

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/agh-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 4	Decision making and discretion, Conducting Investigations and Criminal Justice (managing offenders)	1750
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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 will be discussing and comparing the coping strategies I have utilised and applied during my initial police learning to develop resilience and minimise stress since I began my career as a police constable in September 2022. I will be using Borton's Model of Reflection, otherwise referred to in his book as the 'What, So What, Now What' method of reflective education (Borton, 1970). It is a simple tool developed in the 1970s by Terry Borton that allows the user to reflect and think about a situation based on three questions -

1. What?
2. So What?
3. Now What?

Firstly, the "what"; policing is a highly stressful role that places the incumbents of it in highly volatile and stressful situations on a regular basis. Stress can not only arise from the daily responsibilities of the job, but also from organisational factors (such as poor management, bad equipment, long hours, and unsocial shift patterns) or personal factors (such as family or relationship issues, financial problems, or health concerns) (Beshears, 2017) to name just a few.

Despite the various sources of direct and indirect stress that they are exposed to, police officers are required to make significant decisions that often have a major impact on the lives of others, under immense pressure and often with limited time. In addition to the mental stresses of the job, policing, particularly front-line policing, places officers under situations of great physical stress where they need to remain mentally robust enough to continue to make the important decisions that are required of them in their role. It is therefore imperative that officers remain physically fit so they have the capacity to make effective decisions safely whilst performing at the peak of their performance.

"So what", from the discussion above it is clear that as a police officer, being resilient to stress, both physical and mental, is essential to being able to carry out our roles safely and effectively. Having identified this issue, I will now discuss what I have done personally to manage the stress of the role, and what evidence I have to say that these methods work.

The first tactic I will discuss is the breathing management and relaxation technique known as 'box breathing'. It is a form of tactical breathing, the aim of it being is "to return breathing to its normal rhythm after a stressful experience. It may also help clear the mind, relax the body, and improve focus" (Stinson, 2018). The process can be imagined as breathing around the four sides of a box and involves inhaling air steadily over four seconds, holding the lungs full for four seconds, exhaling air steadily over four seconds, and holding the lungs empty for four seconds, repeating the pattern for as long as desired.

It is a highly effective tool in stressful situations and is used by military and emergency services personnel across the globe “to reduce stress and maintain psychomotor and cognitive performance in dangerous situations” (Röttger et al., 2020). It is a particularly popular tool for use with firefighters where the management of stress and subsequent air intake is essential when under stress and wearing their breathing apparatus (Long, 2017). It is a tactic that I have used personally for a number of years, when in situations of acute stress. I have found it to work highly effectively to bring the physiological symptoms of such stress down, allowing me to be able to focus more on the task in hand, performing better and being able to think more clearly to make safe and effective decisions.

The second tactic I use and find to be of help is exercise. Physical activity is well documented to have positive physiological health benefits (Andersen, Ottesen and Thing, 2019). As a police officer, maintaining good mental and physical health is crucial, especially when facing demanding situations. I personally use rowing as my main form of training and exercise, being a member of a local rowing club, training up to 3-4 times a week for competitive racing in the summer. This varies massively from on the water training, to ergometer training in the gym, and strength and conditioning weight training to supplement the cardiovascular training.

Rowing is an effective sport that improves cardiovascular fitness, endurance, and strength. “Thus, rowing improves both cardiorespiratory fitness, contributing in this way to prevention of lifestyle diseases, and strength that attenuates aging-related sarcopenia and osteoporosis” (Volianitis, Yoshiga and Secher, 2020). It is not only the physical and mental benefits that I have found beneficial but also the participation in a team sport, with the competition and camaraderie that comes along with that, which in some cases mirrors and compliments working in the teams that are found within the police. It is well evidenced that there are a wide range of positive social, psychological, and psychosocial health benefits to participating in team sports (Andersen, Ottesen and Thing, 2019).

Comparing the two tactics I have chosen to discuss; the most significant differences lie in their effect on situations of acute or chronic stress. Box breathing is particularly effective for dealing with situations of acute stress, allowing me to cope and regain focus in highly stressful events. On the other hand, rowing and physical exercise helps significantly with my long-term mental health and physical fitness, enabling me to meet the demands of the job. I also find rowing provides other short to medium-term benefits, where I feel increased energy levels and improved mood after training sessions.

