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# Recognising the 'abuse of power' in professional sexual misconduct

#### Structured Abstract

# **Purpose:**

This paper draws on Bjarnegård et al. (2024) to consider the value of applying a 'sexual corruption' framework within criminal justice and internal disciplinary ('administrative justice') systems, to respond to sexual misconduct by England and Wales/UK public sector professionals.

# Design/methodology/approach:

We used a comparative case study design, analysing public documents relating to four purposively selected cases involving sexual misconduct (doctor, police officer, politician, and soldier).

# Findings:

Our pilot analysis suggests that abuse of power was central, pervasive and recognised in each of the case studies. The sexual gain and quid pro quo elements of the framework were more ambiguous and harder to evidence. The paper suggests that administrative justice systems may be well placed to adopt an abuse of power/abuse of position approach to sexual corruption so that it establishes a fully perpetrator-focused definition.

# **Originality:**

Definitions of sexual misconduct involving abuse of power often fall between the established remits of 'sexual offending' and 'corruption' in both criminal and administrative justice systems. The combined term 'sexual corruption' provides a novel perspective in understanding how English/UK professions are responding to abuse of power for sexual gain.

#### **Keywords:**

'Sexual Corruption'; 'Sexual Misconduct'; 'Sexual Harassment'; 'Criminal Justice'; 'Administrative Justice'; 'Professionals'; 'Public Sector Regulation'.

# Funding and ethics:

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# Introduction

While work on corruption has focused heavily on political and financial spaces (Aja-Eke et al., 2023), 'sexual corruption' is gradually gaining recognition within the public sector. Most recently, it was included explicitly in the United Nations Convention against Corruption (UNCAC) (Kirya, 2024). Emerging scholarship has provided definitions on the nature and remit of sexual corruption, and offered some practical responses (Bauhr et al., 2024; Bjarnegård et al., 2024; Eldén et al., 2020; Kirya, 2024; Lundgren and Wieslander, 2024; Williams, 2024). Commonly, the *Transparency International* definition for 'corruption' is amended, substituting 'sexual' gain for 'private' gain (Bauhr et al., 2024), as in: "[sexual] corruption is the abuse of entrusted power for [sexual] gain' (Transparency International, 2024). Bjarnegård et al. suggest that the framework of sexual corruption can include a combination of three components: abuse of authority; quid pro quo; and the sexual favour itself (2024, p.1355). We focus on this framework for our analysis in this paper.

Definitions of sexual *misconduct* are broad and tend to include both sexual assaults and harassment. However, campaigns are emerging across a variety of public sectors to raise awareness of the egregious harm caused by the abuse of power in professional sexual misconduct, including in education (Bull and Rye, 2018), policing (Dejemyr *et al.*, 2018), medicine (Cox *et al.*, 2023), and the military (House of Commons Defence Committee, 2021). Definitions of sexual *corruption* tend to centre this 'abuse of power' element (Lundgren and Wieslander, 2024). It is an abuse of power because consent to sexual acts is potentially undermined by one party being in a position of authority (Bjarnegård *et al.*, 2024, p.1353; Williams, 2024, p.2). More broadly, organisational power hierarchies in these cases can make reporting and investigating them more difficult (Lundgren and Wieslander, 2024). Sexual corruption is additionally situated within broader power dynamics (Ahmed, 2021), including race, sexuality and age.

In relation to the 'quid pro quo' and 'sexual favour' components of the definition, Lundgren and Weislander (2024) illustrate how this could be either the provision, or the withholding, of something in exchange for sexual favour. For example, the withholding of a career promotion. This element, in addition to the terminology relating to an 'exchange', could arguably bring the definition too close to 'bribery', rather than 'corruption'. The exchange element is likely a direct translation from earlier research, which focused on how sex can be used instead of money within a corruption setting (Bjarnegård et al., 2024, p.1355; Williams, 2024). While the terms are sometimes used interchangeably, they are conceptually different (Lord et al., 2020, p.350). Specifically, 'bribery' is focused on transactional behaviour, whereas 'corruption' is focused more generally on the corruption or abuse of position (Lord et al., 2020; Transparency International, 2024). Furthermore, there is also an argument that the components of the definition place too much emphasis on the exchange of sex, which detracts from the

focus on the *abuse of entrusted power* (Bauhr *et al.*, 2024). That said, the 'quid pro quo' and 'sexual favour' elements mean that 'sexual corruption' incorporates a newer idea of sexual bribery, and links to existing literature concerning sextortion (Bjarnegård *et al.*, 2024).

Sextortion is defined by Ray and Henry (2025, p.138) as:

...making threats to share nude or sexual images to coerce the victim into complying with certain demands, such as paying a ransom, sharing intimate images, or engaging in unwanted acts.

