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Session 3 – Extending the Determinants of Corruption

**Police Corruption and Collusion: How a Good
Governance Approach Can Help Combat This Problem**

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Abstract

Based primarily on original survey data, the research question this paper seeks to answer is ‘what leads police officers to engage in corruption?’. While expressing a preference for the ‘ladder’ metaphor, it uses the so-called slippery slope argument to suggest reasons why *some* officers engage in serious forms, notably collusion with criminal elements (e.g. in human and drug trafficking), and provides concrete examples of these serious forms. The surveys provide data on the perceived causes of police corruption, and were conducted in four very different countries – Bulgaria, Germany, Russia and Singapore. In the cases of Germany and Singapore, the surveys were conducted among two constituencies (general public; businesspeople), while in Bulgaria and Russia, a third constituency, namely police officers themselves, also participated.

Having identified the perceived causes of police corruption, the paper makes practical policy proposals – methods that are likely to reduce police corruption of all types in any jurisdiction, and hence improve governance. Singapore and Germany appear by every measure adopted here to have far less of a problem with police corruption than either Bulgaria or Russia: but since Germany has never had a very serious problem with police corruption whereas Singapore once did, some of the key policies adopted by the Singaporean government are examined. But additional methods will also be proposed, particularly low-cost ones that could be implemented even in poorer developing states with fragile governance arrangements, and in states with very divergent political cultures.

Key words - Police; Corruption; Bulgaria; Germany; Russia; Singapore

Introduction¹

Police corruption matters. According to Transparency International's research (Hardoon and Heinrich 2013: 3, 11), more people globally pay bribes to police officers than to any other officers of the state. While most of this is petty and essentially trivial corruption – e.g. to avoid a speeding or parking fine – much is also far more serious. Thus, as shall be demonstrated below, police officers in some countries run protection rackets, collude with organised crime groups in trafficking (drugs, arms, humans) and engage in other forms of corruption that can by no means be described as trivial. The reasons why police corruption matters are sevenfold.

First, the police in many countries are armed, unlike most other officers of the state, and can therefore threaten and actually use violent means improperly to pressure citizens into collaborating in corrupt acts.

A second way in which police officers tend to be different from most other state officials is that the nature of their work (e.g. undercover) often necessitates much greater secrecy – and hence less transparency and public accountability – than is typical of other state functionaries.

Undercover work is typical of police activity relating to organised and other forms of crime, which leads to our third point, viz. that many police officers come into direct contact with criminals (including even terrorists), and thus have *opportunities* to collude that are less likely to arise for most other officers of the state.

¹ The research conducted for the project on which this paper is based was generously funded by the Australian Research Council (award number DP 110102854).

Fourth, the police are also different from other officers of the state in that they are supposed to be the 'final port of call' for most people – the ones they can most trust. If a local council official is demanding bribes before s/he will issue building permits, citizens should be able to feel confident that reporting this to the police will result in an unbiased and thorough investigation; they should not have to be concerned that the police will collude with the council official to sweep misconduct under the carpet.

Fifth, and continuing with our focus on trust, David Bayley (1994: 7-8) noted more than two decades ago that a high level of police corruption makes citizens lose faith in their law enforcement officers, which in turn renders it far more likely that the general public will be unwilling to assist law enforcement agencies, such as providing information about criminal acts. This makes it much more difficult for the police to solve crimes, so that crime rates increase – or, at the very least, rates of solved crimes decrease.

But it is not only evidence-related information that the public can provide; the police are also largely dependent on the citizenry for reporting crimes. If people believe that it is pointless to report crime to the police – because of either inefficiency or corruption or both – then crime rates are likely to soar, even if these are not reflected in official crime statistics. So our sixth point relates to human rights. If, for example, trafficking victims do not report the crimes committed against them because of their belief that officers may collude with their traffickers, then police corruption is undermining basic human rights.

Finally, and building on several of the above points, a high level of police corruption undermines faith not only in the police themselves, but also in the state more generally. In

short, police corruption can have a system delegitimising effect (for a valuable comparative overview of police corruption see Pyman *et al.* 2012).

Brief overview of methodology

Having established that police corruption is a significant public problem, the principal aims and parameters of the present paper can be elaborated. The paper is based on a project designed to compare and contrast police corruption in four countries – two affluent and stable developed states, and two transition states.² For each pair, one more democratic and one less democratic state was selected, to see if – at least on the basis of a very small-N series of case-studies – any patterns could be detected that relate to affluence and type of political system. The affluent more democratic state selected was Germany, which was paired with Singapore. The more democratic transition state selected was Bulgaria, which was paired with Russia.

The principal methods used were desktop analysis of secondary literature on police corruption, newspapers from the four countries 1990-2012, and official documents. In addition, a total of ten surveys was conducted in our four countries between 2013 and 2015; in all four, both the general public and the business sector were surveyed, while police officers themselves were surveyed in both Bulgaria and Singapore (permission to conduct similar surveys in Germany and Singapore was sought, but was refused).³

² The term ‘transition state’ is contested, with some arguing that it should be jettisoned altogether (Carothers 2002). This is not the place to become embroiled in this debate. However, for those who reject the term, we can call our two states ‘post-communist’ – although even this has been challenged (Rupnik 1999).

