

BSc (Hons) Professional Police Practice

LEVEL 4 - 40 Credits

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

**(SOUTH WALES POLICE, GWENT POLICE AND
UWTSD)**

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FACULTY OF BUSINESS AND MANAGEMENT PUBLIC SERVICE PROGRAMME

Module title: Professional Police Practice 1 (PCDA)

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 BSc 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)

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.

Please be aware that any content that is deemed to be inappropriate, disrespectful, or abusive will not be tolerated. Following review of any content of this nature the information will be shared with the employer of the student responsible.

The content of this workbook should be your own work. Do not allow anyone else to see your work or use your work for their own submissions.

Should any health and wellbeing concerns be raised because of disclosures made by the student within this workbook, the employer of the student will be informed.

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 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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	Confirmation of Confidentiality and Plagiarism <i>This is confirmed by submitting through Turnitin</i>	

Task 1

Relevant areas of the National Policing Curriculum: Wellbeing and Resilience

Guidance:

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

1000 words (+/- 10%: include your actual word count at the end of each section)

ANSWER:

As a Police Constable, it is paramount that you have coping strategies to help you deal with the inevitable stress you endure in the role. Mind, the UK charity, defines stress as "how we react when we feel under pressure or threatened" (Mind, 2022, p.2). To minimise stress, you aim to build up resilience by effectively finding, and implementing, coping strategies. Resilience is defined as "the process and outcome of successfully adapting to difficult or challenging life experiences, especially through mental, emotional, and behavioural flexibility and adjustment to external and internal demands (American Psychological Association, 2023). In this essay, I will outline the strategies I have used during my first six months of learning.

The first strategy I implemented to reduce stress and build resilience was regularly running. I would run on average three times per week; however, I made sure not to have set days to run as I found this had an adverse effect on my mental health. I discovered that when I followed a marathon plan for a month, the burden of running on a schedule rather than when I felt like it impacted me negatively. This behaviour could be described as "abuse of exercise" and resulted in "disturbances in mood" (Raglin, 1990). Despite this, the positive impact of running once I removed the schedule was invaluable. This factor is well documented and supported in (Sharma, Madaan, and Petty, 2006). As my time in Bridgend HQ progressed, I encouraged my colleagues to join me on morning runs before work. This group exercise benefitted me further as "belonging to groups that engage in physical activity can protect against depression" (Stevens et. Al. 2021, p.1.).

To reinforce the effects of aerobic exercise I have also taken up road cycling to vary my strategies to combat stress. Broman-Fulks et al (2004) research shows a reduction in anxiety when aerobic exercise is implemented. This is particularly important in relation to stress as anxiety can be defined as "a person's specific reaction to stress" (Mental Health First Aid (2018). This suggests that directly combating the reaction people have to stress, you develop a tool for managing stress as a whole.

Another coping strategy I incorporated into my daily routine was mindfulness and meditation. I first came across mindfulness when I started using Headspace's "Guide to Meditation" on Netflix and I decided to incorporate this into my morning routine

before work. This is an 8-episode meditation guide that incorporates mindfulness aspects. Khoury et al (2013, p.763) support the notion that mindfulness is an "effective treatment for a variety of psychological problems, and is especially effective for reducing anxiety, depression, and stress". It has also been identified by psychological scientists that mindfulness positively changes "brain structures and activity in regions associated with attention and emotion regulation" (American Psychological Association, 2019). One factor that made this Netflix documentary such an important part of managing stress was that it was a quick and easy tool to introduce into my day. It was also something I could implement anywhere if I had 20 minutes spare. This fact alone made it an important tool in combating stress not only for my exams but also to use in my policing career. This is perhaps why 32% of people who know about mindfulness still practice "from time to time" (Simonsson, Fisher, and Martin, 2020, p.837). This number may seem small but when contrasted with the statistics on New Years resolutions, with only 19% of people keeping their resolutions for 2 years, it shows a much higher rate of continuation (Norcross and Vangarelli, 1988).

