

Graduate Diploma in Professional Police Practice

LEVEL 6 - 40 Credits

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

(SOUTH WALES POLICE, GWENT POLICE AND UWTSD)

Learner name:

Learner's University Registration Number:

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/agh-chapters/chapters---en/Chapter_07_Assessment-Taught_Programmes_Pages_72-79-UPDATED-05-11-2019.pdf)

Reflective practice is a core aspect for your workbooks and although there is a variety of useful resources on Moodle, there is one particular book, that is specifically based on reflective practice in policing, here is a link to one chapter from Selina Copley's Reflective Practice for Policing Students:

https://moodle.uwtsd.ac.uk/pluginfile.php/298870/mod_resource/content/1/Reflective%20Practice%20for%20Policing%20Students%20-%20Selina%20Copley%20Chapter5.pdf

How is the workbook assessed?

Advice and support about the completion of this workbook will be provided by university staff as part of your initial training day. Your tutor constable and in-force training staff will not be involved in assessing or marking your workbook after it has been submitted.

Dates of workbook submission will be made available during the initial training day and posted on Moodle.

Once submitted your workbook will be assessed and marked independently.

Confidentiality

It is important that no individual can be identified either directly or indirectly from the information in the workbook. Therefore, you must:

- adhere to guidance in the Student Handbook about unfair practice and plagiarism;
- not identify individuals including witnesses, victims or offenders by name;
- not write information that enables any individual to be identified indirectly through the description you provide. This includes references to names, colleagues, places (including hospitals, schools, town, villages, streets) specific incidents which were high profile and could be identified due to past publicity, other professionals or any other personal information including medical or other conditions;
- take personal responsibility for adhering to confidentiality rules.
- not include any dates of any incidents or anything that specifically identifies an actual incident.

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 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:

In this essay, I will be discussing and comparing the coping strategies I have used to develop resilience to stress since I began my career [REDACTED]. Due to the reflective nature of this task, I will be using Borton's "Model of Reflection" (Borton, 1970), to give a thematic structure to the writing. With regards to this essay, the reflective tool works in 3 main stages. Firstly, "what?" which will define the core issues at play, namely stress and resilience and explain the importance of the management of stress in a policing and personal context. Secondly, "so what?" which will explore the methods used by myself to alleviate stress and how these methods work on a physiological, mental, and (with regards to police culture) societal level. Lastly, Borton's tool asks, "now what?". This is the most reflective part of the tool, where I will evaluate and compare the strategies in a reflective sense, deciding what worked, what didn't, and what would be pertinent going forward as my role and my experience changes.

Hans Selye was a Hungarian academic active in the 20th century and has been referred to as the "founder of stress theory" (Tan et al, 2018, p. 170-171). With regards to stress in a physiological sense, Selye defined it as "response of the body to any demand, whether it is caused by, or results in, pleasant or unpleasant conditions" (Selye, 1976, p. 74). This broad definition includes both physical and mental stress, particularly pertinent to policing when considering the nature of the role. A layman's terms definition would be, how our body responds to what it is put through. It is important to note that Selye's definition denotes that not all stress is unwanted or undesirable.

Resilience in a psychological sense, is "the ability to maintain or regain mental health, despite experiencing adversity" (Herrman et al, 2011, p. 258-265). With this definition in mind, the relevance of resilience to policing is incredibly high. A survey conducted by a team of sociologists at Cambridge University found that not only are nearly 1 in 5 police officers and staff in the UK have symptoms consistent with types of Post-Traumatic Stress Disorder (PTSD) (University of Cambridge, 2015), but that PTSD rates in law enforcement are almost five times higher than in the general population. This is no surprise when considering that the same study found that 95% of frontline officers had been exposed to traumatic events. Considering these statistics, the importance of developing and maintaining this psychological resilience cannot be understated. As stated by (Regehr et al, 2017), society in general relies on emergency service personnel to make sound judgements in high stress and high stakes situations, and the effects that PTSD and other consequences of lacking mental resilience have on decision making are very high. In a sense, as professionals we

owe it not only to ourselves to build and maintain this resilience, we owe it to the people we serve as well.

Having discussed why the titular topics of stress and resilience are so important in a policing context in the “what?” section of this essay, we move onto the next stage of Bortons reflective tool, “so what?”. The issue has been identified and discussed, so what have I done to tackle it? And what evidence do I have to say that these tactics work, both in a personal and wider context?

The first tactic is exercise and admittedly, the reason this is of importance to me personally is not solely for the psychological health benefits. [REDACTED]

[REDACTED] I realised that as well as being mentally fit to do the job, I must be physically fit as well. I go to the gym two or three times a week now, focusing mainly on cardio-vascular fitness, and these efforts have led to my losing just over a stone in the past two months. This has led not only to a vast increase of physical fitness, but also a sense of accomplishment, pride and satisfaction with my own image which has had a drastic benefit to my personal mental health. There is an array of academic material supporting the assertion that physical activity has a positive effect on mental health. A study aimed general at a sample of the student population (to which I belong to some degree) stated that “exercise can be as effective at alleviating anxiety as any other medication free treatment” (Tyson et al, 2010). Another article notes in its conclusion that “physical activity appears as effective as psychotherapy for the treatment of mild-to-moderate depressive symptoms” (Paluska et al, 2012). In the interest of being critical, and to avoid pontification, it must be noted that nearly all the research studied in preparation of this essay, states that research into this area is incomplete and much of the dated research has been left obsolete by progressions in how we understand our bodies, and in lieu of advances in medicine.

