

Update – With Great Power Comes Great Responsibility

As the saying goes ‘with great power comes great responsibility’, and the powerful organisations of both the police and the media are now facing a broad investigation in respect of alleged corruption and misconduct. Most of us are familiar with the recent scandal in relation to phone hacking and other allegations of inappropriate behaviour from certain organisations within the media, but the heat and scope of the scrutiny over the practices of journalists and public officials has now increased significantly.

A number of arrests were made earlier this year, most recently in early February, and it has been confirmed that there is a broad investigation underway into allegations of corruption and bribes paid by journalists to the police and other public officials. Five journalists were arrested in dawn raids at their homes on suspicion of corruption and of aiding and abetting misconduct in a public office. In addition, a Ministry of Defence employee, a member of the armed forces and a police officer were arrested on suspicion of corruption and misconduct in a public office.

It has been reported that the investigation came about because of a large quantity of information including emails that was disclosed to the police as part of the phone hacking investigation. This revealed evidence to suggest that police officers and other public officials had been bribed. As the organisation in question, News Corporation, is an American Multimedia Conglomerate, the investigation also has a global aspect, with the FBI and SEC using their remit to conduct a full enquiry into corrupt practices by the organisation in the United States of America.

Those suspected will not be charged under the new Bribery Act as the alleged criminal acts pre-date the legislation. Had the offences been committed after July 2011 then both the police officer and the Ministry of Defence employee would have been capable of prosecution under the Act as it applies to individuals in the public service of the Crown as it applies to other individuals. They could each have been dealt a sentence of up to 10 years imprisonment if found guilty.



There are wide debates emerging from these arrests such as the balance between a free press and ensuring legal compliance, and issues such as who exactly should watch the watchers, as the police are currently investigating the conduct of their own officers. What seems to be clear is the reinforcement of the message that bribery and corruption will not be tolerated from any sector.