

# LONDON POLICING ETHICS PANEL

LPEP Secretariat, C/- MOPAC, City Hall, The Queen's Walk, London SE1 2AA  
Email: EthicsPanel@mopac.london.gov.uk.

Chair: Dr Suzanne Shale  
Members: Abdul Hye Miah, Dr Priya Singh, Professor Jennifer Brown, Dr Jyoti Belur

Sophie Linden  
Deputy Mayor for Policing and Crime  
City Hall  
London

Dear Sophie

## **Discussion Note: Ethical considerations to guide recovery and renewal following Black Lives Matter protests and coronavirus**

This report is offered to MOPAC and MPS to support their deliberations on how to respond to the issues raised by the Black Lives Matter protests, in the context of continuing challenges around policing public health during the coronavirus pandemic. In the first section we set out ethical questions intended to support review of strategies for policing in London. In the second section we address the ethical question of how to maintain and rebuild trust when trust based relationships are in jeopardy.

### **Section 1 Ethical imperatives in the wake of coronavirus and Black Lives Matter**

In this section we have used the 'ethical grid' developed by David Seedhouse<sup>1</sup> to reflect on some of the key challenges and ethical imperatives for policing the capital in the forthcoming period. The ethical grid supplies an overview of key concerns highlighted in European ethical theories, serving as a prompt to ethical deliberation. Concentrating on those elements which appear to be most salient at the present moment we have discussed their implications below, beginning with foundational principles for policing: creating and respecting freedom, respecting persons equally, and serving needs first.

This process of initial ethical reflection is consistent with Stage Two of the National Decision Model (Assess Threat and Risk). However, we also view the current period as potentially positive, affording MOPAC and MPS the opportunity to 'reset the compass' and further engage with Londoners over aspirations for policing the capital.

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<sup>1</sup> Seedhouse, D (2009) *Ethics – The Heart of Health Care*. Chichester: Wiley

At the end of each subsection, we have set out some questions that we think call for MPS and MOPAC consideration during the current period. The ethical grid is reproduced at the end of the report.

### 1.1 Creating and respecting freedom.

We view the aims of helping to create, and additionally respecting, freedom as foundational ethical commitments in policing.<sup>2</sup>

In his authoritative textbook, *Ethics of Policing*, Kleinig argues that policing is best morally justified in terms of social peacekeeping.<sup>3</sup> Social peacekeeping enables people to engage in society's opportunities on a footing of relative equality by providing protection from threats and harm in both the public and private spheres. It achieves this by providing supportive services particularly important to those vulnerable to exploitation or the exercise of unequal power of whatever sort (racial, gendered, economic, official, etc.) In a democratic society, social peacekeeping aims to accomplish the social good of relative harmony and security whilst also accomplishing the social good of relative freedom.

There are two important arguments to be made about finding the right balance between use of exceptional powers for the purpose of social peacekeeping, and respect for individual freedoms. The first is that police should exercise their powers in a manner that is procedurally just. The second is that police should exercise their powers in ways that do not systematically advantage or disadvantage particular social groups.

We turn to procedural justice first, and to principles identified by Tyler.<sup>4</sup> In summary, "for police–citizen interactions to be procedurally just they must include four elements reflective of the fairness of treatment and decisions. These are: voice; respect; neutrality; and trustworthiness. If citizens are given an opportunity to convey their side of the story before a decision is made (i.e. voice), if decisions are unbiased (i.e. neutrality), if citizens are treated politely and with dignity (i.e. respect) and if the police convey that they have the public's best interests in mind (i.e. trustworthiness), then citizens will be more likely to believe the police are legitimate."<sup>5</sup>

The findings from a recent study of attitudes towards procedural justice in Australian minority communities are of particular value, because the researchers sought to understand whether procedural justice principles matter to disengaged minority communities. Although such disengagement tends to be associated with scepticism

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<sup>2</sup> Readers may notice that the grid identifies autonomy, rather than freedom, as a foundational principle. This is because it was originally developed to explain ethics to health care professionals, for whom the freedom principle is expressed in patient autonomy.

