

Graduate Diploma in Professional Police Practice

LEVEL 6 - 40 Credits

**Workbook title: Competency Based Workbook 1
(DHEP)**

(SOUTH WALES POLICE, GWENT POLICE AND UWTSD)

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FACULTY OF BUSINESS AND MANAGEMENT PUBLIC SERVICE PROGRAMME

Module title: Policing in the Workplace 3 (DHEP)

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 Graduate Diploma 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)
- Problem Solving
- Evidence Based Policing
- Maintaining Professional Standards
- Public Protection.

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/aqh-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.

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 file 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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Task 1	Wellbeing and Resilience	1500
Task 2	Communication Skills, Managing Conflict, Valuing Difference and Inclusion	2500
Task 3	Criminal Justice, Valuing difference and inclusion	2500
Task 4	Decision making and discretion, Conducting Investigations and Criminal Justice (managing offenders)	2500
	Bibliography	
Task 5	Development Plan	Equivalent to 500 words
Task 6	Recognition and confirmation of the progress of your Occupational Competency Portfolio (OCP)	Equivalent to 500 words
	Confirmation of Confidentiality and Plagiarism <i>Confirmed by submission through `Turnitin</i>	

Task 1

Relevant areas of the National Policing Curriculum: Developing Resilience

Guidance:

Focussing on your initial 6 months of learning and since being attested as a Police Constable, **discuss and compare** the coping strategies you have applied to develop resilience and minimise stress.

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

ANSWER:

I am PC6951 Lewis and throughout this task, I will be discussing some of the strategies and techniques I have used throughout the duration of the six month training period to help deal with the stress and sometimes anxiety that comes with taking steps towards starting a new career, especially a career as physically and mentally challenging as the Police service. One of the ways that I have been able to keep my stress and anxiety levels down has been by weight training which is something I have been doing for many years. I have also included taking part in a weekly football game, which I have also found throughout the years as a way to relieve stress. I will be discussing how I feel taking part in these activities and how these activities have been used as a coping strategy during my training and helped minimise stress. There are also other ways I have adapted to help with the stress of examinations, which will be discussed throughout this essay.

During my initial six months training there have been many challenges faced, that have been stressful and time consuming. There have been occasions where I have been required to manage multiple tasks at the same time while also taking in a vast amount of new information on a daily basis. Some struggles that I have faced throughout the course are to manage my stress levels to make sure that I did not become overwhelmed with the workload received and was due to receive as well as revision for examinations and practical's on top.

As stated by Robinson (2018) exercise is an effective way to help ease stress by releasing endorphins in the brain as physical activity helps to relax muscles and relieve tension in the body. It is well known that the body and mind are linked closely; meaning that when the body feels better, the mind will follow.

One of my biggest fears throughout the course is the fact that I have not been in an academic setting for eleven years and have always struggled when it comes to examinations. To overcome the issue a colleague and I would set each other quiz's on certain nights where we would put together an email with multiple questions, which the other would be required to answer trusting one another to answer the questions under exam conditions while at home to make it as realistic as possible. To do this I would lock myself away in a bedroom with no distractions and inform family to not disturb me. I would then complete the self-made "mock" paper to a set time in the night by sending off the email to my colleague before the deadline passed. I believe this helped in my preparation immensely when it came to sitting my first and second exam and I feel that this shows in my results as being someone who has not previously excelled in exams in school, college and university this I feel has made a significant difference.

Before starting the course, I have always relied on certain activities to help deal with day-to-day life and help manage stress levels by having a release at the end of the day to make sure I am able to switch off completely from everything happening and concentrate on myself and enjoy the activity. Some of the activities that I take part in outside of working hours before joining the Police service and have continued to take part in while employed by South Wales Police. This has helped me throughout the course to switch off for a couple of hours after work when required and allowed me to be able to give my full attention to family and

friends when not in work or completing work in my own time. Some of the activities that I enjoy taking part in are playing football, running and weight training at my local gym. After a day working I find it a great release and a good way to de-stress after a day of working. During the course, I would make sure I would spend at least an hour a day in the gym, go for a run or play football for both my mental and physical health. As well as looking after mental health, while in the role of a Police Constable it is just as important to look after your own physical well-being as well due to the strain the job can have on your body. It is recommended by the NHS (2021) that being active can help combat stress levels but will not disappear. It will however reduce the emotional intensity and help clear your thoughts by dealing with problems in a calm manner.

During the build up to the first examination, I feel although I put in place some measures, which helped me, achieve the mark I received but I also made some mistakes during this time. One of the biggest mistakes I feel that I made during this period was to stop training for the three weeks building up to the first exam. I feel this was the biggest mistake I made throughout the course as I took away my daily release from work and my way of switching off to have a break. Due to this, I feel that I fatigued quite quickly into the three weeks due to the fact I did not take that time for myself to relax and completely switch off from everything going on. I felt that I was constantly in work mode and over thinking and over revising to the point where nothing seemed to stick in my head causing me to keep on over revising and being stuck in a repetitive perpetual loop. I feel that I put myself under a lot of pressure to put in as much revision as possible which included revising too late into the night and not being as involved with family and friends out of work hours, as I should have been. I feel if I had kept to a routine of training that I had already had in place before starting the course this would have helped with my revision for the first exam and would have been more

beneficial. I also believe that this is down to my lack of planning and preparation, which again I believe, comes down to the issue of not being in an academic environment for a number of years.

Throughout my professional career and personal life I have never had any issues with my mental health regarding anxiety nor do I believe that I experienced any sort of anxiety issues or attacks throughout the course which. I believe that having a positive attitude towards all tasks and taking part in physical activity has helped keep anxiety at bay. Even when taking a three-week break from training in the build up to the first exam I do not feel any kind of anxiety came into play. Robinson (2018) states that exercise is a natural way to treat anxiety as exercise helps relieve tension, stress, increases physical and mental energy which results in the release of endorphins. Any movement can help but there is a bigger benefit if attention is paid rather than zoning in and out. By focusing your body on how it feels to exercise, it will not only improve physical condition but also interrupt the flow of constant worries running through your head.

