



Higher National Unit specification

General information

Unit title: Policing, the Criminal Justice System and Human Rights (SCQF level 8)

Unit code: H6MB 35

Superclass: EC

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Unit purpose

This Unit is for serving police officers in Scotland who are aiming towards a promoted post within the police service. It is designed to enable learners to assess the current system within Scotland and to examine how emerging human rights issues will impact upon current and future policing practice and the Criminal Justice System in contemporary Scotland. They will be able to assess various ways in which the interests of the police and other public service bodies may coincide or conflict with those of other institutions, organisations and groups within society and how differences can be effectively resolved. They will also be able to place the development of legislation and police accountability in Scotland in its historical and international context and analyse the key factors which influence a human rights compliant policing service.

Outcomes

On successful completion of the Unit the learner will be able to:

- 1 Analyse the role of human rights in policing.
- 2 Consider developments in police service delivery on an international level, comparing Scotland with a global counterpart.
- 3 Evaluate the impact of human rights on the delivery of Criminal Justice in Scotland.

Credit points and level

2 Higher National Unit credits at SCQF level 8: (16 SCQF credit points at SCQF level 8)

Higher National Unit specification: General information (cont)

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Recommended entry to the Unit

Learners should have a good working knowledge of general police procedures gained through experience of working in a police environment. They should be aiming towards a promoted police post within the police service. In addition, learners should have good communication, analytical, and evaluative skills as evidenced by *Communication* and *Problem Solving* Core Skills at SCQF level 6 or equivalent.

Core Skills

Achievement of this Unit gives automatic certification of the following:

Complete Core Skills None

Core Skill component(s) Critical Thinking at SCQF level 6

There are also opportunities to develop aspects of Core Skills which are highlighted in the Support Notes of this Unit Specification.

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.

Equality and inclusion

This Unit specification has been designed to ensure that there are no unnecessary barriers to learning or assessment. The individual needs of learners should be taken into account when planning learning experiences, selecting assessment methods or considering alternative evidence.

Further advice can be found on our website www.sqa.org.uk/assessmentarrangements.

Higher National Unit specification: Statement of standards

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Acceptable performance in this Unit will be the satisfactory achievement of the standards set out in this part of the Unit specification. All sections of the statement of standards are mandatory and cannot be altered without reference to SQA.

Outcome 1

Analyse the role of human rights in policing.

Knowledge and/or Skills

- ◆ Historical evolution of human rights policing
- ◆ Fundamental principles of international human rights legislation
- ◆ Identify the relevant ECHR Articles for public sector in Scotland
- ◆ Analysis of aspects of governance in contemporary Scotland
- ◆ Assessing interests of different public bodies, institutions and groups within society, in particular how they may coincide or be in conflict, or how differences may be effectively resolved

Outcome 2

Consider developments in police service delivery on an international level, comparing Scotland with a global counterpart.

Knowledge and/or Skills

- ◆ Examine the relevant articles of the Human Rights Act 1998
- ◆ Examine a number of international human rights stated cases which have a major impact on public service delivery
- ◆ Compare structure, responsibilities and accountability in the policing system in Scotland with a global counterpart
- ◆ Consider role and expectations of different societies towards policing
- ◆ Examine the relationship between the State and the police
- ◆ Compare different national policing systems
- ◆ Examine international political agreements and policing agreements
- ◆ Consider the changing nature of criminality, new forms of criminality, and global threats

Higher National Unit specification: Statement of standards (cont)

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Outcome 3

Evaluate the impact of human rights on the delivery of Criminal Justice in Scotland.