³ N for the general public surveys (all omnibus): Bulgaria – 1010; Germany – 2014; Russia – 1601; Singapore – 1000. N for the business community surveys: Bulgaria – 457; Germany – 450; Russia – 455; Singapore – 471. N for the police officer surveys: Bulgaria – 262; Russia – 257. For somewhat dated survey data on the German police themselves see Mischkowitz *et al.* 2000.

For the present paper, the focus – our main research question – was ‘What leads police officers to engage in corruption?’. A supplementary question relates to a type of corruption that was identified in the 1980s as common among, if not necessarily peculiar to, police officers, viz. ‘noble cause’ – ‘Why do police officers engage in noble cause corruption?’. Since this term is still unfamiliar to many, it is briefly elaborated in the next section.

Noble cause

‘Noble cause’ corruption is also known as ‘process corruption’ (a term coined by the 1998 Wood Commission into police corruption in New South Wales, Australia – see Kleinig 2002: 288) or the ‘Dirty Harry Problem’. The term ‘noble cause’ was coined by Edwin Delattre (1989) in the late-1980s, although Carl Klockars (1980; 1985) is usually seen as having identified the issue under a different name earlier in that decade. According to Klockars (1980: 35) -

the Dirty Harry problem asks when and to what extent does the morally good end warrant or justify an ethically, politically, or legally dangerous means to its achievement?

Along similar lines, Delattre (1989: here, cited from p.164 of the 6th/2011 e-edition) defines noble cause as ‘breaking fundamental laws, not for personal gain, but for a purpose that appeals to our basic moral sensibilities’.

More recently, Caldero and Crank (2004: 29) have defined noble cause as ‘. . . a moral commitment to make the world a safer place to live. Put simply, it is getting bad guys off the street’, while Crank et al. (2007: 104) have described it as based in a utilitarian ethic. In the third edition of their book, Caldero and Crank (2011: 2) draw a sharper distinction than many

analysts between noble cause and noble cause corruption, with the former being what attracts many to join the police in the first place. They define the latter as follows:

It is corruption committed in the name of good ends, corruption that happens when police officers care too much about their work. It is corruption committed in order to get the bad guys off the streets, to protect the innocent and the children from the predators that inflict pain and suffering on them. It is the corruption of police power, when officers do bad things because they believe that the outcomes will be good.

For those for whom the concept is still hazy, Steve Rothlein (2008) provides an excellent example of what it is and the ethical questions it raises:

A subject is walking down the street when he turns and takes flight on foot because he observes a police car coming in his direction. The officer engages in a foot pursuit and observes the subject discard an unknown item into the bushes during the pursuit. After capturing the subject, the officer discovers he is a convicted felon on probation. The officer retrieves a firearm from the bushes but never actually saw what the item was that the subject discarded. If the officer testifies truthfully, the subject may survive his probation violation hearing. If the officer lies at the hearing, and testifies he saw the subject discard a firearm, his probation will be definitely violated and a dangerous criminal will be off the streets. This is the dilemma that officers find themselves in when they become tempted to exaggerate the truth and engage in noble cause corruption.

A number of terms and neologisms have been devised to refer to different aspects of noble cause corruption, including 'flaking' and 'bricking up' (alternative terms for cases in which police officers plant or improperly supplement incriminating evidence to increase the chances of a conviction) and 'testilying' (lying in a court testimony – again so as to increase the chances of a conviction).

Whether or not noble cause corruption is ever justifiable is a hotly debated topic in the literature on police corruption, with some seeing it as invariably inexcusable (e.g. Klockars 1980; Alderson 1999: 68), while others adopt a more nuanced philosophical approach that advocates judging particular cases as ethically reprehensible or otherwise depending on the precise circumstances and context (e.g. Kleinig 2002; Miller 2016: 39-51). But many of those who have analysed 'noble cause' claim that engaging in it is likely to lead to less 'honourable' forms of corruption: this is the 'slippery slope' argument.

The 'slippery slope' argument

It was senior police officers themselves - former Superintendent O. W. Wilson of the Chicago Police Department (in office 1960-7) and former Police Commissioner Patrick V. Murphy of the New York Police Department (in office 1970-3) - rather than academics who first promulgated the notion that officers accepting even just a free cup of coffee from a fast-food outlet had set foot on the slippery slope to unambiguous and serious corruption (on this see e.g. Coleman 1998; Ruiz and Bono 2004).⁴ This argument can be and has been challenged, and a better

⁴ Note that Wilson had been an academic, at Harvard and later UC Berkeley, before becoming Chicago's police chief, while Murphy became an academic (at John Jay College of Criminal Justice) after his retirement from the police. The International Association of Chiefs of Police adopted a Law Enforcement Code of Ethics in 1989 that explicitly states that police officers should never accept gratuities.

metaphor than the slippery slope is the ladder (see Sherman 1974: 199; Punch 2009: 46). Once on a slippery slope, it is both virtually impossible to climb back up to the top of the slope (i.e. uncorrupt behaviour) and to avoid sliding further down into the morass. The ladder metaphor, on the other hand, allows for the possibility that an officer can choose to return to probity. Moreover, the ladder imagery does not assume any necessary progression from a very minor form of corruption (the free coffee) to much more serious forms of corruption, such as collusion with organised crime groups in drug, weapons or human trafficking. In short, this metaphor does not incorporate the notion of irrevocability that the slippery slope does, and is therefore preferable (for further questioning of the slippery slope assumptions, based in part on the lack of empirical evidence, see Cohen and Feldberg 1985).