This understanding of sextortion applies to contexts including intimate partner abuse, online child sexual exploitation (boys and girls) and the outing of sex workers (e.g. capping webcammers). Sextortion is also emerging as a term to refer to "a form of bribery in which sex, rather than money, is the currency of the bribe" (IAWJ, cited in De Paolis, 2024). Around the globe, individuals may be pressured to exchange sex for "water, food, land, freedom, and social acceptance" (Forattini, 2024, p.5). Those affected are often the most marginalised (lacking economic resources to 'pay') and commonly women. It appears therefore that scholars of gender-based violence on the one hand, and scholars of corruption, organisations and economics on the other, are using the same term, but are focused on slightly different motivations and contexts. This may be because the recognition of sex as a lever of power has come later into the corruption scholarship, which has traditionally focused on monetary and material gain. The concept of 'sexual corruption' instead offers an opportunity to unite these two often disparate literatures. Specifically, the component features of 'abuse of power', 'quid pro quo' and 'sexual favours' within existing definitions offer a novel framework for capturing the particular harms incurred when trusted professionals engage in sexual misconduct.

# **Justice Responses to Sexual Corruption**

Internationally, 'sexual corruption' has generally been pursued through either sexual offences or corruption legislation. In England and Wales, for example, sexual corruption is not directly addressed in statute, although criminal justice legislation does prohibit sexual offending under the Sexual Offences Act (2003). Pedro Caleiro and Petherick (2023) argue that the lack of specific recognition places sexual corruption in a "legal limbo" and subject to the limitations of both routes. Specifically, corruption laws tend to frame the organisation as the victim and sexual offence laws can require high threshold evidence of coercion. In 2018, the Indian region of Jammu and Kashmir appeared to be the first jurisdiction to introduce specific sexual corruption legislation, following High Court cases involving workplace sexual exploitation (Court on its Motion v. State of Jammu and Kashmir & Another, CMP No. 31/2012, cited in Tilakawardane, 2019). In 2023, Brazil passed a law:

...criminalizing the conduct of those who condition the performance of public or private duty of office on the performance of sexual activity as a result of the abuse of their position of supremacy or superiority, even temporarily. (De Paolis, 2024, p,15)

The Brazilian law requires three elements to be proven: abuse of authority, quid pro quo and psychological coercion. Bauer and colleagues (2024, p.15) argue that the inclusion of the third criteria may limit scope for prosecutions. Other countries have prohibited sexual corruption through 'offences against the person' legislation. For example, Part VIII of the Offences Against the Person and Reputation Criminal Code (1985) in Canada provides (under s.273.1(2)(c)) that there is no consent to sexual acts when the "accused induced the complainant to engage in the activity by abusing a position of trust, power, or authority". A similar offence was introduced in England and Wales in 2022 (through amendment to Sections 16 to 19 of the Sexual Offence Act 2003) but applied only to under 18s. The new law made it an offence for an adult in a position of trust to be involved in sexual activity with a person who is 16 or 17 years old and whom they look after. Overall, these international developments illustrate how abuse of power in relation to sexual gain is of increasing importance to legislators.

In addition to legislation, responses to professional sexual misconduct are often dealt with by regulators and their associated disciplinary procedures. We term this system 'administrative justice'. The granting of self-regulatory powers to professions occurred in England from the mid-19<sup>th</sup> century. Professions were given the right to establish and assess a body of knowledge on entry (informing degree programmes and granting licenses, for example); to monitor the standards of professionals in post; and to decide when individuals were no longer fit to practise. This autonomy has periodically been critiqued for enabling professionals to put their collective interest above public interest (see e.g. Adams, 2017). Administrative definitions of, and contexts for, sexual misconduct and administrative justice processes may occur prior to, concurrent with, or following a criminal justice process.

Introducing a definition of sexual corruption at the administrative justice level has the potential for quickly generating reforms and recommendations. Pyman and Heywood (2024, p.32) attribute this to sector-level factors including professional pride, deep subject knowledge, and a shared use of language which produce practical and workable solutions for their domain. In addition, reform enacted at the sector level can catalyse competitive pressure to enact reform across other sectors (Pyman, 2020).

Drawing on Pyman's typology of work sectors (2020, p.102), this paper focuses on the justice responses to four professions in England and Wales/UK: 'doctors' (public services – health sector), 'police officers' (security and public order – law enforcement), 'politicians' (executive, legislature and politics – parliament), and 'soldiers' (military and defence). These roles are part of a group that we would term 'high status/high public trust

professionals' (Mulvihill, 2025; Mulvihill *et al.*, n.d.) who have a guardianship, justice or confidante role within society. For context, we briefly outline here the prevailing administrative justice systems in England and Wales/UK¹ for each. In all cases, a criminal case (for example, under the Sexual Offences Act 2003), may also take place.