“Now what”, having now read and discussed some of the above evidence for both tactics I have introduced in this essay, I now understand better how they both assist me in managing stress, and how some of the evidence supports this. I will continue to keep practicing these strategies regularly to remain resilient and robust to the acute and chronic stress inherent to the role of a police officer. Based on my research, I have discovered box breathing is often found to be more effective during passive coping, while the simpler breathing technique of prolonged exhalation may be preferable during active coping (such as during a situation where the stressor is actively there to be engaged with), as it relies “on physiological mechanisms only but leave enough cognitive resources for perception, decision making and action implementation” (Röttger et al., 2020). This will be something I will consider moving forward, as I have found in situations where I have had a direct threat to deal with, the more complex box breathing technique is not so natural, thus harder and more cognitively load bearing to introduce.

Word Count - 1098

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:

In this essay I will discuss a policing incident involving conflict that I played a significant role in, firstly describing the incident, and then commenting on it considering any social and legislative contexts relevant to the particular scenario. I will then reflect on the incident, specifically focussing on the conflict management, paying particular attention to my use of communication and application of the conflict management to both professional policing models as well as academic ones.

Policing is an environment that regularly exposes officers to situations of a highly volatile nature, and as such, encounter various types of conflict beyond just the most overt displays of violence and aggression. In addition to dealing with these physical altercations and displays of violence, officers are often required to address more subtle and complicated forms of conflict such as emotional issues and community tensions.

Emotional conflicts can arise from a range of scenarios including domestic incidents, interpersonal conflicts between individuals, or mental health crises; all of which require distinctively different approaches. Officers must consider applying conflict management tactics ethically and proportionally using de-escalation techniques to diffuse the situations and promote peaceful resolutions, particularly in the case where no crime has been committed to keep it as such.

Community tensions are an ever-growing issue, and it is the role of the police to manage these tensions and try and repair them where possible. However, negative community tensions can significantly complicate policing and the management of conflict. When there are high levels of tension and mistrust in the police by the community, effective communication and cooperation are hindered considerably. These kind of negative feelings can cause the escalation of conflict and impede resolution efforts with increased hostility and resistance towards the police from members of the community.

The Incident

The reporting person (RP) contacted the police via 999 reporting that her 16-year-old son who was in her address had just threatened her and her partner (his stepfather) with a kitchen knife. They had reported that they had left the address, however it was not known if there were any other persons present so there was an immediate concern for safety for any other persons that may be in the address. Firearms were deployed as part of the force incident managers (FIM) policy in relation to this call, and the FIM authorised the use of TASER in relation to this call based on the information and intelligence of an aggravated threat that had been reported by the RP.

I arrived first on scene in company with three other colleagues from my response team, however, we were requested by firearms to contain the address rather than attempt to make entry as they were just a few minutes out. I was standing outside the front of the property, and after a very short time the front door opened and out walked a young male onto the street matching the description of the subject. My colleague and I immediately walked towards the male and my colleague informed him that he was being detained under s.1 of PACE for a search for the knife, I simultaneously removed my handcuffs and placed him into them to the rear in the back-to-back position. He was initially slightly resistant to the application of the handcuffs, however following some verbal commands he submitted to being placed into them. I did this to gain control of the male to protect myself and my colleagues and to allow a safe and effective search. I then carried out the search of the male which was negative.

Whilst he was being searched, he was asked if there was anyone else in the address and what room he had come from, and he informed us he was on his own and he had been in the upstairs back bedroom. Firearms officers arrived at this point so whilst myself and my colleague were searching him, the firearms officers and the two other response officers carried out a search of the address. They returned downstairs to inform us that they had located a kitchen knife matching the description of the one used in the incident by the RP and a small amount of cannabis in the bedroom that the detained person (DP) had said he had been in. He was arrested at this point by the officer that found these items for the offences of Threats with an Offensive Weapon in a Private Place and Possession of a Controlled Drug (Cannabis). I then remained the primary officer responsible for the male, escorting him to the rear of the police van, and then conveying him to the custody suite where he was detained for interview and further enquiries.