A further mechanism of stress control I used during training was having a greater focus on my diet. I have always prioritised having a balanced diet but it wasn't until I started running regularly did I understand the importance of it not just on my physical, but also my mental health (Sutter Health, 2023). Although it is not as well documented as the effects of aerobic activity, research demonstrates that a combination of adopting healthy habits, which include "nutritious diets, while decreasing the consumption of highly processed and refined "junk" foods may provide...improved psychological wellbeing" (Firth et al (2020, p.3). This is further supported by Begdache et al (2021, p.13) by concluding that "specific practices along with a consumption of a nutrient-dense diet are critical to promote mental well-being among young men and women".

The final technique I used to better regulate my stress was revising with my colleagues. University College London cites a 2004 research paper published in Linguistics and Education that states that peer revision is both an effective learning tool and a promoter of the "emotional benefits of social support" (UCL, 2017). Having a group environment to help each other and share ideas also shared the perceived feelings of stress. It allowed the group to understand that we were all up against the same stresses. Townsend, Kim, and Mesquita (2014, p.530) research supports the idea of emotional similarity being able to moderate the "relationship between perceptions of threat and stress responses".

In summary, one method alone would not have been sufficient in managing stress throughout the 6-month period. Overall, maintaining or incorporating all-round good habits has proven to help me develop resilience. Healthy eating, accompanied with regular exercise, has been a pillar of support that I could depend on to boost my mood when stress levels were highest. These skills I have learnt or adapted will prove to be an important help in my future career in the police. Stress is an unavoidable part of the job and developing resilience with the use of tried and tested tools will support my mental well-being throughout my work and home life.

Word count - 945

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.

Give a brief description of the incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Review 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 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.

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

ANSWER:

Having a high level of communication skills is required in order to be a valued police constable. Being able to tailor your body language and speech in different scenarios helps officers gain control of situations and, in doing so, does not exacerbate tensions or increase the possibilities of violence. Within this essay, I will be reflecting upon an incident where I had to deal with inquiries into a high-risk missing person. I will analyse my approach to de-escalating and building rapport, as well as regarding core principles in my approach. My reflection will be completed using the Gibbs' Model of Reflection and I will reference research throughout this essay.

A missing person can be described as anyone whose whereabouts are not established (CoP, 2016). As this is a relatively vague definition, missing persons are graded from low to high with the highest being described as "the risk of serious harm to the subject or the public is assessed as very likely" (CoP, 2016). Missing persons account for roughly 12% of what the police do (CoP, 2022a) and although 77% of adults are found within a 24-hour period (Missing People, 2023), it is important to follow the procedure to ensure that everything is done to locate and safeguard the individual. Alternatively,

A person may also be classified as 'absent' if there is 'no apparent risk' identified or they are 'simply not where expected' (CoP, 2018g, cited in Wood et al., 2022, p. 293).

Nevertheless, the missing person I, and two colleagues, were investigating was regarded as high-risk as she was a pregnant woman with syphilis who was currently classed as statutory homeless, the 'priority need' category of homelessness (House of Commons, 2022, p.5). An aggravating factor to the situation I had to deal with was that the missing person was also wanted on warrant. This made the incident more difficult to deal with as even those closest to them were hesitant to provide information that could lead to her discovery, as they believed it would ultimately end in her arrest. Our initial lead, from the missing person's mother, led us to a local homeless shelter to speak to a resident who was the ex-partner of the missing person. This person was identified as his phone was used by the missing person to contact the mother on the previous day.

Before our arrival, I made sure to consult the National Decision Model (NDM) (CoP, 2013). The first stage of the NDM is gathering information and intelligence. From utilising the Niche police database, I could see that the ex-partner had a criminal record and markers for drug use, carrying knives, and assaulting police. I vocalised this to my colleagues to make them aware of the possible risk that posed from speaking to this individual and to ensure that we all followed correct officer safety. The next stage of the NDM is assessing risk/threat and develop a working strategy. Although we were not attending the homeless shelter with negative intentions, I understood that there was still a possibility of conflict and, as a result, we built our strategy around this. Myself and my colleagues all agreed that the warrant was not our concern as the missing persons and her child's safety was paramount compared to the low-level, and victimless, offence she was wanted for.

When we arrived at the scene, we went to the front desk of the homeless shelter to establish if the male had been seen. The staff informed us that he was spotted less than five minutes prior going towards the outdoor communal area for a cigarette. I knew from previous experience in the homeless shelter that the communal area could only be exited through the reception, where we currently were. As the outdoor communal area was narrow, we decided to wait for him in the reception so we could keep an appropriate distance from the individual and out of the 'fighting arc', the zone where an assault can be delivered (Royal College of Emergency Medicine, 2021). Whilst waiting we spoke to the staff about his current temperament of that day.

