

Graduate Diploma Professional Police Practice

LEVEL 6 - 40 Credits

**Workbook title: Competency Based
Workbook 6 (PCDA) - BMPP 6006D**

12 Elements 10,000 words

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

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**Learner's University Registration Number:
1910717**

FACULTY OF BUSINESS AND MANAGEMENT PUBLIC SERVICE PROGRAMME

Module title: Policing in the Workplace 3 (PCDA) - BMPP6006D

Workbook Guidance

Please read these notes carefully. They provide essential information. The documents you will use in developing your workbook are on the following pages.

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.

This workbook differs from those that you have already completed in that Task 3 -it has an options section giving you the opportunity to answer on an 'advanced learning' area.

Complete the question relevant to the area that has been agreed with the force to study in year 3.

You are expected to answer only **1 of the 5** options below:

1. Response Policing.
2. Policing Communities.
3. Road Policing.
4. Information and Intelligence.
5. Conducting Investigations.

You may wish to use the same incidents as you've outlined in the Occupational Competence Portfolio. Wherever possible we are looking for you to reflect on your personal experience. However, if for any reason there are areas that you feel that you can only answer from a 'hypothetical' perspective, then make this clear within your answer.

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. However, you must:

- adhere to guidance in the Candidate Handbook about confidentiality;
- 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.

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 Candidate 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 Candidate 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.***

Competency Based Workbook 6 - Learner Workbook

Guidance:

- Your workbook must contain tasks 1 - 4 below (in the order given);
- You should use the pro-forma to insert your text within each section;
- **Note that this module has 4 compulsory tasks with Task three being a choice of 'advanced learning area' relevant to the area that has been agreed with the force to study in year 3.. Choose only 1 of the 5 options; as only one of these options will be considered for marking.**
- You should upload your completed document as a saved pdf file of this workbook; if this is not possible then a Word Doc 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.

Contents

	Area of Professional Practice	Word count
TASK 1	Learning Plan / Personal Development Plan	2000 equivalent
TASK 2	Occupational Competency Portfolio (OCP)	2000 equivalent
TASK 3 OPTIONS SECTION	CHOOSE ONLY 1 OF THESE 'ADVANCED LEARNING AREA' OPTIONS. IT SHOULD BE ONE THAT HAS BEEN AGREED WITH THE FORCE TO STUDY IN YEAR 3.	All options are 6000 words
Option 1	Response Policing	
Option 2	Policing Communities	
Option 3	Road Policing	
Option 4	Information and Intelligence	
Option 5	Conducting Investigations	
TASK 4	Bibliography	

Task 1

Personal Study programme / Individual Learning Plan

One of the learning outcomes identified in the accompanying module descriptor (BMPP 6006D) asks that you formulate and implement a personal study programme to further enhance the development of your professional police practice. A template has been added for an 'Individual Learning Plan' that you can use for this task.

This task builds upon the last personal study programme/Individual learning plan completed in a previous workbook. Again this learning plan allows you to assess what level you believe you are in key knowledge, skills and experience against where you believe you (and the force) consider you should be – now and in the coming 6 to 12 months. Some elements within it will be the same or similar to those identified before, however the ratings and your development needs would have changed.

2000 words equivalent. Please note that this is not the actual number of words used in completing the table, the count reflects the thought and research behind it.

ANSWER - please complete the template on the next page:

Knowledge, Skills and Experience Assessment

	REQUIRED			RATING			DEVELOPMENT NEED
KNOWLEDGE	Low 1-4	Med 5-7	High 8-10	Low 1-4	Med 5-7	High 8-10	
Conducting Investigations			X		X		I would score myself as a 7 in this area and feel to get to the desired level, sometime in the hub would really been.
Roads Policing		X		X			I would score myself a 6 in this area. I believe I'm very proficient with my PPN's however I'm lacking with regards to intelligence submission.
Information and Intelligence		X			X		I would score myself a 3 in this area. Further study would give me more confidence to be more proactive.
Response Policing			X		X		I would score myself a 7 in this area. I feel very adept in most situations however I know I can be better with more experience.
SKILLS	Low 1-4	Med 5-7	High 8-10	Low 1-4	Med 5-7	High 8-10	
Interviewing Victims and witnesses			X			X	I would score myself an 8 in this area. I still feel that I can improve with more experience.
Interviewing Suspects			X		X		I would score myself a 6 in this area. I feel this is an area I would improve a lot of I spent some time
Response Driving			X		X		

