

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

ETHICS AND TRANSPARENCY PANEL

PAPER MARKED

A

Report of	CHIEF CONSTABLE
Subject	ETHICAL SCENARIO
Date	FRIDAY 16 DECEMBER 2022
Author	DI Hubbard

Purpose of Report

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

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.
- 4.

Implications

Financial :	None.
Legal :	None.
Equality Impact Assessment :	None.
Risks and Impact :	<ul style="list-style-type: none">• The scenarios provided are anonymised in order that no individual can be identified. The views of the Panel will be taken into account on any future similar incidences.• Public perception and reputational issues for the Force.
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 Panel at this meeting.

Background Papers

None

Person to Contact

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Scenario 1

Circumstances

A male is stopped riding his E-Scooter along a road in the City Centre. Relevant checks confirm he is the owner of the Scooter, he is wearing a high-viz jacket and appropriate head-gear. The Officer who stops him checks Niche and finds that he has already had a previous warning under Sec 165 RTA. According to Force policy, the second occasion a rider is stopped will result in the E-Scooter being seized and destroyed due to contravention of Sec 165 and Leicester E-scooter policy.

The male states that he uses this mode of transport to get to and from work as he cannot afford the rising costs of fuel. He states he is not putting pedestrians at risk by riding on the road and is wearing the appropriate safety equipment. He comments that he sees numerous other riders on a daily basis, all of whom don't appear to get stopped and queries why other Cities allow Scooters to be ridden under their rental scheme.

The Officer complies with the Force policy and seizes the Scooter under Sec 165. The male's details are taken again and he is given a TOR and advised that his Scooter will be later destroyed. He is left to make his own way to work.

Should we be criminalising members of the public who are genuinely using this mode of transport? If they were living in a different County they would be permitted to use an E-Scooter to travel under the rental scheme.

Scenario 2

Circumstances

Officers are on patrol when they see an E-Scooter being ridden on the pavement at speed. They follow in their vehicle and attempt to stop it but the rider makes off. The officers decide not to pursue but then shortly afterwards come across another E-Scooter rider who is travelling slower on the same pavement so they stop and speak to him.

The rider complains that he has only been stopped because of his speed but has noticed that the Officers didn't bother pursuing the other E-Scooter rider. He states that this is not fair and he is not riding in a dangerous manner. He is given a warning as per Force policy, his E-Scooter is tied up and it is explained to him where he can and cannot ride and the consequences of being caught again.

Are we being transparent and fair in our dealing of E-Scooter riders? Do we risk penalising those that are easier to catch due to lower speeds?

ECHR considerations;

*Every **natural or legal person is entitled** to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.*