To conclude this essay I believe that I have taken many positive steps to ensure that my physical and mental welfare has been a priority throughout the six-month course. By using, the strategies mentioned above I have been able to keep on top of my home and work life efficiently by learning from mistakes made and finding ways to improve myself academically and practically. I believe that as mentioned in the above essay one of the biggest mistakes I have made is taking a three-week break before the first exam from my daily weight training activity. I believe this would have helped me stay focused and maintained a work and home life balance which I believe is key to getting through the course as it is important to have some time to yourself and switch off completely. By not doing, this I feel this has affected

the result of my first exam and feel disappointed by the score I achieved. I would feel that I would have had a higher mark if I had been more prepared and stuck to the plan, I had in place in regard to physical activity. By sticking with this plan and being more prepared by taking part in mock tests with a colleague I feel this this has helped improve my score for the second exam and will help me going forward with the rest of the course and for the duration of my career.

References:

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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.

Critically assess the incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Reflect on your application of 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 a **critical evaluation** of 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.

2500 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

I am PC6951 LEWIS and throughout this task, I will be providing a detailed account of an incident I attended in regard to a call received about a potential Anti-Social Behaviour at a local fast food restaurant. I will be going into detail on the communication used throughout the incident, which includes communication with other officers, PCSO's, the reporting person, members of the public and communicating with the subject. To fully analyse the incident, I will be looking at police interventions such Betari's Box and how this has affected the outcome of the incident. I will also be explaining how the use of force used was necessary in the situation. I will also reflect on why the use of force used was important from a safety perspective for all persons involved and members of the public.

While on operational duty in full uniform, I attended a call reporting a group of youths causing a disturbance in a local fast food restaurant near to the drive through. The restaurant manager reported the incident to the control room who then passed the details on to mobile patrol units to attend. On the report, details included key words such as kicking off, screaming and loitering and the reporting person could provide a description of two females to the control room. Other details provided by the reporting person included that the females reported had been banging on the glass, this then escalated to be a female had punched the glass window near the drive through which resulted in the female bleeding from her hand. Following the incident, the two females were then reported as sitting outside the restaurant.

On arrival at the scene, two females were seen matching the description provided via my personal radio. When in view of the subject's line of sight both subjects attempted to run from the scene in an attempt to evade the police and did not comply with requests at the time. In an attempt to evade the police, both subject's ran towards the main road to the right of the fast food restaurant. To ensure the safety of the subject and the public, my colleague and I performed a pincer movement where my colleague made his way up towards the motorway following the subjects while continually shouting for them to comply with our request. While my colleague used tactical communication with the subject's to get the them to comply, I ran down a side lane next to the restaurant and up a flight of stairs to the motorway to cut off the direction the subject's were heading. This resulted in both subject's changing direction back towards my colleague. One subject decided to run across the busy motorway which then put the public in potential harm's way meaning that a use of force would be required to be used on the subject to ensure the safety of the subject and members of public using the motorway and pavements. I was able to safely slow the oncoming traffic

down using hand signals to ensure the safe crossing of the subject and myself. While crossing the road I continually used tactical communication in an attempt to safely apprehend the subject. Due to the traffic, complying with my hand signal requests this made the scene slightly safe for the subject, my colleague and myself to operate in. The subject again crossed the motorway and eventually complied with police direction. This allowed for the safe arrest of the one female subject who had made off across the motorway, as it was a priority to ensure the safety of the subject and also on suspicion of causing criminal damage. While I handcuffed the subject to the rear and made her aware she was under arrest, the subject was then cautioned and made aware that the reason for her arrest. Within the police, everyone uses the National Decision Making Model (NDM). Some examples of when the National Decision Making Model (NDM) is used:

- “to spontaneous incidents or planned operations
- by an individual or team of people
- to both operational and non-operational situations.

Decision makers can use the NDM to structure a rationale of what they did during an incident and why.” (College of Policing, 2013)

The National Decision Making model (NDM) includes the Policing Principles, which originates from the Principles of Public Life, which developed by the committee on Standards in Public Life 1995. “The Code of Ethics includes the principles of ‘fairness’ and ‘respect’ as research has shown these to be crucial to maintaining and enhancing public confidence in policing.” (College Of Policing, 2013).

Before arresting a person, it is important to take into consideration the National Decision Making model (NDM) and the mnemonic JPLANE to be able to justify the reason for arrest and the use of force. If the force used is proportionate to the offence committed and there is a legal reason for the arrest, then the officer will be accountable for their actions and confirm the arrest is necessary and ethical. If an officer can reasonably satisfy the mnemonic JPLANE and has used the National Decision Making model (NDM) in their decision making process then the actions taken by that officer are considered reasonable and lawful. As part of the National Decision Making model (NDM) this includes tactical options. This consists of the following tactics:

1. Presence, this is the mere presence of police officers at the scene to help nullify any potential criminal activities.
2. Tactical communication, which includes attempting to communicate with subjects to talk them into not committing any offences and a way to again nullify any potential situation.
3. Offensive/defensive is the last resort where a use of force is required to be used by a police officer to nullify any threat to commit an offence.

