

The police play an active role and significant role within the English and Welsh justice system – discuss the extent to which the above statement is correct.

The police service play a crucial role within the English and Welsh justice system, ensuring the maintenance of the law within the United Kingdom. This essay will discuss the extent of their involvement, examining various aspects such as the Police And Criminal Evidence Act of 1984. (PACE 1984), stop and search procedures alongside several other relevant measures and procedures the police use. Alongside investigating opportunities for police reform and opportunities in which the police can improve.

The Police And Criminal Evidence act of 1984 serves as a fundamental legal framework governing or legislation, guiding police conduct within England and Wales. PACE aims to strike a balance between empowering law enforcement alongside protecting the individual rights of the civilian population. It regulates key aspects of police work, and also “dictates how subjects should be safeguarded” (Kemp 2023) the main powers within this act are separated into codes and then further subsidised into sections; allowing police to enforce them into a multitude of scenarios. A main scenario that PACE is commonly enforced into is “Stop And Search” a method of protecting people from illicit articles such as weapons or illegal substances which may endanger the person and or public. This commonly falls under section one of the PACE act but may be developed if more information is provided (for example if the threat of a firearm is present the person may be searched under section 47 of the firearms act 1968). The increase in searches under the PACE code has been shown within England and Wales to create an increase in arrests made due to searches being committed. With an increase of “7,019” (HOSR 2023) arrests being made within the years of 2022-2023 a 10% increase since 2021–2022.

Due to the increase in arrests as previously mentioned within this essay. A larger scrutiny on arrests has been brought forward by the public to enable to protection of both the citizens and police is upheld. This is also guided by PACE and ensures that individuals are detained with sufficient evidence and under specific circumstances. However a negative aspect of the PACE act is that potential for misuse is ever present. As “32% of all stop and searches for the year of 2021 were against people of BAME backgrounds” (Gould 2021). This statistic provides us with an example of an officers prejudices and how they are allowed to enforce that prejudice onto the public. This negative aspect disagrees with the original essay question as the significance of the police within our communities may not often be that of a positive one.

Once a suspect is arrested the arrest procedures, once again governed by PACE delineates the rights that the suspect has access to and may use, this allows a clear “line in the sand” to be made as without the addition of these rights being granted to then suspect the arrest is deemed unlawful. Within the Police And Criminal Evidence Act (section 24), a Lawful arrest must be made with the following one of two criteria. “A person’s involvement or suspected involvement or attempted involvement in the commission of a criminal offence” (HOSR 2012) or secondly, “ reasonable grounds for believing that the persons arrest is necessary” (HOSR 2012). These elements must be satisfied for the start of an arrest to be made. Alongside these conditions the suspect is entitled to a multitude of rights such as the right to legal representation and the right to a medical examination. As these are seen as positive aspects and allows balanced investigative powers to be enforced between the police and the public, a unlawful and wrongful arrest may lead to severe physical and psychological consequences being inflicted upon the arrested persons. As previously shown within the essay. The increase in arrests due to stricter enforcement of stop and search laws has paralleled the amount of cases that have been appealed and reversed dunno insufficient evidence and rights not being upheld. Statistics show that within the years “2021/22 , 57 cases were dismissed and overturned”

(Corfe 2023) this statistic shows the increase of police powers and enforcement secondarily increasing the amount of people that are wrongfully detained and arrested.

The treatment of suspects is a key area for police to uphold and maintain. As safeguarding of suspects within custody exemplifies the police's role as agents of justice and allows investigative processes adhere to ethical and legal standards. The treatment of suspects within code C of PACE 1984 allows a variety of human rights to be upheld , such as the provision of "food and water" (Brown 2021) and to allow them to seek legal representation in the form of a solicitor at any time during there detention. In 2019 a revised Code C of PACE allows female detainees the access to a member of staff of the same sex regarding health or hygiene concerns they may have. These developments of the treatment of detainees must always be under the consideration of the 1998 human rights act. Due to the European convention on Human Rights being passed into Uk law. The sovereignty of the police is disregarded as the have to provide the detainees with human rights such Article 1 (the right to equality) , Article 10 (the right to a fair public hearing) and Article 6 (the right to recognising as a person before the law) , these articles allow for a just and fair representation of the rights and responsibilities of the detainees and allow them to be fairly treated whilst in detention. However, social pressures on the police due to a changing social environment with a push on equal social treatment from the police has brought forward a number of human rights violations. Specifically due to the breach of article one being committed. With the prejudiced treatment of primarily people of a BAME background. Such of that as the case of Neomi Bennett when , in 2019 was "forcibly removed from her vehicle and wrongfully imprisoned" (Dodd 2019) .

Opportunities for police reform are a pertinent social topic of discussion within today's society.

Allowing people to use their voice as a forum to allow the police to become more active and productive within their community's, yet also allowing them to be more engaged in fighting crime.

One of the most pushed for opportunities to aid reform is an increase in accountability measures, to aid police in being fair and equal within their day to day operations. The independent office for police conduct allows police to be held responsible for their actions and so within 2022/23 81,142 complaint cases were filed against officers in England and Wales. "an 8% increase since 2021/22" (IOPC 2023) this added scrutiny has been hailed as a powerful tool in holding police officers to account and improving local policing as a whole. On the other hand the use of technology is often praised as the introduction of Body Worn Cameras in 2020 allows an "independent witness" (Met 2020) to be present within a situation. Allowing the police and the public to be monitored around the way they act and how their behaviour is conducted.

In conclusion, the police undeniably play an active and significant role within England and Wales.

Primarily within the justice system, but also within communities and businesses. The Police and Criminal Evidence Act is used as a cornerstone for police legislation and guidelines, affecting how they enforce the law alongside interact with suspects as well and their actions help underscore their multifaceted contributions to the justice system as they not just help the law and order of our country to be respected and upheld. But operations such as community policing and engagement allows for us to sleep safely within our homes and live our lives without the fear of crime. Whilst reform suggestions are essential for continuous improvement, the police remain indispensable in

maintaining law and order, allowing criminals to be incarcerated for their crimes and also the safeguarding of vulnerable people within the community.

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