

Liverpool John Moores University

Title: Practice Procedure and Criminal Law 2
Status: Definitive
Code: **4204PSDA** (125633)
Version Start Date: 01-08-2021

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

Team	Leader
Lawrence Parry	Y

Academic Level: FHEQ4 **Credit Value:** 20 **Total Delivered Hours:** 82
Total Learning Hours: 200 **Private Study:** 118

Delivery Options

Course typically offered: S1, S2, Sum, NS2 (S2 for Jan)

Component	Contact Hours
Lecture	40
Seminar	20
Workshop	20

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Exam	Exam	MCA Exam and seen exam	40	2
Portfolio	Port	Work sample exercises plus a reflective report around interview process and attainment of OCP	60	

Competency	OCP
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Aims

To provide the students with an understanding of how those engaged in front-line local policing can assist in combatting terrorism by gathering intelligence. Examining

how the role of the front line officer can assist in identifying community vulnerabilities in a counter-terrorism context, and the appropriate actions they can take in safeguarding the public.

Students will gain an understanding of the fundamental principles, legislation and powers related to conducting, effective, ethical and professional interviews. Whilst identifying the policy, procedures and best practice, available on how to identify and work with people who are vulnerable, or at risk, who are part of a criminal investigation.

This module is assessed in conjunction with the Occupational Competencies Portfolio (OCP), and so will have an element containing pass or fail.

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate a comprehensive and detailed understanding of investigative methodologies, showing intellectual flexibility and openness to new ideas in relation to the legislation, practice and procedure of investigations (including terrorism) and criminal law (Please note this is an over-arching learning objective which covers the College of Policing objectives 1 and 4).
- 2 Cite a depth of theoretical knowledge and techniques appropriate to individual research and scholarship and demonstrate this by professionally challenging orthodoxy using balanced, logical and supported arguments in relation to the practice and procedure of relevant criminal law relating to terrorism and investigation. (Please note this is an over-arching learning objective which covers the College of Policing objectives 2 and 3).
- 3 Explain how to operate ethically in complex and unpredictable contexts, requiring selection and application from a wide range of standard and innovative techniques utilised within the practice of police investigation, including initial investigative actions and the use of information and intelligence. (see also 4203PSDA)
- 4 Communicate clearly and fluently, with the ability to engage effectively in academic and professional discussions whilst planning and implementing tasks with within agreed guidelines and Codes of Practice (e.g. PACE Act 1984; PEACE model of interviewing).

Learning Outcomes of Assessments

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

MC Exam	1	2	3	4
Portfolio	2	3	4	
OCP				

Outline Syllabus

*Conducting Investigations.
Terrorism.*

*Radicalisation.
Offences and Powers.*

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 how front line officers can assist in combatting terrorism. Or, identifying the fundamental principles, legislation and powers related to conducting, effective, ethical and professional interviews.

NB. As part of PSRB requirements there will be a pass/ fail element in this module related to the Occupational Competencies Portfolio (OCP).

Curriculum Related Objectives

- 1 Demonstrate a comprehensive and detailed understanding of investigative methodologies.
- 2 Cite a depth of theoretical knowledge and techniques appropriate to individual research and scholarship.
- 3 Professionally challenge orthodoxy using balanced, logical and supported arguments in relation to the practice and procedure of relevant criminal law relating to terrorism and investigation.
- 4 Demonstrate intellectual flexibility and openness to new ideas in relation to the legislation, practice and procedure of investigations (including terrorism) and criminal law.
- 5 Explain how to operate ethically in complex and unpredictable contexts, requiring selection and application from a wide range of standard and innovative techniques utilised within the practice of police investigation, including initial investigative actions.
- 6 Communicate clearly and fluently, with the ability to engage effectively in academic and professional discussions whilst planning and implementing tasks with within agreed guidelines and Codes of Practice (e.g. PACE Act 1984; PEACE model of interviewing).

Indicative Content:

Counter Terrorism

- 1 Understand key counter terrorism terminology/concepts.
 - 1.1 Radicalisation
 - 1.2 Extremism, including domestic extremism
 - 1.3 Interventions
 - 1.4 Terrorism-related offences
 - 1.5 CONTEST strategy: Pursue, Prevent, Protect and Prepare
- 2 Understand key legislation relevant to counter-terrorism policing

2.1 Relevant legislation, including: • Terrorism Act 2000 (as amended) • Counter Terrorism and Security Act 2015

2.2 Powers of search, arrest and detention in relation to terrorism

3 Explain the function of key counter terrorism operations that impact on front-line policing

3.1 Counter terrorism operations, past and present

3.2 National threat levels

4 Understand the role of front-line local policing in gathering intelligence that can combat terrorism

4.1 Intelligence in CT operations: • Local • Regional • National

4.2 Importance of community intelligence in CT operations: • Community engagement • Developing intelligence • Fostering co-operation

5 Understand the role of front-line policing in identifying vulnerabilities in a counterterrorism context and taking appropriate action for safeguarding

