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Assignment 1

Essay one

Analyse the role of independent bodies (i.e., IOPC/HMICFRS) in holding the police accountable to those they serve.

This essay will analyse the role of independent bodies in holding the police accountable to those they serve and will focus on the Independent Office for Police Conduct (IOPC) and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). This essay will explain the roles of the IOPC and HMICFRS and argue that they are vital organisations in holding the police accountable. In contrast, the essay will also identify issues involved and the perceived limitations of these independent bodies.

Every police officer declares during their attestation that they will serve with honesty and integrity, but unfortunately the police service has a history of officers who have failed to uphold the necessary standards of behaviours expected of them (College of Policing, 2020). The Code of Ethics was produced by the College of Policing in 2014 and it explains the standards of behaviour expected of police officers. Misconduct is defined as the breach of professional behaviours that are set out in the Code of Ethics (GOV.UK, 2018) and includes dishonesty, discrimination, neglect of duty and corruption. John Kleinig (1996, p.166) suggests that corruption occurs for personal or professional gain, "police officers act corruptly when, in exercising or failing to exercise their authority, they act with the primary intention of furthering private or departmental/divisional advantage".

Examples of high profile police corruption cases are the Cardiff five and the Birmingham six. In both cases men were wrongly prosecuted and imprisoned due to the manner in which police conducted the investigations. The Cardiff five case was described by Richard Horwell QC as "one of the worst miscarriages of justice in our criminal justice system." (The Guardian, 2017). Corruption and malpractice leave a damaging effect as it negatively affects the public's view of the police, leading to public mistrust and lack of co-operation. Therefore, it is vital that organisations are able to actively investigate and act on claims of corruption and malpractice.

One of the main independent bodies that oversees the police complaints system in England and Wales is the IOPC. The IOPC "investigate the most serious matters, including deaths following police contact, and set the standards by which the police should handle complaints" (IOPC, 2021). The IOPC conduct independent investigations into complaints against police and based on their findings decide on a number of outcomes. These can be referral to the Crown Prosecution Service (CPS) if criminal activity is detected, identifying learning opportunities due to mistakes that have been made, and agreeing with police forces over proposed action relating to training. Therefore, the IOPC is an extremely important organisation as their actions help to improve the police service as a whole.

The IOPC website states that each year they "investigate over 700 reports of police misconduct or corruption and have made over 200 learning recommendations since 2018." (IOPC, 2021a). A 2019/2020 report by the IOPC stated that they "investigated 2838 valid appeals and upheld 1024 of these and a learning recommendation they suggested led to 2600 officers and staff completing a

training package relating to stalking and harassment.” (IOPC, 2021b). The IOPC has also collaborated successfully with the CPS to ensure that corrupt officers are brought to justice.

The IOPC clearly have an important role in holding the police accountable for any wrongdoing and have made significant progress investigating and action against corrupt officers. However, in contrast the 2019/2020 report by the IOPC suggests that a survey of their stakeholders when asked if they were confident that the IOPC deals with work impartially, 39% of respondents answered either ‘don’t know, not very confident or not at all confident’. (IOPC, 2021c). This indicates that many people are unaware of or doubtful of the IOPC's independence from the police and this could have a negative impact on the public's perception of the IOPC's reliability when investigating complaints. Although this is a cause for concern, it has no bearing on the reports' reliability, quality, or independence.

Further to this, police federations have reported that the time taken by the IOPC to investigate complaints are causing stress and anxiety to officers. In the 2019/2020 year, “internal investigations into complaints, took an average of more than two years to complete.” (Hampshire Police Federation, 2020). Lengthy investigations are clearly damaging to officers' mental health and this pressure is likely to impact the motivations and work ethic of those who are still on active duty while being investigated.

Alongside the IOPC is HMICFRS. According to the HMICFRS website they are “the senior institution in the policing landscape, as it oversees, inspects and reports upon the efficiency and effectiveness of all Home Office police forces, as well as other forces and agencies by invitation” (HMICFRS, 2021). HMICFRS publishes an annual assessment on each of the UK's 43 police forces, focusing on their efficiency and effectiveness. Therefore, this organisation is crucial to understanding the current condition of policing and for identifying learning recommendations or changes that could be implemented.

