

Public consultation on the Police Code of Ethics Submission by the National Black Police Association

The NBPA welcomes the development and introduction of a code of ethics for policing. Codifying what is expected from people who serve the public in policing will provide much needed clarity and enable all to see what is and is not acceptable.

The role of communities as well as the authorities and statutory bodies in holding the police service to account for these standards cannot be overstated - community scrutiny is essential as it provides balance and different perspectives that can sometimes be lost when policing is examined from within. The Code of Ethics provides a standard against which such scrutiny can take place.

The draft Code of Ethics is comprehensive and intelligent and the NBPA accepts its contents almost without exception. What follows are a number of suggestions and observations where we believe amendments would improve what is already a very positive piece of work.

The NBPA would welcome further involvement as the Code develops and is committed to supporting this important work stream as it progresses.

Page 1. Item 2 focuses on the reputation of the police. Reputation isn't the primary issue here. Damage to the police's reputation follows damage to the individual(s) who have been subject to the poor behaviour of the police. There has been a tendency to focus solely on the protection of reputation and there is an opportunity in this section to focus on the damage that is caused individuals/communities/general public which leads to reputational damage which then leads to a lack of trust in the police. This section needs to reflect this important distinction.

Page 3. The principle of 'Transparency' is missing and is an important principle (although it is alluded to later in the Code). Transparency is important where behaviour is inconsistent with the principles of the Code or is in violation of the Standards. Where appropriate a view on such matters should be taken from individuals external to the police service as outlined above.

Page 5, 1.4. We would add "The principles of honesty and integrity apply to officers deployed in a covert policing position just as they do to officers carrying out other policing duties."

Page 6, 2.1, first bullet point. We would add "have a positive obligation to report malpractice or unlawful activity, even where such revelations could damage the reputation of the force or service". We acknowledge that this is covered to some extent in Section 10.

Page 6, 2.2 We would add "and comply with any Codes of Practice that apply to the use of such powers e.g. PACE Code A". We acknowledge that this is covered somewhat in other sections (5 and 10) but much of the dissatisfaction with policing emanates from the misuse and abuse of stop powers, powers of arrest, use of force etc. We feel it is important to explicitly state the importance of compliance with the

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Codes of Practice in PACE as they apply to many of the powers used in ways that cause concern to communities in general and to ethnic minority communities in particular.

Page 7, 3.1 There is an opportunity in this section to move further than we have in decades, simply by moving the emphasis away from one on 'non-discrimination' to one of 'anti-discrimination'. A positive obligation to act in an anti-discriminatory way changes the emphasis from a passive, non-participatory one to a proactive, participatory approach that could start to change behaviour and culture. This key change could prove to be beneficial to the service and communities.

Page 7, 3.2 We would add "ensure that your use of discretion is non-discriminatory and would stand up to external and internal scrutiny if challenged or examined."

Page 8, 4.2 We would add "You may only use the minimum amount of force necessary to achieve the intended/required result", in line with EHCR and Section 3 CLA67.

Page 9, 5.3 We would add "codes of practice" to the list or, in the alternative, specify the PACE Codes of Practice.

Page 10, 6.2 We would add "take steps to encourage people from all communities to consider a career/working within policing". This follow on from the bullet point that commences 'build public confidence', as one of the most effective ways of building that confidence is for the local communities referred to become part of the police, in line with the Peel principle of 'the police are the public and the public are the police'.

Page 12. We would add 8.3.1 "take reasonable steps to ensure you maintain an appropriate level of fitness and health, commensurate with your duties.

Page 12, 8.4 We would qualify the word 'advice' with the word "reasonable".

Page 12 We would add 8.4.1 "successfully pass and physical fitness test. Should you fail a fitness test, you will be supported in your endeavours to improve your fitness to pass the test. You will follow any reasonable advice given in that regard."

Page 13, last bullet point - appearance. We agree with this principle but there is some work to be done on what those 'high' standards are, how they are set, from which perspectives. An examination of force appearance standards shows that a more inclusive approach could be taken, recognising the diversity that exists in appearance. An over emphasis on appearance can be taken when behaviour is the primary issue.

Page 14, Supervisors - we would add "and Managers" to the title, as this applies all the way to the top of the Service. In its current form this may be viewed by some as only applying to sergeants.

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Any questions related to this submission should be directed to:-

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