

BSc (Hons) Professional Police Practice

LEVEL 4 - 40 Credits

Workbook title: Competency Based Workbook 1 (PCDA)

**(SOUTH WALES POLICE, GWENT POLICE AND
UWTSD)**

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Learner's University Registration Number:

FACULTY OF BUSINESS AND MANAGEMENT PUBLIC SERVICE PROGRAMME

Module title: Professional Police Practice 1 (PCDA)

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 BSc 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)

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.

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.

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.

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 particular document to insert your text / answer within each section of this workbook;*
- *You should upload your completed document as a saved pdf 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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	Confirmation of Confidentiality and Plagiarism <i>This is confirmed by submitting through Turnitin</i>	

Task 1

Relevant areas of the National Policing Curriculum: Wellbeing and Resilience

Guidance:

Focussing on your initial 6 months of learning and since being attested as a Police Constable, outline 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:

The initial six months of training to become a Police Constable consisted of a multitude of emotions and stressors. The eagerness to learn and perform to the very best of my ability whilst simultaneously juggling the responsibilities of being a father and a husband resulted in an inevitable increase in stress, which naturally took a toll on my wellbeing. I encountered several personal challenges during the initial six-month training period which also contributed to the heightened level of stress and pressure I was experiencing. Trying to retain an almost overwhelming amount of legislation and information daily, whilst maintaining good physical fitness and healthy personal relationships, would be a consistent struggle over my six months in training. In this essay I will outline the research based coping strategies and methods I used to build resilience, minimise stress and maintain my personal wellbeing. I will highlight the methodology that I found most useful and outline anything that I would do differently in the future to maintain my wellbeing, minimise stress and build resilience using the Gibbs model of reflection.

To adequately respond to the necessity to build resilience and minimise stress, we first must understand the definition of the terms. Resilience is the ability to adapt positively to stress and adversity (American Psychological Association, 2020). Stress is an ambiguous term that can have positive and negative connotations. McEwen (2005) argues that there are good stressors such as excitement and challenge, whilst in contrast, there are bad stressors which result in chronic fatigue, worry and an inability to cope. Fundamentally stress can be defined as a state of worry or mental tension caused by a difficult situation (WHO, 2023).

It was imperative that I developed coping strategies to aide my wellbeing and build resilience early on in my career, especially as this would be an essential skillset once I was operational and dealing with highly stressful and traumatic incidents. As Miller (2022) states, "It soon becomes apparent to new recruits that they cross a line when they become a police officer, and on the other side of that line, the bar of stress tolerance is set higher".

An invaluable tool that I employed to maintain my wellbeing during my initial 6-month training period, was to exercise daily. I realised early on in my training period that because of my change in occupation, I was far less physically active than I had been in my previous role. I had gone from walking upwards of fifteen thousand steps a day to barely reaching three thousand steps. I found that this was having a

negative impact on my wellbeing. Research indicates that office workers are sedentary for 76% of the day and sedentary time has been found to be independently linked with poor health (Parry, Straker, 2013). Research has shown that regular exercise also has a moderate reducing effect on state and trait anxiety (Fox,1999). Walking through the scenic valley mountains where I live in rural South Wales was the perfect antidote to long days in classrooms surrounded by artificial light and computer screens. If I was to return to a classroom setting in future, regular physical exercise is an effective tool that I would utilise again.

The intensity of training, coupled with the proportion of my time I had to dedicate to my studies made it difficult to stay connected to friends and family during the initial six-month training period. It would be fundamentally important to prioritise maintaining my social connections whilst in training school as having a strong support network is essential in such a high intensity occupation. To mitigate the risk of losing touch with my family, I would walk with my father on the weekends. It allowed me to disconnect from work and stay connected to the person I was, outside of my job. My research has shown when people spend time with friends and family, they find better, more healthy ways to cope with stress. This is called a stress buffer. Stress puts a person at risk of negative health impacts whereas social support appears to help negate those risks (Cohen, 1985). I also used walking as a study tool during my weekends, as walking had an additional benefit of a lack of active distractions, which are always omnipresent at home. Walking allowed me to be alone with my thoughts, where I could actively test my knowledge of what I had learned the previous day. When the time came to revise for exams, this was an invaluable tool as it was not only an effective method of revision, but it also had a net positive effect on my body, both physically and mentally. Studies have shown that physical activity enhances memory and learning (Ploughman,2008). I will continue to prioritise maintaining family and social connections throughout my career as I believe it is fundamental to maintaining wellbeing and minimising stress.