							in the hub where I could interview every day.
EXPERIENCE	Low 1-4	Med 5-7	High 8-10	Low 1-4	Med 5-7	High 8-10	
Sudden Deaths		X				X	I would score myself as an 8 in this area. I have dealt with quite a few and prepared four or five Coroner's files.
Stop Searches			X		X		I would score myself as a 6 in this area. There are still times where I reflect after the event and I realise I could have formed grounds to stop search, particularly for drug possession.
Mental Health			X		X		I would score myself a 7 in this area. I feel adept in most situations however I need to improve on using the SWP mental health app.
MISPER		X			X		I would score myself a 7 in this area. Having spent time with the Misper team on my PPU attachment, I believe I learnt a lot on how best to find missing persons. However I haven't had any Misper's to deal with since my attachment.
Domestic Violence			X			X	I would score myself an 8 in this area. The main thing I need to improve on is building the file after arrest. Spending some time in the hub would be beneficial to become better in this area.
Public Order		X				X	

						I would score myself a 6 in this area. Sometimes I feel I can be a little too lenient with some members of the public who overstep the mark. I need to keep improving my conflict management skills to gain more confidence in order to deal with public order effectively.
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TASK 2

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

By signing the section below, you are acknowledging your continuing progress on O.C.P.

This is recognised by the university as work that is fully supporting this module BMPP 6006D; Policing in the Workplace 3 and in signing it will be equivalent to 2000 words towards the 10000 words total.

Confirmation of the progress on the Occupational Competency Portfolio (OCP).

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

Signed: Robert Richards (Learner – electronic signature accepted,
or type name in.)

Date: 13th June 2022

TASK 3

This is a reminder that this TASK 3 section is an opportunity for you to answer a question on an 'advanced learning' area - RELEVANT TO THE AREA THAT HAS BEEN AGREED WITH THE FORCE TO STUDY IN YEAR 3.

You are expected to answer only 1 of these 5 options:

**Response Policing.
Policing Communities.
Road Policing.
Information and Intelligence.
Conducting Investigations.**

You may wish to use the same incidents as you've outlined in the Occupational Competence Portfolio.

Wherever possible we are looking for you to reflect on your personal experience. However, if for any reason there are areas of your essay that you feel that you can only answer from a 'hypothetical' perspective, then make this clear within your answer.

In your answer to this task, you may also wish to consider how this links into your final year 3 project.

Were there any practical solutions that you were able to derive from an incident, an investigation, or a case that you attended in year 2/3?

Did this play any part in your choice of the topic area you have agreed and intend to study in your final year 3 project?

There will undoubtedly be areas of common research and learning opportunities that you can utilise for this task and for your final year 3 project.

Whatever option you study for your task 3 it is will be beneficial for you to use a recognised reflective model.

Within your answer you should consider 'what went well', 'what not so well' and 'what you would do differently next time'; consider both your performance and the performance of others around you.

TASK 3 Option 1

Relevant areas of the National Policing Curriculum:

Response Policing

You should choose **a policing incident** from year 2/3 that was of a complex nature, in which you played a significant role in providing a response.

Critically analyse the social/political/strategic drivers that impact upon the response to this incident.

You could consider the strategic priorities of your Force; for example, victim led crime, harassment, racially motivated crime, or domestic violence.

Consider how strategies are evolved for those involved in response policing can remain effective in an increasingly challenging environment.

6000 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

TASK 3 Option 2

Relevant areas of the National Policing Curriculum:

Policing Communities

You should choose **a policing problem relating to policing communities from year 2/3 that was of a complex nature**, in which you played a significant role in providing a response.

Critically analyse the key emerging issues and potential challenges faced to 'problem solve' a solution.

Consider how this could then help to reduce community tension and promote community cohesion.

Consider the competing priorities, any cost/financial constraints and availability of resources. Also consider community expectations against the capability of your force to respond

6000 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

TASK 3 Option 3

Relevant areas of the National Policing Curriculum:

Road Policing

You should choose a serious collision that you have been involved **from year 2/3 that was of a complex nature**, in which you played a significant role in providing a response.

Critically reflect upon the management of a serious collision in which you played a significant role in. What were the causes and what strategies, and initiatives could be implemented to reduce the likelihood of it reoccurring?

6000 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

TASK 3 Option 4

Relevant areas of the National Policing Curriculum:

Information and Intelligence

You should choose an investigation that you have been involved in **during year 2/3 that was of a complex nature**, in which you played a significant role.

Critically evaluate and reflect upon how information and intelligence was used to progress a given policing operation.