Assessment of the Social and Legislative Context

This particular incident had particular relevance to several notable social issues, specifically around domestic abuse and youth violence. The incident itself and the offence where the male threatened his mother and stepfather with a knife was classed as being domestic related, the definition of domestic abuse being:

*“Behaviour of person A towards another person B is domestic abuse if A & B are each aged **16 or over** and are **personally connected** to each other and the behaviour is **abusive**.*

Behaviour is ‘abusive’ if it consists of any of the following physical or sexual abuse, violent or threatening behaviour; controlling or coercive behaviour; economic abuse, psychological, emotional or other abuse.

*It **does not matter** whether the behaviour consists of a **single incident or a course of conduct**.”*

(Domestic Abuse Act 2021)

All the elements of the definition of domestic abuse are met in this case; the first being that both parties are over 16 years of age, the second being that they are personally connected (the fact they are relatives meets this criteria), and that there has been abusive behaviour (in this case an incident of threatening behaviour with a knife).

Given this fact, and that South Wales Police policy on domestic abuse states that “the priority of the first attending officer is to ensure the safety of the victim and take positive action to assess the risks, reduce or remove the threat and prevent any harm” (South Wales Police - Strategic Public Protection Department, 2023), it was necessary to take positive action by arresting the male. The aim of removing him from the address was to allow the parents to return and be spoken to by officers to gather further information and statements if they were supportive.

Further to this, the incident had relevance to the ever-growing social issue of serious youth violence (Osidiye and Palmer, 2019); this young male of 16 years of age had threatened his parents with a

kitchen knife following them refusing to take him to go and purchase drugs. When considering the circumstances under which the violence was used in this incident, and the young males known previous for involvement in drug dealing, shows a clear link with the already well evidenced fact that county lines drug dealing being strongly associated with serious violence (HM Government and Havard, 2022).

Looking at the legislative context, there are a number of stages to the incident. The first being the use of Stop & Search under s.1 of the Police and Criminal Evidence Act 1984 (PACE) (*Police and Criminal Evidence Act 1984*). Initially a male matching the description of the male provided by the RP exited the address of his own accord, entering an area where the public have access, therefore it was appropriate to detain him under this legislation to deal with and mitigate the immediate risk that he posed should he still be in possession of the knife he was alleged to have made the threats with. This detention and search also gave other officers the time to search the home address where a kitchen knife and cannabis was found in the room that the young male had stated he had been in before coming out of the address.

I immediately applied handcuffs to the male, utilising s.117 of PACE as my power to do so. I made this decision utilising the National Decision Model (NDM) (College of Policing, 2013), paying particular attention to considering the 'impact factors' to assess the threat and risk; in this case the possibility of the male having prior knowledge of officers presence before leaving the address and the fact he may be in possession of a knife meant this immediate and robust use of force was fully justified and proportionate, keeping in line with the code of ethics which sits at the centre of the NDM.

Once it had been confirmed there were no other persons in the address and that the male detained was the male who had been alleged to have made the threats, the arrest stage, and the offences that he was to be arrested for became the next legislative consideration. The primary offence in relation to the knife was threats with an offensive weapon in a private place, a relatively new offence having come into force on 05/04/2022 contrary to s.52 of the Offensive Weapons Act 2019. There was then the additional offence identified of being in possession of a controlled drug, believed to be Cannabis contrary to s.5(2) of the Misuse of Drugs Act 1971 which the male was also arrested for.

There were no specific cultural, ethnic, or language issues that were identified in this incident, the male and his family were English speaking white individuals and did not appear to have any further specific support needs in this respect. However, an extra consideration that was necessary in this case was given the fact that the young male was under the age of 18, it was necessary to arrange an appropriate adult to "safeguard the rights, entitlements and welfare" (Home Office, 2019) of him whilst in custody as stated in Code C of PACE.

Reflection

For me, the most significant aspect of this incident with respect to the management of conflict and safety of officers and members of the public was the aggravated threats made by this male with a knife, and that at the point of interaction with the police he may still have been in possession of that weapon. Ultimately, the result was a successful one, the male was detained safely and searched, and then arrested for the offences that were disclosed to police initially safeguarding the victims and wider public from the danger that this individual presented.

