

The College of Policing (2019) explains the term 'Public Protection' is used as an umbrella term for a wide range of incidents including mental health, management of sexual and violent offenders, child abuse, domestic abuse, hate crimes, vulnerable adults, child sexual exploitation and more. There are a number of police strategies in place for dealing with public protection issues, many of which will be discussed and their effectiveness evaluated.

This essay will also explore the different ways in which being subjected to abuse can affect a victim, the wider impact on families, friends and witnesses, and the impact personal attitudes have on the investigative process. The Peelian Principles outline the basic mission for which police exist, which is to prevent crime and to provide safety to the public with minimal intervention, however the principles also recognise this ability for the police to perform their duties is dependent on public approval. The general public's attitude towards the police can directly affect the ability of the police to perform their role effectively, in the same way as police officers' attitudes towards the public will have an impact.

With a growth in serious organised criminal activity, and criminal gangs targeting the vulnerable to carry out this activity, the link between serious and organised crime groups and public protection issues will be reviewed.

There is no one way of measuring or comparing the affects abuse may have, have had, or continue to have on a victim, or the ongoing impact it may have on their life. This is a very personal experience and something that can differ significantly from one victim to the next. Victims, as well as witnesses, can experience a wide range of emotions at the time of a crime or abuse, but there may also be long term implications that may need to be considered. There is no way of predicting how a person will be feeling, or to what extent the impact of this will spread. For example, friends, partners and families of the abused may also be impacted.

It may often be the case that a number of emotional effects of abuse encompassed in how the victim feels may be overlooked by the physical result of a crime, for example an assault resulting in injury. This is supported by the view that a violent crime is 'typically the beginning of a series of actions that the victim, the victim's family and the victim's friends have to take in order to cope with the physical injury, emotional distress, and economic costs that result from the violence' (Ruback and Thompson, 2001). The physical effects of domestic violence and abuse may overshadow the emotional pain as they are easier to identify, and often quicker to heal.

For a number of abuse victims, particularly those who are experiencing or who have experienced domestic abuse, may often become very accepting of this way of life and so may normalise the abuse out of fear and desperation. Abuse victims typically feel isolated from friends or family – which forms part of the abuse – and so another impact is that they may become increasingly dependent on their abuser leaving them reluctant to seek help or refuge in order to leave the relationship. In addition to being in fear of the situation they find themselves in, it has been recognised that 'victims and their families often find it hard to understand the complexities of criminal investigations and legal proceedings' (Bryant and Bryant, 2019, pg 297) and so the alternative may be more fearful than remaining in the relationship. A way of addressing this and apprehension about pursuing a complaint through the criminal justice process is the implication of special measures. S.17 Youth Justice and Criminal Evidence Act 1999 (YJCEA) provides for these to be put in place for intimidated victims whose quality of evidence is likely to diminish by reason of fear or distress in connection with testifying in proceedings. Reasons for this could be intimidation has occurred or is likely to occur, or the victim is a member of cultural, ethnic or a religious

group. 'This entitlement still applies once a suspect is charged or convicted of the crime' (Bryant and Bryant, 2019) and so this may provide further reassurance to the victim that they will not be left feeling alone and unsupported, even after proceedings have come to an end. In turn, this could assist with avoiding an ineffective trial, and more broadly could improve the conviction rate, narrow the justice gap and increase positivity in police.

'Establishing a good relationship with victims increases the chances that they will cooperate effectively with the investigation and prosecution' (Bryant and Bryant, 2019, pg 297)

however while this may be the case for some, studies have shown that the proportion of victims of crime who are unwilling to support a prosecution has nearly doubled from 13.2% to 22.6% (The Week, Year ending March 2019). While these figures cover crime in general, one would assume a large number of this would include victims of abuse. This would indicate a possibility that the victims may be left feeling completely overwhelmed at the prospect of being part of a criminal investigation, they could become numb to the incident or the abuse in general, or simply they may not understand the need for police involvement. Even after leaving an abusive relationship, there is the possibility of the victim returning for a number of reasons such as fear, reliance, children, drugs or simply that they have nowhere else to go. This could be an indication that interventions by partner agencies may not be completely effective.

A wider impact of abuse on victims is the risk of repeat victimisation or even further the cycle of abuse continuing through children and other family members. Often abuse victims may leave an abusive relationship, but then find themselves later involved with another violent partner. This pattern of abuse may result from the normalisation of this kind of relationship as previously mentioned. In addition to this, there is the risk that children witnessing any abuse of this nature, whether physical or otherwise, are more likely to become

victims of abuse or even abusers themselves as this is how childhood taught them to behave. Figures show around one in five adults had experience some form of abuse as a child, and 51% of adults who were abused as a child experience some form of domestic abuse in later life (ONS, 2017). This demonstrates the ongoing impact abuse has on victims, but also the very realistic wider impact it may have on the children and other family members.