John Kleinig (1996) suggests that there are at least two versions of the slippery slope argument – the ‘logical’ (which can further be sub-divided into two – but these need not detain us here) and the ‘psychological’. The logical arguments maintain that the same underlying principle or rationale pertains if an officer accepts a ‘gratuity’, such as a free coffee, or a substantial bribe; if one is acceptable, why – logically – would or should the other one be seen as unacceptable? On the other hand, the ‘psychological’ argument, exemplified best by Sherman (1974/1985), is based on the assumption that officers redefine their own actions (change their self-labelling) over time, and move incrementally from minor transgressions to far more serious forms of corruption.

The most convincing approach to the slippery slope argument is that officers discovered to have been engaged in serious forms of corruption have almost always started their slide into these by earlier engaging in trivial forms of misconduct. This point is captured nicely in a

quotation from Chicago's Commission on Police Integrity (1997: 20 – also cited in Newburn 1999: 33), 'in almost all instances, police officers who get into serious trouble begin with relatively minor violations of department rules which evolve over time into [more serious] behaviour'. This quotation makes it clear that more serious corruption is almost always preceded by less serious forms, but does not imply that engaging in those less serious forms is certain or even likely to lead to the more dangerous types.

A few examples

Given length limitations, this paper is not an appropriate place to provide many examples of police corruption. But it is useful to cite one or two concrete examples of police corruption from each of our four states, simply to demonstrate that none of them is exempt from serious forms of misconduct.

The former head of *Bulgaria's* anti-organized crime unit (GDBOP) was charged in 2013 with collusion with organised crime gangs - mainly in relation to drug trafficking and smuggling - between 1999 and 2002, when he was a more junior officer in the unit; in return for bribes said to be worth 20,000 German Marks, he warned gangs of imminent police raids (Focus Information Agency 2013). A 2010 report in the Bulgarian media referred to two police officers who bribed other officers to supply information to them, which they then sold to criminal gangs (Sofia Echo Staff 2010). And Bulgarian police officers colluded with the VIS-2 (Vasi Iliev Security 2) crime gang in human trafficking (UNODC 2002: 111).

A number of cases of police collusion with organised crime have been identified in *Germany*, such as the Freiburg cases reported in 2012 (e.g. Rehm 2012; Röderer 2012) and a case in

Hamburg in which the head of the police trade union was found to have been collaborating with a car-racketeer gang: he had allegedly been downloading data on car ownership and providing it to the gang in return for an unspecified benefit (Balasko 2009). Another example of collusion is the case in which police officers in Baden-Württemberg provided information on his competitors to a Heilbronn builder in return for free building materials, free tickets to VIP events, etc. (Frank 2011).

One of the more unusual - at least to a Westerner - forms of police corruption in *Russia* and some other post-communist states is *reiderstvo*, which is usually translated as 'raiding'. It refers to a situation in which, either on orders from above or in return for bribes or kickbacks, police will raid a company and lay false charges against it, making it easier for higher authorities to shut it down or for the bribe-payers to acquire the company at a knockdown price. The cases involving bribery typically also involve bribery of judges, so that the charges will be upheld (for an examination of this phenomenon and numerous examples of it see Epshtein 2010; Rochlitz 2011). It must be acknowledged that some - perhaps most - cases of police *reiderstvo* in Russia do not involve collusion with organised crime, but rather are carried out on orders from political elites. But many cases are more clearly criminal-related.

Sometimes, Russian police officers have been involved in major fraud and deception of businesses. One such case is of police Lieutenant-General Alexander Bokov, head of the CIS' Coordinating Office for the Prevention of Organised Crime and other Serious Forms of Crime. Along with two others, Bokov was arrested in January 2011 on suspicion of fraudulently obtaining almost US\$10 million from a businessman; he was subsequently convicted and sentenced to nine years' imprisonment (Twickel 2011; TASS 2012; RAPS I 2012).

Another form of police corruption that is common in Russia is *kryshevanie*, or 'roofing'. This is basically where corrupt police officers run protection rackets. While this mostly relates to small businesses, this coercive form of 'protection' can even be applied against elderly Russian women who sell produce from their gardens and are thus technically breaking the entrepreneurship laws (Taktarov 2012).

In September 2007, a *Singaporean* police officer was sentenced to four years' imprisonment and a \$26,500 fine for having assisted 53 mainly Chinese and Vietnamese women to extend their stays in the island-state illegally. He wrote letters claiming they were required to stay in Singapore to help the SPF (Singapore Police Force) with enquiries, which the women would then show to the immigration authorities so that they could overstay. The officer received \$500 from an intermediary for each letter (*Straits Times* [hereafter *ST*], 29 June and 12 September 2007).

A *Singaporean* case of police collusion with organised crime is of a police corporal who, in return for sexual favours, tipped off women working in a massage parlour offering sexual services about imminent police raids; he was sentenced to nine months' imprisonment (*ST*, 28 April and 26 September 2007; for further examples of proven and alleged tip-offs about imminent raids see *ST*, 18 September 1998; 20 August 1999; 28 September 1999).

Scale

Measuring the scale of corruption is notoriously problematic, and it would be possible to write a full-length paper just on measuring police corruption. However, since this is not the primary focus of the present paper, just a few indicators will be considered here.

