

Joining Up and Staying On

2.1 Impacts on PCSOs from the Start

This chapter looks at issues which will impact on you from the time that you join a police force and put on the PCSO uniform, covering the following areas: the nature of the PCSO uniform itself, what your training will probably include in the first few weeks, your 'rules of engagement' as a PCSO, and the calls in some quarters for PCSOs to have even more powers.

2.1.1 PCSO training and learning

We also look at your training and learning, focusing on the 'experiential learning cycle' (ELC). We follow this with a discussion about what needs to be done to establish policing as a profession and what your part in that could be, before briefly considering various professional qualification routes for police officers and for PCSOs.

2.1.1.1 *'Designation' and its importance*

We then glance at the nature of Designation and documents about this which you carry, before looking at what a typical tour of duty might entail, together with a discussion of PCSO duties and obligations. This is followed by a discussion about some hostility towards the PCSO concept from within policing itself, and we look at associated elements such as 'mission creep' and argue the need to keep PCSO work distinct from policing, even when neighbourhood management is shared between the two roles of police officer and PCSO. We examine carefully the first pieces of research into, and evaluation of, the PCSO role across the country.

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2.1.1.2 *The courts system in England and Wales*

This leads us naturally enough to examine the outcome of the work you do in bringing offenders to justice, and we look at the courts system in England and Wales, examining the characteristics of the criminal justice system and what is entailed in both magistrates' courts and Crown Courts.

2.1.1.3 *Human rights and criminal justice*

This is followed by a short analysis of human rights and how these relate to your work as a PCSO, but also more generally in the way that human rights and the Human Rights Act 1998 impact on criminal justice. The chapter concludes with a summary of what we have examined and discussed. As usual, there are discussion points, points to note, and some tasks throughout the chapter to reinforce your learning and understanding.

2.2 Joining Up

2.2.1 Typical induction for a PCSO

We must emphasize at the outset of this section that what we describe and comment upon is a typical induction into a typical police force. There may be something like 43 minor variations on what we describe as typical, and the chances are that your own induction, whether several years ago or next month, may have had or will have differences. Please bear that in mind: we are not offering a template of how induction should be handled, but describing what we have seen to be pretty uniform practice across the police service of England and Wales. We have already examined in depth the recruitment process and talked about your fitness and physical standards in Chapter 1. Now is the time to discuss joining the police.

2.2.2 Starting as a PCSO

When you receive your letter of appointment as a PCSO, you will have contained within it your start date for training and instructions to 'parade' or to arrive in time for your uniform fitting. In late 2006, there was something of a minor scandal about the supply of uniform to some southern police forces, with a delay particularly in the provision of black trousers. Indeed, some forces reported

that male PCSOs had been erroneously issued with skirts by the single supplier because there were no trousers available. There has been no shortfall since, and indeed, no agreement nationally on PCSO uniform (see below). The frustration expressed by forces and by PCSOs about this episode centred more on the sense of 'belonging' and identity which a uniform provides, than on any sense of incompleteness in not having the uniform issue in all its components. A shortfall in the availability of epaulettes would not have been so much of a problem, of course, but male PCSOs cannot patrol without trousers. Female officers can choose to wear skirts or trousers.

2.2.2.1 Uniform

You will see in 2.6 below (Designation) that the PCSO uniform is described in the designation by some forces and a distinction is made between Police CSOs and any other kind. Some rural community support officers, or those who patrol a country beat, may have green facings, green hat bands, and green embroidered epaulettes to distinguish them from the royal blue colours associated with the standard PCSO uniform. Other CSOs may have the standard uniform which we itemize below, with the omission of the word 'police'. Some forces will not use the 'police' designation for fear of further confusing the separate identities of community support officers and police officers. The standard description is, as we have adopted throughout this Handbook, **Police Community Support Officer**; the distinction made by ACPO is entirely sensible: **PCSOs have the police prefix if their appointments are made by the Chief Constable**, under section 38 of the Police Reform Act 2002. If the officer is funded by a partnership or through non-police agencies, then the words 'Community Support Officer' or CSO suffice.¹

2.2.2.2 The uniform's components

The PCSO uniform typically consists of:

- Police-type flat cap (male officers) or bowler (female officers) with a reflective hat band in royal blue or edged in royal blue (a lighter blue than that associated with police officers)
- Blue enamel hat or cap badge with 'Police Community Support Officer' (or sometimes 'Community Support Officer' only); sometimes with the Force badge

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- Blue epaulettes embroidered with 'Police Community Support Officer' and the officer's number (or sometimes with 'Community Support Officer' only and the force number), sometimes with the Force badge

Because of the Welsh Language Act, all public authorities in Wales must produce a Welsh version of whatever they do, so PCSO is rendered as **SCCH—Swyddog Cefnogi Cymuned yr Heddlu**. Both English and Welsh versions are printed on blousons, high-visibility jackets, *Gore-Tex* (trade-marked description of the waterproof material) anoraks, epaulettes, cap badges and so on, much the same as is done for police (*Heddlu*) designations in Wales.