Knowledge and/or Skills

- ◆ Explore the relationship between recent legislation and human rights in Scotland
- ◆ Examine the Human Rights Act and its integration with the Police and other Criminal Justice agencies in Scotland
- ◆ Examine how human rights can and may influence the delivery of Criminal Justice in Scotland
- ◆ Consider audit and accountability processes for human rights compliant policing
- ◆ Examine diversity issues in relation to human rights, including demographics, media, community councils, staff associations, business, pressure groups, political policy; underlying principles and legal framework, eg disability, race, sex discrimination legislation, effect on work of police and Criminal Justice System, Chhokar enquiry

Evidence Requirements for this Unit

Learners will produce a portfolio of evidence and a written report in a format agreed with their tutor/assessor, as follows:

- (a) The evidence portfolio, covering Outcomes 1 and 2, will consist of a learning log which clearly identifies the learners' knowledge and skills in assessing matters relating to emerging human rights issues and considering how those issues may impact on the current and future context within which the police and Criminal Justice agencies in Scotland operate. In addition, learners should demonstrate their ability to draw on the theory and practices that they have studied to analyse the role of human rights in policing and to consider developments in police service delivery on an international level, comparing Scotland with a global counterpart.

Key learning points can be evidenced through reference to practical work-based scenarios in which learners are involved, and through their participation (both as lead and as contributor) in group discussions on the impact of human rights on police and public sector service delivery in Scotland.

and

- (b) A written report of approximately 2,000 words, covering Outcome 3, which considers existing case studies in human rights which relate directly to the previous, current or anticipated policing role of the learner. Consideration should be given to the reasons for, and the impact of, a significant Report or Review of Policing, and a current politically debated human rights issue affecting the operation of the police and other public bodies in the Criminal Justice System. This should include establishing the points of view held by different interested parties and assessing how these could affect the work of the police. In addition, learners should reflect on their ability to draw on theory and practices they have learned.

Higher National Unit specification: Statement of standards (cont)

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Satisfactory achievement will consist of the learners:

- ◆ Providing a critical and coherent analysis of the current situation facing the policing world through evaluation of the development of human rights legislation.
- ◆ Analysing the nature and mechanisms for police action accountability in Scotland.
- ◆ Making use of suitable and accurate evidence drawn from international stated cases, and the factors that influenced the development of governance in Scotland.
- ◆ Making use of relevant concepts to provide a reasoned and coherent analysis of the delivery of human rights in policing and the Criminal Justice System in Scotland, making reference to contemporary debates and stated cases.
- ◆ Considering the integration of different aspects of the legal system and the significant developments which may affect the future of the delivery of Criminal Justice in Scotland.



Higher National Unit Support Notes

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Unit Support Notes are offered as guidance and are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 80 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. Learners will normally be following a recognised training programme such as that developed by the Police Service of Scotland.

The Unit is designed to enhance learners' knowledge and understanding of human rights legislation and to enable them to make use of this knowledge and understanding to analyse aspects of governance in contemporary Scotland. The emphasis throughout is that the successful governance of any country must be human rights compliant and the overarching standards for any government body must be based on international human rights law.

This will lead to learners being able to assess the current system within Scotland and to examine how possible future developments will impact upon current practice and the role of the Criminal Justice System in contemporary Scotland. They can consider emerging human rights issues and assess various ways in which the interests of the police and other public service bodies may coincide or conflict with those of other institutions, organisations and groups within society and how differences can be effectively resolved.

The following notes give some additional information on each Outcome. The actual delivery of the Unit should relate to legislation, practice and examples that are current at the time.

Outcome 1

This Outcome will focus on the origins and development of human rights, identifying key milestones. This should look at the more relevant developments over the last 65 years, and their impact on law enforcement. This should include an overview of the following:

Emergence of Human Rights: Post World War II United Nations Declaration, Council of Europe and European Convention on Human Rights.

Development of Human Rights: Council of Europe, European Court of Human Rights decisions, Human Rights Act 1998, Scotland Act 1998, International Law considerations, International Covenant on Civil and Political Rights.

Higher National Unit Support Notes (cont)

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Impact on Police: UN Code of Conduct for Law Enforcement Officials 1979, UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials 1990, European Code of Police Ethics 2001.

Impact on the Criminal Justice System: case law since Scotland Act 1998, duty to comply with ECHR, devolution issues.