One of the advantages of Transparency International's *Global Corruption Barometer* (GCB) is that it includes both perceptual and experiential data. Unfortunately, however, the 2015-16 GCB has not yet been fully published for all states assessed, and the data available on many are incomplete. Thus, there are no disaggregated data on Bulgaria, Germany or Russia (Pring 2016) – while Singapore was not even assessed (Pring 2017). For this reason, included here are the relevant findings from the previous two GCBs (2010-11 and 2013).

Table 1: Perceptions and experiences of police corruption

	2011 A	2011 B (%)	2011 C (%)	2011 D (%)	2013 E (%)	2013 F (%)
Bulgaria	3.8	13	16	2.1	65	17
Germany	2.3	26	2	0.5	20	n.d.
Russia	3.9	22	28	6.2	89	n.d.
Singapore	2.8	15	8	1.2	n.d.	n.d.

Notes: A - Scaled 0-5, with higher scores meaning more perceived corruption

B – Contact rates (percentage of respondents that had come into contact with the police in the previous 12 months)

C – Percentage of households (among those who had come into contact with the police) who had paid a bribe to the police in the previous 12 months

D – Total percentage of respondents who had paid (or knew someone in household who had paid) a bribe to the police in the previous 12 months

E - Percentage of respondents who considered the police to be either corrupt or extremely corrupt

F - Percentage of households who had paid a bribe to the police in the previous 12 months (note that this percentage is only of those who had come into contact with the police)

Sources: Transparency International 2011; Transparency International 2013 (column D calculated by author)

While it is disappointing that we cannot yet provide GCB data from 2015-16, the underlying message conveyed by Table 1 is that Germany and Singapore are perceived by their own citizens to have less police corruption than either Bulgaria or Russia, and that – assuming the

results are reasonably reliable – many more citizens in the latter two states pay bribes to the police than in the former two.

Perceived causes of police corruption

In order to identify at least the *perceived* causes of corruption – *actual* causes may not be the same, but cannot be empirically determined – we asked respondents in all constituencies surveyed to select what they considered to be the five most important factors from a list of 15; they were also given the option of adding any other factor(s) they felt was missing from the list.⁵

Table 2: General public's perceptions of principal causes of police corruption (ranks)

	Bulgaria	Germany	Russia	Singapore
Personality reasons		4	4	3
Greed	2	1	1	1
Inadequate pay (for basics)	1			4
Need to fund expensive habit			2	2
Opportunity	5	2		5
Lenient punishments			3	
Threat (from organised crime gang)	4	3		
Peer pressure				
Pressure from above	3		5	
Arrest quotas				
Frustration with courts		5		
Lack of respect - elites				
Lack of respect - public				
Lack of respect - media				
Ambiguous laws				
Other				

Table 3: Businesspeople's perceptions of principal causes of police corruption (ranks)

	Bulgaria	Germany	Russia	Singapore

⁵ Note that respondents were not asked to rank-order their five; in line with common survey lore, this was considered potentially too confusing or taxing.

Personality reasons		4	4	2=
Greed	3		2	1
Inadequate pay (for basics)	1	2		5
Need to fund expensive habit		3	3	2=
Opportunity		5		4
Lenient punishments			1	
Threat (from organised crime gang)	5	1		
Peer pressure				
Pressure from above	2			
Arrest quotas				
Frustration with courts				
Lack of respect - elites				
Lack of respect - public				
Lack of respect - media				
Ambiguous laws	4		5	
Other				

Table 4: Police officers' perceptions of principal causes of police corruption (ranks)

	Bulgaria	Russia
Personality reasons	2	2
Greed	3	5
Inadequate pay (for basics)	1	1
Need to fund expensive habit		
Opportunity	5	
Lenient punishments		
Threat (from organised crime gang)		
Peer pressure		
Pressure from above		3
Arrest quotas		4
Frustration with courts	4	
Lack of respect - elites		
Lack of respect - public		
Lack of respect - media		
Ambiguous laws		
Other		

An analysis of the three sets of responses reveals the following. First, greed was seen by all publics and business groups as one of the main causes of police corruption. Even both sets of police officers perceived greed to be a key factor, though they did not rank it as highly as either

of the other two constituencies. Second, both sets of police officers ranked inadequate pay as the number one cause. One of the surprising results, for reasons that will emerge in the Policy Proposals section below, is that both constituencies in Singapore opted for inadequate pay as a key factor. Third, all groups of respondents apart from the Bulgarian general public and business community identified personality reasons as one of the most important factors. Fourth, and counter-intuitively in view of other analyses of police corruption, none of the groups - not even the police themselves - rated peer pressure as a major factor. However, both the general public and the officers themselves in Russia identified pressure from above as an important explicator. Fifth, only in Russia was lenient punishments ranked among the top five factors – though not by police officers themselves. Finally, it appears that the general public and the business community in both Russia and Singapore believe that many of their police officers have an expensive bad habit; while we can only guess at what this might be, likely culprits include illicit drugs, gambling and use of sex workers. Finally, while we were not surprised to find the general public and the business community in Bulgaria selecting ‘threat’ from organised crime gang among the top five causes, that the German public and business community selected this factor was unexpected, especially the fact that German businesspeople ranked it number one. We now turn to consider the specific case of ‘noble cause’.⁶

Perceived causes of noble cause

Since the list of possible responses to this question was much shorter than that for police corruption generally, respondents were this time asked to select only what they considered to

⁶ Note that this term is not familiar to most people, so that its meaning was defined in the survey questionnaires.

be the top three explanatory factors: again, for the reason given in note 5, respondents were not requested to rank-order their three choices.