- White shirt with epaulettes and radio loops, though some forces have issued light-blue or grey shirts to distinguish them from those issued to police officers
- Blue or black tie (plain) with collar inserts
- Trousers (black heavy duty); plus all-weather or waterproof black trousers (see kit 'table' [at 2.2.2.3] below)
- Black leather belt
- Blue sweater (jumper or pullover) with an embroidered badge with 'Police Community Support Officer' (or sometimes 'Community Support Officer' only) and the Force badge
- Black *Gore-Tex* type anorak, with epaulettes, radio loops and a badge embroidered with the words 'Police Community Support'

Variations on a uniform theme

Some forces issue black 'blouson'-type jackets, embroidered or printed with the words 'Police Community Support Officer' and the Force badge. Many forces additionally issue high-visibility yellow tabards or 'gilets' to go over the uniform jacket or anorak, and nearly all forces will incorporate a reflective panel in the rear of the anorak or blouson which reads 'Police Community Support Officer' or 'Swyddog Cefnogi Cymuned yr Heddlu' (or sometimes 'Community Support Officer' only). There is also a suggestion that the 'collar and tie', or cravat, will disappear in time, to be replaced by a roll neck or similar. Even if this proposal is accepted by the police service at large, it will be some time before it is universal.

Document pouch

Note that the document pouch is similar to the type issued to traffic wardens or parking attendants, and is often used to hold fixed penalty notices or penalty notices for disorder (FPNs and PNDs), though increasingly, PCSOs are carrying their Pocket Note Books (PNB) in the document pouch rather than in the blouson or

anorak top pocket, assuming that their uniform has such pockets. Police officers, too, increasingly find that the newer blouson is not as useful for housing the PNB as the old-style tunic with two chest pockets.

2.2.2.3 Specifying equipment

Many forces additionally specify the uniform and the amount of equipment issued to male and female officers respectively as we show in the table below.

Male PCSO issue	Female PCSO issue
1 × Anorak with lining	1 × Anorak with lining
1 × general service (GS) over-trousers	1 × general service over-trousers
1 × hard-wearing trousers	3 × skirt or trousers (choice of the individual officer) not usually issued AW trousers
2 × all-weather trousers	7 × shirts white (but see 2.2.2.2. above)
7 × shirts white (but see 2.2.2.2. above)	1 × bowler hat
1 × cap (police-type)	1 × hat badge numerals
1 × cap badge numerals	2 × epaulettes
2 × epaulettes	1 × document pouch
1 × document pouch	1 × leather belt
1 × leather belt	2 × pullover (unlined)
2 × pullover (unlined)	2 × cravat or clip-on tie
2 × ties (clip-on type)	1 × gloves black leather
1 × gloves black leather	1 × woollen scarf
1 × woollen scarf	1 × 'Hi-Viz' over-jacket
1 × 'Hi-Viz' over-jacket	

We are not making a gender point here; it is enough to note that female PCS officers have different headgear from their male colleagues, different trousers, and they can opt for a cravat rather than a tie, if they wish.

2.2.2.4 Uniformity

A report by NPIA into PCSOs in July 2008 (see 2.8.3.5 below) noted that there was no consensus for a national uniform for PCSOs and that to set a standard uniform for PCSOs was unrealistic and the

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potential cost implications would be prohibitive, but the report went on to recommend consistency of uniform, in particular a common approach and appearance:

- The uniform should be of good quality, fit for the duties performed, and ensure the health and safety of the wearer
- It must be distinct from that of a police officer
- It should identify the wearer as a 'Police Community Support Officer' or 'Community Support Officer'
- The uniform should identify the wearer as a member of the wider police force they belong to
- The PCSO identifying features should be nationally consistent:
 - Plain blue hat band
 - Plain blue epaulettes
 - Plain blue tie

[adapted from NPIA's PCSO Review, July 2008, Recommendation 14, p. 19]

POINTS TO NOTE

It is a matter for individual forces whether footwear is issued or not, but in many forces, PCSOs have to supply their own black shoes or boots.

2.2.3 PCSO training

So there you are, fully equipped and ready to take on your first patrol duties, except that there is the small matter of training to be considered first. We cannot prescribe for you the training you will receive; not only will the content of your training vary from force to force, but its length and intensity will also be a matter for each individual force within the broad framework of **Knowledge, Understanding, Skills, Attitudes and Behaviours (KUSAB)**. There is also variation in *when* you may receive particular training; some forces concentrate on 'core' training, others have a broader programme which includes some of the National Occupational Standards at the outset. The extent of this training is not prescribed, merely advised.

2.2.3.1 Components of training

However, there are elements of PCSO training which are almost certain to be covered in the first year. A list might include most of these elements that follow, which we have split into KUSAB headings

for convenience of presentation [and to show you how important all parts of your learning are to your effectiveness as a PCSO]. The capital 'C' shown against some learning elements denotes that the element is considered as 'core' to the learning for a PCSO:

Knowledge

- Introduction to the National Occupational Standards: what they are, how you achieve them, and over what time-frame
- Police ranks C
- Police stations: locations, staffing, and how they function C
- Structure and organization of your police force C
- The criminal law, including law to define PCSO powers, sex offenders, RIPA, etc
- The criminal justice system; going to court, giving evidence
- Your powers (the standard powers and any powers specified by your force, such as powers to issue additional fixed penalty notices (FPNs), or to have the powers of a traffic warden, etc) C
- Professional qualifications
- Personal issues: welfare, shifts, pay, benefits, sickness, and counselling
- Criminal intelligence and how to report it
- Attending a crime scene C
- Gathering evidence; the 'continuity of evidence' C
- Making dynamic risk assessments
- Forensic evidence and scene-preservation C
- Sudden deaths
- Laws relating to property; 'lost and found'
- Pocket Note Book C
- Drugs and solvent abuse
- Missing persons and searches

Understanding

- Your powers C
- Learning opportunities provided by tutors, assessors, supervisors, and managers
- On-the-job assessment
- The criminal justice system; going to court, giving evidence
- Anti-social behaviour (including ABCs and ASBOs)² C
- Your status in law
- Criminal intelligence and how to report it C
- Attending a crime scene C
- Major incidents

