



Ethics Committee Review

TERMS OF REFERENCE

Work Stream:	A review of Lancashire Constabulary's Tactical Ethics Committee
Sponsor:	Superintendent Stasia Osiowy
Review Lead:	Inspector Andy Doran
Initiation Date:	1st December 2020

CONTEXT

The College of Policing have recently released The Future Operating Model 2040, which looks at the challenges that policing is likely to face over the next twenty years. The report notes:

The world of 2040 will be very different to the world of today. Over the next 20 years, current and future trends will converge at a rapid rate to increase the number and complexity of issues facing policing. Some of these issues, such as terrorism, cyberattacks and climate change, could give rise to severe and imminent disruption. [...] While emerging technologies such as artificial intelligence, robotics, biotechnology and quantum computing will connect and empower people like never before, [whilst] trends such as nationalism, rising inequality and increasingly resonant disinformation could cause societies to become more divided (p. 3).

As future changes emerge, policing will be faced with new threats and difficult decision, which will continue to command the need for strong ethical leadership and decision making (College of Policing, 2015, p. iv). According to Alton (2017), ethics provide the foundations that sustain organisations and keeps them viable. For policing, this is even more important because it creates the legitimacy that underpins its model of policing by consent (Farrow, 2020).

The Constabulary created a Tactical Ethics Committee in 2015 and over the last five years has utilised this capability to bring together multiple perspectives to debate ethical dilemmas and influence planned change. The Tactical Ethics Committee feeds into the Joint Audit and Ethics Committee, which helps to connect tactical with strategic perspective on ethics.

Moving forward, a strong ethical foundation will help the Constabulary meet its strategic aims, continue to develop a diverse and inclusive workforce, and provide the public of Lancashire with an outstanding service. At this juncture, there is an opportunity to review the Constabulary's Tactical Ethics Committee to ensure that it continues to provide the appropriate rigour to ethical dilemmas and maintains a strong ethical framework that supports the objectives of the organisation, the wellbeing of its people and the service to the public.

PURPOSE

The purpose of this review is to understand where we are, where we want to be, and how as a Committee we can move towards achieving the 'to-be' position. In doing so, the review seeks to achieve four objectives:

- (1) Identify the current key ethical issues within the Constabulary and wider policing environment.
- (2) Identify the likely emerging ethical dilemmas and considerations over the next five years.
- (3) Identify the training needs for the Tactical Ethics Committee.
- (4) Reflect this learning in the Committee's Charter and Guiding Principles.

PRINCIPLES

- Support the delivery of the Police and Crime Plan, Strategic Priorities whilst also helping to mitigate the risks outlined within the Force Management Statement 2020.
- Leverage organisational development by equipping the Committee with the skills, knowledge and tools they need to deliver this capability now and in the future.
- Develop effective and efficient capability that supports ethical leadership and decision making, thus ensuring that we meet the needs and requirements of the public of Lancashire.
- Utilise the diverse skillset of the Tactical Ethics Committee to identify opportunities to develop its Charter and Principles.
- Seek multiple perspectives to identify new opportunities and leverage a collaborative approach to improve the Tactical Ethics Committee's contribution to the Constabulary's objective of being an outstanding police service.
- Seek to learn from good practice in other forces.
- Learn from external authorities in the field of ethical leadership and decision making, pulling on external academic support when needed.

SCOPE

This review seeks to identify new opportunities to develop the Tactical Ethics Committee. Any proposals must recognise the requirements of our core policing services, as well as our wider strategic policing requirements. The focus of this review is on the Tactical Ethics Committee and whilst consideration will be given to the synergy with the existing Joint Audit and Ethics Committee, it is beyond the scope of this review to comment on the wider audit and strategy framework.

METHODOLOGY

This review will use action research to identify opportunities to support the development of the Tactical Ethics Committee. Action research uses a combination of research methods to stimulate new knowledge and provides the tools to critically analyse new opportunities. In support of this methodology, various techniques and tools will be used to gain a wider perspective of the current position, including a macro environmental analysis in the form of a PESTLE analysis and a micro environmental analysis utilising a SWOT analysis.