I was also beginning to develop some anxiety based around how well I would be able to defend or protect myself from physical harm once I was operational if I had no knowledge of self-defence and wasn't in particularly good physical condition. In the year ending 2022, there were just over 41,000 assaults on police officers in England and Wales (ONS, 2023), therefore it was essential that I developed the skills required to mitigate the risk of coming to harm. I therefore decided to take up Jiu Jitsu. Practicing Jiu Jitsu allowed me to enter a safe environment where I could exercise not only my body but also my brain, as I would be learning new complex manoeuvres weekly, whilst exercising my body and learning to defend myself. Studies have shown that people that engage in martial arts practice experience some improvement in cognitive function and psychological health (Origua Rios, Marks, Estevan, Barnett, 2018). Attending Jiu Jitsu classes every week, not only provided me with an outlet for any stress and frustrations that had built up over the training period, but it also provided the additional benefit of being a very useful job-related skill which helped to reduce my anxieties around physical conflict significantly.

In conclusion, I was able to effectively develop resilience and minimise stress by exposing myself to new challenges, whilst simultaneously learning a skill that would be pertinent in my role as a police officer in the form of Jiu Jitsu. I was also able to

minimise stress by exercising regularly and utilising the support of my family. In the future I would pay more attention to my sleep hygiene as this was an afterthought throughout much of my training period.

Word Count - 1092

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.

Give a brief description of the incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Review the fundamental elements of effective communication used (verbal, non-verbal, active listening skills, open and closed questions, building rapport and negotiation skills).

Describe the process for determining whether the use of force was necessary in a conflict situation (including any theories or models underpinning the causes of conflict within policing interventions – e.g. Betari's Box, The Drama triangle, Emotional versus rational brain) and provide a reflection on the outcome of the incident.

Your reflection must illustrate your understanding and application of core principles of ethics, equality, diversity and human rights, as well as any relevant Code of Practice considerations, culturally sensitive practice and language preference.

1500 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

Effective communication and de-escalation skills are a fundamental requirement for Police Officers working on the frontline. An officer's skill level in the broad spectrum of communication will have a profound effect on how well they will be able to deescalate a situation and in turn, keep themselves and members of the public safe from harm. McCamey and Carper (1998) argue that "better verbal and nonverbal communication behaviours may improve officer's social competency and may expand the scope of solutions for resolving issues".

In this essay I will be reflecting on an incident that I attended where I used effective communication skills to manage conflict in an ethical way. I will be utilising the Gibbs model of reflection (Gibbs, 1988).

Throughout my tutorship period there would be numerous opportunities to exercise my communicative skillset, whether that be with victims of crime or potential suspects. Each role within the criminal justice process presents challenges to police officers' skills in communicating with the public. Policing in the UK has become even more difficult in recent times. According to His Majesty's Chief Inspector of Constabulary Andy Cooke, statistics from recent public surveys have indicated a drop in public confidence from 75% to below 50% (Sky news, 2023). This is almost

certainly, in part due to recent scandals and abuse of power by Police Officers. With public confidence and trust in police at an all-time low, it is vital Police Officers understand that many members of the public will communicate with them from a base position of mistrust and in some cases active disdain.

To deal with conflict using effective communication, it's imperative that we understand what conflict is, as well as the integral role communication plays in both escalation and de-escalation. Saltman (2006) defined conflict as a disagreement between people that causes or has the potential to cause harm. Patel (2014) defined communication as "The conveying of ideas, thoughts, feelings, and attitudes both verbally and non-verbally". The concepts of conflict and communication are intrinsically linked. All the essential elements that lead to conflict are deeply embedded in the processes of communication, (Porter-O'Grady, 2004).

The incident is in relation to an altercation between a group of people outside a local supermarket. I received a call from the control room directing me to a supermarket where a fight had reportedly taken place. Whilst on route, I mulled over any potential offences I may be presented with. The main offences I was concerned would be apparent on arrival would be offences under the (Public Order Act 1986). These offences cover causing members of the public, alarm, harassment, and distress as well as causing people to fear for their own safety due to unlawful violence. All these offences could lead to an arrest under Section 24 of PACE 1984. It was my intention to de-escalate the situation to avoid utilising a power of arrest as whilst it is a necessary power for Police Officers to utilise to keep the peace, it does also contradict article 5 of the (Human Rights Act 1998) regarding a person's right to liberty and security.