When the male entered the reception, we approached him and introduced ourselves. Initially, he was nervous but calmed down when we explained the reason for our presence. I informed him that we were not currently interested in dealing with the warrant and that we only cared about the safety of the missing person and her child. I found it difficult to communicate the danger that her unborn child was in, as I was not prepared to disclose private medical information as per stated in the Data Protection Act 2018 (ICO, 2022). At first, still suspicious of us, he told us that he had not seen the missing person for a couple of weeks. When I asked if the number that was used was his, he refused to answer and instead started to become irate.

Suspecting that he was lying, my colleague pressed further and offered to call the number we were given to see if it was his phone. This immediately changed his demeanour. He was visibly getting more aggressive. He admitted it was his number but continued to deny that he had seen her in the last two weeks. When considering policies and powers available, I understood that, as no suspicion of offence had been committed at present, there was no obligation for the ex-partner to answer my questions. However, in relevance to this, it is an offence to mislead the police in a police investigation (*Criminal Law Act, 1967*).

Although, this was a route I did not want to take, in fear of further aggravating our only lead in finding the missing person. The ex-partner, now shouting about his dislike towards the police, and refusing to communicate, started heading up the communal staircase. My colleagues initially started to follow the male, but to avoid escalating the situation, as we knew there was only one exit, we decided to leave him calm down. This strategy worked, as five minutes later when he came back to the reception, he was noticeably more level-headed. I could tell that he did not take a liking to my colleagues and so I, once again, took the lead talking to him whilst my colleagues stepped back. In summary, through reassurance, he began to trust that our priority was on the missing person's safety, and he started to cooperate.

Initially, my emotional response to the lack of cooperation was frustration and anger as I could not understand why he would not help. Through my understanding of his criminal history, I knew that I could not allow any bias to take hold. I also knew that their 'relationship' is in the top three reasons for why somebody may go missing (NCA, 2021, p.42). Overall, although it was important to consider his involvement, there was no evidence that the ex-partner had any cause in the disappearance of the missing person. Cognitive biases are the psychological "shortcuts that people automatically use when trying to make sense of new information, make decisions, or take action" (CoP, 2023a, p.1). As per the police code of ethics (CoP, 2014), it was important to remain an impartial evidence gatherer throughout, despite what I thought of the individual.

Upon reflection, I believe myself and my colleagues achieved the desired outcome and therefore were successful. We acquired the information we needed without escalating the situation to require the use of reasonable force or arrest. This is always to be seen as a benefit in policing, as it is the most desired outcome. This is supported by Braga, Welsh, and Schnell, (2019) who show that aggressive policing strategies do not reduce crime. I also made sure throughout to maintain a controlled and level tone of voice, making an effort to not replicate the erratic shouting I initially received from the ex-partner. This is supported by 'Betari's Box' theory, where one person's attitude has an impact on the other's emotions, creating a cycle of vicious escalation (CoP, 2020, p.11).

To analyse the situation further, one reason for the male's hostility may be as a result of historical racial tensions in the area. The black, Asian and Minority Ethnic (BAME) community that the homeless shelter is in has historically been racially mistreated by the police, with the largest incident resulting in the Mouncher Investigation Report

(Horwell, 2017). As the ex-partner was of black ethnicity, he may have had an inherent mistrust towards the police. This factor, coupled with his previous criminal involvement, fuelled suspicion of the uniform. You could argue that the more militaristic equipment carried by South Wales Police, although protects officers, has a negative impact on public perception (Blaskovits et al, 2022).

In conclusion, having three officers attend the homeless shelter may have seemed intimidating to the ex-partner, therefore, this is an aspect that I would have changed. Being retrospective, his attitude towards the police may have been influenced by the attendance of other residents in the building. To combat this issue, I could have called the reception, before attendance, to find out if he was in his room to ask him questions in a more private place. From a conflict standpoint, I believe myself and my colleagues did well to determine which of us had built the most rapport with the individual and who was disliked the most. In the future, I would have preferred to sit down with the male and really have the opportunity to voice my concerns about the missing person. This may have achieved the same goal, but in a shorter amount of time and could have been achieved by utilising one of the communal recreation rooms. Overall, I was pleased with my handling of the incident as it gave me the opportunity to utilise officer safety principles, investigate, and use communication skills to de-escalate, all while keeping the policing core values in mind.