<sup>3</sup> Kleinig, J. (1996) *The Ethics of Policing*. Cambridge: Cambridge University Press

<sup>4</sup> Tyler, TR (1990) *Why People Obey the Law*. Princeton, NJ: Princeton University Press

<sup>5</sup> Madon, N. S., Murphy, K., & Sargeant, E. (2017). Promoting police legitimacy among disengaged minority groups: Does procedural justice matter more? *Criminology & Criminal Justice*, 17(5), 624–642.

about police legitimacy, this study found that “procedural justice is *more effective* for building legitimacy for ethnic minority respondents who report being highly disengaged from police.”<sup>6</sup>

In the current period, more than ever perhaps, how far MPS and its officers demonstrate a commitment to procedural justice will be of lasting symbolic importance. As Ian Loader<sup>7</sup> has argued,

“police are not simply agents of order maintenance and crime control but inescapably conduct their ordering work in ways which are deeply entangled with the shape and practice of democratic life. ... they send authoritative signals to citizens about the kind of political community of which they are members, the manner in which that community is governed, and the place they occupy in its extant hierarchies”.

The second argument recognises, however, that even where policing interactions are conducted in procedurally fair ways, they can produce unintended unfair outcomes. This occurs because individual and collective decisions, when aggregated, can reveal patterns of interaction that advantage or disadvantage some sections of a community more than others. Stop and search, which we discuss below, is a classic example of this. It is perfectly possible for each and every individual stop and search to be procedurally and contextually fair, but for the overall distribution of stop and search to be unfair because of, for example, decisions made at higher levels about where to concentrate resources. This of course also results in an unfair distribution of the minor penalties that are usually the ‘most positive’ outcome of searches deemed successful.

There is therefore a need to attend to the aggregate outcomes of policing decision-making processes, and not rely solely on procedural justice justifications for legitimacy.

#### *Questions for consideration*

- *How far will the planned response visibly reinforce core principles of procedural justice, in the form of voice, respect, neutrality, and trustworthiness? The value of procedural justice adheres most strongly to individual decision making, which therefore leads to our next question.*
- *How far will the planned response attend to the aggregate impact of police powers on different communities? Is sufficient weight being given to anticipating injustices associated with the overall effects of patterns of policing activity (positive and negative) across communities?*
- *The Panel sees considerable merit in Loader’s argument that how the police conduct themselves can and should “help build democratic virtues and culture, underpin and extend civic engagement and... be a vehicle for generating social trust ... especially in poor urban neighbourhoods”?*<sup>8</sup> *How can policing in the*

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<sup>6</sup> Ibid.

<sup>7</sup> Loader, I. (2016). In search of civic policing: Recasting the ‘Peelian’ principles. *Criminal law and philosophy*, 10(3), 427-440.

<sup>8</sup> Ibid.

*current moment demonstrate democratic virtues such as accountability and respect for dissent? And can policing now and in future generate social trust through activities of moral repair (see the second section of this report)?*

## **1.2 Respecting persons equally and serving needs first.**

The two principles of respecting persons equally and serving needs first should assume a central place in considering how to respond to current challenges. By referring to these two together we mean to emphasise the importance of fairly and effectively serving the most urgent needs of London's different communities.

We acknowledge that members of Black communities are disproportionately represented in statistics on use of force<sup>9</sup>, and stop and search. We also note that the Macpherson report observed the Black community in London was 'over-policed and under-protected'.<sup>10</sup> We believe this remains the case, and that the same is potentially true of some other minority communities. Most recently, some BAME communities may have experienced more intrusive policing during the pandemic, and evidence from MOPAC's Public Attitude Surveys show significant differences views on the MPS's use of its additional powers under the Coronavirus Act, with 67% of Asian respondents, 54% of white respondents, but only 35% of black respondents saying the extra powers make them feel safer.

However, it is important to note that experiences of crime reveal a more complex pattern than simple majority and minority community differences. For example, women from mixed ethnic backgrounds are more likely to say that they were victims of crime than men or women from all other ethnic groups. Professional and managerial Black people are twice as likely to report being the victims of crime than Black people who are long term unemployed.<sup>11</sup>

Coronavirus has impacted unequally on London's inhabitants. The relationship between ethnicity and social deprivation has been highlighted, as has vulnerability to domestic abuse. Lockdown has been particularly difficult for economically underprivileged groups, and it is expected that crime associated with economic distress may rise in the forthcoming period. Young people have been differently affected by changes in patterns of violence and drug trading during lockdown. While

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<sup>9</sup> Drawing on recent data on use of tasers and the 2011 census, an analysis by Shiner indicated black people are 7.7 times more likely to have the weapons used against them. <https://www.theguardian.com/uk-news/2020/apr/17/rights-groups-quit-uk-police-body-stun-gun-use-bame-people>

<sup>10</sup> Macpherson W (1999). *The Stephen Lawrence Inquiry*. Report of an Inquiry by Sir William Macpherson of Cluny. Advised by Tom Cook, The Right Reverend Dr John Sentamu and Dr Richard Stone (Cm 4262-1). London: HMSO; Bowling B, Phillips C (2003). 'Policing Minority Communities'. In: Newburn T (ed). *The Handbook of Policing*. Cullompton: Willan

<sup>11</sup> <https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/crime-and-reoffending/victims-of-crime/latest#main-facts-and-figures>

for some young people lockdown has been a period of relative tranquillity, others may have been exploited in novel ways.