“Personal safety training standards are currently set by the College of Policing and supported by the personal safety manual. The manual comprises a comprehensive set of learning resources and guidance on all aspects of officer and staff safety, including a module focused specifically on tactical communication techniques to prevent, defuse and manage conflict situations without using physical force.” (College of Policing, 2020)

An officer should also consider three core questions when determining to what extent and when a use of force should be used and if used to be in a non-violent means if possible, to resolve an incident. The three questions in line with the college of policing are as follows:

1. “Would the use of force have a lawful objective (e.g., the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed?
2. Are there any means, short of the use of force, capable of attaining the lawful objective identified?
3. Having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm) what is the minimum level of force required to attain the objective identified, and would the use of that level of force be proportionate or excessive?” (college of policing, 2009)

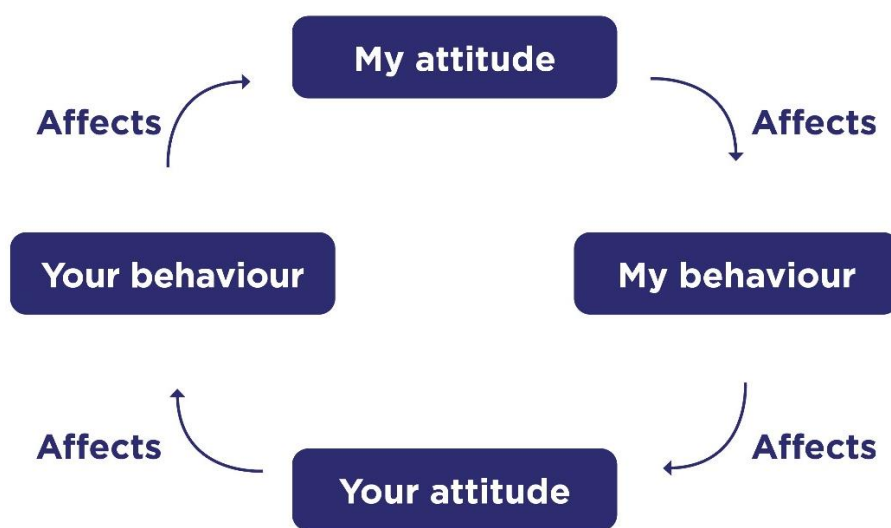
The legislative powers that a constable has to allow a use of force is by the Police and Criminal Evidence Act 1984 under Section 117. This allows a constable reasonable use of force “Where any provision of this Act—

(a)confers a power on a constable; and

(b)does not provide that the power may only be exercised with the consent of some person, other than a police officer, the officer may use reasonable force, if necessary, in the exercise of the power.” (Legislation.gov.uk, 2017)

“The use of handcuffs amounts to such an assault and is unlawful unless it can be justified. Justification is achieved through establishing not only a legal right to use handcuffs but also good objective grounds for doing so in order to show what the officer did was a reasonable, necessary and proportionate use of force.” (User Guide, n.d.)

I placed the subject in the back of a marked police vehicle while my colleague carried out investigations. While the subject sat in the back of the marked police vehicle, I was able to attempt to calm the subject down by use of tactical communication as the subject was shouting, crying and not complying with requests. To ensure the best communication with the subject I took into consideration Betari's box model as this shows how attitude and behaviour are linked.



(College of Policing, 2020)

The above diagram explains Betari's Box model. This explains how a police officer's behaviour can have an effect on the behaviour of a subject. Due to the nature of the incident and the teenager, being under arrest for the first time was a high stress situation for her. As at first the subject was shouting, crying and not complying with any requests I believed that taking a step back for a couple of minutes, giving the subject some space to allow her to process what has happened and the situation that she was in. By approaching the subject in a calm and positive manner, I was able to get the subject to respond to questions regarding personal details and contact details from the subject. If I had approached the subject in a negative or aggressive manner, in accordance with Betari's Box model "people

can get locked into a vicious or virtuous circle of communication, based on how their attitudes and behaviour respond to each other.” (College of Policing, 2020). This shows how important it is for a police officer to remain calm, positive and approachable during conflict to get the best outcome for all parties involved as our frame of mind plays a large role in the behaviour we exhibit. When we’re feeling motivated and positive we smile and we empower those around us.” (MindTools, 2019). Another mnemonic taken into consideration in this instance was the LEAPS (Listen, Empathise, Ask, Paraphrasing and Summarising) model. The attributes of this model are a person must Listen, show Empathy, Ask, and Paraphrase and provide a summary. Throughout the incident, these are all processes that have been used after reflecting on what has happened, even if at the time I did not realise this mnemonic was being utilised. Using this tool enabled me to talk her down to a level where I was able to obtain personal and contact details for checks to be carried out via my personal radio using the police national computer through the control room. Another double-crewed patrol car attended the scene as well as a PCSO. This was due to the number of teenagers that appeared at the scene during the time of the incident. In all, approximately fifteen to twenty teenagers congregated at the scene and attempted to get in close proximity with the detained subject. All additional units were used to ensure that the teenagers kept clear of the scene so no evidence or investigations could be tampered with. It was down to myself and other constables and PCSO’s involved to communicate clearly to make sure that the teenagers attempting to approach the subject to stay away to ensure their safety, the officers and PCSO’s safety as well as the safety of the subject in the back of the marked police vehicle. It was also important to ensure no evidence or investigations would be tampered with.

The time of the incident was approximately 1700 hours and was located in a busy area where members of the public gather due to the popularity of the fast food restaurant. As the incident unfolded a male member of the public started shouting from the fast food restaurant car park up towards the motorway pavement where the marked police vehicle was located. The male started questioning what the police were doing to the teenage subject. It was important to communicate with the member of public as soon as reasonably practical to make him aware of the circumstances of the incident so that the person does not become involved in the incident and potentially cause any evidence to be tampered with or cause any issues with the investigation. It was also important to reassure the members of public that policing matters are being dealt with efficiently and effectively by dealing with the incident at the scene. Throughout the incident, it was also important for officers and PCSO's to communicate with each other to ensure first and foremost that all officers were safe, and if more officers were required at the scene to make it safe which is what was deemed necessary at the time when conducting a dynamic risk assessment. Due to the number of teenagers at the scene, it became apparent that more units would be required to keep the scene safe and deter any potential misconduct.