#### **Professional cultures**

All four professions are made up of high-status roles that require a great deal of responsibility and public trust to operate effectively (College of Policing, 2024; Searle et al., 2019). Recent inquiries, however, have identified issues in the culture of these professions (Casey, 2023; House of Commons Defence Committee, 2021). The professions are often structured by strict hierarchies, male-dominated or masculine cultures, and a focus on loyalty/protection (BMA, 2024; Collier and Raney, 2018; Sands et al., 2023; Wadham and Connor, 2023), creating a difficult environment to report and respond to sexual misconduct. Inconsistent and/or unclear complaint systems, in addition to power imbalances or job insecurity (through contracts, elections, rank etc.), can all contribute towards environments where abuse can happen but may go unreported and/or unsanctioned.

#### **Doctors**

The administrative justice procedures for doctors' sexual misconduct are initiated by the General Medical Council (GMC) who investigate the case, and who then may refer to the Medical Practitioners Tribunal Service (MPTS) for a hearing. Doctors are expected to follow the 'Good Medical Practice' guidance, which precludes acting in a sexual way towards colleagues (GMC, 2023, p.19 [57]). In addition, doctors 'must not act in a sexual way towards patients or use [their] professional position to pursue a sexual or improper emotional relationship with a patient or someone close to them' (GMC, 2023, p.25 [86]).

#### Police

There are both criminal and administrative justice mechanisms to tackle police sexual misconduct. In legislation, s.26 of the Criminal Justice and Courts Act (2015) prohibits 'corrupt or other improper exercise of police powers and privileges'. With regards to administrative justice, the police conduct framework (made up of Police (Conduct) Regulations 2020, Police (Complaints and Misconduct) Regulations 2020, Police (Performance) Regulations 2020, and the Police Appeals Tribunal Rules 2020) explain how cases of sexual misconduct should first be handled by a Professional Standards Department (PSD) within the force and referred to the Independent Office for Police Conduct (IOPC) if they meet certain criteria (including Cases involving abuse of position

1

<sup>&</sup>lt;sup>1</sup> We use 'England and Wales/UK' in places because some professional regulators have a UK wide remit (e.g. the General Medical Council) and others have a remit only for England and Wales (e.g. the Independent Office for Police Conduct).

for sexual purpose or pursuing an improper emotional relationship with a crime victim, witness or perpetrator).

# Military

Allegations of sexual misconduct can follow multiple pathways in the military. Misconduct that falls under part 1 of the Sexual Offences Act 2003 can be dealt with through *either* the Service Justice System (SJS) or the civilian criminal justice system. Consultation regarding jurisdiction is required between the Service Prosecuting Authority and the Crown Prosecution Service if the allegation relates to serious sexual assault or rape (CPS, 2023a). If the Service Person is charged by the Service Prosecuting Authority with a criminal offence, they proceed through to the Court Martial. Under the Armed Forces Act 2021, there are no specific offences relating to corruption within the Armed Forces. Such behaviour would likely be dealt with as a serious disciplinary offence which can only be dealt with through the SJS and/or through major administrative action (in accordance with the 2022 Unacceptable Sexual Behaviour policy).

# **Politicians**

In the UK Westminster Parliament, Members of both Houses can be - and indeed have been - charged, convicted and imprisoned for sex-related offences. In terms of the internal disciplinary response, Westminster adopted a code in 2018 specifically to address sexual harassment, violence and abuse, as well as an Independent Complaints and Grievance Scheme (ICGS) (UK Parliament, n.d.; ICGS, 2022). The development of the ICGS means that sexual misconduct, bullying and harassment is now handled separately to financial misconduct or improper interests, although all conduct issues are overseen by the Parliamentary Commissioner for Standards.

# **Research Questions**

In this paper, we explore the value of applying a 'sexual corruption' framework in the public sector in England and Wales/the UK. We do this by selecting four 'real life' case studies of sexual misconduct and assessing whether the components of sexual corruption (abuse of power; sexual gain; quid pro quo) can be identified. This is a pilot approach to see what opportunities or obstacles the framework presents. We have two research questions:

- To what extent are the three components of 'sexual corruption' identified in the literature (abuse of power; sexual gain; quid pro quo) present in each case study?
- 2. What can this tell us about the potential benefits and limitations of applying each component to 'sexual corruption' in the public sector?