There are a number of strategies at the disposal of police officers when dealing with public protection incidents. The effectiveness of some of these strategies will be critically evaluated below.

The 10 ACPO Principles acknowledge that police are not responsible for all forms of risk and that 'other agencies may have more appropriate skills' to deal with high risk public protection incidents. Therefore, a multi-agency approach to address public protection incidents is undoubtedly the most effective way of doing so. 'Multi-agency models - the most common of which is the Multi-Agency Safeguarding Hub (MASH) - aim to improve the safeguarding response to vulnerable children and vulnerable adults through high quality and timely safeguarding action'(Gov.uk). There are a number of agencies that sit within MASH including but not limited to child services, adult services, national probation, education services and health services. These are what are usually referred to as core agencies. Further agencies such as housing association, Independent Domestic Violence Advisers (IDVA) and Women's Aid sit outside of MASH.

The Criminal Justice and Court Service Act 2000, specifically s. 325 – 327, provides a statutory responsibility to make arrangements for assessing the risk imposed by offenders.

This lead to the introduction of the Multi-Agency Public Protection Arrangements (MAPPA)

in 2001 which imposed statutory requirements for managing sexual and violent offenders. Unlike MASH, MAPPA is not a department or body in itself, it is a tool allowing partner agencies to share the responsibility to protect the public.

While it is widely agreed that partner agencies need to share the responsibility to effectively deal with public protection incidents, this doesn't come without its failings. This was evident in the case commonly known as Baby P involving a number of agencies, including the police, child services and health care professionals, which was centred around the safeguarding of a young child. Despite there being an appropriate power in place which was utilised in this instance with the child being placed on the Child Protection Register, this case had devastating results. It has been reported that the child was visited by authorities in the region of 60 times in the 8 month period leading up to his death. The child was taken to visit his GP with a number of significant injuries, including head injuries, and within four days of the last GP visit, the child died. The child's mother was arrested on two occasions, however the CPS concluded there was insufficient evidence for her to be charged. An inquest found significant failings by a number of individuals and agencies involved in the care of Baby P, including child protection services, the GP, social workers and Local Authority management (Telegraph, 2011).

Public Protection Notices (PPNs) can, and should, be submitted by the police officer attending a public protection incident. PPNs are notifications that are shared by police to a number of partnership agencies, including local authority, housing, schools and other partnership agencies as discussed above, and the information disseminated in an attempted to safeguard the victim through as many routes as possible. PPN's will be graded in accordance with the severity and risk of the incident, and previous incidents. The grading will be high, medium or standard and will be assessed in a timeframe dependant on its risk level. When

deciding on this risk level, the officer must be aware of the history of the victim as they can only be submitted with the same risk level as previously submitted or higher. For example, if the incident in question was a domestic verbal argument only which may ordinarily result in a standard risk PPN, but there are previous violent incidents with allegations of choking, then this verbal argument PPN must be submitted as high risk. This highlights the value and importance of submission of these PPNs as they assess the relationship over an appropriate period of time rather than individual incidents where there would be the possibility of missing significant risk factors simply because they did not occur during this particular incident.

However, if a warning marker or risk level has expired due to no incidents being reported within the last 12 months, the PPN would be reviewed and submitted as normal. This may not be an indication that the abuse has reduced, but simply that it is no longer being reported and as a result of this, the risk level may be removed from record when in fact it still remains present. Due to the number of PPN's being submitted by response officers, it can be argued that this is becoming a 'tick box' exercise and they are not being given the attention they need. From the opposite point of view, it could also be argued that the Public Protection Unit (PPU) officers who are dealing with these PPN's are being inundated and so are struggling to review them. Research in 2015 found that there was a backlog of over 350 PPN's yet to be reviewed (HM Inspectorate, 2015). While it would be safe to assume the vast majority of this number would fall into the standard or more so low risk level category, as stated above, this may not be a true reflection of the risk level facing the individual and so there is a very real risk that victims may not be reviewed and therefore protected as necessary.

When critically evaluating the effectiveness of PPN's, it must be noted that they are purely based on the attending officers' completion and detail of their initial observation and

perception of threat, risk or harm. The gold model would be to complete in as much detail as possible but from experience in reality, PPN's are often completed in a hurry meaning officers can often forget or unintentionally omit major details. Despite this, PPNs are undoubtedly an effective form of multi-agency engagement and dissemination of information.