During scene investigations, lines of enquiry could be followed up before leaving the incident due to the organisation of additional units and the safe detention of the subject. This included speaking with the reporting person and getting their account of what has happened during the incident. While speaking with the reporting person we were made aware that in fact the subject had done no criminal damage to the property and that the reporting person would not be supporting a prosecution and was happy for the police to deal with the subject as deemed appropriate. After being made aware of the update from the reporting person, I could then inform the subject that I would be de-arresting her and that she was going to be

taken to her home address. When travelling to the home address of the subject, it was important to make sure that the parents or guardians of the subject would be home so we could de-brief them on the incident, make them aware of what actions have been taken by the police, and why these actions were taken. It was important to communicate to the mother that the police had received reports regarding an attempt to cause criminal damage and harassing members of the public. It was important to relay the information that had been passed on by control to the mother informing her that on the report the female had punched the glass has been reported to be bleeding because of this and that the subject's finger should be checked. As we are not aware of the severity of the injury to the finger being plastered before we arrived at the scene and that we are unable to remove the plaster after it had been applied.

To summarise the above incident I believe that using Betari's Box model has been beneficial when dealing with high stress situations as this allows Police Constables to realise how their behaviour during an incident can affect the outcome of the incident. By applying a positive attitude this will reflect on my own behaviour, which will be reflected in the reaction of the subject, and likely to be more co-operative. As well as using Betari's Box, it is also important to use LEAPS (Listen, Empathise, Ask, Paraphrasing and Summarising) model. As mentioned within the task I mentioned that I used this mnemonic without realising I had by listening, showing empathy, asking questions, Paraphrasing and summarising. This has proved vital while using tactical communication to get an understanding of what has happened at the incident and details of the persons involved. After reflecting on the incident, I am satisfied with the use of both Betari's Box and the LEAPS (Listen, Empathise, Ask, Paraphrasing and Summarising) model used throughout the incident but still believe that I

can improve on the questions I ask during the incident and will need to improve my confidence by backing my abilities when implementing these models in real life situations.

References:

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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

Critically assess a relevant incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Consider 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.

2500 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

I am PC6951 LEWIS and throughout this task, I will be providing a detailed account of an incident attended while conducting a mobile patrol in a marked police vehicle. The incident entails how the Criminal Justice system, valuing difference and inclusion has been used when dealing with a case where I am the Officer in Charge (OIC) of the case. The case in questions is a disqualified driver that has been stopped by a colleague and I.

During my patrol, I have used my work issued Samsung mobile phone to use the Police National Computer (PNC) vehicle check to conduct a vehicle check which intelligence has been provided by a reliable source of a male that has been reported to be driving a mechanically propelled vehicle on a road while being disqualified from driving. While on patrol, the suspected vehicle has driven past the marked police vehicle. As the vehicle has

matched the description provided by the intelligence source, I had reasonable grounds to stop the vehicle at the roadside to carry out further vehicle and person Police National Computer (PNC) checks to conduct a prompt and effective investigation to determine what the best course of action would be required to carry out. The Police National Computer (PNC) provides operational Police officers “dates of offences, information on cautioning and warnings and other relevant information.” (Francis, n.d.). Using powers under section 163 of the Road Traffic Act 1988 “(1)A person driving a motor vehicle on a road must stop the vehicle on being required to do so by a constable in uniform.

(2)A person riding a cycle on a road must stop the cycle on being required to do so by a constable in uniform.

(3)If a person fails to comply with this section he is guilty of an offence.”

As the subject has complied with Section 163 of the Road Traffic Act 1988, an offence has not been committed under this act. The subject remained compliant throughout the course of actions undertaken by Police Officers. In line with the National Decision Making model (NDM), I only required the use of tactical communication by using the mnemonic LEAPS (Listen, Empathise, Ask, Paraphrasing and Summarising). By following the steps with the mnemonic, I this helped maintain the subject in a compliant state of mind and ensuring that the subject is fully aware of what is going on.

While dealing with the subject on the roadside, it was important that the vehicle has been seized under section 165A of the Road Traffic Act 1988 “ower to seize vehicles driven without licence or insurance

(1)Subsection (5) applies if any of the following conditions is satisfied.

(2)The first condition is that—

(a)a constable in uniform requires, under section 164, a person to produce his licence **F2**... for examination,

(b)the person fails to produce them, and

(c)the constable has reasonable grounds for believing that a motor vehicle is or was being driven by the person in contravention of section 87(1).“

Police “can also seize a vehicle if they think it’s:

- being driven by someone who does not have a proper licence or insurance
- dangerously, illegally or obstructively parked
- broken-down or abandoned.” (GOV.UK, n.d.).

As the vehicle has been driven illegally due to driving whilst disqualified and driving with no insurance, I had a lawful right to seize the vehicle under section 165a of the Road Traffic Act 1988. As the vehicle would have been left at the roadside, it was important to make sure the vehicle was lifted by a third-party company and taken to storage. As an offence has been committed under the Road Traffic Act 1988, I was able to carry out a roadside breathalyser test to check if the driver of the vehicle had committed any further offences by driving while under the influence. In this case, there had been no further offences committed by the subject.