In contrast, HMICFRS has certain limitations because as an inspectorate, it does not have the authority to act, direct, or enforce. HMICFRS can only make recommendations to Chief Constables, Police and Crime Commissioners, who then decide themselves if they wish to act on them. (HMICFRS, 2020). However, while this may appear to be a lack of authority, the reports are open, accessible to the public and impartial, ensuring that any significant findings are not overlooked or ignored. The IOPC and HMICFRS also collaborate together and have agreed to cooperate effectively by consulting with each other as necessary and to share relevant information to assist decision-making. (HMICFRS, 2018). This aims to achieve more informed decision making and ultimately a better standard of service.

In conclusion is evident that independent bodies such as the IOPC and HMICFRS are essential to ensure that misconduct and corruption are properly investigated and acted on. HMICFRS ensures that ineffective police forces are identified and recommendations for changes made. The IOPC has successfully investigating misconduct and corruption allegations that have resulted in prosecutions and dismissals, as well as ensuring necessary training is provided. These actions show the general public that police inadequacy, misconduct and corruption will not be tolerated and that actions are taken as necessary. However, on reflection the IOPC in its current form is still a relatively new organisation, and it may be beneficial for them to determine how they can inform and assure the public that they are in fact independent from the police.

Essay two

Examine the ethical dimension of 'real time' operational decisions.

Police officers must make decisions as part of their role and this essay will examine the ethical dimensions of real time operational decisions. It will begin by outlining the importance of ethical decision making and continue on to outline the risks faced when making decisions. This essay will then conclude by examining the duty of care officers have to the public and the impact this has on police officers when making decisions.

Ethics in relation to the police can be defined as "how police officers make the right decisions, doing the right things for the right reasons". (Neyroud & Beckley, 2001, p.37). Further to this, Bryant and Bryant (2019a) suggest that "The legitimacy, authority and effectiveness of the police depend on the exercise of ethical decision making". Considering both these points, it is evident that ethics are critical to the validity of police decisions, and they must be considered in every decision made by a police officer. Peter Neyroud (2019) suggests that police are "unable to be truly ethical without consulting with the public". This view is supported by the concept of 'policing by consent', which is the concept that the police service cannot function without the support of the public (College of Policing, 2011). Therefore, if the police are not seen to be making ethical decisions there is the possibility of losing public support.

A further explanation as to why decisions made by police officers must be ethical can be stated as "Every police officer has to make a multitude of decisions on a daily basis, some will be minor and routine and relatively inconsequential, but some will be life-changing or life-saving..." (Roycroft, 2019, p.2). Further to this, all police officers must abide by the Code of Ethics, which were introduced by the College of Policing in 2014 and "explains the standards of behaviour expected of police officers." (College of Policing, 2021a). The Code of Ethics are an integral component of the National Decision Making Model (NDM), and this is a six-part structured decision making process, which includes the Code of Ethics at the centre to ensure that ethics is considered in all decisions. (College of Policing, 2021b).

The NDM is designed to aid police officers in making ethical decisions in all day to day decisions. The NDM not only assists officers in making decisions, but it also allows them to review those decisions both immediately and subsequently. When used the NDM is a useful tool for police as it allows them to assess judgments made in real time situations allowing for reconsiderations and reflection. The NDM is also designed for decision makers to assess risk, and decisions can be assessed for risk using the same procedure.

However, "It will not always be possible to apply strictly analytical 'rational' models of decision making..." (Bryant 2019a, p47) and there are many varied factors that can influence decisions, such as a lack of information, stress, and fatigue. According to the Health and Safety Executive, "Fatigue results in slower reactions, reduced ability to process information, memory lapses, absent-mindedness, decreased awareness, lack of attention, underestimation of risk, etc" (Health & Safety Executive, 2021). Even the current trend of police interactions with the public being filmed and posted on social media can influence police judgments due to fear of public backlash (The Independent, 2021). Therefore, even with strict adherence with the NDM there are still many factors that will affect decision making.