The principle of 'serving needs first' in the current climate invites renewed consideration of what policing is for. Whilst 'crime fighting' dominates images of policing, it is clear that a great deal of the need that policing serves, and should serve, has little to do with crime: low level anti-social behaviour, traffic management, emergency response, and limiting harms associated with mental ill health are currently all part of policing's 'core business'.<sup>12</sup> A comprehensive response to the twin challenges of coronavirus and Black Lives Matter will have to consider need from a range of ethical, sociological, community, police, and political perspectives.

#### *Questions for consideration*

- *How far will future approaches serve to redress the apparent imbalance between over-policing and under-protection of Black (and potentially other) communities?*
- *How far will future approaches accommodate the impacts of intersectionality (i.e. looking at more than one demographic characteristic and differences within or between ethnicities)?*
- *What are viewed as the foundational needs for policing in the period of coronavirus and Black Lives Matter? Who says that these are the 'real' needs (see the discussion below on ethics of engagement)?*
- *How far are police being supported and enabled to focus on foundational policing 'needs', and how far are they being diverted into responding to the 'wants' of different actors?*

### **1.3 Achieving positive good, minimising harm; weighing beneficial outcomes for society and particular groups**

In policing, as in other areas of public service, ethical tensions arise between doing the most positive good and minimising harm; and choices have to be made when a given approach produces benefits or harms for particular groups that differ from the impact on society in general.

This tension is probably nowhere more apparent in policing than in use of stop and search. Many observers have argued that the presumed benefits of stop and search are elusive, while the detrimental impact on ethnic minority communities is significant.

What do we know about the balance of good and harm that is achieved through stop and search?

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<sup>12</sup> On mental health, see Lord Adebowale (2013) *Independent Commission on Mental Health and Policing* and the House of Commons Home Affairs Committee (Eleventh Report of Session 2014–15)  
<https://publications.parliament.uk/pa/cm201415/cmselect/cmhaff/202/202.pdf>

Analysis of London data over the period 2004 – 2014 using lagged regression models and a natural experiment indicated the effect of stop and search on crime appeared marginal, particularly in relation to more serious forms of offending.<sup>13</sup> Turning to the harm, data indicate that six times as many innocent black people and twice as many Asians are unjustifiably searched in comparison with their white counter-parts<sup>14</sup> “Because stop and search is so widely used against ethnic minority communities, a significant proportion of these communities have the experience of being treated as suspects and enduring the embarrassing inconvenience of having one’s person, bag, or vehicle searched. This incidental or ‘collateral’ impact on the law-abiding population creates a particularly wide-spread perception of unfairness”<sup>15</sup>. Detractors thus continue to argue that there is weak evidence for the effectiveness of stop and search, against strong evidence that it has a harmful impact on Black and Asian communities.

We acknowledge on the other hand that advocates for stop and search believe it to be of value in preventing crime, and they retain the view that it produces positive goods through minimising the harm of criminal behaviour. In a 2016 Home Office report on Operation Blunt in London for example, researchers accepted that data at the London borough level showed no discernible crime-prevention effect from stop and search. However, they went on to contend that there might be localised crime reduction effects that were masked in data from a large geographic area; and that a base level of stop and search activity could have some effect after which there were diminishing returns.<sup>16</sup> This is hardly persuasive evidence for an argument that the positive good of stop and search outweighs the detrimental effects. Moreover, it offers little solace to those who continue to suffer the effects of crime in Black and Asian communities, as well as suffering from the harm that stop and search does to individuals and to community relations.

Similar questions about maximising good and minimising harm can be raised in respect of police use of force, particularly tasers and restraint, which we noted above also appear to have a disproportionate impact on Black Londoners. The nature of the intended good, and the nature of the harm caused, are of course somewhat different. But in the Panel’s view, both these areas of police activity would benefit from a rigorous review of the balance of benefit and harm they achieve and whether the current balance can be tilted further in favour of positive good.