During the roadside, check the subject has committed the offences of driving while disqualified and driving without insurance. As the subject has been dealt with at the roadside, the next steps to take were to invite the subject to attend an interview as a voluntary attendee. When attending a Police station for a Voluntary Attendee interview code C of the Police and Criminal Evidence act 1996 is the guidance on a person’s rights when

attending the interview. "PACE Code C sets out the requirements for the detention, treatment and questioning of suspects not related to terrorism in police custody." (GOV.UK, n.d.). The revised version of code C of the Police and Criminal Evidence Act 1996 has been in effect since 21st August 2019. Although the person attends the Police station as a Voluntary Attendee and is protected under code C of the Police and Criminal Evidence Act 1996 and the person can leave the station at any point during the interview but "could prompt the police to arrest you, where you will need to give a "standard interview" in custody." (www.noblesolicitors.co.uk, n.d.). Police have started utilising the Voluntary Attendee interview in cases where there is not enough evidence for an arrest to be made and it can be considered a more cost effective than arresting and detaining a person. "Voluntary interviews avoid many of the legal issues involved in placing someone under arrest." (www.noblesolicitors.co.uk, n.d.). The subject requested the interview take place there and then and did not want to obtain the services of a solicitor. During the voluntary attendee interview held at a local Police Station in a voluntary attendee room and authorised by the VA Sergeant. The subject had stated in their defence that they believed their disqualification had expired in August 2021 and did not realise the disqualification had been sentenced for two years. As the subject was still disqualified from driving, the insurance that had been obtained was invalid. To conduct the interview I have used the Interview Planning booklet provided by South Wales Police and asked questions to the subject only relevant to the offence of driving whilst disqualified. The legislation for driving whilst disqualified is covered under the Road Traffic Act 1988 and is defined as "A person is guilty of an offence if, while disqualified for holding or obtaining a licence, he—

(a) Obtains a licence, or

(b) Drives a motor vehicle on a road.

(2)A licence obtained by a person who is disqualified is of no effect (or, where the disqualification relates only to vehicles of a particular class, is of no effect in relation to vehicles of that class)." (Legislation.gov.uk, 2019).

Following the voluntary attendee interview, the subject has been released from the Police Station and I have taken the subject to their home address. It is important as a Police Constable to ensure that the safety of the public is maintained. As this incident occurred in the early hours of the morning, it was best practice to make sure the subject arrived home safe.

Following the voluntary attendee interview, South Wales Police have sent a Postal Charge Requisition (PCR), which has come into force in as an amendment to the summons process. The Postal Charge Requisition (PCR) is the name used for magistrate's court summons. This tells the person when to attend court for a criminal case and informs them of the offence that they have been accused of. "Postal requisitions can cover serious criminal charges or routine traffic matters. The postal requisition won't, however, tell you what the evidence is why the decision has now been made to now take you to court and to prosecute you." (Lawtons Solicitors, 2018). To carry out a Postal Charge Requisition (PCR) the full code test must first be applied. This is carried out every time a charging decision has to be made. There are two stages that must be satisfied to complete the full code test. The Crown Prosecution Service (CPS) or the Police can make the decision. The Police decision to charge is made by the rank of sergeant or above. A custody sergeant can also authorise decisions on whether a charge should be taken forward. The two stages are called "the evidential stage and the public interest stage. The evidential stage must be met before the public interest stage can be considered." (College of Policing, 2012).

For the evidential stage to be satisfied prosecutors and Police decision makers are required to make sure that there is “there is enough evidence to provide a realistic prospect of conviction against each suspect on each charge. This means considering the evidence as a whole, including the impact of any likely defence or information put forward by the suspect, and asking the question: is it more likely that a court or jury would convict the defendant of the charge after hearing this evidence, or that they would acquit them?” (College of Policing, 2012). The assessment conducted by the decision makers is crucial to make sure that it is likely that the court will more than likely convict the person of the charges that have been brought to the court’s attention. Once this stage has been satisfied they can move onto the public interest stage.

The public interest stage consists of factors for and against the prosecution and “decide how important each factor is in the circumstances of the case and make an overall assessment. Each case is unique and must be considered on its own facts and merits.” (College of Policing, 2012). Many factors can influence the decision to decide to prosecute. These impact factors are:

- “Seriousness of the offence
- suspect’s level of culpability
- circumstances of and harm caused to the victim
- if the suspect is under 18 at the time of the offence
- impact on the community

- whether prosecution is a proportionate response, eg, is a nominal penalty likely?
- whether sources of information or national security could be harmed.

A prosecution should usually take place, unless there are public interest factors tending against prosecution, which outweigh those tending in favour. Sometimes an out-of-court-disposal may serve the public interest better than prosecution.” (College of Policing, 2012). By using the Public Interest stage, this can sometimes identify that an out of court disposal may be in the public interest rather than a prosecution.

As well as the evidential stage and public interest stage there is also the Threshold test can be utilised by the Police Service where there is insufficient evidence available in the case and the suspect poses a substantial bail risk if they are released from custody. The threshold test allows the Police to charge a suspect and bring them before a court while still in Police custody without having to apply the Full Code Test. This is due to the seriousness or the circumstances surrounding the case and must be justified to make an immediate charging decision. “There must be substantial grounds to object to bail.” (Crown Prosecution Service, 2018).

Due to the nature in which Police Officers have caught the subject driving whilst disqualified, I have put in place a Guilty Anticipated Plea (GAP) file. “In guilty anticipated plea (GAP) cases, a standardised form of written confirmation that the prosecution understand their common law duties of disclosure will be provided to the defence.

The advantages of the ‘Streamlined Disclosure Certificate’ are:

- disclosure provided at first hearing

- a simpler form
- reduced delay” (GOV.UK, n.d.).

If an officer anticipates, a guilty plea after applying director’s guidance an officer will need to:

- “Certify on the MG5/DCF that there is no material that falls to be disclosed under the common law duty to disclose material which might assist the defence with the early preparation of their case or a bail hearing or
- note such material on the MG5/DCF to bring it to the attention of the prosecutor.” (www.cps.gov.uk, n.d.).

