

The trouble with squads:
Accounting for corruption in Australia's specialist
policing units

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Abstract

The specialist squad is a common aspect of modern intelligence-led policing. Officers seconded to such units learn from the institutional knowledge and experience in a certain area of enforcement, allowing them to develop an expertise that enables proactive policing. While the utility of specialist squads is clear, the vulnerability of officers attached to them to become involved in corruption is also high. Corruption research argues that officers in squads are at risk of engaging in misconduct for a variety of reasons, such as the low visibility of their work and the necessity of building relationships with criminal actors. The history of police corruption in Australia supports this theory, with a range of examples of corruption in specialist squads to be found across the country. From an historical criminology perspective, this article explores the corruption in Australia's specialist squads to discuss why risk factors were not addressed despite being consistently identified in the past. It also looks at attempts by police administrators and governments to deal with corruption in specialist squads, evaluating the efficiency of these strategies with a view to informing future anticorruption measures.

Key words: police; squads; corruption; organisational culture; Australia.

Introduction

In most cases, there is a causal connection between corruption and the area of enforcement in which a police officer works. Where there is greater opportunity for an officer to be compromised, and greater benefit to be gained by participating in corrupt action, there is often a consequential rise in professional misconduct (Roebuck & Barker, 1974). Officers who are responsible for policing vice crime, for example, are routinely exposed to criminal actors who accrue capital by dealing in illicit products and services. It is in both their personal and professional interests to evade legal sanction, providing an incentive to cultivate strong

working relationships with the police tasked with bringing them to justice (Ivkovic, 2005). The professionalisation of policing has resulted in jurisdictional demarcation becoming ingrained in the organisational structure of most large police forces, where specialist squads are responsible for certain areas of enforcement from drug crime to traffic offences (Westmarland, 2008). Officers who serve in the specialist squads that deal with vice crime are particularly vulnerable to corruption, with a substantial profit to be made from what is often perceived as “victimless crime”. For police administrators, the heightened potential for squad members to engage in corruption presents a catch-22 situation where, on one hand, there is a need for specialist experience and knowledge in certain areas while, conversely, prolonged periods of service in a single enforcement area has been identified as a key risk factor for corruption (Lucas, 1977; Fitzgerald, 1989; Office of Police Integrity [OPI], 2007b). Contemporary police forces continue to grapple with this problem scenario, with the majority seeking to retain the specialist squad system and dealing with issues of corruption in a reactive way, rather than proactively taking steps to prevent a culture of professional misconduct taking root in the first place.

The purpose of this article is to challenge the conventional wisdom that specialist police squads are necessary and, thus, the potential for corruption that is inherent in these units is a risk that is worth the benefits that are derived from this system. The issue of what to do about the potential for corruption in specialist squads has been particularly noteworthy in Australia, where numerous inquiries into police misconduct have been held around the country since the mid-twentieth century. Despite being focused on different police forces, under different management and in different eras, virtually all of these judicial inquiries had one factor in common — the prevalence of corruption in specialist squads (Lucas, 1977; Fitzgerald, 1989; Wood, 1997; OPI. 2007b). The Lucas Inquiry held in Queensland in the late 1970s, for

example, identified the state's Licensing Branch as the nexus for vice-related corruption, and recommended a raft of procedural changes designed to mitigate the opportunity for officers assigned to this branch to be corrupted (Lucas, 1977; Condon, 2014). Reluctance to address the structural issues in the specialist squad system proved strong in this instance: while these formal recommendations were made in 1977, a further inquiry into police misconduct in the mid-1980s found that none had been implemented in the intervening decade (Dickie, 1988). An historical lack of administrative will to change the structural conditions in specialist squads has been a major stumbling block in anticorruption reform in Australia, but so too has been the more recent rush to destroy corrupt squads entirely — a strategy used on several occasions in the early 2000s by Victoria Police. The intention of this surgical approach is to cut out the “rotten apples” in a police force, but it has proven ineffective in cases like that of the Victorian Drug Squad, where the entities that replaced a disbanded unit proved equally susceptible to corruption (OPI, 2007a; OPI, 2007b). The structural conditions of specialist squads must be examined in order to make recommendations on the most effective way to address the issue of corruption in this area of policing. By analysing the tactics that policing organisations have already used as part of their overarching anticorruption strategy, this study provides an assessment of the opportunities and challenges associated with each of these approaches based on the historical experiences of several Australia police forces that have had experience with squad-based corruption in the 20th Century.

Methodology

Historical criminology is an area of research that is often, somewhat erroneously, categorised as a subset of traditional criminology. Indeed, some criminologists like Mathieu Deflem (2015) consider the delineation between criminology and historical criminology to be entirely

arbitrary, arguing that the historical method is an interpretive approach that is regularly used in criminological research as a tool, and as such it is not a distinct area of research in itself. Bleakley and Kehoe (2020) conceive historical criminology as a spectrum, rather than a discretely defined area of study. At one extreme of this continuum is traditional, sociological criminology, while purist historical research exists at the other end. Bleakley and Kehoe argue that historical criminology research can take place at any place along this spectrum, to varying degrees — some examples of historical criminology are more tied to contemporary issues, while others are more firmly grounded in the past. What is important is that the lessons offered by history are, in some way, applied to contemporary criminological questions, with researchers drawing a through-line from past to present. It is this interpretation of historical criminology that is adopted in this research, with a focus on applying our knowledge of the past in a way that can inform future policing policy.

The cases covered in this study come from the state police force of Australia's four most populous states: Queensland, New South Wales, Victoria and, to a much lesser extent, Western Australia. Each of these states has its own individual organisational policing culture and, as such, cannot and should not be seen as mere extensions of a monolithic "Australian police". Nonetheless, each of these police forces come from a common Peelian tradition and, despite being governed by the laws of the respective states, operate under the same basic standards and principles that guide most Australian policing organisations. The structural and cultural distinctions in each of the forces discussed are a necessary component of the research, however: by choosing to focus on multiple Australian police agencies rather than just one, it is possible to identify risk factors that transcend the unique conditions of a single police force and, thereby, work towards conclusions that are more generalisable within (at least) Australian policing, if not other comparable law enforcement environments.