Word count - 1644

Task 3

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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.

Give a brief description of a relevant incident including social and legislative contexts and any relevant cultural, ethnicity and language issues.

Explain 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.

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

ANSWER:

As a result of my tutorship period, I have realised the importance of regarding the differences in an offender/service user/victim's mental capacity and state in order to achieve the best possible outcome for those involved. Within this essay, I will be reflecting upon an occasion where I chose to safeguard the subject under section 136 Mental Health Act 1983 rather than pursuing the criminal route. I will support the essay with academic research and reflections will be completed using Gibbs' Model of Reflection (Mind Tools, 2023).

Section 136 Mental Health Act 1983 gives officers the power to remove a person who is suffering from "mental disorder and to be in immediate need of care or control" and take them to a place of safety (*Mental Health Act 1983*). This important piece of legislation allows officers to be able to provide the correct level of care to an individual suffering. This individual's behaviour could often be described as breaching public order or, in my case, committing another offence. However, choosing the criminal route in these cases is not always the best option for people who are suffering a mental episode.

The incident I am going to talk about took place in a "supported residential Lifehouse", which is a supported living housing centre accessible by referral from Cardiff Council (Salvation Army, 2023). Access to the facilities and rooms is only granted to those who

are a part of the homeless housing system and have demonstrated good behaviour. Entry is only permissible through a locked security door and the building is regarded as private premises.

My colleague and I were originally called out over the airwaves to help with the ejection of a young woman, who I will regard as the subject throughout. The subject had managed to enter without permission, was refusing to leave and was being aggressive to staff. Thinking of the first and second stages of the National Decision Model (CoP, 2013), my first priority was to gather information and intelligence and develop a working strategy. I went over the airwaves and asked for more information involving the incident, for example, if the subject had been named and was known on the Niche police database. I was then informed who the subject was, who was known to my colleague from a previous incident involving a suicide attempt. From consulting Niche, I could also see that the subject had markers for suicide, violence, drug use, and assault police. With these factors in mind, and with words of advice from my colleague, it was evident that correct officer safety protocols should be carried out and that we should be extra careful of our body language and actions to minimise the chance of a violent interaction. Although studies suggest that "patients with stable mental illness do not present an increased risk of violence" (Rueve and Welton, 2008, p.36), information I had received that indicated a previous history with violence and Substance Use Disorder (SUD) meant that I should proceed with caution as SUD "may make the symptoms (of mental disorders) worse over time" (NIMH, 2023). Despite this, my focus was dealing with the subject via the criminal path as it was not clear over the airwaves that they were suffering from mental disorder.

When reviewing my options and contingencies, I understood that, in most cases, trespassing is not a criminal offence but a civil matter (Metropolitan Police, 2023). The offence of Section 9 (1) (a) Theft Act 1968 may apply, as the subject "enters any building or part of a building as a trespasser", however, not knowing their actions, it would have been difficult to prove their intent to "stealing anything", "inflicting on any person therein any grievous bodily harm" or "doing unlawful damage" (*Theft Act, 1968*). The final piece of legislation I acknowledged was Section 5 Public Order Act 1936. This offence is commonly known as 'breach of the peace' and is in place to prevent the use of "threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace". Although the offence wording states, "public place", in the 1981 case, *R v. Howell*, the precedent was set that a breach of the peace can take place in a public or private space (Local Solicitors, 2023).

When we arrived, I activated my bodycam to document the incident whilst staff directed us to where the subject was in the building. From speaking to the staff, I learnt that a previous violent incident involving the subject and a staff member made them particularly cautious around her. The subject had placed herself in the corner of a communal room with only one other person in there. The other person was having breakfast, but we asked if he could use another room for privacy. The subject was curled into a ball, knees to her chest and with a distressed look on her face. We maintained a safe distance but sat down to provide a less intimidating approach.