A key to the success of the review, will be to seek multiple perspectives including from the current Committee, the Joint Audit and Ethics Committee, the Chief Officer Team, the Senior Management Team, the Office of the Police and Crime Commissioner, and front-line staff. To assist the review, a mixture of surveys and semi-structured interviews will be undertaken with key stakeholders.

ETHICS

To support this action research, it is important to consider the ethical implications of research and impact on those taking part. Kitchener & Kitchener (2009) define ethical principles, 'as [the] general norms that provide a rationale for the moral rules in ethics codes' (p. 12) and offer five principles to act as a beacon to strengthen ethical research. These principles will be embedded in this review. They are:

- Nonmaleficence
- Beneficence
- Autonomy
- Fidelity
- Justice

Nonmaleficence

Steeped within the Hippocratic Oath is the term *primum non nocere*, which translated into English means 'above all, do no harm'. Kitchener & Kitchener (2009) suggest that the risk of harm must always be balanced within this ethical principle. This will be achieved through openness, the offer of confidentiality and by seeking consent from participants who take part in the review. The ability to withdraw consent to the use of individual data will be afforded at any point during the research and evaluation stages.

Beneficence

Kitchener & Kitchener (2009) suggest that beneficence is doing good and ensuring that the research benefits others. This is a cornerstone of this review and acts as a guiding principle.

Autonomy

Beauchamp & Childress (2001) suggest that autonomy equals self-rule and provides freedom of choice (p. 58). This accurately reflects the choice that will be offered to all those who agree to participate in the review. Participation will be completely autonomous with the participant being able to refuse to take part in the research.

Fidelity

This links to the College of Policing's Code of Ethics (2015), which captures honesty and trustworthiness as core ethical principles. Again, this review is designed to identify the truth and in doing so it is important that trust with the participants is maintained throughout.

Justice

In their final ethics principle, Kitchener & Kitchener (2009) suggest that researchers, 'ought to have a commitment to being "fair" that goes beyond that of the ordinary person'. This is an expectation already set within the policing Code of Ethics and is one that will be extended to this review.

GOVERNANCE

This review will be overseen by Superintendent Osiowy as Chair of Lancashire Constabulary's Tactical Ethics Committee. The results of the review will be shared with the Tactical Ethics Committee members and with the Joint Audit and Ethics Committee.

As a result of this reviews early scanning, the Constabulary has received a request to share our learning with the incoming National Police Chiefs Council lead for Ethics, namely Chief Constable Lewis (Cleveland Constabulary).

TIMESCALES

This review is timebound and will be ready in preparation for the first Tactical Ethics Committee of 2021, which is currently planned for March 2021. This will be shared with the Committee in draft form first, prior to sign off.

REFERENCES

- Alton, L. (2017) *How Much Do A Company's Ethics Matter in the Modern Professional Climate?* Available at: <https://www.forbes.com/sites/larryalton/2017/09/12/how-much-do-a-companys-ethics-matter-in-the-modern-professional-climate/> [Accessed 25th November 2020].
- Beauchamp, T. & Childress, J. (2001) *Principles of biomedical ethics*. 5th ed. Oxford: Oxford University Press.
- College of Policing (2020) *Code of Ethics*. Available at: https://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf [Accessed 25th November 2020].
- College of Policing (2020) *Policing in England and Wales: Future Operating Environment 2040*. Available at: https://paas-s3-broker-prod-lon-6453d964-1d1a-432a-9260-5e0ba7d2fc51.s3.eu-west-2.amazonaws.com/s3fs-public/2020-08/Future-Operating-Environment-2040_0.pdf [Accessed 25th November 2020].
- Farrow, K. (2020) *Policing In The Time of Coronavirus*. Oxford Centre for Criminology. Available at: <https://www.law.ox.ac.uk/centres-institutes/centre-criminology/blog/2020/04/policing-time-coronavirus> [Accessed 25th November 2020].
- Kitchener, K. & Kitchener, R. (2009) Social science research ethics: historical and philosophical issues. In, Mertens, D. & Ginsberg, P. *The handbook of social research ethics*. Thousand Oaks, California: SAGE.