The “revised Guidance is issued under the provisions of section 37A of the Police and Criminal Evidence Act 1984 (PACE) and sets out arrangements prescribed by the Director of Public Prosecutions for the joint working of police officers and prosecutors during the investigation and prosecution of criminal cases. It replaces all earlier editions and incorporates the National File Standard.” (Cps.gov.uk, 2013)

In particular, guidance sets out

1. How the police should deal with a person where there is sufficient evidence to charge
2. The offences that can be charged by the police and those where the decision must be made by CPS prosecutors
3. How and when early investigative advice is to be sought from a prosecutor
4. The evidence and information needed for a charging decision to be made and for the prosecution of cases at court

Police officers and prosecutors must comply with this guidance to ensure that charging and other prosecution decisions are fair and consistent and fully comply with Police and Criminal Evidence Act (PACE) 1984.

To summarise the incident detailed above regarding the drink driving incident that I have dealt with. I feel that I have taken into consideration the responsibilities I have as a Police Officer to make sure that at the time of the incident I have ensured the safety of the subject throughout the incident. I have also used powers and policies in accordance with the law and South Wales Police guidelines, so all offences committed are dealt with in a professional and timely manner. I believe that by remaining calm and compassionate towards the subject by following the LEAPS mnemonic (Listen, Empathise, Ask, Paraphrase and summarise) this helped me remain in control of the situation and keep the subject in line by detailing every step that has been taken and why it has been taken. By being open and honest with the subject this allowed me to carry out my roles and responsibilities with ease as the subject was aware of the process, what is going to happen and why. An area I believe that I will need to improve on after reflecting on what has happened during this incident is my interview questioning. I Believe that the questions I ask during an interview in this instance of driving whilst disqualified will need improvement and I will need to improve on the my delivery of reading through the interview booklet as this is something I feel I still need to familiarise myself with. Another area I am aware that I need to improve on is my communication via my personal radio. I am still not sure exactly how to communicate when creating a spontaneous incident over the radio, as I have not yet had to create many spontaneous incidents. I know this will become second nature with practice, as there will be a need to create spontaneous incidents going forward.

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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.

Critically assess 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. **Evaluate** the role of discretion in the decision-making process.

Determine 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 assessment** of the potential impact of bias on the decision-making process.

2500 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

I am PC6951 LEWIS and throughout this task, I will be providing a detailed account of an incident attended while conducting a mobile patrol in a marked police vehicle. The incident entails how I have made decisions, used discretion and how I have conducted investigations and how I have used Criminal Justice when dealing with offenders while I have been the Officer in Charge (OIC) of the case. The case in questions is a call received on my personal radio where there has been an allegation of Domestic Abuse at an address that my colleague and I have attended.

The definition for domestic abuse consists of the below:

“(2)Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—

(a)A and B are each aged 16 or over and are personally connected to each other, and

(b)the behaviour is abusive.

(3) Behaviour is “abusive” if it consists of any of the following—

- (a) physical or sexual abuse;
- (b) violent or threatening behaviour;
- (c) controlling or coercive behaviour;
- (d) economic abuse (see subsection (4));
- (e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.” (Legislation.gov.uk, 2021).

While on operational duty in full uniform I have been on mobile patrol in a marked Police vehicle, I have attended a call reported by the son of a married couple stating that his mother and father have been arguing which included shouting and screaming. It has been reported that this has been ongoing for a number of days but on the date of reporting the incident the argument has been ongoing for the last couple of hours. It has also been reported that the couple have been out drinking and have come home like this.

In relation to an incident I have attended, the Criminal Procedure Investigation Act 1996 will play a significant role in the outcome of the incident. The Criminal Investigation Act 1996 is defined 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.

Investigations may be carried out in relation to:

- crimes that have been committed

- identifying whether a crime has actually been committed, with a view to commencing criminal proceedings
- crimes that the police believe may be committed, for example, when premises or individuals are kept under observation for a period of time, with a view to the possible institution of criminal proceedings.” (College Of Policing, 2010).

An investigator is any officer that has been or is involved in the conduct of a criminal investigation and all officers have a responsibility for making sure that their duties “imposed on them under this code including, in particular recording information and retaining records of information and material.” (College Of Policing, 2010b). A part of the Criminal Procedure Investigation Act 1996 consists of disclosure. Where appropriate a disclosure officer is involved in larger case investigations and in some instances, there can be multiple disclosure officers involved but there is a requirement for there to always be a lead disclosure officer. The lead disclosure officer is required to be responsible for making sure the disclosure obligations are complied with.

“The disclosure officer is responsible for a range of duties including.

- examining material retained during the investigation;
- "revealing" material to the prosecutor and certifying that this has been done. (The disclosure officer "reveals" material to the prosecutor by drawing his/her attention to material that is potentially disclosable, and providing copies of certain categories of material. It does not mean that the material will necessarily be disclosed to the accused);
- disclosing unused material to the accused, at the request of the prosecutor.”

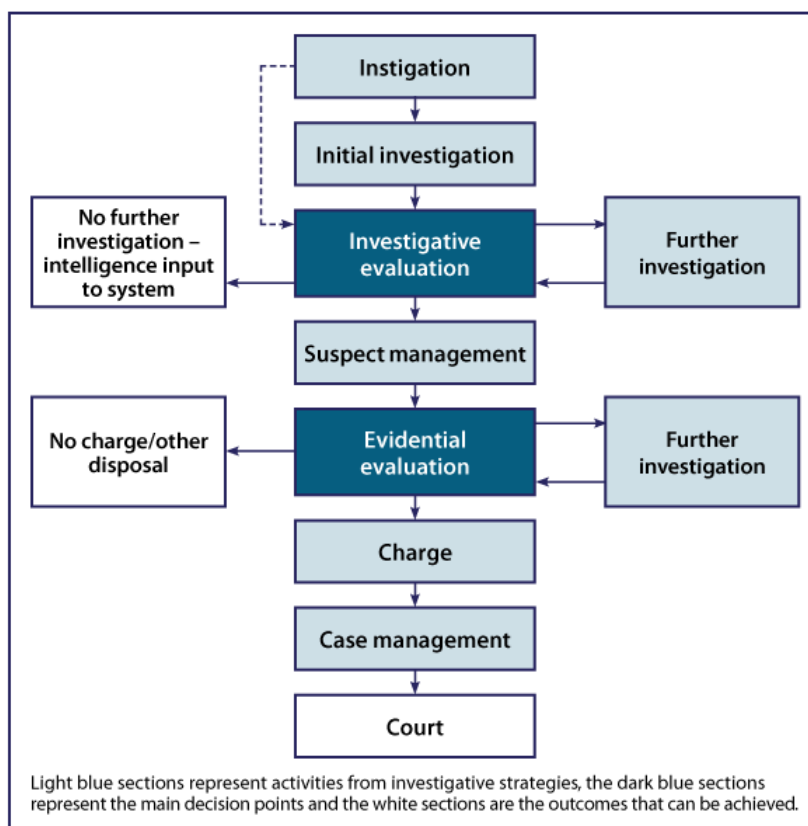
(www.hse.gov.uk, n.d.).