5.1 Importance of recognising vulnerabilities in a counter-terrorism context

5.2 Indicators of radicalisation of an individual: • Risk factors • Warning signs • Individual and environmental factors • Engagement, intent and capability (See also under 'Vulnerability and Risk')

5.3 Processes for referral for safeguarding of a vulnerable person (e.g. Prevent Case Management (PCM))

5.4 Radicalisation and the police role in the 'prevent' strategy

6 Take appropriate measures in relation to personal safety and maintaining vigilance

6.1 Staying safe at home and work

6.2 Awareness of online presence

6.3 Identifying and reporting suspicious activity

7 Provide a first response to potential terrorist incidents

7.1 Initial actions when attending a potential terrorist incident

7.2 Initial actions when approaching a suspect device

7.3 Initial operational response: • CBRN • Homemade explosives

7.4 Importance of partnership working, including International and European partners

7.5 Joint Emergency Services Interoperability Principles (JESIP) (See also under 'Response Policing')

Conducting Investigations

8 Examine fundamental principles, legislation and powers related to conducting investigations

1.1 Relevant legislation, including legislation applicable in specific areas (e.g. Proceeds of Crime Act 2002)

1.2 Powers applicable to investigations, including: • Entry powers • Powers of arrest • Search powers • Powers of seizure, including legal privilege • S8 warrants (See also under 'Criminal Justice')

1.3 Definitions of 'criminal investigations' and 'investigator'

1.4 Ethical considerations when conducting investigations

- 1.5 Evidence base behind investigative concepts
- 1.6 Knowledge and skills required
- 1.7 Investigative mind-set
- 1.8 Principles of an investigation: • Preserve life • Preserve scenes • Secure evidence • Identify victims • Identify suspects
- 1.9 Making decisions in an investigative context in accordance with the National Decision Model (See also under 'Decision-making and Discretion')
- 1.10 Keeping and maintaining accurate records

9 Employ appropriate investigative actions when responding to and attending an incident

- 2.1 Information/intelligence required before responding to an incident, including: • PND/PNC • Force intelligence systems • Call takers
- 2.2 Considerations prior to arriving at the scene of an incident: • Threat • Risk • Harm • Vulnerability of self and others (See also under 'Vulnerability and Risk')
- 2.3 Initial actions when responding to incidents, including: • Sudden or unexplained death, including child death • Threats of life • Hate crimes • Missing persons
- 2.4 How to take control at a scene
- 2.5 Potential impact of language barriers upon communication at the scene of an incident (See also under 'Communication Skills')
- 2.6 Resources that can help support police at an incident
- 2.7 Identifying vulnerability and supporting/managing the welfare of victims and witnesses in accordance with the Victims' Code
- 2.8 Specialist roles and multi-agency approaches for supporting and safeguarding victims and witnesses, particularly in relation to public protection incidents e.g. domestic abuse
- 2.9 Forensic considerations, including: • Identifying a crime scene • Scene preservation (including the digital crime scene) • Cross contamination • DNA anticontamination • Continuity • Use of an appropriate professional to carry out forensic examination (See also under 'Digital Policing')
- 2.10 Identifying/detaining suspects, if still at scene
- 2.11 How achieving best evidence (ABE) begins when taking an initial account from victims and witnesses
- 2.12 Procedures for carrying out searches and warrants
- 2.13 Dealing with material found during a search e.g. digital devices, drugs, weapons, cash or stolen property (See also under 'Digital Policing')
- 2.14 Key enablers for internet-facilitated crimes e.g. bank accounts, communication devices, websites etc. (See also under 'Digital Policing')
- 2.15 Information to be recorded at the scene of an incident
- 2.16 Communicating details about the incident, or escalating serious or complex incidents
- 2.17 Documentation to be completed

10 Apply best practice when conducting an investigation

- 3.1 Definitions of key terminology: • Investigative mind set • Best evidence • Material/information/intelligence • Disclosure
- 3.2 The stages of an investigation
- 3.3 How to plan and conduct an initial investigation

- 3.4 How to develop an investigative hypothesis
- 3.5 Managing an initial investigation: • Using THRIVE • Recording a crime • Taking an initial account • Understanding the role of others • Fast-track action • Golden hour principles
- 3.6 Importance of considering the potential end products (e.g. evidence) at the outset of an investigation
- 3.7 Importance of undertaking investigative and evidential evaluation throughout the investigation
- 3.8 Investigative strategies that may be considered and used for evidence gathering:
 - Search • House-to-house • Intelligence • Financial investigation • Passive data generators (e.g. CCTV/Digital Images) • Communications (e.g. internal briefings, external communications) • Forensics • Physical evidence • ANPR • Trace, Interview, Eliminate (TIE) • Suspect identification • Multi-agency • Victim/witness • Prevention • Disruption
- 3.9 Using financial investigation as a line of enquiry: • Role of the specialist financial investigator
- 3.10 Specialists who may be involved, including Crown Prosecution Service (CPS)
- 3.11 Retaining and recording the details of an investigation
- 3.12 Identifying and working with victims, witnesses and suspects
- 3.13 Circulating information regarding those wanted or suspected
- 3.14 Partnership and multi-agency working, including referrals to other reporting mechanisms: • Action Fraud • Social Services • Community safety partnerships • Health and Safety Executive (HSE) • Care Quality Commission (CQC)
- 3.15 Escalation to senior or specialist investigative colleagues

