption by the integrity services -hypocrisy.

The findings also suggest that officers were motivated to engage in noble cause corruption through a desire to produce convictions where they believed the system unfairly worked against them. This perception was supported by a culture of exclusion, which depicted police as a victimized group which was stigmatised and oppressed by the judicial system and the community. It is clear that noble cause corruption is directly related to a desire to perform their job correctly, that is, the arrest and conviction of criminals. While the officers who gave evidence also participated in monetary corruption, they all also noted that other officers who were not taking graft engaged in

evidence manipulation. This is supported by evidence from the Fitzgerald Inquiry in Queensland (Fitzgerald, 1989; Herbert & Gilling, 2004). Thus, the reward they sought was job satisfaction.

The key solution to combatting the incidence of noble cause corruption can be found in the transcripts of the police officers themselves. Theyindicated that there was no need for noble cause corruption if they were given the means to obtain conclusive evidence, through increased powers and, especially, suitable equipment. A reliance on technology should not infringe on civil liberties or lower standards of proof, but insteadit can directly address the types of noble cause corruption that arose in the evidence.For example, surveillance that can prove a person is dealing, increasestheir chances of being arrested at a time when they have drugs in their possession, thereby removing the need to '*load up'* evidence or harass dealers.

These technological changes could be further supported by better communication with the legal profession and the judiciary. Rewards for success may reduce the stigmatisation of police and the social distance between them and the community. But police have to accept that they may suffer from *confirmation bias*(Nickerson, 1998); they may convince themselves of someone's guilt and, supported by punishment justification and legal affirmation, pursue, charge and load up a person under an entirely incorrect presumption.

In order for police officers to be more inclined to behave in a manner that is consistent with the expectations of the police organization, long-term rewards or incentives for not abusing their power must outweigh the benefits gained from engaging in corrupt activities (Myerson, 2011). In this case the incentives to abuse power far outweighed the incentives to administer power in a manner consistent with the rules and regulations outlined by the police organization. It is particularly important that police organizations develop a judicious mix of punitive measures in relation to ruthless intentional corruption, as well as a police culture that is forgiving to those who make honest mistakes (Miller, 2003). Enforcement of the law cannot be achieved by individual police officers. Police officers need to be collectively responsible and accountable.As Punch (2009) outlines, good policing come from sound leadership (at all levels), standards of performance and conduct are clear and that there isa sound structure and a culture of accountability is supported and endorsed (Skogan, 1994, Williams, 2002).

The problem of noble cause corruption in policing illustrates the importance of ongoing ethical discussions, training programmes, and especially supervision. Leaders play an integral part forming the overall climate of the organization. Corruption cannot exist without the support of the leader; implicitly and explicitly. By tolerating, encouraging corruption or failing to administer punishment to individuals who practice corrupt activities can foster corruption.Demonstrated in the Wood Royal Commission, leaders do not actually have to engage in corruption to serve as role models (e.g. ignoring, rewarding corrupt behaviour). In order to reduce corruption within the police, leaders need to send a strong message to all officers within the organization, that corruption will not be tolerated. Police leaders also need to be proactive and engage with anti-corruption organizations (e.g. Crime and Corruption Commissions, the Courts, etc.)if they are to successfully fight corruption. This fight is not restricted to stakeholders directly involved with police corruption; the community can also play a key role by providing unique information about where the corruption is occurring.

CONCLUSION

This paper has contributed to the literature by providing key insights into the nature of noble cause corruption and the role of leadership in the Royal Commission into the New South Wales Police. The findings suggest that officers were motivated to indulge in noble cause corruption through a desire to produce convictions where they believed the system unfairly worked against their ability to do their job correctly. In order words, police were seeking job satisfaction through the ability to convict the guilty. The solution lies in the Wood Royal Commission itself; police are calling for better equipment and stronger investigative powers. These initiatives along with better communication between the police and judicial system can not only reduce the need for noble cause corruption, but also potentially lessen the negative perceptions of the system held by the police culture.

The findings also suggest that officers who engaged in corrupt activities suffered from a failure of leadership. Police leaders are role models and do not have to engage in corruption themselves to have an influence on other officers.

This paper argues that strong leadership is needed to inhibit their behaviours fromthriving in an occupation exposed to opportunities and temptation. Leadership can not only from the top, but from all levels of the police organization to continue to demonstrate high levels of integrity.

REFERENCES

[1]   Alchian, A., &Demsetz, H. (1972). Production, Information Costs, and Economic Organization. The American Economic Review, 62(5), 777-795.

[2]   Alpert, G. and Noble, J. (2009). Lies, True Lies and Conscious Deception: Police Officers and the Truth, in Police Quarterly, vo. 12, no. 2, pp. 237-254.

[3]   Armstrong, M. (2012). They Wished They Were Honest: The Knapp Commission and New York City Police Corruption. New York: Columbia University Press.

[4]   Ashford, B., &Anand, V. (2003). The normalization of corruption in organizations Research in Organizational Behavior (Vol. 25). Amsterdam: Elsevier.

