

Graduate Diploma in Professional Police Practice

LEVEL 6 - 40 Credits

To be completed by DHEP Detective students only

**Workbook title: Competency Based Workbook 1
(DHEP) 6,500 words**

(SOUTH WALES POLICE, GWENT POLICE AND UWTSD)

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FACULTY OF BUSINESS AND MANAGEMENT PUBLIC SERVICE PROGRAMME

Module title: Policing in the Workplace 3 (DHEP)

Workbook Guidance

Please read these notes carefully; they provide essential information.

What is the workbook for?

The purpose of this workbook is to enable learners to demonstrate and provide evidence of how they meet the learning outcomes set by the College of Policing, for the Graduate Diploma programme. Essentially, you are being asked to outline your experiential learning based upon your theoretical understanding in a range of operational situations.

Area of Professional Practice covered, (called elements in your module descriptor):

- Wellbeing and Resilience
- Communication Skills
- Managing Conflict
- Valuing Difference and Inclusion
- Criminal Justice
- Decision making, discretion
- Conducting Investigations
- Criminal Justice (Managing offenders)
- Problem Solving
- Evidence Based Policing
- Maintaining Professional Standards
- Public Protection.

You may wish to use the same incidents as you've outlined in the Occupational Competence Portfolio.

How should the workbook be presented?

Blank electronic copies can be found on Moodle of this workbook. You must submit this document electronically therefore it is important that you save your work regularly and upload the final typed version through Turnitin on Moodle.

Word count policy can be found in chapter 7 of the Academic Quality under section 7.7 (this applies to presenting work above and under the specified word count).

(https://www.uwtsd.ac.uk/media/uwtsd-website/content-assets/documents/academic-office/aqh-chapters/chapters---en/Chapter_07_Assessment-Taught_Programmes_Pages_72-79-UPDATED-05-11-2019.pdf)

Reflective practice is a core aspect for your workbooks and although there is a variety of useful resources on Moodle, there is one particular book, that is specifically based on reflective practice in policing, here is a link to one chapter from Selina Copley's Reflective Practice for Policing Students:

https://moodle.uwtsd.ac.uk/pluginfile.php/298870/mod_resource/content/1/Reflective%20Practice%20for%20Policing%20Students%20-%20Selina%20Copley%20Chapter5.pdf

How is the workbook assessed?

Advice and support about the completion of this workbook will be provided by university staff as part of your initial training day. Your tutor constable and in-force training staff will not be involved in assessing or marking your workbook after it has been submitted.

Dates of workbook submission will be made available during the initial training day and posted on Moodle.

Once submitted your workbook will be assessed and marked independently.

Confidentiality

It is important that no individual can be identified either directly or indirectly from the information in the workbook. Therefore, you must:

- adhere to guidance in the Student Handbook about unfair practice and plagiarism;
- not identify individuals including witnesses, victims or offenders by name;
- not write information that enables any individual to be identified indirectly through the description you provide. This includes references to names, colleagues, places (including hospitals, schools, town, villages, streets) specific incidents which were high profile and could be identified due to past publicity, other professionals or any other personal information including medical or other conditions.
- take personal responsibility for adhering to confidentiality rules.
- not include any dates of any incidents or anything that specifically identifies an actual incident.

The content of this workbook should be your own work. Do not allow anyone else to see your work or use your work for their own submissions.

Please be aware that any content that is deemed to be inappropriate, disrespectful, or abusive will not be tolerated. Following review of any content of this nature the information will be shared with the employer of the student responsible.

Should any health and wellbeing concerns be raised because of disclosures made by the student within this workbook, the employer of the student will be informed.

NOTE

Your workbook will be submitted electronically via Turnitin on Moodle. Guidance on this is in the Student Handbook.

Remember that the workbook is YOUR responsibility you must not rely on the assessor or anyone else to pick up any confidentiality breaches as this is your work and you must accept full responsibility for confidentiality. Meeting all the confidentiality requirements is very important.