11 Understand and employ appropriate policing approaches to dealing with vulnerable victims or witnesses in a criminal investigation

- 4.1 How to identify and work with people who are vulnerable or at risk and part of a criminal investigation (See also under 'Vulnerability and Risk' and 'Criminal Justice')
- 4.2 Measures to make a vulnerable person feel safer when involved within a criminal investigation
- 4.3 Special measures for certain groups of witnesses who may be vulnerable or intimidated, or have grounds for fear or distress about testifying
- 4.4 Strategies for communicating with victims and witnesses

12 Use appropriate processes for gathering and managing evidence/information that may be pertinent to an investigation

- 5.1 What constitutes 'material', 'information', 'intelligence' or 'evidence' (See also under 'Information and Intelligence')
- 5.2 Evidence-gathering opportunities: • Victims • Witnesses • Suspects • Crime scenes (including physical and digital scenes of crime)
 - Passive data generators e.g. CCTV, data communication sources, banking and credit card records
- 5.3 Methods of obtaining evidence in compliance with appropriate legislation; circumstances when specialist support may be required (See also under 'Digital Policing')
- 5.4 How to secure evidence, including digital evidence
- 5.5 Use of identification procedures, including: • Visual identification • Biometrics • PNC facial recognition

5.6 Methods of gathering information, intelligence and evidence to support a UK prosecution of a foreign national • Specialist agencies (i.e. Interpol, Europol, International Liaison Officer (ILO), National Police Coordination Centre (NPoCC), ACPO Criminal Records Office (ACRO))

13 Understand the types of evidence that may be obtained during an investigation and the processes for managing the evidence

6.1 Types of evidence

6.2 How digital technology can capture best evidence e.g. body worn video cameras

6.3 Processes for searching and seizure for forensic/physical evidence

6.4 Use of ANPR as an investigative resource

6.5 How to attribute digital devices/physical or forensic activity to a suspect and incident

6.6 Specialist support that may be required to obtain further evidence

6.7 How to review information and material gathered

6.8 Processes associated with transportation, storage and disposal of exhibits

14 Conduct effective ethical and professional interviews, employing differing approaches according to the investigation and the interviewee

7.1 Legislation to be considered during interviews, including: • PACE Code E - Audio Recording of Interviews • PACE Code F - Video Recording of interviews

7.2 The evidence base associated with the PEACE interview structure

7.3 The principles of investigative interviewing

7.4 The PEACE interview process: • Planning and preparation • Engage and explain • Account clarification and challenge • Closure • Evaluation

7.5 Interview strategy and plan, including identification, initial accounts and fast-track interviews

7.6 Pre-interview briefings

7.7 Individuals who may need to be involved in interview process, including: • Interpreters • Legal advisors • Intermediaries

7.8 Key considerations for police interviewing, including : • Characteristics of victim, witness and suspect • Fitness for interview: vulnerability, security and welfare of interviewee • Legal issues • Special arrangements e.g. interpreters

7.9 Importance of having all necessary information prior to interview, including relevant interviewee information

7.10 Overall interview considerations, including: • Methods to ensure that information is being understood correctly • Challenging inaccuracies/inconsistencies

7.11 Non-verbal signals seen in interviews

7.12 Special warnings and significant statements

7.13 Recording an interview by audio/video or other means

7.14 Introducing exhibits

7.15 Offences to be taken into consideration (TICs)

7.16 Dealing with contingencies

7.17 Statements required according to anticipated plea

7.18 Interview documentation to be completed

7.19 Storage of interview records

7.20 Providing debrief of interview to appropriate other parties

15 Explain and take into account specific considerations when interviewing victims/witnesses

8.1 Additional support for vulnerable, intimidated, significant witnesses etc.

8.2 Types of witness statements

8.3 The Victims' Code (See also under 'Criminal Justice')

8.4 Achieving best evidence when interviewing victims and witnesses

8.5 Visually-recorded interviews

8.6 Importance of informing victims of restorative justice in accordance with the Code of Practice for Victims of Crime

8.7 Victim personal statements

16 Understand the court process, including interpretations and analysis that can be drawn from evidence given

9.1 Charging process

9.2 Key terminology used in a court, including trial agenda

9.3 Court processes (See also under 'Criminal Justice')

9.4 Personnel involved

9.5 Role of experts

9.6 How actions at the court stage can affect the prosecution

9.7 How evidence is presented to court and evaluated in a case

9.8 Preparing an evidence file for prosecuting authority

9.9 Complexities associated with giving evidence, including disclosure, confidence and credibility (See also under 'Criminal Justice')

9.10 Defence tactics that may be used and strategies to deal with such tactics

9.11 Enhanced sentencing for hate crimes