

Joint Audit & Ethics Committee

21st June 2021

Item 21 – Appendix A



TACTICAL ETHICS COMMITTEE

TEC Review: Interim Update 08/06/2021

Sponsor: Superintendent Stasia Osiowy

Background

On the 1st December 2021 Superintendent Osiowy commissioned an internal review of the Tactical Ethics Committee as part of the Committee's drive for continuous improvement. The review sought to achieve four objectives:

- (1) Identify the 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.

Interim update

The review has concluded the internal and external scanning, which covered the following data sources:

- Questionnaire returns from the current Tactical Ethics Committee
- Semi-structured interview with the Chief Officer Team (including the new Chief Constable)
- A benchmarking request to all forces
- Liaison with the College of Policing
- Scanning of the Northern Region Ethics Group output
- A review of academic research linked to police ethics committees

This data has been analysed and will form part of a report that is currently being written. There has been a delay to the report due to the reviewer contracting Covid-19; however, the report will be available for distribution by the next Joint Ethics and Audit Committee. For now, this interim update will provide the reader with a synopsis of the findings using the four objectives as a framework.

Objective 1: Identify the key ethical issues within the Constabulary and wider policing environment.

There was a varied response to this question, which recognises the importance of multiple perspectives and how ethics touches all aspects of police decision making. The word cloud below shows the most common issues identified by the TEC:

Fairness and transparency. Again, several themes came out in this, but all touched on ethical leadership and the importance of trust that comes from fair and transparent decision making. There were questions raised around nepotism, the fairness of senior officer recruitment, freemasonry and its place within a modern police service, and effectiveness of managing poor performance. A wider ethical point on the TEC and JAEC was raised questioning to what extent senior leader's buy into the committee's output.

Misuse of power and inappropriate behaviour. Abuse of power and the use of power for self-gain. This included inappropriate sexual conduct. It was recognised that this often has the most significant impact on the legitimacy of policing and the trust that the public has in its police service.

Use of social media and technological advances. The use of social media in and out of work was raised as an on-going issue together with advances in technology and the use of technology that processes personal data. Concerns that policy and guidance has not kept up with the changes in technology, which makes it difficult to know when use of AI and other new technologies are ethical.

Objective 2: Identify the likely emerging ethical dilemmas and considerations over the next five years.

The TEC see many of the same ethical issues that policing faces now continuing over the next five years, but ethical dilemma growth in areas like technology. Including the use of digital workers and artificial intelligence to make decisions. The use of voice biometrics, facial recognition and replacing human workers with automation. In addition, the management of data and protection of data as staff work from home more.

What was clear from the local and national scanning is that there is less certainty on what these challenges will be over the next five years. This knowledge gap will impact on planning for the future and the report looks at supplementing this data with an academic perspective.

Objective 3: Identify the training needs for the Tactical Ethics Committee.

Seventy per cent of the TEC members who replied to the survey stated that they would benefit from additional ethics training. From the national scanning, most forces that replied did not have a training package. Those that did had designed them in house.

There is an opportunity to utilise support from the N8 universities to (a) provide ethics training for the TEC (b) help the constabulary to understand likely ethical risks over the next five years (c) provide feedback on how the TEC can continue to improve from an external perspective.

Objective 4: Reflect this learning in the Committee's Charter and Guiding Principles.

The review will reflect the learning in a new TEC Charter, which will complement the Committee's Terms of Reference and galvanise the learning from the local and nationally scanning exercise that underpin this review. This will be available for inspection by the next Joint Audit and Ethics Committee meeting in Q3 2021.

Preliminary Recommendations

The learning from the review has helped to shape opportunities to develop the TEC. Whilst the final report will document these in detail, the following recommendations provide the reader with a preview of what these will be. They are:

- (1) **Review the TEC membership and look to recruit wider representation from across the Constabulary.** 73 per cent of TEC members felt that the TEC would benefit from a wider representation of the constabulary.
- (2) **Introduce externally led ethics training for the TEC to support ethical debates and challenge members thinking.** 70 per cent of TEC members felt that training on ethics would improve their ability to contribute to the committee and the TEC terms of reference. This would also provide an opportunity to seek external views on what the ethical issues over the next five years may look like.
- (3) **Introduce an external academic with ethics expertise onto the TEC to challenge the group thus providing a new perspective and evidence base to the ethical discussions.** This academic would be a volunteer and would support the Committee by providing a current and relevant evidence base.
- (4) **Introduce an ethics committee charter that complements the Committee's purpose and terms of reference.** The aim of this is to bring together the purpose and how the TEC

links to the organisational strategy. This also provides clarity to members of the TEC, the JEAC and the wider constabulary.

- (5) **Support the Professional Standards Department by considering pre, current and post decision making dilemmas.** The aim of this is to link ethics to organisational learning. By supporting PSD with reviewing anonymised dilemmas it is hoped that this learning can be shared across the organisation to act as prevention.

- (6) **TEC Chair / Deputy Chair to attend the Northern Region Ethics Group.** To take in new learning and share better practice. This provides an on-going opportunity to reflect, review and learn from other police services and to share that learning internally in Lancashire.

- (7) **Support the Joint Audit and Ethics Committee with technology.** Having a member of the Joint Audit and Ethics Committee sit on the TEC and provide feedback is an essential part of the TEC and this review would strongly advocate for this to continue. During discussions with Mr Jones, it became apparent that the JAEC do not have Constabulary mobile devices to check emails and correspondence. Discussions are on-going to solve this problem, which will provide a stronger communication channel between the TEC and JAEC.