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- House-to-house enquiries
- Searches
- Pocket Note Book C
- Gathering evidence; the 'continuity of evidence' C
- How you learn
- Your community and how it works C
- Partnerships and how to develop them C
- Understanding victims' needs
- Missing persons
- Personal development (advancement, appraisal, moving on, or moving up)

Skills

- Safety awareness training (sometimes called by different names: 'personal safety programme', 'self-defence', 'aggression-handling', 'unarmed combat', 'empty-hand skills', and the like) C
- Chairing meetings
- Negotiating and persuading
- Running a public assembly meeting
- Dealing with disputes, arguments, and differences
- Fitness training C
- Making dynamic risk assessments
- Interviewing and questioning
- Communications C
- First aid training C
- Forensic evidence and scene-preservation C
- Writing and self-expression (including making entries in the Pocket Note Book)

Attitudes

- Human rights and the police C
- Race and diversity C
- How you respond to your community
- Ethical and professional standards
- Portfolios of evidence (SOLAP)
- Dealing with disputes, arguments, and differences
- Dealing with the vulnerable
- Partnerships and how to develop them
- Communication C

Behaviours

- Race and diversity C
- Relations with the community C
- How you respond to your community C
- Dealing with the vulnerable
- Communication C
- Working with colleagues
- Partnerships and how to develop them C

2.2.3.2 *Applied learning*

You don't need to be an Einstein to realize that many aspects of KUSAB inter-relate and overlap, which is why we have put some learning elements twice under different headings. **This has to do with possible differences between what you know and what you do.** For example, you may think that you understand all the elements around diversity, and genuinely believe that you are tolerant of others' points of view and non-judgemental in your approach. Yet your behaviour out on the street may signal something very different, if you patronize the elderly, dismiss their concerns, always plead the cause of the 'misunderstood young', and fail to preserve balance and fairness in your dealings with all members of the community. Another instance might be that you have learned and noted down what to do when you are first to arrive at a crime scene, but, in the heat or stress of the moment, you forget important matters such as a 'common approach path' (CAP); as a result, vital evidence is lost. In other words, there may be a gap between how you *think* you come across and how in fact you impact on others, or between what you know you should do and what you actually do.

2.2.4 **Outcomes**

Your trainers and tutors will properly emphasize that you will do a great deal of learning 'on the job'; that is, out on patrol and engaging with members of the community. This is when you will understand the value, for example, of a persuasive tongue and you will learn how your effectiveness may be enhanced by your knowledge. The outcome of a particular negotiation might confirm your (perhaps) newly acquired skills, whilst a public meeting in which the community starts to create a unified approach to its problems may testify to your skills as a chair of such activities. These are the outcomes of applying your learning, exemplifying

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that old military dictum that ‘the battle is the pay-off’ for all the hard work which went into preparation for, thinking about, and understanding the terrain in which to operate. (Incidentally, it should also be clear to you that many of the learning items and outcomes which we list above form the basis of this Handbook, and thus we try to contribute directly to your KUSAB as a PCSO.)

2.2.5 Concerns about ‘mission creep’

We discuss in 2.8 below the possible hostility which you may encounter when you join, from colleagues within the police service. We do not seek to exaggerate this potentially negative reaction to you and to PCSOs in general, but we certainly should not ignore it either. The hostility is there and it is tangible and, inside the job at least, has much to do with impressions that PCSOs are blurring the distinctions between police support staff and police officer. The perception that, slowly and with deliberation, forces are giving PCSOs more of the traditional constable’s role to perform, has been described as ‘mission creep’. The Association of Chief Police Officers (ACPO) acknowledges that this hostility exists, and that it was marked when PCSOs first began:

The role of the PCSO in comparison to [sic] that of the police officer is still relatively new. It is clear that there is still some lack of understanding of the role of the PCSO. ... It is imperative that all those in the police service are aware of the importance of the role, what the role actually entails [and] ensuring that there is no mission creep, nor abuse of authority.²

2.2.5.1 *Potential and actual confusions between PCSOs and police officers*

ACPO has asserted also⁴ that the successful deployment of PCSOs in non-police roles had mitigated much of the initially negative response and that criticism of PCSOs is slowly ebbing. This may be true, though we continue to obtain evidence of the continued hostility to PCSOs in some quarters, and the Police Federation has remained implacably opposed.⁵ What is painfully evident is that the distinction between the roles of police officer and PCSO must continue to be tightly and publicly distinguished. We should remind you at this point that ACPO has made very clear the distinction in practice between the role of a police officer and that of a PCSO. ACPO defined the ‘preserve of sworn police officers’ as:

- Whenever there is a clear likelihood that a confrontation will arise
- When there is scope for [the] exercise of a high degree of discretion
- Where police action is likely to lead to a higher than normal risk of harm to anyone
- Where there is a clear likelihood that police action will include any infringement of a person's human rights
- Where the incident is one which is likely to lead to significant further work.⁶

2.2.5.2 Rules of Engagement

In the British Army, and especially when 'policing' a hostile area, soldiers are issued with a yellow card on which are printed the rules under which they may open or return fire. These are called '**Rules of Engagement**' and the idea has been transferred to police practice by an imaginative ACPO team, which proffers the following as the PCSO version of the Rules of Engagement (you will note, of course, that there will be the inevitable minor variations from force to force):

[This framework governs all interventions, including the exercise of powers, and draws on risk assessments for the particular location where the PCSO or SCCH will patrol or be engaged.]