Dyslexia and other special circumstances

If you have any condition that you feel may affect your ability to deal with any part of the programme, please see the Student Handbook for further guidance. The University has a Student Services Unit that may be able to help but ***it is the learner's individual responsibility to contact them.***

Guidance:

- Your workbook must contain the items specified in the table below (clearly identified and in the order given);
- You should use this document to insert your text / answer within each section of this workbook;
- You should upload your completed document as a saved pdf file of this workbook; if this is not possible then a Worddoc file is acceptable. Do not send a scanned file from a photocopier, an apple.dot file or a Microsoft publisher file as Turnitin will not be able to assess them, despite you being able to upload them.

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Task 5	Independent Patrol Status Confirmation	Equivalent 1500 words
	Confirmation of Confidentiality and Plagiarism <i>Confirmed by submission through `Turnitin`</i>	

Task 1

Relevant areas of the National Policing Curriculum:

Understanding the role of a constable.

Guidance:

Focussing on your initial 6 months of learning and since being attested as a Police Constable, **discuss and compare** the coping strategies you have applied to develop resilience and minimise stress.

1000 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

In this essay I am going to discuss and compare the coping strategies that I applied during my initial training period, that allowed me to develop resilience and minimise the stress of initial training.

For this essay I am going to be using a reflective tool original developed by Terry Borton but that was later elaborated on by John Driscoll in 2000 (Driscoll, 2000). The model looks at three main parts which I will break down below.

The first part is "What?" in this context this is looking at the stresses of initial training, including the emotional demand of starting a new job that also includes study for examinations. The second part is "So what?" in this section I will explore what methods I used in an attempt combat stress and build my resilience. The third and final part is "Now what?" in this section I will reflect on what worked and what I can use going forward to maintain my personal wellbeing in work.

"What?" Starting a new job can be stressful, lots to learn and a new environment to find your place in. However, I did not just start a new job in A another company. I started a new job in the police, as a police officer duty bound to serve and protect the public. So, in addition to the stresses of a new job, I had the additional burden of the fact that public confidence in the police has fallen in the past few years (Brown, 2021). Not only that but I also had additional stress knowing that I had to complete further academic qualification during my first two years in the police. All the above factors lead to stress before I had even started my first day in training. I knew that I had to find methods to combat my stress in order to prevent burnout (NHS, 2021) occurring during my initial training period and the stresses would just mount up if I did not.

Now that I have identified the need to find these methods, "So What?". In this section I will explore the methods that I used and how I used them. I did some research and found that physical activity can be good to help manage stress (Mind, 2019). I started to do more physical activity and found that going to the gym gave me time to switch off and made me feel more motivated after. I found that I could switch off from the stress of work for a few hours, and then after I had finished, I felt that I had more energy to go and complete some more academic based work. I also found that some more basics forms of exercise such as

walking were also reported to have been effective on combating stress (Valvano, 2019). I therefore fitted both the gym and walking into my schedule. I found that on days where I had an hour spare in the evening I could visit the gym, I found that planning this in advance helped me to keep on track. Then on days where I did not have as much time, I found that I could fit a walk into my day, usually at lunchtime. I found that instead of sitting down and worrying about things, it was much better to get active and take some time out.

From research I also found that mindfulness has been shown to help people manage stress (NHS, 2020). Mindfulness is when we pay attention to what is happening inside and outside of us, having an awareness of thoughts and feelings. One of the main mindfulness techniques is breathing (NHS, 2019), in which you find a comfortable and quiet place. In which you can then close your eyes and follow through a period of breathing which you pay close attention to. This is a method that I tried, I first started at home and found that whilst it was nice to be able to sit for a few minutes and try to not think about the stresses of work. I did find it difficult as my mind did slip back into thinking about work, mainly due to the removal of thinking about other things as part of the mindfulness exercise. I also found it difficult to find a quiet place in work to be able to take some time for mindfulness. There would often be too many distractions.

