

NAME: Johnathon Baber

PC 6733 - South Wales Police

Student Number: 1922461

Exam 1 – 04/09/2020

Question 1

A person is guilty of burglary when they enter a building or part of a building as a trespasser with the intent to: steal anything from inside the building or part of the building, or inflict grievous bodily harm on any person therein, or do unlawful damage to the building or any part of the building therein. Section 9 1(a) Theft Act 1968

Question 2

When first arriving at the scene the first stage is to assess the situation and see what, if any the main dangers are. This is vitally important as the officer can then come up with a plan on what needs to happen. This could be the first stage of the National Decision Making model, the officer will gather all information and intelligence and then assess the threat and risk level. In regards to protect, if there are any vulnerable people or any evidence that needs seeing to immediately then this is what is meant by protect. This is important as any evidence that is left unseen to could become destroyed or taken away from the scene by somebody. Any evidence that is not protected could result in evidence being not used in court as it is insufficient. Communicate is where an officer will talk to other officers at the scene to tell them on what to do. Some may look at the witnesses, some may look at the evidence, others may look at the criminals. Communication might also come in regards to WL and if there is a need to do a person check, a vehicle check or a property check. This could bring up any markers on the people or vehicles that may need urgent attention, for example if arriving at a Theft offence and when doing a person check on the PNC the offender shows as wanted for recapture or there is a warrant for their arrest then they could be arrested immediately before having the chance to escape. Communication may also come between emergency services. Communication should be clear between officers as this will result in the best possible outcome from the scene.

Question 3

The golden hour is immediately after an incident the sooner somebody can gather evidence the better chance the incident or crime being solved. Evidence could come from a number of different areas, one being witnesses at the scene. It will be important to ask questions to any witnesses present as they will have a clear idea of what has happened if they are questioned as soon as possible after the crime or incident occurred, this is beneficial because it could help lead to capturing somebody or preserving vital evidence. Another source of evidence could come from any items at the scene, it could be a weapon, clothing or vehicles to name a few. Preserving these are vitally important, for example if evidence was left alone and members of the public were able to access it then the evidence could prove to be insufficient for court as it could be contaminated. This means it

is vitally important to protect any evidence at the scene and ensure a cordon is placed so no access can be gained to the evidence.

Question 4

A person is guilty of robbery when they steal, and immediately before doing so, or at the time of doing so and in order to do so, use force on any person or put or seek to put any person in fear of being then and there subjected to force. Section 8 (1) Theft Act 1968

Question 5

Discretion is one of the most powerful tools a Police Officer has. However it is vitally important that it is used correctly and fairly. Discretion is the police officer gathering all the information about what has happened and using their best knowledge on how is best to solve the incident or crime. An example of an officer using their discretion would be if somebody was seen littering in a park, the police officer could go over and ask them to pick it up and explain what would happen if they didn't pick it up, rather than issuing the person with a Penalty Notice Disorder immediately. Discrimination is when somebody treats another person differently because of a particular reason, for example in regards to policing, an officer giving a male a PND and then not giving a female a PND for doing the same particular thing. Officers can avoid professional discretion being perceived as discriminatory by being consistent with their decisions and always ensuring their decisions can be Justified, Proportionate, Legal, Accountable, Necessary and Ethical.

Question 6

Section 24 (3) Police and Criminal Evidence Act 1984

When a statutory offence has been committed a Police officer may arrest anybody with a warrant who:

1. Has committed the offence
2. Anybody the police officer has reasonable grounds for suspecting to have committed the offence.

Question 7

Code B- IDCOPPLAN

1. To provide a prompt and effective investigation
2. To prevent the disappearance of an individual
3. To protect a child or vulnerable person
4. To prevent the obstruction of the Highway
5. To protect Public Decency
6. To prevent Physical Injury
7. To prevent loss or damage to property
8. To ascertain somebody's address

9. To ascertain somebody's name

Question 8

Police must ensure they use appropriate use of force when making an arrest. Section 117 of PACE allows police officer to use the necessary force required to achieve the best possible solution to a problem. When using force an officer should always JPLANE the situation and as long as the officer can Justify why they used the force they did, ensure the force used was Proportionate and Legal, ensure they are accountable for their actions, ensure the forces use was Necessary and Ethical.

Question 9

When arresting somebody you must provide them with the reason they are being arrested, for example this may be "You are under arrest for the Theft occurred on 01/01/2020 at STANDFORD ARMS". They must also be read the police caution, "you do not have to say anything but it may harm your defence if you do not mention when questioned something which you may later rely on in court, anything you do say may be given in evidence". They must then be given the necessity for the arrest, i.e "to provide a prompt and effective investigation and to prevent further loss to property". Then finally they must be given the time of their arrest.