- There will be no expectation that PCSOs will be engaged in activities assessed as 'high risk'
- The decision by a PCSO to withdraw, observe and report is a valid tactical option and will be supported by the Force
- There is no positive duty for PCSOs to intervene: they are not police officers
- The PCSOs' main purpose is to support police officers by performing (primarily) observation and reporting activities
- PCSOs' actions will support the human rights of individuals according to PLAN guidance (or equivalents, such as JAPAN and SOCAP) to ensure that actions are proportionate, legal, authorized and necessary
- PCSOs are expected to use their judgement in determining what the benefits and risks are in any given situation

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2.2.5.3 Safe working

We look at making **dynamic risk assessments** in greater detail in 5.7 below, but it is worth noting at this point in the Handbook that a ‘**safe working**’ **flow diagram** has been developed by forces (notably Lincolnshire) for inclusion in the *ACPO Guidance* to forces, which was written originally in 2003, published in 2005, and updated in late 2006.⁷

2.2.6 Conclusions

We have examined several matters which relate directly to your entry into the PCSO ranks and to your deployment by

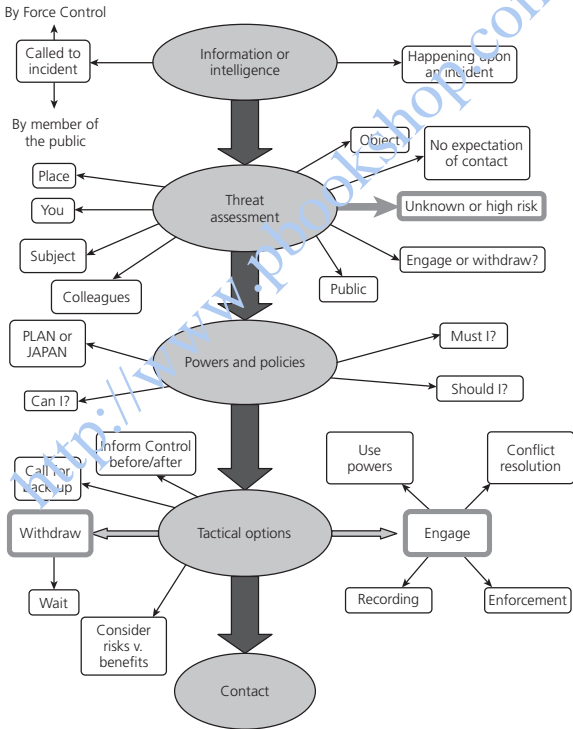


Figure 4: Safe working—risk-assessing PCSO work

(We are grateful to ACPO for permission to reproduce the flow diagram here, though we have modified it to produce greater coherence and to reflect developments since its inception)

your police force. We have looked at the way you will dress and the close association between your uniform and that of a police officer, whilst noting that distinctions between the two are sustained, reasonably neatly. There is a distinction too between your uniform and that of CSOs in other partnerships or arrangements. We examined the probable content of your training, within KUSAB, and noted which elements may be denoted as 'core' and which might follow later. We looked at the 'Rules of Engagement' for PCSOs and at a flow-diagram which expressed graphically the complexities involved in intervention. These debates will not end with this discussion in the Handbook, but will probably continue to take place as long as there is a central confusion about what a PCSO is and how that is different from, or increasingly identical to, the role of a sworn police officer.

2.3 Teaching and Learning

As soon as you enrol as a PCSO you will receive training. To some extent the content of your training will reflect the number of powers designated to you by your force. You may be aware that there is now a standardized agreement on a common set of powers for all PCSOs in England and Wales (differences persist concerning powers to *arrest, detain, and report*), see our extensive discussion in Chapter 3. Forces still have the autonomy to add to those 'standard' powers if they wish, based on existing legislation. Increasing standardization, and a stronger emphasis perhaps on 'one size fits all PCSOs', may be ushered in through the introduction of the **Wider Policing Learning Development Programme** (the WPLDP), an NPIA learning programme that outlines the core elements of initial training for PCSOs, underpins the learning from the National Occupational Standards (NOS), and looks at continuous learning within the wider policing family. We touched on this briefly in 2.2 above, with our glance at lists of topics which PCSOs will have to know.

2.3.1 Basic training components

Typically your initial training is likely to last anything between three weeks and two months and will include a combination of classroom and supervised practical activity. In some forces you

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may be undertaking some training in common with trainee police officers. You will certainly learn about the **community** that you will support (including issues of diversity and human rights), **health and safety** (including your own personal safety), a number of **basic offences** (such as theft, assaults, and criminal damage), and your **powers**. You may also be given some instruction in interviewing and **statement taking**.

2.3.1.1 'Bespoke' training is preferable

This might involve the use of NPIA-designed learning materials (old police training materials, some of which appear to have been rather hastily adapted from existing police training manuals; there is nothing wrong with doing this except that the learning for PCSOs would be better, we think, if specifically designed or 'bespoke'). You could well receive follow up training at later dates, particularly if your number of designated powers increases.

2.3.1.2 Controversy and good practice

Although the format and content of your training is largely a matter for your Force, the Home Office (2002) does recommend the following:

- That it is locally delivered
- That your trainers are appropriately qualified to train, particularly in specialist areas such as health and safety.

There has been some controversy in the past concerning the appropriateness of PCSO training, some of which was fuelled by a *Daily Mirror* article by an undercover journalist in May 2005 (Sampson, 2005). The undercover reporter claimed that his four weeks' training left him unprepared for and 'terrified' of the role as a PCSO. However, at least some of his claims were refuted by the then-Commissioner of the MPS, Sir Ian Blair, and others (Blair, 2005). Other concerns on training were reported in the Home Office Research Study 'A national evaluation of Community Support Officers', particularly with regard to IT and use of radio training (Cooper et al, 2006; we examine this in more detail in chapter 4 below). Good practice was also identified by the Study, particularly in terms of PCSO trainees' induction into both their organization (specifically their BCU) and their local communities (Cooper et al, 2006).