Outcome 2

The focus here will be on the role and expectations of different societies towards policing. This should examine the relationship between the State and the police relating to the influence that the State has over the police both directly and indirectly in terms of structure, policy, operational control. This should also cover an examination of a different national policing system to highlight differences between it and Scotland, looking at international human rights stated cases, international political agreements, and international policing agreements.

Outcome 3

This Outcome will address the wider spheres of the influence of human rights on an evolving society, and how this influence affects how the police and other public bodies in the Criminal Justice System deliver a service in Scotland. The following areas should be covered:

Diversity: Underlying principles and legal framework, eg disability, race, sex discrimination legislation, effect on work of police and justice system, Chhokar enquiry

Demographics, media, community councils, staff associations, business, pressure groups, political policy.

National Occupational Standards

The National Occupational Standards which this Unit reflects are as follows:

SFJ CC4	Determine and review authorisations
SFJ BE101	Assess the risk of serious harm to victims, survivors and witnesses
SFJFA103	Receive detained persons into custody
SFJ CD101	Supervise the response to critical incidents
SFJ CI105	Supervise investigations and investigators
SFJ CA1	Use law enforcement actions in a fair and justified way
SFJFA104	Authorise and manage police detention
SFJ CC5	Identify and manage operational threats and risk
SFJ DE7 (V&W2)	Undertake needs assessments of victims and witnesses
SFJ CC7	Prepare for, monitor and maintain law enforcement operations

Higher National Unit Support Notes (cont)

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Guidance on approaches to delivery of this Unit

This Unit is suitable for a blended learning approach with the accent on self-directed learning. Tutorial support is important to introduce the Unit to learners and to explain key concepts (development of human rights legislation). The bulk of learner study should be conducted by distance learning with remote tutor advice and support.

If delivered as part of the Group Award, Diploma in Police Service Leadership and Management, it is recommended that this Unit be assessed wholly, or in part, in conjunction with the complimentary Unit, *Ethical Decision Making*.

Guidance on approaches to assessment of this Unit

Evidence can be generated using different types of assessment. The following are suggestions only. There may be other methods that would be more suitable to learners.

Centres are reminded that prior verification of centre-devised assessments would help to ensure that the national standard is being met. Where learners experience a range of assessment methods, this helps them to develop different skills that should be transferable to work or further and higher education.

The assessment for this Unit will comprise two distinct components:

- (a) Evidence Portfolio: learners will maintain this throughout the period of the Unit, where the focus will be evidencing their development in relation to analysing the role of human rights in policing and considering developments in police service delivery on an international level, comparing Scotland with a global counterpart. This is consistent with Outcomes 1 and 2.

To assist learners in developing analytical skills and the ability to draw conclusions, they can be given investigative assignments for group discussion which will act as formative assessments, eg learners will be asked to examine the reasons for, and the impact of, a significant report or review of policing, or could investigate a current human rights issue affecting the operation of the police and other public bodies about which there is political debate. This investigation could include establishing the different points of view held by different interested parties and assessing how these could affect the work of the police.

- (b) Written Report: learners will demonstrate their ability to evaluate the impact of human rights on police and the delivery of Criminal Justice in Scotland through their consideration of a current and future aspect of policing and human rights in Scotland. This should include a focus on existing stated case studies in human rights which relate directly to the current, previous or anticipated policing role performed by the learner. This is consistent with Outcome 3.

Successful achievement of the Unit will require the learner to complete element (a) to the required standard and to pass element (b).

Higher National Unit Support Notes (cont)

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Learners are expected to be proactive in their approach to learning and to seek feedback from course tutors at key milestones.

The mode of assessment encourages the submission of evidence in electronic format.

Centres are reminded that prior verification of centre-devised assessments would help to ensure that the national standard is being met. Where learners experience a range of assessment methods, this helps them to develop different skills that should be transferable to work or further and higher education.

