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# Understanding the moral myopia and ambiguity of post-employment conflicts of interest: comparing police to other public and private organizations

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## ABSTRACT


While post-employment conflicts of interest (PECoI) carry important risks of integrity violations, empirical research is scarce. This paper provides insight into the meaning and the perceptions of PECoI in the Dutch (military) police compared to those in other public and private organizations, to draw lessons for the public management of ethics. The study combines document analysis with interviews ( $N = 32$ ) and a quantitative vignette study ( $N = 75$ ). We find that PECoI are a blind spot and ambiguous. Five (possible) manifestations of PECoI were identified, like the (mis)use of classified information for commercial purposes and of relations with former colleagues.

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## 1. Introduction

To ensure public trust in law enforcement agencies that, like the police, have the monopoly to use force and whose work directly impacts fundamental rights of citizens (Huberts, Pijl, and Steen 1999; Schaap 2018), the ethical behaviour of both current and former employees must be beyond reproach. When public servants leave their organization, the risk arises that knowledge, skills and contacts they developed at the organization will be abused, and conflicts of interest for their former employer may arise. Post-employment conflicts of interest (PECoI), for instance, concern revolving door constructions like ‘switching sides’ (Cerrillo-I-Martínez 2017; Mulgan 2021), retired generals actively supporting political parties (Miller 2020) or retired police officers working as private investigators trying to get classified information from former colleagues (Smit et al. 2019). Such PECoI carry important risks of integrity violations (Di Carlo 2013; Gupta, Holla, and Suri 2015). Yet conceptual and empirical research on the meaning and nature of PECoI is scarce (Boyce and Davids 2009; Hong and Kim 2017).

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This paper argues that PECoI are a socially constructed phenomenon and hence can only be understood well when we consider its meaning in practice. Taking an explorative, contextualized approach, we examine the social construction of PECoI in two Dutch law enforcement agencies (i.e. Dutch National Police and Royal Netherlands Marechaussee<sup>1</sup>) by answering three research questions. First, how do employees of (military) police organizations conceptualize PECoI and which manifestations of PECoI have they experienced or could be expected? Second, when do they consider the use of knowledge, skills and contacts developed at the former employer unethical or beneficial? Third, how do their perceptions and experiences differ from those of (former) employees from other organizations in the public and private sector? With the comparative element in the third question, we can learn from experiences in (military) police organizations for the management of ethics in other sectors and identify how unique characteristics of (military) police organizations may affect ethics management.

The multi-method study<sup>2</sup> combines document analysis with in-depth interviews and an explorative survey among integrity and HR officers in the Dutch National Police and the Royal Netherlands Marechaussee (15 interviews, 7 survey respondents). We compare our findings to those in other public and private organizations (17 interviews and 68 survey respondents). We find that PECoI are a blind spot in (military) police and other organizations' ethics management, both in policy and in practice. PECoI are conceptualized mostly at the individual rather than organizational level, causing ambiguity about their meaning. The ambiguity of meaning may hinder employees and managers to recognize risks involved, which could increase (the appearance of) integrity violations. Furthermore, we identify five possible manifestations of PECoI, of which three were observed by respondents in the (military) police and four in other organizations. Interestingly, we find that within-sector switching – and particularly between law enforcement agencies – is considered less problematic than switching from the public to the private sector. The contribution of this paper is twofold. First, it addresses the call for research on PECoI as an under-researched but important aspect of ethics management and thereby supports a more precise and empirically grounded conceptualization of PECoI. Second, it develops propositions for how (military) police organizations perceive and experience PECoI that can be tested in future research beyond law enforcement.

This paper continues with a literature review and an explanation of our contextualized and social-constructivist approach of (PE)CoI. We then describe the multi-method design and research context. In the findings, we lay out how PECoI are conceptualized and manifested and when the use of knowledge, skills and contacts developed at the former employer is considered unethical or beneficial, thereby comparing perceptions in the police and other organizations. The paper concludes with propositions for further research and recommendations for practice.

## 2. Literature

### 2.1. Definitions: conceptual ambiguity and contextualized approach

Academic studies define public sector conflicts of interest (CoI) in various ways (Davids 1998; Davis 2001). Most definitions stress that CoI arise when there is a risk that private, personal or organizational interests will improperly or illegitimately

influence the representation of the public interest (Demmke et al. 2020; Lasthuizen, Huberts, and Heres 2011). Few, however, clearly delineate the characteristics of these *other* interests and the precise meaning of a *conflict* with the public interest. Some define ‘personal and private interests’ narrowly as private financial interests (Mafunisa 2003), while others define them more broadly as (non-)financial interests of involved persons and their family members, friends, acquaintances or organizations (Boyce and Davids 2009). Stark (2000) in this respect points to a shift from an objective to a subjective conception of interest. More importantly, scholars often take a contextualized approach, in which CoI are seen as socially constructed and situational (Davis 1993; Luebke 1987). Indeed, certain behaviour may or may not be seen as a CoI depending on the situation, local context, culture and institutional norms (Ochoa and Graycar 2016).

Compared to regular conflicts of interests, both conceptual and empirical research on *post-employment* CoI (PECoI) is markedly scarce (Boyce and Davids 2009) and a clear definition is lacking. Analogous to general CoI definitions, we define PECoI as a situation in which, after employment with an employee has been formally terminated, there is a risk that personal, private and/or organizational interests will improperly or illegitimately influence the representation of the public interest. Like regular conflicts of interest, the interpretation of PECoI depends on the social construction of context-specific moral norms (Fineberg 2017; Kinchin 2007). Although grounded in legislation, codes of conduct and integrity policies, the codification and formalization of moral norms do indeed not dispense with the need for situated interpretation in practice and continuous development and shifts in their underlying meaning. The meaning and nature of PECoI is therefore an empirical question, one of which the answer must be firmly grounded in practice. Hence, we employ an exploratory, contextualized approach to better understand from the bottom-up what meaning is given to PECoI within law enforcement. Using sensemaking as an analytical lens (Weick 1995), we stress the importance of individual and collective ideas, like common norms and values that are socially constructed by organization members (Loyens et al. 2021). Using this lens enables us to understand how practitioners themselves understand PECoI and how they distinguish them from beneficial use of knowledge, skills and conflicts in consecutive jobs.

To embed the study in previous literature and organize data collection, we make three additional conceptual choices. First, we distinguish PECoI from integrity violations they may result in. PECoI, in other words, are not integrity violations themselves but involve *risks* of integrity violations, such as illegitimate use of confidential information, abuse of power/position and corruption (Fijnaut and Huberts 2002; Kleinig 1996). Although this distinction is not always made in policies – especially in the Netherlands – it aids more proactive discussion and reporting of such risks when the mere presence of PECoI is not already considered an integrity violation in and of itself. Relatedly, we see PECoI not as a dichotomy but as a continuum between situations that involve low or high risk of integrity violations (Di Carlo 2013; Thompson 2009; Vande Walle 2010) and take into account the perceived seriousness and frequency of integrity violations that PECoI (may) result in (Lasthuizen, Huberts, and Heres 2011).

Second, we focus specifically on the public interest. Our study does not include mere conflicts between organizational and/or private interests of former employees, which the literature considers ‘conflicting interests’. Only when the public interest is considered (also) at risk, we define it as PECoI. Although these phenomena can

coexist, a clear conceptual delineation is important to avoid confusion and inflation of concepts (Demmke et al. 2020).

Third, following scientific literature (e.g. Davids 2004; Resnik 1998) and the OECD (2020), we distinguish actual, potential and apparent PECoI, respectively, defined as (1) current PECoI, (2) PECoI that ‘would arise if the official were to become involved in relevant (i.e. conflicting) official responsibilities in the future’ and (3) a situation in which ‘it *appears* that a public official’s private interests could improperly influence the performance of their duties *but this is not in fact the case*’ (OECD 2020: 6, emphasis in original). Hence, we focus not only on current PECoI but also on those that could develop in the future. While potential PECoI cannot always be foreseen (Di Carlo 2013), public organizations should anticipate future risks of integrity violations when the position or role of employees changes. Moreover, even if no PECoI exist, the perception thereof may already erode public trust in government agencies (Ochoa and Graycar 2016), because ‘justice must not only be done but must be seen to be done’ (Coleman 2005, 6). Nevertheless, an overemphasis on potential and apparent PECoI may lead to integritism in which moral judgements are made without sufficient grounds (Huberts 2005).

## **2.2. Manifestations and antecedents of PECoI**

Only few have systematically examined the nature and characteristics of PECoI (see, however, Cerrillo-I-Martínez 2017; Mulgan 2021; Selling 2015), and even fewer focus on PECoI in law enforcement. The literature nevertheless provides interesting illustrations of such PECoI. Examples include retired US generals who actively support political parties (Miller 2020), privatized parts of the military/police hiring former personnel to lobby for their interests (Alexandra 2008; Ayling and Grabosky 2006) and revolving door construction with former Dutch military personnel hired by organizations oriented at the military (De Hoop and Beeres 2019). These examples, though few, are consistent with trends like the privatization of security tasks and blurring boundaries resulting from public–private partnerships (Dupont 2014; Hansen Löfstrand 2021; Van Steden and Sarre 2007). Such developments increase (potential) conflicts between public and private interests and require more research in how (former) police personnel perceive these risks.