2.4 Teaching and Learning as a Trainee PCSO

If you are in class with a number of other trainees, there is every chance that each of you has a different **preferred learning style**. Therefore, it is obviously a challenge to the training staff to accommodate each trainee PCSO with an appropriate learning activity best suited to his or her preferred learning style. A popular approach in training is that of 'facilitation' where trainers adopt styles and techniques to bring out (you may hear the phrase 'tease out') ideas and views from the group whilst at the same time reducing their own roles as conventional, didactic, 'stand at the front and talk' teachers.

A number of activities commonly employed by trainers are described below. They are used to engage all members of the group at least once during a session.

The whole class response (the 'boardblast')

The '**boardblast**' is a very popular teaching method used by police trainers. The tutor will invite responses from some or all of you which will be written down on a pen board ('white-board') or flip-chart, and then discussed in the whole group or in smaller 'syndicates'. The content of the boardblast will be assessed by the tutor and revisited at different stages of the lesson. This can often be a very effective method. A rather tedious variation on this is the '**sticky paper notes session**' where individuals or groups put their ideas, thoughts or reactions on small pieces of coloured semi-sticky paper and then collect and display such notes under various headings. Anyone who has ever endured management training will recognize this much over-used technique. Straight work from group to pen board or flip-chart is preferable because of its immediacy and engagement.

Case studies

Case studies involve a practical example of a community-related problem which will be given to you as an individual or a group activity. You will be invited to read the material and form conclusions about its content to show your understanding of the subject.

Demonstration

Demonstration can be used if the subject matter involves the use of the body in the psychomotor domain, such as personal safety

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training. The tutor will demonstrate how your body should move in order that you can repeat the activity afterwards.

Working in small groups

Small group work is a very common method in training. You will be invited to work in small groups and share ideas between the groups. For this approach to work well, it is very important that each member of the group is actively involved in the task and that nobody sits back allowing the rest to carry the main burden. It is important also that concentration is maintained on the task in hand, and that your mind does not wander to unconnected matters; this is important, but not easy to achieve (and see our comments on the 'sticky paper notes' sessions above).

Discussions led by trainers or tutors

Facilitated discussions are particularly useful for exploring attitudes and behaviours. Your trainers will encourage you to share your own thoughts with others in the 'safe learning environment' they expect to have established. You should be prepared to maintain confidentiality as you and your colleagues may disclose private and sensitive matters (you will certainly be reminded of this need on numerous occasions). From the discussion you will have the opportunity to draw your own conclusions. The discussion may be initiated by watching a video or DVD, or by reflecting on the presentation of a guest speaker, or by some of the topics we raise in this Handbook, designated as '**Discussion points**'. Finally, as a member of staff of a police organization, you should remember throughout discussions that you are probably under observation by your tutors. **Confidentiality does not protect you from disciplinary action against inappropriate language, attitudes, or behaviour.**

Presentations

Presentations are used for some topics. If the subject matter is appropriate for this form of delivery (for example an overview of a piece of legislation), or time is short, your trainers may well deliver a presentation, often using Microsoft 'PowerPoint' software. Throughout the presentation, you will be given the opportunity to ask questions and make notes. Your trainer might direct questions to you. Different trainers will have different approaches

to delivering presentations which may or may not coincide with your learning style. For example, a trainer may use the technique of progressively revealing bullet points which, although they may keep your attention, can be irritating to some. Most trainers welcome feedback on matters such as this, possibly in the evaluation (sometimes called 'happy') sheets you might be asked to complete and submit.

Playing a part

Role plays are where you adopt or 'play' given roles in a certain situation. For example, one of you may act as a PCSO and the other a member of the public in a simulated scenario, such as you saw when we discussed the PCSO assessment process in Chapter 1. Role plays are normally used when you have gained sufficient knowledge and skills to make them meaningful (particularly in terms of the extent of your powers). One underlying principle in the role-play approach is that adult learners are able to draw upon previous experiences to enhance their learning. Just as significant for your learning as the role play itself, is the '**debrief**' that normally happens later (you could even be videoed to assist with this). In all cases the brief for the role play should be carefully explained to you at the outset. Note that, as we discuss in Chapter 4, with the exception of practising first aid, role plays and simulations cannot normally be used as evidence against achievement of the NOS.

2.4.1 The experiential learning cycle (ELC)

You have undoubtedly heard of the sayings, 'If at first you don't succeed, try, try again', or, 'We all learn by our mistakes'. Much of your learning will take place through your own experiences, and as adults we can actually teach ourselves, at least in part. How many times have you mentally said to yourself, 'I won't do that again!' or 'That didn't work! Is there another way?'

Task

Think of a situation you found yourself in recently, after which you decided to do something differently next time. Now relate those circumstances to the diagram below, starting with 'Experience' and moving through the diagram in a clockwise fashion.

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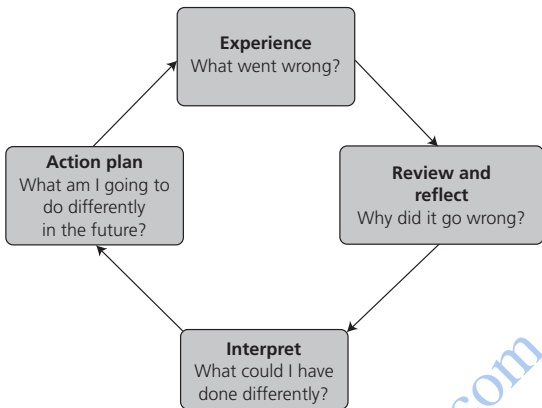


Figure 5: Adaptation of Kolb's experiential learning cycle.