Archival research is a key practice in historical studies and forms the basis for much of the discussion of specialist squads in this article. As an extension of the state, police agencies are subject to many of the same kind of bureaucratic regulations as other parts of the civil service. This is a boon for archival researchers, as it means that a substantial amount of official documentation is produced and retained, ranging from routine operational files to contentious correspondence (Zinn, 1977; Hill, 2001). This research has relied heavily on bureaucratic materials to reach its conclusions. In several cases, this has meant engagement with the reports of judicial or political inquiries into police corruption, which tend to generate a vast array of evidence on these subjects. For example, in the case of the Fitzgerald Inquiry (1987-89), a significant amount of material used by the commission was accessed through the Queensland State Archives such as transcripts of evidence, tendered statutory declarations and evidence used as exhibits. While these individual archival documents were not extensively used in this article, it was nevertheless possible to use this material to confirm or qualify Fitzgerald's findings as presented in his final report and, in some cases, put his comments on squad culture in Queensland in a different light than one might have originally interpreted it. In other more recent cases, such as the investigations carried out by Victoria's OPI, primary documentation was not made public and, thus, the contentions made in this article are reliant on the official reports released by the police watchdog in the name of public information via the Victorian government website. These reports are themselves based on the same sort of evidence made available by the Fitzgerald Inquiry, but are inevitably presented from the OPI's perspective and therefore are subject to some degree of bias.

There are, however, challenges in using primary, archival source material exclusively. Given that anticorruption investigations deal with relatively sensitive matters, certain files in the archives are subject to access restrictions — in the case of the Fitzgerald Inquiry, some are unable to be accessed for as long as one hundred years (Thomas, 2013). This presents a major problem for researchers, leaving gaps in the historical knowledge that sometimes cannot be filled. Additionally, the provenance of historical material must be taken into account. As John Scott notes, archival documents “must be studied as socially situated products” that are affected by a range of variables from author bias to the sociocultural conditions of the period in which they were created (1990, p. 34). Eric Monkkonen (2002) similarly describes historical documents as “opaque” — data that, in contrast to the “transparent” empirical information used by traditional criminologists, is often influenced by contextual factors that require qualitative analysis and interpretation to decipher. Undertaking this form of documentary analysis requires a broader approach than simply relying on archival material. Instead, it is important to contextualise this documentation with a variety of sources that can provide insight such as contemporaneous media reports, memoirs and secondary literature on the subject.

Literature review

The power and authority vested in law enforcement is significant and, because of this, there is a rich diversity of research on corruption in policing. Much of the foundational literature on the subject is preoccupied with developing typologies of corruption, comparing the different ways that misconduct can manifest and distinguishing between these specific actions. Julian B. Roebuck and Thomas Barker’s typology (1974), for example, was one of the first to categorise police corruption, informed by a content analysis of existing research and the author’s professional experience. Roebuck and Barker identified eight distinct “types” of police

corruption, extending from opportunistic theft to proactive participation in criminal enterprises. Based on their research, Roebuck and Barker determined that the then-prevalent “rotten apple” theory – that corruption was caused by individual, rogue actors – was an inadequate means of accounting for endemic, institutionalised deviance. While the rotten apple metaphor itself has been routinely dismissed in recent years, it remains a key concept in corruption studies. Contemporary researchers such as Carl Klockars (1980), Sanja Kutnjak Ivkovic (2005), Gary R. Rothwell and Norman Baldwin (2007) advocate instead for a “rotten barrel” concept, where the subcultural conditions of policing are a driver for misconduct. From this perspective, policing is an inherently anomic profession with a distinct set of norms and values that are often unaligned with those of the wider community (Bleakley, 2019). Because of these anomic conditions, police officers are subject to intense intra-organisational loyalty that gives rise to errant practices like a code of silence (Rothwell & Baldwin, 2007) or a utilitarian “ends justify the means” mentality (Klockars, 1980; Ivkovic, 2005).

Despite a growing consensus that police corruption should be seen as a case of rotten barrels, not rotten apples, the literature suggests that Australian police forces were slow to adapt to this shifting perspective. Keith Bryett and Arch Harrison (1993) criticise the tacit acceptance of the rotten apple theory in Australian policing as a “defensive, face-saving exercise” that was designed to limit the fallout when a police corruption scandal became public (p. 74). In their view, to favour the rotten apple theory was a way of justifying the business-as-usual approach of police administrators — if corruption was limited to a handful of “bad” police officers, it would be possible to address the issue by “removing ‘bent’ officers without a need to evaluate organisational procedures” (Bryett & Harrison, 1993, p. 74). Maurice Punch (2003, p. 172) supports this contention, offering the view that it is beneficial of police administrations to promote the rotten apple concept as it is an “individualistic, human failure model of deviance”

that absolves the institution (and, by extension, its leadership) of responsibility for misconduct. In their conceptual article on police deviance, which focuses on Australia as a case study, Geoff Dean, Peter Bell and Mark Lauchs (2010) refer to Frank L. Perry's (2001) work on the subject, where he notes that "the task of corruption control is to examine the barrel, not just the apples, the organisation, not just the individual in it, because corrupt police are made, not born" (p. 23). It is important to develop an appreciation for the conflicting positions on whether corruption is the result of rotten apples or rotten barrels, as this philosophical understanding informs the diverse responses to police misconduct. It is particularly relevant when it comes to the problem of specialist squads, where many of the deviant subcultural conditions seen as precursors for a "rotten barrel" are at their most visible.