Studies on PECoI in the public sector beyond (military) police show that PECoI may manifest themselves in at least four ways (Stark, as cited in Mulgan 2021, 204). The first is *influence*, where a former official prevails on former colleagues to give improper advantage to interests with which that official is now associated. These PECoI essentially involve risks of collusion between former colleagues. For example, when former employees try to influence former colleagues’ decision-making or encourage them to share insider information (Baumgartner et al. 2009; Blanes i Vidal, Jordi, and Fons-Rosen 2012; OECD 2010). Police (culture) studies point towards similar integrity risks, because of the cohesiveness and solidarity in ‘old boys networks’ (Kleinig 2001; Loyens 2013; Skolnick 2002). These could decrease moral sensitivity for PECoI if risks of information exchange after employment are not recognized. Moreover, strong subcultures could be a ground for blurring moral standards (Lee et al. 2013) and reluctance to report (Loyens 2013; Magahy and Pyman 2010; Punch 2000).

Another possible manifestation of PECoI is *profiteering*, where a former official derives improper benefits from inside knowledge acquired in the previous employment. Closely related is Stark's third manifestation *ingratiation*, where an official, while still in office, abuses their office to seek a future benefit such as lucrative employment. Both manifestations may, for instance, occur when public servants (plan to) join lobby groups (OECD 2010) or (plan to) start businesses. Research by Grupe (2003) shows that IT professionals knowingly withhold information about deficiencies in their organization's software to start companies that further develop the software, thereby harming their former employers. Such PECoI would in the public sector very likely also harm the public interest because of problems in the IT service towards citizens and waste of public money. In the context of privatization of security tasks, similar risks may occur when former (military) police personnel start private security or investigative agencies.

Lastly, there is the phenomenon of *switching sides*, where a former official, having represented the government in a negotiation or dispute with an external party, then represents that party in the same negotiation or dispute. This manifestation is closely related to revolving door constructions, an important source of PECoI in public organizations<sup>3</sup> (OECD 2010). These PECoI occur, for instance, when former employees of regulatory agencies are employed by private organizations they previously inspected or vice versa (Hong and Kim 2017; Langford 1991). This implies the risk of 'regulatory capture', in which regulatory agencies are more led by private than public interests (Coen and Vannoni 2016; Dal Bó 2006; Makkai and Braithwaite 1992). The phenomenon of switching sides also implies risks in other sectors, for example, when employees use subventions granted by their former employer (Cerrillo-I-Martínez 2017). Previous studies show that PECoI concerning revolving doors can already develop before employees (plan to) leave the organization (Kernaghan and Langford 1990), if they are tempted to take more or less favourable decisions towards (potential) future employers (Che 1995; Salant, 1995; Cohen 1986; De Haan et al. 2015) or misuse their position to obtain lucrative future employment (Mulgan 2021). In both cases, the public interest is at risk. Although different studies show an increase in revolving doors, there is little empirical research that analyses whether and when it involves integrity risks or rather improves collaboration between organizations (Selling 2015).

It is important to note that, as Mulgan (2021) emphasizes, PECoI are ultimately born from interchanges between organizations and sectors that in itself hold great benefits for both individuals and the public interest. The 'human capital hypothesis' indeed suggests that former public servants can use their expertise and knowledge in an ethical way in (private) organizations and that this can increase understanding and communication between sectors or organizations (Bishara & Westermann-Behaylo, 2012). The 'quid pro quo hypothesis', however, states that private employers hire former public servants mainly because they expect them to (ab)use their network in the public sector for the gain of the new employer which poses serious integrity risks. A clear distinction between the benefits and risks of post-employment behaviours is thus not easily made and indeed must be understood in relation to the specific circumstances of the situation at hand.

While prior studies provide valuable indications on possible PECoI, they offer little insight into how they are conceptualized and experienced by practitioners in general and within law enforcement more specifically. As such, we know little about how well

the aforementioned manifestations fit with practices in the (military) police context and whether perceptions and experiences of (military) police personnel differ from those in the public and private sectors in meaningful ways. Likewise, the reasoning and criteria that (military) police officials use to distinguish helpful from harmful post-employment use of knowledge, skills and contacts remain a black box. The present paper contributes to the literature by opening this black box and gathering insights that allow for a more empirically grounded conceptualization of PECoI in the (military) police.

### **3. Methods**

#### **3.1. Research context and design**

In 2018, GRECO<sup>4</sup> concluded that there are few concrete guidelines and restrictions on PECoI in the Dutch law enforcement and recommended further research into PECoI risks. Our study is a response to this call for research. It employs a multi-method approach and triangulates findings from document analysis with in-depth interviews and an explorative quantitative vignette study among integrity and HR officers in the Dutch National Police, Royal Netherlands Marechaussee and other organizations in the public and private sectors.

#### **3.2. Selection of documents, respondents and organizations**

The document analysis was aimed at uncovering formal definitions, conceptualizations and regulations on PECoI in the Dutch (military) police. We studied the integrity policies and codes of conduct and requested any additional policy documents that could include regulations, norms and measures pertaining to PECoI. This included several brochures, infographics and written guidelines on ancillary activities, rules for top-level and sensitive functions, how to deal with businesses and rules about leaving the organization. A small number of interview respondents from other public/private organizations provided us with their codes of conduct as examples of how they had formalized PECoI in norms and rules.

For interviews and the survey, we focused on professionals who, by virtue of their role and tasks, held relevant knowledge and expertise about ethics in general and PECoI in particular. We first selected integrity officers (or equivalent functions) in the Dutch (military) police and other public/private organizations because they generally have the most comprehensive overview of (characteristics, risks and suspicions of) integrity violations that (may) occur in organizations and those involved. Although research among managers and (former) employees could have provided insight into, for example, the impact of existing policies, we expected their knowledge about risks and manifestations of PECoI across the organization to be limited. Second, we included HR professionals who have 'integrity' in their portfolio or are specialists in relevant sub-fields (e.g. tendering and reservists) that could generate specific PECoI risks. Alongside the (military) police organizations, we included a diverse selection of other public and private organizations, particularly those that might become new employers of former (military) police personnel. Potential respondents were identified and approached in a systematic way to ensure theoretical representation ([appendix 1](#)).

We conducted 32 interviews ([appendix 2](#)) and 123 respondents started the survey between 19 January and 12 February 2021. After deleting incomplete questionnaires, we ended up with 75 respondents ([appendix 3](#)). There are several possible reasons for the fairly high drop-out rate. First, respondents stop filling in as soon as they are asked about familiarity with possible PECoI cases. Another possible reason is that for privacy reasons one could not start the questionnaire and finish it later. As a result, some may have stopped and started again later; then not all dropouts concern unique cases. Finally, the dropout rate is particularly high when using social media, because of lower conscientiousness on the part of respondents. An exploratory and partly qualitative approach may cause these respondents especially to experience a relatively high respondent load, causing them to drop out.

### **3.3. Data collection and analysis**

The goal of the interviews was threefold. Respondents were asked (1) how they themselves conceptualize PECoI and how they (could) manifest in practice, (2) when they consider the use of knowledge, skills and contacts developed at the former employer unethical/beneficial and (3) to provide documents (see above). The semi-structured format allowed for an in-depth analysis of respondents' perceptions and how these relate to socially constructed moral norms within the context of (military) police and other organizations. The interviews took on average 1 hour and were transcribed verbatim. We analysed both interviews and policy documents through an iterative process in which thematic and analytic coding was alternated allowing for a fine-grained, in-depth analysis (Richards 2020). Thematic coding led to categorization and ordering of the data in central themes, like 'definition of PECoI' and 'manifestation of PECoI'. These were further analysed by analytic coding in two steps. First, we identified the main characteristics of the central themes, using codes derived from the literature (e.g. 'actual/potential/apparent PECoI') and inductive in-vivo codes (e.g. 'job-related risks', 'blind spot', 'red flag') (Miles and Huberman 1994). Second, we used the method of constant comparison (Boeije 2002) to look for patterns in the data and analyse relevant differences and similarities concerning perceptions about PECoI within and between sectors.

The goal of the quantitative vignette study was twofold. First, to inductively study which criteria are important to consider when defining a PECoI. This would help gain a general overview of how integrity officers in the Dutch (military) police and other organizations conceptualize PECoI. Second, to examine differences and similarities in the conceptions of PECoI between public/private sector integrity officers. To reach both goals, three vignettes were developed that focus on 'grey area's' (see [appendix 4](#)). The construction of the three vignettes was prompted by the first few interviews with several organizations. From these interviews, it became clear that respondents mentioned some (possible) PECoI that might happen but were ambiguous at the same time. The mentioned PECoI matched some of the types of PECoI we found in the literature: contact with former colleagues (Boyce and Davids 2009), working for an organization they regulated in a former job (Cerrillo-I-Martínez 2017) and using information/experience from the former job in the new job (Demmke and Henökl 2007). After posing the vignettes and asking to what extent and why respondents think there is (not) a PECoI, additional pieces of information were added in phases (see [appendix 4](#)) to really gain understanding into what are necessary and/or sufficient conditions for



PECoI. The goal was therefore not to deductively test whether the included vignettes were indeed particular types of PECoI but to explore which criteria would ‘make or break’ situations as PECoI, which arguments were used and to explore whether these perceptions and arguments differed between contexts.