Table 5: General public's perceptions of principal causes of noble cause (ranks)

	Bulgaria	Germany	Russia	Singapore
Personality reasons	3			2
Corrupt anyway				
Sense of duty to society	2	3	3	1
Frustration with courts	1	1	1	3
State not supportive of police		2	2	
Arrest quotas				

Table 6: Businesspeople's perceptions of principal causes of noble cause (ranks)

	Bulgaria	Germany	Russia	Singapore
Personality reasons			3	2
Corrupt anyway			2	
Sense of duty to society	3	2		1
Frustration with courts	1	1		3
State not supportive of police	2	3		
Arrest quotas			1	

Table 7: Police officers' perceptions of principal causes of noble cause (ranks)

	Bulgaria	Russia
Personality reasons	3	1
Corrupt anyway		
Sense of duty to society		
Frustration with courts	2	
State not supportive of police	1	3
Arrest quotas		2

Analysis of the three sets of responses results in the following observations. First, Russian and Bulgarian police officers agreed that personality-related issues and inadequate support from

the state are major explicators. However, and as our second observation, Russian officers did not opt for frustration with the courts. This was not a surprising result, since conviction rates of those prosecuted in Russia can be over 99 per cent – though the gradual introduction of jury trials in that country may be bringing this figure down (Schreck 2010).⁷ However, both the general public in all four states and the business community in all but Russia ranked frustration with the courts highly (though less so in Singapore than in Germany or Bulgaria), possibly reflecting a perception that is common in many countries - and on which many populist politicians play - that too many alleged criminals are either being treated too leniently or else are getting away with their crimes altogether. But the most surprising result from Tables 5 to 7 is that, while the general public in all four countries, and the business community in all but Russia, did include a sense of duty to society as one of the top three reasons for noble cause corruption, neither set of police officers ranked it in their top three. This suggests that, at least in the case of some countries, we are being naïve as to the real reasons for ‘noble cause’.

Good governance

Shleifer and Vishny (1993: 599) offer two main propositions about corruption, the first of which is that ‘the structure of government institutions and of the political process are very important determinants of the level of corruption’. In short, they relate corruption levels to governance. This acts as an appropriate introduction to a consideration of the relationship between corruption and governance. First, however, we need to clarify what is meant here by governance.

⁷ For the record, note that the conviction rate in US federal courts is also close to 100% - see Scherrer 2016.

According to the World Bank -

Governance consists of the traditions and institutions by which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them

- while the *Good Governance Guide* maintains that good governance relates to how well a country performs in terms of seven factors:

- Accountability
- Transparency
- Adherence to the rule of law
- Responsiveness
- Fairness and inclusiveness
- Effectiveness and efficiency
- Participation

Before exploring our four countries' approach to anti-corruption specifically, we need to assess their overall performance on at least several of these governance variables. For participation and accountability, government effectiveness, and rule of law, we here use the assessments provided in the 2015 Worldwide Governance Indicators (WGI) data-set (version of 23 September 2016), which produce the following figures (% - the higher the figure, the better; scaling 0-100):

Table 8: *WGI* assessments relating to governance

	Voice & Accountability	Government Effectiveness	Rule of Law
Bulgaria	61.08	62.02	52.88
Germany	95.57	94.23	92.79
Russia	19.21	48.08	26.44
Singapore	42.86	100.00	96.63

Source: World Bank 2016

According to this assessment, Singapore and Germany have much better governance than Bulgaria and Russia, although Bulgaria does perform better than Singapore on 'Voice and Accountability'.

An alternative index is the Economist Intelligence Unit's *Democracy Index*. This includes two aggregate variables of direct relevance to the *Good Governance Guide's* list – viz. functioning of government (for effectiveness and efficiency) and political participation. The results are shown in Table 9; scaling in the original is 0-10, with higher scores being better than lower ones, but this scaling has been changed here to 0-100, for the sake of comparability.

Table 9: *Democracy Index* assessments relating to governance

	Functioning of Government	Political Participation
Bulgaria	60.7	72.2
Germany	85.7	77.8
Russia	28.6	50.0
Singapore	75.0	55.6

Source: EIU 2016: 4-7

Once again, Germany and Singapore are judged to have better functioning governments than Bulgaria or Russia – although Bulgaria outperforms Singapore on ‘Political Participation’. Russian governance scores are the lowest of the four countries on all governance variables in both Tables 8 and 9.

A final index of relevance here is the World Justice Project’s annual (since 2010) *Rule of Law Index* (RLI). This now provides an aggregate score (based on eight factors) for more than 100 countries; for its 2016 report cited here, 113 states were assessed. Our four states’ evaluations are provided in Table 10 (scaling in the original is 0-1, with higher scores indicating greater adherence to the rule of law; this scaling has been changed to 0-100 here to facilitate comparison with other indices).

Table 10: *Rule of Law Index* assessments

	Score	Global Rank (N = 113)
Bulgaria	54	53
Germany	83	6
Russia	45	92
Singapore	82	9

Source: Botero et al. 2016: 15, 21

Although this index ranks the rule of law in Germany higher than in Singapore (i.e. in contrast to the WGI assessment), the difference is marginal: yet again, Bulgaria ranks third, and Russia fourth.