Question 10

The National Decision Model is really important in policing and can provide officers with the best chance of staying safe and ensuring public safety. The NDM is revolved around the Code of Ethics, in all stages it is important that the Code of Ethics are stuck to, the 10 Policing Standards of Behaviour (Conduct, Confidentiality, Challenge improper behaviour, Honesty and integrity, ethical and diversity, authority, respect and courtesy, duties and responsibilities, use of force, fitness for work and orders and instructions) and the 9 Policing Principles (Respect, Objectivity, Fairness, Leadership, Honesty, Openness, Selflessness, Integrity and Accountable). The first stage of the NDM is Gather Information and Intelligence, this is where you will assess what is happening and give the officer the best chance of understanding what they are putting themselves into. The next stage is Assess Threat and Develop a Working Strategy, this where they will assess what is needed in the situation and if there is any immediate danger to themselves or the public. The Offender Behaviour Profile could be used in this situation, gathering whether a person is Compliant, Verbal, Passive, Active, Aggressive or Seriously Aggravated, whichever stage the offender/s are at would change the level of risk. The next stage is Consider Police Powers, this where the officer will assess what use of force they could use or powers of arrest or search powers. The next stage is to identify options and contingencies to solve the problem, they could initially plan to talk to the person but always wary if they start becoming aggressive then there may be a need to detain the person. Not picking just one option and having a contingency is vitally important. The final stage is to take action and review what has happened. Reviewing what has happened allows officers to see what has worked and what they can use again in the future, or change if it hasn't worked successfully.

Question 11

A Police officer may enter a premises if they have reasonable grounds to BELIEVE that there is person inside who has committed an indictable offence or some other offences such as Public Order Section 4 or Road Traffic Section 4. They may also enter if they have reasonable grounds to BELIEVE that there is a person inside the premises who is wanted for recapture. They may also enter the premises if they have reasonable grounds to SUSPECT that there is a danger to life or limb or property inside the premises.

Question 12

The jury would be asked to judge if the person has acted in a way that the jury find the actions are dishonest. Previously the jury would be asked to judge if the person genuinely believed their actions were dishonest. However this has now changed so it is the jury's view of dishonesty that is the test of guilt.

Question 13

Grade 1- Urgent response- Police to arrive ASAP

Grade 2- within an hour

Grade 3- Within 3 hours

Grade 4- Within 24 hours

Grade 5- Police presence not needed.

Question 14

Vulnerable means that a person is more at risk to being harmed or in danger. There are many characteristics that could mean somebody is vulnerable, the 9 protected characteristics are:

1. Age
2. Gender
3. Sex
4. Sexual orientation
5. Marriage/civil partnership
6. Disability
7. Race
8. Religion
9. Pregnancy

When a person is vulnerable they may not be able to make decisions for themselves and require a guardian to help them in life.

Question 15

There are four categories that can be used to describe different types of Anti Social Behaviour. The first category is Misuse of Public Space, this is where people may be drinking outside, taking drugs in parks or prostitution on the streets. The next category is Environmental Damage, this is where there may be graffiti over buildings or litter in the street. The next category is Disregard for wellbeing, this is where noise complaints are received, neighbours being loud, it could be cars driving through streets at night blasting music and being a disturbance. The final stage is Acts directed at people, this could be harassment or intimidation on the streets. There are different ways of dealing with ASB, some areas may use interventions to help groups and communities come together. It is important to deal with ASB as communities could become intimidating places and communities feeling less safe and willing to come outside.

Question 16

A dispersal order under section 35 of the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCP Act) is where people are told to stay away from a particular area for a 24 hour period. If a person was then to come back to where the dispersal order was placed during the time period then that would be a criminal offence for which they could get into trouble for.

Question 17

Routine Activity Theory suggests that for every crime there will be a suitable target/victim, an absence of a suitable guardian and a likely offender. What the RAT suggests is that if one or two of the areas could be removed or harmonised then there is a much higher chance of a crime not being committed. A suitable target/victim could be people, property a location etc. A suitable guardian could be a teacher, an adult, CCTV, security guards, lights. An example of how the RAT would work would be if there was a teenage boy who would write graffiti in a particular area to upset people living close by, if CCTV was added to that area and lights to make the space visible, the RAT suggests that this crime would have a reduced chance of happening.

Question 18

Evidence Based Poling is where police use information and intelligence from previous incidents/crimes to help plan and prepare and make strategic plans for future events to prevent the chances of crime occurring. The EBP approach will look at what has worked successfully in the past and what hasn't worked successfully and use this to make strategic plans for future events. An example of ESP working successfully in South Wales Police is where SWP use "bubble trips" for when Cardiff and Swansea play football. In the past football violence was huge and there chance of crime occurring without any police input would be close to 100%. Therefore the police used bubble trips where fans of the away team would only be able to attend games on official club coaches that would be police escorted all the way from one place (stadium) to the match location and back. This would reduce any chance of rival fans interacting outside the stadium. This approach was then shared with

other police forces across the UK and other police forces have used this approach when it comes to rival football matches where the chances of crime are high. EBP is about sharing good practice and allowing forces to learn from each other to help make plans to keep areas and events safe.