Civilian policing is (historically) a fairly new concept and, therefore, so too is the premise of using specialist squads to target specific types of criminal activity. Keith Bryett (1999) notes that, though the policing profession has traditionally "changed little in structure or purpose over the first half of this [twentieth] century ... change now appears to be manifesting itself in new organisational structures and forms" (p. 30). One of these structural developments has been the advent of the squad system, in which specialist units are staffed with officers with an expertise in a priority enforcement area like drugs, gambling or sex crimes (Dean *et al.*, 2010). These specialist teams have a relatively roving brief within a police force's jurisdiction, with a mandate to assist in the investigation of any crime where their policing expertise may be required. More than this, Mike Maguire (2008) argues that specialist squads are designed to be proactive, using the expertise developed by focusing on a single area to monitor criminal activity and, ultimately, prevent serious crime from occurring at all. This proactive approach often involves specialist squads mounting prolonged operations involving surveillance and informants, building intelligence files that can be used to "link up information about reported

offences with information about known offenders” (Maguire, 2008, p. 441). Writing at a time when the specialist squad system was still a recent innovation, David Matza (1969) described this practice as “policing by suspicion” — a bureaucratic method that he considered to be central to the policing of major crimes in the twentieth century.

Despite the apparent utility of specialist squads, serious questions have been raised about the propensity for corruption in this form of policing. Dean, Bell and Lauchs (2010) that “squads are notorious for having the potential to engage in corrupt practices” due to a “constant association with criminal gangs and organised crime networks responsible for much of the rackets to do with the illicit drug trade and illegal prostitution markets” (p. 214). Tim Newburn (1999) notes that, even though corruption can be observed throughout all levels of a police force, current research suggests that “often ... corruption has been located with specialist parts of the police service, in particular those units dealing with the regulation of so-called ‘victimless’ crimes” like prostitution, drugs and gambling (p. 45). Andrew Goldsmith concurs, noting that “trust [in the police] will also be elusive in situations in which the police are directed or choose to enforce laws that lack broad public support” (2005, p. 452). A lack of extrinsic pressure to enforce the law in these areas has a direct impact on a police officer’s intrinsic motivation to engage in proactive policing and, taken to its logical conclusion, results in non-enforcement and dereliction of duty. Goldsmith refers to Pierre Bourdieu’s (1977) theories on the significance of *field* and *habitus* to form an understanding of culture, just as Janet Chan did in a 1996 article focused on changing police culture. Chan suggests that the concept of “police culture” is far more complex than is often made out, and changes even within organisations depending on field, or the “social space of conflict and competition ... anchored in legal powers and discretion police are authorised to exercise”, and habitus, the “cultural knowledge ... which

integrates[s] past experience and enable[s] individuals to cope with a diversity of unforeseen circumstances” (1996, p. 115).

The prevalence of corruption in specialist squads has been explained by Arnold J. Heidenheimer and Michael Johnston (2002) as a case of some areas of enforcement in being “wet” — ideal for corruption because officers operate clandestinely, and there is greater incentive for offenders to attempt to corrupt law enforcement through bribery or other methods. For this reason, an officer working in a “wet” squad dealing with drugs or other vice crime is more vulnerable to being corrupted than an officer working in a “dry” squad, like traffic or fare evasion. In his final report on police corruption in Queensland, Tony Fitzgerald (1989) notes the risks for corruption posed by specialist squads where officers are expected to develop personal relationships with the offenders that they are targeting. He was particularly critical of the state’s Consorting Squad, a unit dedicated to monitoring career criminals and, often, using them as informants. The practice of cultivating criminal informants has been identified as a major risk area for other specialist squads also, particularly in Victoria where relationships between police and criminal informants ultimately resulted in the foundation of a royal commission into Victoria Police’s informant management system in 2019 (Miller, 2010; McMurdo, 2019). Research on the most effective way to combat corruption in specialist squads is a constantly developing field. As police increasingly move away from the “rotten apples” concept of corruption towards a theory of group deviance, new strategies are constantly being developed to deal with misconduct and balance the need for specialist squads with the risks of corruption.

Discussion

Fertile ground for corruption — the environment of the specialist squad

Discussion of corruption in policing is almost impossible without an acknowledgement of the strong sense of intra-organisational loyalty that forms between officers. Referred to in the field as “the blue brotherhood”, these bonds transcend the normal connection between work colleagues — Jerome H. Skolnick found the connection between police officers to be similar to those usually observed in familial units, and because of this officers often felt “obliged to back up each other, protect each other, and follow each other into situations of grave danger” (2008, p. 38). Wanting to be well-regarded by professional colleagues is not a social condition exclusive to policing, however it is an important factor in the formation of deviant police culture: as David Bayley points out, “if ‘police culture’ views strict adherence to the rule-of-law as an impediment to being a good cop, individual officers will behave accordingly” (Bayley, 2002, p. 137). The influence of police culture is not limited to an officer’s immediate workmates. There is a subcultural expectation that an officer’s allegiance is to the uniform and the brotherhood first, even if no personal connection exists. This deep commitment to the brotherhood has substantial implications for the spread of corruption in a police force. Shannon Merrington (2017) contends that the influence of the brotherhood is strong to the point that it pushes officers to commit perjury, falsify evidence or simply turn a blind eye to corruption. Merrington claims that “this type of behaviour is not isolated to individuals who are active participants in corrupt activities, but is also displayed by officers outside the corruption network who choose to protect these officers” (2017, p. 21).

