

Liverpool John Moores University

Title: Practice Procedure and Criminal Law 1
Status: Definitive
Code: **4202PSDA** (125631)
Version Start Date: 01-08-2021

Owning School/Faculty: Justice Studies
Teaching School/Faculty: Justice Studies

Team	Leader
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Academic Level: FHEQ4
Credit Value: 20
Total Delivered Hours: 81.5
Total Learning Hours: 200
Private Study: 118.5

Delivery Options

Course typically offered: S1 & S2 & Summer

Component	Contact Hours
Lecture	48
Seminar	22
Workshop	10

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	Essay	2000 word reflection on formative work sample exercises	50	
Exam	Exam	Exam - 1.5 hrs	50	1.5

Aims

To discuss in depth the purpose and relevance of Response Policing, investigating the varied roles, key responsibilities and skills needed. The module also aims to familiarise the students with the potential causes and levels of conflict, recognising the appropriate levels of response and de-escalation. Identifying the legislation and

guidance governing a lawful response to violence and the principles of negotiation and the use of force.

Students will explore the core policing functions and strategies relating to policing the roads. Discussing the legislation and police powers to deal with the most common roads offences (including drink/ drug driving), whilst also examining the effects of anti-social behaviour on the roads.

Learning Outcomes

After completing the module the student should be able to:

- 1 Outline the purpose, functions and powers of the Response Policing role, highlighting relevant legislation which will support your response. (Please note this is an over-arching learning objective which covers the College of Policing objectives 1 and 2).
- 2 Identify the practical policing skills needed and responsibilities of the Response Policing role, when attending an incident as a first responder and the need for joint interoperability between emergency services.
- 3 Determine the appropriate responses to differing police interventions, and the justification for all actions take, demonstrating consideration for the ethical and moral implications for the use of force. (Please note this is an over-arching learning objective which covers the College of Policing objectives 4 and 5).
- 4 Explain the core policing functions, strategies, and legislation available to deal with a variety of road related crime and incidents, recognising how correct use of legislation may support victims and the community. (Please note this is an over-arching learning objective which covers the College of Policing objectives 6 and 7).

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

2000 word Essay	1	3	4
Exam 1.5 hours	2	3	4

Outline Syllabus

Response policing
Identifying and understanding conflict
Use of force - Legislation and practical application
Policing the roads

Learning Activities

Lectures, Seminars, Workshops, Directed learning.

Notes

Lectures and other activities will provide the students with information, which they will then be able to apply practically, within the tasks and experiences incorporated into the workshops. Discussions and activities such as identifying a lawful response to violence and the principles of negotiation and the use of force. Additionally students will examine the effects of various kinds of anti-social behaviour on the roads.

Curriculum Related Objectives

- 1 Explain the purpose, functions and powers of the Response Policing role.
- 2 Highlight legislation available to ensure the application of the appropriate responses to criminal activities that will be encountered within this role.
- 3 Identify the practical policing skills needed and responsibilities of the Response Policing role, when attending an incident as a first responder and the need for joint interoperability between emergency services.
- 4 Differentiate between the causes of conflict within a policing context and the ethical and moral implication for the use of force as a police officer.
- 5 Determine the appropriate responses to differing police interventions, and the justification for all actions taken.
- 6 Explain the core policing functions, strategies, and legislation available to deal with a variety of road related crime and incidents.
7. Recognise how the effective use of policing powers and authority may reduce the effects of roads related crime upon the victims and the community (anti-social behaviour, drink/ drug driving etc.)

Indicative Content:

Response Policing

- 1 Review the overall scope of the response policing role, including associated risks and pressures.
 - 1.1 Purpose of, and evidence base for, response policing
 - 1.2 Relevance of the following to response policing: • The Code of Ethics • National Decision Model (NDM) • National Intelligence Model (NIM)
 - 1.3 Role of first responders, including administrative and reporting responsibilities
 - 1.4 Role of others, including call takers, control room staff, duty inspector
 - 1.5 Public views and expectations of police contact: • Public scrutiny and perceptions • Management of community expectations • Maintaining professional standards
 - 1.6 Key considerations in response policing: • Safeguarding • Intelligence • Investigation • Variations to response approach for different environments e.g. care homes • Use of crime pattern analysis
 - 1.7 Effective use of technology in response policing: • To lower policing risk • To ease administrative burden • To improve investigative opportunities • To save time • To improve efficiency • To interrogate information systems quickly and effectively
 - 1.8 Use of body-worn video, including the positive and negative aspects of its use
 - 1.9 Potential threat/risk of harm to self and others
 - 1.10 Complexities of incident-handling on the ground