This diagram in the task above shows the *experiential learning cycle* (ELC) and has been adapted from the work of David Kolb (Kolb, 1984). Many of your trainers are likely to have used the model to inform the way in which they have structured and organized your taught sessions.

2.4.2 Stages of the cycle

The four stages to the cycle are as follows:

- **Experience** (called '*Concrete Experience*' in the Kolb original)
This is direct experience, often through practical application. As a trainee PCSO, you will often want to know what the practical applications of the session will be. You may want to get 'hands on' as soon as possible. The trainer may provide 'hooks' for you to hang on to—for example by asking you 'to think of times in your own life when you have been subject to bullying or harassment'.
- **Review and reflect** ('*Reflection*')
What does the experience mean to me? This stage is the beginning of understanding through review and reflection, or thinking about what has happened to you and how you felt about it. A request such as 'describe your feelings when you were bullied or harassed' may be made.

- **Interpret** ('*Abstract Conceptualization*')
This involves placing the experiences in some form of theoretical and more abstract framework. 'How might victims feel about this?'
- **Action plan** ('*Active Experimentation*')
This stage of action-planning focuses on how we take this learning forward and test it against reality. 'How do we act as a police service to support victims of harassment?'

2.4.3 Using the ELC in other training

The experiential learning cycle is also used by trainers during other forms of learning. For example, after a role play (see 4.12 below, NOS 4G4, *Administer First Aid*), the participants may be asked, among other things: 'What did not go quite so well? What was the outcome of that? What are you going to do differently in the future?'

2.4.3.1 Styles of learning

Many trainers are taught to link the learning cycle with **styles of learning**, for example by devising approaches for activist learners to help them through the interpret stage of the ELC. This is part of the 'facilitation' tradition in training that we described earlier.

Task

You are on uniformed patrol and accompanied by an experienced NOS assessor. You are deployed to a street where there are reports of a vociferous argument between two neighbours concerning the alleged dumping of an old sofa. You are made aware that uniformed police assistance has also been summoned. You attempt to calm the neighbours down, but the situation deteriorates, violence is threatened, and your more experienced colleague has to intervene. After the incident is dealt with, your assessor asks you a number of questions, such as: 'Were there any risks to you during the incident?' 'How did the neighbours respond to your intervention?' 'What might you have done differently?'

That night you consult your notes on strategies for defusing situations and the reasons why certain strategies might work but others not. The next day, presented with a similar situation, you think: 'Now what did I do wrong yesterday and what did it say in those notes I read? I'll try it like this today.'

Identify, in the above, each of the four stages of Kolb's ELC.

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2.4.4 Tutoring, assessing, and mentoring

About 60% of trainee PCSOs are allocated a tutor or assessor after basic training (Cooper *et al*, 2006). As in many other aspects of training, whether you are allocated an assessor or a tutor or not will be down to local Force policy. If you are tutored, then the tutorship period will probably last less than two months after your basic training. Your tutor is likely to be either a police officer or a more experienced PCSO (some undertake a PCSO tutorship course before going on to become assessors or mentors). The role of the tutor or mentor (meaning 'trusted adviser') is to provide you with support, guidance, and advice in your first few months after your basic training.

Discussion point

What are the qualities which you would look for in a tutor or mentor?

Do you think that the roles are different?

Would there be a wide variation, do you think, between people's needs for tutoring or mentoring?

If so, what might they be?

2.5 Potential Professional Qualifications and Learning Routes

In this section, we want to examine possible options concerning the issues of professionalism, academic and vocational qualifications, and routes which may lead to other kinds of learning for the individual PCSO. We examine the potential for the *role* of PCSO in more detail at 7.8 below, but in this section, thinking about the possible development of your individual career as a PCSO, we need to consider what you might want to do and where you might want to go.

2.5.1 Policing as a profession

For many years, more than a century in fact, policing was considered a 'blue collar' job; that is, one which largely consisted of manual skills rather than intellectual or knowledge-based ones (though this perception was often at odds with the expectations of both theoretical and practical knowledge of the criminal law).

At all events, policing, certainly up to the Second World War, was not an occupation which regularly attracted graduates, nor was it widely seen as a 'white collar' (professional, technical, managerial) vocation. Indeed, with an unconscious irony, uniformed police officers physically wore blue shirts until the mid-1980s.

2.5.1.1 *The professions*

Historically, there were only four professions for 'gentlemen' (aristocrats did not engage in anything as low as work; they were perhaps the original managers):

- The armed forces⁸
- The law
- Medicine
- The Church.

Other professions

Accountancy, education, finance, engineering, and architecture joined the 'professions' during the course of the nineteenth century—admitting women as members in some professions more easily than others (teaching rather than medicine), but now there are many occupations which would regard themselves as professions, such as teaching, nursing, the civil service, publishing, and local government, just as there are many jobs which refer to themselves, somewhat obliquely, as 'industries', such as entertainment, leisure, and horse-racing.