Risk can have a negative impact on decision making because as it is difficult to predict all outcomes of a decision, uncertainty can result in hesitancy, which in turn can lead to a delay in making decisions, a characteristic identified as decision inertia. Decision inertia is described as "a

failure to execute an important, irrevocable decision resulting in non-optimal consequence” (Alison et al., 2015). Fear of making an unethical decision may lead to decisions not being made when it is most critical, which could have far-reaching effects. However, Robin Bryant and Sarah Bryant (2019) suggest that a police officer who has followed the NDM when making a decision involving risk should only be judged on the decision made and not the outcome.

Further to this, legal action taken by individuals affected by police decisions could have a major impact on future decision making by police officers. In 2018 a member of the public entered into litigation against West Yorkshire Police after the claimant was injured as an innocent bystander during an arrest made by officers on a public street. (*Robinson v Chief Constable of West Yorkshire Police*, 2018). The Supreme Court found that prior to making an arrest the officers should have determined in their risk assessment that the suspect may resist arrest and that this potentially could cause injuries to bystanders. The police service has always held a duty of care towards the public, however the outcome of this judgement raises concerns relating to the extent of the police's duty of care to members of the public, taking positive action, and decision making. There is the possibility that officers will feel compelled to make more in depth risk assessments when making real time decisions resulting in decision inertia or even completely avoiding taking risks, known as risk aversion. This is supported by the findings of a 2018 study conducted which found that officers did show signs of risk aversion when making decisions relating to mental health calls, due to their fear of scrutiny (Thomas and Forrester-Jones, 2018). This type of behaviour is problematic for police officers because according to the College of Policing “The willingness to make decisions in conditions of uncertainty (i.e, risk taking) is a core professional requirement of all members of the police service (College of Policing, 2018).

In conclusion, it is clear that ethics is a critical component of decision making and that it should be at the centre of all decisions made. Police officers must follow the Code of Ethics at all times as ethical choices ensure that the best decisions at the time are made. However, no judgement is perfect, and with the increasing number of police encounters with the public being documented on social media, it is more critical than ever that officers make the best decisions possible. Police officers must make decisions based on the information available at the time, and decisions that have negative consequences such as *Robinson v Chief Constable West Yorkshire* may have a negative impact on police decision making. It may be beneficial for research to be conducted in this area to establish any potential impact caused by this judgement.

Word count – 1091

Essay three

Assess the impact of organisational justice on police agency.

This essay will assess the impact of organisational justice on police agency and why positive organisational justice is essential to the wellbeing of police staff. This essay will define organisational justice and outline the positive and negative effects this has on the police service and its employees. It will then go on to outline the steps the police service has taken to ensure positive organisational justice and will conclude by discussing the potential limitations of organisational justice.

Organisational justice is a theory proposed in 1987 and refers to the extent to which employees perceive procedures, distribution of rewards, and interactions with superiors to be fair, (Greenburg, 1987). This theory is supported by Susannah Baldwin as she claims that organisational justice “refers to the extent to which employees perceive workplace procedures, interactions and outcomes to be fair in nature.” Baldwin then goes on to state that, “These perceptions can influence attitudes and behaviour for good or ill, in turn having a positive or negative impact on employee performance and the organisation’s success.” (Baldwin, 2006).

Greenburg (1987) suggests that organisational justice theory can be split into four separate concepts, First, distributive justice which refers to if employees believe that the organisations rewards, for example pay and promotion. Second, procedural justice which refers to if employees believe the organisations procedures and processes are fair. Third, interactional justice which refers to if employees perceive they are being treated fairly by their colleagues and managers. Finally, interpersonal justice which refers to if employees perceive they are treated with respect when decisions are made

It has been found that higher levels of perceptions of distributive and procedural justice typically result in more positive views of the job and the organisation (Baker et al., 2015). This is supported by research conducted by Wolfe & Piquero (2011) who found that police officers who view their workplace’s organisational justice to be fair, have a lower level of involvement in police misconduct. Further to this, a 2017 study claimed that “officers who felt fairly treated by their organisations were more trustful of the public, had more favourable attitudes toward community policing, and were more committed to their organisations.” (Carr and Maxwell, 2017).

Both these studies appear to support the idea that employees who perceive they are treated fairly have higher job satisfaction and commitment to their jobs. These studies, however, do not clarify what treatment is considered to be fair. Each employee will have a distinct perspective on what is fair, making it difficult to define fairness in general.