#### Method

#### Design

The paper used a comparative case study design, made up of four cases focused on professions within a separate public sector (Crowe *et al.*, 2011; Goodrick, 2014; Stake, 1995). A case study approach was selected as it is suitable when asking exploratory questions (Jónasdóttir *et al.*, 2018; Yin, 2012) and where the interactions are steeped heavily in socio-cultural, political, and economic contexts (Pathmarajah, 2019). Whilst the focus of the paper is on identifying good practice in administrative justice, the analysis also includes discussions of criminal justice for two reasons. First, the two systems often work together in responding to cases of sexual misconduct. Second, the military has a separate justice system. Overall, our analysis considers the variety of situations the cases could progress through to contextualise the working of the administrative justice systems.

The research team used the steps outlined in Goodrick (2014, p.2) to clarify questions, collect and analyse the cases, and report findings.

#### **Procedure**

In clarifying the purpose of the analysis, we identified three core analytical questions for the analysis of sexual corruption:

- 1) How do abuses of power present?
- 2) How do sexual private gains present?
- 3) What 'quid pro quo' agreements can be identified?

The questions broadly reflected the components of sexual corruption identified within the literature review. An interpretive approach (Crowe *et al.*, 2011; Stake, 1995) was used throughout the analysis to illuminate issues in practice (Simons, 2009; White and Cooper, 2022), whilst placing them in their professional context (Welch *et al.*, 2022).

Case selection was purposive and should be understood as part of a broader data collection process for a comparative study of administrative justice responses to sexual misconduct by 'high status/high public trust professionals' (Mulvihill, 2025). The four authors (who are also project team members) agreed inclusion criteria to select a single case study within the open data that each were collecting for a given profession (Buchnea, 2023; Crowe et al., 2011). The inclusion criteria were: 1) The case involved sexual misconduct by the professional relating to identified individual(s); 2) the case was based in England and Wales; 3) the hearing/trial was held between 2018-2023; 4) involved adult complainant(s)<sup>2</sup>; and 5) had been subject to a criminal or administrative justice process (or both), and 6) there was a good amount of detail in the public domain about the case, sufficient to understand the initial event, the justice processes that followed and the outcome. The final selection, therefore, have common features but

<sup>&</sup>lt;sup>2</sup> This broader research project focuses on sexual abuse and misconduct perpetrated by selected professions against adults, rather than children.

could not be considered 'representative' cases and served the purpose of piloting a comparative case study approach. Furthermore, whilst the military justice system did not sanction the perpetrator specifically with a sexual offence due to the high burden of proof needed, the research team agreed to include the case study as the perpetrator's behaviour appeared similar to that of the other case studies, legal counsel appealed the case stating that it was "overtly sexual" (*R v [soldier]*, 2023), and the perpetrator was subsequently found guilty of a military specific offence ('disgraceful conduct of an indecent kind'). As such, we considered the behaviours to meet the inclusion criteria and reasoned that the sanctioning within the military case was similar to that of the police officer which focused on the 'improper' use of their power.

Information was collected for each case study through an archival method (Buchnea, 2023), similar to 'document' data collection within other case study method papers (Crowe et al., 2011; Jónasdóttir et al., 2018; Simons, 2009; Stake, 1995; White and Cooper, 2022). This consisted of collecting information from open-source materials, including: media articles (present in all cases), misconduct documentation from employer organisations/regulators (present in all cases), criminal justice documentation from the courts (present in the doctor and military cases), and other supporting reports/websites that were profession specific. Timelines were constructed by first reading through all the available material for familiarity, and then plotting key dates and events relating to the sexual misconduct (Buchnea, 2023, p.201). Further information gleaned from the documents was then added to the timeline, to contextualise across and between the key dates.

Following the construction of a timeline, the research team identified 'temporal brackets' (Decker, 2022) to define key points in the processing of the case that were distinct and did not overlap (Decker, 2022, p.4). This resulted in the structuring of cases into 'prereport context', 'incident', 'administrative/criminal justice response', and 'post-sanction'. The temporal bracketing was conducted to provide a structure to aid with searches for additional material in areas that may not have been covered within the initial search, and to understand the causal progression of the cases through very different systems. It is important to note also that, for the wider project in which this paper sits, we are interested in 'mapping trajectories' of sexual misconduct cases.

The team began inductively analysing their allocated case, using the three elements of sexual corruption provided by Bjarnegård *et al.* (2024) as axial codes. At first, we did this within each temporal bracket, but quickly realised that there was no neat fit between the concept and where it appeared in the timeline. We therefore switched to a model of one team member conducting the coding for the entire dataset, and then refined these as a team of four, through discussion and recurrent reflection between the dataset and the research questions (Jónasdóttir *et al.*, 2018; Stake, 1995; Yin, 2014). The coding matrix is outlined in Table 1.