1.11 Principles of incident management: • Taking the lead • Recognising critical incidents • Getting it right first time • Dynamic risk assessment • Recognising and taking steps to resolve/refer underlying issues • 'Soft skills' required to defuse, negotiate, provide reassurance, manage and resolve situations

2 Review the types of incident and crime likely to be encountered in response policing, and appropriate responses.

2.1 The police's role to protect the public: duty of care

2.2 Types of common incidents that first responders may attend: • Non crime-related • Crime-related

2.3 Types of crime: • Volume and priority crime • Evolving/increasing areas of crime e.g. child sexual exploitation (CSE), human trafficking/slavery, fraud and cybercrime • Serious and complex crime e.g. murder, kidnapping, serial GBH, Organised Crime Groups (OCGs)

2.4 Practical responses: reactive vs proactive policing 2.5 Dealing with public order situations e.g. minor disturbances, affray, violent disorder

3 Understand how to deal with issues of vulnerability when attending the scene of an incident as a first responder.

3.1 Importance of recognising vulnerability when attending incidents (including recognition that vulnerability indicators are not present) (See also under 'Vulnerability and Risk')

3.2 Procedures for dealing with: • Individuals who suffer from mental health • Vulnerable individuals • Intimidated individuals • Safeguarding (See also under 'Vulnerability and Risk')

3.3 Effective partnership working in relation to vulnerability and mental health, when responding to an incident

3.4 Support networks (including voluntary organisations) that could assist first responders in providing a suitable solution

4 Apply practical policing skills when attending an incident as a first responder.

4.1 How to apply pro-active principles to response policing

4.2 Conducting an initial investigation at the scene of an incident and having an investigative mind-set

4.3 Using THRIVE (Threat, Harm, Risk, Investigation, Vulnerability and Engagement) approach (See also under 'Vulnerability and Risk' and 'Conducting Investigations')

4.4 Recognising that the police may not be the most appropriate agency to deal with the incident

4.5 Importance of recognising on-going problems and seeking resolutions prior to referral

4.6 Multi-agency partnership referrals: benefits and challenges

4.7 Importance of caring for the victim • Complying with the Victims' Code • Taking victim concerns seriously • Quality of treatment and empathy • Follow-up •

Understanding and managing victim expectations (See also under 'Criminal Justice')

4.8 Action to be taken when observing the use of a digital device by others (See also under 'Digital Policing')

4.9 How to secure/safeguard a device to ensure evidence is not overwritten, corrupted or lost (See also under 'Digital Policing')

- 4.10 Actions to be taken when attending serious rail incidents e.g. trespass, obstruction of railway etc.
- 4.11 Procedures for carrying out traffic management at an incident
- 4.12 Legislation to be complied with, if force is used during arrest, including: • Criminal Justice and Immigration Act 2008 • Criminal Law Act 1967 (See also under 'Managing Conflict')
- 4.13 How to maintain order and resolve conflict, and de-escalation, including dealing with violence and assaults on officers
- 4.14 Appropriate and proportionate action in dealing with potential disorder, including the minimum use of force
- 4.15 Examples of when discretion could be used (See also under 'Decision-Making and Discretion')
- 4.16 Principles of reasonable suspicion or belief: • SHACKS mnemonic
- 4.17 Preservation of evidence
- 4.18 How evidence of first or early complaint is dealt with, including specialist evidence gathering requirements e.g. Early Evidence Kit
- 4.19 Methods of reducing the risk of cross-contamination at a scene through effective gathering, packaging and storage
- 4.20 Handling information and intelligence in a response environment
- 4.21 Specific considerations for responding to common high- risk incidents: • Missing persons (definition, grading, procedure, debriefing) • Domestic abuse • Mental health (including restraint) • Sudden death

5 Understand and apply legislation relevant to public order policing.

5.1 Definition of 'public order'

5.2 Offences associated with public order contrary to the Public Order Act 1986, Crime and Disorder Act 1998 and Criminal Justice Act 2003, including: • Riot • Violent disorder • Affray • Fear or provocation of violence • (Intentional) harassment, alarm or distress • Racially or religiously aggravated • Aggravation related to disability, sexual orientation or transgender identity

