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**SI3217**

## Maintaining a Professional Boundary Between Police and Members of the Public

This Service Instruction provides guidance and instruction to all members of the Police Service of Northern Ireland as to appropriate boundaries regarding social contact with those they have met in the course of their duties and the accountability mechanisms for the proper conduct of professional relationships.



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## 1. Introduction

This document relates to professional relationships with members of the public and should be read in conjunction with the Code of Ethics. It is not intended to cover every situation but sets out the broad principles to support decision making and professionalism.

Abuse of authority for sexual gain is defined as: ‘any behaviour by a police officer, police staff member or contracted staff, whether on or off duty, that takes advantage of their position as a member of the Police Service to misuse their position, authority or powers in order to pursue a sexual or emotional relationship with any member of the public.’

This Service Instruction reflects national guidance developed by the National Police Chiefs’ Council (NPCC) and the College of Policing.

It applies to police officers and police staff, including contracted staff. It does not apply to relationships with colleagues either within the Police Service of Northern Ireland (PSNI) or in agencies or bodies working with the police.

PSNI personnel must act ethically, professionally and appropriately and treat all individuals with whom they have contact with fairness, courtesy and respect in line with the Policing with the Community Behaviours.

Failure to follow this direction may contravene the Code of Ethics and Police Staff Code of Conduct and may constitute a criminal offence. There is no place in policing for those who abuse their position for sexual purposes.

## 2. A Position of Trust

The professional relationship between a member of the PSNI and the public depends upon trust and confidence. Police personnel who display sexualised behaviour towards a member of the public who they have come into contact with through work, undermine the profession, breach trust, exploit a power imbalance, act unprofessionally, and potentially commit a criminal act. Such behaviours also have the potential to reflect negatively on police colleagues and have an impact on the professional relationships they have with the communities they serve.

The graphic at [Appendix A](#) summarises the information contained in the following paragraphs.

### 3. Interactions with members of the public involved in a current incident or investigation

You must not engage in, or pursue, a sexual or emotional relationship on or off duty with any member of the public you have come into contact with during the course of your current work or duties.

While you may find yourself attracted to a member of the public, or find yourself in a situation where someone is attracted to you, it is your responsibility not to act on these feelings. This is to prevent any harm that such actions may cause and to maintain the integrity of the policing profession.

Inform a line manager as soon as is practicable if a member of the public attempts to pursue a sexual or improper emotional relationship with you, so that control measures can be put in place to maintain the integrity of the policing profession and the particular current operation.

Treat the member of the public politely and considerately and try to re-establish a professional boundary, in addition to informing your line manager. If their behaviour continues, discuss with your manager the most appropriate way for you to respectfully disengage from that individual while a policing response is still provided.

Do not use your professional relationship with a member of the public to pursue a relationship with someone close to them. For example, you must not use visits to engage in or pursue a relationship with a member of the public's family.

### 4. Relationships with members of the public where there was previous professional contact

Depending on the circumstances, developing a sexual or emotional relationship with a member of the public with whom you had former professional contact may also amount to an abuse of your position. Whenever an officer or staff member is in any doubt about the propriety of the proposed relationship, they should consult a supervisor for direction. Factors that may be relevant when assessing whether the relationship would represent

an abuse of position may include (not an exhaustive list):

- Vulnerability of member of the public currently, and when professional contact took place (see next paragraph);
- Period since cessation of professional contact;
- Degree of previous professional involvement;
- Length of previous professional involvement.

## 5. Power Imbalance

It is your responsibility to be aware of the imbalance of power between you as a member of the PSNI and members of the public you come into contact with through your work, and to maintain professional boundaries. While a sexual or emotional relationship with any member of the public met through work is likely to be a breach of this Service Instruction, the breach will be aggravated where the member of the public is particularly vulnerable.

Examples of vulnerability may include (not an exhaustive list):

- Missing or suicidal people;
- Recently bereaved;
- Victims of sexual or violent assault, including victims of domestic abuse;
- People with alcohol or drugs dependencies;
- People with mental health issues;
- Young people or those who have been trafficked;
- Witnesses.

Engaging in, or pursuing, a relationship with a person with whom you had a professional relationship is even more serious if you held a specialist role relevant to the individual's vulnerability and you abuse your position (non-exhaustive examples include: Family Liaison, Domestic Violence Officer, officers providing Community & Safety Education (CASE) within schools, Neighbourhood Policing Team and first responder to an incident).

## 6. Data Protection

PSNI personnel must **not** use police systems to access contact details or to assess someone's background and check if a relationship would put an officer or member of staff in breach of this instruction. Such actions are not for a lawful policing purpose and would also constitute an offence under the Data Protection Act.

## 7. Communication

Use of (or providing) **personal** social media, email, telephone or other contact details to a member of the public you meet during the course of current work or duties is forbidden. This does not prevent staff providing **work** contact details for work related purposes (e.g. Blackberry, e-mail, telephone).

[Section 4](#) of this Service Instruction provides direction in relation to relationships with members of the public where there was previous professional contact, and any decision to share personal details should be made in line with the principles contained in sections 4 and 5, particularly with regard to vulnerability.