[5]   Australian Government. (2002). Research Report on Trends in Police Corruption. Sydney: NSW Parliament.

[6]   Barker, T., & Carter, D. L. (1991). Police Deviance (Vol. 2). Cincinnati: Anderson Publishing.

[7]   Bauman, Z. (1989). Modernity and the Holocaust. Ithaca, N.Y: Cornell University Press.

[8]   Baumeister, R. (1997). Evil: Inside Human Violence and Cruelty. New York: Owl Books.

[9]   Beck, A. (1999). Prisoners of hate: The Cognitive Basis of Anger, Hostility and Violence. New York: Perrenial.

[10] Brief, A. P., Buttram, R. T., &Dukerich, J. M. (2001). Collective corruption in the corporate world: Towards a process model Groups at Work: Theory and Research (pp. 471-499). Mahwah, NJ: Erlbaum.

[11] Brown, N., & Abrams, D. (2003). Despicability in the Workplace: Effects of Behavioral Deviance and Unlikeability on the Evaluation of In-Group and Out-Group Members. Journal of Applied Social Psychology, 33(11), 14-31.

[12] Buono, A. F., Bowditch, J. L., & Lewis, J. W. (1985). When Cultures Collide: The Anatomy of a Merger. Human Relations, 38(5), 477-500.

[13] Caldero, M. A., & Crank, J. P. (2011). Police ethics: the corruption of noble cause. New Providence, NJ: LexisNexis.

[14] Caless, D. B. (2008). Corruption in the Police: The Reality of the 'Dark Side'. The Police Journal, 81(1), 3-24.

[15] Chan, J. (1996). Changing Police Culture. British Journal of Criminology, 36(1), 109-134.

[16] Chan, J. (1999). Police Culture. In D. Dixon (Ed.). A Culture of Corruption: Changing an Australian Police Service (pp. 98-137). Sydney: Hawkins Press.

[17] Chan, J., Devery, C., & Doran, S. (2003). Fair Cop: Learning the Art of Policing. Toronto: University of Toronto Press.

[18] Coady, M., & Bloch, S. (1996). Codes of ethics and the professions. Carlton South, Vic: Melbourne University Press.

[19] Cockcroft, T. (2013). Police Culture: Themes and Concepts, Routledge Milton Park, Abingdon, Oxom, pp. 110-132.

[20] Crank, J., &Caldero, M. A. (2000). Police ethics: noble cause corruption. Cincinnati, OH: Anderson Publishing Company.

[21] Crank, J., Flaherty, D., &Giacomazzi, A. (2007). The noble cause: An empirical assessment. Journal of Criminal Justice, 35(1), 103-116.

[22] DeLattre, E. J. (2006). Character and cops: ethics in policing. Cincinnati, OH: Anderson Publishing Co.

[23] Fitzgerald, G. E. (1989). Report of a commission of inquiry pursuant to orders in council Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct. Brisbane.

[24] Goldsmith, A. (2005). Police reform and the problem of trust. Theoretical Criminology, 9(4), 443-470.

[25] Granitz, N. A., & Ward, J. C. (2001). Actual and Perceived Sharing of Ethical Reasoning and Moral Intent among In-Group and Out-Group Members. Journal of Business Ethics, 33(4), 299-322.

[26] Grossman, D. (1995). On killing: the psychological cost of learning to kill in war and society. Boston: Little, Brown.

[27] Harrison, B. (1999). Noble Cause Corruption and the Police Ethic. FBI Law Enforcement Bulletin, 68(8), 1-10.

[28] Heidenheimer, A., & Johnston, A. (2002). Political Corruption. New York: Transaction Books.

[29] Herbert, J., & Gilling, T. (2004). The bagman: final confessions of Jack Herbert. Sydney: ABC Books for the Australian Broadcasting Corporation.

[30] Holmes, L. (2010). Ethics and leadership: Putting theory into practice, Columbus, Batelle Press.

[31]   Ivkovic, S. K. (2003). To serve and collect: Measuring police corruption. Journal of Criminal Law and Criminology, 93(2&3), 593-649.

[32]   Kääriäinen, J. T. (2007). Trust in the police in 16 European countries a multilevel analysis. European Journal of Criminology, 4(4), 409-435.

[33]   Kappeler, V. E., Slunder, R., & Alpert, G. P. (1994). Forces of deviance. Prospect Heights: Waveland Press.

[34]   Keane, J. & Bell, P. (2013). Ethics and Police Management: The impact of leadership style on misconduct by senior police leaders in the United Kingdom and Australia, in International Journal of Business & Commerce, vol. 2, no. 3. Pp. 01-15.

[35]   Kleinig, J. (2002). Rethinking Noble Cause Corruption. International Journal of Police Science & Management, 4(4), 287-314.

[36]   Knapp, W. (1972). Commission Report. Commission to Investigate Allegations of Police Corruption and the City's Anti-Corruption Procedures.