Throughout my training I continued to try the two methods that I have discussed above, so "Now What?". It is important to note that in this part of the reflection, it is about evaluating if either of the methods worked to achieve my aim. Alternatively, do I need to look for a different method, or have I discovered that there is no need to change anything. Based on my feelings at the time and my reflection since, I feel that one of the methods did help me. I found that engaging in physical exercise helped not only my stress levels and offered as a distraction from the daily demands. But that it also helped me to feel more energetic and ready to work after I had done some physical activity. As I have previously discussed, completing lower intensity exercise also provided me with similar benefits to that of high intensity exercise. I also found that going for a walk at lunch time, encouraged me to socialise with more people and encourage them to come along for the walk. This enabled me to build my network within work and promote the benefits of exercise to other colleagues.

Therefore, after trying both and reflecting on these methods, I now incorporate exercise several times a week into my routine. I have also joined the police sports and social club weekly park run where I am able to exercise and build my network further. This allows me to balance my work and personal life, including exercise which manages my stress and boosts my energy levels. This period of reflection has allowed me to evaluate what has worked and take action to ensure that I build exercise into my daily routine.

Word Count – 1020

Task 2

Relevant areas of the National Policing Curriculum: Communication Skills, Managing Conflict, Valuing Difference and Inclusion

You must choose a policing incident involving conflict in which you played a significant role with an offender/service user/victim and reflect on what happened.

Critically assess the incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Consider the use of effective communication skills that you used within the incident.

Reflecting upon your incident, critically evaluate any theories or models underpinning the causes of conflict within policing interventions. (Examples would include, Betaris Box, The Drama Triangle).

2000 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

Policing is a profession that is not without conflict, often we are called when people are most in need. However, conflict is not as simple as to fight or do battle. Instead, conflict can come in many different forms, conflict to one is not the same as it is to another. Conflict in policing can arise at any point and officers must be aware of potentially escalating situations. Officers are provided with training to both deal with non-physical and physical conflict, all of the training empowers officers to deal with situations to deescalate and keep themselves and the public safe.

When dealing with conflict it is important that officers remember that all decisions must be reasonable and necessary in the situation. In the police we use a mnemonic, JPLANE. This ensures that everything that we do is, justified, proportionate, legal, accountable, necessary and ethical. This ensures along with the Police Code of Ethics (College of Policing, 2014) that we only use force when it is necessary and when we do it is only reasonable force in the situation.

In this essay I am going to be using an example of an incident that I attended with a colleague of mine a few weeks ago. Throughout, I am going to reflect upon what happened and try to identify any areas for improvement in the way that I dealt with this conflict situation and how I can deal with conflict situations in the future.

I am going to use the Gibbs Model of Reflection (Gibbs, 1988) to guide my reflection.

The Gibbs model starts with the description of the event. In my situation I had been asked to attend and assist a retail store in the city centre that was having issues with a customer who was refusing to leave. The customer had been trying to return a mobile phone,

however he did not have the receipt and he had already swapped the mobile earlier in the week for store credit. The male was now attempting to get a refund in cash from the store for the mobile phone. Upon my arrival the male was already upset and angry, he was pacing around the store, and he was shouting at the staff.

I tried to talk to the male and get him to explain to me what had happened. The male did not want to engage in conversation, however I kept trying to talk to him, in order to give my colleague a chance to go and speak to the store management about the incident.

I kept trying to talk to the male, but he became increasingly aggressive and kept shouting in the store. My colleague then returned and explained to me that the male could not have a refund only store credit. This was because he did not have the receipt, the phone had already been swapped earlier in the week for store credit and the fact that the phone was working. I explained to the male that this was the situation, and he became even more upset. The male then told us that he was not going to leave the shop until he had his refund. Due to the male's aggressive behaviour the store management stated that they did not want him in the store and asked that he return another day when he was calmer. Me and my colleague asked the male to leave but he refused. I tried the five-step appeal (College of Policing, 2020) with the male, but he still refused to leave. Therefore, me and my college used reasonable force to remove the male from the store. This was in order to prevent the male from causing a further breach of the peace within the store.

The male was then moved outside the store and initially he began to walk away. However, the male then started to come back towards the officers and was shouting and swearing in the street. At this point there were lots of members of the public around and the male kept becoming aggressive towards officers. The male was swearing and was threatening to fight with anyone who looked at him. I asked the male several times to stop swearing in the street and advised him that he was committing an offence of public order. The male continued to swear and after trying the five-step appeal again with the male, I made the decision that the male was going to be arrested under Section 5 Public Order Act 1986 (POA, 1986).