## 4. Findings

This section first describes how respondents from the (military) police conceptualize PECoI and how they (could) manifest in practice (RQ1). Second, it explains when the use of knowledge, skills and contacts developed at the former employer is considered unethical or beneficial (RQ2). In each part, we compare their perceptions with those of respondents in other organizations (RQ3), addressing both similarities and differences.

### 4.1. Conceptualization and manifestations of PECoI

#### 4.1.1. What is a PECoI?

Our qualitative findings suggest that PECoI are a blind spot not only in (military) police organizations but also in other organizations. Integrity officers from all sectors state that, before the interview, they had never really thought about PECoI and openly doubt they are a problem in practice. Although respondents can imagine that former employees experience PECoI, many downplay the risk that integrity violations are committed in these situations because of control mechanisms when people leave the organization (e.g. no access to information systems). Some, however, acknowledge that former employees are not monitored, so organizations cannot be sure that policy measures are indeed effective.

It is not a priority, also because we don't see it go wrong. However, that is of course naive, because we don't know what we don't know. (R20, public)

These [risks] are larger than we think; if people are out of the picture, they cannot avoid taking information with them which could even influence their decisions. (R6, police)

Both the interviews and policy documents show a lack of conceptual clarity concerning PECoI. Whereas most organizations involved have clear guidelines concerning CoI, regulations for PECoI are scarce. When respondents in the (military) police are asked to conceptualize PECoI, they consider it ‘*complicated*’ (R1, police), ‘*a matter of interpretation*’ (R2, police) or ‘*based on your gut feeling*’ (R12, military police). Respondents often dispute the usefulness of a clear unambiguous definition because in practice ‘*red flags*’ are considered more important than ‘*putting things in a box*’ (R12, military police). Police respondents emphasize that the organization should encourage people to think about ethical dilemmas themselves, rather than develop a prohibited list of PECoI:

Like in ancillary activities the norm is that employees should first consider the situation themselves and only if they find it necessary report it to their supervisor who then looks at it. There is no more prohibited list. (R8, police)

This is also starting from the professionalism of an employee, to determine whether or not to mention it to the supervisor. (R7, police)

Likewise, in other organizations formal definitions of PECoI are lacking or unknown to respondents. In the absence of formal definitions, respondents conceptualize PECoI from practice. Most respondents refer to a conflict between various interests and give practical examples to illustrate these interests because they find it difficult to describe them more generally. However, when asked for PECoI, some respondents in public and private organizations refer to conflicting interests (where the public interest is not at stake), ‘*various roles or hats*’ (R20, R23, R24, public; R25, private; R32, expert) or ‘*conflicting loyalties*’ (R18, public; R32, expert). Furthermore, it is remarkable that respondents in public organizations often (implicitly) equate the public interest with their organization’s interests, while these may conflict in practice.<sup>5</sup> The conceptual ambiguity thus results in an abundance of different, partly overlapping, definitions that do not create a clear framework for PECoI. Some respondents therefore call for more dialogue about various interests and how these may conflict when people leave the organization (e.g. R9 and R10, police).

Respondents from (military) police and other public organizations further emphasize that, although PECoI are not always avoidable, the mere *appearance* of PECoI and of integrity violations that could result from it can already damage the reputation of the government and public trust. They consider the appearance of integrity violations just as bad as actual integrity violations.

The organisation should be open, transparent and not take on the appearance of nepotism. That also contributes to the image, the perception. The information position is important, but when someone leaves, it is also about contacts. If someone then approaches his ‘club’ – possibly for business purposes – then you give the appearance that there is a goodwill factor. (R9 and R10, police)

Because the appearance of PECoI is considered damaging in itself, various respondents in the (military) police and public sector conclude that they should be avoided, as shown in statements like: ‘*a public servant should be above any suspicion*’ (R32, expert) and ‘*you shouldn’t even want the perception of a conflict of interest to arise*’ (R17, public).

#### 4.1.2. Five types of (possible) PECoI

The interviews point to five possible manifestations of PECoI with varying risk of integrity violations.<sup>6</sup> Respondents consider these risks particularly high (1) if confidential/secret information is involved or (2) when an appeal is made to contacts, relationships and networks with former colleagues or other contacts made during the service. The misuse of confidential information is indeed against Dutch law, and collaborating with former colleagues may be against internal regulations, depending on the time period in which it occurs. Respondents see fewer integrity risks when PECoI arise concerning (3) the use of skills acquired through specialist education/training during former employment, (4) the use of knowledge about business operations of the former employer or (5) the exploitation of the former employment itself (including associated status, position, military rank) without the use of secret information or improper use of contacts. Of these five (possible) manifestations, three types actually occurred in the (military) police,<sup>7</sup> and four in other organizations (Table 1).

The interviews further show that PECoI in these situations can and do lead to integrity violations or legal offences, such as entanglements of interest, favouritism, misuse and manipulation of information and improper use of authority. In one case, bribery was suspected. While the present study precludes any conclusions on the

**Table 1.** (Possible) manifestations of PECoI and perceived level of integrity risks.

Possible manifestations of PECoI	Perceived level of integrity risks	Perceived occurrence per sector
<b>Type 1.</b> PECoI in which an appeal is made to contacts, relationships and networks with former colleagues or other contacts made during the service	High	(Military) police Public sector Private sector
<b>Type 2.</b> PECoI in which confidential or secret information is involved	High	(Military) police Public sector Private sector
<b>Type 3.</b> PECoI related to the use of skills acquired through specialist education and training during former employment	Rather low	/
<b>Type 4.</b> PECoI that involve knowledge about the business operations of the former employer	Rather low	Public sector Private sector
<b>Type 5.</b> PECoI in which the former employment itself is exploited (including associated status, position, rank) without the use of secret information or improper use of contacts	Rather low	(Military) police Public sector Private sector

prevalence of integrity violations resulting *from* PECoI<sup>8</sup>, the nature of PECoI risks seems serious. Several respondents therefore call for more permanent attention for PECoI.

## 4.2. When does the use of knowledge, skills and contacts involve (no) PECoI?

### 4.2.1. Assessments in vignette survey

The vignette study shows that the lack of clarity about the definition and conceptualization of PECoI directly affects how respondents assess practical situations. Respondents vary widely in whether they classify events as PECoI or not. Regarding vignette 1 (without additional information), respondents' verdicts are still reasonably consistent since 74.7% see no PECoI in this event. The main reasons are the absence of decision-making power ( $N = 10$ ), the absence of using information for personal gain ( $N = 5$ ) and the use of knowledge that is meaningful for the current organization ( $N = 27$ ). Respondents also note that both have the same higher (public) goal, which is the general interest, and that sharing information serves that goal ( $N = 6$ ).

But as the events become more complex in the following vignettes, the assessments increasingly diverge. In vignette 2 (without additional information), only 50.7% of respondents still see no (apparent) PECoI, while 29.3% think it is an unacceptable appearance of a PECoI, 13.3% have no idea and 6.7% thinks this is a clear manifestation of a PECoI. Almost all respondents who perceive no (apparent) PECoI follow the motto: trust before mistrust. For example, many respondents indicate that using experience and knowledge from a former job improves processes including integrity and compliance regulations ( $N = 15$ ). Others indicate that employees sign a confidentiality agreement, and there is no reason to believe that this agreement would not be honoured ( $N = 5$ ). Almost all respondents who do consider the event a(n) (apparent) PECoI indicate that the employee can use the knowledge incorrectly in terms of investigation and monitoring activities, for example, by pointing out loop-holes ( $N = 18$ ).

The divergence in conceptualizations becomes even more pronounced in the third vignette (without additional information). Of the 75 respondents, 38.7% think there is no PECoI, 24% find it an unacceptable appearance of a PECoI, 17.3% have

no idea and 20% see a clear manifestation of a PECoI in this event. Respondents who perceive no (apparent) PECoI argue that knowledge of the organizational culture and speaking the 'language' of the organization under investigation can improve independent research ( $N = 11$ ). As part of this argument, respondents state that the ex-employee can also be more quickly seen as a credible discussion partner, which can increase support. Moreover, some respondents argue that there is no reason to believe that formal procedures are disregarded ( $N = 3$ ). However, some respondents are unsure whether procedures are followed and therefore perceive the event as unacceptable ( $N = 8$ ).

When provided with additional information on the three scenarios, though, respondents name additional criteria to assess events. Respondents especially mention criteria on the use of confidential information, private or third-party interests, relatedness of the former position to the current position, time passed since the former position and tender criteria in the case of consultancy contracts (i.e. involvement of former colleagues, preferential treatments and GDPR regulations) (see [appendix 5](#)).