Specialist squads exist in all Australian police forces to some extent, though the structure and role of these units differ from state-to-state based on the contextual factors like political

priorities and administrative policy. As this study will go on to address, in some states the specialist squad system has moved towards temporary taskforces rather than standing units, though (in most cases) there remains a permanent squad presence in some capacity. Squad systems encourage police to “specialise” in an enforcement area which, in turn, improves the ability to investigate crimes by building up institutional knowledge and expertise, as well as relationships with reliable informants or assisting external agencies (Sheptycki, 2017). If the strength of the brotherhood is observable throughout the policing fraternity, it is even more of a factor when it comes to isolated networks like the squad system, where officers work closely with a relatively small, stable group of colleagues over a lengthy period of time. Traditionally, squads in Australia were staffed by male officers at an even higher rate than the wider, already disproportionately male-dominated police force. Not only does this important on the fraternal characterisation of intra-squad “brotherhood”, but also on the prevalence of corruption in these units. Tim Prenzler and Kerry Wimhurst (1997) note, with reference to pre-Fitzgerald Queensland, that “women were seen as the harbingers of positive cultural change within policing and as a bulwark against ‘old guard’ corruption” (p. 97) and were mistrusted by male colleagues who saw them as “much less susceptible to misconduct and corruption” than men and, thus, not trustworthy (p. 93). In these cases, where corrupt officers (whether male or female) work closely alongside their non-corrupt peers, the push to tolerate the misconduct of fellow squad members is strong, often resulting in the pervasive spread of corruption in a unit as it becomes an engrained part of the squad’s culture (Skolnick, 2008; Merrington, 2017).

While some “rotten apple” officers enter specialist squads having already participated in some level of independent corruption, often this move out of general policing duties serves as a new, non-corrupt officer’s first direct experience with organised, group misconduct. Dean, Bell and Lauchs (2010) note that even if a new officer joins a squad with no history of corruption, often

their “continuance in such a squad may well depend on becoming corrupt if approached by a corrupt officer to take a bribe” (pp. 214-215). The process of recruitment into corruption has been covered in numerous inquiries into police corruption, such as the Kennedy Royal Commission called to investigate allegations of corruption in the Western Australia police in 2002. In his final report, Kennedy recounts the experience of a former Drug Squad officer codenamed “L3”. The officer told Kennedy that, while seconded to the squad between 1994 and 1996, he was approached by another officer in the unit and handed \$100 for “no legitimate reason” (Kennedy, 2004, p. 171). When he rejected the money and reported the incident to his superior, L3 was transferred out of the Drug Squad. Later, the officer who offered the \$100 claimed it was done to test L3’s integrity, because there were accusations that he was corrupt. It is not just an officer’s individual loyalty to the brotherhood that drives their acceptance of such an offer, but also their understanding of the likely group reaction if the bribe is declined. The stability of a squad is dependent on its members being able to trust each other implicitly and, as such, an officer who refuses to partake in corruption when offered poses a considerable risk to the group dynamic, triggering even non-corrupt squad members to participate in a range of defensive group behaviours from social ostracization to professional “white-anting” intended to damage a whistle-blower’s career (Dean *et al.*, 2010; Merrington, 2017). The cycle of snitching and counter-snitching is, as Skolnick observes, “a Pandora’s box ... [that] nobody wants to open” (2002, p. 12). In starting a “snitching” process by informing on another officer’s misconduct, a whistle-blower like L3 opens themselves up to “counter-snitching” where they become the focus of similar accusations from police officers more loyal to the blue brotherhood. The risk of whistle-blowing is great, particularly in a permanent squad where officers have worked together for a long period and, thus, are more familiar their co-workers’ indiscretions and subsequent vulnerability to allegations of misconduct.

This exclusionary behaviour was clearly in evidence in Queensland's Licensing Branch in the 1970s and 1980s, where "honest" police were often forced out of their position on squads if considered to be "anticorruption whistle-blowers" (Fitzgerald, 1989). Gold Coast Consorting Squad Sergeant Eric Gregory Deveney told the Fitzgerald Inquiry that, after he reported an attempted bribe, "dog droppings were left on his desk, the word 'dog' was written across his note pad and fellow officers barked at him" (Fitzgerald, 1989, p. 204). In a memoir written with Tom Gilling, former Queensland Licensing Branch officer Colin Dillon supported Deveney's claims about the squad culture, noting that in his experience "only a few officers were actually corrupt, in the sense of taking bribes, but the system was such that it was dangerous for an honest police officer to speak out" (Dillon & Gilling, 2016, p. 98). Such a culture, which precludes honest conduct through informal social controls, was obviously beneficial to the corrupt operators within the unit. Jack Herbert, a former Licensing Branch officer, admitted to Fitzgerald that he had been a primary organiser of a corrupt network of police colloquially referred to as 'the Joke'. He claimed that during the period in which he facilitated the corruption in the squad from 1964 to 1974 "every single officer ... approached to join in the joke [sic] did so quite willingly" (Fitzgerald, 1989, p. 33).

As both Merrington (2017) and Dillon and Gilling (2016) point out, squad-based corruption does not necessarily require officers to be active participants in misconduct. Often, silent tolerance serves as an ethical compromise — maintaining position in the squad and, more broadly, the blue brotherhood, yet still stopping short of crossing the line of active professional misconduct. Though their participation in corruption may be fairly minimal, their tacit acceptance of the practice nevertheless means that they contribute to the "rotten barrel" environment that allows misconduct to flourish (Punch, 2003; Ivkovic, 2005). For this reason, recent police administrators have considered it necessary to take punitive action beyond

individual officers found guilty of corruption. In the case of the Victoria Police Drug Squad, Police Commissioner Christine Nixon determined that the best course of action to deal with a permissive squad culture was to disband the branch entirely. This decision was made on 13 December 2001, the result of an investigation into Drug Squad corruption called Operation Hemi, which found that two senior squad members were involved in unauthorised purchasing of chemical precursors that were on-sold to drug manufacturers for a profit (OPI, 2007a). The commissioner ordered a review of the Drug Squad, which provided her with 144 recommendations to “clean up” the unit — instead, Nixon decided to disband the Drug Squad entirely, in the belief that even officers who had not participated in corruption at the very least knew that it was happening and did nothing to stop it (Nixon & Chandler, 2011, p. 150). Nixon’s action, while extreme, is in keeping with the rotten barrels concept. In her view, the culture of the Drug Squad was fundamentally broken and, as such, it was impossible to determine the extent to which corruption was accepted among squad members. The historical willingness of Victoria Police to accept this premise and disband problematic squads is well-documented, and will be discussed later in this article.