Question 19

One problem solving model the police could use to help analyse and solve crimes is OSARA. OSARA is the acronym for Objective, Scanning, Analyse, Response and Assessment. An example of OSARA is if there was an area of high anti social behaviour, the Objective would be firstly what do we want the outcome to be? So using SMART we would set the objective, we need to ensure the objective is Specific, Measurable, Achievable, Relevant and the Time to achieve it. So for this situation we would set the objective as "To reduce Anti Social Behaviour reports by 20% in a 6 month period. Then moving onto the Scanning part of the model, here we would look at identifying what are the problems causing the main issue, so using data and information and intelligence we could identify that most reports occur on a Friday night between 6p.m.- 9p.m.. Then moving onto Analysis we would look at why these problem are occurring, this is the stage where we would also use another problem solving model called Problem Analysis Triangle (PAT), PAT is similar to RAT where it suggests that for every crime there is an offender, a victim and a location. So for this problem we are trying to solve the offender would be analysing all the information we know about the offender/s, how old are they, what do they where, why do they do it etc.? Then using PAT we would look at the victim and analyse all the information we know on the victim? Then finally we would look at the location and gather all the information we need on the location, where is it? How is it accessible? What is so important about this location that it is constant for ASB? After gathering all this information we would move onto the Response section of OSARA, here we would come up with a working plan to solve the problem using information from the scanning and analysis section. In this part of the model we would also use Routine Activity Theory (RAT). Routine Activity Theory suggests that for every crime there will be a suitable target/victim, an absence of a suitable guardian and a likely offender. What the RAT suggests is that if one or two of the areas could be removed or harmonised then there is a much higher chance of a crime not being committed. So for this problem we would look at for the suitable victim we could potentially look to work with other partners such as Youth Clubs to give the offenders somewhere to go during the night instead of situating around the same place, we could look at increasing foot patrols in the area at the particular times. Adding this suitable guardian to the situation would hopefully decrease the chances of a crime being committed. Then finally we would look at the Assessment stage of the model. Here we would look at the stats over the 6 months (set in the objective) and see if the Response actions have resulted in a reduction in ASB crimes being reported in that particular area.

There are some other problem solving models other than the ones mentioned above, Rational Choice Theory and Broken Windows Theory. Rational Choice theory suggests that a person chooses to offend rather than needing to offend. And the Broken windows theory suggests that solving little crimes can help solve bigger crimes.

Question 20

- a) A critical incident is when something has occurred that requires urgent response from police or other emergency services. There needs to be some sort of immediate action to intervene in the critical incident. A critical incident could mean that a mass riot has occurred as a result

of ASB in a particular area. It could be that somebody has responded to ASB and tried to deal with the offenders themselves in a way that could become fatal.

- b) For a critical incident to occur it requires somebody of Chief Inspector level or higher to declare it.

Question 21

A police constable may detain in order for a search any person or vehicle or anything in or on a vehicle, in any place the public has access to, if they have reasonable grounds to suspect that any stolen or prohibited article, or any prohibited fireworks or any bladed or sharply pointed articles will be found. Any such articles found during the search may be seized. Section 1 PACE 1984.

Question 22

A person will be given the following information before a search

Grounds for the search- What are the grounds the person is being search for, e.g. somebody matching their description has been spotted carrying an offensive weapon in the area.

Object of the search- To see if the offensive weapon is under their possession

Warrant card- If officer is not in uniform then they are required to show their warrant card to prove they are a police officer

Identity of officer- Tell the person "I am PC BABER"

Station to which attached- Tell them which police station the officer comes from

Entitled to a copy of a search record- Tell the person that they are entitled to a copy of the search record if they contact the police station.

Legal power for search- Section 1 PACE

You are being detained for the purpose of the search- A police officer would say this to the person being searched.

Question 23

The first principle aim of this scheme is Data Recording. Police are now required to keep a record of every stop and search that has resulted in a number of outcomes such as Arrest, PND, Cannabis Warning etc. This data will then be shared to show how effective Stop and Searches are. The next aim is Lay Observation Policies, this is where communities are encouraged to see how Stop and Searches are carried out and in some areas can accompany police officers to carry out stop and searches. The next principle is Community Complaint Trigger, this allows all complaints in communities to be scrutinised by groups in the community. The final stage is the changes in Section 60 notices. For a section 60 to be declared in an area now requires authority from senior level.

Question 24

National Intelligence Model (NIM) is a 3 stage model that allows all police forces to gather information and turn it into intelligence and use intelligence using one model. The first stage of the NIM is level 1, this is dealt with by neighbourhood and local police forces, this is for the lower level crimes and is where intelligence is processed, for example intelligence on ASB occurring in a

particular neighbourhood. The next stage is Level 2, this is dealt with at a regional level and BCU, this could be used for drugs coming across county lines for example. The final stage is national and international level, this would be the most serious of crimes such as Terrorism. Using this model allows all forces to work the same way and share evidence and intelligence to help solve crimes. If different forces were processing intelligence in different ways then sharing intelligence would be more difficult as different departments could be looking at intelligence differently and share with the wrong departments as a result, which could lead to intelligence being lost and or stolen.

Question 25

When information is received it goes through a process called 3 x 5 x 2. The first stage is gathering whether the information is reliable, unreliable or untested. The second stage is saying if the information is Known Directly to the source, known indirectly to the source (but corroborated), known indirectly to the source, Not known to the source or Believed to be false. The final stage is giving the information a code P or C, P being permitted to share lawfully, and C is permitted to share lawfully but with conditions.