I informed the male that he was under arrest. Then me and my colleague took hold of the male in order to secure him. At this point the male began to actively resist officers and he started to pull away from officers. The males behaviour became more aggressive and I decided that we needed to take the male to the ground in order to gain control of the male and apply handcuffs.

The male was then advised of the caution and told the necessity for his arrest as soon as he was secure and in the rear cage of the police van. This could not be done at the time of informing the male of his arrest due to his aggressive behaviour.

The Gibbs model then asks us to reflect on our feelings during the incident. This incident escalated quickly and at times I felt that I had to keep the public safe due to the aggressive manner of the males behaviour.

At the time I remember thinking that I had to remain calm, I know that if I had also become aggressive or angry that this could have influenced the males behaviour. I am going to use Betaris Box (College of Policing, 2020) as an example here. The model states that there is a

cycle, my attitude affects my behaviour, in turn this affects your attitude and your behaviour. This then goes back around and affects my attitude, continuing the cycle.

I know that I had to keep a calm and positive attitude in the situation. If I had allowed myself to become annoyed or angry then this would have caused my behaviour to become aggressive. This type of behaviour then would have made the male angrier and therefore have caused his behaviour to become more aggressive than it already was.

I had hoped that if I kept my attitude calm and positive, this would reflect in my behaviour that then would have helped to cause the male's attitude to improve and therefore his behaviour to improve.

The third step of Gibbs model asks us to evaluate what was good and what was bad about the incident. The positive take aways from this incident are that no members of the public were hurt and that the disruption to the members of the public present was kept to a minimum. I also think that myself and my colleague remained calm in the situation and tried our best using communication to deescalate the situation. This was both an attempt to influence the male's attitude and behaviour, but it also shows the public that we are policing in a fair and proportionate way. Only using reasonable force and police powers when necessary, in line with the Peelian principles of policing by consent.

The negatives to the incident were that unfortunately, the male would not calm down and due to his swearing and aggressive behaviour, both reasonable force and the powers of arrest had to be used. This is something that is always as a last resort for me, I would much prefer to deal with situations by finding solutions for everyone involved.

Now we can move onto the evaluation stage, here we look at what sense we can make of the incident. I am disappointed that an incident that initially started as a dispute over returning an item in a store has resulted in a male being arrested. However, the male just seemed to get more aggressive as the incident progressed. Later in the day the male then admitted to taking illegal drugs earlier in the day. Given that we know that the consumption of drugs can lead to people being unpredictable or aggressive (CPS, 2018) this could be an explanation for the male's increased aggression and the why he was not someone that could be reasoned with in the situation.

The fifth element of the Gibbs model is conclusions, what else could have been done? Looking back on the incident it is important to see if there could have been a different outcome. Could I have done something different or done more? For this incident I truly do not think that I could have done anymore. I had attempted to explain to the male the reasons that the shop were not letting him have a cash refund and gave him the alternative option. I remained calm and tried to reason with the male using effective communication. I gave the male plenty of opportunities to explain to me his version of events and try to come up with a solution. When the male started to become more aggressive, I appealed to the male's better nature. However, despite my best efforts the male would not engage and would not comply with requests made. In order to protect the public and prevent further breaches of the peace the male had to be arrested. I do not think that giving the male more time or any more warnings would have helped, and I feel that had I let the incident go on for any longer I would have lost control of the incident due to the rate at which it was escalating.

Since the incident and during this reflective writing I have thought about what the outcome might have been if I was to have just walked away and left the male shouting in the street. Whilst the main focus of the male's aggression was on myself and my colleague, the male was also angry at the shop and anyone that looked at him in the street. I do not think that coming away from the situation would have been the right decision. My job is to protect the public and prevent breaches of the peace. I do not think that leaving an aggressive male outside of the shop that have just called the police and are refusing to serve him. Whilst the male shouts and swears at the public in the street is an option that I had in the situation.