Table 1: Coding of behaviours relating to each element of 'sexual corruption' across the case studies.

	Abuse of Power	Private Gain (Sexual)	Quid Pro Quo
Police	Access privileged info: Targeted vulnerable public: Multiple victims; Criminal and administrative sanctions	Sexual touching/activity; Sexual messages	Relationship; Attention to their case; Manipulation
Politician	Abuse of seniority; Bully/harassment; Financial investigations; Administrative sanctions; Appealed	Sexual exposure	Career preservation
Doctor	Access privileged info: Targeted vulnerable public: Multiple victims; Abuse of power identified; Criminal and administrative sanctions; Appealed	questions; Sexual	"Good medical care"; Manipulation
Military	Abuse of seniority; Bully/harassment; Multiple victims; Abuse of power identified; Military sanctions	questions; Sexual	Hazing ritual; Sense of belonging

Source: Authors own work.

#### **Case Studies**

To orientate the reader for the analysis that follows, we first present a brief 'pen-picture' of each case study. The cases were/are the subject of public process and commentary (which can be check through the open data links provided) so the privacy of all parties involved has not been compromised. However, for presentation here, we omit naming individuals and substitute instead their role throughout the paper:

# Doctor

The doctor's reported sexual misconduct occurred between 2009 and 2013. Two complaints made in June 2013 led to his suspension from practice as a GP (and partner) at a Medical Centre in England, thus launching a police investigation. The police investigation established a very significant number of female victims during this time where vaginal, breast and rectal examinations had been carried out without a clinical need. These were often conducted under the pretext of cancer screenings (e.g. breast, cervical). The doctor was judged as having a strong track record of targeting young women, lying and manipulating them, their parents, and his colleagues. In keeping his

offending covert, and falsifying medical records, the behaviour was covered up and mitigated his risk of being reported (case details taken from *R v [doctor]*, 2020).

His criminal trial was split into two separate trials (ending December 2018 and December 2019) due to the scale of offending. He was convicted for 90 sexual offences against 44 victims and sentenced in 2020 to life imprisonment. He was also suspended and, 9 months later, erased from the Medical Register by the GMC.

#### Police

The perpetrator in this case joined the police in April 2019 (he had previously been in the Army). In December 2019, he responded to three domestic abuse victims' calls for service. He later contacted the women to ask for images of their injuries and, subsequently, sexual images (Shropshire Star, 2023). Following this, he engaged in sexual activity with them and stalked the women. He shared the sexual images, along with racist and misogynistic remarks, amongst his friends. He went on to delete the messages (BBC News, 2023; CPS, 2023b; Shropshire Star, 2023).

As there is criminal legislation prohibiting the 'corrupt or other improper exercise of police powers' (Criminal Justice and Courts Act 2025, s.26), the police officer was subject to a criminal investigation, during which he resigned from the police and rejoined the Army. In 2022, he pled guilty to the corruption charges and was later found guilty of perverting the course of justice in deleting evidence. In early 2023, he was sentenced to 34 months imprisonment (The Law Pages, n.d.).

In addition to the criminal case, an accelerated misconduct process was held by the officer's police force, finding that he had committed gross misconduct. He was subsequently added to the College of Policing Barred List (West Mercia Police, 2023).

# Military

A soldier forced new recruits within his unit to take part in an initiation ceremony. The recruits were made to stand naked on chairs in front of colleagues in a locked room. The soldier touched their genitals and quizzed the recruits about their sex lives. He also made the recruits box each other naked and punched another recruit (Forces News, 2021).

In 2021, he faced trial at Court Martial and was found guilty of numerous offences (both criminal and military-specific). For touching recruits' genitalia, he was charged with 'disgraceful conduct of an indecent kind', a military-specific offence. During his sentencing, the judge clarified that there had been an abuse of a position of responsibility, but the soldier was not being sentenced for a sexual offence (*R v* [soldier], 2023). He was sentenced to 18 months military detention and dismissed from the military (Forces News, 2021).

The soldier's barrister was renumerated for a 'standard case'. In 2023, the barrister appealed this, arguing that he should have been renumerated for an 'adult sexual assault

case'. The High Court (Senior Courts Cost Office) found that, although there was a 'sexual element' to the case, it had not been charged as such. The appeal was dismissed.