Having considered several more general assessments of governance – which reveal a high level of similarity across the various indices - we can turn to assessments of the overall perceived corruption situation. Of the numerous assessments available, the four most useful from our perspective – in part because they are the most comprehensive (in terms of country coverage) and well-regarded – are Transparency International’s *Corruption Perceptions Index (CPI)*, the World Economic Forum’s *Global Competitiveness Report (GCR)*, the World Justice Project’s *Rule of Law Index (RLI)*, and the World Bank’s *Worldwide Governance Indicators (WGI)* ‘Control of Corruption’; all data in Table 11 are for 2015 and scaled 0-100, with higher figures representing either less corruption (CPI; GCR; RLI) or better control of corruption (WGI):

Table 11: Corruption scores

	CPI	GCR*	RLI	WGI
Bulgaria	41	54.3	41	48.6
Germany	81	78.7	84	93.3
Russia	29	48.6	41	19.2
Singapore	84	94.4	93	97.1

Notes: * The GCR provides at least four scores per country that relate to different aspects of corruption: that used here is ‘Irregular payments and bribes’ (the others being ‘Diversion of public funds’, ‘Public trust in politicians’ and ‘Favoritism in decisions of government officials’). Scores in the original GCR are scaled 0-7; they have been multiplied by 14.3 here to render them more readily comparable with CPI, RLI and WGI scores. Both the GCR and the WGI scores have been rounded to one decimal place.

Sources: Transparency International 2016: 6-7 (CPI); Schwab 2015: 125, 179, 307, 321 (GCR); Botero et al. 2016: 31 (RLI); World Bank 2016 (WGI)

While the actual scores differ somewhat across our three indices, the rankings of all three are almost identical: Russia emerges as the most corrupt of our four states and the one that has the

least control over corruption, while Singapore emerges as the least corrupt, with the best control over corruption – with Germany ranking second and Bulgaria third across all measures (the only slight exception being that Bulgaria is assessed in the RLI as being *joint* third with - having the same level of corruption as - Russia). These results are unsurprising to anyone who knows these countries. However, it is useful to compare them with the governance indicators cited above. This reveals that the rankings in Table 11 are virtually identical with those in Table 8 for government effectiveness and rule of law; the one notable discrepancy is in ‘voice and accountability’, where Singapore performs worse not only than Germany but also Bulgaria. The rankings in Table 11 differ slightly from those in Tables 9 and 10, in both of which Germany fares better than Singapore (whereas Bulgaria and Russia are ranked the same in all three tables); the difference is very marginal in the case of Table 10 (rule of law), but slightly larger in the case of Table 9 (democracy). Overall, however, it does seem from our very small-N comparative analysis that better governance correlates with both lower corruption generally and police corruption specifically.

Of course, correlation does not prove causation. Nevertheless, the close correlation between perceived corruption levels and quality of governance is clear, and we maintain that there *is* a strong relationship. What is not claimed here is identification of any unidirectionality of causation. On the contrary, we argue that corruption and governance are interactive – and that one important component required to break the vicious cycle is the adoption and implementation of a number of anti-corruption policies. Possible approaches form the basis of the next section.

Policy proposals

Singapore appears to have the least problem of police corruption among our four countries. Moreover, it has dramatically reduced corruption since the 1960s – unlike Germany, which did not have a significant problem to start with. It is therefore worth considering some of the methods that have been deployed by the Singaporean authorities, since policy proposals should in part be based on measures that have been effective in jurisdictions that once had a significant problem.⁸ The following list is far from exhaustive, but does include many of the policies that have been attributed to Singapore’s success (for far more detailed analyses see Quah 1979, 2006 and 2014).

Strict Penalties. According to Singaporean law, the maximum penalty for corruption is five years’ imprisonment and a \$100,000 fine, though the prison sentence can be extended to seven years under certain circumstances (Singapore Statutes Online 2016). But actions related to corruption can incur higher penalties. For example, the Corruption, Drug Trafficking and Other Serious Crimes Act was amended in 2014 to increase the maximum prison sentence for money-laundering from seven to ten years (ST, 31 May 2014). Furthermore, it was announced in 2015 that the Singaporean government was reviewing the Prevention of Corruption Act that had originally been enacted in 1960, revised in 1993, and then again in 2012. Even before these recent developments, however, corrupt officers have sometimes been subject to more than

⁸ The RLI does provide disaggregated scores for different types of corruption, one of which is ‘government officers in the police and military’. It is unfortunate that the WJP has collapsed the military and police into one, since, according to our imperfect measurement techniques, the military in many states is perceived as much less corrupt than the police. For those curious about the assessments on this, however, the 2016 RLI gave Bulgaria a score of 58, Germany 91, Russia 50 and Singapore 93 (Botero et al. 2016: 63, 86, 130, 134: scaling is 0-100, with higher scores signifying lower perceived corruption) – thus being in line with other assessments. This said, it is highly probable that Russia’s score would be much lower if it focused only on the police, since its military appears to be less corrupt – see e.g. Levada 2017, Table 2.

five years' imprisonment by having their misconduct classified as something other than straightforward 'corruption' (ST, 27 July 2013 and 20 February 2014; SPF 2014: 39).