[Table 2](#) shows whether these differences remain when sector is considered. While there is much ambiguity regarding the PECoI assessments of the three scenarios, some patterns are deductible. First, public sector integrity officers more often draw the 'do not know' card than private sector respondents. Public professionals therefore seem less decisive than private professionals regarding the assessments of PECoI. Moreover, integrity officers from (military) police agencies are somewhat more reluctant to label an event as (an unacceptable appearance of a) PECoI than respondents in other organizations. They are more likely to conclude no PECoI or indicate there is too little information to make a choice. However, we should note that the number of respondents from (military) police agencies is small which might influence the variance. Finally, scenario 2 provides somewhat different verdicts between public and private sector integrity officers. Public sector respondents more quickly address the event as an unacceptable appearance of a PECoI, while private sector respondents' verdicts are more diverse but predominantly conclude no PECoI.

Interestingly, more convergence is seen in respondents' verdicts when more information is provided on the scenario. Regarding scenario 1, the extent to which confidential information from the former organization is used, leads to more convergent verdicts of (an unacceptable appearance of a) PECoI. Regarding scenario 2, the cooling down period and the differences in positions between former and current jobs also make respondents agree more on their verdicts of no PECoI. Regarding scenario 3, the extent to which old contacts *appear* to have been used to win a tender seems to lead to a more uniform verdict of (an unacceptable appearance of) a PECoI.

#### **4.2.2. Perceptions of (the grey area of) PECoI in interviews**

The ambiguity on *when* the use of knowledge, skills and contacts developed at the former employer is considered improper or illegal, or rather beneficial is also seen in the interviews. Across sectors, many respondents choose the latter, because of advantages like access to state-of-the-art expertise, rapid decision-making, reduction of information asymmetry and efficient procurement. Employers even explicitly select employees based on their previous experience or network. Respondents explain that, for example, knowledge and experience of former police detectives in criminal investigations can be particularly useful for other law enforcement agencies. Moreover, these can be an asset for private organizations, including those that *'investigate cases for*



**Table 2.** Assessments of scenarios across the (military) police, public and private sector.

Scenario	(military) Police						Public sector						Private sector					
	No conflict (%)	Unacceptable appearance (%)	Conflict (%)	Do not know (%)	No conflict (%)	Unacceptable appearance (%)	Conflict (%)	Do not know (%)	No conflict (%)	Unacceptable appearance (%)	Conflict (%)	Do not know (%)	No conflict (%)	Unacceptable appearance (%)	Conflict (%)	Do not know (%)		
1	75.0	0	12.5	12.5	71.4	10.7	14.3	3.6	76.9	12.8	10.3	0	76.9	12.8	10.3	0		
2	75.0	12.5	0	12.5	35.7	46.4	0	17.9	56.4	20.5	12.8	10.3	56.4	20.5	12.8	10.3		
3	37.5	25.0	12.5	25.0	39.3	17.9	21.4	21.4	38.5	28.2	20.5	12.8	38.5	28.2	20.5	12.8		

which the police does not have time' (R30, expert) or security companies that do not always know how they can formally work together with the police.

Nevertheless, there is a fine line between beneficial use of knowledge and contacts, on the one hand, and PECoI on the other. Consistent with the vignette study, the interviews reveal that respondents consider this line complicated and case specific. Respondents acknowledge that these situations may involve integrity risks, like nepotism and the use of classified information. However, they think that the use of knowledge and contacts developed at the former employer mostly supports the public interest when employees move between public sector organizations. Because public organizations share the aim to serve the public interest, many respondents consider the risks of a public–public switch lower than a public-private switch. Integrity risks are considered particularly low when public servants move between law enforcement agencies:

People are coming in from the (military) police and also the other way around. But then there is the idea 'we are on the same side'. Those organisations are all part of the same group of investigation and enforcement agencies, [...] with the same societal interest. The focus should thus be on different kinds of organisations that are not part of this chain. (R16, public)

[...] the law enforcement domain is a friendly chain. The only strategic enemy is crime. [...] These organisations are all connected links within the criminal justice system. But, if you do commercial things with private companies, in the business sphere, then you have to safeguard the interests of the police. (R9, police)

Other public organizations also consider the mobility of personnel within the public sector beneficial. These organizations, respondents argue, '*are on the same side*' (R16, public), '*serve the public interest*' (R23, public), '*staff are bound by the same oath*' (R17, public), '*skills and expertise are paid with public money*' (R24, public) and '*if employees go to partner organizations in the chain, it improves collaboration*' (R21, public). Interestingly, few respondents include arguments pertaining to the separation of powers and the public interest that underlies legal boundaries to exchange information between public sector organizations. It seems that in respondents' perspective, the shared overall aim of '*ensuring safety*' or '*serving the public*' makes sharing information and networks both beneficial and low risk.

Hence, the data show a tendency to downplay integrity risks of PECoI when employees move between public organizations and to highlight them when public servants go to the private sector. This has two important consequences. First, integrity risks that may arise after a public–public switch are overlooked. Yet in the collaboration with former colleagues, two public interests may still collide, for example, catching criminals and respecting legal procedures:

Sometimes former policemen brag about having all these contacts within the police, from whom they can get information. 'I can always call a former colleague'. That is not how it is supposed to go, although I can imagine it is very tempting – precisely because you all want to catch criminals. [...] They have contributed to catching criminals and start working in another agency where they will also catch criminals but with different instruments. You get the temptation: the higher interest is catching criminals, but in terms of legal procedures it is wrong. (R18, public)

Two other respondents emphasize that it may be unclear which knowledge from former employers can(not) be shared, and this must be examined before switching organizations. According to respondent 2 (police) supervisory bodies should then

make decisions on the information sharing limits, although he doubts whether that is common practice.

A second consequence is fear among (military) police officers to collaborate with private agencies in the security domain. Respondent 27 explains that (military) police officers are reluctant to even talk to private investigators because they fear giving too much information. It is considered unclear whether and how the (military) police can legally collaborate with private investigative agencies.

It is entirely unclear now. Police officers are afraid to share anything. [...] The standard response of the police is: we cannot say anything because of privacy legislation. They blame everything to privacy, but they actually don't know the legislation that well – and they are afraid to do it wrong. (R27, private)

Respondents therefore call for more clarity, for example, in protocols, about how public and private organizations *can* collaborate and share information or expertise.

## 5. Conclusion

PECoI carry important risks of integrity violations, yet conceptual and empirical research is scarce. Our multi-method study provides key insights into how practitioners themselves make sense of PECoI, in the Dutch (military) police as well as in other public and private organizations. Our data suggest that few organizations have PECoI 'on their radar'. Responses to requests for participation further substantiate that PECoI are simply 'not an issue' in formal policies and informal practices. Surprisingly, this blind spot is found across sectors even though previous studies suggest such matters to be more likely to be discussed (cf. Heres and Lasthuizen 2012) and regulated (Boyce and Davids 2009) in public than in private sector organizations. Meanwhile, we show that the potential and actual risks are serious: cases discussed reveal PECoI resulting in entanglements of interest, favouritism, misuse and manipulation of information, improper use of authority or bribery. With the continued rise of public-private partnerships, outsourcing and co-production (e.g. Demmke et al. 2020) these risks are likely to increase over the upcoming years.

Second, our findings suggest that a lack of active social construction of norms, interests and values can unnecessarily widen the 'grey area' around PECoI and thereby enhance integrity risks. Our study specifically reveals ambiguity in conceptualizations of PECoI across sectors that seems to arise from (1) the general lack of attention to the phenomenon in both policy and practice, (2) the lack of clarity and limited discussion about the exact public interests at stake in PECoI and (3) the conceptual conflation of related conflicts (conflicting interests, actual/potential/apparent CoI). For instance, while conceptually it is important to distinguish actual from potential and apparent PECoI, our data show that this analytical distinction can be difficult to maintain when evaluating concrete cases in practice – especially when highly detailed information about the case at hand is missing. Moreover, we show that the ambiguity in conceptualizations of PECoI can cause divergence in moral reasoning and judgements of situations as more or less acceptable even among those who may be considered 'professional experts' in the field of ethics and integrity. Our (military) police data show this occurring even within specific organizational contexts. The research thus confirms that the interpretation of PECoI depends on socially constructed moral norms (Heres 2014; Kinchin 2007). Yet barring explicit discussion of and attention

to PECoI, normative expectations remain unclear, and individuals are left navigating the grey area on their own. Among other things, this may heighten the risk that practitioners use moral neutralization techniques to justify their post-employment decisions (see Kaptein and Van Helvoort 2019). Especially in public sector organizations such as the (military) police, where integrity violations can directly harm public interests and trust, a more deliberate and shared sensemaking approach to PECoI norms seems necessary to aid public servants in first defining and then doing the right thing (cf. Reinecke and Ansari 2015).

Third, while many definitions of PECoI are sector- or function-specific (e.g. OECD 2004; Resnik 1998; Thompson 2009), we show that their actual manifestations may be more similar than presumed. We found five possible manifestations of PECoI, related to (1) the use of specialized skills, (2) knowledge about business operations, (3) exploitation of former employment, (4) confidential information or (5) relationships with former colleagues. While these manifestations are closely related to the categories distinguished by Stark (2000), as cited in Mulgan (2021), our typology of manifestations differs in two ways. First, it emphasizes the post-employment behaviour itself and the risks therein (e.g. use of skills and use of certain types of knowledge) and thus distinguishes PECoI as risks more clearly from the integrity violations that such risks may result in (e.g. abuse of office and improper advantage). Second, our typology points towards additional risks not yet included in prior works, most notably the use of the former employment itself (rank, title and status) to gain improper benefit.