Some of the duties that a disclosure officer is required to carry out are gathering unused material and providing the prosecutor a copy of the material to investigate for themselves. The disclosure officer is required to constantly review any material that throughout the prosecution and update the prosecutor when required. To provide the defence any material that can assist in the defence of the case falls under Common Law.

The Criminal Justice Act (CJA) 2003 has been introduced provides statutory framework which governs “the disclosure of unused material in criminal proceedings. A Code of Practice made under Part II of the CPIA details how relevant material obtained in a criminal investigation is to be recorded, retained and revealed to the prosecutor.” (www.hse.gov.uk, n.d.). Sections thirty-two and thirty-nine of the Criminal Justice Act 2003 has made numerous amendments to the Criminal Procedure Investigation Act 1996 which apply during investigations on or after the 4th April 2005.

On attendance at the address, I have spoken with the victim and he has disclosed that the perpetrator had pushed him. My colleague has then disclosed to me that there are two children at the address, who are both over the age of eighteen years old and have witnessed the perpetrator push the victim. It has been stated that the perpetrator has been aggressive towards the victim for most of the night following their return home from a night out drinking. The reporting person who I now know to be the oldest son has stated that this is not the first time that an incident similar to this occasion has occurred. The reporting person has stated that on numerous occasions where this type of behaviour has happened, a common denominator in reasons for why this happens is when the victim is due to work away from home for a number of days. This seems to be a trigger for the perpetrator, which in this instance has been made worse by the additional factor of alcohol being consumed. There is also a son involved who is under the age of eighteen years of age but was not present at

the address at the time of the incident; there were no concerns for the child's welfare at the time of officer attendance. While at the address the golden hour principles have been followed to ensure that all evidence available is gathered and cannot be tampered with. The initial investigation carried out by Police officers "are not major incidents and usually the officer who first attends is the only resource that is required. This officer may be the investigator throughout the enquiry.



.” (College of Policing, 2013).

I have then walked upstairs to the first floor of the address and into perpetrator's bedroom where she was sitting on the bed. The perpetrator did not appear to be a threat in a physical sense but was verbally aggressive towards officers and family members. I have asked the perpetrator to put on trousers and shoes, which has declined a number of times

before dressing herself. Due to the perpetrator making me aware that she has issues with her bowel I have allowed her to use the toilet. There has been no issue with substance abuse relating to drugs and after carrying out checks on the Police National Computer (PNC). The Police National Computer (PNC) “is a system that stores and shares criminal records information across the UK. Law enforcement agencies use it to access information that will support national, regional and local investigations. ACRO provides PNC services to support the criminal justice work of a range of organisations including:

- non-police prosecution agencies
- regulatory bodies
- government agencies
- non-departmental public bodies
- foreign embassies in the UK.” (www.acro.police.uk, n.d.).

Due to the information and intelligence gathered before attending the address I could make an informed decision on how best to deal with any potential perpetrators as while on route I was able to check the Police National Computer (PNC) for all persons involved and could see that there had been no previous events of criminal activity or any previous Domestic incidents. Although I have been able to assess the situation while on route to the address it is important to constantly dynamically risk assess any situation as anything can change at any time. “A dynamic risk assessment is the process of continually observing and analysing risks and hazards in a changing, or high-risk, environment. This allows workers to quickly identify new risks and remove them.” (The Hub | High Speed Training, 2019). As well as dynamically risk assessing a situation, I have also used the National Decision-Making Model (NDM) when helping to make decisions on arrival at a scene. The mnemonic CIAPOAR consists of stages within a framework to help Police officers to make decisions while in high stress situations. The stages of CIAPOAR consists of:

- Code of Ethics
- Information and Intelligence
- Assess threats and risks
- Powers and Policies
- Objectives
- Action
- Review

“The NDM is based around the police force mission statement and the Code of Ethics, which should be considered when completing each of the stages. You should ask yourself whether the action you are considering is consistent with the Code of Ethics, what the police service would expect, and what the community and the public as a whole would expect of you.” (OpenLearn, n.d.).

There is no previous history of drug use related to the perpetrator, which has helped in the decision to allow discretion of using the toilet. “The limits of police discretion must be identified. It was ultimately for Parliament to define where discretion should be exercised, and then hold the police accountable for the exercise of that discretion.” (Oxford Policing Policy Forum The Growth of Police Powers, 2008).

