

Entrapment, criminal justice and ethics

Project addressing the questions: What is entrapment? Is entrapment morally permissible? What are entrapment's normative implications for ethics and criminal justice?

Key details

Lead institution	University of Liverpool
Principal researcher(s)	Dr Stephen McLeod (University of Liverpool), Dr Daniel Hill (University of Liverpool), Dr Attila Tanyi (University of Milan), Dr Tarek Yusari (University of Liverpool) djhill@liverpool.ac.uk
Police region	North West
Collaboration and partnership	<ul style="list-style-type: none"> University of Milan
Level of research	Professional/work based
Project start date	October 2023
Date due for completion	September 2026

Research context

On occasions, undercover police officers pose as drug users to purchase illicit drugs, with the aim of enabling the criminal prosecution of the seller. So-called 'paedophile hunters' pose online as minors. These hunters report to the police adults that, believing themselves to be communicating with minors, arrange to meet to engage in illegal sexual conduct.

These are all instances of what is commonly known as entrapment. When entrapment happens, one party, the 'agent', intentionally brings it about that another, the 'target', performs a forbidden or otherwise objectionable act, intending to have the target held responsible for having committed the act. The agent can be a law-enforcement official ('state entrapment') or a private party ('private entrapment').

The project, which is funded by the Leverhulme Trust, addresses the following questions:

- definition: what makes an act one of entrapment?
- permissibility: was entrapment morally permissible?
- implications: what are entrapment's normative implications for practical ethics and for criminal justice?

The project's outputs include the first philosophical monograph on state entrapment and a series of articles on private entrapment, concerned, among other questions, with what bearing, if any, the identity of the agent has on the questions of permissibility and implications.

Beyond analytic philosophy, the project draws from primary and secondary legal sources, criminology, sociology and police and media studies.

The work is relevant to the conduct of criminal trials, and to police and media ethics and regulation.

Research methodology

The project members are philosophers, and approach the research questions using the standard tools of analytic philosophy: clarity of expression, logic in argument and the judicious use of thought-experiments to generate intuitive responses. As well as the philosophical literature, they also engage with the legal literature, both in the form of scholarly secondary literature and in the form of case reports and statutes.

Interim reports or publications

Hill DJ, McLeod SK and Tanyi A. (2018). ['The concept of entrapment'](#), *Criminal Law and Philosophy*, 12, pp 539–554.

Hill DJ, McLeod SK and Tanyi A. (2022). ['What is the incoherence objection to legal entrapment?'](#), *Journal of Ethics and Social Philosophy*, 22, pp 47–73.

Hill DJ, McLeod SK and Tanyi A. (2022). ['Entrapment, temptation and virtue testing'](#), *Philosophical Studies*, 179, pp 2429–2447.

Hill DJ, McLeod SK and Tanyi A. (2024). ['Policing, undercover policing and "dirty hands": The case of state entrapment'](#), *Philosophical Studies*, 181, pp 689–714.

Additional resources

[Project website](#)