5.3 Role of police in public order incidents

6 Understand how to establish grounds and authority for carrying out a lawful search/entry and search.

6.1 What is meant by the terms 'search' and 'search objectives'

6.2 Establishing whether there are grounds for a lawful search or a lawful entry and search

6.3 Establishing the authority for the search before starting a search

6.4 Limitations when carrying out a search

7 Conduct a safe and lawful search of a person, vehicle or premises.

7.1 Potential health and safety risks related to a search or an entry and search

7.2 How to conduct a safe, lawful and effective search of: • a person (including intimate searches) • a vehicle • premises • an area

7.3 Factors that may indicate possession of digital devices when searching premises, vehicles and persons

8 Understand and apply appropriate powers to stop and search a person under Section 1 PACE 1984.

- 8.1 Definition of a 'stop and search' under Section 1 PACE 1984
- 8.2 Difference between a 'stop and account' and a 'stop and search'
- 8.3 Importance of employing an ethical 'stop and search' process according to the Best Use Of the Stop & Search Scheme
- 8.4 Potential impact of a 'search' or 'stop and search' on individuals and the community
- 8.5 Using a police search only when a power or authority exists
- 8.6 Alternative positive interventions if no stop search powers exist
- 8.7 When the threshold changes based on reasonable grounds
- 8.8 What constitutes a fair and effective 'stop and search' in accordance with the College of Policing definition
- 8.9 Impact of conscious/unconscious bias on 'stop and search'
- 8.10 Information that must be provided prior to a search taking place
- 8.11 Limitations when carrying out a search
- 8.12 How to deal with young persons during a 'stop and search'
- 8.13 How to identify vulnerability during stop search encounters (e.g. age, medical, peer/gang pressure)
- 8.14 Procedure to be carried out post search
- 8.15 Recording, monitoring and public scrutiny of stop searches

9 Undertake the role and responsibilities of a first responder to a major incident.

- 9.1 Definition of a 'critical incident' and 'major incident'
- 9.2 Difference between a critical incident and a major incident
- 9.3 Who can declare a major incident
- 9.4 Command structure at a major incident
- 9.5 Role and responsibilities of the first responder at a major incident
- 9.6 Recording all decisions within a major incident
- 9.7 Importance of effective debriefing of a major incident

10 Examine the effectiveness of joint interoperability between the emergency services.

- 10.1 Introduction to, and rationale for, the Joint Emergency Services interoperability Programme (JESIP)
- 10.2 JESIP principles (See also under 'Counter Terrorism')
- 10.3 Role of police on attendance
- 10.4 Improvements made to interoperability between the emergency services since the inception of JESIP

Managing Conflict

11 Examine the theories and models underpinning the causes of conflict within policing interventions

- 1.1 Betari's Box
- 1.2 Emotional versus rational brain
- 1.3 The Drama triangle

12 Explain the types of situations where conflict may occur and the appropriate response.

- 2.1 Potential causes of conflict
- 2.2. Effects of societal and cultural influences and the conflict such influences can cause
- 2.3 Levels of conflict

- 2.4 Appropriate levels of response and de-escalation
- 2.5 Legislation and guidance governing a lawful response
- 2.6 The principles of negotiation (See also under 'Communication Skills')

13 Analyse the ethical and moral implications of the police using force.

- 3.1 Forms that 'use of force' can take
- 3.2 Implications of the Code of Ethics and Human Rights for the use of force

14 Identify levels of tension within a conflict situation.

- 4.1 Assessing the subject's behaviour
- 4.2 External influences that could increase the level of threat or risk
- 4.3 Recognising risk and mitigating threat
- 4.4 The impact of escalation factors e.g. drugs, alcohol, stress, anxiety
- 4.5 Warning signs and danger cues

15 Describe the process for determining whether the use of force is necessary in a conflict situation.

- 5.1 Legislation governing the use of force and personal protection equipment
- 5.2 Memorandum of Understanding (MOU) - The Police Use of Restraint in Mental Health & Learning Disability settings (See also under 'Vulnerability and Risk')
- 5.3 Use of the National Decision Model (NDM)

16 Examine alternatives to using force when involved in a conflict situation.

- 6.1 The 5-step communication model: • Simple appeal • Reasoned appeal • Personal appeal • Final appeal • Action
- 6.2 Use of effective positioning, tactical balance and movement to reduce tension
- 6.3 Using tactical communication skills to mitigate threat
- 6.4 Strategies for de-escalation