Upon arrival, my attention was immediately drawn to a large group of people congregating outside the store. The body language of the group was tense and aggressive. This was a good indicator that this group had either already been engaged in conflict or that conflict was imminent. Patel (2014) argues that body language can constitute 50% or more of what a person is trying to communicate to another. As I arrived, I could hear shouting and screaming coming from a female, outside the store. I immediately made my way to the front of the store as early intervention was required if I was going to negate the chances of violence. As I approached the female, I could smell alcohol. This would be an impact factor that would affect any further decisions I was about to make. 'Impact Factors' are situational factors which have the potential to make conflict situations higher risk, such as weapons, crowds, alcohol, etc (College of Policing, 2020).

The presence of alcohol meant that the threat, risk, and potential harm that could arise from this situation had escalated. 70% of violent incidents which take place in a public setting are alcohol related (Office for National Statistics, 2015). In a potential conflict situation, it is imperative that officers exercise good situational awareness. 'Situational awareness' is the ability to perceive and process potential threats in the environment (College of Policing, 2020). I demonstrated this by scanning the environment for any loose bottles of alcohol, or any other instrument that could be used as a weapon, if the situation further escalated.

I identified the female as the main aggressor in this instance and approached her. I was assertive in my approach, whilst remaining as calm as possible given the potential for the situation to escalate. Whilst I approached the female, I considered which powers and policies would be available to me to mitigate any risk and deescalate the situation, in line with the 'National Decision Model'. The 'NDM' is a framework which aids police officers and staff to make ethical decisions in line with the code of ethics, which stand up to public scrutiny (College of Policing, 2013). Whilst I was speaking to the female, I noticed that she was unable to effectively communicate with me as she was clearly angry, emotional, and intoxicated. I had to take this into consideration as barriers to communication, can lead to conflict escalation. It is a possibility that Officers could inadvertently escalate a situation if they are unable to effectively communicate with a person who is finding it difficult to communicate (College of Policing, 2020).

I am aware that there are many potential barriers to communication, and I will have to tailor my own communication style depending on the situation at future incidents. Although it wasn't applicable on this occasion, due to the diversity of the population in the UK, straightforward, clear communication isn't always easy between people of different age groups, nationalities, or cultures. Whilst it was frustrating, trying to give direction and communicate with the female due to her intoxication and her obvious anger towards the person I was trying to direct her away from, I had to remain calm and level-headed to bring the female down to an emotional state where she would be better able to communicate with me rationally. I implemented a theory known as 'Batari's Box'. The theory dictates that our attitudes and behaviours directly affect the attitudes and behaviours of people around us (College of Policing 2020). Although I was speaking with authority, I did not allow myself to mirror the volume and aggression that the female was displaying to me. Eventually the female's communication style shifted, and she more closely matched how I was presenting to her, allowing me to convey the information I needed to and control the tone and direction of the conversation. keeping my frustration under control, allowed me to directly affect how the female was reacting to me.

I employed the '5 step appeal' technique to convince the female to comply with my requests. The 5-step appeals process is a communication technique with allows the speaker to go through various stages of engagement with the listener. It goes through stages consisting of a simple request, a reasoned request, a personal request, and a final request before acting. This model provides officers and staff with a way of dealing with resistance and gives the person every chance to comply with their requests (College of Policing, 2020).

Once I felt that the female had calmed down and was communicating on the same level as myself, I began to ask her questions and demonstrated that I was 'Actively Listening' thus allowing her to tell her story without judgement and allowing her to feel heard. Rogers and Farson (1987) state that active listening builds deep, positive relationships, it conveys to the speaker that we are seeing things from their point of view.