Elements of a profession

There is general agreement among academic commentators, though not among all journalists, that there are certain preconditions for an occupation or trade to be thought of as a profession. Think, for a moment, of the regard in which the 'profession' of surgeon was held in, say, Nelson's time (1780–1805 roughly). This was when the skills involved in medicine and surgery were largely self-taught, or not really skills at all—after all, how clever did you have to be to saw off a leg without hygiene or anaesthetic?—with the predictable outcome that 'doctors' were regarded as little more than 'sawbones', quacks, or liars, drunken and incompetent, little better than tooth pullers and barbers (often one and the same).⁹ It was only from the mid to late nineteenth century, when gradual advances in medicine entailed a greater understanding of science, especially anatomy and physiology, and through the development of increasingly sophisticated medical techniques (including anaesthesia and more successful invasive

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surgery), that medicine changed from a more or less blood-stained body butchery to a highly regarded, technical, and sophisticated profession. Indeed, contemporary polls continue to put medical doctors at the top of lists of well-regarded professions, usually followed by nurses, the law (especially at the top end of barristers and judges), and teaching. See, for example, the BBC poll of 2002, which showed that doctors and nurses were the most respected of professionals.

2.5.2 Characteristics of a profession

It is generally accepted that **professions have a distinct, written, accessible, and sophisticated corpus (or body) of knowledge**. The knowledge requires effort and application, as well as intelligence, to master (think of detailed knowledge of commercial or patent law, or the physiological functions of the circulatory system, or the material stresses involved in bridge-building). It is possible, within a profession, to specialize in a detailed but limited—in the sense of self-contained—area of knowledge; consider:

- Tax advisers
- Investment brokers
- Geodesic structural engineers
- Divorce lawyers
- Consultants in geriatric medicine or rheumatology
- Experts in military ordnance (guns)
- Researchers in linguistics
- Human resource managers
- Curators of fine art in a museum
- Speech therapists
- Social workers specializing in hearing-impaired children
- Teachers of mathematics
- Designers of software for computers
- Engineers of electronic signalling systems.

These are only a few which we thought about for a couple of minutes from our own experience; we're sure you could think of more yourself:

Discussion point

Make your own list of about 10 specialisms within professions, ensuring that each of them has specialist knowledge which is written and accessible, and which practitioners have carefully studied, often for a long time before 'qualifying' as expert or specialist.

2.5.2.1 *Professions as exclusive bodies*

We could also note that **professions control themselves** and whom they admit to membership. For example, it is unlikely that you could study medicine with a view to becoming a brain surgeon with only a GCSE in media studies. The entrance qualifications to the medical profession usually require you to have knowledge of sciences, though it is possible that you might be accepted on a general medical programme with extensive and sophisticated APEL or Accredited Prior Education and Learning. Even then, your continuation towards the exclusive specialism of brain surgery would be conditional first on your successful performance in most of the main branches of medicine and secondly in showing some aptitude or leaning towards surgical skills (not just using a saw!). The same would be true of any comparable profession where the accumulation of knowledge has to be matched, generally, with application and practice.

2.5.2.2 *Professional standards*

It is likely that, when you apply to become a member of a profession, you would have to **sign up to the standards** which that profession's 'governing body' has established for all members. These include things like a competence-based approach to the work of the profession, so convicted fraudsters may find it hard to be accepted as financial advisers. Our point is only that professions largely regulate who can join them, and this tends to be on the basis of skills, ethics, and qualification.

2.5.2.3 *Self-regulation*

Most professions do not take kindly to external interference, and insist that they **regulate themselves** and their members' conduct. Members who do not conform to the profession's standards, or who act unethically, or who 'take pecuniary advantage' (steal from or defraud the profession) are often debarred from continuing membership, sometimes described as 'struck off', or deemed to be 'unlicensed'.

2.5.2.4 *Continuous professional development (CPD)*

Nearly all professions require members to keep up their skills and to adhere to what is called '**continuous professional development**' (CPD, which you will come across again at 4.2 below, when we discuss the National Occupational Standards for PCSOs). This is to ensure currency and to sustain members' capability. Would you want a financial adviser who worked only in pre-decimal

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currency, or a GP who hadn't shown any interest in the spread of 'avian flu'? There is a sense too in which **all professions demand a minimum acceptable standard of knowledge to qualify as a member**, with corresponding gradations of membership: the Chartered Management Institute is a case in point, where *Member* is the standard grade, followed by advanced standing with *Fellow*, and the highest recognition of skills, status, and practice in *Companion* (the same grades are used for membership of the Chartered Institute for Personnel and Development (CIPD), which is the oversight body and guardian of standards for HR professionals).

2.5.2.5 Summary

To sum up this short excursion into what constitutes a profession, we may say that:

- A profession entails extensive and sophisticated technical and examined knowledge, usually leading to a nationally recognized academic qualification, such as a degree or the passing of a professional, qualifying examination (for example that for Chartered Accountants)
- Membership qualification requires application to and understanding of the basis of the profession's corpus (body) of knowledge
- Membership is sustained by continued learning (or continuous professional development, CPD)
- Members are expected to behave within the law and ethically, or face sanctions, including the withdrawal of membership, by the profession's governing or disciplinary bodies
- There are gradations of membership, which depend on status, position, and the degree or extent of individual contribution to the profession
- Professions largely are autonomous, self-regulating, and highly sensitive to how they are publicly regarded. They dislike interference from outside, especially by politicians (think of the prickly independence of barristers and surgeons).

You may be able to think of other characteristics, but we believe that we have made the point sufficiently.

Discussion points

To return to our consideration of policing, in the light of what we have just discussed, can policing be regarded as a profession?

Does it matter if policing is or is not a profession?

2.5.3 Is policing a profession?

On the basis of what we have identified as the prevailing characteristics of a profession, **no**. But there are signs that policing is moving very deliberately towards the components of a profession, with the aim of being regarded as one.

Task

Can you list what those signs could be?