Initially, when I spoke to the subject, she maintained her silence, with no clear sign of recognising I was present. After a few moments of my colleague, and I, trying to draw the subject into communication she looked at us. She maintained verbal resistance throughout occasionally raising her voice. I spoke to her using the five-step appeal to reasoning (CoP, 2020) and cycled through a simple, reasoned and personal approach. As the subject's responses were chaotic and, at times, incoherent I began to suspect an element of psychosis. When I offered the subject help with housing, she appeared to hallucinate and call me an unknown name with the accusation that I am "always doing this" and that I have "sexually assaulted" her. The subject also revealed feelings of suicide and her ability to remain on topic was impaired. The longer we were present, her actions started to become more violent towards officers and staff, kicking out and punching in our direction. Not accepting our help or complying with our demands, both my colleague and I knew action had to be taken to avoid arresting the subject as her behaviour started to escalate and she was becoming more difficult to contain. Concerned about her mental well-being and the safety of those around us, we covertly communicated with each other to detain the subject under section 136 Mental Health Act 1983 (*Mental Health Act 1983*).

The best practice when using powers under section 136 Mental Health Act 1983 is to consult with a registered medical practitioner to assess the subject before their removal and taking to a place of safety (*Mental Health Act 1983*). However, in the incident I was dealing with, it was not practicable to do so for fear of physical injury to themselves or others around them. I also attempted to communicate with the subject, my concerns about their personal safety and well-being to which she replied, "You don't care, this is where I live". Before removing the subject from the premises, still referring to the five-step appeal (CoP, 2020), I provided the subject with a final warning to which she gave no positive reply. In effort to refrain from using rigid handcuffs, my colleague and I initially attempted to escort the subject to the van using the escort position however this was not successful, and handcuffs were used for officers' safety. The subject was then transported to medical professionals who were notified prior to our arrival.

Regarding my feelings during this incident, I found it difficult being in a position where the outcome was not clear from the beginning. Naively, prior to joining the police, I thought all situations would have an obvious solution and pathway. However, it was clear that this young woman was suffering and my sympathies towards her made me content that I chose the best outcome and disregarded the criminality route. Despite her previous offences and warning markers, I made sure to view this incident in isolation, keeping core principles like integrity (CoP, 2014) at the forefront of my actions to provide the best service for all.

I understood that the staff did not want to criminalise the actions of the subject. However, it was clear that they were still affected by the previous violent incident that the subject was involved in. With this knowledge, I reattended the premises to offer the South Wales Victim Focus service, as although they have not "been directly affected by crime" they still "know someone who has or have witnessed something" (South Wales Victim Focus, 2023a). South Wales Victim Focus is a service that offers the help of trained staff and volunteers to help victims with the "immediate and long-

term help and support to enable you to cope and recover from the effects of crime" (South Wales Victim Focus, 2023b). This service is an effective tool that allows officers to attach a referral at the end of a victim or witness statement, making the process of seeking help much easier, which is especially important as "research suggests that only a small fraction of crime victims seek help from formal support networks" (McCart, Smith, and Sawyer, 2010, p.198).

In reflection of the incident, I was content with my communication approach by "talking clearly and using short sentences, in a calm and non-threatening voice" as supported by NSW Health (2020) research. However, in retrospect, it would have been better to call for female officers to assist as there were markers for some form of sexual abuse. This is supported by Miller & Segal (2018) who suggest that women may be more comfortable disclosing sexual-related crimes to other women. Despite this, I feel that my overall handling of the incident was appropriate, and I am confident that, regarding the outlined areas of improvement, I can learn and improve my ability as a police constable.

Word count - 1629

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.

Give a brief description of 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. **Consider** the role of discretion in the decision-making process.

Explain 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 **analysis** of the potential impact of bias on the decision-making process.

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

ANSWER:

Identifying options and utilising discretion is an important part of being a police officer. They ensure that the best possible outcome is achieved and that all parties receive the best service from the police. Throughout this essay, I will reflect upon an incident of a non-domestic assault, where I played an important role in pursuing the wishes of the victim but not disregarding his future safety. The essay will be supported by referenced research, and I will reflect by using the Gibbs' Model of Reflection (Mind Tools, 2023).

Discretion can be described as 'freedom of the individual officer to act according to his or her own judgement in particular situations (Newburn and Neyroud, 2008, p. 82). It allows officers to use their own professional judgment in dealing with incidents. However, some argue that discretion enables police officers to allow their biases to "shape their decisions" (University of Birmingham, 2023). This is an important area to consider when decision-making and embodies the importance of keeping the police code of ethics at the heart of every action (CoP, 2014).