The final part of Gibbs model is that of an action plan, what will happen next time? When a situation of a similar nature occurs again, I am going to handle it in very much the same way as I handled this one. Whilst the method of remaining calm and trying to talk to the male did not work and neither did the five-step appeal. These are still important techniques to remember and use in situations going forward. The model of Bartis Box that I explored earlier, on this occasion has not led me to see a positive change in attitude or behaviour of the male in question. However, it is important to think of how the situation could have escalated quicker or to a higher level of disorder had I let my attitude and behaviour move away from the calm manner that I maintained.

I will continue to develop my communication skills and continue to reflect on incidents that happen in order to continually assess and improve my actions in my role as a police officer.

Word Count – 1923

Task 3

Relevant areas of the National Policing Curriculum: Criminal Justice, Valuing difference and inclusion

You must choose **a policing incident** in which you played a significant role with an offender/ service user/victim and reflect on what happened

Critically explore a policing incident that you have **investigated** and examine how you dealt with competing issues such as legalisation, social issues, culture and language.

Consider the victims code of practice and how it was used to support your victim/witness through the criminal justice system during the **investigative process**.

Your reflection must illustrate your understanding and application of core principles of ethics, equality, diversity and human rights.

1750 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

Over the past few years there has been lots of guidance surround victims and how the police treat and engage with them. In 2013 The Victim Code of Practice and the Witness Charter was published and has since been updated in 2020 (Ministry of Justice, 2020) in which it set out the service that victims should expect from the police. The Victims code details the services which a victim must receive, such as efficient referrals, timely and regular updates, and the opportunity to provide a victim personal statement that gives them the opportunity to express how the incident has affected them.

Then in 2018 the Victims Strategy (HM Government, 2018) was published that set out the plans to improve the service that victims received from the police and the wider criminal justice system.

The 2019 – 2021 Victims and Witness strategy from the National Police Chiefs Council (National Police Chiefs' Council , 2021) then set out the plans for how local forces are to change their approach to dealing with victims and how they can meet their required service levels under the strategy.

Whilst dealing with incidents I always think of the victim focused approach and try to tailor my service to the needs of the victim. Whilst also staying within legislation and taking into account any legal issues at the forefront of the investigation.

One of the incidents that I have recently dealt with did make me think about how I balance the needs of the victim, the legislation surround the alleged offence and also the social issues of the situation. Whilst we are a victim led organisation, we still need to investigate all situations impartially and keep in mind the welfare of all parties involved.

The incident that I shall explore was a report of malicious communications, the victim had been in a relationship with the defendant for a period of months. The victim had fell pregnant within the time and initially told the defendant that the baby was theirs. After a few weeks the relationship broke down and the couple separated. The victim then began to ignore the defendant. The victim however did not know who the father of the baby was as they had been seeing several people at the same time. The victim had told some of their friends this and word got back to the defendant that there were doubts over who the father of the baby was. The defendant then attempted to contact the victim, without any success. They then left the victim voicemails that amounted to malicious communications.

When speaking to the victim they explained the history of the incident and why they had reported the malicious communications. The victim had previously reported incidents to the police in relation to a different ex-partner and they felt that they had received a poor service from the police. I assured the victim that I was committing to providing them with the service that they deserved and were entitled to.

I explained to the victim the victims code of practice and advise them where they could find a copy so that they could hold me to account.

The victim was given written confirmation of the crime and my contact details, I agreed with them timescales for updates, and I let them know that I work shift patterns so might not be in work when they attempt to contact me. I discussed safeguarding with them and how to contact the police if they needed to urgently or about unrelated matters.

I also explained to the victim the process that would follow and what would happen if the matter went to court. I discussed with them measures that could be put in place for court. The victim stated that they would not need any as they had been to court before and had no worries about going again. I explained that these rights were ongoing and that they could change their mind and request the measures at any time they wanted them.

I also explained the victim personal statement to the victim. I explained that it would be a chance for them to explain how the incident has affected them directly and the impact that it has had on their life. The victim decided that they did want to provide this statement, however we decided that on my first visit we would just do the evidential statement as they wanted a few days to think about the victim personal statement in more detail. I took the evidential statement and all the details that I needed on the first visit. I then arranged a convenient time with them for me to go back and visit in a weeks' time to go through the victim personal statement.