The second tactic links somewhat too the first, competitive football. [REDACTED]

[REDACTED] I started playing competitive football to give myself something to measure my fitness goals up against, a veritable yardstick. Further to this, I needed something which could provide me with some sort of safe outlet to the stress (in the academic setting) and aggression (in the operational setting) that policing can build up. [REDACTED]

The physical benefits of this activity, and how that in turn leads to the mental benefits, has already been explored in the previous section, but playing a competitive sport possibly introduces a further benefit. (Cardon et al, 2012) conducted a study on stress amongst people who participated in sport versus those who didn't. In the interest of once more being critical, it is

important to note that the “those who didn't” doesn't distinguish between those who did or did not partake in any activity at all. The results of this study found that men who partook in football had lower levels of stress and “emotional distress” than anyone else included in the study except swimmers. In terms of resilience, another study found that mental health service users found that playing football gave them “better ability to deal with mental health problems” (Taylor et al, 2011).

The final strategy I have used to relieve stress and build resilience, is playing music. I have been an avid musician for the last 5 years or so, and eventually, graduated from playing bass, to playing and writing songs on guitar. I don't claim to be the most proficient by any

means, but to benefit from it, I'm not sure I need to be. I played a few open mic nights just before the pandemic hit and have spent time writing with friends. Personally, I find music to be cathartic in general, even when listening to it, but there is something even more cathartic about taking whatever emotions I am feeling and turning them into something tangible and audible. By no means do my musical expressions tend to be especially twisted or dark, I probably have not had enough experiences to inform songs in that way but considering the already noted difficulties that officers face in their careers, this may change as time goes on. There is a wealth of literature exploring the resilience building characteristics of music, such as one which subjected participants to different stressors in varied conditions before and after listening too or playing music (Thoma et al, 2013). The study concluded that "Our findings indicate that music listening impacted the psychobiological stress system.

"Listening to music prior to a standardized stressor predominantly affected the autonomic nervous system (in terms of a faster recovery), and to a lesser degree the endocrine and psychological stress response". (Thoma et al, 2013)

The faster recovery is a notable part of this conclusion, what is resilience to stress if not the ability to recover quickly from our stressors. The fact that music can affect the endocrine system is also key because that system controls among other things both mood and sleep patterns. Disrupted sleep and low mood are key faucets of stress related mental health conditions.

The above list is not exhaustive, and only represent the three main strategies that reduce stress to me personally. Each of the strategies works for me in a different way, the physical strategies like football and the gym are good at working out the physiological indicators of stress, like the restlessness. I also find that after the physical activity I feel refreshed and of a more balanced mind set. The strategy of music is the more cathartic method of stress relief for me on purely emotional and psychological terms. In a perfect world I would like to continue with all my discussed methods, but I have found that over-exertion in a physical sense, combined with my already demanding job as a PC, leaves me prone to injury. My health is my wealth and I will not be able to perform as a PC to the best of my ability if I am physically injured due to over-exercise. For this reason, I will continue to do physical exercise but in a reduced capacity focusing more on the music as a primary source of stress relief and resilience to stress.

Word count = 1557

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:

Due to the adversarial nature of policing, conflict plays a central role. There are many different facets of conflict in a policing context, from the visceral physical conflict that can sometimes happen, to deeply emotional conflict that arises from police presence at some of the rawest parts of people's lives. There are many rules, regulations, protocols and contexts that inform how we, as officers, must approach conflict, and these are what will be explored within this piece of writing. This will be done using an incident which has happened in my short career in the police, (three weeks at the time of writing), as a medium. I will describe the incident as succinctly as possible, whilst conforming to data protection regulations. I will then critically assess the incident against the backdrop of what social and legislative contexts I deem to be relevant to it. I will then critically reflect on my performance and application of communication skills in the incident using Gibbs model of reflection (Gibbs, 1988, p. 49), which will be explained in the pertinent section. Finally, I will be exploring the processes which determine the suitability of use of force in conflict situations, by not only exploring internal police models, but also academic models and the best practice teaching of different authorities like the College of Policing.

Firstly, I will describe the occurrence that tethers the theory of this essay to real world application, obviously certain details are made ambiguous to comply with data protection.

This was a call received from CCTV operators [REDACTED] to state that they had witnessed an assault in the town centre. They passed a description of a male who had attack two other men leaving them unconscious on the ground, eventually their levels of injury were adjudged to reach GBH levels with one man suspected of having a fractured skull, and the other a broken eye socket. The male had left the area in a white car, the registration number of which had been passed to us. We later found this white car, and spoke to the driver, who stated she had taken the male to her home address. At the address, the male was arrested for GBH with intent times two. I completed all the physical actions with the male (handcuffing, post arrest search, etc) and was the person who had to accompany the male in the back of the car on the way to custody. This is because the officer who “said the words” to the male, [REDACTED] was getting a lot of help from his tutor regarding the custody process, leaving me to be the chief officer in terms of dealing with the male.

This incident has a very pertinent social context. The assault itself is notable for being a “one punch” assault, where the victim(s) are felled with a single blow. This is sometimes colloquially called a one punch mickey after the eponymous character from the film “snatch” (*Snatch*, 2000). Unfortunately, the Office for National Statistics does not differentiate “one punch” assaults from other assaults (ONS, 2021), as such, statistics on “one punch” assaults are impossible to attain. There is however evidence of anecdotal nature with Calvin McLellan, Kenneth Brough and Anthony Richardson all being publicised cases of a “one punch” assault which led to the deaths of the victims (Doughty, 2021). Though there are no researchable statistics on “one punch” assaults, there are campaign groups such as “One Punch Can Kill UK” which aims to raise awareness about “one punch” assaults and the impact they can have (1PCK, 2015). Further to this, an All-Party Parliamentary Group was recently created with the specific purpose “to look at justice and sentencing reform and raising awareness of one-punch assaults” (House of Commons, 2021). This cross-party group is notable as being headed by Dehenna Davison whose own father died after being the victim of a “one punch” assault.

