

**Evaluate the success and limitations of the police and criminal
evidence act 1984 in preventing miscarriages of justice.**

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During this essay, I am going to be explaining some of the many codes of the Police and Criminal Evidence Act of 1984 (PACE) This will include codes: A, B, C, D, E, F and G. Following that will be explanations of previous cases which have occurred in the past and how PACE could have changed the outcome and overall investigation of them.

Thirdly, I will follow by explaining what PACE really is and how effective it proves to be in modern policing and how much of a difference it has made from the original methods and forms of policing to the current, new, and improved modern style and standard of policing. What really is PACE? Well, the Police and Criminal Evidence Act of 1984 is otherwise referred to as 'PACE' and its main goal is to locate the correct balance and level between the many powers of the police and the rights of the public. Maintaining that balance is of both of these factors is the main goal and focus of the PACE act of 1984. The Police and criminal evidence act demanded full audio recordings of suspect interviews and investigations and the right to obtain and hire their own legal representatives for suspects and time limits on detention if not charged. PACE became a sudden must and need due to two very famous cases occurring in the 1970s. These cases were famous due to the confessions and interviews built up cases against them and from said cases were later found to have been forced and encouraged to take responsibility through the use of physical and psychological abuse. Eventually, the given convictions were abolished and rid of. The PACE act came to life due to the fact that the public had the idea that you couldn't and shouldn't trust the police, and following that, it would mean that the real offenders were still out there at large. 'Overall, the legislation has been largely successful and is hailed as being "one of the most significant developments in modern policing."' (LawTeacher.net, 2021) This statement

further supports the proof of how effective the introduction of the Police and Criminal Evidence act truly is and how vital it has been in improving public relations with the police, the public's trust in the police, the effectiveness of the job the police do every day whether it is searching someone for weapons or drugs or the investigative progress and this will be further proven with case law further explained and provided throughout this essay. Public trust in the police force is vital for the police to do the best job for all involved and the communities around them. It helps the communities safer and the crime rate down. It also helps massively in the investigative aspect of policing as statements can be provided with the assurance in the suspect, victims, or witnesses' safety. This is how much of an improvement the Police and Criminal Evidence act really has had on modern-day policing and the public. 'In the 12 months from 1st April 2019 to 31st March 2020, there were 3,582 persons and vehicles stopped and searched under the Police and Criminal Evidence (PACE) Order. Half of those stops were in relation to stolen articles.' (PSNI.Police.UK, 2021)

Throughout PACE, many codes make up the act in its self. One of which includes Code A. Code A of pace includes the right for police officers with authoritative powers to search a person or a vehicle without a prior arrest and the need for a police officer to make a record of the stop or encounter. This code is used for all types of reasons however, It was first introduced to help cut down on the ever-growing and rapidly increasing knife crime throughout the United Kingdom and the dealing and possession of drugs.

Following Code A comes Code B of the PACE act of 1984. Code B of the PACE act is the given authority to a police officer with powers to perform a search on-premises with the right to seize or temporarily hold property found in said premises or any occupants inside the premises. Code B can also be used to attempt to find any wanted suspects in hiding or inside the premises. Next comes Code C of the PACE act 1984. Code C is the rules of detention for suspects or voluntary interviewees. Code C revolves around the treatment, detention, and questioning of a non-suspected terrorist and requires that all suspects or victims in questioning are read their rights of being a detainee or read their non-detainee rights before giving a voluntary interview. Furthermore into the codes of the PACE act of 1984 comes Code D. Code D is an element of the Police and Criminal Evidence act of 1984 where the police keep detailed and accurate reports and documents on people linked to an ongoing investigation or offense. Relating to Code C, Code E of the PACE act revolves around the audio recordings of interviews that have been conducted by interviewers and include suspects, victims, and witnesses. Next comes Code F. Code F is where the interviewing officer or officers can film and record a recording of audio and video of an interview more satisfactory to the interview they are conducting at that moment. Moving onto the next code regarding the Police and Criminal Evidence Act of 1984 regards Code G. Code G is the outright power for the police to conduct an arrest under section 24 of the Police and Criminal Evidence Act of 1984. Lastly, we have Code H. Code H is the set requirements for the detention, treatment, and questioning of suspects related to potential terrorism in police detention. The police officers must incorporate the vital requirement to explain the person being interviewed their rights while detained in connection with terrorism. All of the codes

given above are the vital pieces and elements that make up the Police and Criminal Evidence Act of 1984 and what makes it so effective and efficient in modern policing.

