

Higher National Unit Specification

General information for centres

Unit title: Professional Knowledge in Policing

Unit code: F0EC 35

Unit purpose: This Unit is designed to enable candidates to apply current criminal legislation and procedure to situations relevant to the work of a police officer in Scotland and make recommendations for police action.

On completion of the Unit the candidate should be able to:

- 1 Analyse a situation to determine the legal issues
- 2 Determine an appropriate course of police action

Credit points and level: 1 HN Credit at SCQF level 8: (8 SCQF credit points at SCQF level 8*).

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Recommended prior knowledge and skills: Candidates should have a good working knowledge of Scottish criminal law and criminal procedure gained through experience of working as a police officer. They should be aiming towards a promoted police post within the police service. Candidates must have a working knowledge of PINS (Police Information Net for Scotland) and access to it.

Core Skills: There are opportunities to develop the Core Skills of Problem Solving and Communication at SCQF level 6 in this Unit, although there is no automatic certification of Core Skills or Core Skills components.

Context for delivery: If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

Assessment: This Unit can be assessed holistically using a single instrument of assessment which should be an examination held in controlled conditions. Candidates will be expected to apply criminal law to situations which they could face in a promoted post within the police service. During the assessment, candidates should have access to relevant information on the current criminal law of Scotland.

Higher National Unit specification: statement of standards

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The sections of the Unit stating the Outcomes, knowledge and/or skills, and evidence requirements are mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the knowledge and/or skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Analyse a situation to determine the legal issues

Knowledge and/or skills

- ◆ Underlying principles of Scottish criminal law
- ◆ Evidential considerations
- ◆ PINS (Police Information Net for Scotland)

Outcome 2

Determine an appropriate course of police action

Knowledge and/or skills

- ◆ Lord Advocate's Guidelines
- ◆ Association of Chief Police Officers in Scotland (ACPOS) Guidelines
- ◆ Criminal procedure

Evidence Requirements for the Unit

Candidates will need evidence to demonstrate their knowledge and/or skills by showing that they can obtain a mark of 50% or more in an examination covering knowledge and skills items from both Outcomes.

The examination will present candidates with situations of the kind which they may face as managers in the police service in Scotland. Each situation should cover a different aspect of criminal law and different offences. Candidates must respond to two situations, one which covers all the knowledge and skills items in Outcome 1 and one which covers all the knowledge and skills items in Outcome 2. Overall, they must produce evidence which:

- ◆ identifies the essential elements of criminality in accordance with the current law of Scotland and with reference to relevant case law
- ◆ gives reasons to justify why the law they have identified applies to the situation
- ◆ states which offence(s) would apply to the situation
- ◆ gives reasons to justify the offence(s) they have stated and show how they are consistent with the criminal law applicable to the situation

Higher National Unit specification: statement of standards (cont)

Unit title: Professional Knowledge in Policing

- ◆ makes recommendations for police action – this action must comply with all relevant guidelines and current criminal procedures and candidates must give reasons to demonstrate that they are aware that this is the case

The examination should be open book and held in controlled conditions. Candidates will be allowed access to PINS (Police Information Net for Scotland). The examination should take two hours.

The evidence must relate to legislation which is in force at a date specified to candidates prior to the examination.

Assessment guidelines for the Unit

This is both a theoretical and a practical Unit with the emphasis very much on the practical application of criminal legislation to situations faced by promoted police officers. The assessment should reflect this strong practical bias particularly as, in operational conditions, officers will have access to criminal justice legislation. For this reason, assessment should be open book and will probably be conducted in a room with equipment which will enable candidates to access PINS (Police Information Net for Scotland). It may be helpful to carry out several formative assessments during the delivery of the Unit. In this way candidates can monitor their progress against the different parts of the Unit.

Administrative Information

Unit code: F0EC 35
Unit title: Professional Knowledge in Policing
Superclass category: QH
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Higher National Unit specification: support notes

Unit title: Professional Knowledge in Policing

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

This Unit is intended for police officers who are seeking promotion in the police service in Scotland. Candidates will normally be following a recognised training programme such as that developed by the Scottish Police Service.

The Unit is one of three units which make up Module 1 of the Professional Development Award: Diploma in Police Service Leadership and Management.

The Unit is an applied Unit focusing on the application of criminal legislation to situations which managers in the police service will encounter. It aims to ensure that, when promoted, police staff will be able to effectively discharge their duties when dealing with persons who have broken the criminal law. Completing this aspect of police work to a high standard will contribute to effective delivery by other agencies to the benefit of the criminal justice system as a whole. Candidates should have some prior background in the criminal justice system in Scotland which they could achieve through the unit Criminal Justice System in Scotland. They will also need a working knowledge of PINS (Police Information Net for Scotland). Candidates who do not possess this will therefore require to develop the necessary skills and additional time may need to be allocated for this.

The following notes give some additional information on each Outcome. In many cases they contain examples which were current at the time the unit was written. The actual delivery of the unit should relate to legislation, practice and examples that are current at the time.