The incident I will reflect upon was a minor assault that took place on a public road in the middle of the day. My colleague and I were called out over the airwaves by a Police Community Support Officer (PCSO) who had a member of the public disclose to them that they had just been assaulted. When we arrived at the scene, due to poor

communication, we did not initially realise that the aggressor was still present. It only became clear when the victim I was speaking to pointed out the suspect who was standing in a nearby doorway. It was clear that the victim knew the suspect as he identified him by name and although the situation was calm, our priority was to separate the two males and question them separately to ascertain the details of the situation. I recognised the victim as I had dealt with him before for 'Drunkenness in a Public Place' (section 91, *Criminal Justice Act 1967*) and, from this incident, knew that he could be violent. Despite knowing his history, in this incident, he was the victim, and I knew it was paramount to treat him with 'fairness' and apply 'objectivity' accordingly as per the policing principles (CoP, 2014).

From a brief conversation with the victim, I ascertained that the subject had assaulted him without provocation and the victim did not retaliate. Assessing the risk and threat, I told the victim to remain where he was and immediately went over to the subject, handcuffed, cautioned, and arrested him for 'assault occasioning bodily harm' (section 47, *Offences against the Person Act 1861*). I believed this was the correct offence for arrest as the injury sustained was a minor cut above the victim's eye. I provided the necessities for arrest as for a prompt and effective investigation into the offence, and to prevent further harm to the victim. Despite the knowledge that they knew each other and were now calm, as both individuals were intoxicated, I could not be sure that further harm would not materialise.

As I identified that English was not the suspect's first language, I made sure to focus on the subjects understanding that he was under arrest and his necessities of arrest, as per required under section 28, *Police and Criminal Evidence Act 1984*. From my communication with the suspect, my assessment was that his English was of a good standard to comprehend what I was saying but that it was his intoxicated state that impaired his ability to speak effectively. As a result, I did not see the need for a language professional to be used as I did not "perceive the interviewee's comprehension and language ability to be insufficient" (CoP, 2021, p.4). I also made sure not to ask the suspect any questions about the offence as detained persons "must not be interviewed about the relevant offence except at a police station or other authorised place of detention" (Home Office, 2019, p. 42). I photographed injuries to the victim and the suspect was handcuffed and transported to custody (CoP, 2021).

When handing a detained person over to custody it is important to provide the time of arrest, reason for arrest, the necessities of arrest, and the time you entered custody. These are all important areas to include in the custody record and are required under Code C of the Police and Criminal Evidence Act 1984 (Home Office, 2019). Code C of the Police and Criminal Evidence Act 1984 outlines the 'code of practice for the detention, treatment and questioning of persons by police officers' (Home Office, 2019). Therefore, when a detained person enters custody and their 24-hour custody clock begins, their welfare and fair treatment are ensured via legislation.

When waiting to be booked into custody, still heavily intoxicated, the subject started to become agitated by the presence of rigid handcuffs on himself but not on other detained people. He began to raise his voice and claim that this was because of

racism. I risk-assessed the situation and concluded that in an unpredictable intoxicated state, I was not prepared to remove the handcuffs. To calm the suspect, I opened the custody door and explained that I initially handcuffed him due to the nature of the offence, however, I was unable to remove the handcuffs without the approval of the custody sergeant. He understood and to try make him more comfortable, I told him to keep his knuckles together to reduce the stress on his wrists. As I built some rapport with the subject, his overall demeanour calmed, and he remained compliant for the remainder of the time in custody. To support this, Nahouli (2021) proposes that "Rapport building is effective for fostering a comfortable environment and facilitating communication between interacting parties". This was crucially as important as I knew that I would be interviewing the suspect once he was sober. Pace Code C also governs the rules surrounding a suspect's preparedness for an interview. For example, in assessing if the detainee should be interviewed, their ability to "understand the nature and purpose of the interview" and the "extent to which the detainee's replies may be affected by their physical or mental condition" (Home Office, 2019, p.85).