Using the techniques, I've outlined; I was able to manage both my feelings and the feelings of the initial aggressor during the incident. On first approach I was anxious

and tense as I knew that there was a possibility that tensions could escalate if I didn't take the correct course of action, however by demonstrating a calm and collected demeanour I was able to feel confident and in control of the situation. As a result, I was able to effectively draw the female away from the scene. With the assistance of another officer, I was able to disperse the group and mitigate any risk of harm to any members of the public, whilst defusing the situation before any significant offences could take place. Whilst evaluating and analysing the incident, upon reflection I believe I had complete control of the situation and was able to achieve the best possible outcome, utilising research-based techniques. I effectively managed to negate the possibility of any criminal offences taking place and I was able to safeguard members of the public from harm.

In conclusion I was very satisfied with how the incident played out. I was pleased with how I was able to maintain control of the situation and achieve the best possible outcome for all parties by effectively dealing with the disorder, separating those involved and ensuring that no members of the public were put in danger. In future I will continue to develop my conflict management and communication skills which were vital during this incident. Based on this evidence I will utilise these skills again at future incidents.

Word Count - 1594

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.

Give a brief description of a relevant incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Explain and reflect on your responsibilities and procedures in line with the relevant Codes of Practice to support victims and witnesses through the criminal justice system.

Illustrate how policing values were engaged, as well as any other considerations including culturally sensitive practice and language preference.

1500 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

Supporting victims through the Criminal Justice process is one of the many integral roles of a Police Officer. Victims and witnesses are entitled to rights and support but are unlikely to be familiar with the processes and agencies involved (College of Policing, 2013). Being able to identify vulnerability and guide victims through the processes of the criminal justice system, enables victims to have trust and confidence in the Police Service, as well as the belief that they will be looked after and supported. In this essay I will be highlighting a variety of effective tools and measures which I have implemented to support a victim of a domestic incident. I will be utilising the Gibbs model of reflection (Gibbs, 1988).

Throughout my tutorship period, I have come to realise the significance of being able to recognize and respond appropriately to vulnerability. A person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of, or protect themselves from harm or exploitation (National Police Chiefs Council, 2020). Policing has a crucial role to play in the identification, support and safeguarding of adults who are at risk of harm (College of Policing, 2014). Safeguarding is defined by (The Care Act 2014) as Protecting an adult's right to live in safety, free from abuse and neglect. Trust and Confidence in the criminal Justice is also a fundamental aspect of ensuring that the system works efficiently for victims of crime. Indermaur and Roberts, (2009) argue that public confidence is fundamental to the operation of the criminal justice

system. The system depends on the participation of victims and members of the public who participate as witnesses and jurors.

In this essay I will be reflecting on an incident where a female had attended the Police Station to make a complaint in relation to threats made by her Ex-partner. Upon arrival I was greeted by the victim, who also had a young baby in a pram. On first contact it was clear to me that the victim was in distress and was frightened. I invited her into the station where she initially disclosed that she wanted to make a complaint about her ex-partner who had threatened to stab her son. I identified that this would be classified as a domestic incident. An incident is domestic abuse if both the victim and perpetrator are aged 16 or over and are “personally connected” to each other. It does not matter whether the behaviour consists of a single incident or a course of conduct (Domestic Abuse Act, 2021). It is particularly pertinent to be conscious of the mitigating factors that accompany domestic incidents, as there is significantly more risk attributed to Domestic Violence. Approximately 1 in 5 adults aged 16 years and over (10.4 million) had experienced domestic abuse since the age of 16 years. (Office for National Statistics, 2022). Between 2-3 women are murdered by a current or former partner based on the 12-year average (Femicide Census, 2020). There was also the added risk element of the victim's son being involved in the incident. Domestic violence places children at risk physically, emotionally, and developmentally (Horner, 2005). Domestic violence accounts for a huge amount of resource allocation throughout all stages of the Criminal Justice Process. Walby (2004) states the cost of domestic violence to the criminal justice system is around £1billion a year.

The victim stated to me that her ex-partner who was also the father of her child had threatened to stab the child after he confronted them in the street. I identified that this was an offence of ‘Making Threats to Kill’ under section 16 of the Offences Against the Person Act 1861. I felt under pressure to deliver an exemplary level of service to the victim as I was cognisant of the level of safeguarding and risk assessment necessary in this type of incident. I also felt a degree of nerves as I knew I would have to take a statement and complete a DASH risk assessment, both of which I would be undertaking for the first time outside of the safety net of the training environment.