In response to the immediate threat that I believed the young male could pose, my colleague and I swiftly detained him upon him exiting the front door of the address. Considering the potential consequences of delaying his detention and control, I prioritised the mitigation of any potential threat by taking decisive action. This response to his sudden presence aimed to establish control over him and the situation to minimise any harm he could cause, adhering to the principles of "Beatri's box" by intervening early and taking preventative measures before the potential cycle of behaviour caused an escalation of conflict (Revolution Learning and Development, 2023).

Subsequently, I began the search process understanding the importance of maintaining a calm environment to prevent further potential escalation. Applying the principles of effective communication, I engaged in dialogue with the young male in an effort to foster a sense of stability

and control. The aim of this dialogue was to both defuse tension and encourage the young male to remain compliant in the police response. This approach aligns with withdrawing from the roles within the “drama triangle theory” and avoiding an escalation by shifting from a confrontational dynamic to a more assertive, compassionate, and empathetic one (Hall, 2018).

Upon reflection, if I was to have a similar situation again, the key aspect I would contemplate changing would be to consider a more cautious approach when detaining the male. Since we were uncertain about whether he was still in possession the knife and his intentions by leaving the address to present himself to officers, immediately rushing to grab and detain him could have potentially endangered us. With four officers present, myself included, a safer approach could have involved commanding the male to extend his arms out to his sides and turn around. This would test his compliance from a safe distance and allow officers to assess if he had any concealed weapons before getting closer. By keeping his arms out and facing away from officers, he would be at a disadvantage if he decided to launch an attack, giving us more time to respond to the threat. With him facing away, one or two officers could then approach him from behind to perform the detainment, while the remaining officers provide cover. TASER-equipped officers would be ready to respond with this tactic if the threat escalated.

Word Count – 2118

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:

In this essay I will discuss a policing investigation in which I have played a significant role with a victim of crime, describing the incident, and then commenting on it considering any social and legislative contexts relevant to the scenario. I will pay particular consideration to how I have used the victims code of practice to support the victim in the case during the investigative process. I will firstly look to discuss the victims code and the importance relevance of it based on research to assist with the analysis of the incident at play.

The Victims Code & Importance of Victims and Witnesses in the CJS

Victims and Witnesses are integral to the successful running of the criminal justice system (CJS). When provided with proper support, they feel confident to go to court and can achieve their best evidence, thus enabling offenders to be brought to justice. Therefore, it is clear that the importance of supporting victims of crime can never be understated.

The Victims' Code governs how the police and other agencies involved within the CJS support victims of crime, ultimately to achieve more successful prosecutions. It first came into force in 2006 following the commencement of the Domestic Violence, Crime and Victims Act 2004, where section 32 of the act required the Secretary of State for Justice to issue such a code of practice (Victim Support, 2022). The code has been updated several times since it was first issued, and the latest version, which came into force in 2021 structures victims' entitlements into 12 overarching rights, in summary these being:

1. *To be able to understand and be understood*
2. *To have the details of the crime recorded without unjustified delay*
3. *To be provided with information when reporting the crime*
4. *To be referred to services that support victims and have services and support tailored to their needs*
5. *To be provided with information about compensation*
6. *To be provided with information about the investigation and prosecution*
7. *To make a victim personal statement (VPS)*
8. *To be given information about the trial, trial process and a victim's role as a witness*
9. *To be given information about the outcome of the case and any appeals*
10. *To be paid expenses and have property returned*
11. *To be given information about the offender following a conviction*

12. To make a complaint about a victim's rights not being met

(College of Policing, 2021)

However, over recent years there has been increasing representation and concern from representatives of victims' rights about their treatment within the CJS, and how they do not in fact still get enough support. A victim survey in 2021 found that only 43% of participants would report a crime again (Victims Commissioner, 2021a, p.2), in response, the then victims' commissioner Dame Vera Baird QC stated that "all too often victims are still treated as an afterthought [in the criminal justice system]" (Victims Commissioner, 2021b). As a result of these ongoing issues, in May 2022 the government published a Draft Victims Bill which aims to enshrine the victims' code in law, to improve the "end-to-end support for victims of crime so that they get the support needed to cope and recover from the impact of crime and feel able to engage and remain engaged in the criminal justice system" (Ministry of Justice, 2022). This evidence and response from the government shows how vital it is to prioritise the support of victims of crime.