#### Politician

Between 2012-2013, an MP engaged in a pattern of bullying and unwanted sexual behaviour towards one of his male employees (Independent Expert Panel, 2023). The victim resigned from his position as the MP's assistant in 2013. In 2017 the victim made a complaint to the Conservative Party, but the complaint was not resolved for another five years. As such, in October 2021, the victim made an additional complaint to the ICGS. The complaint detailed how the victim had been subject to verbal and physical abuse, humiliation, ostracisation, and, on one occasion, the MP had trapped the employee in a hotel room and indecently exposed himself to the victim.

The ICGS upheld the allegations and recommended that the MP be suspended from the House of Commons for six weeks. The MP denied the allegations and appealed the findings of the ICGS. The appeal was rejected, and the MP was suspended. He was also suspended from the Conservative Party. This triggered a recall petition, and he was removed as MP for his constituency and left Parliament.

# **Analysis**

In this section, we explore to what extent the three components of 'sexual corruption' identified in the literature (abuse of power; sexual gain; quid pro quo) are present in each of the above case studies.

# Abuse of power

In the case studies, abuse of power involved victims both internal to the profession, such as work colleagues, and external to the profession, such as the doctor targeting patients and the police officer targeting victims of crime. The cases illustrated a compounding of inequalities, including gender, age, professional status or seniority, as well as vulnerability. For example, the doctor (an older male senior professional) often targeted young female patients ( $R \ v \ [doctor]$ , 2020); the police officer (male) targeted vulnerable female domestic abuse victims (Shropshire Star, 2023). Victims internal to the profession tended to involve more junior members of the workforce, as seen in the politician (political assistant) and military (recruits) cases.

We also found evidence of wider abuses of power and cite three examples here. First, some offending professionals were found to have accessed privileged information. This included the doctor accessing and altering patient records (Murphy, 2020) to cover up his offending (Kirk, 2023), as well as the police officer using privileged information to build relationships with the victims (Shropshire Star, 2023). Second, professionals engaged in non-sexual bullying and harassment in the politician (Independent Expert Panel, 2023) and soldier (Forces News, 2021) case studies. Third, the politician was investigated in

relation to their expense claims and financial declarations (Hope, 2009; Norfolk, 2014), although no wrongdoing was proven.

'Abuse of power' was cited within the justice response across all four case studies. The police officer was criminally sanctioned for three counts of "corrupt or other improper exercise of police powers and privileges" (The Law Pages, n.d.). The politician was found to have breached standards across five allegations of abuse, mainly relating to bullying and harassment. The Independent Expert Panel convened by the Westminster Parliament ICGS, stated that:

This case is all about the exercise of power and control over a young employee, both in the bullying and sexual misconduct. The investigator described the respondent's position as a 'significant position of power'. In our view, there was a complete imbalance of power between them which the respondent deliberately exploited over months (Independent Expert Panel, 2023, p.29).

The military case was prosecuted within the military justice system. The Service Prosecuting Authority charged the soldier with a military-specific offence, namely "disgraceful conduct of an indecent kind" (*R v [soldier]*, 2023), stating that "there was an abuse of your position" (The Sun, 2021). The doctor case study focused on criminal sexual offending, but with clear narrative around an abuse of power:

You were a master of deception and you abused your position of power. This was a horrible abuse of trust and caused incalculable harm. The details show a pattern of behaviour over five years (Murphy, 2020).

The police officer, doctor and soldier were dismissed and barred from practicing within their professions. The police officer was placed on the College of Policing Barred List which prevented the individual becoming a police officer again in the UK (West Mercia Police, 2023), although the status of his military career is unknown. Similarly, the doctor was also 'struck off', but this only applies to practicing within the UK and does not preclude that doctor practicing in other jurisdictions (Kirk, 2023). In addition, doctors may seek to use their medical qualification to practice in adjacent (though non-medical) therapeutic contexts (Hill, 2024). The soldier was dismissed from the military, but it is important to note that, since he was charged with a military-specific offence, there would be no civilian record of this crime, even though it was described as "overtly sexual" (R v [soldier], 2023). Whilst the politician received a short suspension, this did have a significant impact on his career. Having lost the Conservative whip (Francis, 2023), he was removed from office following a successful recall petition by his constituents. His partner was selected by the Conservative party to contest the seat at the subsequent byelection, though she was unsuccessful (Heath, 2024). This additional detail raises interesting questions about how professionals, who have been sanctioned in relation to abuse of power, may continue to seek or exercise influence in their professional domain.

The case studies also provided examples of appeals against outcomes and sanctions. Both the doctor and the politician contested the decision, and had their appeals dismissed. Within the doctor's case, the judge stated that his "thinking was distorted to such an extent that he sought to normalise prolific offending" (*R v [doctor]*, 2020). The Independent Expert Panel described the politician as failing to acknowledge his misconduct and having a "lack of remorse" (Independent Expert Panel, 2023, p.42). The panel ruled that he did not raise any substantive grounds for appeal (Independent Expert Panel, 2023, p.40).