Consider the role of the National Intelligence Model and reflect on how information and intelligence was critical to the outcome of the situation and analyse how the role of NIM as a business process is used to shape a wider force policing objective.

Examples of policing operations could be relating to cannabis factory, organised crime groups, or handling of stolen goods.

6000 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

TASK3 Option 5

Relevant areas of the National Policing Curriculum:

Conducting Investigations

You should choose an investigation that you have been involved in **during year 2/3 that was of a complex nature**, in which you played a significant role.

Critically evaluate the role of the victim, or the witness in the investigation and the strategies employed to manage their journey through the criminal justice system. Consider the role of specialists in relation to complex live (or cold) cases.

Critically reflect on how you have ensured the wellbeing and resilience of the investigative team and self during the investigation.

Consider the professional support involved for victims and witnesses and how you maximise the evidential opportunities they present.

6000 words (+/- 10%: *include your actual word count at the end of each section*)

ANSWER:

As part of my probationary period as a police constable I was mandated to work in the Criminal Investigation Department (CID) for a one-week attachment. During my attachment with CID, I played a key role in investigating a complex case of kidnapping. I will now produce an essay to reflect on this investigation and the role that I played. Within the essay I will describe the circumstances of the case and will then critically evaluate the individual roles of the victim, witness and suspect in this investigation. I will analyse how their respective journeys were managed through the Criminal Justice System and I will consider what strategies and professional support was on offer for each of the individuals involved. I will also detail how specialists can play a key role in complex investigations such as this one. I will end the essay by critically reflecting on how I remained resilient throughout the investigation and how I also ensured the wellbeing and resilience of the rest of the investigative team. To best reflect on this investigation, I have considered many different well-known models of reflection that are available. For example, I have considered Kolb's 1984 Learning Cycle which is about having an experience, reviewing it, learning from it and planning on what to do next time from it. However, I have decided that Borton's 1970 Model of Reflection will be the best framework to reflect on my experience in this instance. Borton developed a What, So What and Now What framework for reflective practice which I believe will allow me to delve into the reasons why this was such a unique and complex case for me to be involved with. Although I believe that Kolb's Model is quite similar to Borton's, I agree with Borton that his model "provides an organised way of increasing awareness (What), evaluating information (So What), and experimenting with new behaviour (Now What)" which is what is required from this essay.

The incident to which this investigation relates occurred on a sunny summer's afternoon. A 999 call was made to the police from a mum reporting a concern for her two-year-old daughter. The mum

reported that an adult male, who was not known to her, had walked into her house, picked her daughter up and tried to walk out of the house with her. He had got as far as out of the front door with the child when the mum then managed to pull the child from his grasp in what she described as a “tug of war situation”. The male then walked away casually from the house and was seen by the mum laughing to himself as he walked up the road. Around two minutes after this reported incident, a further call was made to the police by a kebab shop owner who lived on the same street as the child and her mum. He reported that a male had entered the shop, had stripped naked and was refusing to leave the shop. The description given of the male matched that given by the child’s mum in the earlier incident. The incidents were first attended to by response police units who located the male in the kebab shop and arrested him on suspicion of child abduction. The matter was then referred to CID to conduct the investigation which was when the detective sergeant made me aware of what the allegations were. The mum and child were brought to the police station and I was tasked to sit in with a CID colleague as he took a written statement from the mum pursuant to Section 9 of the Criminal Justice Act 1967. The mum provided a thorough and detailed account of what had happened, emphasising how she was having a normal day at home when a strange man appeared from nowhere in her kitchen, picked up her two year old daughter and proceeded to walk out of the house.

Although I had taken many witness statements from victims and witnesses myself in the past, being involved in interviewing the mum in this case brought mixed feelings and emotions. Firstly, I felt empathy for the mum. I am a parent of young children too and could only imagine the horror of the situation that she had just endured and how she must have felt. I therefore felt an incredible duty to support her in any way I could and to help the investigation in the best way I could. Being empathetic meant thinking about the matter from the mum’s point of view and understanding that her expectations of the police would be to listen to her and to show her that we cared. Interviewing the mum also brought me feelings of excitement and I felt fuelled by adrenaline. I had held ambitions to be a detective for some time and therefore being on CID for a week and being involved in a complex investigation was exciting for me. Although I was not the lead interviewer, I was keen to help and ask questions where I could. I saw it as an opportunity to learn from the experience of my colleague but also to make a good impression of myself and showcase my abilities and eagerness to learn and improve.