The legislative context for this assault was quite clear. The core element of any assault is the application of unlawful force from one person onto another, this is clearly borne out by the subject punching two victims outside a pub. This force can either be intentional, or the subject can be reckless as to whether their actions will apply force. The report from the CCTV operators was that the subject had clearly punched two males leaving them unconscious on the ground, the only thing left to determine at this point is the level of injury that has been done to the victim, as this will determine what offence the perpetrator has committed. In this case, one victim had a potentially fractured skull (and later a bleed on the brain), and the other had a suspected fractured eye socket). Anything including or above, serious lacerations, broken bones (excluding the nose) and life threatening or changing injuries, gives out an offence of “Grievous Bodily Harm” (GBH). Further to this, the fact that the application of force was intentional, led to the arrest being for GBH with intent contrary to section 18 of the Offences Against the Person Act 1861 (*Offences Against the Person act*, 1861).

When considering use of force in line with guideline and policy, one of the things officers must consider are “impact factors”. What impact factors are will be fully explored in the use of force section later in this writing, but one such impact factor is alcohol, and the male in this incident was moderately intoxicated. Alcohol affects decision making in numerous ways, but one of the more pertinent ways (in the context of this incident) is in risk management and impulsivity. George et al (2005) conclude that drinking a social amount of alcohol (to

the level of the drink drive limit) led to “impaired ability to factor in the magnitude of the prospective gains and the probability of winning when the prospective losses are large”. Simply put, what might seem a worthy exchange of outcome versus method, is skewed, leading to decisions a person would not necessarily make whilst sober. Suddenly, it might seem worthwhile for the male to try to escape, or resist arrest, even though this may not be something he would usually do, hence why alcohol is such an important impact factor.

There were no cultural, ethnic or language issues in this occurrence. The male was a working class, white, English-speaking Welsh male and whilst this does not preclude issues of this nature, they were not present in this case.

Critical reflection of the incident (Gibbs, 1988)

I used several communication skills with the male. Firstly, I bargained with him when my colleague said the arrest words and cautioned him. The male stated that he had anxiety and that handcuffs would give him a panic attack. I bargained and negotiated with him into accepting the handcuffs, then getting them to a comfortable tightness. Once in the car, I used active listening and rapport-building skills with the male whilst he talked me through how he had never been arrested and was on the verge of panic attacks through anxiety. I also watched for non-verbal indicators to assess whether the male was staying calm, or about to escalate due to anxiety.

Throughout the incident I felt quite calm, probably due to my experience of these situations in the past as a special constable. The male suffered from anxiety and frequent panic attack and at numerous occasions was in the process of slipping into an attack only to be brought out of it by my using the rapport I had built with him to calm him down. This is why the active listening and rapport building was so vital, as a failure to achieve these things would have given me no way to prevent the male from slipping into the panic attacks, making the arrest process for more difficult.

My contribution to this occurrence was substantial as I was the officer who had most of the contact with the male. I would say that it went very well in that ultimately, the communication skills I used (as outlined above) kept the male calm, compliant and ultimately made the job of conveying him to custody and processing him, a lot easier than it would otherwise have been.

As outlined above, I think the incident went well largely due to my communication skills being used successfully with the male. Though the words of arrest were said by a different officer, I handcuffed the male and had responsibility for his conveyance to custody and achieved the best outcome, which is the male staying calm and compliant, despite his self-stated tendency to suffer with panic attacks in stress situations. I think the rapport-building especially was key, due to my being able to use different topics of conversation as distraction tactics when he was beginning to get agitated.

The biggest lesson I learnt from this occurrence was the benefit of having a calm and compliant prisoner, which then reinforced the principles of effective communication skills. During our time in custody, there were three other prisoners waiting to be processed. One was also calm and compliant but two were locked in the back of their transport vans and extremely violent, so much so that one female managed to rip apart rigid cuffs and took eight officers to restrain. Obviously, sometimes a prisoner will escalate regardless of what a

constable does but seeing prisoners on the opposite end of the compliance spectrum really reinforced the value of the communication skills discussed above and what can happen if they are not used effectively.

The only thing I would do differently in this scenario is that when the male was initially handcuffed, he was handcuffed to the front as part of the bargaining process. Whilst suitable for the sake of getting handcuffs on, this is a violent male who just knocked two people unconscious. In future, I would like to have bargained my way into having the handcuffs placed in a rear position to better ensure officer safety with the above considerations in mind.

Use of force in conflict situations

The primary decision-making tool for use of force, verily, for any decision a police officer must make, is the National Decision Model (NDM) (College of Policing, 2014). The NDM was developed by the College of Policing (COP) and should underlay every decision an officer makes. The way it is explained in training is that an officer will never be criticised for a decision (whatever the result) provided they have implemented the NDM with it. The NDM is in five cyclical sections which are;

- Gather information and intelligence
- Assess risk and threat
- Consider powers and policy
- Identify options and contingencies
- Take action and review

This is then underpinned by another COP creation, the code of ethics (COE) (COP, 2014). The COE are a set of ethical and moral guidelines that are intended to drive officer behaviour at a more ethical level, such as showing authority, courtesy and respect towards people whom officers meet. Whilst largely successful at giving officers nationally a single hymn sheet to read off, the fluid nature of the decision's officers must make does not always allow for a full consideration of the NDM. Further to these from an organisational standpoint, in training officers are taught to consider Impactor factors (external risk factors) in conflict such as weapons, alcohol, drugs or subject size (AAAPPP, 2020). Also taught internally is the mnemonic J-PLANE, which dictates all decisions an officer makes, whether in conflict or not, must be;

- Justified,
- Proportionate,
- Legal, accountable
- Necessary
- Ethical.