Our findings on the manifestations also add to the literature in other ways. Two of the manifestations are linked to the use of classified information for commercial purposes and the use of relations with former colleagues, confirming the respective role of marketization and old boys networks in policing (Haarr 1997; Hassan and Hufnagel 2018; Van Steden and Jones 2010). Furthermore, three manifestations were observed by respondents in law enforcement and four in other organizations in the public and private sectors. Hence, we observed similar manifestations of PECoI in (military) police and other public/private organizations. This is consistent with continued blurring of sector boundaries (Dávid-Barrett 2020; De Graaf & Van der Wal, 2010), due both to New Public Management and its associated increase of outsourcing and contracting out public service provision to private organizations (Boyce and Davids 2009), resulting in an increase of interchanges of personnel between the public and private sectors.

Notwithstanding the similarities, our study also illustrates the situated, context-specific nature of moral norms and practices (cf. Heres and Lasthuizen 2012; Kinchin 2007). We find that there is a fine line between PECoI and beneficial use of information, knowledge and contacts with former colleagues. In general, the benefits of personnel mobility are emphasized over integrity risks. However, this applies particularly to within-sector switching and even more so when switching within law enforcement, where the perception of being on the same side and serving the public interest prevails. In our study, integrity risks are considered more likely and more serious in public-private switches. This differentiation in post-employment norms may have various reasons.

First, it seems a logical consequence of respondents' apparent disposition for consequentialist reasoning (e.g. 'exchange of information is beneficial to ensure safety') over more deontological reasoning (e.g. the separation of powers within the public sector; citizens' privacy). Combined with the understanding that the core value systems



of public and private sector organizations do differ in important ways (Van der Wal et al., 2008), respondents may reasonably expect organizations that are ‘more like them’ to resolve their value conflicts – and hence integrity risks – in similar ways. It should be noted, however, that the different risks associated with within- versus across-sector switching may also be a resultant of the prejudiced assumptions and images public and private professionals tend to have of each other’s values, motives and practices (Van Steden, Van Der Wal, and Lasthuizen 2015). Especially in times where employees are encouraged to switch back and forth throughout their careers, public–private partnerships become increasingly common and governments heavily rely on consultants to support public service delivery (Demmke et al. 2020; Mulgan 2021), the perceived differences in integrity risks may in fact be outdated. This in turn can lead to systematic underestimation of risks of within-sector switches compared to across-sector switches.

## 6. Recommendations for further research and practice

Our study aimed to draw lessons from (military) police for the management of ethics in other public and private organizations. In this respect, two reflections can be made. First, we see much resemblance between (military) police and other organizations in two respects: the amount of ambiguity regarding PECoI and the actual manifestations of PECoI. While prior studies show differences between these sectors on ethics-related concepts (cf. ethical leadership (Heres and Lasthuizen 2012), organizational norms and values (De Graaf and van der Wal 2008), work engagement (Borst et al. 2020) and performance (Blom et al. 2020), our (military) police respondents seemed to be neither more nor less clear in their understanding of PECoI. Moreover, amid blurring sector lines (Dávid-Barrett 2020; De Graaf & Van der Wal, 2008), moral dilemmas and risks are increasingly becoming a ‘shared experience’ across sectors. Especially where such experiences actively involve different sectors, it is important to ensure adequate cumulation of academic and practical knowledge, collective and deliberate efforts to develop a shared language and moral arguments to assess PECoI and to draw lessons both ways.

For example, two manifestations of PECoI in the present study were linked to the use of classified information for commercial purposes and the use of relations with former colleagues, which points to the risks inherent to New Public Governance. We agree with Mulgan (2021) that two opposing considerations are important, as post-employment behaviours may hold risks but also hold great potential benefits for the public good (see also Bishara & Westermann-Behaylo, 2012). In the context of changed career patterns of public servants – particularly in countries where job security or tenure has diminished or disappeared in the public sector (OECD 2010) – it is important to acknowledge the value of sector switching as to facilitate employment opportunities for former public servants outside the public sector. More research is needed to further flesh out the fine line between beneficial use of knowledge, skills and contacts developed at the former employer and PECoI, especially in public–private switching.

Second, our findings point to aspects that seem specific to PECoI in the (military) police. The study suggests that cohesiveness and solidarity in ‘old boys networks’ studied in police culture literature (Haarr 1997; Kleinig 2001; Ruth, Gunther Moor, and Buruma 1997; Skolnick 2002), results in decreased moral sensitivity for PECoI in

law enforcement, especially because the strong loyalties developed in such contexts extend even beyond formal employment relations and as such seem to increase risks of exchanging information even after employment. This, in turn, indicates that strong, loyalty-based organizational cultures must be accompanied by an even stronger ethical culture that ensures loyalties do not cross legal and moral boundaries that ultimately compromise the public interest. Future research should examine whether such relations exist also in other organizations with strong loyalty-based cultures.

From our exploratory study, we thus draw the following propositions that can be tested or further developed in future quantitative and qualitative research:

- (1) Clear and explicit conceptualization of PECoI in organizational policies (a) decreases conceptual ambiguity among professionals, (b) leads to convergence among professionals' moral reasoning and judgement of potential PECoI situations and (c) increases moral awareness about PECoI and their associated integrity risks.
- (2) Within-sector switching between organizations with a shared public goal (e.g. 'safety' or 'justice') results in less perceived PECoI than (a) across-sector switching and (b) within-sector switching between organizations with different public goals.
- (3) The more loyalty and comradery dominate organization cultures, the less morally sensitive professionals are to PECoI.
- (4) Across-sector switching of personnel and public-private partnerships increases the integrity risks of PECoI.
- (5) Convergence of moral values between the public and private sectors (cf. Van der Wal, 2008) lowers the integrity risks of PECoI.

We must, however, also consider the limitations of this study. First, since the knowledge about PECoI in both research and practice is almost non-existent, the group of respondents is limited accordingly. Although this might lead to a selection bias, the topic does not even seem to be on the radar of integrity officers themselves. At the same time, managers could have given information about cases that are unknown by integrity officers. Future research might therefore test the aforementioned theoretical propositions under a broader respondent group including, for example, line managers. Second, this study made a crude distinction between sectors, while this is more fine-grained in practice (especially due to the blurring of boundaries as mentioned above). At the same time, many studies in Public Administration do use this sectoral distinction which is based on a thorough theoretical argumentation (see [appendix 1](#)). However, we do affirm the suggestion in these comparative studies that future research can use an even more fine-grained distinction between sectors or focus on a specific sector or a specific type of jobs to do a more in-depth analysis of positive and negative experiences with policies concerning PECoI. This is a reasonable approach after this first explorative study.

Despite limitations, our study also provides relevant insights for practice. First, our study shows that many organizations lack both formal policies and a shared language to adequately discuss and assess risks of PECoI. Implicit norms at the individual level thus prevail, resulting in different judgements of potential PECoI. In the present study, we demarcate PECoI to those situations in which the public interest is considered (also) at risk. Although in practice

conflicting interests and CoI can coexist, a clear conceptual delineation between them is important to avoid confusion and inflation of the concept (Demmke et al. 2020). Likewise, explicating and verbalizing more deliberately the public interests at play in public organizations can help employees to more easily identify when the public interest is at stake in (PE)CoI. The typology of manifestations offered in this paper (see Table 1), and some of the criteria used in assessing (possible) manifestations of PECoI (see appendix 5) can support the development of such a shared language.

Second, even when norms are further clarified and codified, there will always and inevitably be a grey area around PECoI that cannot be resolved by ever clearer or more extensive regulations. Ultimately, the collective moral debate and continuous dialogue between relevant actors (Six, Bakker & Huberts, 2007) is pivotal to truly reducing the moral ambiguity and developing a shared sense of what is (not) acceptable when using knowledge, skills and contacts in post-employment situations. Such debate is even more essential when we recognize that within – and across – sector switching is increasing, as are public–private partnerships and co-production across organizational boundaries. The fact that such developments may be increasingly considered beneficial and even necessary for good governance and the promotion of the public interest (De Hoop and Beeres 2019) makes it all the more necessary to proactively include their inherent integrity risks in the discussion and ensure adequate measures are in place before these risks materialize.

