

Agenda Item 7 – “Setting the Ethics Scene”

It is widely recognised that the landscape in which policing is delivered in the 21st Century has changed significantly in recent years. Public expectations of the Police Service and those who are responsible for delivering it are rightfully high and the public demands that police are held to the highest ethical standards. This is equally applicable to those who deliver the front facing service to the public and to those responsible for setting policy and guidance.

This changing landscape includes developments in technology, complexity of criminality, shrinking public service budgets and increased scrutiny and oversight of policing services; and it places significant and unique demands on senior leaders in policing.

Ethical decision making within policing is imperative to gain and maintain public trust and confidence and the public expects that police officers and leaders will “do the right thing” at all times. This challenge to senior leaders within policing is not insignificant given the landscape referred to above and taking into account that one person’s perspective on what “the right thing” is often somewhat different to another’s. The impact this can have on public confidence in policing cannot be underestimated considering the scale of decisions that those leaders are required to make.

The Code of Ethics is the benchmark by which all police officers are judged and the principles of the Code can be tested to the extreme when considering some of the more complex ethical dilemmas faced in delivering policing services in the 21st century.

In order to support the Chief Constable and the Commissioner in ensuring that services are designed and delivered in a way that is both effective and consistent with the ethical standards demanded of them, Lancashire Constabulary has both an internal Tactical Ethics Committee and in conjunction with the PCC a Joint Audit & Ethics Committee, which comprises independent members. Both Committees have recently been restructured and bespoke Terms of Reference developed to ensure clarity of purpose and to maximise the opportunities to influence service delivery within a transparent ethical framework both internally for staff and externally for the wider public.

The Joint Audit & Ethics Committee is keen to better understand some of the ethical challenges in delivering policing in the 21st century and to consider how it may assist the Chief Constable and the Commissioner in that respect. There are a number of thematic areas that are therefore proposed for initial discussion by the Committee, with the intention that a schedule of work can be considered and topics prioritised and allocated for progression over the course of the next twelve months. This list is not exhaustive and it is anticipated that the Committee may have further areas that it wishes to explore and/or that will be referred in from the Tactical Ethics Committee in due course; therefore careful consideration will need to be given to which thematic areas will be adopted so as to ensure that the requisite level of attention can be given to them and that timescales are achievable.

The suggested thematic/topic areas for discussion are as follows:

Digital Capability

Offending is becoming more digitally sophisticated and policing needs to adapt to keep up – how does this impact on ECHR and what are the ethical considerations?

E-bit and algorithms to influence deployment and investigation

Facial recognition software

Proportionality of available tactics in PSD investigations (RIPA/ANPR/Lawful Business Monitoring)

Inspection and Oversight

Is the current inspection regime driving perverse behaviours?

Are we “doing the right thing” for the victim/public or to satisfy a requirement (NCRS/HMICFRS)?

Criminalisation of children and future implications

Disclosure requirements in RASSO investigations

Intrusion into Police officer / staff private lives

Use of Force

Offender propensity and capability to use violence towards Police officers – how do we protect and support officers whilst maintaining public confidence in use of Force?

Should all officers wanting to carry a Taser be trained and issued with one? What if an officer does not want to carry a Taser?

Stop and search / Section 60 Authorisations

Public Service Challenge

Reduced budgets across public services – resultant increase in demand on Police

Mental Health / Adult & Child Social Care

Is this fair on officers? Are they appropriately trained to deal with it? How do we support them if things go wrong?

Should Police start to say “No” to anything or charge other services for incurred demand?

How does this fit in with our Purpose and Values?

Legitimacy

Proportionality in treatment of workforce

Proportionality in treatment of offenders

Valuing Difference & Inclusion – positive action and fairness