# Private sexual gain

In our sample, private sexual gain was obtained through physical contact and other sexualised behaviours. For example, within the soldier case study, young recruits were asked about their sexual relationships with their girlfriends while stood naked on chairs. Sexualised contact included the touching of genitals as part of an initiation ceremony within the military (Forces News, 2021). In the politician case, the politician indecently exposed himself close to the face of the parliamentary assistant whilst they were alone in a hotel room. In the doctor case, the criminal judge expressly highlighted sexual gain:

The applicant derived sexual pleasure from the examinations. One victim noted he had an erection during the incident. (*R v [doctor]*, 2020).

The police officer case study involved a range of possible sexual gains, including sexual messages, images, and sexual acts (Shropshire Star, 2023). The Crown Prosecution Service noted the officer had admitted that "he abused his position to pursue sexual relationships with the victims of domestic abuse and stalking" (CPS, 2023b).

In the case of the soldier, the Service Prosecuting Authority concluded that they would have "an issue with proving to the high standard required" in relation to consent for the sexual offending (*R v [soldier]*, 2023). The Judge Advocate was explicit that the soldier had not been sentenced for a sexual assault or any form of sexual offence, despite the soldier touching and manipulating the recruits' genitals.

# Quid pro quo

We found it difficult to discern 'like-for-like agreements' within our sample. This was mainly due to some professionals using manipulation to engage in sexual activity with the victims. For example, within the police case study, the relationship with the officer may have involved the officer providing some companionship, protection, or more attention to the victim's criminal case. However, statements from victims suggested that they did not report because they felt they would not be believed, because of the police officers' status or that colleagues might 'tip off' the officer (Shropshire Star, 2023). Instead, the Judge within the police officer case study stated that, while the relationships may have "appeared consensual", the victims were subject to "calculated manipulation" to

"engineer" the relationships through the power imbalance between police officer and victim (West Mercia Police, 2023). The doctor's judgement illustrated how the doctor persuaded young vulnerable women into intimate exams by using "lies" stating that he cared about them and through leveraging the fear of cancer ( $R \ v \ [doctor]$ , 2020). In both instances, the Judges directly place responsibility on the officer and doctor, highlighting how the abuse itself impacted on the victim's capacity to freely consent. This in turn underlines how a 'like-for-like' framing can be problematic.

Similarly, within the politician case study, a letter of complaint to the Prime Minister highlighted how the complainant had not reported the abuse straight away as he felt he was to blame for "not coping better" (Independent Expert Panel, 2023, p.36). Elsewhere in the report, the complainant is described enduring the abuse to maintain his career (Independent Expert Panel, 2023, p.35). The focus on career preservation was also echoed within the military case study. During sentencing, the presiding Judge Advocate emphasised that the soldier recruits had felt pressure to go along with the behaviour as they wanted to show they belonged to the unit (Brown, 2021).

#### **Discussion**

This article explores the extent to which the three components of sexual corruption (abuse of power, sexual gain, and quid pro quo) (Bjarnegård et al., 2024) were present across four case studies involving public sector professionals. Whilst abuse of power was consistently identifiable, sexual gain and quid pro quo appeared more ambiguous and often difficult to evidence. This suggests that requiring all three elements may limit the practical application of the framework. Instead, adopting a definition centred on abuse of power for sexual gain may offer a more effective and perpetrator-centred approach. The following discussion identifies how each component manifested in the case studies and explores the implications for administrative justice responses.

The abuse of power appeared central and pervasive across each of the case studies. Behaviours were broad and included abuses directly connected to the sexual acts, in addition to abuses of systems and information to cover up wrongdoing (Kirk, 2023; Murphy, 2020). Furthermore, the abuse of power by the professionals appeared to co-occur with other vulnerabilities or power dynamics such as gender, age, junior status within an organisation, or being a victim of crime.

The case studies suggest challenges in distinguishing 'sexual' from other private gains and an over-focus on gradations of what could be considered 'sexual'. We give two brief examples here. First, within the judgement of the doctor's case, the judge highlighted how the doctor's behaviour was "not only sexual but was driven by the doctor's desire to control and, on occasions, humiliate women" (*R v [doctor]*, 2020). Second, the Independent Expert Panel (2023, p.6) deemed the politician's frequent requests for

massages from his parliamentary assistant and forcing that member of staff to put his hands in his lap as a form of rebuke, as non-sexual.

