

# POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

## ETHICS, INTEGRITY AND COMPLAINTS COMMITTEE

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	ETHICAL SCENARIOS
Date	FRIDAY 13 DECEMBER 2019 – 10:00 a.m.
Author	DCC NIXON

### Purpose of Report

1. The purpose of this report is to seek members' views on ethical scenarios outlined within the Appendices.

### Recommendation

2. It is recommended that members consider the ethical scenarios and provide their views.

### Commentary

3. The Terms of Reference provide for the Committee to be a forum for debate concerning professional standards and make recommendations about ethical dilemmas facing the Force. As such a standing item of 'Ethical Scenarios' will be included on all future agenda for members to discuss and provide their views.

### Implications

Financial :	None.
Legal :	None.
Equality Impact Assessment :	None.
Risks and Impact :	<ul style="list-style-type: none"><li>• The scenarios provided are anonymised in order that no individual can be identified. The views of the Committee will be taken into account on any future similar incidences.</li><li>• Public perception and reputational issues for the Force.</li></ul>
Link to Police and Crime Plan :	Links to the Nolan Principles and Code of Ethics contained within the Plan.
Communications :	Communications Plan will be approved by the Committee at this meeting.

**List of Appendices**

Appendix A – Man preaching in the City Centre

Appendix B – Next door neighbour

**Background Papers**

None

**Person to Contact**

DCC Rob Nixon, Deputy Chief Constable

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**Scenario 1**

**Circumstances**

A man is preaching in the City Centre and expressing his views that homosexuals will go to hell and that his religious text documents as such. A member of the local community reports this to you as the local officer and asks that you stop the man from preaching as they believe his comments are homophobic and inciting hatred. You go to the location to listen and while you feel that the beliefs being expressed are extremely strong you have not yet heard an example of him being homophobic or inciting hatred. However, the local resident is getting increasingly upset.

No crime is recorded but the officer considers whether this is a hate incident which is defined, in this case, as any non-crime incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person's actual or perceived sexual orientation.

- 1) The officer assesses that no crime has taken place under the Public Order Act 1986 so it is not deemed a hate crime. However, is this to be considered a hate incident based on the above definition?
- 2) Article 10 of the Human Rights Act provides for freedom of expression – both popular and unpopular and that which might shock others – does the Preacher's behaviour fit within freedom of expression?
- 3) With no crime having been assessed as taking place; what is the most appropriate response for the Police?

**Scenario 2**

**Circumstances**

You work for the police as a member of staff and your next door neighbour approaches you to ask for advice about reporting historic sex offences. The neighbour speaks to you in confidence and says she was abused by a family member 30 years ago but didn't think anything could be done about it. You explain what can be done to help and encourage her to report the offences. The neighbour is not convinced and begs you not to report anything as she has spoken to you in confidence.

- 1) The neighbour has asked for advice in confidence but does the member of staff have a duty to report these matters to the Police?
- 2) What is the most appropriate action to take and who, if anyone, should the information be reported to?