17 Employ personal protection skills within a conflict situation

- 7.1 The range of personal protection skills and equipment available to an officer
- 7.2 How to approach individuals and vehicles safely
- 7.3 Safe, systematic and thorough searching of an individual
- 7.4 Options for the management of incidents involving edged weapons
- 7.5 How to evaluate the use of personal protection skills

18 Effectively use personal protection equipment, physical and mechanical restraints.

- 8.1 Use of an authorised issue baton
- 8.2 Use of an authorised incapacitant spray, including the effects of such usage and aftercare requirements
- 8.3 Application of physical and mechanical restraints
- 8.4 Multi-officer techniques
- 8.5 Possible medical implications following use of restraints and personal safety equipment
- 8.6 How to evaluate the use of personal protection equipment

19 Effectively use personal safety skills as determined by the specific role of the officer or designated operating environment.

- 9.1 Specific roles and designated operating environments
- 9.2 Use of personal safety skills while wearing additional personal protective equipment
- 9.3 Use of additional authorised issue work equipment

20 Account for, and justify the use of force in a conflict situation.

- 10.1 Correct notification procedures when force or personal protection equipment has been used (e.g. custody officer, supervisor, incident log etc.)
- 10.2 Importance of debriefing the event using a recognised model covering relevant information, including: • Proportionate, legal, accountable and necessary use of force (PLAN) • Use of personal protection equipment e.g. incapacitant spray, baton • Use of personal or mechanical restraints
- 10.3 Importance of documenting actions post-incident
- 10.4 How and where the use of force and personal protection equipment should be documented
- 10.5 Possible medical implications following the use of force

Policing the Roads

21 Explain core policing functions and strategies relating to policing the roads.

- 1.1 Commonly-used terms in policing the roads
- 1.2 Principal police functions in relation to policing the roads
- 1.3 The National Police Chiefs' Council (NPCC) Roads Policing Strategy
- 1.4 Health and safety risks within the roads policing environment
- 1.5 Partner agency roles
- 1.6 Role and function of family liaison in roads policing incidents

22 Explain legislation, police powers and the most common offences associated with policing the roads.

- 2.1 Key legislation including: • Road Traffic Act 1988 • Highway Act 1835, 1980 and 1988 • Road Traffic Regulation Act 1984
- 2.2 Police powers relating to • Vehicles • Use of the highway • Documentation offences
- 2.3 Roads-related offences: • Vehicles, including anti-social behaviour • Use of the highway • Documentation offences • Breaches of legislation by commercial vehicles

23 Explain the effect of roads-related anti-social behaviour offences on victims and their families.

- 3.1 Roads-related anti-social behaviour and offences
- 3.2 Groups of people who are especially vulnerable in the roads environment
- 3.3 Impact of incidents upon victims and their families

24 Understand and implement the checks that should be carried out at the scene of a roads-related incident

- 4.1 Initial actions at the scene of an accident/incident, including traffic management (See also under 'Response Policing')
- 4.2 Checks with respect to other offences, including: • Seatbelts • Drink and drug driving • Speeding • Mobile phone

25 Engage in drink/drug driving investigations.

- 5.1 Relevant case law and legislation

5.2 Processes and procedures to investigate drink/drug driving: • Evidential Breath Test Instrument (EBTI) • Field Impairment Tests (FIT) and preliminary drug tests • Provision of evidential specimens for analysis, including specimens of blood taken from persons incapable of consenting • Detention of persons affected by alcohol or a drug • Handling of evidential material

26 Conduct detailed examinations of vehicles at the roadside, in relation to potential construction and use offences.

6.1 Legislation and powers

6.2 Vehicle identification, including the information on the manufacturer's plate

6.3 How to conduct a roadside vehicle examination

6.4 Health and safety risks in relation to roadside vehicle examination

6.5 Vehicle classification

6.6 Specialist support available, including dealers, Driver & Vehicles Standards Agency (DVSA) and Advanced/Forensic Vehicle Examiners

27 Apply a range of problem-solving processes to investigate small-scale incidents and collisions on the roads.

7.1 The CLEAR initiative

7.2 How the police lead the resolution of incidents; sources of support available

7.3 Securing and preserving the scene and potential evidence

7.4 Digital investigation opportunities available from vehicles e.g. dash cams, telematics, infotainment etc.

7.5 STATS19 report