

A right way to do wrong?

In this condensed version of a paper delivered during the Executive Issues Seminar at the 17th Senior Police Executive Officer's Course at the Australian Police Staff College in March of this year, Mr Daryl Smeaton, AFP's former Assistant Secretary for Government and Public Relations, explores the topic of Ethical issues in Management.

ETHICAL issues arise in almost every aspect of our daily lives, whether at work, at home or at leisure. It is little wonder then, that Tom Peters, author of *In Pursuit Of Excellence*, stated that ethical management is the business issue of the day.

The study of ethics has its base in two models, Kant's categorical imperative and Bentham's utilitarianism. Kant's model holds that a judgement is ethical if it is correct with reference to a moral standard with the outcome of that judgement being irrelevant. Bentham's model holds that a judgement is ethical if it brings about the greater good for the greater number of people.

A number of modern ethicists feel that these two models have good and bad points, with neither being entirely satisfactory. Brady (1990, p76) proposes that ethical decision making requires reference to both models; in effect, a proposition which has a bit each way.

In search for an appropriate definition of ethics, Yvonne McLaughlin (1990, p45) in the *Australian Management Dictionary* proposed that:

Ethics – the rules or principles, both on an individual and organisational basis, that define right and wrong (appropriate and inappropriate) conduct.

While *The Encyclopedia of Professional Management*. (1978, p366) stated that:

The term, management ethics, refers to the collection of ideas or thoughts about acceptable behaviour by management.

It is enlightening to note that whichever definition one uses, morality can be seen as the key factor, a proposition that can only lead to the conclusion that ethical issues are moral issues.

Contemporary writers

With this in mind it can be argued that ethics theorists can be categorised

into three groups. The first is the 'right and wrong group', the Kantian view. The second is the 'greater good group', the Bentham view, and the third is the Brady's 'each-way group'.

I suggest that Blanchard and Peale (1988, p18) explain Bentham's 'greater good group', or what they term the grey group view nicely when they state:

Many people contend that nowadays there is a big gray [sic] area between right and wrong, and they use that gray [sic] area as an excuse not to worry about being ethical.

The Ethics Check questions

Ethical issues occur in recruiting and employing staff and in the calling and letting of contracts. Ethical issues abound in industry from manufacturing to service provision and there are constant examples in the media on ethics ranging from government grants to taxation returns.

The question must be asked: "Can a single method be found to apply to all ethical dilemmas?"

A method which arguably applies, is that proposed by Blanchard and Peale (1988, p27) which they describe as the Ethics Check Questions; they are:

- Is it legal?
- Will I be violating either the law or company policy?
- Is it balanced?
- Is it fair to all concerned?
- How will it make me feel about myself?
- Will it make me proud?
- How would I feel about public exposure?
- What would I do if my family found out?

An ethical dilemma

Consider that you are a sales manager in a firm where sales and,

therefore, profits are down. You are under pressure from senior management to lift sales and profits. You need a new salesman and you advertise accordingly.

An employee of your major competitor applies. He looks great and has an outstanding sales record. He is clearly the best in the field. At the end of the interview, he takes from his briefcase a computer disc on which, he says, is all the confidential sales information of his current employer as well as the cost structure of your competitor's bid for an enormous contract that you also want to win.

What would you do?

The free lunch – the perennial problem of policing.

Police officers' conduct is constantly in the public eye, and there are regular media reports about special deals like free meals for police officers at McDonalds' restaurants and the like. In business, it is common for free tickets to shows or sports events to be offered, and the offer of gifts from grateful clients is not uncommon, Kania (1988) and Bracey (1989).

They both argue that police services should allow some leeway in this area. They contend that not all of these incidents raise ethical issues. Kania even suggests a hierarchy of scenarios that range from totally ethical through partly ethical to totally unethical.

My view is that this is like saying that being partly ethical is akin to being partly dead. Can anyone satisfactorily show where the line could or should be drawn and is it possible to draw the line in undercover police activities?