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<sup>13</sup> Tiratelli, M., Quinton, P., Bradford, B. (2018) ‘Does Stop and Search Deter Crime? Evidence From Ten Years of London-wide Data’ *The British Journal of Criminology*, Volume 58, 1212–1231

<sup>14</sup> Bowling B, Phillips C (2007). ‘Disproportionate and Discriminatory: Reviewing the Evidence on Stop and Search’ *Modern Law Review* 70(6): 936–961.

<sup>15</sup> Bowling, B. (2007) ‘Fair and Effective Policing Methods: Towards ‘Good Enough’ Policing’ *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 8:S1, 17-32

<sup>16</sup> McCandless et al (2016) *Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/508661/stop-search-operation-blunt-2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/508661/stop-search-operation-blunt-2.pdf)

Finally, many priorities compete for police attention and resources. There has been increased recognition in past years of the role that policing can play in securing a safer environment for women and young people, people who are especially vulnerable by reason of disability, variations in cognitive functioning such as autism, other cognitive difficulties such as dementia, subjects of hate crime, and victims of modern slavery. These social groups are all adversely affected by imbalances of power in public and private spaces. They continue to deserve the attention that, as vulnerable citizens, they have been afforded in recent years, despite being less controversial at present.

#### *Questions for consideration*

- *How far does the available evidence support use of stop and search in its current form, when weighed against the harms it produces?*
- *How far might it be feasible to achieve the presumed benefits of stop and search (this could mean adopting a different tactic) whilst minimising any of the harms associated either with stop and search or its alternatives?*
- *How should we understand data on disproportionality in use of force? How can disproportionality be minimised?*
- *Have the current challenges facing the capital created new vulnerabilities and/or exacerbated existing vulnerabilities for certain groups? If so, how should tackling these be prioritised?*

### **1.4 Keeping promises and telling the truth**

Keeping promises and telling the truth are central to building and maintaining trust. In the current situation we use these ethical values to draw attention to the ethics of engagement, particularly around how dialogue with London's diverse communities might proceed.

We discuss in the second section of this document how genuine acknowledgement of peoples' experiences is fundamental to repairing damaged relationships of trust. From this perspective, the ethics of engagement are about understanding *why* it is important, what good engagement can achieve, and what poor engagement can damage. From the perspective of recognising that good and poor engagement can create benefits or harm, the ethics of engagement becomes about understanding *how* engagement should be done.

The ethical importance of keeping promises reminds us that cynical engagement exercises (pretend consultations when everything has already been decided) can destroy trust. The apparent promise to listen, is a hollow one. The ethical importance of truth telling reminds us that real engagement is a genuine dialogue. Ethical engagement calls for humility, honesty and openness, alongside a willingness to change.

The Panel recognises that good engagement can be difficult, expensive, time consuming, and sometimes disturbing. But 'voice' is one of the core elements of procedural justice. Is it possible for MOPAC and MPS to engage in a truly transformative dialogue, hearing the voices not just of those who speak loudest, or

have the most influence, or are telling authority what it wants to hear? How far will it be possible to conduct a genuine dialogue, without being thought to be promising more than can realistically be achieved?

#### *Questions for consideration*

- *To what extent do MOPAC and MPS approaches to engaging with London's communities demonstrate robust ethics of engagement around policing issues?*
- *To what extent are MOPAC and MPS able to demonstrate co-creation of solutions arising from past engagement?*
- *Might new forms of engagement help to reconcile competing needs, through collective consideration of how to achieve a fair distribution of 'policing goods' and minimising harms?*
- *Are there lessons to be learned from how the police have tried to engage community support in the PREVENT programme?*

### **1.5 Effectiveness and use of evidence**

The Panel is conscious of the MPS's continuing efforts to learn from and respond to past events and inquiries. The immense personal and public costs, and the lasting loss of trust associated with high profile adverse events, creates an ethical imperative to learn everything possible from them. This is particularly important in light of the advances that have undoubtedly been made, alongside the continuing difficulties the MPS has faced, in policing London's diverse population in past decades. As well as the Macpherson Report, there are insights to be gained from the Lammy Review<sup>17</sup>, the McGregor Smith Review<sup>18</sup>, and the Race Disparity Audit.<sup>19</sup>