I also explained to the victim the support agencies that were available and discussed with them specific South Wales Victim Focus that is a local service offered to victims. The victim was interested to hear about this scheme and agreed to be referred to the service.

The victim was happy with the service that they had received so far. In line with the Victims code I informed the victim that I was planning to interview the suspect by the means of voluntary attendance instead of arrest. This was due to the fact that there was not an immediate safeguarding concern. I agreed that I would update them when I had been able to interview their ex-partner about the incident.

A few days after I had arranged for the defendant to come into the station for a voluntary attendance interview.

The defendant came in and I went through the necessary procedures with them and asked them the relevant questions in interview. The defendant appeared very upset during the interview and provided an account. The defendant stated that they were excited that they were having a child and then became very upset when he found out that the child might not be theirs. The defendant then stated that because they could not get hold of the victim to ask them about this, they became even more upset. The defendant stated that in their moments of anger they sent the victim some voicemails. The defendant admitted to sending the voicemails but stated that they did not want to cause the victim any anxiety or distress.

Reflecting upon my feeling at this time it was difficult to remain impartial in the situation, it was difficult after hearing both sides to the situation.

The situation was that of an offence of malicious communications in the form of voicemails being left by the defendant. This is an offence that I understand, and I could see the impact that the offence was having on the victim.

However, it was difficult to remove the emotion of the defendant from the situation, the defendant felt that they had been misled about the baby being theirs and was left frustrated when they were unable to find out if the child was theirs or not. The defendant did not know where they could go to get answers. This does not excuse them sending malicious communications to the victim, but I found myself understanding why they were upset in the situation.

Despite my internal challenges I know that my role is to gather the evidence in the case. The strengths and weaknesses of the case have been presented in the file of evidence that I have sent to the Crown Prosecution Service (CPS) for their review. Ultimately in this situation it is not for me to decide the outcome, it is for the CPS to decide if there is sufficient evidence to charge. They can consider the responses given by the defendant and how this might affect the case.

Going forward I will remember this, and I will be able to apply this logic and learning in the future when similar situations happen. Whilst we as police officers need to be human, in these situations it is not my decision, and I cannot allow emotions to prevent me investigating the matter fully and providing an in-depth report to the CPS to allow them to make impartial decisions.

I did however in this situation advise the defendant on how they would need to proceed to find out if the baby was theirs. I advised them that continued contact that was unwanted by the victim was not going to make matters any better for them and was only going to lead to further police intervention. I advised that other courses of conduct could also be considered as other offences which would also have to be investigated.

There was more than just an offence here as there was also the ethical issues of the defendant wanting to know if he was the father, and this is something that we can all understand. Whilst I had provided the defendant with the necessary advice surrounding the legal issue at play and the complaint from the victim. I also wanted to make sure that he was

aware of the legal way that he could get the answers that he wanted without him committing any other offences.

This incident required me to balance the legal issues at play with the ethical issues regarding the biological father of the baby. Whilst investigating the incident I had to remain impartial and provide a rounded investigation. I had to advise the defendant regarding their conduct in regards to the complaint. I also had to advise the defendant of how they could get legal advice and proceed with finding out if they were the father of the child. This was both me having the investigator hat on but also the problem solver hat. Ultimately if the issues over the biological father of the baby is resolved then there is likely to be less friction between the two parties and hopefully no further criminal offences committed.

I updated the victim inline with the agreement made and inline with the Victims Code. I updated the victim after I had interviewed the defendant and advised the victim of the next steps I would be taking. I explained that the matter would be passed to the CPS for them to make a charging decision, I explained that this would take some time. I agreed to keep them updated on a weekly basis and that I would contact them in between if there was any update from the CPS. I also made sure that they still had my contact details so that they could contact me if they had any questions relating to the incident. It is important that we provide the service to our victims that they deserve.

Word Count – 1769

Task 4

Relevant areas of the National Policing Curriculum:

Decision making and discretion, Conducting Investigations and Criminal Justice (Managing offenders)

You must choose **a policing incident** which you played a significant role with an offender/service user/victim and reflect on what happened.