The Investigation and Application of the Victims Code

The reporting person (RP) contacted police via 999 reporting that him and his partner had received homophobic abuse whilst walking down the street from two unknown males. The two victims alleged that they had been walking in company with one another and could see another two males walking towards them, as they approached each other the one male said to the other "LOOK AT THOSE TWO BENDERS" and the second male then said, "NICE ARSE MATE". This made the victims feel extremely emotional, distressed, and upset as they felt that they only said this to them because of their sexual orientation. Based on the information passed to the call handler, the public service centre registered and recorded the report as a crime at source, complying with their second right 'to have the details of the crime recorded without unjustified delay', I later ensured that this crime was recorded appropriately, and the modus operandi was submitted with an accurate reflection of the circumstances.

They called police immediately following the encounter fearing for their safety and as they were on the phone to police happened across two nearby PCSOs who confirmed what had taken place with them and updated myself and other attending officers over the radio. The two suspects were swiftly located and arrested for a public order offence taking positive action and to avoid the disappearance of the two suspects. The victims remained in the area and confirmed to officers that the males that were arrested were indeed the same males that had made the comments. Following this I engaged with the two victims asking them if they wished to provide a statement, explaining what this meant avoiding police jargon ensuring that they felt in possession of all the information they needed to make such a decision; complying with their first right 'to be able to understand and be understood'. They agreed to provide a statement which I took off them at scene.

Whilst taking the statements I explained the Victim Personal Statement Scheme to the two victims offering them the opportunity to write one at the point of taking their witness statement, conforming with their seventh right 'to make a victim personal statement (VPS)'. Neither of the victims wished to make a VPS at that stage, so I made sure to make it clear that they could provide one at any time and the police would be flexible to make such arrangements if and when they were interested in doing so.

Following completing all relevant actions at scene with the victims, before they left, I ensured that they were provided with my contact details, the crime reference number, written guidance leaflets titled 'Giving a witness statement to police - what happens next?' and 'Victim Personal Statement Leaflet' all of which meets the victims third right 'to be provided with information when reporting the crime'. I then asked the victims if they consented to me referring them to the partner agency South Wales Victim Focus which is an independent agency providing free and confidential help and support to anyone effected by crime in South Wales (South Wales Victim Focus, 2023), in accordance with their fourth right 'to be referred to services that support victims and have services and support tailored to their needs'.

The offence in question was the public order offence of 'intentional harassment, alarm, or distress' contrary to s.4A of the Public Order Act 1986. This offence is committed where a person with intent to cause harassment, alarm, or distress uses threatening, abusive, or insulting words or behaviour and causes that person harassment, alarm, or distress (*Public Order Act 1986*) which the words of these two suspects did in this case.

Additionally, by the offenders' use of homophobic language and rhetoric meant that the incident and offence would be classed as a hate crime. The definition of a hate crime being:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender."

(Crown Prosecution Service, 2017)

Whilst there is no specific aggravated offence for homophobic hate crimes in the same way that there is for racially and religiously ones as stipulated in the Crime and Disorder Act 1998 (s.31 for public order offences), there are other means in which the seriousness of the offence is recognised within the CJS. Specifically, s.66 of the Sentencing Act 2020 which imposes a duty on the court when considering the seriousness of an offence to treat any hostility towards the victim based upon their sexual orientation (or presumed sexual orientation) as an aggravating factor of higher culpability (Crown Prosecution Service, 2019; Sentencing Council, 2017).

A key consideration when applying the Victims' Code to this investigation was how the Code acknowledges victims of the most serious crime, which a hate crime applies, are eligible for enhanced rights (Ministry of Justice, 2020a, p.11). This meant that for these victims, certain rights within the code require a higher level of service and they may be entitled to special measures in court. Albeit that the frequency of updates is to remain led by the victim, the enhanced rights means that the victims must be informed of any significant updates or key decisions in the case within one working day which I ensured I did throughout the investigation, complying with right six 'to be provided with information about the investigation and prosecution'.

There were no specific cultural, or ethnic issues that were identified in this incident, the male and his family were English speaking white individuals and did not appear to have any further specific support needs in this respect. However, whilst dealing with the victims, I was cognisant of the need to handle them with the utmost care and respect, recognising the nature of the crime and the potential detrimental impact it could have on their mental and emotional wellbeing (Galop, 2022). This meant being considerate of the language used ensuring that it was in line with their preferences and made them feel like they were being supported throughout the investigation.