The above are merely a selection of models provided to officers to assist decision making. The problem with models though, is that not every situation can be accounted for by a set model or script. Human nature being unpredictable, this sometimes leaves officers with nothing but their instincts and internal ethos to guide them.

Academic models

The “Betari Box” is a cyclical model that demonstrates how attitudes and behaviour inform each other. It states that our attitude affects our behaviour, which in turn affects other people’s attitude, thus affecting their behaviour, which in turn affects our attitude and so on (Changing Minds, 2021). Our attitude is displayed through body language and through the words we say, and where a conflict situation is unfolding and seems stuck in a cycle on brewing conflict, the theory supposes that a change in the attitude of one of the participants can break the cycle of conflict. The problem with this theory is that whilst the attitude of officers and service users in conflict does of course influence not only their own behaviour, but the other party as well, this theory is extremely insular and narrow in stating that an injection of alternative attitudes can be enough to change the course of conflict. The wide variety of stressors, combined with an equally wide variety of emotional, psychological and physical responses, renders any single method of trying to guide human behaviour ineffective. This is perhaps not an indictment of the “Betari box” but perhaps an acceptance that an officer cannot be prescriptive to just one model of conflict management.

The “drama triangle” (Karpman, 1968), is another such theory of human interaction which centres on conflict situations. This theory boils the participants in a conflict situation down into three archetypes which are;

The victim (victim) – Someone feeling oppressed or powerless and wants a problem to be solved, someone who’s status quo has been interfered with and looks for a rescuer to take responsibility for them. This need not be an actual victim, just someone who perceives themselves as one.

The rescuer (police) – The rescuer does not see their own vulnerability but instead takes responsibility for the victim, ends up overworked and can end up feeling resentful and like a victim themselves (but can be seen by external forces as persecutors, especially pertinent in a policing context).

The persecutor (service subject) – often knowingly and maliciously persecutes others but can do this believing themselves to be the victim (acquisitive crime in drug dependency, or belief of being target of police fits well with this).

(CSA, 2015).

Certainly, the three roles outlined by the triangle can be allocated within the subject occurrence of this essay but the most pressing concern with this theory comes down to a single question. Though parts of this theory do fit well in a policing context, can the entirety of human behavioural psychology be boiled down into three archetypes?

Overall, I am very satisfied with this incident. Conflict does not always mean the throwing of punches and strong use of force, and in most cases, incidents that end up this way sit at some point, at the level of verbal communication. The very purpose of tactical communications is to prevent escalation from compliance and verbal resistance, to physical resistance and active threat. Ultimately, the ability to prevent this escalation is the most important yardstick against which to measure the use of communication skills and in this case, it caused a violent and potentially volatile subject to be arrested and conveyed to

custody without incident. Beyond this, I am satisfied that the communication skills I employed were operationally, tactically and more importantly, ethically appropriate.

Word count = 2519

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:

In recent years, there has been a drive in governmental and policing circles, to reassess the way the criminal justice system (CJS) deals with victims. The government introduced a new 'victim Strategy' in 2018 (Home Office, 2018) which outlined the changes they wished to be made for victim's services. Following this a new 'victims code' was launched by the College of Policing (COP, 2021) bringing the recommendations of the 'victims' strategy' into operational and procedural practice. Victims by their very nature play a central role in policing, and evidentially moves are being made to ensure that they are being given a certain level of service by criminal justice practitioners. The role of frontline officers is as a gateway to the Criminal Justice System for the victim, and it is incumbent of frontline officers to ensure that basic procedural requirements are being met. In this essay, I will be describing and critically assessing an incident where I played a significant role with a service user and will be describing and reflecting upon both my responsibilities with the victim so far, and what I will be considering going forward through the court process.

We received a call from a 15-year-old boy [REDACTED] reporting homophobic abuse. He had been walking by a tower block [REDACTED] whilst holding a 'pride' fan in his hand. An unknown male was hanging out of one of the upper floor windows of the tower block and shouted abuse and threats at the boy, including the words "Faggot" and "Queer". The boy then returned home and called the police. The boy was under 18 so had to be spoken to in the presence of an appropriate adult (his mother). This was made difficult by the fact that the boy had disclosed to us separately that he was bisexual, and his mother did not know this, so we had to take great care not to "out" him to his mother. I took an account off

the boy, but he could not decide whether to make a complaint and provide a statement, so at the time of writing he is deciding on what he wants to do next regarding a route through the CJS.

This incident is a hate crime, more specifically a homophobically aggravated public order offence. The Home Office publishes annual reports on hate crime, detailing statistics on individual hate crime strands and offences, and on national numbers for hate crime (Home Office, 2020). These come from recorded numbers by police forces and from the annual 'Crime Survey England and Wales'. The most recent report, covering the year 2019-20 and the prior seven years, confirms a trend of hate crimes and incidents recorded by the police being on a precipitous rise. There was an 8% rise on the previous year, with the total number of hate crimes being about two and a half times as high as they were in the year 2012/13. Specifically, sexuality related hate crime rose 19% on the previous year with a year on year increase in each of the past 5 years. The report states this is partly due to reporting changes, though some media publications attribute this to Brexit and related intolerances (Mortimer, 2016), though this view is also referenced by some academics (Bradley et al, 2020).

