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Essay one – Maintaining Professional Standards

Critically examine policing policies and procedures (e.g. PACE, Code of Ethics, NDM, use of BWV) aimed at reducing misconduct and malpractice by police officers. How might these increase public confidence in police?

Support your answer with relevant evidence drawn from academic sources.

NB – to critically examine is to give a balanced answer that points out weaknesses as well as favourable aspects of the topic in question.

Word limit: 1000 words.

Misconduct and malpractice within police forces have historically been areas of concern globally. Many policies and procedures have been implemented to diminish these issues to subsequently enhance public trust. Key among these are the Police and Criminal Evidence Act (PACE) 1984 and the Police Code of Ethics. This essay will critically examine these measures, evaluating their effectiveness in reducing misconduct and how they might impact public confidence in the police.

The Police and Criminal Evidence Act (PACE) 1984

PACE was introduced in 1984 due to the “growing judicial and public criticism of police conduct” (Murphy, 2017, p. 1). It presented a clear framework to “strike the right balance between the powers of the police and the rights and freedoms of the public” (Home Office, 2023). By setting clear guidelines for officers to follow when conducting searches, arrests, and detentions, it strives to achieve the overarching goal of protecting citizens' rights and reducing instances of abuse and misconduct (Home Office, 2023). One area in which PACE has significantly contributed to reducing misconduct is interviewing. For example, it is compulsory under PACE that interviews are to be recorded. This serves as a block against unethical interrogation tactics. Zander (2013, p.45) supports this stating how “the requirement to record interviews serves as a deterrent to coercive or unethical practices by officers”. However, despite this requirement in combating potential abuses, there are still criticisms challenging the adequacy of other areas of PACE, in particular Code A, Stop and Search. Stop and Search powers “require an officer to have reasonable grounds for suspicion that an unlawful item is being carried” and if said suspicion is confirmed, the officer has the power to detain and search the individual (CoP, 2017). It has long been criticised that the prerequisites necessary to lawfully carry out a stop and search are not adequate and are open to discrimination. For example, the HMICFRS (2021, p. 12) cites an investigation carried out by the IOPC in 2020 which found that “in some cases, it indeed appears that officers’ decision-making may have been led or influenced by assumptions about the person’s ethnicity”. This factor alone will reduce the public’s confidence in the police, especially those from BAME communities. This is particularly worrying when you acknowledge the National Police Chiefs’ Council (NPCC) statistics from 2019/20 which state that “Black, Asian and Minority Ethnic people were more than twice as likely as White people to have force used on them” (HMICFRS, 2021, p. 13). Despite these concerns, PACE remains a vital element in the legal framework for policing and a solid foundation which can be built upon to achieve a fair and transparent legal system. Overall, it appears to be the consensus amongst academic circles that PACE has helped to build the public’s trust in the police. Delsol and Shiner (2015, p. 78) conclude, “The documentation and oversight mandated

by PACE foster a perception of fairness and justice, crucial for public confidence in law enforcement”. However, it must be noted that it is difficult to isolate PACE’s role in changing the public’s confidence in policing when other external factors impact perception. For example, although a ‘deterioration in attitudes to policing’ can be witnessed in recent years, Tudor (2023) cites the Institute of Government’s view that this is likely linked to the rise of high-profile media cases which have outlined the failings of the police, and not to do with the current legal framework in place.