Nevertheless, given that sexual gain and the exercise of power and control can be interlinked, we suggest that it is difficult practically to distinguish sexual from non-sexual - for analytical purposes, at least. Furthermore, seeking to make the distinction tends to raise questions for the victim about harm, vulnerability and consent, rather than retaining the focus squarely on the perpetrator (Bauhr *et al.*, 2024). The policing and medical case studies illustrate how manipulation was used to form apparently consensual relationships. By taking an abuse of power approach, proving consent or lack of consent becomes immaterial (Fitzgerald and Cortina, 2018; Lundgren and Wieslander, 2024).

The decision to label acts 'sexual' or 'non-sexual' can also lead to inconsistent, and indeed damaging, outcomes, as demonstrated with the medical and military cases. In both instances, the perpetrator abused their position to undress the victim, ask intimate questions, and touch their genitals. Both cases resulted in imprisonment or detention. But the soldier was not charged with a sexual offence or an offence relating to an abuse of position; nor was he subject to conditions under the sex offenders register. Indeed, his disciplinary record was not recorded in the civilian police system. Possibly then, an administrative justice process that specifically recognises 'sexual corruption' could more effectively capture cases that do not meet evidentiary thresholds, within both the military and the civilian criminal justice systems.

When we tried to find evidence for a 'quid pro quo' within the case studies, we found it tended to focus us on the victim's, rather than the perpetrator's, motivations and behaviour. Often the sexual behaviours did not neatly fit the idea of sexual bribery (Bjarnegård et al., 2024; Eldin et al., 2020; IAWJ, 2012) or sextortion (Mathot, 2019; Elden et al, 2020; p.9), as there was no clear 'exchange' between victims and perpetrator. For example, instead of an exchange of sex for medical care (Coleman et al., 2024), the doctor enacted a wider web of manipulation, leveraging the patients' fear of cancer, to trick victims into unnecessary intimate examinations for his private sexual gain.

The quid pro quo element did appear more relevant in cases involving abuses of position within the workforce, but only as a critique of how quid pro quo agreements may be institutionalised (Eldin *et al.*, 2020; pp.72-73). For example, hazing rituals could be considered a form of institutionalised corruption whereby participation is predicated on 'acceptance' into the unit: "if you do this, then you'll belong". Similarly, where victims feel that subjection to sexual misconduct is the price for retaining a cherished career, as in the politician case.

Overall, our pilot analysis suggests that searching for a 'quid pro quo' has the unhelpful effect of seeking to rationalise victimisation and to deflect attention from the primary issue: the behaviour of the professional accused. Given our small and selective sample,

however, we recognise that may be contexts where recognising this element is important. Further work is needed on this.

#### Conclusion

A small number of case studies cannot alone inform recommendations for policy-making, but they do provide a rich portrayal of a single setting (Simons, 2009). As such, the current paper does not claim that these findings are generalisable (Yin, 2012): rather, the findings illustrate the benefits and limitations of applying the three elements of Bjarnegård *et al.* (2024) sexual corruption framework to addressing sexual misconduct by public professionals in England and Wales/UK.

Our analysis suggests that requiring all three elements of the sexual corruption definition (Bjarnegård *et al.*, 2024) is not necessary. Instead, we suggest that, in the context of professional sexual misconduct, we should omit the requirement to identify quid pro quo and focus on sanctioning the 'abuse of power/abuse of position for a sexual purpose'. This would be closer to the Transparency International (2024) definition that "[sexual] corruption is the abuse of entrusted power for [sexual] gain", and would provide a novel way of conceptualising professional sexual misconduct that combines the insights of scholarship on corruption and sexual violence. In centring this component of the definition, we believe that this illuminates the specific nature and harm that occurs when trusted professionals engage in sexual harms.

We see particular promise in administrative justice mechanisms incorporating this approach since professions themselves are well placed to understand the specific contexts in which this behaviour emerges. It would shift focus to perpetrators and their abuses of power (Bjarnegård et al., 2024; Eldén et al., 2020; Lundgren and Wieslander, 2024), avoid relying on victims to evidence how behaviours "unwanted/unwelcome" or "offensive/degrading" (Fitzgerald and Cortina, 2018; Cortin and Areguin, 2021). It could also shed light on cases that are downplayed as "banter" or "jokes" (Lundgren and Wieslander, 2024). The development of relevant policy across these administrative justice mechanisms could provide accountability should the criminal route fail (due to burdens of proof, evidentiary thresholds, and so on) and enable public professions to meet their duty to keep the public (and their employees) safe from future harm. Recognising this form of sexual corruption becomes especially critical given the asymmetries of power (Williams, 2024) often present both within 'high status/high public trust professions', and between these professionals and the people whom they are meant to serve, care for, or protect.

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