How long is too long? — the risks of tenure in the squad system

A core benefit of the squad system is the retention of specialist expertise and experience in priority enforcement areas. Undoubtedly, specialist squads are an effective method of retaining the institutional knowledge that is often needed to combat serious organised crime. Institutional knowledge is a necessary precondition for intelligence-led policing, where police are able to proactively investigate criminal enterprises and gather the evidence needed to support a prosecution before major crimes can actually occur (Sheptycki, 2017). For a general duties officer, crime management is an inherent reactive practice that involves responding to incidents as they occur. In most cases, their role is simply to contain and control deviant behaviour rather

than to actively pursue offenders — a task that is often made challenging by the complex networks and processes involved in organised crime (Borilla, 2015). In specialist squads, the goal of containment and control remains the same, however is treated as a long-term strategy rather than the immediate response favoured in general duties. There is an understanding that information-gathering and relationship-building can be, at times, more essential functions of policing than simple enforcement. Rather than immediately arresting offenders, specialist squads routinely use knowledge of their illicit activity to “build a case” that goes beyond a single suspect. This information can be used to inform surveillance operations or, often, to provide leverage over potential police informants to coerce them into working on the side of law enforcement (Maguire, 2000). Many of these police-informant relationships become long-standing arrangements with mutual benefit for officer and criminal alike. While informants to specialist squads provide a wealth of the kind of intelligence required for proactive policing, the need to keep informants in a position to gather information often means turning a blind eye to their own, ongoing criminal activity (Maguire, 2000; OPI, 2007a). When a mutualistic relationship of this nature persists over a long period of time, personal relationships inevitably form that have great potential to corrupt an informant’s police handlers.

The risk of long terms of service in specialist squads has been identified by judicial inquiries into Australian police corruption in the past. An inquiry chaired by G. A. G. Lucas from 1976 to 1977 investigated allegations of misconduct in the Queensland Police Force, particularly the Licensing Branch responsible for policing vice across the state (Lucas, 1977; Dickie, 1988; Condon, 2014). Lucas found that a subculture existed in the Licensing Branch that widely ignored professional ethics and was cavalier with the rules governing policework. While Lucas stopped short of recommending that the Licensing Branch be disbanded, he did make a series of recommendations for reform. One of his key recommendations was to limit the conditions

of service for squad members: no new recruits or young, impressionable or inexperienced officers under 30-years-old and, importantly, that no officers should serve in the Licensing Branch for longer than two years (Lucas, 1977, p. 214). The reason for these conditions was Lucas's way of acknowledging that the Licensing Branch was inherently a rotten barrel, due largely to the environmental factors that go hand-in-hand with policing vice. While there was no "quick fix" that would prevent Licensing Branch officers from eventually becoming compromised, Lucas believed that limiting their exposure to organised criminal actors was a way to potentially mitigate the risk by not giving them sufficient time in the squad to build corrupt relationships. This would have a knock-on impact for the spread of corruption between police, as well. As noted above, Herbert told the Fitzgerald Inquiry that no officer who joined the Licensing Branch during his tenure refused becoming part of the ongoing corruption that existed there (Fitzgerald, 1989; Herbert & Gilling, 2004) — had Lucas's recommendations been in place, officers like Herbert would not have been serving in the Licensing Branch for decades at a time, initiating officers into corruption as they entered the squad. Ultimately, Lucas's reforms were not implemented by Police Commissioner Terrence Lewis and the conditions in the Licensing Branch continued until it was eventually exposed as pervasively corrupted by the Fitzgerald Inquiry ten years later (Dickie, 1988; Fitzgerald, 1989).

Lucas suggested that a constant process of transferring officers out of specialist squads was part of the answer to avoiding corruption taking root, but there is evidence to suggest that the discretion inherent in the squad system is the central issue, more so than the culture of individual squads. The career of Victoria Police officer Paul Higgins provides a prime example of this. After a period in the newly-formed Armed Robbery Squad, Higgins joined the Consorting Squad, which had a mandate to track and monitor known criminals, build intelligence files on them and, where possible, to cultivate them as criminal informants (James

& Warren, 1995). Unsurprisingly given the high degree of discretion in their remit, the Consorters were considered “a law unto themselves” that did not adhere to the professional ethics of other police (OPI, 2007a, p. 66). Higgins maintained his criminal contacts from the Armed Robbery Squad upon joining the Consorters, and used the discretion of his new position to expand his corrupt network — before long, he began acting as an intermediary and setting up a payment scheme between brothel owner Geoffrey Lamb and an “up for sale” Vice Squad (OPI, 2007a, p. 67). Higgins routinely moved to different squads throughout his career due to allegations of misconduct, but never back to general duties.

Even after a seemingly “safe” move to the uniformed Crime Car Squad, Higgins was accused of collaborating with an informant dealing in drugs: Higgins would supply the informant with drugs for a “controlled bust” operation, but the two would first cut the drugs, retain a portion and sell it for a profit at a later time. Once again, Higgins was transferred to a different squad, but the police whistle-blower who informed on his activity “suffered an intense campaign of vilification and ostracism ... which badly affected his life” (OPI, 2007a, p. 68). Again, in the Higgins case the blue brotherhood shows its propensity to support a corrupt officer in the name of loyalty at the expense of an honest officer who, due to his whistleblowing, has been excommunicated from the subcultural “family” (Skolnick, 2008). The case also suggests that tenure in a single squad is not inherently the problem, as Higgins continued his corruption regardless of what unit he was attached to. Instead, it seems that the discretion that is afforded to squads in general is the issue, limiting the controls on officers and giving them the autonomy required to support their corrupt activities. The corrupt officer’s ability to openly maintain relationships with criminals and justify it as part of the investigatory process fundamentally obscures corruption, and prevents suspect affiliations becoming immediately apparent to any anticorruption oversight body.