Outcome 1

Underlying Principles of Scottish Criminal Law:

- ◆ Crimes, Offences and the Declaratory Powers
- ◆ The Concept of Responsibility
- ◆ The Criminal Act
- ◆ The Problem of Causation
- ◆ Art and Part
- ◆ Inchoate Crimes
- ◆ The Criminal Mind
- ◆ *Mens Rea* in Statutory Offences and Corporate Responsibility
- ◆ Error
- ◆ Insanity
- ◆ Diminished Responsibility
- ◆ Intoxication
- ◆ Necessity, Coercion and Superior Orders

Higher National Unit specification: support notes (cont)

Unit title: Professional Knowledge in Policing

Evidential Considerations: corroboration; admissibility/relevance; hearsay evidence and exceptions to the rule that hearsay evidence is inadmissible

PINS (Police Information Net for Scotland): candidates should be able to make effective use of PINS

Outcome 2

Lord Advocate's Guidelines

ACPOS Guidelines

Criminal procedure:

- ◆ Time Bars
- ◆ Procedures and time-scales for serving and lodging documents
- ◆ Provisions relating to routine evidence eg Forensic Reports, Reports of Identification Parades etc
- ◆ Bail
- ◆ Provisions relating to vulnerable witnesses and victims of sexual offences
- ◆ Provisions relating to accused eg rules re evidence of criminal record and bad character, vulnerable accused etc

Guidance on the delivery and assessment of this Unit

This Unit can be delivered on a stand-alone basis or as part of a training programme for police officers seeking promotion.

A crucial aspect of the delivery of the unit is ensuring that candidates become as familiar as possible with accessing current criminal justice legislation using PINS (Police Information Net for Scotland). They are not required to commit criminal legislation to memory. They are, however, expected to be able to analyse a situation and, by accessing the legislation, quickly and accurately determine which legislation is applicable in the situation in question. They are further expected to be able to apply the legislation to decide what criminal offences have been committed and to determine what police action is required. This situation replicates those which promoted officers face on a daily basis as part of their managerial duties. In addition, candidates require a thorough working knowledge of guidelines such as the Lord Advocate's and ACPOS Guidelines and of criminal procedures to ensure that their recommendations on police action will meet all relevant requirements.

Assessment should test the ability of candidates to apply current criminal legislation to situations typical of those encountered by promoted police officers and to make recommendations for action by members of police organisations. Assessment should allow candidates to make use of PINS to access information on current criminal legislation in Scotland. Formative assessment may be a valuable way of helping candidates to prepare for the final summative assessment. One way to provide this is through self-assessment tasks which could form part of a Distance Learning Programme.

Higher National Unit specification: support notes (cont)

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Opportunities for developing Core Skills

The Unit will provide opportunities to develop elements of critical thinking and general problem solving skills to an advanced level. Defining criminality, and proposing actions which are within the scope of legal requirements and current police guidance in Scotland will be an integral aspect of understanding. Analysis of situations and events will require identification of specific elements of criminality and in depth justification of the relevance and appropriateness of actions recommended.

The Unit will develop skills in accessing, evaluating and applying complex information on guidelines and procedures to be used in a policing environment in accordance with current legal requirements. Candidates will apply knowledge from a range of sources including PINS to different situations involving offences. Written communication skills are not discretely assessed but candidates should present technically accurate, analytical responses which are coherent and concise.

Open learning

This Unit is particularly suitable for Open Learning as candidates should be able to acquire the relevant knowledge by working through the distance learning material which will be available for this unit. Appropriate arrangements would need to be made for assessment and quality assurance. For information on this, please refer to the SQA document *Assessment and Quality Assurance of Open and Distance Learning*, which is available at SQA's website www.sqa.org.uk.

Candidates with disabilities and/or additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments or considering alternative Outcomes for Units. For information on these, please refer to the SQA document *Guidance on Alternative Assessment Arrangements for Candidates with Disabilities and/or Additional Support Needs*, which is available on SQA's website: www.sqa.org.uk.

General information for candidates

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This Unit forms part of Module 1 of the Diploma in Police Service Leadership and Management which is a Professional Development Award accredited by SQA. It has been designed to offer developmental opportunities to police officers who aspire to promoted posts.

The Unit is a practical Unit. Its main focus is applying current criminal legislation to situations in which police officers are involved. It is intended to enable you to become thoroughly familiar with accessing Police Information Net for Scotland (PINS) so that you can analyse a situation and determine which legislation applies to it and which offences have been committed. On the basis of your analysis you will be expected to make recommendations for police action which are consistent with current guidelines and with criminal procedure. Throughout, the emphasis is on how to help you deal with situations and incidents which you will face as a promoted police officer. You will be given support material to help you work on this Unit on your own. This will include getting practice on accessing PINS and applying criminal law and criminal procedures to various situations.

The assessment for the Unit is an examination which tests your ability to analyse and diagnose situations and apply relevant legislation to them. You will also be expected to determine what police action should be taken. You will be allowed access to current criminal justice legislation during the examination. The examination will last for two hours and you will be expected to achieve a mark of 50%, or more.

You will have succeeded in meeting all the requirements of this Unit if you pass this assessment.