Salaries and conditions. One of the surprising results from our surveys was that both the general public and the business community in Singapore perceived 'inadequate pay' as one of the main reasons for police corruption. The reason this was unexpected is that the Singaporean authorities have in the past emphasised as part of their anti-corruption policy that their public (civil) servants are well paid; in general, the policy is that public servants, including police officers, are to be remunerated at a rate commensurate with what they would receive for a comparable type of position in the private sector. Moreover, the Singaporean authorities have acknowledged that junior officers often need help with accommodation, and so have in the past provided this under certain circumstances. This particular perk is apparently no longer on offer – but officers can expect assistance with medical bills, annual leave of 28-35 days, study leave and other benefits.

Psychological testing. It will be recalled from Tables 2-7 that 'personality reasons' was cited by both sets of police officers, as well as by the general public and the business community everywhere apart from Bulgaria, as one of the main reasons for police corruption. Singapore has long had one of the most thorough testing regimes for applicants to the police force. While many countries do have this, an important aspect sometimes overlooked is that the testing needs to be conducted on an ongoing basis, not merely at the recruitment stage; again, Singapore scores well on this.

A single, independent anti-corruption commission. What is usually touted as the world's oldest anti-corruption agency is Singapore's Corrupt Practices Investigation Bureau (CPIB), which was established by the British in 1952, but has been upgraded on various occasions since. There are at least three aspects of the CPIB's status that deserve to be noted. First, it is totally independent of the police (and other state agencies), and answers directly to the prime minister. Second, its officers have far greater powers than their equivalents in most other jurisdictions. Third, the CPIB is the *only* anti-corruption agency, so that there is no risk of buck-passing or blurred lines of responsibility.

Unfortunately, several of these methods are expensive, or at least would be for less affluent societies. Since police corruption appears to be much more of a problem in transition and developing states than in affluent developed ones, it is worth considering low-cost policies.

Unambiguous legislation. Many jurisdictions – including my own state of Victoria in Australia – permit police officers to have certain kinds of second jobs; officers need to apply for permission to engage in outside work, which senior officers then either approve or not. But Singapore explicitly forbids police 'moonlighting'. It is worth recalling here Robert Klitgaard's (1988: 75; 1998: 4) well-known formula $C = M + D - A$, in which C stands for corruption, M for monopoly, D for discretion, and A for accountability. For our purposes, the key variable here is 'discretion'; once a degree of subjectivity and individual discretion (on the part of senior officers) is permitted, opportunities arise for various kinds of corruption. In a good governance regime, grey areas such as this are replaced by unambiguous laws and regulations.

Shaming. One of the ways in which Singaporean police recruits are educated in the downsides of engaging in corrupt activities is that they are taken into prisons and are there shown corrupt police officers who are ‘serving time’.

Praising – again, Singapore has been a leader on this. Since 2015, the CPIB has held an annual ‘Commendation Ceremony’, at which state officials (including police officers) who have ‘exemplified integrity and rejected bribes’ are named and praised.

Strict supervision. A research project on Dutch police corruption – based principally on a survey of more than 2000 police officers – discovered that strict supervision of junior officers by their superiors is particularly effective at countering external corruption (Huberts, Kaptein and Lasthuizen 2007: 596)

Apart from these low-cost policies, I have elsewhere (Holmes 2015: 97) proposed four additional methods that are inexpensive, and could contribute to a culture that is less prone to corruption.

1. *Abolishing arrest, fines or clearance targets.* It will be recalled from Table 4 that this was identified by Russian police officers as one of the top five reasons for their own corruption. Unfortunately, the impact of the abolition of targets is not as straightforward as it might initially appear. *Ceteris paribus*, having targets to be achieved by the police might increase the likelihood of inappropriate behaviour. However, it is more likely to increase noble cause and other forms of rule-bending and law-breaking (e.g. abuse of office in the form of unjustified use of violence) than, for

instance, bribe-taking: typically, bribes are paid to avoid fines or arrest, which would *lower* the number of arrests and fines administered.

2. *Greater public respect for the police.* Although our own survey data on police assessments in both Bulgaria and Russia suggest that a lack of respect from the public is not a major cause of police corruption, it was nevertheless selected as a factor by just over five per cent (5.6% and 5.4% respectively) of officers. Moreover, evidence of group loyalty among police officers in other contexts – ‘the brotherhood’ (Serpico 2016; Wetendorf 2016 - and should we not also mention the sisterhood?) – and of a ‘them and us’ attitude towards the public that has often been noted (e.g. Punch 2009: 39; Gadomski n.d.), plus the fact that some members of the public use highly derogatory and disrespectful terms (e.g. ‘pigs’ in English; *musor* [rubbish] in Russian) to refer to the police, all indicate that there is room for an improved relationship between both groups. Less alienation among officers and more public respect for them should reduce the proclivity to engage in corrupt acts.
3. *Encourage dialogue between police officers and the judiciary.* My own discussions with Australian police officers have made it clear to me that a major reason why many officers develop a feeling of alienation not only from the public but also from the state they serve is the sense that they are receiving inadequate support from the courts. Indeed, some expressly maintain that courts often sympathise with criminals more than they do with either victims or the police that have apprehended the criminals. Organising regular meetings between judges and police officers, so that each side can

explain its position, should reduce officers' alienation and their self-justification for corruption.

4. *Better role-modelling*. A fourth method that does not *per se* require additional resources is role-modelling by senior officers. The research into corruption and other forms of misconduct in the Dutch police cited above demonstrates how significant role-modelling is on malfeasance levels among subordinate officers (Huberts, Kaptein and Lasthuizen 2007).