White knights with a roving brief — squad culture and “noble cause” corruption

The corruption that exists in specialist squads is not always perpetrated for the personal gain of the officer, or at least not initially. In many cases, the pursuit of justice via utilitarian methods is seen as an abdication of professional ethics in service of a “greater good”. Carl Klockars (1980) describes this as the “Dirty Harry dilemma” wherein police administrators, politicians and the public alike often wilfully ignore (or, even, praise) the misconduct of officers who break the rules of the profession in the legitimate pursuit of justice. Fitzgerald described this “noble cause” corruption as “more widespread” in the Queensland Police Force of the 1970s and 1980s than traditional, mercenary corruption (Fitzgerald, 1989, p. 206). In his royal commission into misconduct in the neighbouring New South Wales Police Service in the late 1990s, James Wood reached a similar conclusion. The report of this commission notes that noble cause corruption was seen by many in the community to be in a “different league from the forms of corruption that attract personal gain” and usually occurred because police came to the view that “crime control has been strangled by due process” (Wood, 1997, pp. 28-29). Building on Wood’s investigatory work, Tim Newburn found a connection between visibility and invisibility when it comes to the perpetrating of this form of corruption by officers, singling out specialist squads as being among the worst offenders. He notes that corruption accusations were most frequent in “parts of the police service that are most secretive — or least transparent” (Newburn, 1999, p. 18). For officers attached to squads, who usually do not wear uniforms and are given a roving brief to conduct investigations, transparency and oversight is a persistent challenge that, if Newburn is correct, is inextricably linked to the prevalence of corruption in policing.

Using corrupt practices to bring offenders to justice was not limited to Queensland and New South Wales, and was a key tactic of the Victoria Police's Armed Robbery Squad before it was first amalgamated and, later, completely disbanded. The Office of Police Integrity (OPI) acknowledges the challenges faced by the Armed Robbery Squad when it was first formed in the 1970s — armed offenders typically obscured their identity when committing an offence and thus, without being caught in the act or making a confession, it was difficult for officers to secure a conviction (OPI, 2007a). An inquiry led by Barry Beach in 1978 found that, to overcome this disadvantage, the Armed Robbery Squad routinely used corrupt measures like “the verbal” (unsigned confessions) and “loading up” (planting evidence) to make arrests (Beach, 1978). This finding was supported by Ned Williams, who led a nationwide royal commission on drug trafficking in the late 1970s. Williams, quoting Justice Michael Kirby of the Australian Law Reform Commission, wrote that “some of them (police) probably believe that stretching the rules is justified by the unequal fight against crime” (Williams, 1980, pp. 228-229). The prevalence of tactics like the verbal was also noted by Lucas in Queensland, who asserted that Queensland police “verbal persistently and without conscience” (Lucas, 1977, pp. 14-15). After the Beach Report was released, protocols in Victoria changed to prevent the submission of unsigned or unrecorded confessions as evidence, effectively ending the age of the verbal. There is some suggestion, though, that this move did not stop the Armed Robbery Squad from engaging in what they considered “noble cause” corruption. The OPI reports speculation that the Armed Robbery Squad felt it has “lost control over the criminal underworld” after the verbal was outlawed and that “because of this, certain criminals prospered and the response by some detectives ... was a loss of control resulting in the killing of criminals rather than taking them to court” (OPI, 2007a, p. 77). Indeed, the period after the Beach Report registered a marked increase in violence perpetrated by the Armed Robbery

Squad, including the prominent “line of duty” deaths of career offenders Graeme Jensen and Jed Houghton (Noble, 2010).

There are other occasions in which what may have started as a genuine policing strategy incrementally transforms into an overtly corrupt enterprise. This was certainly the case in the Victoria Police’s Drug Squad and its Chemical Diversion Desk. The Chemical Diversion Desk was established in 1995 as a way to “liaise with chemical companies, allied industries, internal and external service providers and interstate law enforcement agencies in order to prevent, disrupt and identify suspects engaged in illicit drug manufacturing” (OPI, 2007b, p. 3). In actuality, the Chemical Diversion Desk operated by having police purchase ingredients required for drug production from chemical companies, and supplying them to criminal informants who would sell them to drug manufacturers. After sale, the buyers of these chemicals would be monitored throughout the production and distribution process to allow police to identify as many members as possible of a criminal enterprise (OPI, 2007b; Wilson & McCulloch; Houlihan, 2014). By the time the Drug Squad was disbanded in 2001, a number of officers including Detective Senior Constable Stephen Paton and Detective Sergeant Malcolm Rosenes had been arrested for misusing this controversial program. Paton and Rosenes were found to have formed corrupt relationships with their informers, and made unauthorised chemical purchases to supply to their criminal partners to sell for a profit (OPI, 2007b; Houlihan, 2014). Similar misuse of illicit drugs by members of the Drug Squad has been observed in other Australian policing organisations, notably in the Kennedy Commission’s revelations regarding Western Australian police although, in that case, the misappropriation of drugs was mostly for personal rather than commercial purposes (Kennedy, 2004, p. 101). In this case, the Chemical Diversion Desk was a fully legitimate division of the Drug Squad, sanctioned by Victoria Police. Nonetheless, it involved serious risk of corruption

on a fundamental level by encouraging the collaboration of Drug Squad officers and informers in the lucrative drug trade. As this article has already outlined, the potential risks of the squad member/informant relationship are already high — the addition of a considerable financial benefit to the equation only serves to exacerbate this level of risk. The operations of the Drug Squad were inherently compromised by the Chemical Diversion Desk, causing Police Commissioner Christine Nixon to disband the branch in its entirety. Nevertheless, this decisive action did not fully address the inherent issues of corruption in Victorian drug enforcement, which became apparent in the subsequent corruption scandals experienced by the new Major Drug Investigation Division.

Responses to squad level corruption — how do we deal with entrenched misconduct?