## Notes

1. The Royal Netherlands Marechaussee safeguards the security of the State, both within the country and abroad. Its core tasks are border control, security and surveillance and international military police tasks. For more information: <https://english.defensie.nl/organisation/marechaussee/tasks-of-the-royal-netherlands-marechaussee>.
2. This research project was commissioned by the Dutch Research and Documentation Centre and resulted in a research report (Heres et al. 2021), which can be accessed through this website: <https://www.wodc.nl/actueel/nieuws/2021/08/31/nog-weinig-bekend-over-belangenconflicten-bij-ex-werknemers-politie-en-koninklijke-marcheaussee>.
3. In the private sector this phenomenon is often linked to non-competition clauses and conflicting interests, rather than CoI.
4. Group of States Against Corruption, part of the Council of Europe.
5. For example if a police department performs unnecessary controls for the sole purpose of boosting performance indicators to highlight its success towards police management or policymakers.
6. In these cases, there was no written documentation because no disciplinary investigation could be started for former employees.
7. To protect respondents' confidentiality we do not mention which cases arose in the police or military police.
8. 51 cases with actual PECoI were described by 30 respondents from different sectors: 21 cases in the (military) police, 19 cases in other public organizations and 11 cases in the private sector. These numbers do not allow drawing conclusions on the overall prevalence of PECoI in the studied organizations.

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## References

- Alexandra, A. 2008. "Mars meets Mammon." In *Private Military and Security Companies: Ethics, Policies and Civil-Military Relations*, edited by A. Alexandra, D. P. Baker, and M. Caparini, 89–101. USA/Canada: Routledge. <https://doi.org/10.4324/9780203930830>.
- Ayling, J., and P. Grabosky. 2006. "When Police Go Shopping." *Policing: An International Journal of Police Strategies & Management* 29 (4): 665–690. <https://doi.org/10.1108/13639510610711592>.
- Baumgartner, F. R., J. M. Berry, M. Hojnacki, D. C. Kimball, and B. L. Leech. 2009. *Lobbying and Policy Change: Who Wins, Who Loses, and Why*. Chicago, USA: University of Chicago Press. <https://doi.org/10.7208/chicago/9780226039466.001.0001>.
- Bishara, N. D., and M. Westermann-Behaylo. 2012. "The Law and Ethics in Restrictions on an Employee's Post-Employment Mobility." *American Business Law Journal* 49 (1): 1–62.
- Blanes i Vidal, M., D. Jordi, and C. Fons-Rosen. 2012. "Revolving Door Lobbyists." *American Economic Review* 102 (7): 3731–3748. <https://doi.org/10.1257/aer.102.7.3731>.
- Blom, R., P. M. Kruyen, B. I. J. M. Van der Heijden, and S. Van Thiel. 2020. "One HRM Fits All? A Meta-Analysis of the Effects of HRM Practices in the Public, Semipublic, and Private Sector." *Review of Public Personnel Administration* 40 (1): 3–35. <https://doi.org/10.1177/0734371X18773492>.
- Boeije, H. 2002. "A Purposeful Approach to the Constant Comparative Method in the Analysis of Qualitative Interviews." *Quality and Quantity* 36 (4): 391–409. <https://doi.org/10.1023/A:1020909529486>.
- Borst, R. T., P. M. Kruyen, C. J. Lako, and M. S. de Vries. 2020. "The Attitudinal, Behavioral, and Performance Outcomes of Work Engagement: A Comparative Meta-Analysis Across the Public, Semipublic, and Private Sector." *Review of Public Personnel Administration* 40 (4): 613–640. <https://doi.org/10.1177/0734371X19840399>.
- Boyce, G., and C. Davids. 2009. "Conflict of Interest in Policing and the Public Sector." *Public Management Review* 11 (5): 601–640. <https://doi.org/10.1080/14719030902798255>.
- Bozeman, B., and S. Bretschneider. 1994. "The Publicness Puzzle in Organisation Theory: A Test of Alternative Explanations of Differences Between Public and Private Organisations." *Journal of Public Administration Research and Theory* 4 (2): 197–223.
- Cerrillo-I-Martinez, A. 2017. "Beyond Revolving Doors: The Prevention of Conflicts of Interest Through Regulation." *Public Integrity* 19 (4): 357–373. <https://doi.org/10.1080/1099922.2016.1225479>.
- Che, Y.-K. 1995. "Revolving Doors and the Optimal Tolerance for Agency Collusion." *The RAND Journal of Economics* 26 (3): 378–397. <https://doi.org/10.2307/2555994>.
- Coen, D., and M. Vannoni. 2016. "Sliding Doors in Brussels: A Career Path Analysis of EU Affairs Managers." *European Journal of Political Research* 55 (4): 811–826. <https://doi.org/10.1111/1475-6765.12151>.
- Cohen, J. E. 1986. "The Dynamics of the 'Revolving door' on the FCC." *American Journal of Political Science* 30 (4): 689–708. <https://doi.org/10.2307/2111268>.
- Coleman, S. 2005. "Conflict of Interest and Police: An Unavoidable Problem." *Criminal Justice Ethics* 24 (2): 3–11. <https://doi.org/10.1080/0731129X.2005.9992184>.
- Dal Bó, E. 2006. "Regulatory Capture: A Review." *Oxford Review of Economic Policy* 22 (2): 203–225. <https://doi.org/10.1093/oxrep/grj013>.
- Dávid-Barrett, E. 2020. "Regulating Conflicts of Interest in Public Office." In *Handbook on Corruption, Ethics and Integrity in Public Administration*, edited by A. Graycar, 406–420, Edward Elgar Publishing.
- Davids, C. 1998. "Shaping Public Perceptions of Police Integrity: Conflict of Interest Scenarios in Fictional Interpretations of Policing." *Current Issues in Criminal Justice* 9 (3): 241–261. <https://doi.org/10.1080/10345329.1998.12036773>.
- Davids, C. 2004. *Police Misconduct, Regulation and Accountability: Conflict of Interest Complaints Against Victoria Police Officers 1988-1998 (Doctoral Dissertation)*. Sydney, Australia: University of New South Wales.

- Davis, M. 1993. "Conflict of Interest Revisited." *Business & Professional Ethics Journal* 12 (4): 21–41. <https://doi.org/10.5840/bpej19931243>.
- Davis, M. 2001. "Introduction." In *Conflict of Interest in the Professions*, edited by M. Davis and A. Stark, 5–19. Oxford, UK: Oxford University Press.
- De Graaf, G., and Z. van der Wal. 2008. "On Value Differences Experienced by Sector Switchers." *Administration & Society* 40 (1): 79–103. <https://doi.org/10.1177/0095399707311785>.
- De Graaf, G., and Z. Van Der Wal. 2010. "Managing Conflicting Public Values: Governing with Integrity and Effectiveness." *The American Review of Public Administration* 40 (6): 623–630.
- De Haan, E., S. Kedia, K. Koh, and S. Rajgopal. 2015. "The Revolving Door and the Sec's Enforcement Outcomes: Initial Evidence from Civil Litigation." *Journal of Accounting and Economics* 60 (2–3): 65–96. <https://doi.org/10.1016/j.jacceco.2015.07.010>.
- De Hoop, J. S., and R. J. M. Beeres. 2019. "Carrièrepaden van militaire topfunctionarissen na functioneel leeftijdsontslag. Een pilot-onderzoek." *Militaire Spectator* 188 (7/8): 374–385.
- Demmke, C., and T. Henökl. 2007. "Managing Conflicts of Interests—Ethics Rules and Standards in the Member States and the European Institutions." *EIPAScope* 2007 (3): 1–7.
- Demmke, C., M. Paulini, J. Autioniem, and F. Lenner. 2020. *The Effectiveness of Conflict of Interest Policies in the EU-Member States*. Study requested by the JURI committee of the European Parliament. <https://doi.org/10.3726/b18626>.
- Di Carlo, E. 2013. "How Much is Really Known About the Meaning of the Term "Conflict of Interest"?" *International Journal of Public Administration* 36 (12): 884–896. <https://doi.org/10.1080/01900692.2013.794429>.
- Dupont, B. 2014. "Private Security Regimes: Conceptualizing the Forces That Shape the Private Delivery of Security." *Theoretical Criminology* 18 (3): 263–281. <https://doi.org/10.1177/1362480614527303>.
- Fijnaut, C., and L. Huberts. 2002. "Corruption, Integrity and Law Enforcement." In *Corruption, Integrity and Law Enforcement*, edited by C. Fijnaut and L. Huberts, 3–34. The Hague, The Netherlands: Kluwer Law International. <https://doi.org/10.1163/9789004481213>.
- Fineberg, H. V. 2017. "Conflict of Interest: Why Does It Matter?" *Jama* 317 (17): 1717–1718. <https://doi.org/10.1001/jama.2017.1869>.
- Grupe, F. 2003. "Information Systems Professionals and Conflict of Interest." *Information Management & Computer Security* 11 (1): 28–32. <https://doi.org/10.1108/09685220310463704>.
- Gupta, A., R. Holla, and S. Suri. 2015. "Conflict of Interest in Public Health: Should There Be a Law to Prevent It." *Indian Journal of Medical Ethics* 12 (3): 172–177. <https://doi.org/10.20529/IJME.2015.047>.
- Haarr, R. N. 1997. "Patterns of Interaction in a Police Patrol Bureau: Race and Gender Barriers to Integration." *Justice Quarterly* 14 (1): 53–85. <https://doi.org/10.1080/07418829700093221>.
- Hansen Löfstrand, C. 2021. "Marketization in a State-Centred Policing Context: The Case of Sweden." *European Journal of Criminology* 18 (6): 899–917. <https://doi.org/10.1177/1477370819882905>.
- Hassan, M., and S. Hufnagel. 2018. "Women in International Policing: Replacing An "old Boys club"?" *Salus Journal* 6 (1): 63–79.
- Heres, L. 2014. *One Style Fits All? The Content, Origins, and Effect of Follower Expectations of Ethical Leadership* (Proefschrift). Nijmegen, The Netherlands: Ipskamp Printpartners.
- Heres, L., and K. Lasthuizen. 2012. "What's the Difference? Ethical Leadership in Public, Hybrid and Private Sector Organisations." *Journal of Change Management* 12 (4): 441–466. <https://doi.org/10.1080/14697017.2012.728768>.
- Heres, L., K. Loyens, R. Borst, and A. van der Wilt. 2021. *In dienst van het belang. Een verkennend onderzoek naar belangenconflicten na uitdiensttreding bij de Nationale Politie en de Koninklijke Marechaussee*. Universiteit Utrecht: Utrecht.
- Hong, S., and T. K. Kim. 2017. "Regulatory Capture in Agency Performance Evaluation: Industry Expertise versus Revolving-Door Lobbying." *Public Choice* 171 (1–2): 167–186. <https://doi.org/10.1007/s11127-017-0402-7>.
- Huberts, L. W. J. 2005. *Integriteit en integritisme in bestuur en samenleving. Wie de schoen past. ...* Amsterdam: Oratie, Vrije Universiteit Amsterdam.
- Huberts, L. W. J. C., D. Pijl, and A. Steen. 1999. "Integriteit en corruptie." In *Politie. Studies over haar Werkingen*, edited by C. J. C. F. Fijnaut, E. Muller, and U. Rosenthal, 57–79. Alphen aan den Rijn, Nederland: Samsom.

