Ethical Practice in Policing (2017)

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Summary

All police forces in England and Wales are currently in the process of implementing the new code of ethics (CoE) designed by the College of Policing. This provides an opportunity to learn from the views and experiences of serving police officers and members of staff and how they relate to professional ethics and the recently introduced policing code of ethics. We were interested in how the CoE relates to policing-professionals' sense of self at work and how they construct an image and discourse of what it means to be an ethical and professionally competent police officer. By exploring how police professionals understand their roles in relation to their own sense of moral identity and outside demands on them, we analysed not only how policing professionals piece together a sense of an ethical self, but also how such identity making fits within the context of a contemporary policing organisation. We were also interested in the way in which questions of ethical practice are embedded in current training and development for police professionals: how does this relate to the ethical identity work of police professionals?

Methodology

The project adopted a qualitative approach to data gathering and analysis. The data was collected in three police forces of varying size and different geographical locations in England and Wales. The research project was conducted under full compliance with The Open University's guidelines on research ethics for research project involving human participants. 51 individual, semi-structured interviews and four group discussions (with a total of 16 participants) were conducted. Overall, 67 police officers and members of staff participated in these interviews and discussions. This entailed covering certain important themes but allowing research participants to guide the interview and the discussion and to follow ideas and stories they held to be of particular importance. These individual interviews and group discussions were audio recorded and transcribed verbatim. A purposive sampling strategy was followed, with an attempt to maximise variety in terms of experience, rank, length of service, age, gender and ethnic variety. We intended to explore not only the perspectives of longer-service officers and members of staff but also of new recruits. Their views on training and development of ethics were also explored through the observation of several developmental and training activities that concerns ethics. We also had direct contact with the ethics lead and other professional standards officers and attended/observed other events related to ethics (for instance, police ethics panels and ethics committee).

Key findings

The CoE is interpreted as relating to participants existing moral identities. They associate it with how they already think of themselves in ethical terms and relate it to "ethics of their own", to their "character" and

"makeup", to the "type of person" they are: "*If a police officer doesn't behave ethically it isn't because he hasn't been shown the code of ethics or it hasn't been read out to him, that's how he is. You know, that's the type of person he or she is*".

Hence, the CoE is usually perceived as "common sense", as "obvious", "innate", as something that "sits in the background" and is "omnipresent". For these reasons, the participants considered that the CoE should not be needed, as all the policing professionals are supposed to be ethical anyway. As one of the participants stated: "if you haven't got it you probably are not in the right job anyway. It is like asking priests if they believe in God". However, the CoE is viewed as providing a structuring and directing function for people's 'innate' sense of ethics: it can be used for litigation purposes, so it sets "the structure" and "framework" and directs practice in the "right direction". For the participants, it is a "reference point", a "benchmark", a "set of standards" and a "timely reminder" that "governs behaviour".

The CoE, and ethics more generally, were usually interpreted in essentialist terms, as though ethics were hard-wired into the genetic make-up of people. Indeed, our research participants portray the CoE and their decision making process as having a connection not just with their nature, values, upbringing and character but also with their bodies, instinct and senses. As one of our participants stated: "*I remember, even in training school, someone saying something, that sometimes things will feel wrong. At the end of the day, even if you are not sure of a law or something, at the end of the day if something feels wrong to you [, you] should go with your gut instinct*".

They usually spoke of ethics as if these were 'natural', as traits emanating from upbringing and genetic make-up. When discussing what it means to be a good police officer, the participants would usually explain how that is "engrained" in the person. A participant talked explicitly about this: "*It becomes engrained in you (…) And again that is why I say it takes a certain person to be a police officer because I think that was probably already in me but then having to live it out as my role, my job that I do, has engrained it more to the point that it won't leave me now*"

Ethical demands also seemed to be linked to changes in the material environment, mostly in relation to technology. In particular, the advent of social media, as well as the introduction of new technologies (such as tasers and body-worn cameras) seems to have heightened the perception of officers of ethical *grey-zones*. Officers also spoke of ethics in terms of the demands of the media and the political environment. The participants also spoke of ethics in relation to new material objects and their connection to these. The uniform is a good example. In the words of one of the participants: "*[the CoE] just means being a decent bobby, human being, if you will and doing the right thing for people. Because essentially it's only a uniform I put on each day. I'm the same as everyone else so you know*". There is also an association with a dichotomy of human being/ machine as a reflection of how they are perceived to be infallible (as robots, for instance) by the public. One police officer said: "*I think people like to see us as robots, certain people within the community do anyway and just think that we you know we don't sleep we just come to work and that's it with police officers, we're infallible we don't make mistakes*".

In other words, ethics was perceived simultaneously as something natural and deeply unnatural. This contradiction pointed us towards the significance of the 'ethical grey zone' described by our research participants. This is a zone of ambiguity precisely because ethics are not something fixed but instead, as officers have experienced, ethics and a determination of what is right and wrong, are negotiated between groups of people and may appear quite different depending on time and place.

Perceptions concerning the CoE are closely tied with issues relating to organisational change and changing public understanding of professional policing. It is seen as part of a wider process to reform

policing practices. Just like one of our participants mentioned: "*I don't believe this discussion can be had in isolation, just around ethics. I think it is a whole wider piece there*". In a changing policing environment, increasing professionalization is leading to a different culture and nature of police work. The increasing bureaucracy and workload, coupled with the financial cuts and consequently reduced resources, are difficult conditions that impact on the motivation and morale of police officers and staff. As one participant mentioned: *"There's quite a lot of negativity. You know, if I go out for a meal or I met up with friends and, there's quite a lot of negativity in the organisation, about the way it's gone. I don't think there is a proper realisation of the funding challenges that we've gone through and how we've had to change. I think people are just blaming upwards"*

The participants associated some ethical issues and some of the problems that they faced with pressures they need to deal with and how they are made worse by organisational and external changes. This was particularly evident when the participants were discussing the process of decision making.

Another challenge is how to deal with different "levels" and "layers" of ethics throughout the organisation that will vary across the whole rank structure. This is particularly challenging when reporting and making disclosure about unethical or unlawful behaviour by fellow officers, especially when it involves challenging someone who is higher in the hierarchy.

In these police forces, the challenges seem to relate more to issues within the organisation and staff problems rather than the public. However, political and public expectations also represent a challenge (especially when it concerns the use of discretion). In the words of one of the participants: "*I think sometimes officers find that difficult because the code of ethics is down on paper, it looks fairly black and white but as we know society isn't black and white. So I think that's the probably the most problematic for us to deal with*".

In such context of change and challenges for policing professionals, we explored how ethical practice is embedded in current training and development. Approaching ethics in a developmental way, might help policing organisations further develop their officers capability for living and coping with the 'ethical grey zone', where the right choice is not absolutely apparent.

Beyond policing, due to the qualitative and inductive methodology of this project, questions of empirical generalisability to a population beyond the sample are not applicable. However, we can make some tentative comments about the transferability of the conceptual contributions emerging from the study:

(a) the notion that ethics can be viewed as both deeply natural and deeply unnatural at the same time and the tensions arising out of this juxtaposition;
(b) the notion that a sense of ethics is strongly bound up with a sense of professional self
(c) the notion that organisational members embed their sense of professional and personal ethics with their sense of organisational culture and management support

Outputs

SCHAEFER, A., SMOLOVIĆ JONES, O. & MIRANDA, D. 2017. Challenged bodies: identities at the front line. European Group for Organisational Studies Conference. Copenhagen.