The LGBTQ+ community has historically had a turbulent relationship with the police stemming from the 1969 'Stonewall riots' where the New York Police Department violently raided a gay bar in New York, sparking riots that had a transformative effect of the gay rights movement both in the USA and worldwide (Nappo, 2010, pp. 25-26). This organisational lack of tolerance was endemic as recently at the 1990's with officers reportedly viewing being gay as being akin to a paedophile or other criminal conduct (Blackbourn, 2006). These grievances are felt keenly by the LGBTQ+ community and is important to go to extra mile to ensure that members of this community (and similarly historically persecuted ones) feel as if they have the full support and understanding of the police service.

The core offence that has been committed is a S.4 public order offence. This is the offence of causing the "fear of provocation of violence" whereby someone "uses towards another person, threatening or abusive words or behaviour". The offence is complete if either the offender intends the victim to believe immediate and unlawful personal violence will be used against them, or if the victim believes as such, as he did in this case (*Public Order Act, 1986*).

The definition of a hate crime is if the offender,

"demonstrated hostility based on race, religion, disability, sexual orientation or transgender identity or been motivated by hostility based on race, religion, disability, sexual orientation or transgender identity". (CPS, 2017).

It is important to note that a hate crime is completed either by demonstration of the above from the offender, or, if the victim perceives the offender's actions to be caused by hostility towards their protected characteristic. The offender demonstrated that his motivation was motivated by hostility in this incident by calling the boy a "faggot" and a "queer" which are commonly known to by insulting sobriquets to persons of a different sexual orientation. There are five nationally recognised hate crime strands, these are; race, religion, disability, sexual orientation and transgender identity (CPS, 2017).

There are no ethnicity or language issues with this occurrence. The victim was a white Welsh male for whom English was his first language.

The 'Code of Practice for Victims of Crime in England and Wales' (victims code) sets out the responsibilities for all relevant service providers for dealing with victims of crime (Ministry of Justice, 2021). This is the main procedural guideline that the police will draw from whilst dealing with victims. It sets out 12 rights to which every victim is entitled. These rights will not each be explored fully for the sake of brevity but include things such as; the right to understand and be understood (where language issues are relevant), and the right to referral to victims' services.

Some of the rights of the victim's code are directly applicable to the case of the young boy who suffered the hate crime. One such right is the right to enhanced victims' services due to his classification as a vulnerable victim. The victim was vulnerable for two reasons, firstly, his age, any victim whom is below the age of 18 [REDACTED] is automatically classed as vulnerable. Secondly, due to his being a victim of a hate crime, the victim is entitled (and the police are procedurally obliged to prove) a link to a hate crime support officer (HCSO). The role of the HCSO is of a specialist support officer who can tailor his service to the victim so as best to support them as a victim of hate crime. This is in the same vein as a Sexual Offences Liaison Officer (SOLO) for victims of sexual offence, or an Independent Domestic Violence Advisor (IDVA) for vulnerable victims of domestic violence. The victim also has a right to make a 'Victim Personal Statement' (VPS) which is a statement made by the victim to explain the impact that the crime has had on them, this is read out in court after conviction but before sentencing to inform the judges sentencing criteria. It is the responsibility of the officer who takes the statement from the victim, to explain the purpose and procedure behind the VPS to the victim.

Another such right under the victims code, is the right to receive support through the courts process which is specifically tailored to the victim and their potential vulnerabilities, these are called 'special measures'. Special measures were introduced into law by the Youth Justice and Criminal Evidence Act 1999 (YJCEA, 1999). They are different measures designed to make the court process easier for people with different vulnerabilities with the aim of getting the best evidence possible and out them, and to give them the confidence to engage with the CJS. The threshold is if it is believed that their quality of evidence may be diminished by way of their vulnerability and as such will benefit from the measures (YJCEA, 1999). If a witness is nervous or frightened of the court process (as the hate crime victim is), the respective special measures could be the removal of wigs and gowns. If the victim is vulnerable to intimidation, then the respective special measure could be for the victim to give evidence from behind a screen that conceals them. Again, when taking a statement from a victim, it is the responsibility of the officer to explain the special measures process to them and assess and highlight any potential vulnerabilities the victim may have, and the respective special measures they may benefit from. Lastly (though this is not an exhaustive list) the victim has the right to make a complaint about their experience with the police, and it is the responsibility of officers to facilitate this wherever possible, even though the complaint may be about them.

There are other responsibilities that are not specifically set out in the victim's code, one of these is the ABE process. ABE stands for "achieve best evidence" and is a process that must be considered whenever the victim's circumstance is likely to affect the quality of their evidence. In this case, the victim being under 18, extrinsically vulnerable and the victim of a hate crime means he could qualify. An ABE trained officer must make an assessment of the victim and if they decide that an ABE interview would be better, the victim has the option to

give their statement by way of a video interview in a specialist facility by specialist officers. Beyond this, if a victim is younger than 18, they must be spoken to only in the presence of an appropriate adult, someone who can ensure their rights and welfare are being catered too.

Finally, officers have responsibilities to make regular contact with the victim to update them on the case, and on their journey through the CJS. The standard level of victim contact is to give an update every five days, but if the victim is eligible for enhanced service, then they are entitled to daily updates from the officer in case. This is where the service often lets itself down as my experience is that officers often forget to do these updates on top of their other duties.

Language preference was considered within this occurrence, the victim was asked about his language preferences upon taking the first account from him, in line with force policy. The aforementioned considerations surrounding the treatment by police of people of a minority sexuality was the most pressing cultural consideration. I was very cognizant of how important it was for the victim to feel supported and understood surrounding the emotions this incident had caused him. I endeavour to give every person I encounter the same high standard of service, but when they belong to a group of people that have historically been let down by the police, I always go that extra mile. The issues with his appropriate adult not being aware of his sexuality was the core ethical factor in this incident as to “out” him to his mother could have done irreparable damage to his confidence in the service, beyond the obvious moral failings of such a mistake.