Following the interview with the mum, I partook in a strategy meeting with CID colleagues where we discussed the allegations made and what offence(s) we were looking to prove had occurred. Although the male had been arrested for child abduction, the allegations also amounted to the common law offence of kidnapping. Kidnapping is an indictable offence that can carry a lifetime imprisonment sentence and is therefore the more serious offence. The offence of ‘kidnapping’ is defined under common law as “the taking or carrying away of one person by another, by force or fraud, without the consent of the person so taken or carried away, and without lawful excuse.”

Although one would consider that the mum in this instance is a victim, under this offence the aggrieved person is the one who was kidnapped, therefore being the two-year-old child. The victim child was far too young to talk or give any sort of account of what had happened and therefore this child’s journey through the criminal justice system is somewhat different to that of an older child or an adult. Nevertheless, the incident was likely to be traumatic for the child who was allegedly picked up by a strange man and then subjected to being tugged and wrestled over. Such an incident could be described as an ‘Adverse Childhood Experience (ACE)’. ACEs are “highly stressful, and potentially traumatic, events or situations that occur during childhood and/or adolescence. This can be a single event, or prolonged threats to, and breaches of, the young person’s safety, security, trust or bodily integrity” (Young Minds, 2018). ACE’s are important to recognise and understand as they can lead to problems in the future and can significantly raise the likelihood of negative life outcomes such as mental ill health, alcoholism, drug addiction, criminality and much more (Wave Trust, 2022). Studies have also shown that encounters with the police can cause bad memories, a distrust and fear of police and can lead to ACE’s in future (Geller, 2021).

Another duty that I undertook in this investigation was to complete a Public Protection Notification (PPN) on behalf of the child. “The PPN is an information sharing document used to record safeguarding concerns” (Public Health Wales, 2017). Submitting a PPN is a strategy adopted by police officers to share information with the Public Protection Unit (PPU) where there are dedicated teams for the safeguarding of children, vulnerable adults, domestic abuse victims and other vulnerable people. Although I did not consider this incident to be in any way the fault of the parent, the

fact that the child was a victim of an alleged kidnapping meant that it was important to make the child abuse team aware of the incident. They could then in turn risk assess the safeguarding of the child and share the same information with other relevant departments or agencies e.g. social services and/or the health service who also need to know what happened. The sharing of information is important so that all relevant agencies are able to put their own safeguarding measures in place to support the child. One such support service for children is the Child and adolescent mental health services (CAMHS). This is a free service run by the National Health Service (NHS) and is made up of medical and mental health professionals (Childline, 2022). CAMHS services support children suffering with sadness or depression, anxiety, thoughts of self-harm or feelings of anger amongst many other difficulties that children can sometimes suffer from and need help (Mind, 2022). CAMHS usually require a referral from school or a GP to become involved with a child (Young Minds, 2022).

The bigger picture from my perspective is that by submitting a PPN, any safeguarding concerns can be shared with schools, the health service etc. and can subsequently lead to CAMHS supporting that child. The sharing of information also works the other way whereby sometimes departments like social services or schools can share information about a child that the police were not previously aware of. This information can sometimes present evidential opportunities for the police that they did not foresee. A hypothetical example of this could be a where a crime has been committed by male and female adolescents, with only the female known to the police. Social Services are most likely to have more up to date information about who the female associates with and any possible boyfriends she has been associating with at given times. This information could assist in identifying the male suspect and resolving the matter.

As I previously explained, the victim in this investigation of an allegation of kidnapping was the two-year-old child. However, the person who almost certainly would have felt the most victimised in this situation was the child's mum. The mum was a key witness in this case and therefore bore the responsibility and burden of providing evidence to prove the allegations that she had made. The mum's journey through the criminal justice system would therefore clearly be a different one to that of the child. "Many witnesses experience stress and fear during the investigation of a crime" (CPS, 2021). The stress can become even worse for a witness if they are then summonsed to Court to give evidence at a trial (HMCTS, 2021). It is therefore imperative that witnesses are supported at every stage through their journey through the criminal justice system to ensure that they remain engaged in the process and are able to achieve best evidence in the criminal proceedings.