Assessments of the MPS response to the Stephen Lawrence inquiry depict a mixed picture. In her televised evidence to the Home Affairs Select Committee 'Macpherson 20 years on' Cressida Dick outlined some significant advances but also conceded significant barriers remain.<sup>20</sup> The Commissioner conceded that a confidence gap still exists, with BAME confidence in police some 13 percentage points lower than other groups. She was regretful that BAME groups remained unwilling to use the complaints system; that BAME officers were still almost twice as likely to be disciplined than other officers; that only 14% of MPS officers were from BAME groups, while these were 40%

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<sup>17</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/643001/lammy-review-final-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf)

<sup>18</sup> <https://www.gov.uk/government/publications/race-in-the-workplace-the-mcgregor-smith-review>

<sup>19</sup> <https://www.gov.uk/government/publications/race-disparity-audit>

<sup>20</sup> <https://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries/parliament-2017/macpherson-report-twenty-years-on-inquiry-17-19/>



of London's population, and that there was a higher rate of voluntary resignations among BAME officers.<sup>21</sup>

The Panel has welcomed engagement with MPS officers during its work, and we have heard of their commitment to making MPS a learning organisation. This implies moving from an organisational dynamic of blame and congratulation to one of learning from failure and also learning from what has been achieved. Organisations show what they are learning from failure through the changes that they make, and they show what they are learning from achievement by sustaining continuous improvement. There is potentially much to be gained from reviewing continuing difficulties in responding to past failures, while at the same time not overlooking the progress that has already made and understanding how this has been accomplished.

#### *Questions for consideration*

- *What does a searching appraisal of MPS responses to past inquiries reveal about the facilitators of and barriers to improvement? What has worked that has contributed to success, and what did not work that contributed to failure?*
- *How could these facilitators and barriers, and knowing what works and what does not, be used or surmounted in future improvement action?*

## **Section 2**

### **An overview of moral repair**

The protests associated with Black Lives Matter, and the challenges associated with policing public health during coronavirus, have raised important questions about how bonds of confidence and trust in policing are created, maintained, and where necessary, rebuilt.

Authors in the field of ethics and moral philosophy converge on viewing the seven acts of acknowledgement set out below as central. In practice, they underpin work in various fields associated with conflict resolution (including restorative justice) and were demonstrated compellingly in South Africa's Truth and Reconciliation Commission.

#### **2.1. Seven acts of acknowledgement**

Acknowledgement is a combination of deep listening, altered understanding, and mutually agreed reparative action.

i) Acknowledging an injured party as a moral equal. This is absolutely central. Moral repair will not succeed for so long as one party is placed in an inferior moral position, seen as having less of a right to define the situation than those in authority. Moral repair processes rapidly deteriorate when people are told "we hear what you say, but

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<sup>21</sup> For simplicity we have referred to BAME as a single group, but we recognise there are intersectional and ethnic differences which call for careful analysis and understanding.

that's not how we see it" with an underlying message "and we get to say what is real". Moral equality means sharing the authority to say what is real, and what matters.

ii) Acknowledging the authority of shared norms. Moral repair means recognising there are shared norms, they remain important even if they have been violated, and that the shared intention is to restore their authority so that they are binding on everyone equally. Racial equality, and policing fairly, are two of the shared norms at stake at present. But how much agreement is there around authoritative community norms – that is, what people want their communities to be like, what kind of behaviour is tolerable, how weaker members of a community can be enabled to enjoy community spaces, who helps to protect those who need protecting, who watches the watchman, who speaks on behalf of the community, and so on? These are important empirical questions about communities' normative expectations of themselves and of authority, and they need to be better understood.

iii) Acknowledging injury. Moral repair requires that a forum be found in which the nature of (moral) injury is spoken, explained and understood. This calls for attentive listening to the testimony of those affected.

iv) Acknowledging responsibility. Moral repair requires that those who are truly responsible for something acknowledge that responsibility. This is not the same as laying blame. In acknowledging responsibility, the person or institution recognises that others have placed reliance upon them and have been let down. Acknowledging responsibility reinforces trust by confirming that the norms are valid, and it is reasonable to rely upon them.

v) Acknowledging that remedy is due, and that the injured party may define what is owed.