I feel that I have provided a good quality of service to two victims of a serious crime in this incident, adhering to the Victims' Code as well as the College of Policing's Code of Ethics, and the ten Standards of Professional Behaviour and nine Policing Principles laid out within (College of Policing, 2014). I did this by always remaining professional and courteous, considering my use of language as discussed above to treat the victims with the fairness and respect that they deserve, and remaining diligent in the exercise of my duties under the Victims' Code. As discussed in this essay, providing a quality service to victims, as I feel I have done in this case, is vital in ensuring that not only they continue to support the prosecution of their report but also feel that should they require to use the services of the Police and/or Criminal Justice Service in the future they will be confident in doing so and have faith that justice will be delivered.

Word Count - 1797

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** in 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:

This essay I will reflect upon a policing incident in which I played a significant role dealing with both an offender and victim. I will examine my involvement in the investigation of the crime, considering my application of the National Decision-Making Model and the Code of Ethics in my decision-making processes. Furthermore, I will review my responsibilities regarding to the provision of the Criminal Procedure and Investigations Act 1996 (CPIA) while conducting this investigation. In addition to reflecting on the incident I will also look to explain the frameworks and legislation providing context on how they were applied appropriately. By exploring the above, the essay should provide an insightful analysis of my role and how I applied my decision-making skills throughout the course of the investigation, all whilst appropriately applying sound professional standards.

The NDM, Code of Ethics, and CPIA in Policing

The National Decision-Making Model (NDM) is a circular process that guides police officers in making effective and lawful decisions in what are often complex situations. When utilising it operationally it is often colloquially referred to as 'spinning the NDM' as it is designed to be used to continuously in a dynamic environment where decisions and actions taken are required to be fluid. It consists of five main stages around the wheel –

1. Gathering information and intelligence
2. Assessing threat and risk
3. Considering powers and policies
4. Identifying options and contingencies
5. Taking action and reviewing the outcome (to possibly 'spin the NDM' again)

(College of Policing, 2013)

At the heart of the NDM is the Code of Ethics which requires officers to consider the ethical principles set out within alongside operational considerations when making their decisions. The Code of Ethics sets out the principles and standards in policing and defines the 'nine policing principles' and 'ten standards of professional behaviour' that officers are expected to uphold both on and off duty (College of Policing, 2014).

The Criminal Procedure and Investigations Act 1996 (CPIA) is an act of parliament that sets out the rules and procedures for the investigation and prosecution of criminal offences. There is also a CPIA Code of Practice that is specifically applicable to police officers, it provides guidance on how the act should be applied by setting “out the manner in which police officers are to record, retain and reveal to the prosecutor material obtained in a criminal investigation and which may be relevant to the investigation, and related matters” (Ministry of Justice, 2020b).

The Incident and Application of the NDM, Code of Ethics, and CPIA

The incident I will discuss consists of several stages and is more of an example of a ‘slow time’ investigation. The first stage being my taking on of the report and initial investigation, the second being the arrest and interview phase of the suspect, and the third and final one being the subsequent investigation and file build for submission to the CPS for a charging decision.

The call came in initially whereby the victim contacted police stating he had attended at his ex-partners address when she came out of the block of flats with her new partner, they were both being threatening to him, and she ran at him with a baseball bat before he made off fearing for his safety. There had however been a counter allegation reported by the victim’s ex-partner stating that he had in fact brought the baseball bat with him and threatened her with it. This investigation was allocated to me a little over a week after this initial report following further contact from the victim stating that he wished to make a statement and had video recorded evidence of the incident.

I reviewed the police reports and could see that officers had originally made attempts to contact all parties. I could see that the victim provided little information and stated he did not wish to provide a statement at that time. His ex-partner and new partner were highly obstructive with officers when they attended and spoke with them and were not forthcoming with any information to confirm or deny their counter allegation despite being provided ample opportunity. House to house and CCTV enquiries were conducted to try and locate and independent witnesses or video footage that may capture the incident, however these were all negative. As a result of these enquiries, the decision was made to close the report however was opened again and allocated to me when the victim re-contacted police. As discussed, the first stage of the NDM is the process of gathering information & intelligence, and when being allocated this investigation that is exactly what I was doing here to ascertain what had been done already and what still needed to be done.