Undercover Policing

An anonymous prosecutor in New York is reported (Heffernan and Stroup, 1985, p83) as saying if you want to catch a rat, you have to go into the sewer. It could be said that

this is the premise on which undercover policing is based.

The sewer analogy aptly suggests where the line could be drawn. I suggest that one option is that it is possible to catch rats as they come out of the sewer. This means that to catch a rat it is not necessary to risk getting dirty.

Significant Factors

Other factors overlay the ethical issues arising in the cases outlined above. Firstly, there is the effect on organisational and societal culture. Blanchard and Peale (1988, pp 30-31) report an article by Jack Griffin called "It's OK son, everybody does it."

Johnny is assured, when his father bribes a traffic cop over a speeding offence, when his uncle advises on how to cheat the tax man, when his aunt shows him how to fool the insurance company and when his coach shows him how to break the rules at football, that "it's OK, son, everybody does it."

When Johnny, at university, buys the exam answers for \$50, gets caught and is sent home in disgrace, his parents are shocked. "How could you? You never learned anything like that at home!"

Secondly, there is the matter of personal integrity. How did you respond to the scenario regarding employing

the salesman outlined above? The case surely raises very real issues about personal integrity, or can a decision be made solely on the basis of keeping a competitive edge?

Thirdly, there is the effect of individual judgement. The nature of some undercover operations can raise doubts about the judgement and leadership ability of the officers in charge. Joshua Owen (1991), Director of the Institute of Administration at the University of New South Wales, summed up the leadership issue neatly:

Good ethics is good business. If we want ethical business, we need ethical CEOs...and ethical senior executives at the top.

Conclusion

So, is there a right way to do a wrong thing?"

The aim of exploring the topic of 'ethical issues in management' has been to find a method for making ethical decisions for personal and organisational situations as they arise.

Three traditional approaches have been considered, with shortcomings being shown to exist in each. This being the case, I recommend that the best method for evaluating how situations can be best dealt with is the 'Ethics Check Questions' suggested by Blanchard and Peale (1988, p27). The application of this method, to my

mind, will result in a definitive answer:

"There is no right way to do a wrong thing" (Blanchard and Peale, 1988, p19).

It is an answer that should form the cornerstone of the leadership style of our senior executives.

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17th Senior Police Executive Officers' Course

THE Senior Police Executive Officer's Course at the Australian Police College, Manly, is a six week course intended for officers at the rank of Superintendent to Assistant Commissioner and senior public servants at an equivalent level.

The theme of the 17th course, which ran from 22 February to 2 April, was *Policing – the changing paradigm*, and was designed to develop a contemporary model for policing. It also aimed to provide senior executives with the opportunity to broaden their understanding of the political process and enhance their effectiveness in policy formulation and implementation.



Participants in the 17th Senior Police Executive Officers' Course at the Australian Police Staff College.

Back row: Supt J White (SA), Mr D Smeaton (AFP), Snr Asst Supt K Moonen (NSW Dept of Corrective Services), Supt M A Jones (WA), Cmdr B Fields (NT), Supt T Bearson (NZ), Supt R Shaw (NSW), Supt L Prins (TAS). **Middle row:** Snr Asst Supt G Souter (NSW Dept of Corrective Services), Insp R Conder (Qld), Supt K Thoms (NSW), Det Ch Insp D Foley (Vic), Cmdr G Bawden (MFB Melb), A/Jg Det Supt T McGrath (Vic), Ch Insp P Jones (NSW), Ch Supt D Jefferies (Qld).

Front row: Mr M Roelandts (NSW), Mr L Mumms (NT), Mr R Barnsley (Director of Programs), Prof T F Rohl (Director), Cmdr J Murray (SA - Visiting Police Fellow), Regional Cmdr R Atkinson (NSW Fire Brigade), Ch Supt G Stevens (QLD).