The philosophical question of whether police corruption is a matter of rotten apples or rotten barrels is central to what shape the response to it takes. In the wake of repeated warnings about deviant police culture Australia police administrators began to adopt the rotten barrel concept, informed by the findings that emanated from the judicial inquiries held around the country in the late twentieth century. The federal government was one of the first to embrace the rotten barrel theory in 1979 when, in response to the Williams Royal Commission of Inquiry into Drugs, Prime Minister Malcolm Fraser ordered the national Narcotics Bureau to be disbanded, partly because of charges of entrenched corruption in the agency (Williams, 1980; Bishop, 2012). The responsibilities of the Narcotics Bureau were, in this instance, largely assumed by a new body: the Australian Federal Police (AFP). The replacement of one disbanded specialist squad or agency with another has proven to be a persistent problem in dealing with squad-based corruption. On a superficial level, the disbandment of a squad that is determined to be riddled with corruption is an acceptance of the rotten barrels theory, with decisive action taken to eradicate a culture of misconduct rather than individual, rogue operators (Punch, 2003).

It is what comes next that poses the biggest conundrum for police administrators: the responsibility for policing a specialist area like drugs must be absorbed by another branch of law enforcement when a squad is dismantled, putting police forces in a catch-22 situation. If a police force decides that, to prevent corruption taking root again, no former squad members can play a role in this “replacement squad” they inevitably lose a great wealth of institutional knowledge and experience in that enforcement area (Sheptycki, 2017). Aside from the loss of expertise a disbandment policy causes, there are also major implications for policing culture when experienced officers are sanctioned in a punitive way with no recourse to defend themselves. When Nixon disbanded the Victorian Drug Squad, she took a holistic move that impacted on honest Drug Squad officers and, moreover, Nixon made it clear that even officers not involved in corruption bore responsibility for not noticing that it was happening in their own squad (Nixon & Chandler, 2011). This move is in direct conflict with Matthew Syed’s concept of Black Box Thinking (2015), a concept which suggests that organisations can only grow if they are set up to learn from their mistakes, not take aggressively punitive action because they are threatened by their mistakes. Syed’s theory is supported in a policing context by Prenzler (2009) who, questioning the efficacy of “desktop informal resolution” for dealing with corruption like that employed by Nixon, found that “even if complainants are satisfied, the process may conceal genuine misconduct and repeat breaches of standards” because it does not truly address the root causes of misconduct (p. 108). If administrators allow former squad members to reapply for their jobs after disbandment, for example, police forces are at risk of repeating cycles of corruption by not dealing with squad culture effectively.

Commissioner Nixon's decision to disband the Drug Squad in 2001 and replace it with the Major Drug Investigation Division was a prime example of this, where former Drug Squad officers like David Miechel were allowed to reapply for (essentially) their old jobs. Within two years of the Drug Squad's disbandment, Miechel was arrested and charged for breaking into a drug stash house with informer Terence Hodson, in a scheme that also implicated his supervisor Paul Dale (OPI, 2008; Houlihan, 2014). The Miechel/Dale scandal raised the question of if the cultural issues that plagued the Drug Squad had really been resolved in this new Major Drug Investigation Division. When Nixon embarked on a similar policy of disbanding the Armed Robbery Squad in 2006, she made it a point to preclude any former members from reapplying for their roles in a tacit recognition of the risks inherent in reforming disbanded specialist squads.

If squads focused on specific areas of enforcement have high potential for corruption, one potential solution has been to localise policing into regional divisions rather than specialist crime areas. The potential benefit of this method is that it mirrors the principles of the traditional crime-focused squad: whereas a crime-focused squad specialises in a certain type of criminal activity, the location-based squad is given jurisdiction to investigate any major crime in its area, allowing the unit to develop an intelligence-based approach to policing informed by the needs and unique characteristics of the community it operates in (Loveday, 2006). Theoretically, institutionalised corruption is avoided because police only have cause to develop relationships with the criminals operating in their area, diluting the specialist officer's access to major criminal operators. For most local area commands, this is a reasonable proposition — officers attached to regional divisions monitoring the outer suburbs will still have criminal enterprises to investigate, but this will typically be limited to a handful of operators compared

to the levels experienced by specialist squads responsible for policing every instance of drug trafficking or vice in an entire city.

While a productive restructuring for the most part, the regional division system works to dilute opportunities for corruption, but inevitably puts certain officers attached to “high-risk” areas at far more risk. Crime is concentrated in most urban environments, often to defined “red-light districts” traditionally associated with nightlife and vice activity. For officers attached to divisions responsible for policing these areas, the risks of corruption are higher than their peers. In his inquiry into the New South Wales Police Service, James Wood (1997) found pervasive corruption in the Kings Cross detectives, responsible for investigating crime in Sydney’s notorious vice district. Detectives stationed here had daily interactions with the vice criminals who gathered in the area, allowing them to establish connections and corruptly control which criminals were allowed to operate with police sanction. Though Kings Cross detectives only had jurisdiction over this small inner-city patch, the impact of their corruption reverberated across the city and state. The drugs sold in Kings Cross were manufactured in the suburbs, or transported via the docks — all out of the Kings Cross area, but in the interests of local detectives to interfere with to protect their localised corruption networks. For this reason, the concentration of corruption in hot-spot areas is an unstable proposition that, inevitably, will flow into other districts. Localising intelligence-based policing is a step towards mitigating risk in the squads, but is not in itself a panacea for corruption.

Another development in the campaign to avert squad-based corruption has been the recent preference for temporary taskforces rather than permanent specialist units. A major paradigm shift in policing, the idea behind this move has been to prevent deviant cultures forming by not

avoiding permanence. In some ways, it is an extreme realisation of Lucas's 1977 recommendation that officers not serve more than two years in the Queensland Licensing Branch. In this case, rather than rotating officers regularly, taskforces are formed to deal with major crimes, developing a complete understanding of the crimes and actors involved in order to facilitate an intelligence-based plan to bring offenders to justice. Once an investigation team achieves its objectives, it is disbanded and officers redeployed to other squads or divisions until potentially being called on again to join another, different temporary taskforce in future. A key benefit of the non-permanent taskforce is that units can be purposefully designed and staffed to best match the criminal behaviour being investigated: a taskforce into drug trafficking can draw in experts not only in drugs, but organised crime, fraud and money laundering as well.