[37]   Kramer, R. M., & Tyler, T. R. (1996). Trust in organizations: frontiers of theory and research. Thousand Oaks, Calif: SAGE.

[38]   Lauchs, M., Keast, R., &Yousefpour, N. (2011). Corrupt police networks: uncovering hidden relationship patterns, functions and roles. Policing and Society, 21(1), 110-127.

[39]   Lauchs, M., & Staines, Z. (2012). Career path of a corruption entrepreneur. Global Crime, 13(2), 109-129.

[40]   Lucas, G. (1977). Report of Committee of Inquiry into the Enforcement of Criminal Law in Queensland. Brisbane, QLD.

[41]   Manning, P. K. (1978). The police: mandate, strategies, and appearances. In P. K. Manning & J. v. Maanen (Eds.), Policing: a view from the street (pp. 7-31). Santa Monica, CA: Goodyear Publishing Company.

[42]   Marshall, C., &Rossman, G. B. (2011). Designing qualitative research. London: SAGE.

[43]   Martinelli, T. (2006). Unconstitutional Policing: The Ethical Challenges in Dealing with Noble Cause Corruption. The Police Chief, 73(10).

[44]   Mastrofski, S. D. (2004). Controlling Street-Level Police Discretion. Annals of the American Academy of Political and Social Science, 593(1), 100-118.

[45]   Mattes, R. (2006). Good news and bad: public perceptions of crime, corruption and government. SA Crime Quarterly, 18, 9-16.

[46]   Miller, J. (2003). Police Corruption in England and Wales. London: Home Office.

[47]   Muir, W. K. (1977). Police: streetcorner politicians. Chicago: The University of Chicago Press.

[48]   Myerson, R. B. (2011). Toward a theory of leadership and state building. Proceedings of the National Academy of Sciences of the United States of America, 108(Supplement 4), 21297-21301.

[49] Nickerson, R. S. (1998). Confirmation Bias: A Ubiquitous Phenomenon in Many Guises. Review of General Psychology, 2(2), 175-220.

[50] Noaks, L., &Wincup, E. (2004). Criminological research: understanding qualitative methods. London: SAGE.

[51] Patton, M. Q. (2002). Qualitative research & evaluation methods. Thousand Oaks, Calif: Sage Publications.

[52] Pollock, J. M. (2007). Ethical dilemmas and decisions in criminal justice. Belmont, CA: Thomson Wadsworth.

[53] Porter, L. E., &Warrender, C. (2009). A multivariate model of police deviance: examining the nature of corruption, crime and misconduct. Policing and Society, 19(1), 79-99.

[54] Punch, M. (2000). Police Corruption and its Prevention. European Journal on Criminal Policy and Research, 8(3), 301-324.

[55] Punch, M. (2009). Police Corruption: Deviance, Accountability and Reform in Policing. London: Willan Publishing.

[56] Reiner, R. (2010). The Politics of the Police (4th ed.). Oxford: Oxford University Press.

[57] Semukhina, O., & Reynolds, M. (2014). Russian citizens' perceptions of corruption and trust of the police. Policing and Society, 24(2), 158-188.

[58] Sewell, J. D. (1999). Controversial Issues in Policing. Boston: Allyn and Bacon.

[59] Skogan, W. (1994). Contacts between police and public: Findings from the 1992 British Crime Survey. HM stationary Office.

[60] Skolnick, J. H. (1994). Justice without Trial" Law Enforcement in Democratic Society (3rd ed.). London: Wiley.

[61] Tankebe, J. (2010). Public Confidence in the Police Testing the Effects of Public Experience of Police Corruption in Ghana. British Journal of Criminology, 50(2), 296-319.

[62] The Royal Commission into the New South Wales Police. (1995). Transcript of Proceedings, New South Wales Government

[63] Waddington, P.A.J. (1999a). Police (canteen) sub-culture: an appreciation, British Journal of Criminology, vol. 39, no. 2, pp. 287-309.

[64] Waddington, P. A. J. (2008). Police Culture. In T. Newburn & P. Neyroud (Eds.), Dictionary of Policing. Cullompton, Devon: Willian.

[65] Weber, J., Kurke, L., &Pentico, D. (2003). Why do employees steal? Business and Society, 42(3), 359.

[66] Westmarland, L. (2001). Gender & Policing: Sex, Power & Police Culture, Cullompton, Devon: Willan Publishing.

[67] Westmarland, L. (2008). Police Cultures, in T. Newburn (ed.), handbook of Policing, 2nd ed, Cullompton, Devon: Willan Publishing

[68] Williams, H. (2002). Core factors of police corruption across the world. United Nations Centre for International Crime Prevention, 2 (1), p. 85.

[69] Wood, J. R. T. (1997). Royal Commission into the New South Wales Police Service - Final Report. Sydney.

[70] Zucker, L. G. (1977). The role of institutionalization in cultural persistence. American Sociological Review, 42, 726-743.