The first part of this is difficult, and the second part even more challenging. Failure to acknowledge that remedy is due is, to paraphrase Archbishop Desmond Tutu, equivalent to me apologising for stealing your pen and then refusing to give it back. The metaphorical question is, in what way can the pen be given back? When someone suffers lasting harm we cannot change the past, so the request is often that authority takes steps to prevent the same thing happening again. Sadly, although many public institutions are less harmful than they used to be, few are as safe as they should be. This argument can be made about policing. The second part of the equation aims to restore the injured party to the position of moral equal who has the say in what is owed. This calls for deep questioning about the steps London policing can or should take to remedy what it is responsible for.

vi) Acknowledging righteous anger, or other negative feelings, in those who have been injured. Whilst most will recognise the validity of resentment, anger, hurt, etc., it often needs to be acknowledged for a lot longer than the commissioner of the injury feels comfortable with. It's common to complain that someone or some group now needs 'to move on'. It is not for anyone who has (morally) injured another to define the rate of recovery or restoration. People might go away for a bit, but they won't have moved on.

vii) Acknowledging that in injuring another, we should experience sorrow and regret. This is often seen as a requirement for apologies. It is more than that. This is not about words but making it apparent that there are genuine feelings and genuine recognition of a wrong being done. This is very difficult with formal public apologies, which is why they only work when done with exceptional care and accompanied by the preceding steps.

## 2.2. A rationale to underpin this approach

The outline of moral repair above draws on the work of moral philosopher Margaret Walker.<sup>22</sup> Her analysis has considerable affinity with arguments in the policing literature regarding the nature of trust and the importance of procedural justice to maintain it.

It is helpful first to understand how normative expectations underpin trust-based moral relationships; and then how practices of moral repair serve to shore up normative expectations with trust, confidence and hope.

Normative expectations are, broadly, beliefs about what people *should* do combined with predictions about what they *will* do. They are both moral (should) and predictive (will) expectations. Citizens who trust the police have a normative expectation that they *should* apply rules fairly and that they *will* apply rules fairly. When this does not happen, and the issue is important, a breach of normative expectations can invoke both strong emotions and demands for accountability. The most notable emotion is resentment; I shall return to accountability after outlining how resentment functions.

Resentment can be understood as a form of accusing anger at something done, particularly when that ‘something’ appears to observers to be a significant violation being done *with impunity*. Resentment is an important moral sentiment that philosophers recognise as a form of ‘moral address’, an expectation directed at those with authority to take a troubling situation in hand. Resentment *sustains* moral community when it triggers, and is met with, a morally adequate response. But based as it is in anger and fear, resentment is also a potentially *destructive* sentiment. If the moral address goes unheeded, resentment can lead on both to cynical withdrawal and to angry retaliation. As well as helping to build moral community, resentment can do great damage to trust when it is ignored.

In the recent furore over the behaviour of the Prime Minister’s special advisor Dominic Cummings, he appeared to breach normative expectations about how the lockdown rules should apply, that leaders should exemplify them, and that leaders should be held accountable for inappropriate behaviour. Cummings’s behaviour was met by

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<sup>22</sup> Walker, M. (2006) *Moral Repair – Reconstructing Moral Relations after Wrongdoing* Cambridge: Cambridge University Press

intense resentment. We have yet to see whether this will burn out into cynical withdrawal or angry retaliation.<sup>23</sup>

Similarly, there is a *normative* expectation among ethnic minority communities that police *should* act fairly, accompanied by a rather weaker *predictive* expectation that they *will* do so. When they visibly do not, the violations invoke resentment.

Why do wrongs generate predictable (and sometimes disappointed) demands for accountability? Practices of morality, which underpin consensual co-operative community life, rest significantly on confidence, trust, and hope:

- confidence that *we share certain moral standards* with others;
- trust in *others to observe* shared moral standards;
- confidence, trust, and hope that when important norms are breached *authoritative and effective* action will be taken to deal with the situation.

The pursuit of accountability is less about revenge and ‘demanding scalps’ than it is about rebuilding people’s confidence that the moral standards that they thought were binding and important really are; reiterating that people can be trusted to observe these norms, not because they are continually coerced but voluntarily; and refurbishing the important social convention that the group will step in and do something when things go wrong.

Moral repair requires that those who are truly responsible for something acknowledge that responsibility. This is not the same as laying blame. In acknowledging responsibility, the person or institution recognises that others have placed reliance upon them and have been let down. Acknowledging responsibility reinforces the view that the norms are valid, and it is reasonable to rely upon them. Accountability mobilises hope over resentment.



Suzanne Shale  
**Chair, London Policing Ethics Panel**  
17<sup>th</sup> June 2020

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<sup>23</sup> There is empirical support for this analysis in findings from an ongoing 10-city longitudinal panel study on compliance with lockdown measures.

<https://blogs.lse.ac.uk/politicsandpolicy/public-compliance-covid19-june/>

## The ethical grid