In contrast, lower levels of organisational justice are associated with negative effects such as stress, staff negativity towards their job and high attrition rates among staff (Silva and Caetano, 2014; Elliott-Davies, et al, 2016). This view is supported by research conducted by Dr. Constanze Eib at the University of East Anglia, who found that employees who felt more fairly treated reported greater health, (uea.ac.uk, 2016). From the responses given during the research undertaken, it is clear that there is a link between perceived fairness in organisational justice and positive outcomes, and that positive organisational justice is critical to an organisation's success and employee wellbeing.

The College of Policing has taken steps to improve organisational justice and introduced fairness and respect into the Code of Ethics. The Code of Ethics sets out the “standards of behaviour expected of police officers.” (College of Policing, 2021). Furthermore, research has shown that a

supervisor has the largest impact on whether or not an employee feels treated fairly, because the supervisor is often the source of the majority of the information or guidance received by an employee (College of Policing, 2015), therefore better collaboration between employers, supervisors, and employees could improve employees' feelings of being treated fairly. In addition, research has shown that police officers are more likely to treat the public with fairness and respect if they feel that they themselves are being treated fairly and respectfully (HMFICRS, 2017a). It has also been found that "better-performing forces have effective forums for drawing together workforce feedback and wider management information" (HMFICRS, 2017b).

Conversely in the context of policing, the police service is a disciplined organisation with a hierarchical structure. Information and commands tend to move down a hierarchy system, with each rank answering to their superiors resulting in front line officers being '...very rarely consulted about the kind of changes needed (Bailey, 2008). Therefore, an organisation consisting of a hierarchal structure will always face challenges consulting with its employees, particularly in relation to the police and the sensitive decisions that must be made. Frontline officers are frequently unaware of the rationale for decisions made by superiors yet must nonetheless still follow commands. In relation to this, Ryan and Wessel (2015) claim that "informational justice research would suggest that the absence of any information as to how the decision was made or why can lead to unfairness perceptions".

Additionally, it may be beneficial to the police service to conduct research to understand organisational justice in a changing policing landscape. Policing has been forced to adapt greatly since austerity was introduced in 2010 as it resulted in police budget cuts of 19% (NAO, 2018) and since being introduced the number of police officers in England and Wales has decreased by 16 percent, from 143,734 to 123,170. (The Guardian, 2021). Furthermore, according to a 2020 Police Federation survey, three quarters of respondents reported that their force morale was low (Police Federation, 2021). Understanding why employee morale is so low could help to improve perceived organisational fairness and overall job satisfaction.

In conclusion it is evident that organisational justice has a major impact on the police service and that a positive organisational culture is vital for the success of an organisation and the wellbeing of its employees. Positive organisational justice results in employees feeling more valued, motivated, and committed to their employment and even reporting better personal health. Lower levels of perceived organisational justice can result in employees suffering stress and dissatisfaction with their employment. Further research into whether and how significant budget cuts over the last decade, if there is a link to the 2020 Police Federation survey findings of extremely low officer morale, and how this has affected organisational justice, could help the police force establish how to improve positive organisational justice. According to the findings of Ryan and Wessel's research, it could also be beneficial for the police service to include frontline officers in future meetings and decisions, even if only to provide clearer explanations for decisions made that directly concern frontline staff.

Word count – 1085

Essay four

Analyse potential links between serious and organised crime and public protection issues.

This essay will analyse the potential links between serious and organised crime (SOC) and public protection issues. This essay will begin by defining SOC and identify links to public protection issues. The essay will continue on to example an agency that works towards public protection, why its work is vital, and outline its strengths and weaknesses and will then conclude by outlining the role of the media in relation to public protection issues.

SOC is defined as “individuals planning, coordinating and committing serious offences, whether individually, in groups and/or as part of transnational networks” (The Serious and Organised Crime Strategy, 2018b). The link between SOC and public protection issues are that SOC “exploits vulnerable people, blights communities and generates fear, intimidation and violence” (ROCUWM, 2021). Serious and organised crimes include child sexual exploitation, modern slavery, illegal drugs, human trafficking, fraud, and cybercrime. Anyone can become a victim of SOC, and it is vital that it is tackled as “it has a daily impact on citizens, public services, businesses, institutions, national reputation and infrastructure” (House of Lords 2020).