Policing values is a broad term, but the eponymous values are largely taken from the ‘Code of Ethics’ (COE) and the nine ‘Principles of Policing’ developed by the COP (COP, 2014). These are a set of moral and ethical guidelines that ought underpin every action or decision-making process for all police officers and staff. Not every part of the COE is relevant to the example used, such as use of force considerations and the challenging of improper behaviour, but some are directly relevant.

‘Authority, respect and courtesy’ is the most obviously pertinent, with the victim having gone through a traumatic and personal incident, how we treat people is extremely important. This goes hand in hand with the policing principles of ‘respect’ and ‘fairness’. I believe this was demonstrated by our general comportment with the victim but specifically the lengths we went to abiding by his wishes for his sexuality not to be disclosed to his mother, even though this would have made our lives easier by not having to tip-toe around the issue. This also ties in with the ‘confidentiality’ which is part of the COE that dictates how we should treat information that we encounter as part of our duties.

‘Duties and responsibilities’ is a part of the COE that covers the diligence with which officers must undertake their procedural and ethical responsibilities. Demonstrated by covering all the procedural responsibilities covered in the previous section, this also covers the policing principle of ‘accountability’. Accountability in the policing sense means ensuring that we take proper responsibility for the work given to us and are answerable for our decisions. As outlined previously, there are plenty of tools to help us do this such as the NDM, and verily, the COE itself. This accountability is made more important in the case of a hate crime such as the one used as the example for this essay. Most occurrences are only reviewed by the in-force ‘Crime Management Unit’ CMU before closure, with domestic occurrences requiring

a sergeant's oversight. The difference with a hate crime is that the local geographical inspector must review the occurrence from the outset and ensure that timely and appropriate police action is always being undertaken. This level of oversight from a highly ranked officers means that I, as the officer in case, must ensure I am accountable in all my decisions regarding the case.

'Honesty' and 'openness' are values which were demonstrated by the fact that I explained to the victim the evidential difficulties we would face in identifying his abuser. It would have been easy to promise him the world and leave him later wondering what had gone wrong, but I explained my decision-making process to him and ensured that he would be kept a part of all decision-making.

'Integrity' and 'selflessness' are values that underpins everything we do on duty and are not values that can be illustrated by specific actions. It would always be easier to 'cuff' calls or downplay them in such a way as would cause us less work, but these principles dictate that we treat every call with all due seriousness as we did with this occurrence.

Policing is a comparatively high octane and exciting profession and during all the excitement officers sometimes can overlook the very crux of policing, the victim. Victims can be incredibly difficult to manage effectively and the consequences for maltreatment of victims are far-reaching and disastrous. Overall, I am very happy with how I have dealt with the victim mentioned in this writing. The case is ongoing, and my responsibilities to the victim will only grow as I accompany them through the CJS. Ultimately, an officer must ensure three things with any victim they provide service too; that they are safeguarded, that they are supported, and that they are given every opportunity to provide the best evidence that they can, and I feel I have done this to the best of my ability with regards to the young man.

Word count = 2541

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:

When considering what qualities are necessary in prospective police officers, high on the list, if not at the top, is the quality of sound decision-making. Due to the fluid and consequential situations that officers deal with daily, the ability to make solid and justifiable decisions is a cornerstone of what an officer needs to be able to do the job properly. There is a plethora of decision-making tools available to officers, as well as a multitude of concepts and definitions that are key considerations of the decision-making process. The National Decision Model is the primary tool and is accredited and developed by the College of Policing (COP). In this essay, I will be critically assessing a situation I was recently involved in and using the NDM to critically reflect upon my actions and the decisions I made. Due to the NDM being the paradigm through which this reflection is made, no other reflective model will be used (to avoid clutter and keep a simply thematic structure to the essay). I will then explain and relate the 'Criminal Procedure and Investigations Act' (CPIA) to the incident and determine the responsibilities this legislation holds for officers. Finally, I will illustrate how I held true to policing values in my roles as lead in the incident and how I countered bias in my decision making.

I recently attended a report of an adult woman assaulting a 12-year-old girl by punching her three times, the reporting person was the victim's mother who was on scene. The victim had recently dated the adult suspect's 13-year-old son. She had gone to the address of the 13-year-old boy to confront him about a sexual assault she had suffered from him whilst they were together and had disclosed this sexual assault to the boy's mother, causing the mother

to assault her. I lead the initial response and have kept the occurrence on my workload as officer in case, so the job is mine from start to finish. It is important to note that I was still in the 'Professional Development Unit' (PDU) when I attended this incident. To summarise, a 12-year-old girl has at some point been sexually assaulted by her then 13-year-old boyfriend, and after disclosing this assault to her ex-boyfriend's mother, his mother has assaulted her.

Though the incident itself was (and continues to be) complex to deal with, the legislative context of this incident is relatively simply. The alleged initial sexual assault was an incident whereby the boy has placed his hand on the victim's breast underneath her bra and refused to remove it when she had expressed to him that she did not consent. This is known as an "assault by touching" as no penetrative act has transpired and is contrary to S.7 of the Sexual Offences act 2003 (*Sexual Offences Act*, 2003). The alleged assault on the victim by the mother was by way of three punches to the face with no weapons used. The specific assault offence is dictated by the level of injury suffered by the victim and in this case, the assault caused no injury what-so-ever to the victim, meaning this was a simply common assault contrary to S.39 of the Criminal Justice Act (*Criminal Justice Act*, 1988). This incident is notable due to the victim being a child. Unfortunately, assaults on children from adults is not a rare an occurrence as one would hope, with 3.1 million adults in 2019 revealing that whilst under 16 they had suffered violence of some kind from a person over 16 (the only available statistics are from the 'Crime Survey of England and Wales' and include sexual abuse) (ONS, 2019). Due to the obviously sensitive nature of child inflicted and child suffered sexual assaults, data is hard to come by, but child on child sexual assault is also more common than one would presume, with the Guardian reporting that 7866 child on child sexual assaults (of any kind) occurred in 2016-17, a rise of 71% from the year before (uncredited, 2017).