While the National Decision Model (NDM) affords a certain amount of discretion to officers within decision making, South Wales Police have a policy to take positive action in the case of domestic incidents as highlighted by College of Policing (2020). This can range from the temporary separation of for example victim and offender, to the arrest of the suspected offender even in circumstances where this is not the wishes of the victim or they do not support an allegation. The importance of bodyworn video is relevant to this point as this can capture initial disclosure from any victims involved at the time of the incident. It can provide first hand evidence of the scene, any injuries and the fear, shock and general demeanour of a victim which can be essential later on in the proceeding, especially when the victim is not engaging. Positive action in this sense ensures the safeguarding of the victim, however this can have both a positive and negative impact on the victim and the case itself. Victimless prosecution may be possible if the victim does not or for whatever reason cannot support a prosecution. This takes the burden away from the victim and allows a trial to go ahead – dependant on the strength of the case. However, as stated this could have a negative effect in certain circumstances as the victim may not feel their wishes are being respected and no longer feel at the heart of the justice process, and they may feel less inclined to seek assistance from the police in future if they believe the decisions are taken out of their hands. As the overarching principle of policing is protect to life and limb, so safeguarding of those involved in this type of public protection incident will always take precedence.

Another means of safeguarding which can often be effective are Domestic Violence Protection Order (DVPO) and Domestic Violence Protection Notice (DVPN). These were introduced in 2014 with the aim being able to provide a victim of domestic violence and abuse some time or 'breathing space' to allow them to make a decision on whether or not they wish to leave the relationship, or apply for a Court Order such as a Non-Molestation Order under the Family Law Act 1996. A DVPN can be issued by a police officer following a domestic related incident which imposes conditions for the offender not to attend the home address or contact the victim for up to 48 hours. There is no power of arrest attached to a DVPN and so its effectiveness comes into question, however if deemed necessary, officers can then submit an application to Magistrates' Court for a DVPO which is an order setting these conditions in place for up to 28 days. This reflects conditions that could be imposed on an offender should they be granted bail, however the difference being that this order could be sought even if no charges are brought and the offender is released with no further action. While this could be seen as a highly effective strategy for the immediate safeguarding of a victim allowing them a period of respite despite the outcome of the arrest, it must be questioned whether or not this is in accordance with person's basic human right to liberty. Even with insufficient evidence to charge and convict an individual of a crime, a deprivation of liberty can still be imposed placing conditions on them not to attend certain places such as their family home.

Further orders could be granted as a way of dealing with public protection incidents such as a Non Molestation Order and a Protection from Harassment Order, both of which carry a power of arrest for non-compliance. However, this is a longer term solution to an ongoing issue and do not offer any immediate safeguarding to victims.

There are also a number of what could be seen as less intrusive strategies in place to deal with public protection issues. There is the restorative justice approach which, dependant on the offender accepting responsibility for their actions, both offender and victims sign a written undertaking, often in the form of an electronic pocket entry in the device carried by the police officer to confirm the matter is resolved and no further action will be sought. This is predominantly used for lower level offences, but can provide reassurance to the victim that the offender has shown remorse and is making amends to the victim, and has been punished proportionately with this lower level conviction. In some cases, this can be carried out through a face to face meeting between the victims and the offender, mediated by a police officer, which can provide a sense of satisfaction to the victim. An alternative view to this is that in reality, due to the demands on response officers, these face to face meetings are rarely conducted and so a simple signature will not help rehabilitate the offender and provides little in the way of reassurance to the victim that they will not be targeted in the future.

The public have an expectation, particularly of the police, that they will be kept safe. As much as it is widely accepted that 'keeping the public safe is the first duty of the criminal justice system' (HM Government, 2006), the College of Policing (2019) state that MAPPA requires criminal justice agencies and other bodies to also work together in partnership with offenders.

A common public perception may be that the safeguarding responsibility placed on the police and other organisation, such as the prison service and the probation service, lies with the protection of victims, witnesses, and the general public to reduce the risk of dangerous, violent and sexual offenders. However, as mentioned, there is also an obligation to protect and help rehabilitate the offender themselves.