In England and Wales, the Code of Practice for Victims of Crime, commonly known as the 'Victims' Code', exists to set out the minimum standard of service that must be provided to victims of crime by service providers such as the police, the Crown Prosecution Service (CPS), Her Majesty's Courts and Tribunals Services (HMCTS) and Her Majesty's Prison and Probation Service (HMPPS). The definition of a victim for the purposes of the Victims' Code is "a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence" (Ministry of Justice, 2020). A person can also receive Rights under this code if they are a parent or guardian of a victim who is under the age of 18 and therefore the mum in my investigation should expect the same rights as any other victims of crime. The Victims' Code was established by the Domestic Violence, Crime and Victims Act 2004 and came into effect in 2006 (Victim Support, 2022). Despite this being introduced, there have been reports in the last ten years of victims and witnesses being "marginalised" in Criminal Courts and put through needless stress and anxiety. Research by Victim Support in 2013 found common failures included witnesses being distressed about late changes to Court arrangements and victims encountering the defendants in their cases in the public areas of the Court building (Laville, 2013). However, such failures have been recognised by the Government and a new Victims' Code came into effect in April 2021 which provided victims with a more simplified and stronger set of Rights (Home Office, 2021). The new Victims' Code consists of 12 Rights in total, some of which are only applicable if the case goes to Court or the defendant is convicted. The Rights include the Right to be provided with updates on one's case and to be told when important decisions are made. Another Right is the Right to be given information about an offender following their conviction. If a victim is unsatisfied with the service they have been provided, under the Code they have the Right to complain about their Rights not being met (Ministry of Justice, 2020).

As part of this incident I referred the mum to Victim Support who are an independent national charity dedicated to supporting people affected by crime and traumatic incidents in England and Wales (Victim Support, 2022). Being referred to victim services is again one of the Rights that a victim has under the Victims' Code (Home Office, 2021). By making this referral I contributed to the part I have to play as a police officer in upholding the Victims' Code. Victim Support offer free and confidential support to people who have been affected by crime even if they have not experienced it directly. They can offer support to family and friends who may also have been affected by the crime and the support is available 24 hours a day and 365 days a year. Victim Support will tailor the support offered to people based on their individual needs. For example, some people will just want the emotional support of talking to someone about how crime has impacted them, and Victim Support can offer this. Whereas other people may need more practical help, and Victim Support can help with filling out forms, getting damaged doors mended or fitting burglar alarms. Victim Support work closely with a range of other charities and organisations and will recommend victims to other agencies when they require more specialist help. For example, if a domestic violence victim was seeking refuge away from an abusive relationship but had nowhere to go, Victim Support would contact organisations such as Woman's Aid who may be able to provide that refuge required (Victim Support, 2022).

In England and Wales, another support system in place for victims and witnesses is that of Witness Care Units. Although only a small number of criminal cases end up going to Court, a victim or witness may be required to attend Court if the defendant accused of the crime pleads 'not guilty' to the charge or "pleads guilty but denies a part of the offence which might affect the sentence they're given" (South Wales Police, 2022). Right 8 of the Victims' Code stipulates that victims and witnesses have the Right to be told the time, date and location of Court hearings in a timely way whilst also stipulating that victims and witnesses have the Right to be offered support if they are required to give evidence in Court (Ministry of Justice, 2020). Witness Care Units exist to provide that support and information and become the central point of contact for a victim or witness "from the point an offender is charged to the end of the Court case" (College of Policing, 2022). Witness Care Units are predominantly police staffed and their ultimate aim is to provide an improved experience for victims and witnesses in Court which in turn allows them to feel more confident and willing to support the prosecution service (College of Policing, 2022).

There are other services in place for victims and witnesses who are required to attend Court. The Citizens Advice Witness Service offers free and independent support for any witness required to attend a criminal Court in England or Wales. For people who feel daunted about going to Court, the Witness Service can provide practical information about the whole Court process and can even offer to show witnesses around the Court room prior to the trial to give them some perspective of what will happen at Court. The Witness Service also provide practical support like helping with expense forms or referring victims and witnesses to other agencies so that they get the right support that they need (Citizens Advice, 2022).

For some witnesses, the stress and fear of having to go to Court can affect the quality and quantity of the evidence that they are able to provide. This is the case in particular for vulnerable or intimidated witnesses, who due to their personal circumstances may not be able to give their 'best evidence' under the pressure and stress of a normal Court setting (CPS, 2021). When the Youth Justice and Criminal Evidence Act 1999 (YJCEA) was introduced it gave provisions aimed at helping vulnerable and intimidated witnesses by allowing them access to a range of 'Special Measures' (Macpherson, 2001). "Special measures are a series of provisions that help vulnerable and intimidated witnesses give their best evidence in Court and help to relieve some of the stress associated with giving evidence" (CPS, 2021).