The National Decision Model (NDM) is the forefront decision-making model developed and promoted by the College of Policing (COP, 2014). It was essentially developed to standardise police decision-making across the board and provide a yardstick by which all policing decisions could generally be measured. Using the NDM does not guarantee immunity from consequence of their actions, but generally, officers who have applied the NDM to their decisions in good faith, will be supported even if the outcome is undesirable (paramount in a profession where things go wrong as much as they do in policing). The NDM is separated cyclically into five sections which are; gather information and intelligence, assess threat and risk and develop a working strategy, consider powers and policy, identify options and contingencies, and take action and review. In addition to these 5 components the Code of Ethics (COE) underpins the NDM at every stage and should be a continuous consideration for officers.

The first stage of the NDM is gathering information and intelligence. This started as soon as I took the call over the radio, by my listening to the initial information passed with the call, and then requesting PNC and NICHE checks on the people involved, with a view to knowing their history and any warning markers. Unfortunately, no details were known of the people involved at this point, so this was not possible. Beyond this, I listened to the stories of both sides upon arrival without favour and used what I had learnt to inform all my decision making. The circumstances were allegedly as described above.

At the point of our initial attendance, the family of the underage female victim, and the family of the underage male suspect (of the sexual assault) and the adult female suspect (the

mother who had committed the physical assault) were both in the street verbally abusing each other and spoiling for a fight. This constituted the most immediate threat, but primarily considered was the welfare of the 12-year-old victim and the 13-year-old suspect for the sexual assault (who remains a child and thereby vulnerable despite the accusations). The initial working strategy was simply to separate the parties to a point where they could be subsequently safeguarded, and our options could be properly considered for what we wanted to do going forward.

The powers and policies available to us determine what our options and contingencies are. A power or arrest was of course present as offences had been committed, but in liaison with local sergeants it was agreed that having a 13-year-old boy in custody overnight was not appropriate regardless of the accusation. When bereft of necessity to arrest, policy allows us to call people in for voluntary interviews, thus allowing to deal with the investigation slow time which is the action we took. I will review the outcome in the conclusion section of this essay. I believed that the way I considered everyone's vulnerabilities, safeguarded everyone involved and acted professionally in a difficult situation reflected my adherence to the code of ethics.

Discretion is an interesting concept, defined in the semantic sense as the ability of a person to act with autonomy and freedom when decided what should be done in a situation. This would seem naturally at odds in an organisation as prescriptive as the police regarding how its workers conduct themselves. The importance (and legitimacy) of discretion in policing was formally recognised in 'The Scarman Report' (Scarman, 1982). In brief, the sheer range of situations and subsequent options that an officer comes across, makes rigid prescription to protocol impractical. Scarman accepted that officers would at times have to rely on their own judgement to make decisions when the prescribed route appeared not to be in the public interest. This is particularly pertinent when considering that his report was following the Brixton riots, arguably a result of decisions driven by poor judgement and racism on part of the metropolitan police. It is imperative to remember that discretion is not a *carte blanche* for officers to act with impunity. Their discretionary decisions **MUST** remain consistent with the 'Code of Ethics' and remain ethically, morally, and legally accountable. I used discretion in my decision not to arrest the boy and have him in custody overnight, believing this not to be in the public interest despite being a legally valid way of proceeding. This decision was supported by local sergeants and my tutor.

The Criminal Procedure and Investigations Act (*CPIA*, 1996) is an act of parliament which at the time, overhauled the processes and protocols of the criminal Justice system relating to the investigation and prosecution of criminal offences. The act applies to all practitioners across the criminal justice system from the police at first contact, all the way through to court practitioners such as the 'Crown Prosecution Service' (CPS), defence barristers and magistrates. Where police officers are concerned, the act sets out protocols and procedures regarding the management of information gained in the process of an investigation and the disclosure of this information. The information which comes under the act is any information which is gained by any officer investigating any person suspected of committing any summary, indictable or either way offence, or any information which is gained through investigatory methods with an aim to identify any such individuals.

The act defines the different categories of information and what should be done with each of them. The three types are evidence, unused material and non-relevant material. Evidence

is self-explanatory, being any information, which is being entered into evidence as exhibits by the prosecution. This would include witness statements, forensic exhibits and digital exhibits such as CCTV or body-worn video. Unused material is any further material pertaining to the investigation that is not being used as evidence. This would include things such as NICHE occurrence enquiry logs, and custody records, or even statements that have been decided to hold to evidential value. Finally, unused material is information which has been gotten as part of the investigation but is not relevant to it, such as details of peoples previously cleared under the investigation.

The CPIA dictates the protocols by which this information must go through the 'disclosure' process. Disclosure is the process by which the prosecution (verily, the CPS) shares this information with the defence of the accused. The police are effectively an extension of the CPS in this context and the CPIA demands that all information must be disseminated as described in the above paragraph if it is evidence or unused material. Disclosure is a key part of the fair trial and fair justice ideal of the criminal justice system in the UK. If the disclosure criteria are not met, then this can throw an entire case into jeopardy. This is evidence by the collapse of a trial of environmental protesters who were alleged to have been conspiring to take action against a power station in Nottingham in 2009. Recordings of the protesters made by an undercover infiltrator named Mark Kennedy had not been disclosed to the defence and the convictions of the protesters were subsequently quashed. This occurrence mentioned throughout this essay has not yet reached the CPS stage as nobody has yet been charged, but I already know that if it gets to that, I will have to disclose the suspects PNC prints, custody records and the storm and OEL logs for the occurrence.