Conclusions

It has been argued that there are several ways in which police corruption could be reduced in countries in which it is a serious problem. Adoption and implementation of these policies would not only reduce police corruption, but also enhance the quality of governance more generally. While some of the measures relate to a country's affluence, and so could not readily be applied in many transition and developing states, it has been demonstrated here that other measures are perfectly feasible for the latter. Some of these require new perspectives on the part of both political elites and the police themselves. Ultimately, however, new perspectives are less important than political commitment by both political elites and state bureaucracies.

For analysts such as Jon Quah (e.g. 2015), the single most important governance variable in combating corruption is political will. But this argument needs to be both interrogated and expanded. In terms of interrogation, we need to ask *whose* political will is all-important. As regards expansion – political will is a necessary but insufficient condition.

There is no question that the political will of the senior leadership is a key variable in the fight against police corruption. However, it is argued here that the will of *the* leader is of greater significance in more authoritarian states than in more democratic ones. Thus, Lee Kuan Yew was genuinely committed to combating corruption in Singapore from the moment he came to power in 1959, and this undoubtedly played a very significant role in bringing levels of corruption in that city-state down to what can be called manageable levels. On the other hand, Putin has on more than one occasion claimed that corruption is the most intractable problem he has faced as president and that he is attempting to reduce it (e.g. Putin 2008), but his actions do not support his words; surveys consistently suggest that anti-corruption is seen by many Russians as Putin's biggest failure (Levada-Tsentr 2015).

We can only speculate on the reasons why Putin has not demonstrated the same level of commitment to reduce corruption as Lee Kuan Yew - or other leaders who have made major inroads into their country's corruption problems, such as Mikheil Saakashvili in Georgia (Devlin 2010; World Bank 2012; Light 2014), Mart Laar in Estonia (Kasemets 2012: esp. 43) or Michelle Bachelet in Chile.⁹ However, one *a priori* persuasive viewpoint is that the explanation is twofold. First, in terms of corruption generally, Putin may fear that clamping down too harshly on state officials could lead to a backlash that might threaten his hold on power; after all, Max Weber argued that the most serious threats to an elite's position come not from the masses but from the state bureaucracy. Second, though related to the first point, Putin's pussyfooting with corruption among law enforcement officers could relate to his own background in the

⁹ Unfortunately, neither Saakashvili's nor Bachelet's approach is above criticism.

KGB, which renders him more sympathetic to the coercive branches of the state than might otherwise be the case.

A leader's own political will – his or her commitment to reducing corruption - is a necessary but insufficient condition, however. If s/he does not have support from the state bureaucracy, or even other members of the elite, then anti-corruption will be ineffectual. One example to support this contention is of former Romanian president Emil Constantinescu, who came to power in 1996 and could have run for a second term in 1980 but did not, citing as one of his principal reasons the fact that he had failed to reduce corruption because of a non-supportive bureaucracy. An example of a leader not receiving support from fellow members of the elite is of former Russian president (and now prime minister) Dmitry Medvedev. He did make a concerted effort to combat police corruption in Russia between 2008 and 2012, with various reforms – but essentially got nowhere.¹⁰ The main reason for his lack of success is widely seen to be the lukewarm support for these reforms he received from (then prime minister, but *de facto* supreme leader) Putin.

In light of the above, it is maintained here that for the *will* of the senior élite to be realised, it must be accompanied by political *capacity*; unless the senior leadership can ensure implementation of its policies, mere commitment – political will - will not suffice.

¹⁰ Although focus group research I have been involved in conducting recently in Russia suggests that many Russians believe that the level of police corruption is now in decline, few associate this with any actions by the authorities. Rather, it appears that it is increased use of mobile 'phone cameras and dashcams that has led to fewer police officers openly soliciting or merely hinting at bribes. This research was conducted together with Dr. Åse Grødeland and Prof. Eric Uslaner, and was funded by the Norwegian Research Council (NORRUSS Project Grant Number ES514639).

To this point, one variable that has not been explicitly considered in the context of police corruption is the political culture; it is assumed here that the culture within any given police force is at least partly conditioned by the more general climate in which it exists. Culture is a notoriously difficult factor to measure, with religious tradition sometimes taken as a proxy, though this cannot be satisfactorily scaled. However, the *Democracy Index* does attempt to measure how democratic a political culture is by scoring countries in terms of eight variables (see EIU 2016: 53-5). According to this approach, our four countries fare as follows (rank-ordered: scaling 0-10, with higher scores being more desirable):

Germany – 8.13

Singapore – 6.25

Bulgaria – 5.00

Russia – 2.50

According to this approach, Singapore does not fare particularly well (though still better than either of the post-communist states). But it needs to be borne in mind that while Singapore is still not perceived to be one of the world's more democratic states – though it is improving¹¹ – it scores very highly on rule of law.

So what can we conclude about the relationship between corruption and governance, other than that there is a correlation. On the basis of our small-N study, we argue that police corruption is likely to be less of a problem in societies with a more democratic culture and

¹¹ Until three years ago, Singapore was classified in the *Democracy Index* as 'hybrid' (i.e. between authoritarian and democratic). It just moved into the 'flawed democracy' category in 2014, and its democracy score has been steadily if slowly improving since then.

better governance – but that a commitment to the rule of law is ultimately more important in keeping police corruption down to manageable levels than a commitment to liberal democracy. Such a commitment is not a new concept, but may require a new perspective for many political elites and bureaucrats.

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