There are three primary roles that police officers must fulfil as part of a criminal investigation as defined in the CPIA. These are the ‘officer in charge’ of the investigation, ‘investigators’, and the ‘disclosure’ officer (Ministry of Justice, 2020b, p.8). Due to me taking on this investigation by myself, meant that I would be required to satisfy the role of all three, ensuring that I complied with the responsibilities of these roles as defined within the act.

Following this I contacted the victim to arrange taking a statement and to obtain his video footage. In his statement he described the incident as above that his ex-partner and her current partner were both being very aggressive towards him in the street and that she ran at him with a baseball bat. In addition to the offence involving the threats by his ex-partner with the baseball bat, he was also alleging that his ex-partners new partner was also being verbally threatening causing him harassment, alarm and distress. I sent him a link to upload his footage to the digital evidence management system for me to review. Despite the victim’s written statement, the video footage clearly showed his ex-partner threatening him with the baseball bat, however the behaviour of her partner was not quite as he described in his statement, in my opinion he was more of a bystander and his actions did not reach the threshold of any public order offences.

I was now at the stage where I had explored all relevant lines of enquiry, complying with my responsibilities under CPIA, and I now needed to review all the information in the case to decide on the best course of action with respect to the two possible suspects. Given that the video footage is indisputable and the above observations I made when reviewing it, I decided that it was appropriate to deal with just the victim’s ex-partner as a suspect for Affray and Possession of an Offensive Weapon (the baseball bat), and to use my discretion to take no further action with the male for the threats he was alleged to have made. I made this decision utilising the NDM, based on the

information and intelligence, considering my powers as well as my options of dealing with the male. I decided it would not be proportionate to use my powers of arrest to deal with him in this case, but to instead make an informed and ethical decision to exercise the recognised process of professional discretion, keeping the Code of Ethics at the centre of this decision, believing that it was not in the public interest to take any action against him, given that there would unlikely be any realistic prospect of conviction. I recorded this decision on the report, to remain accountable and informed the victim of my decision, keeping him up to date, staying professional by remaining open and honest with him at all times.

The investigation was now at a point where I needed to decide on the most appropriate course of action to deal with her which would either be to invite her in for a voluntary interview or to arrest her and interview in custody. Despite the report being a few weeks old, I decided that the best course of action was an arrest. It would provide me with the power to either carry out a search of her address under either s.32 or s.18 of PACE to look for the baseball bat that had been used in the commission of this offence. It also meant that bail conditions could be applied to the suspect upon her release either if there were further enquiries to carry out before a charging decision, or to submit the file to the CPS to make such a decision.

Once she had been arrested, the interview was conducted in which she fully denied the allegation stating that she was acting in self-defence as she did not want her ex-partner at her address. Her defence brought up no further lines of enquiry and the next and final stage of the investigation was to submit to the CPS for a charging decision. She was bailed pending CPS advice with several conditions, aimed at protecting the victim and to prevent her committing offences whilst on bail.

Because this offence was domestic related (that the suspect and victim were personally connected, being ex-partners) and that the anticipated plea based on the account given in interview was a not-guilty one, the charging authority was required to be the CPS as per the Directors Guidance on Charging (Crown Prosecution Service, 2020). This meant that I would be required to compile a full file of evidence to submit to the CPS to allow them to make a charging decision.

The case file build is the final part of the investigation that I will discuss as part of this essay. It was crucially important that I adhered to CPIA throughout this stage, specifically around disclosure. When compiling the file of evidence, I had to complete a full MG6 series, which are the disclosure documents that include a schedule of the unused material in the case and another for any undermining material. As it was a domestic case, in addition to including the unused material specific to this case, I had to include all previous DV cases between them. In order to do this, I had to read all of the reports on police systems that they were both linked to, over 50 in this case, ascertain which were DV related, summarise them, and then list them in the unused material schedule. This was a task that required careful consideration for every item ensuring that it was appropriately summarised to provide a satisfactory level of detail to the CPS lawyer, and then ascertaining if the report contained any material "which might reasonably be considered capable of undermining the case against the accused, or of assisting the case for the accused" (*Criminal Procedure and Investigations Act 1996*), and if so to list then separately on the undermining material schedule.

Word Count - 1792

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.

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