According to the National Crime Agency (2019) there are over 100 government and law enforcement bodies, agencies and other organisations that work to stop serious and organised crime, indicating that there is a largescale effort to tackle SOC. An example is the Multi-Agency Public Protection Arrangements (MAPPA). MAPPA are the “arrangements through which the Police, Probation and Prison Services work together with other agencies to manage the risks posed by violent and sexual offenders living in the community in order to protect the public” (MAPPA, 2021). This service is vital for public protection as the offenders managed under pose a great risk to members of the public. Information is shared using the Violent and Sex Offenders Register (ViSOR), which is a database that holds details of every registered offender and is updated by the three bodies involved with MAPPA. Since the formation of MAPPA, progress has been made in managing the risk posed by SOC, and a 2015 inspection concluded that although it is difficult to assess MAPPA's performance, they reported good progress in the four years following a 2011 inspection and that it was performing well overall (Justice Inspectorates, 2015). The success of MAPPA is increasingly important to public protection as of 31 March 2019, 82,921 offenders were being managed under MAPPA, and this figure is increasing yearly (GOV.UK, 2019).

However, the effectiveness of MAPPA is dependent on the police, probation, and prison services all cooperating successfully, and an independent inspection conducted by HM Inspectorate of Probation (2015) found that this was not always the case. The inspection concluded that while the police were using ViSOR appropriately, the probation and prison service were not keeping the database up to date and this could seriously negate the effectiveness of ViSOR overall.

Similarly, the police service is also dependent on collaboration with the public and the media in order to be effective in its duties. The public sources the majority of the information relating to the police through the media, therefore, they are exposed to the media's narrative. As a result, the media has an influence on how police are portrayed, and there is evidence to suggest that media coverage of the police is predominantly negative (McGovern & Phillips, 2017). Negative opinions of the police could have serious consequences for public protection and how the police are able to respond to public protection issues. Research has shown that negative press reduces police officer motivation (APA.Org, 2015) and a recent report found that ‘crimes unreported as police lose faith in police’ (BBC, 2020) and continued negative reports towards police can potentially cause public

disorder (Inews, 2021). Victims of SOC may feel unable to contact the police for help and members of the public who have suspicions of or have witnessed SOC activity may not contact the police, allowing SOC activity to go undetected and not investigated. According to the College of Policing “the police service would cease to function without the active support of the communities it serves” (College of Policing, 2013), therefore, tackling SOC is reliant on a good relationship between the public and the police.

However, the media also helps to draw attention to public protection issues and is an important source of information for the public when informing and educating the public in relation to SOC. The College of Policing (2017a) states that successfully working with the media allows the police to communicate with the public, and this helps with police investigations and also giving the public insight into police work. The media makes the public aware of SOC activity such as county lines and informs them of police action to fight against it (BBC, 2021). There are examples of newspaper articles helping to raise awareness of modern slavery (The Guardian, 2021a) and the media reporting around the Baby P case had significant impact on public awareness of child protection issues. Peter Connelly, known as ‘Baby P’ was a horrific case of child abuse that attracted high media attention and brought perceived social care failures to the attention of the public and the Government. Susan Elsey (2010) noted in her report into the media coverage of the Baby P case that subsequently referrals to child protection agencies increased. Further to this, following the Baby P case, a 2009 Government report was commissioned, which recommended improvements to better protect children (Lord Laming, 2009).

In conclusion there is a clear link between SOC and public protection issues. SOC groups target vulnerable people and has a serious impact on individuals, the public and at the highest level the economy. MAPPA is evidently a highly effective and essential body that helps fight against SOC. By managing offenders that pose a risk to the public MAPPA help to protect the public from any further harm and continued improved collaboration between the police, probation and prison service will serve to increase their efficiency. The media has a significant effect on the information that the public is exposed to, and this can result in negative effects such as mistrust in the police or public disorder. However, it is also evident that the media has a significant role in informing the public in relation to public protection, bringing issues to their attention that they may not have been aware of. Going forward, additional research relating to modern media channels, such as social media, and the effect these have on public opinions of the police, and how police use them to raise awareness, may be beneficial for addressing public protection issues in the future.

Word count – 1093

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