I sat with the victim and made sure to exercise patience and ensure that I was able to support her whilst producing the most detailed and meticulous statement possible. The victim stated to me that she was dyslexic, so I offered to read the statement back to her to ensure its accuracy. When dealing with victims, it is fundamental to consider the ‘Victims’ Code’. The Victims’ Code focuses on victims’ rights and sets out the minimum standard that organisations must provide to victims of crime, one of which is that the victim has the right to understand and to be understood. (UK Government, 2005). Ensuring that the victim understood the processes and what was being written on her behalf was fundamental to building trust and confidence in the victim.

Upon completion of the initial statement, I offered to complete a Victim Personal Statement with the victim. The Victim Personal Statement gives victims an opportunity to explain and document how the crime has affected them (UK Government, 2018). Although only a minority of victims complete Victims Personal Statements, those who do partake, appear to benefit from the process and express a desire to partake again in the future (Roberts, Manikis, 2011).

Aside from the gathering of evidence, a core responsibility of the police is to safeguard victims of crime. I recognised that the victim and her son needed to be safeguarded. The first step towards safeguarding the victim was to give her the relevant safety advice, giving them the basic tools required to protect themselves as much as possible. This advice included keeping her phone charged, doors and windows locked and maintaining distance from the perpetrator. The next phase of safeguarding came in the form of a 'Public Protection Notification'. A PPN is an information-sharing document that records safeguarding concerns about an adult or child. PPNs are shared with partner agencies to inform a multi-agency response (Justice Inspectorates, 2023). Within the PPN is a Domestic Abuse, Stalking and Harassment and Honour based Violence risk assessment, otherwise known as a DASH form. The DASH is a risk assessment tool, also used by partner agencies, providing a consistent approach to safeguarding (College of Policing, 2015).

Having provided a statement, I explained to the victim that there would be a possibility of her being required to attend court. I could sense that the victim was anxious about this as she was afraid of her ex-partner and was worried about giving evidence in court. I explained that there I could make a recommendation to the court to grant 'Special Measures'. Special Measures enable a victim to give their best evidence in court. There are several special measures available, for example giving evidence from behind a screen, in private or via a live link so that victims do not have to face the accused (UK Government, 2022). Surveys have indicated that most witnesses using special measures rated them very highly, and around a third of witnesses using them said they would not otherwise have been able or willing to give evidence (Hamlyn, Phelps, Turtle, Sattar, 2004)

After the initial contact with the victim was completed and the relevant safeguarding measures were implemented, it was pertinent to keep the victim informed and updated regarding the progress of the case, as per the Victims Code (UK Government, 2005). I regularly updated the victim through periodic phone calls. This enabled the victim to feel informed and not forgotten about.

Whilst evaluating and analysing the process and my interaction with the victim, I believe I was able to effectively support the victim through her interaction with the Criminal Justice system and enable her to give her best evidence. I had to utilise many aspects of my initial training alongside lessons I had learnt whilst out on tutorship to provide an ethical, victim led service in line with the Code of Ethics (College of Policing, 2023). The perpetrator was subsequently booked in for a Voluntary Interview where the allegation would be put to him. I had considered making an arrest under Section 24 PACE 1984, however after reviewing the evidence it did not appear to proportionate to make an arrest as there was not a significant necessity for arrest and the incident could be dealt with via less intrusive means which would not infringe on any persons right to liberty (Human Rights Act, 1998)

In conclusion I am happy with how I dealt with the case from beginning to end. Despite having never supported a victim through the Criminal Justice system previously, I believe that I provided the best possible service I could, given my level of experience and I utilised my initial training to good effect. In future I would like to improve the efficiency of my statement taking. Although the statement was detailed and thorough, it did take me longer than I would have liked, and I could sense that the victim was

getting tired and drained by the experience. This is something I will be looking to address in my Personal Development Plan.

Word Count - 1522

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.

Give a brief description of the situation including social and legislative contexts and any relevant cultural, ethnicity and language issues. **Reflect** on how you applied the National Decision Model (NDM) to assist in resolving this incident. **Consider** the role of discretion in the decision-making process.

Explain your responsibilities with regards to the provision of the CPIA when conducting this investigation including when managing the offender and suspects and recording and retaining significant information.

Illustrate how policing values were engaged particularly through an **analysis** of the potential impact of bias on the decision-making process.