- Kaptein, M., and M. Van Helvoort. 2019. "A Model of Neutralization Techniques." *Deviant Behavior* 40 (10): 1260–1285. <https://doi.org/10.1080/01639625.2018.1491696>.
- Kernaghan, K., and J. W. Langford. 1990. *The Responsible Public Servant*. New York: The Institute for Research on Public Policy.
- Kinchin, N. 2007. "More Than Writing on a Wall: Evaluating the Role That Codes of Ethics Play in Securing Accountability of Public Sector Decision-Makers." *Australian Journal of Public Administration* 66 (1): 112–120. <https://doi.org/10.1111/j.1467-8500.2007.00519.x>.
- Kleinig, J. 1996. *The Ethics of Policing*. Cambridge, UK: Cambridge University Press.
- Kleinig, J. 2001. *The Blue Wall of Silence: An Ethical Analysis*. New York: New York University School of Law, Center for Research in Crime and Justice.
- Langford, J. W. 1991. "Conflict of Interest: What the Hell is It?" *The Journal of Public Sector Management* 28–33.
- Lasthuizen, K., L. W. J. C. Huberts, and L. Heres. 2011. "How to Measure Integrity Violations. Towards a Validated Typology of Unethical Behavior." *Public Management Review* 13 (3): 383–408. <https://doi.org/10.1080/14719037.2011.553267>.
- Lee, H., H. Lim, D. D. Moore, and J. Kim. 2013. "How Police Organisational Structure Correlates with Frontline officers' Attitudes Toward Corruption: A Multilevel Model." *Police Practice & Research* 14 (5): 386–401. Punch, 2000. <https://doi.org/10.1080/15614263.2011.635483>.
- Loyens, K. 2013. "Why Police Officers and Labour Inspectors (Do Not) Blow the Whistle." *Policing: An International Journal of Police Strategies & Management* 36 (1): 27–50. <https://doi.org/10.1108/13639511311302461>.
- Loyens, K., I. Claringbould, L. H. V. Rossem, and F. van Eekeren. 2021. "The Social Construction of Integrity: A Qualitative Case Study in Dutch Football." *Sport in Society* 25 (9): 1–20. <https://doi.org/10.1080/17430437.2021.1877661>.
- Luebke, N. R. 1987. "Conflict of Interest as a Moral Category." *Business and Professional Ethics Journal* 6 (1): 66–81.
- Mafunisa, J. J. 2003. "Conflict of Interest: Ethical Dilemma in Politics and Administration." *South African Journal of Labour Relations* 27 (2): 4–22.
- Magahy, B., and M. Pyman. 2010. "Ethics and Business Conduct in Defence Establishments: An International Review." *Journal of Military Ethics* 9 (1): 57–76. <https://doi.org/10.1080/15027570903523065>.
- Makkai, T., and J. Braithwaite. 1992. "In and Out of the Revolving Door: Making Sense of Regulatory Capture." *Journal of Public Policy* 12 (1): 61–78. <https://doi.org/10.1017/S0143814X00005006>.
- Miles, M. B., and A. M. Huberman. 1994. *Qualitative Data Analysis: An Expanded Sourcebook*. London: Sage.
- Miller, H. 2020. "Generals & General Elections: Legal Responses to Partisan Endorsements by Retired Military Officers." *Vanderbilt Law Review* 73 (4): 1209–1258.
- Mulgan, R. 2021. "Regulating the Post-Employment of Public Officials: Australian Experience in an International Context." *Australian Journal of Public Administration* 80 (2): 201–216. <https://doi.org/10.1111/1467-8500.12466>.
- Ochoa, R., and A. Graycar. 2016. "Tackling Conflicts of Interest: Policy Instruments in Different Settings." *Public Integrity* 18 (1): 83–100. <https://doi.org/10.1080/10999922.2015.1093398>.
- OECD (Organisation for Economic Cooperation and Development). 2004. *Managing Conflict of Interest in the Public Service, OECD Guidelines and Country Experiences*. Paris, France: OECD Publishing.
- OECD (Organisation for Economic Cooperation and Development). 2010. *Post-Public Employment. Good Practices for Preventing Conflicts of Interest*. Paris: OECD Publishing.
- OECD (Organisation for Economic Cooperation and Development). 2020. *Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service*. OECD/LEGAL/0316. Paris, France: OECD Publishing.
- Punch, M. 2000. "Police Corruption and Its Prevention." *European Journal on Criminal Policy and Research* 8 (3): 301–324. <https://doi.org/10.1023/A:1008777013115>.
- Rainey, H. 2009. *Understanding and Managing Public Organisations*. 4<sup>th</sup> edited by San Francisco: Jossey-Bass.
- Reinecke, J., and S. Ansari. 2015. "What is a "Fair" Price? Ethics as Sensemaking." *Organisation Science* 26 (3): 867–888. <https://doi.org/10.1287/orsc.2015.0968>.

- Resnik, D. 1998. "Conflicts of Interest in Science." *Perspectives on Science* 6 (4): 381–408. [https://doi.org/10.1162/posc\\_a\\_00557](https://doi.org/10.1162/posc_a_00557).
- Richards, L. 2020. *Handling Qualitative Data: A Practical Guide*. London: Sage.
- Ruth, A. V., L. Gunther Moor, and Y. Buruma. 1997. *Lekken of verstrekken? De informele informatie-uitwisseling tussen opsporingsinstanties en derden*. Universiteit Nijmegen: Nijmegen.
- Salant, D. J. 1995. "Behind the Revolving Door: A New View of Public Utility Regulation." *The Rand Journal of Economics* 26 (3): 362–377.
- Schaap, D. 2018. *The Police, the Public, and the Pursuit of Trust. A Cross-National, Dynamic Study of Trust in the Police and Police Trust-Building Strategies*. The Hague, The Netherlands: Eleven International Publishing.
- Selling, N. 2015. *The Revolving Door in a Post-Corporatist State: The Case of Sweden*. Colchester, UK: European Consortium for Political Research.
- Six, F. E., F. G. De Bakker, and L. W. Huberts. 2007. "Judging a Corporate Leader's Integrity: An Illustrated Three-Component Model." *European Management Journal* 25 (3): 185–194.
- Skolnick, J. 2002. "Corruption and the Blue Code of Silence." *Police Practice & Research* 3 (1): 7–19. <https://doi.org/10.1080/15614260290011309>.
- Smit, A., N. Slagmolen, C. Bronkhorst, J. Van den Goor, and G. En Meershoek. 2019. *Het Lekken van Vertrouwelijke Politie-Informatie. Aard, Omvang en Ernst van het Fenomeen bij de Nationale Politie en Koninklijke Marechaussee*. Den Haag: Boom Criminologie.
- Stark, A. 2000. *Conflict of Interest in American Public Life*. Cambridge, MA: Harvard University Press.
- Thompson, D. F. 2009. "The Challenge of Conflict of Interest in Medicine." *Zeitschrift für Evidenz, Fortbildung und Qualität im Gesundheitswesen* 103 (3): 136–140. <https://doi.org/10.1016/j.zefq.2009.02.021>.
- Van der Wal, Z., G. De Graaf, and K. Lasthuizen. 2008. "What's Valued Most? Similarities and Differences Between the Organizational Values of the Public and Private Sector." *Public administration* 86 (2): 465–482.
- Vande Walle, G. V. 2010. "The Continuum of Conflicts of Interest: From Corruption to Clubbing and the Underlying Risks at Victimization." *Safety, Societal Problems and Citizens' Perceptions: New Empirical Data, Theories and Analyses* 3 (1): 203.
- Van Steden, R., and T. Jones. 2010. "Explaining the Growth of Plural Policing: Comparing the Netherlands and Britain." *Journal of Police Studies* 16 (3): 289–306.
- Van Steden, R., and R. Sarre. 2007. "The Growth of Privatized Policing: Some Cross-National Data and Comparisons." *International Journal of Comparative and Applied Criminal Justice* 31 (1): 51–71. <https://doi.org/10.1080/01924036.2007.9678760>.
- Van Steden, R., Z. Van Der Wal, and K. Lasthuizen. 2015. "Overlapping Values, Mutual Prejudices: Empirical Research into the Ethos of Police Officers and Private Security Guards." *Administration & Society* 47 (3): 220–243. <https://doi.org/10.1177/0095399713509530>.
- Weick, K. E. 1995. *Sensemaking in Organisations*. Vol. 3. Thousand Oaks, California: Sage.