Critically assess your role during a **police investigation** where you played a significant part with an offender/victim and reflect upon what happened.

Reflect upon your use of the National Decision-Making Model and the Code of Ethics and review how this impacted upon your decision making and use of discretion within the **investigation**.

Critically review your responsibilities regarding the provision of CPIA when conducting this **investigation**.

1750 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

Police investigations come in all different forms, some are relatively short, and some are protracted, taking months to complete. However, it is important not to under value a shorter investigation, all investigations have people involved and we owe it to them to carry out the investigation fully and fairly.

In daily police life, the National Decision-Making Model (NDM) (College of Policing, 2013) is used to assist officers in making effective and justified decisions. The model is broken down into six elements and I will discuss them as I go through this essay, using the NDM to explain my decision making.

The Code of Ethics (College of Policing, 2014) sets out the standards of behaviour that all members of the police forces across England and Wales should comply with. The Code of Ethics supports the NDM and are at the heart of every decision that we as police officers make.

The incident that I am going to be discussing is that of a road traffic stop, the decisions that I made and the resulting investigation leading to the file of evidence being submitted.

The vehicle first came to my attention whilst on mobile patrol in a vehicle. I noticed that the van in front of me was driving along and the back door of the van appeared to be slightly open and not secured. I signalled for the vehicle to stop and the vehicle pulled into a safe location just down the road.

Upon exiting my police vehicle and approaching the van I explained the reason for me pulling the van over and asked the driver to check that the rear door was secure. I then proceeded to ask the driver for their driver's license and asked them if the van belonged to them.

I always check the details of every vehicle that I stop to make sure that the vehicle and the driver's licence are all in order. The driver provided their driving licence and stated that the van belonged to the company that they owned. The driver was the owner of a small local business that had recently expanded their business. They were now covering two static locations and also catering for weddings. The driver stated that they were on their way to a wedding that they had been employed to cater for, the event was for two hundred people and all of the food for the buffet was in the back of the van. The driver stated that their business had grown so fast, they were delighted by the support of the public and were very excited to be able to start employing people from the local area. The driver stated that they had been working seven days a week over the past few months to try and keep up with demand. They did not want to let any of the customers that were supporting them down.

I then briefly left the driver whilst I conducted checks on the vehicle and the driver's licence. The driver called their staff member already at the wedding venue to advise them that they were going to be a few minutes late. I said that I would be as quick as I could conducting the checks.

I checked the driver's licence, and it came back that they had a full licence for the class of vehicle that they were driving. I then checked the van, it came back as taxed, with a valid MOT but it was showing as not having a valid motor insurance policy in place.

At this point I knew that I was going to have to make a decision, there could have been various outcomes but I had to decide what action I was going to take. Using the NDM I work through my process.

The first element of the NDM is, gather information and intelligence. I had already gathered the information around the use of the vehicle and conducted further information checks. These had shown that the van was not showing as insured. I therefore decided to gather further information, to do this I went back to speak to the driver. I explained to the driver that the van was showing as not having insurance. I asked the driver if they could remember who their insurance was with or if they had any documentation. The driver stated that the van was on the business policy that they use to cover all of their vehicles.

I asked the driver for any policy documents that they had. I wanted to check if they had to list each vehicle on the policy or if it covered any vehicle that they owned. The driver produced the policy documents, and I checked them. The documents stated that each vehicle being used by the business had to be listed. I could also see that five vehicles were listed on the policy but not the van that was currently being driven. I asked the driver and they stated that they put all the vehicles onto the new policy the week before and honestly thought that he had included all of the vehicles.

I conducted further checks on previous documents and can see that for the two years before this year the business has listed all of their six vehicles on the policy. This initially indicated that this appeared to be an honest mistake and not a dishonest act. I spoke to the driver and

reminded them that whilst it does appear to be a mistake it is the driver's responsibility to ensure that the vehicle, they are using is safe and insured to be driven on the road.