You should consider the potential risks involved in using personal social media and the impact that inappropriate use could have on the person's trust in you and in the policing profession. This also presents potential security risks to you and colleagues. You must follow Service Instruction on the wider use of social media and not use work based accounts, unless for policing purposes.

## 8. Help and advice

If you are not sure whether you are (or may be at risk of) abusing your professional position, you must seek advice from a line manager.

## 9. Responsibilities

If you are concerned that a colleague may be involved in inappropriate contact there is a positive duty on you to report this matter. Reporting can be to your line manager or member of your management team, Discipline Champion, Discipline Branch or other route as described in PSNI Whistleblowing Procedures – SI 31/17 refers.

Supervisors and managers have a duty to ensure this guidance is followed and that appropriate action is taken where they are made aware of any breach. Guidance to Supervisors is attached at [Appendix B](#). The abuse of position for sexual or other personal gain is considered to be serious corruption and will not be tolerated.

## Appendix A – Overriding Principles

### **Overriding Principles**

relating to sexual or emotional relationships with members of the public with whom there has been contact in a professional capacity



**Current Professional Contact**

**NEVER ACCEPTABLE**

**Previous Professional Contact**

**EXTREME CAUTION!**

**Consider Sections 4 & 5 of the Service Instruction**

**If in ANY doubt, seek advice**

## Appendix B – Guidance to Supervisors – Recognising and dealing with signs of abuse of authority for sexual or emotional gain

This Appendix is designed to equip supervisors to be able to recognise signs of potential abuse of authority, and to provide guidance to supervisors on how they should respond and deal with concerns that a member of the PSNI is, has, or may be abusing their authority for sexual or emotional gain with a member of the public.

### **The abuse of position for sexual or emotional gain is defined as:**

‘any behaviour by a police officer, police staff member or contracted staff, whether on or off duty, that takes advantage of their position as a member of the Police Service to misuse their position, authority or powers in order to pursue a sexual or emotional relationship with any member of the public.’

This includes, but is not limited to: committing a sexual act, initiating sexual contact with, or responding to any perceived sexually motivated behaviour from another person; entering into any communication that could be perceived as sexually motivated or lewd; or for any other sexual purpose.

As a supervisor you have a responsibility to ensure that your staff are working in line with the Code of Ethics, the Police Staff Code of Conduct, and PSNI organisational values. When officers or staff abuse their position this undermines public confidence in the PSNI as a whole. As a supervisor you are in a position to identify when officers or staff may be abusing their position or when there are early signs which could enable certain behaviour to be addressed before it becomes more serious.

This guidance note is provided to you to assist in recognising the circumstances in which such abuse often occurs and the possible warning signs that you should look out for. This does not mean that all officers and staff are not to be trusted, but sadly corruption of this kind occurs in all Police Services and we have a responsibility to prevent it and to protect the public.

Officers and staff who have behaved in this way have commonly been in posts with remote or 'relaxed' supervision. As supervisors and managers, your staff members are accountable to you, and should feel that they are. This does not mean being unfriendly or overly critical, but you should feel able to hold your team members to account and you should know what they are doing with their time.

**Possible warning signs:**

- The perception of an officer as a 'saviour' or 'hero figure'. This might manifest itself as gushing praise
- Victim has a 'favourite officer' or frequently requests a certain officer
- Unexpected visits / welfare checks by the officer
- Domestic abuse investigation is steered towards low level / quick resolution
- Physical contact
- Flirtatious behaviour
- Nicknames / pet names
- Unnecessary communication i.e. through social media / phone / email
- Kisses on end of messages ('x') or other sexualised comments
- Contact or visits off duty
- Presents / gifts / letters
- Continued contact after an incident or case is concluded
- Victim will often not see that there is anything wrong with the relationship and how it started.

People who are particularly vulnerable to such abuse include those suffering mental ill health, those with learning difficulties, juveniles, those who are drug or alcohol dependent, victims of abuse and victims of an alarming or traumatic experience.

**What to do if you receive information / an allegation**

- Let the person tell you about it. Do not stop the conversation in order to refer the concerns elsewhere. This may be the only time the victim or informant is willing to provide any details on the matter. Make a contemporaneous note of the person's account if you can. If possible, ask the person to counter-sign it and, in any event, sign and date it yourself. Get it counter-signed by a supervisory colleague if possible. This is to ensure the evidential integrity of the first account.
- Try and identify who the officer / staff member is through name, contact / profile details and description.
- Ask what, how and when questions about the reported events.
- Remember, the person may not be aware that the conduct is inappropriate and also, may think they are responsible or guilty.
- Report the facts as per the process below.

**Reporting Process**

If you have any concern that a victim or witness may have been targeted by an officer for sexual gain or that they may have engaged sexually with an officer or staff member, please report your concerns as soon as practicable to your line manager or member of your management team, Discipline Champion, Discipline Branch or other route as described in PSNI Whistleblowing Procedures – Service Instruction 31/17 refers.

Where potential breaches of this Service Instruction come to light, they are likely to require referral to the Police Ombudsman's Office for investigation. 'Public Complaints and the Role of the Police Ombudsman' – Service Instruction 05/17 refers.

## Appendix C – Contact Us

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