Vulnerable witnesses are defined by Section 16 of YJCEA as being:

- (a) All child witnesses under the age of 18 at the time of the hearing; or
- (b) Any witness who the Court considers that the quality of evidence given by them is likely to be diminished because:
 - (i) The witness suffers from a mental disorder within the meaning of the Mental Health Act 1983; or
 - (ii) The witness has a significant impairment of intelligence or social functioning; or
 - (iii) The witness has a physical disability or is suffering from a physical disorder (Police National Legal Database, 2021).

Section 17 of YJCEA gives provisions for intimidated witnesses who are eligible for special measures on grounds of fear or distress about testifying in Court. To determine whether a witness is eligible for special measures under this section the Court must consider the witness' age, social and cultural background, ethnic origins, religious beliefs and political opinions. The Court must also consider the circumstances of the offence and any behaviour towards the witness from the defendant, the defendant family or friends and any other people involved in the proceedings (Legislation.gov.uk, 2022). Some witnesses automatically fall under the category of an intimidated witness if they are the complainant in respect of certain offences. Such offences include:

- (a) Sexual offences; or
- (b) Offences under Section 1 or 2 of the Modern Slavery Act 2015; or
- (c) Offences where it is alleged that the behaviour of the defendant amounted to domestic abuse as defined in the Domestic Abuse Act 2021 (Police National Database, 2021).

There are several types of special measures available to vulnerable and intimidated witnesses and they are set out in Sections 23 to 30 of the YJCEA. One such measure under Section 27 of YJCEA is that video recorded interviews can be used as 'evidence-in-chief'. This measure is often the way of achieving best evidence from children or victims of sexual offences who can be interviewed in a relaxed environment by police officers who are specially trained in conducting interviews with such witnesses. Some witnesses have such a fear of being in the Courtroom with the offender to which their case relates that the Court can allow them under Section 24 of the YJCEA to give their evidence from a different Courtroom or Court building. They can do this by setting up a live TV link between the Courtrooms (Blackstone's, 2019).

Section 29 of the YJCEA allows a person who falls under the category of being a vulnerable witness pursuant to Section 16 of the YJCEA, to have an intermediary appointed by the Court to assist the witness in giving evidence. Register Intermediaries are people who are trained and accredited by the Ministry of Justice who are able to facilitate communication between the witness and other agencies such as the police, the CPS or the Court. Intermediaries cannot be witnesses and are impartial, with their duty being to the Court and not to the witness (CPS, 2021).

As well as special measures for vulnerable and intimidated witnesses, the criminal justice system must ensure that access to justice is not discriminatory to people with disabilities. Disability is one of the nine protected characteristics under the Equality Act 2010 and is defined in Section 6 of the Act as "a person with physical or mental impairment and the impairment has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities" (Police National Legal Database, 2021). The Equality Act 2010 places a duty on all public authorities including the police, CPS and the Court Service, to make reasonable adjustments to ensure that disabled people are not put at a disadvantage compared to others. The Act exists to protect everyone, including the defendants, who should also be entitled to reasonable adjustments pursuant to Section 20 of the Act (CPS, 2021). As every disabled person has different needs there is no set list of options available to them however reasonable adjustments could include making sure that there are hearing enhancement systems in the Courtroom for those who are hard of hearing. Or it could be changing the Courtroom to another Court venue where there are better facilities and arrangements for wheelchair users (Her Majesty's Courts and Tribunals Service, 2022). However, it has been reported that not all disabled people feel they have been treated fairly through the criminal justice system. An inquiry carried out by the Equality and Human Rights Commission in 2020 which focused on experiences of disabled people defendants and accused people reported that the existing framework to provide reasonable adjustments for such people is "inadequate" (Equality and Human Rights Commission, 2020). The report also highlighted concerns that impairments that may require reasonable adjustments were either not identified or not passed on between service providers. The UK government have responded to this inquiry and are currently undergoing an ambitious reform program providing a 1.2 billion investment to modernise Courts and a major part of this modernisation project is to ensure access to justice for all and addressing barriers that affect disabled Court users (Ministry of Justice, 2020).