The next stage of the NDM is, assess threat and risk and develop a working strategy. In this stage I thought about the risk of this vehicle being driven on the road without a valid insurance policy and the risk that it puts other road users at. My initial working strategy was that we had a legal issue at play here but that we also had the fact that there was food for someone's wedding in the back of the van and that there was clearly a very hard-working business owner who had appeared to have made a genuine mistake. My working strategy was to deal with the offence that had been committed but also try to find a way of the food getting to the wedding venue.

The next stage of the NDM is, consider powers and policy. In this situation the powers that I had available were to report the driver for the offence of driving a motor vehicle on a public road without a valid motor insurance policy. I also had the power under Section 165A Road Traffic Act (RTA, 1988) to seize the vehicle and remove it from the road. Policy and best practice was released in relation to this in 2014 (Association of Chief Police Officers , 2014). The guidance states that the seizure of the vehicles is there to be used by officers and it's main aim is to prevent continuations of offences being committed in the vehicle.

Now that I had considered the powers that I had in relation to the offence I moved onto the fourth part of the NDM that is, identify options and contingencies. In this incident in my mind I had two main options. I could use my powers to report the driver for the offences and seize the van.

Alternatively, I could use discretion. Discretion is something that is available to all officers and was noted by Lord Scarman as being at the heart of policing (Scarman, 1981). The aim of discretion is to allow officers to make decisions that are the right choices for the public that we serve. In this incident I evaluated what discretion I could use, doing this I can up with my second option. I could still report the driver for the offence he has committed but I could let him insure the van now with his insurance company and continue on his journey.

I considered using discretion and not seizing the van. If I was to have sized the van and take it away with all of the food in the back then I would have been negatively affecting the drivers business. A business that they have worked hard to build and during which they have made an honest mistake. The driver showed genuine remorse for the offence and it appeared that it was a genuine mistake. I would have also been affecting a wedding with two hundred guests, all waiting for the food that had been ordered for them. I do not think that this would have been in line with the principles of policing and certainly would not align with my personal values.

Now that I had considered my option, I moved onto the fifth element of the NDM. This is to, take action and review what happened. I took action and decided that I was going to use my discretion. I spoke to the driver and informed him that since he had committed a road traffic offence that I would be reporting them for the offence of driving a motor vehicle on a public road without a valid motor insurance policy. I also informed them that I had the power to seize the van, however I informed them that I had decided on this occasion not to seize the vehicle if the driver was willing to phone the insurance and add the van onto the policy now.

The driver agreed to insure the vehicle and did so, the driver was very grateful that I had recognised his genuine mistake and not use the full powers available to me. The driver was then allowed to continue on his journey, in his insured van and deliver the food to the wedding with only a minor delay.

Whilst investigating, officers gather lots of information during the course of the investigation. This is governed by the Criminal Procedure and Investigations Act 1996 (CPIA) (CPIA, 1996) Some of this material will be used actively in the investigation and some information will not be. However, officers must follow all reasonable lines of enquiry during an investigation. The CPIA sets out different categories for each of the material types and covers how and when we should disclose them.

Disclosure if key, the material that has been collated in the investigation needs to be recorded correctly so that the Crown Prosecution Service (CPS) know what information we have. The CPS can then decide what information they are going to disclose to the defence, as some information might undermine the case of the prosecution and assist the defence. If disclosure was not completed correctly at the start, it could end up putting the case in jeopardy later down the line.

In this case when I was completing the case file for court, I conducted further investigations with the Motor Insurers' Bureau to check that the vehicle was not insured at the time and that the insurance company would not have covered a vehicle that was not listed on the policy but that was owned by the business with the insurance policy. This information was included in the case file to show that all lines of enquiry had been conducted. I also ensured that all other information collected during the investigation such as personal details were stored securely on the police computer system.

I think that discretion is a vital part of policing that used correctly boosts public confidence and reinforces the policing by consent model.

Word Count – 1921

Task 5

Independent Patrol Status confirmation – equivalent to 1,500

This compilation of this task shall be confirmed by the employer once independent patrol status is achieved.

Bibliography

The bibliography should only include sources referenced within the workbook using the Harvard referencing system. Information about referencing in written assignments and how to avoid plagiarism can be found on Moodle. It is important that you are aware of the importance of ensuring that the work submitted is your original work.

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Date: 10/07/2023