The perpetrator while given permission to use the toilet through discretion the perpetrator has stayed on the toilet for approximately twenty minutes. As stated previously the perpetrator has disclosed that she has bowel issues so has been provided adequate time by officers at the scene to see to herself accordingly. After numerous requests for the perpetrator to leave, the bathroom she has stated that she is not coming out and that she is staying in there all night. Along with other officers, I have entered the bathroom to arrest the perpetrator on suspicion of common assault following the information that has been

disclosed by the perpetrators partner, son and daughter. I have handcuffed the perpetrator to the front, as there is no threat of physical violence. Officers at the scene have ensured that the perpetrator is fully clothed before being escorted out of the address and being placed in a marked Police vehicle in the back of a prisoner containment cell. While contained in the prisoner containment cell at 05:44 hours, I arrested the perpetrator on suspicion of common assault.

Common Assault is defined as:

“Any person shall unlawfully assault or beat any other person”. (Legislation.gov.uk, 2011).

Common assault is a triable either way offence and on indictment is two years imprisonment and/ or a fine. For a summarily offence this can be six months imprisonment and/ or a fine.

This is also an offence which can be trialled as a racially aggravated offence.

Guidance for defences of common assault are set out in separate legal guidance known as the Self-defence and the prevention of crime. “A person may use such force as is reasonable in the circumstances for the purposes of:

- self-defence
- defence of another
- defence of property
- prevention of crime; or
- lawful arrest.” (www.cps.gov.uk, n.d.).

It had not been practicable to explain in detail prior to this to the perpetrator the reason for her arrest as the perpetrator kept over talking and was as mentioned very argumentative towards family members and Police officers at the address. At the time of the incident I did not see any physical injuries to the victim and no injuries were disclosed by the victim or any other involved persons at the address.

In 2021, the domestic abuse act has been reviewed and is now known as the 'DA ACT', which has been introduced on the 29th April 2021.

"The Domestic Abuse Act received royal assent 29 April 2021. It aims to raise awareness and understanding about the devastating impact of domestic abuse on victims and their families and to further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice." (www.cps.gov.uk, n.d.).

Section 39 of the Criminal Justice Act 1988 also considers the assault by beating of an emergency service worker. "The section applies to an offence of common assault, or battery, that is committed against an emergency worker acting in the exercise of functions as such a worker.

(2)A person guilty of an offence to which this section applies is liable—

(a)on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine, or to both;

(b)on conviction on indictment, to imprisonment for a term not exceeding 12 months, or to a fine, or to both." (Legislation.gov.uk, 2018).

In summary throughout this incident the National Decision Making Model has played a pivotal role when helping make decisions in high stress situations. By gathering all information that is available at the time of the incident I have been able to use what has been gathered to make an informed decision and have been able to justify my actions throughout the incident. When gathering information, the Criminal Procedure Investigation Act 1996 has been considered while ongoing investigations have taken place during officer attendance at the scene. As I have attended minutes after the incident has taken place I have been able to carry out golden hour enquiries. By taking statements from witnesses

minutes after the incident has taken place their account of what has happened is still fresh in their memory and have not had time to corroborate their accounts with other people involved meaning that it is a true and accurate account of what they have witnessed. Due to being able to obtain golden hour evidence early in the investigation I have been able to ascertain that an offence of Domestic Abuse Common Assault has been committed by the perpetrator. While informing the victim that the course of action will now be to take the perpetrator to Merthyr Bridwell due to the offence that has been committed the victim has stated that they do not wish to provide a positive statement and does not want to support prosecution or attend court. The victim has also stated that he does not want his partner to be arrested but I have informed him that due to the circumstances of the incident the perpetrator has to be arrested. Although I knew the victim did not support prosecution it was still important for officers to continue with the investigation and continuing with the procedures in place to ensure the safeguarding of the victim once officers have vacated the address. With the perpetrator in Police custody the victim would remain safe to stay at the home address.

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Task 5

Personal Development Plan (PDP)

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 towards the overall wordcount, please note this is not the actual number of words used in completing the table, the count reflects the thought and research behind it.

Area of Development	How it will be achieved	Who can provide support	Timeline
Creating spontaneous incidents	This will be developed over time and developed by experience when dealing with spontaneous incidents. This can be when on response by myself.	Members of my team and supervisors can provide support.	6 months but can depend on operational demand.
Use of NICHE	An area that I believe that needs vast improvement is the use of NICHE. I am still finding it difficult in some areas of NICHE as to what should be done for particular incidents.	Again this is an area that I can gain help from team members and supervisors. This can also be developed by experience, the more incidents I deal with the more experience I will gain.	1 year but can be dependent on when access to HUB training becomes available as the hub case file preparation will be the most beneficial training development.
Statement writing	Statement writing is an area that I have struggled with, as now I tend to over complicate by writing as much detail as possible, including details	The only way to improve on this area is by practice by writing as many statements as possible.	6 months but ongoing throughout my career as this is an area that can be improved with more experience.

	that are not relevant to the incident as I put everything being said in the statement. This is something I am working to develop by first listening to what has happened, making bullet point notes of specific topics and breaking these down and getting more information based on what I feel is relevant.		
OEL Update entries	As with my statement writing I feel that the way I update OEL's needs to improve the detail I enter as again sometimes I enter information that is not relevant.	Again, this will be something I develop over time and need to practice as much as possible.	6 months this will be an area I improve on but again as with statement writing this will be an area that can be improved with more experience.
Legislation	An area I feel I will always need to improve on is my knowledge of legislation. There will always be areas I need to improve on and will need to know going forward making me more competent and confident when dealing with incidents.	This will be developed over time by constantly reviewing legislation and researching any incidents that I am not 100% sure of what the offence may be.	4 months, this is an area I am focusing on by looking at 5 offences. These are • Theft • MalComms/harassment • Burglary • Criminal Damage • Public order The more incidents I deal with the more confident I will become with legislation and will improve over time.

Bibliography

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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Task 6

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

By signing the section below you are acknowledging your continued progress on O.C.P., this is recognised by the university as work that is fully supporting this module. Signing it 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: Jonathan Gareth Lewis (Learner, Electronic signature or type name)

Date: 03 / 01 / 2022