There are many people living in England and Wales whose first language is not English. The National Register of Public Service Interpreters (NRPSI) are an independent, voluntary public interest body who exist to ensure that people whose first language is not English are provided with a qualified interpreter. "The right to an interpreter is an integral part of the right to a fair trial" (CPS, 2019). The

requirements laid out in Article 6 of the European Convention on Human Rights stipulate that any defendant in criminal Court proceedings who cannot speak the language used in Court has the right to have the assistance of an interpreter to ensure that they are at no disadvantage and understand exactly what is being said in Court (College of Policing, 2020). The right to an interpreter extends to victims and witnesses as well as defendants and the role of an interpreter at the Police Station is governed by Code C of the Police and Criminal Evidence Act (PACE) 1984. Under Section 13 of this Code, the police are responsible for arranging an independent and appropriately trained interpreter to provide translations to those who cannot speak English. This could be when taking a statement from a witness or when interviewing a suspect (Home Office, 2020). In Wales, the Court must also abide by Section 22(1) of the Welsh Language Act 1993 if any party involved in the case wishes to speak Welsh in Court. This Section dictates that any necessary provision for interpretation shall be made accordingly whilst Section 22(2) gives provisions for any party to have Court documents translated into Welsh (Legislation.gov.uk, 2022). As I have outlined above, it is clear that everyone enduring Court proceedings in England and Wales has a legal right to listen to and to give evidence in their native language through the use of interpreters. By allowing victims, witnesses and defendants this right, the criminal justice system is able to safeguard the fairness of the proceedings and this in turn allows parties involved in the proceedings a better chance of putting forward their best evidence.

Sometimes in particularly complex police investigations, the prosecution relies on the opinions and knowledge of others who are specialists in their fields. I recall from my experience of the kidnapping case to which this essay relates that one of the reasons it was complex was because of the odd behaviour of the defendant. CCTV footage was obtained which covered the entire incident as it unfolded, save for inside the victim's home address. The CCTV footage corroborated victim and witness account and showed the defendant parking his car outside the victim's home and then the defendant walking into the victim's address through the back door. After a minute or so, it showed the defendant coming out of the front door and walking up the road. CCTV footage from the Kebab Shop showed the defendant entering the shop and behaving oddly before stripping all of his clothes off. This bizarre behaviour caused CID colleagues and I to believe that the defendant maybe suffering from some form of psychosis. "Psychosis is when people lose some contact with reality" (National Health Service, 2022). Common symptoms of psychosis can be having hallucinations or having delusional and irrational beliefs (Rethink, 2022). Owing to the defendant's odd behaviour, the police custody sergeant who was overseeing the welfare of the defendant had to consider whether the defendant was fit to be interviewed. To determine this, the sergeant arranged for the defendant to have an assessment with a specialist Consultant Psychiatrist. The defendant was thereby assessed and to my surprise at the time, the Psychiatrist determined that the defendant was fit to be interviewed and did not require any psychiatric hospital admission. I was surprised because to my mind, no sane person would have behaved in the way that I witnessed the defendant in the CCTV footage. However, I am not an expert in the field of Psychiatry and was therefore in no position to understand the complexities of how such people are assessed. Upon reflection, I have learnt from this incident how important it was to have that specialist opinion and that I should not try to pre-determine what I think is going to happen. The defendant was ultimately charged with the offence of kidnapping and remanded to Court the following day.

When cases are heard in the Crown Court and there are issues as to the defendant's mental capacity, there is a formal procedure to consider whether the defendant is 'fit to plead'. The Court requires evidence from at least two experts in the field of mental capacity to make a decision on whether the defendant is fit to plead (Stone King, 2019). 'Fitness to Plead' "refers to a defendant's ability to understand and participate in the legal process, a prerequisite to a fair trial" (Kings College London, 2022). If a defendant is found not fit to plead, the trial may still go ahead however the defendant is likely to be sentenced drastically differently if found to have committed a criminal offence. The defendant could be given a hospital order if appropriate or in some cases, they could even be absolutely or conditionally discharged (Stone King, 2019). This is another example of how specialist expert witnesses can have a vital role to play in complex criminal cases. "An expert witness can provide the Court with a statement of opinion on any admissible matter calling for expertise by the witness if they are qualified to give such an opinion" (CPS, 2019).

Expert evidence can be crucial in helping a judge or jury determine the outcome of a case.