The problem analysis triangle (PAT) is a simplistic model for officers to begin a basic analysis of an incident. There must be three contributing factors – a victim, a location and an offender. By understanding these relationships, we are better able to rationalise the next steps in preventing a reoccurrence. It recognises the importance of all of these elements of an incident, and how that incident would not occur should one of these be absent. The first is the victim, which may be the most obvious. As discussed above, there are a number of strategies in place to support the victim. Secondly is the location of the incident, for example if there is a specific hotspot, whether it be an area, an address or a school etc, focus needs to be given to reducing access to a location or completely removing the victim or offender from that location as a way of preventing further incidents. The final element that make up the PAT model is the offender, as without an offender there would be no crime. Reflecting on the view of the College of Policing above, this again highlights the importance of not only focusing on the victim of crime, but the rehabilitating the offender as a means of safeguarding current and future victims. This model supports the view that dealing with the offender is as essential as supporting the victim during police incidents, including those of a public protection nature. It is the opinion of some that the way to ensure the protection of the public is by ‘keeping the right people in prison’ (gov.uk) however this archaic ‘lock them up and throw away the key’ approach is unlikely to be as effective a strategy in dealing with public protection incidents as supporting and managing offenders through rehabilitation.

The Violent and Sex Offenders Register (ViSOR) is a national database which holds details of all individuals who are deemed to pose a risk to the public. Further demonstrating the importance of a multi-agency approach, this can be accessed by police, prison service, probation and others as an effective risk management tool. The introduction of ViSOR

‘improved the flow of information and intelligence on dangerous people between police, prisons and the probation service’ (HM Government, pg 13). S.83 Sexual Offences Act 2003 (SOA) imposes a statutory requirement for convicted offenders or certain serious sexual offenders to inform police of certain basic personal information such as their name and place of residence. However, the scale of the information required increased in 2012 to include far more personal information such as their bank account details. Depending on the seriousness of the offence for which they have been convicted, having to provide this information could be a lifetime requirement. It could be argued that requirements such as this are an invasion of privacy and offenders should never be expected to abide by such intrusive conditions, however alternatively it also highlights the lengths the police, probation and other agencies are going to limit the opportunities available to serious offenders to reoffend.

The strategies that are in place for police officers when dealing with public protection incidents are largely dependent on both public attitudes toward the police, and just as importantly, police attitudes towards victims, offenders and the general public.

The general consensus appears to be that the general public feel police are less able to protect them from criminals and so as a result they may be less likely to rely on or engage with police. This is supported by the findings that victims had “‘given up reporting some crimes” because of the justice system’s inability to tackle offending’ (The Week, 2020). This lack of confidence in the police then has a knock on effect for criminal investigations and the whole of the criminal justice system as if less crimes are being reported, police are unable to assist or safeguard victims which in turn means opinions towards police will further decline and so the cycle is complete.

A study found only 22% of the British public trust the police a great deal, and 19% of the British public distrust the police completely (Yougov.cu.uk). There could be a number of reasons for the decrease in the levels of trust and respect for the police as a whole. These could include factors such as the negative use of social media to portray the police in a negative light, and the perception that the use of legitimate policing powers such as the power to stop and search an individual may be used disproportionately as a way of targeting minorities. Alternatively, the police themselves may hold some responsibility in the negative attitude towards them as the way they deal with an incident, their demeanour and quite simply the way they talk to people. There is no doubt the current demand on response officer is huge due to lack of resources, the change in the nature of calls to the police and the expectation to attend incidents of an area in which they are insufficiently trained, for example public protection incidents. It is often response officers who are first on scene and therefore they must carry out the initial risk assessment, and identify, or fail to identify the need for safeguarding victims and witnesses. This was evident in the case of Fiona Pilkington who sadly killed herself and her severely disabled daughter in 2007 after suffering torment and anti-social behaviour from children within their community. The Independent Police Complaints Commission (IPCC) published the findings of an investigation carried out in 2011 which concluded the police failed to recognise Fiona and her family as vulnerable, failed to identify the ongoing harassment as a hate crime, and failed to provide a cohesive and effective approach to their suffering. It also noted that, had the police used their systems effectively, the true level of this harassment would have been identified. The area in which Fiona and her family lived was not typically known as a 'hotspot' for anti-social behaviour and so it is a very likely possibility that due to, unconscious bias by the police officers

attending, this ongoing harassment was not regarded as a cause for concern. This highlights the very sad reality that can result from personal attitudes of officers towards not only victims, but other factors such as the location of a crime which as stated previously is as important as the other two elements of the PAT model.

It is becoming increasingly apparent that there is an ever growing link between serious organised crime groups and public protection incidents. In recognition of this, the UK Government built a new strategy to prevent individuals becoming involved in organised crime by taking action to 'strengthen our protection against and responses to it; and, most importantly, to pursue the criminals behind it, prosecuting them and disrupting their activities' (HM Government, 2013).