1500 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

Since I have been operational on the frontline, I have found ethical decision making and the professional use of discretion to be core responsibilities within the police. Since becoming an operational police officer, I have witnessed first-hand the delicate role that discretion plays within the day-to-day activities of the police. It is vitally important that where discretion is utilised, it is done so in line with the Code of Ethics and the Standards of Professional Life, as well as being supported by robust decision making, which can stand up to public scrutiny. The Code of Ethics was produced by the College of Policing in 2014 in its role as the professional body for policing. It defines the standards of behaviour for everyone who works in policing (College of Policing, 2023).

In this essay I will be reflecting on an incident where I considered utilising discretion to deal with an offender. I will also reflect on how I used the National Decision Model to make an informed, ethical decision, whilst considering the provisions of the CPIA. I was on uniformed patrol in a marked police vehicle in the early hours of the morning with two experienced officers when I witnessed a vehicle drive through a red light. On witnessing the offence, I decided to pull the driver over. My initial response was to speak with the driver and remind him of his responsibility to drive safely, however it was also my intention to utilise my professional discretion and take no further action if I couldn't identify any further offences from speaking with the driver.

Discretion is defined by Hart (2013) as “The power of discerning or distinguishing what is appropriate to be done”. Discretion is a necessary tool for Police Officers to utilise, it allows officers to take mitigating factors into account before making an ethical and proportionate decision. As stated by Brown (2022) fundamentally, law enforcement is discretionary due to several factors such as resourcing, the nebulous nature of law and the severity of offences. Due to the time of night and the relative quietness of the road at the time of the offence, I felt a verbal warning would be a proportionate response given the risk level. The blue lights were activated, and we followed the vehicle into a quiet industrial estate.

Once the vehicle was stopped, I approached the driver to speak with him regarding the offence of driving through a red light. I immediately noticed that the driver was not communicating with me in a coherent manner. I suspected that the driver had committed a further, more serious offence. Because of this, it was no longer appropriate to warn the driver of the manner of his driving and I made the decision to investigate further. The CPIA defines an investigation as “An investigation conducted by police officers with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it” (Criminal Procedure and Investigations Act, 1996).

I utilised the National Decision Model to inform my decision-making process. The ‘National Decision Model’ has six key elements which help to inform the decision maker and gives them an area for focus and consideration and is built on the foundation of the code of ethics (College of Policing, 2013). The first phase of the NDM is to ‘Gather Information and Intelligence’. This phase is vitally important as it forms the bedrock of an informed decision. Willinger (1989) argues that increasing one’s knowledge before acting is one of the ways in which someone can mitigate the risks associated with decisions made under uncertainty. I ran the subject’s details through ‘PNC’ to gain more information on the person in question which would in turn inform my risk assessment in the next phase, whilst dealing with the male. PNC is a computer system utilised by the Police and other law enforcement to access real time checks, for example on a citizen’s criminal record, missing and wanted people, as well as registration checks on vehicles (Justice inspectorates, 2023). The checks returned and did not highlight any further concerns. I asked for the subject’s driver’s licence which he produced. I was satisfied at this stage that I had the necessary preliminary information to inform the next phase of my decision making.

The next phase of the NDM I considered was to ‘Assess threat and risk and develop a working strategy’. I could see that the male was very incoherent whilst I was speaking with him. His eyes were glazed, and his speech was slurred. It was clear to me that the male was under the influence of alcohol. Statistics indicate that alcohol is one of the leading causes for traffic related casualties, as well as indicating that alcohol was a contributing factor in 6740 casualties in 2021 (UK Government 2023).

There are five main contributing factors that cause serious road traffic collisions. These are known as the ‘Fatal Five’ of which alcohol is one (Cheshire Police, 2023).

Due to the risks presented by the male being clearly intoxicated whilst operating a motor vehicle and the seriousness of the offence, it was no longer proportionate or ethical to deal with the subject, utilising my discretion as I had originally planned. Having assessed the risk and threat posed I then had to consider the powers and policies available to me to deal with the subject. I established that words of advice were no longer a proportionate response as a more serious offence had been identified. I considered utilising the statutory power to request a preliminary sample of breath at the roadside under Section 6 of the (Road Traffic Act, 1988). I also

considered utilising my power of arrest under Section 24 (Police and Criminal Evidence Act, 1984). I had to keep in mind the provisions of (CPIA 1996), one of which is to ensure that the exercise of police powers is proportionate and not oppressive.