Victoria Police have shown a preference for the temporary taskforce over the standing specialist squad since the early 2000s, with evidence of success. Shortly after the collapse of the Drug Squad, Purana Taskforce was created in response to the ongoing Melbourne Gangland War (Nixon & Chandler, 2011; Houlihan, 2014). Following in the footsteps of the Ty-Eyre Taskforce and Taskforce Lorimer, Purana was not the first temporary unit to achieve prominence, but its success came at a time when restructuring of the squad system was firmly in the spotlight. Formed in 2003, Purana continues to operate with an expanded jurisdiction, even years after the gangland war that caused it to be formed has concluded (Victoria Police, 2008). Purana shows the risks of a successful temporary taskforce, especially one that has experienced "mission creep" and no longer serves its original purpose. Instead of being focused on bringing an end to the gangland war, Purana now has a roving brief to investigate "gang-related" crimes — in essence, it is not far removed from the Consorting Squad of the past. Having existed for almost two decades, Purana has begun to show signs of the kind of corruption that impacted its predecessor squads. The recent "Lawyer X" Royal Commission

has revealed poor and unethical informer management practices at Purana centred on Nicola Gobbo, a gangland lawyer who secretly worked to provide Purana information on her own clients and covertly guide the outcome of their trials to Victoria Police's benefit (McMurdo, 2019). Purana's success in "solving" the gangland wars has been compromised, with the suggestion that it only managed to successfully gain convictions through Gobbo's corrupt involvement. Purana's experience shows the risks of allowing a temporary taskforce to exist for too long, to the point that it becomes a permanent fixture not unlike the traditional specialist squad. It also raises another interesting conclusion: that it is the permanence of *any* squad or taskforce that allows a deviant policing culture to take shape, not simply the influence of a specific "high-risk" area of enforcement.

Conclusion

As a country that has had its fair share of problems with corruption in specialist squads, Australia provides a highly applicable case study through which the inherent issues of specialist policing can be explored. Judicial inquiries into police corruption since the 1970s have repeatedly warned that entrenched misconduct is not a case of rotten apples, rogue operators acting against the grain and casting entire police forces into disrepute. Instead, investigators from Lucas and Fitzgerald to Wood and the OPI have found that corruption is an inherently cultural issue, a case of rotten barrels where officers are influenced to participate in misconduct in a compromised version of policing's traditional blue brotherhood (Fitzgerald, 1989; Wood, 1997; Merrington, 2017). Because of the familial bonds that connects police, there is a common reluctance for officers to oppose corruption. The pressures of the brotherhood are even more pronounced in specialist squads, where officers work in close, tight-knit teams where a sense of loyalty is paramount to continuing on as a member of the unit (Skolnick, 2008). As historical

evidence shows, officers who reject corruption in specialist squads are targeted for exclusion and marginalisation by their peers, providing another key push factor preventing whistleblowers from taking action. Over time, corruption can become the norm in a specialist squad. In some cases, this is mercenary corruption wherein officers financially benefit from illicit relationships with criminal actors. In a greater amount of cases, however, this misconduct takes the form of noble cause corruption where specialist squad members act outside of their remit, sometimes illegally, to obtain justice (Klockars, 1980; Fitzgerald, 1989; Ivkovic, 2005). The aggressive pursuit of legitimate objectives is a common part of squad culture, and perhaps a more insidious and difficult to account for form of institutionalised corruption.

If it is accepted that squad culture is a precursor to corruption, the natural next question is how to deal with this issue. The historical analysis presented in this study shows that this is a conundrum that is often complex and, in most cases, difficult for police forces or the state to devise an effective response to. To eliminate squads entirely would be to lose significant institutional knowledge and experience, and would no doubt compromise the police's ability to proactively investigate cases. There is a strong case for intelligence-led policing, regardless of the apparent problems associated with specialist squads. As has been shown, Australian police forces have tried various methods to respond to squad corruption, from disbandment to the establishment of temporary taskforces designed to prevent deviant cultures forming. To this point, none of these methods has proven to be a panacea for squad corruption — in each case, corruption has returned over a period of time, or has otherwise taken on a different form. The implication supported by this research is that restructuring the squad system will not in itself solve the problem of corruption. This article shows that disbanding a squad entirely is taking a rotten barrel approach to anticorruption that is fundamentally flawed. In reality, disbandment is a reflection of a rotten apple philosophy that removing deviant actors will solve the problem

of corruption. Removal has proven ineffective and the experience of temporary taskforces in Victoria has shown that non-permanence has also had limited impact on reducing misconduct (OPI, 2008; Nixon & Chandler, 2011; McMurdo, 2019). Instead, this study advocates for thorough exploration of the cultural factors driving misconduct in specialist units, which is required in order to determine the best methods for addressing the push-and-pull factors that drive officers to participate in illicit conduct. The case studies featured in this article show that, in most cases, the factors driving corruption in specialist squads are singular and unique to the police force and, more importantly, the squad in question. Despite these individual features, however, there are subcultural aspects of policing culture that are prevalent in cases of Australian squad-based corruption regardless of the specific context. Most prevalent among these shared risk factors is the blue brotherhood, which must be complicated in a way that imbues critical and ethical thinking practices in police, particularly new recruits. The bonds of brotherhood are central to the formation of deviant policing subcultures, more than any other cause. If police forces are able to take a critical approach to the brotherhood, it is possible that officers entering into specialist squads will be more resistant to the subcultural pressures that foster a deviant squad environment.

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