Organised crime gangs often target young and vulnerable people, often those with physical and learning disabilities, by befriending them, buying them expensive gifts and making them feel included as a way of recruiting them into drugs gangs to act as 'runners'. The National Crime Agency (NCA) concluded one of the reasons for targeting the young and vulnerable is to 'stay under the radar of law enforcement' (Gov.uk). A key role of police officers is to identify the vulnerable who may be targeted by organised criminal gangs as 'easy prey' and so they must be located in able to protect them, prevent crime, educate them and ultimately keep them safe. High visibility patrols are a huge deterrent for criminal activity as they build confidence in the police and increase in confidence and trust can lead to information sharing. However, with the reduction of numbers of response police officers along with the increased demand on them, these patrols may not be as frequent as is required to build this public confidence.

Cuckooing is a term used when organised crime groups, often drug dealers, take over the homes of vulnerable people by befriending them and then exploit them and use the home as a base for criminal activity such as the drug dealing method known as county lines.

Due to this belief of friendship, or possibly fear, those involved may not see themselves as victims and therefore may be reluctant to involve police. It is also a possibility that they may not have the capacity to understand they are being victimised. This again demonstrated the importance of a multi-agency approach when dealing with the link between serious organised crime and public protection to raise awareness of indicators in incidents such as cuckooing as it highlights the need for local authority and housing agencies to work with police.

It may be the case with cuckooing that the offenders may be victims themselves as they are involved in drugs gangs and are being pressured into committing these offences as a way of selling their drugs and moving money for the heads of the organised groups. It is a real possibility that police officers will only see these individuals as offenders, and not take a more holistic look at the incident and ask why they are offending. This was first hand whilst attending a call as a response officer which involved a young girl known to police officers as a prolific shoplifter. She was arrested and interviewed as she had been on a number of previous occasions, but with the correct line of questioning during this interview, it was established that she was a victim of Child Sexual Exploitation (CSE) and was shoplifting as a way of funding the drug habit of a male who she believed was her 'boyfriend'. This girl had been dealt with as a criminal for a number of years when in fact she was a victim of serious organised crime. With this in mind, it highlights the importance of offering support to these perceived offenders as they are in fact being victimised themselves.

The NSPCC defines CSE as a type of sexual abuse when a young person is exploited and are given things like gifts, drugs, money, status and affection, in exchange for performing sexual activities. There are a number of factors that contribute to a child being at risk of CSE such as abuse or neglect, history of being in care, family history domestic abuse, substance misuse and the breakdown of family relationships (Safeguarding Children Partnership). Children involved in this kind of crime are often seen as ‘trouble makers’ and ‘problem children’ rather than vulnerable youngsters who are being taken advantage of. This attitude towards the victims of CSE can make it very difficult to identify them, or consider the seriousness of their situation. One approach that can be taken particularly to potential cases of CSE is the issuing of a Child Abduction Warning Notice (CAWN). In cases where the attending officer would deem it inappropriate for the child to be in the company of the subject, for example due to age difference, the subject can then be issued with a CAWN instructing them not to be in contact with the child, allow them into their home and other such conditions. It is not a criminal offence to breach a CAWN, however this breach could lead to an arrest for child abduction. The CAWN can then be used in evidence as notification that the subject was aware of their actions and was aware of the requirement to inform police if child was present at the address, for example.

Organised Crime Groups are also known to target people, particularly children, who sadly will not necessarily be missed. An example of this which was experienced first-hand is an incident involving a 14 year old girl who was arrested for possession with intent to supply class A drugs after being found in possession of 2kg of cocaine. After conducting the relevant enquiries, it was established that had been missing from a local authority care home in London for almost three months and had ended up in custody in South Wales. As expected, dealing with the offence would be a response officer’s primary focus. However, when

looking at incidents like this from a different angle, it is arguably much more complex than the drugs offences and so the question around why the child is offending must be considered.

As discussed, there a number of strategies in place to deal with public protection issues, the effectiveness of many has been considered and evaluated. It can be concluded that there is always room for improvement, but without doubt the process has come a long way. A massive leap forward in this progression is multi-agency working. This is supported by the view that ‘no government can or should ever promise to eliminate risk entirely, but we will ensure that this system continues to be properly delivered’ (HMI Probation and HMI Constabulary, pg 11).

In order to effectively tackle public protection incidents, we must constantly develop and evolve our working practices to at least keep up with, and at best stay ahead of impacting factors such as the personal attitudes and the link between public protection and Serious and Organised Crime. An important and highly effective means of doing so it intelligence led operations and meaningful intelligence sharing at force, regional, national and international levels will without doubt save vulnerable people.

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