Since PACE was introduced into the policing world, many cases that have been investigated would have been conducted differently and in a more corrupt way than they would have been in a pre-PACE era in the police. An example of this comes from the Birmingham six Case in 1974. The events that occurred on November 21st, 1974, lead to two coordinated attacks carried out by the Irish Republican Army otherwise known as the IRA which included bombs that exploded in two separate pubs in the city of Birmingham which eventually lead to the killing of 21 people and furthermore injuring hundreds of many more people. The bombing attacks occurred due to the conflicts growing between the British government and the IRA over the disagreement of the current status of Northern Ireland. Many days later after the Birmingham pub bombings by the IRA, the British government confidently outlawed the IRA throughout the whole United Kingdom and as a result of this, the British authorities had been eager to catch the people responsible for the bombings and serve justice. This lead to a rushed investigation into the bombings and ultimately rushed to arrest and convict the IRA members responsible. Following that, six Irish suspects were arrested and sent to interrogation, which resulted in four of them signed confessions. 'Birmingham had a large Irish population of over 100,000 who found themselves shunned, with some even physically assaulted, as a result of the bombings.' (Payton, 2021) The IRA, who claimed full responsibility for the Birmingham pub bombings, stated that the six were not members of the Irish Republican Army. "I was convinced that there were six civilians

who were in the wrong place at the wrong time.” (BBC.co.uk, 2021) Following the arrests of the Birmingham six, Prosecutors continued the denial of the six’s continued cry of their innocence and this came as a result of carrying out forensic evidence for explosive residue on any materials that had left fibres to show evidence of the handling of any sort of explosive. They were then further convicted by the prosecutors and received long sentences in prison. Then many years later in 1958, it was proven by many scientists involved that the given forensic evidence was unreliable and inaccurate, which then led to the year 1987 where an appeal that the judge further explained that the same results given forensic results are unreliable due to the fact of if people had recently carried cigarette papers or even held or used playing cards could have tested for positive for the handling of explosives in the given forensic test at the time. The Birmingham six were not actually sought out to be released until the public of Ireland and Britain had protested for their release. They were eventually released in the month of March in the year 1991. Years later, a British court of appeals overturned their given sentences. The aftermath of the investigation of the Birmingham pubs that were tragically bombed proved to the public that at the given time they could not trust the evidence explained by the and that it was not trustworthy and serious questions were raised about the treatment of the suspects during their interrogations. ‘They had served nearly 17 years behind bars in one of the worst miscarriages of justice seen in Britain.’ (BBC.co.uk, 2021)

Following the tragic failure of the British justice system after the IRA attacks on the Birmingham pubs, the public had cried out for a change in the way the police had to deal with crimes and investigations. This was a pivotal factor in the introduction of the

Police and Criminal Evidence Act of 1984. Through the many codes of the PACE act, comes a code where the police have to meet the set requirements for the detention, treatment, and questioning of suspects related to potential terrorism in police detention. This would come under Code H of the Police and Criminal Evidence Act of 1984. There also comes another element of PACE which is Code E. Code E revolves around the audio recordings of interviews that have been conducted by interviewers and include suspects, victims, and witnesses. Following those two given codes above comes Code F and that is where the interviewing officer or officers can film and record a recording of audio and video of an interview more satisfactory to the interview they are conducting at that moment. With all of these codes being put into play during the investigation of the Birmingham Six, the psychological and physical forcing into a wrong confession by the men would not have taken place and would have been dealt with appropriately. All six men would have been treated with good treatment, been safe physically and psychologically and the set requirements of detention would have been in order. This is why Code H would have been so valuable to necessary during these investigations. Code E would have also been vital in the investigations of the Birmingham Pub attacks as the recordings will have revealed and proven to the prosecutors that these men were being coerced into their false confessions and it could have been vital for the men to have this audio played in court so that they didn't have to be made out to be terrorists in front of the world and wouldn't have had to of spending nearly 17 years behind bars for a crime they did not commit. These audio recordings would have also recorded the psychological damage they were being put through and further built a bigger case against the interrogating officers. Following the case being built against the interrogating

officers, Code F would have also been pivotal in the case building and the protection of the Birmingham Six's innocence and truly show what they're being put through. Code F would not have only recorded the audio, but the video of what was currently going on at the time the audio was being recorded and the interrogations were taking place. These six men were not even given the chance to prove their innocence and were later described as being in the wrong place at the wrong time.

From reviewing my research and my essay throughout, I conclude that it is clear how much the Police and Criminal Evidence Act has changed the world of policing and how much it has not only improved public relations but the effectiveness of the work the police force can do. From conducting stop searches through Code A of PACE to cut down knife crime and drug-related offences and searching premises through Code B to find wanted criminals or seize equipment or to ensuring all those being interrogated are treated well and not potentially be coerced into false confessions, relating to the above case of the Birmingham Six. The success of the PACE act of 1984 is truly extraordinary and has proven to be successful time and time again since its introduction and can now further prevent any such tragedies in the British Justice system again. 'In the year ending March 2015, there were a total of 3,133 persons detained under part IV of PACE for more than 24 hours by police in England and Wales, representing a fall of 16% on the previous year.' (GOV.UK, 2021) Statistics, as shown above, show how successful the Police and Criminal Evidence Act of 1984 is still doing and coping in the still ever-growing crime rate and how the police are constantly having to combat these growing figures of crime and the Police and Criminal Evidence Act has definitely made it an easier fight to combat these crimes and keep the law upheld. The PACE act of 1984

is vital in the increase of police efficiency and effectiveness in the investigation of crime and the front lines to fight it.

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