## Appendices

### Appendix 1. Selection of organisations and response in the vignette study

We distinguish between public and private organizations using the publicness approach (e.g. Blom et al. 2020; Borst et al. 2020; Heres and Lasthuizen 2012) that define organizations as either public or private on the basis of three formal characteristics: ownership, funding and authority (Bozeman and Bretschneider 1994; Rainey 2009). Public organizations are government-owned, mainly publicly funded, and the political authority is dominant over the economic authority, meaning that public managers' authority is dependent on and subjected to political decision-making. Private organizations are privately owned, privately funded and the economic authority is dominant.

There are four reasons why we chose to explicitly include possible new employers of former (military) police employees in the target group: (1) even if new employers themselves would not be harmed by the CoI, they could still incur possible reputational and consequential damage if such a CoI becomes publicly known; (2) new employers are explicitly given a responsibility by the OECD in managing CoI, (3) new employers have a relevant position in managing PECoI (and thus corruption), and it is important to explore whether and which risks new employers see and to what extent they consider them problematic; (4) to flesh out the unique characteristics of PECoI of law enforcement agencies and really understand how these specific types of conflicts are conceived by involved parties/stakeholders with very different backgrounds, missions and goals (i.e. private vis-a-vis public organizations).

The questionnaire was first sent through e-mail to the integrity officers of the 'Cluster integrity' of the Dutch military police, the coordinators of the 'Security, Complaints, and Integrity' departments of the Dutch Police and six coordinators of departments from the Dutch police who were marked as possibly relevant by respondents of the interviews (N = 25). Moreover, to reach possible new employers of former (military) police personnel, the questionnaire was sent (1) through e-mail to a group of public and private organizations that are considered as obvious employers of former (military) police personnel (N = 48), (2) through the website and newsletter of the 'National Association of Confidential Advisers', (3) through e-mail among all members of the 'Association of Compliance Officers', (4) through a newsletter among all former participants of the course integrity management of the 'Centre for Organizational Integrity' which focuses on the professional development of among others risk managers, compliance officers, HR professionals, internal and external auditors who are responsible or active in the field of ethics or assess organizations in the implementation of integrity management and (5) through social media. The response was as follows: (1) seven respondents through email to the (military) police, (2) seven respondents from the Centre for Organizational Integrity, (3) six respondents from the National Association of Confidential Advisers, (4) 25 from the Association of Compliance Officers, (5) 21 of the top 48 selected new employers, (5) nine through social media.

### Appendix 2. Respondent characteristics in the interviews

	Integrity officers	HR or other relevant speciality
Police	7	3
Military police	3	2
Public other	11	/
Private	6	/
Total	27	5



### Appendix 3. Respondent characteristics in vignette study

	Law enforcement	Other public sector	Private sector
<i>Professions (N)</i>	Integrity officer: 2 HRM manager: 1 General manager: 4 Project leader: 1	Integrity officer: 24 General manager: 2 Auditor: 1 Politician: 1	Integrity officer: 30 HRM manager: 1 General manager: 5 Compliance officer: 1 Employees: 2
<i>Sectors (N)</i>	<ul style="list-style-type: none"> <li>• Police: 5</li> <li>• Military Police: 3</li> </ul>	<ul style="list-style-type: none"> <li>• General public administration (Central, regional local government and provinces): 22</li> <li>• Social security (e.g. fire departments, customs and border protection, federal detective department, Police Community Support Officers): 5</li> <li>• Special investigation and intelligence services: 1</li> </ul>	Amongst others: <ul style="list-style-type: none"> <li>• Financial services: 17</li> <li>• Accounting and control: 3</li> <li>• Other corporate services: 5</li> </ul>
<i>Total (N)</i>	8	28	39

### Appendix 4. Vignettes for the explorative quantitative vignette study

Scenario-number	Scenario description	Question
Scenario 1	A senior police officer leaves for a management position at the Ministry of Justice & Security. The responsibility regarding the police equipment does not fall within her portfolio but lies with a colleague in her management team. In her new position, she repeatedly urges this colleague to address the shortage of police equipment. From her old position within the police, she knows there are many problems due to the shortages.	To what extent and why do you think this is a conflict of interest? <ul style="list-style-type: none"> <li>• This is a conflict of interest.</li> <li>• This is an unacceptable appearance of a conflict of interest.</li> <li>• This is the acceptable usage of relevant knowledge, experience and/or contacts.</li> <li>• Do not know.</li> </ul>
Step 2: Additional information scenario 1	The information she has about the shortages of police equipment appears to come from confidential sources.	To what extent and why does this change your opinion?
Step 3: Additional information scenario 1	It turns out that the former police officer is not simply committed to tackling the shortage of equipment based on her own experience. She was urged to do so by a former colleague whom she still regularly encounters in her private life.	To what extent and why does this change your opinion?
Scenario 2	A former employee of the Dutch military police is going to work at a transshipment company in the Port of Rotterdam. In his previous position with the military police, he worked in the department responsible for port regulation.	To what extent and why do you think this is a conflict of interest? <ul style="list-style-type: none"> <li>• This is a conflict of interest.</li> <li>• This is an unacceptable appearance of a conflict of interest.</li> <li>• This is the acceptable usage of relevant knowledge, experience and/or contacts.</li> <li>• Do not know.</li> </ul>
Step 2: Additional information scenario 2	The employee in question was not involved in the regulation of the port in his former position with the military police.	To what extent and why does this change your opinion?

(Continued)

Scenario-number	Scenario description	Question
Step 3: Additional information scenario 2	The employee in question had been out of service with the military police for more than a year when he started working for the transshipment company.	To what extent and why does this change your opinion?
Scenario 3	A former HR employee with the police now works at a consultancy company. He has been commissioned by the police to conduct research into diversity and inclusion within police units.	To what extent and why do you think this is a conflict of interest? <ul style="list-style-type: none"> <li>• This is a conflict of interest.</li> <li>• This is an unacceptable appearance of a conflict of interest.</li> <li>• This is the acceptable usage of relevant knowledge, experience and/or contacts.</li> <li>• Do not know.</li> </ul>
Additional information scenario 3	When tendering for this contract, two other consultancy companies were invited to submit a tender and all tenders were assessed according to predefined criteria.	To what extent and why does this change your opinion?
Additional information scenario 3	The former HR employee appears to have contacted former colleagues at the police prior to submitting the tender. He hoped to learn more about the background of the assignment and issues surrounding diversity and inclusion over the past year. The former colleagues were not involved in the tendering procedure.	To what extent and why does this change your opinion?

## Appendix 5. Criteria (clusters) used in assessing (possible) manifestations of PECoI

Criteria cluster	Particular criterion
<i>Knowledge/information former position</i>	The extent to which confidential information from the former organization is used or not (including the presence of a confidentiality agreement)
<i>(The relation between) the former and current position</i>	The extent to which the information is used for personal gain or not.
	The extent to which someone has a relevant decision-making position or is directly involved in what has to be decided
	The extent to which a former position can positively contribute to the fulfilment of the new position, for example by contributing useful knowledge or making it available for the benefit of the organization.
	The amount of time between the former position and the current position
<i>Public Service Motivation</i>	The frequency with which a certain decision is pressed using its position, creating undue pressure.
	The extent to which the former and current employer have the same (public) goal and information sharing seems justified as a result (no harm to the public interest).

(Continued)

Criteria cluster	Particular criterion
<i>Tender criteria in the case of consultancy contracts</i>	<p>The extent to which the appearance can be created that old contacts have been used to win a tender (including the extent the personal network is used).</p> <p>The extent to which the tender procedure leads to independent research with an unbiased view of the problem.</p> <p>The extent to which existing (tender) procedures already limit or counteract the risks.</p> <p>The extent to which 'speaking the same language' and knowledge of the (police) organizational culture is of added value for the task to be performed or the credibility of an adviser.</p> <p>The possibility for other parties to follow the same paths to prepare for a consultancy assignment.</p>
<i>General criteria</i>	<p>The extent to which one has knowledge of the motives of those involved.</p> <p>The principle that one must first start from trust, not mistrust.</p>