The Code of Ethics

The Code of Ethics was created by the College of Policing in 2014 to act as a moral guideline for officers to adhere to “deliver the highest professional standards in their service to the public” (CoP, 2014). It is made up of nine ‘Policing Principles’ that are based upon ‘The Seven Principles of Public Life’ which were created for the government in 1995 to set the ethical standards for those who worked in the public sector (Committee on Standards in Public Life, 1995). These include accountability, Integrity, Openness, Fairness, Leadership, Respect, Honesty, Objectivity and Selflessness (CoP, 2024). To accompany the Code of Ethics, the Standards of professional behaviour sets the expectations bestowed upon police staff to ensure an honest, transparent, and fair police service (Cop, 2014). Having a moral code for police staff to follow not only sets out an ethical framework for those to follow but also outlines what the expectations of the public should be from a police force. One key focus point of the Code of Ethics is accountability. This is included to ensure that police staff are aware that they are responsible for the actions they take. To reinforce this principle, it is vital that police forces have an effective and efficient complaints procedure to challenge any behaviour that the public perceives to be unlawful or unjust. Despite this, a report by Baroness Casey of Blackstock (2022, p. 9) critiques the disciplinary outcomes for those who are repeat offenders of misconduct by stating that only 13 of a total of 1,809 officers and staff from the Metropolitan Police Force had been dismissed. This fact brings into question the integrity of the police forces investigating misconduct and is supported by a House of Commons report in 2022 suggesting that professional standards departments are inadequately transparent in investigations (House of Commons Home Affairs Committee, 2022). This conclusion is inevitably going to impact the public perception of police forces and question their ability to uphold the standards they advocate. This is especially true when high-profile cases like that of the murder of Sarah Everard identify “some systemic failings, missed opportunities, and a generally inadequate approach to the setting and maintenance of standards in the police service” (HMICFRS, 2022).

Conclusion

Overall, the introduction of PACE and the establishment of the code of ethics are important components of modern-day policing. They both play a role in increasing public confidence by promoting core principles like accountability and transparency. Since its inception in 1984, PACE has continued to be revised and amended to deal with the ever-changing policing landscape and to ensure fair treatment to all those involved in investigations. This is an important factor to continue into the future to maintain the public’s trust in the legislation by ensuring that it does not become outdated. Similarly, by acknowledging and learning from governmental reports, the principles and ethics bestowed upon police officers can be upheld and attributed to the public’s perception of policing.

Essay two – Public Protection

What characteristics (socio-economic, psychological etc.) can make a person vulnerable to exploitation to criminal gangs?

Your answer must be based on academic research.

Word limit: 1000 words.

Exploitation is a tool often used by criminal gangs to coerce vulnerable people into committing crimes (NSPCC, 2024). 'Criminal gangs' is a term used to describe a broad spectrum of criminal exploitations that span from low-level, relatively small peer groups to street gangs and organised criminal gangs (NSPCC, 2024). It is important to understand vulnerability factors in order to police and safeguard those members of society who are most at risk of exploitation. In this essay, I will discuss how socio-economic characteristics, psychological traits, and other contributing factors make an individual vulnerable.

Socio-economic characteristics

A person's low economic standing or poverty status can create a sense of desperation in some vulnerable people. Through having limited access to funds, these members of society are often coerced into participating in criminal activities to have access to necessities like food and correct clothing. This has also been outlined in the British media, with the Guardian (Fazackerly, 2022) reporting the worrying rise of children living in poverty who are being recruited into gangs for simple bribes like a "burger or a warm coat". It may also be identified that there is greater pressure on children to portray a higher economic status in the clothing they wear. For example, a study by Family Kids and Youth (cited in School Wear Association, 2024) discovered that "many of the young people interviewed said they would feel under pressure to wear branded clothing to fit in, and to avoid being bullied". Therefore, by targeting those children who are in poverty and providing them with new clothing and the promise of bettering their socio-economic status, gangs can groom and recruit vulnerable children (NSPCC, 2023). These tactics are easy and effective for criminal gangs to utilise and may be part of the reason that there are an estimated 46,000 children living in England who are involved in criminal gangs (Children Society, 2024). Furthermore, the cost-of-living crisis can also be argued to play a part in the increase of individuals who are involved in county lines. Supporting this is the recent upward trajectory of the cost-of-living and the rise of individuals referred for safeguarding who are involved in county lines. For example, the inflation rate for food and non-alcoholic beverages rose from 1.4% to 8% between April 2020 and December 2023 (ONS, 2024). For the same date parameters, those referred for safeguarding rose from 687 to 2,452, creating a concerning link between economic status and county lines exploitation (Home Office, 2024).

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