As part of the NDM, I knew I had to have options and contingencies in place should the driver blow 0 on the roadside preliminary test. As the driver of the vehicle was clearly in no fit state to drive a motor vehicle, regardless of the result of the roadside breath test, I knew I had the option of arresting the male for contravention of Section 4 of the (Road Traffic Act, 1988) which is Driving whilst unfit. This would allow me to safeguard the public by arresting the male, as well as providing me the opportunity to test for other substances at custody. Securing evidence is a core pillar of a criminal investigation. The (CPIA, 1996) sets out that "Prosecutors must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction". Arrest would allow me to obtain an evidential sample of breath, blood or urine which would prove the offence in question.

I conducted the roadside breath test with the subject and the male blew a reading of 96 micrograms of alcohol per 100 millilitres of breath. The legal limit is 35 micrograms of alcohol per 100 millilitres of breath (GOV.UK, 2023). The action I decided to take was to arrest the male on suspicion of driving whilst over the prescribed limit of alcohol in contravention of Section 5 of the Road Traffic Act 1988 (Road Traffic Act 1988). The male was handcuffed and searched under section 32 PACE 1984 (PACE 1984) which allowed me to search for any implementations that the male may use to escape. With the male being so intoxicated, this also made him unpredictable, which furthered my necessity to place the subject in cuffs to protect myself, my colleagues, and the male himself from coming to harm. The male was placed into the back of the police vehicle and conveyed to custody. As a requirement of the CPIA 1996, all relevant and unused material was retained and recorded. Relevant material such as the evidential breath test and preliminary breath test results were recorded. There is also a requirement to retain unused material such as 999 calls and STORM logs (Crown Prosecution Service, 2022)

In conclusion, I was satisfied with how I applied the NDM to deal with the subject ethically and effectively. I was happy that my understanding of discretion was applied correctly and that I knew how it could have been applied if the right circumstances were present. I am satisfied that during the incident as well as in the aftermath, I was aware of the CPIA provisions on conducting investigations and the recording and retention of materials used during an investigation.

Word Count - 1436

Task 5

Personal Development Plan (PDP) / Learning Plan.

As part of your reflective process, please use this table to aid you in identifying the next steps for development. This is equivalent to 500 words. Please note that this not the actual number of words you need to use, the wordcount reflects the thought and research you put into it.

Identified area for development	How it will be achieved	Who can provide support?	Timeline
Interviewing Suspects	I aim to achieve this by attending a tier 2 interviewing course. I also intend to volunteer for handovers which will give me more opportunities to interview suspects as well as expose me to offences that I have not yet dealt with.	I will seek support from the Learning and Development department in regard to additional courses for interviewing. I will also look for support from my shift sergeant regarding the allocation of handovers.	6 months
Witness Statement Taking	I aim to achieve this by putting myself forward to work the Diary Car. This will give me more opportunities to speak with victims who are making a formal complaint and provide me with more opportunities to take statements.	I will look to my shift sergeant for support in relation to the allocation of the diary car. I will also look to support from the more experienced colleagues on shift in relation to advice they can give me to improve my statement taking.	3 months
Post Custody Process	I aim to improve my understanding of the processes involved once a subject had arrived in Custody. I will do this by spending a shift at Custody to learn how the	I will seek support from my shift sergeant with regard to securing a custody attachment. I will also endeavour to complete more handovers, which	1 month

	process moves forward from the perspective of the custody unit	will place me in the custody environment more frequently.	
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The bibliography should only include sources referenced within the workbook using the Harvard referencing system. Information about referencing in written assignments and how to avoid plagiarism can be found on Moodle. It is important that you are aware of the importance of ensuring that the work submitted is your original work.

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Recognition and Confirmation of the progress on the Occupational Competency Portfolio (OCP).

By signing the section below, you are acknowledging your progress on O.C.P. This is recognised by the university as work that is fully supporting this module and is equivalent to 500 words towards the overall wordcount.

I confirm that I am progressing with the Occupational Competency Portfolio (OCP) in accordance to the regulations.

Signed: Luke Phillips (Learner – Luke Phillips)

Date: 05/09/2023