Thousands of cases are decided using expert evidence from specialists such as doctors, psychologists, psychiatrists, social workers and other professionals every year. They provide expert

opinions to enable the court to have a better understanding of facts. In the case of Sally CLARK in 1999, a solicitor convicted of murdering her two infant sons (one in 1996 and the other in 1998), highlights the importance of an expert witness to a case. Her defence argued that Sudden Infant Death Syndrome (SIDS) had been the cause of death. However, medical expert Sir Professor Roy MEADOW argued that the statistics of probability for two children from an affluent family suffering SIDS was 1 in 73 million. This evidence was crucial in the jury in the case ultimately convicting CLARK for two counts of murder. CLARK was then sentenced to life imprisonment and was unsuccessful at appeal in 2000 (Expert Court Reports, 2022). DNA evidence obtained from expert witness specialists was also fundamental in the cold case of Paul HUTCHINSON and was the reason he was imprisoned in 2010 for a murder he had committed 25 years before. HUTCHINSON abducted, raped and strangled a 16-year-old girl in October 1983. The girl had been walking to her boyfriend's house in Nottinghamshire when she had stopped to talk to friends on the way. Witnesses at the time heard screams and a car driving away soon after and her naked body was found dumped in a field the next morning. HUTCHINSON lived in the area and wrote anonymous letters to the police after the murder, but he wasn't found until vital DNA from the scene was tested decades later. He was given a minimum 25-year sentence (Expert Court Reports, 2022).

Under the Victims' Code, victims must still be supported beyond the outcome of the Court trial. It is the responsibility of the Witness Care Unit to inform victims of the outcome of a trial and any potential prison sentence for the defendant. The victim may also "opt into the Victim Contact Scheme (VCS) if the offender is sentenced to 12 months or more for a specified violent or sexual offence" (Victims Commissioner, 2022). The VCS first arose from Section 69 of the Criminal Justice and Courts Services Act 2000 however this has since been updated by Sections 35-45 of the Domestic Violence Crime and Victims Act 2004. Victims are offered the chance to participate in VCS and those who engage with it may make representations about the defendant's licence or discharge conditions. The victim is also entitled to receive information about the key stages of the defendant's sentence (National Offender Management Service, 2013).

Reflecting back on my experience with the case to which this statement relates, after the defendant was arrested it became a team effort to build the evidential case file. The behaviour of the defendant in committing the offence caused my colleagues and I to have serious concerns about what could happen to the defendant if he was released from custody. The concerns were for other innocent members of the public but also for the wellbeing of the defendant himself. Under Code C of the Police and Criminal Evidence Act (PACE) 1984, a defendant can only be kept in custody for a period of up to 24 hours (Home Office, 2020) and therefore the defendant's clock in custody was ticking away. Due to the safeguarding concerns, as a team we decided that it was imperative that a file was built in order

to refer the case to the CPS on an urgent basis with a view to charging the defendant and applying for a remand into custody. Building a file in such a short space of time was arduous as there was so much work to do. This included taking several witness statements and conducting a long CCTV trawl of the area where the incident took place. In order to do this, all members of the team came together and all of the tasks were allocated between them. Being just an extra assistance to the team that week, I was allocated with a very straight forward task that I completed very quickly. I was then able to offer support to colleagues with their tasks. I got the impression that the support I offered was very welcome and took some of the stress away from busy colleagues. I also looked at it as a way to showcase my work ethic and ability to work under such pressure as I wanted colleagues to remember me and to rate me. In my short time working for South Wales Police I have learnt how important it is to set a good example and make a good name for yourself and this was my opportunity to impress new colleagues. As a team, we had to be resilient in order to complete all tasks and enquiries before the custody clock expired. The whole team agreed to work on past their scheduled working hours to do this. Working late can have an effect on one's wellbeing and therefore it was important that we remained calm as individuals and assisted each other where we could. One of the things I did was to provide regular rounds of tea and coffee as I knew this would keep everyone focused and calm. Ultimately the case file was referred to the CPS and the decision to charge for kidnapping was made. The defendant was remanded to Court the next morning and out work for the day was done. I recall feeling absolutely relieved and I learnt so much from the experience. Particularly, I found working on one case as a team completely different to working a case on my own, which is often the situation I am in as a response officer. I learnt how to build big case files in a short space of time and how working together can be such a relief to other colleagues. After my one-week stint with CID ended, I returned to response feeling improved. I decided from then on, I would always make that extra effort to ask colleagues if they need help, particularly after they have arrested people and are building the evidential case file.

In conclusion, through my experience of dealing with a complex case of kidnapping, I have demonstrated in this essay what a journey through the criminal justice system looks like for victims, witnesses and defendants. I have also outlined the Rights that victims have under the Victims' Code and why it is important that victims are supported to enable best evidence to be achieved. Furthermore, referring to real cases, I have shown how important a role that specialists can play in the criminal justice system. I have ended the essay by reflecting on how I had to be resilient and work as part of a team to obtain a desirable outcome for the victim.

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TASK4 Bibliography

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