Now that the subject was in custody, my priority was to investigate the assault. Under the Criminal Procedure and Investigations Act (CPIA) 1996, police officers are lawfully required to gather all evidence available and "where a suspect is identified, investigate towards and away from the suspect" (CoP, 2023b). This means that all lines of enquiry must be pursued, including material that might exonerate the suspect (Wood et al. 2022, p. 572). As Officer in Case (OIC), this was my duty to uphold and put into action the core principle of 'honesty and integrity' in conducting my investigation (CoP, 2014).

Nevertheless, from speaking to a member of the public who witnessed the assault and viewing local CCTV, it was clear that the suspect was the aggressor. Despite this, the victim did not want to provide a statement as he did not endorse any further police action. The victim voiced to me that it was a "drunken argument between friends" and that the time spent in custody would be suffice. When evaluating my options and contingencies, I considered the possibility of an evidence-led prosecution. This is where the investigation continues without the support of the victim (CoP, 2022b, p. 30). However, I did not see this as the appropriate course of action due to the minor injury sustained and no concern, from either officers present, that the victim was under "intimidation and fear, shame, coercion or the impact of trauma" (CoP, 2022b, p. 30). Using my discretion, as a "positive way forward" I suggested the use of restorative justice to the victim, to which he agreed. Restorative Justice brings together victims and those responsible for harm together to work towards a solution (Restorative Justice Council, 2016). To make a record of this I wrote up a statement from the victim, which he signed. As OIC it is my responsibility to ensure that all "relevant material is recorded on a retrievable form" as per paragraph 5.4 of the CPIA Code of Practice (Wood et al. 2022, p. 574).

When legal counsel was offered, before the interview, as per section 21A of the CPIA 1996 (Section 21A *Criminal Procedure and Investigations Act, 1996*) the suspect declined. If a legal representative was present, I would disclose to them the circumstances of arrest, significant statements, any exhibits I may show, and interview objectives.

To reaffirm my decision of not pursuing a criminal investigation, when interviewing the suspect, he accounted his remorse for the assault and arrangements for a restorative justice meeting were made. Once interviewed, there was no longer a need for detention, and he was released as per 1.1 Pace Code C (Home Office, 2019).

Throughout the investigation, I understood, that I was susceptible to confirmation bias as I knew that the suspect had a negative history with the police. Confirmation bias is when you look for evidence that confirms your suspicion and disregard evidence against it (NHS, 2022). To combat this, I conducted all actions in line with the legislation set out in the CPIA 1996.

Upon reflection, I should have asked the reporting PCSOs for more information before arriving. This is due to myself not knowing that the subject was still present with the victim when I arrived. On this occasion, as both parties were calm, I was able to easily get a grip of the situation, however, in another scenario, this may not always be possible, and it is crucial to separate the victim and the subject as soon as possible. Despite this, I believe the outcome of the incident was positive as using my professional judgement and discretion provided the opportunity for the victim and suspect to reconcile.

Word count - 1650

Task 5

Personal Development Plan (PDP) / Learning Plan.

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. Please note that this not the actual number of words you need to use, the wordcount reflects the thought and research you put into it.

Identified area for development	How it will be achieved	Who can provide support?	Timeline
Increase my confidence in taking statements.	I will ask my tutor to prioritise calls where statements are always required.	My tutor can provide support and I am able to support myself by having ready-to-go templates and a structure to follow.	I aim to be confident by the end of the year, before moving to my permanent station.
Improve my ability to challenge during interview.	More time in interviewing, allowing myself to build in confidence to be able to go off-structure with ease.	Experienced interviewers in the force can provide guidance. My tutor and future colleagues in my next station can help me achieve this by sitting in interview with me and providing support when it's needed.	I aim to have a noticeable level of improvement by March 2024.
Further my knowledge in the ASB process and options available to me in dealing with offenders.	Doing further reading outside of work. Speaking to knowledgeable colleagues and	PC's and PCSO's in NPT. ASB team colleagues.	Further knowledge in this area can be implemented straight away, however, I know that dealing with offenders over

	PCSO's in my team.		time in NPT will help this. March 2024.
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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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By signing the section below you are acknowledging your progress on O.C.P. This is recognised by the university as work that is fully supporting this module and is equivalent to 500 words towards the overall wordcount.

I confirm that I am progressing with the Occupational Competency Portfolio (OCP) in accordance to the regulations.

Signed: _____ (Learner - Electronic signature or type name)

Date: _____