Since the Component of Critical Thinking at SCQF Level 6 is embedded in this Unit, it is strongly recommended that you follow the assessment guidelines given. If you wish to use a different assessment model, you should seek prior verification of the assessment instrument(s) you intend to use to ensure that the Core Skill is still covered.

Opportunities for e-assessment

E-assessment may be appropriate for some assessments in this Unit. By e-assessment we mean assessment which is supported by Information and Communication Technology (ICT), such as e-testing or the use of e-portfolios or social software. Centres which wish to use e-assessment must ensure that the national standard is applied to all learner evidence and that conditions of assessment as specified in the Evidence Requirements are met, regardless of the mode of gathering evidence. The most up-to-date guidance on the use of e-assessment to support SQA's qualifications is available at www.sqa.org.uk/e-assessment.

Opportunities for developing Core and other essential skills

This Unit has the Problem Solving component Critical Thinking embedded in it. This means that when the candidates achieve the Unit, their Core Skills profile will also be updated to show they have achieved Critical Thinking at SCQF level 6.

The Unit will develop skills in accessing and evaluating complex information and ideas as learners analyse and apply knowledge from text books, internet sites, DVD/CD based databases and news archives. Learners will be familiar with effective and responsible use of *ICT* equipment and should develop efficient systems for collating, coding and storing notes for ease of reference.

Although skills in Written Communication are not formally assessed, learners will naturally develop a sophisticated level of skill as they research, summarise and evaluate a range of complex materials. They will present key information and ideas accurately, using a formal structure and recognised format.

Learners will be familiar with available technologies to support the process. The effective and responsible use of *ICT* equipment and software will be routine practice. Use of efficient systems of recording, coding and storing information for ease of reference and access will support the process and enhance skills. Skills for Learning, Life and Work will be further enhanced with particular emphasis on citizenship, health and wellbeing.

History of changes to Unit

Version	Description of change	Date
02	Core Skills Component Critical Thinking at SCQF level 6 embedded.	31/03/14

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General information for learners

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This section will help you decide whether this is the Unit for you by explaining what the Unit is about, what you should know or be able to do before you start, what you will need to do during the Unit and opportunities for further learning and employment.

This Unit forms part of the Group Award, 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.

This is a 2 credit Unit (16 SCQF credit points) at SCQF level 8 and is designed to enable you to set the policing system in Scotland in its historical and international context, understanding why the police service is the organisation that it is at present and recognising the future challenges which it is likely to face.

The Unit will contribute to your development as a manager within the Police Service of Scotland. If you have current managerial experience it will help you to explore and reflect on a suitable approach to analysing a situation to determine the human rights implications for police and Criminal Justice Sector delivery. If you have not yet worked as a manager but hope to do so in the future, the Unit will help you to prepare for your new role and to meet its challenges and demands.

The Unit has three Outcomes:

The first Outcome focuses on analysing the role of human rights in policing. You will be expected to analyse the international legislation and statutory instruments that impact on the delivery of justice and security to countries that are signatories to human rights principles.

In the second Outcome, you will be expected to consider and evaluate developments in police service delivery on an international level, examining human rights case studies that relate to specific functions of governance in a democratic society. This will be achieved through the study of the Human Rights Act 1998 and relevant case studies, comparing Scotland with a global counterpart.

The third Outcome relates to evaluating how human rights have impacted on police and public sector service delivery in Scotland. You will be able to do this through study of contemporary debates and stated cases which have influenced the integration of different aspects of the legal system and look specifically at areas of delivery which impact on your particular role.

Throughout all Outcomes, the emphasis is on how to help you to be fully aware of the background to your work in a promoted post in the police service. It will help you to understand why the system works in the way it does and the factors which are likely to affect its future development.

The support material given to you to help you work on this Unit will help you to build the skills of analysis, evaluation and drawing conclusions that are required for the successful completion of the assessment. The written report will consist of around 2,000 words 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 successfully complete the evidence portfolio and pass the written report.