Using the same definition of 'policing values' as in the previous task, based largely on the 'code of ethics' and the 'nine policing principles' I believe they have been engaged in the occurrence mentioned in the task in the following ways.

'Authority, respect and courtesy' is arguably the most important part of the COE regarding this occurrence. Whenever a child is involved in an offence there must be extra though put towards how we interact with them, but when the child is a sexual offence victim, this has to be turned up to 1000. The girl was understandably shaken about what had occurred and if my attitude towards her was anything less than what it needed to be; she would have closed up quickly making getting the best evidence impossible. I was attentive, respectful, caring and supportive.

'Duties and responsibilities' are also extremely pertinent when considering our ever-present responsibility to protect and safeguard members of the public, especially children. I believe this was evidence by not only my actions and investigations with the victim, but the lengths I went to trying to safeguard the child suspect for the sexual offence as well.

Bias is an inclination against or for something one way or the other. Biases are present for all of us in our daily lives, from our food preferences, to our music tastes to our political choices. The very definition of bias is that the subject is in some way partial to or against something, and in a policing context this flies in the face of the COP's 'Competencies and Values Framework' which has impartiality as one of its four core values of policing (COP,2021). Bias has undoubtedly been a problem for policing over the years, one only must look at the 'Macpherson Report' (Macpherson, 1999) Stephen Lawrence murder and its subsequent handling by the met to see the effect bias can have on policing, and the

subsequent damage this bias can have on public confidence in policing. In the case of the Stephen Lawrence murder the bias was coined as 'institutional racism' on the part of the met but bias can take many forms and be against any characteristic, which is notable when considering the sheer breadth of society, we come across whilst policing.

It is hard to say how bias could have affected me in the course of dealing with the occurrence mentioned in this essay, the sheer nature of unconscious bias precludes the subject from being aware the bias is a motivator. I pride myself on being a rational and objective person who doesn't let bias override policy, procedure and sound decision making. Even beyond this, I am simply not the kind of person who has biases against a person's intrinsic characteristics, the closest I feel like I perhaps came to it in this scenario was upon hearing the allegation of the sexual assault from the girl. When dealing with sexual assault it can be easy to develop a visceral bias against the accused due to the graphic nature of the crime and the distress the victim suffers, amplified in this case due to the victim being a young child. Upon hearing her account, I instantly developed a dislike of the alleged offender before even meeting him or hearing his account and wanted to arrest him straight away. This was counteracted by the de facto policy of not having children in custody unless utterly unavoidable. We should seek to eliminate bias wherever possible, but where this cannot be done, prescription to policy and procedure can normally counteract it as it did for me in this case.

To bring my journey around the NDM full circle (or in a literal sense perhaps full pentagon) and make a conclusive review of my involvement in the incident, overall, I am very satisfied. It seems self-serving to review my own actions in a university paper and state that I think I did everything right, but in this case, I think the incident went as well as it could have. A sexual assault on a minor is about as horrible a call as can be dealt with (regardless of the offender) but I believe I dealt with it with the right level of cool detachment (from my own feelings) whilst still being empathetic and servient to the victim. Ultimately, I could (and can still) feed all my decisions into the NDM, particularly my choice of how to deal with the offender. Ultimately the decisions made in these formative years and calls in my career will set a precedent for how I comport myself throughout my career, and with this particularly in mind, I am extremely satisfied with how this incident went.

WORD COUNT - 2672

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
<u>Specific -</u> Avoid rigid prescription to established response norms and make valid use of discretion where appropriate.	<u>Measurable, Achievable and Realistic –</u> Just because something is not quantifiable, it does not preclude it from being measurable. This is measurable by judging the output from my use of discretion when employing it in live scenarios as detailed in task 4. Reviews with my assessor and Sgt will reinforce this via feedback.	My sergeant when I ask him for advice in real-time scenarios. The rest of my response shift with advice and help day to day. My PDU tutor who remains available for advice when needed.	<u>Timely –</u> In the short-term by the effect my use of discretion has on the scenarios in which I employ it. In the long-term by the resulting feedback I get from these decisions in reviews with my PEQF assessor and Sgt
<u>Specific -</u> Achieve a level of comfortable status quo in balancing response work, response caseload, university workbooks and additional reflective work stemming from CPD.	<u>Measurable, Achievable and Realistic –</u> Measurable by my stress levels on trying to pull of the balancing act when juggling these things. This is more than achievable, it is imperative, failure to do this will quickly lead to burnout and disillusionment.	I can go to my Sgt or university contacts when I feel like the workload is tipping my proverbial scales on either side.	<u>Timely –</u> I will know If I am managing this by around next April when I am amid my second workbook and as under pressure as I am probably going to be.

<u>Specific -</u> Essentially, to make it through my two years of probation successfully and have the freedom to specialise in the force when I wish to do so.	<u>Measurable, Achievable and Realistic –</u> Acutely measurable by when/if I manage to usefully complete the university side of my probation, you never feel like you are “in” until the probationary period is complete. We have good job security as it is, but this would really sew this up.	It takes a village and the successfully complete my probation I will require the aid not only of my shift, sgt and university tutor, but also my support structure at home, particularly my partner.	<u>Timely –</u> The day my probation is set to end.

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The bibliography should only include sources referenced within the workbook using the Harvard referencing system. Information about referencing in written assignments and how to avoid plagiarism can be found on Moodle. It is important that you are aware of the importance of ensuring that the work submitted is your original work.

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