We would point to the following indicators (though our list is not exhaustive and you may be able to think of more):

- **Corpus of knowledge:** there is a considerable body of knowledge, for example the criminal law, but this exists independently of the police, not through or because of policing. There are some doctrinal areas of police-specific knowledge—investigating murder for example—but these are neither codified, nor widely accessible in written form, and therefore do not conform to our definition of a corpus of knowledge. Entrance to policing is not predicated on a nationally recognized academic or vocational qualification—indeed, the police entrance examination is mechanically based for those entering policing as constables—it is not a qualification for membership of a profession (nor, to be fair, was it ever designed to be). Other areas of theory and application with a specifically police flavour do exist, but are often more to do with procedure or practice (the ‘how to?’ of missing person searches or dealing with a vulnerable adult, for example) rather than independent knowledge which exists objectively for any to access. Also, there is no recognized route by which the overall knowledge of policing may be advanced, such as through published research.
- That said, there are distinct and deliberate **moves to place policing on a professional footing**. The creation of the National Occupational Standards for police officers (and for PCSOs) is an instance of registering openly the competences specifically associated with policing *and no other occupation*. Skills for Justice, as the guardian of the NOS and, through its applied standard called **Skillsmark** (which assesses the learning provision by police organizations to its staff, and by others such as universities to police staff on behalf of police organizations), is developing a professional approach

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to policing. This is underpinned by the **National Police Improvement Agency** (NPIA; the current CEO is Peter Neyroud, ex-Chief Constable of Thames Valley Police), within which is the **National Centre for Policing Excellence** (NCPE, part of the old Centrex, or national police training), which in turn develops police-specific knowledge or 'doctrine'. These signs all suggest that policing is now being conceived as having distinct and separate areas of knowledge, peculiar to and rooted within the 'business' of policing.

- Policing is increasingly subject to **political interference**—including the statutory control exercised centrally by the Home Secretary over policing as well as over individual police forces—and the interference of others (such as Liberty or the Independent Police Complaints Commission) in the regulation, ethical standards, and professional membership of a police force. Until policing has its own governing body, it can hardly be regarded as autonomous and self-regulating, which are characteristics of mature professions
- ***Policing in England and Wales is fragmented***; there are 43 separate 'home forces' and a number of ancillary forces such as the British Transport Police and the Ministry of Defence Police. It is increasingly unconvincing to assert that policing has a single voice, especially when central utterances (for example from the Policing Minister or from assorted Home Office officials) are often flatly and emphatically countered by, say, the Police Federation, Unison, the Superintendents' Association, or ACPD itself, as well as any one of a number of policing agencies which have separate 'voices'. (The police pay round in early 2006 was a good example, as was the unanimous rejection by Chief Constables of the Home Secretary's unconsulted proposal in December 2006 to transfer 400 police constables in support of the Immigration Service's backlog of deportations.)
- Individual police officers have undoubted **autonomy of action** and can exercise initiative in a wide variety of situations, and membership of the police is ordered hierarchically (by rank), so it would not be difficult to read across to stages or levels of membership of a profession. Membership of the police is limited to those regulars and Special Constables who hold a warrant from the Crown, though there are various levels of unofficial 'associate membership' through police staff, PCSOs, and the like.

- There is a sophisticated and extensive **code of ethics** in policing (see 1.5 above and 7.2 below, for extended discussion about ethics in police forces) and this is reinforced by Professional Standards Departments in every police force, as well as additional local standards which are individual to police forces (a *Police Standard*, for example, covers matters like the smart appearance of uniformed officers, courtesy, promptness, rapid and sustained follow-up to enquiries, and so on, which are all strictly behavioural; but we remind you to go back to the discussion in 1.5 above). There are discipline codes and **Police Regulations** which can be used as sanctions against police officers who derogate from the high standards expected of them. Such Regulations are enshrined in law, the guardians of which tend to be Police Federation officials and representatives; there is no corresponding set of regulations for police staff, though the latter may, in time, be subject to the **Standards of Professional Behaviour**, introduced in 2008–2009 as part of Police (Conduct) Regulations 2008, Schedule 3 (SI 2864), for all police officers.
- Policing is probably a **vocation**, though it could be argued that this decreases in proportion to the marginalization of policing as a factor in local communities. Where policing continues to have a positive local impact (for example through neighbourhood teams), there is a vocational flavour to the nature of policing and in the motivation of those who take part, but the desire to ‘do good’ is much less of a factor in recruitment than it used to be.¹⁰ Also, policing is less likely to be seen as a life career for new entrants. We do not see people joining the police now and intending to stay for 30 or more years. Since the 1990s, new intakes seldom commit beyond ten years, and some go after five. Recruits increasingly see policing as an episode in a portfolio of employment, from which they move to other occupations or professions, including from public service to private enterprise and back again over a period of time (see 7.9 below). This is not to say that people will not stay 30 or more years in policing in the future, but if multiple points of entry become a reality (and in the teeth of opposition from the traditionalists), people are likely to go out of policing at some point after five years (at Sergeant or Inspector rank) and may come back ten or fifteen years later expecting to be superintendents. This may be modified by the economic recession to some degree, as it is unlikely that a flexible job market with easy options to move

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in and out of public service or private enterprise will be the norm for some years. Those in policing at the moment may well hold on to their jobs for the next few years for fear of the prospect of being unemployed.

2.5.3.1 *Is policing flexible enough for multiple entry?*

Whether policing will be sufficiently flexible to allow multiple entry is a moot point. Structures and attitudes in policing may not even be sufficiently professional to allow it twenty years from now, let alone ten. The fact that it is being discussed at all perhaps might augur well for the eventual professionalizing of the police, but professions are not created through a proliferation of governing bodies, nor through scarcity of resources. Professions become so when they become exclusively self-regulating, of high status, attractive but difficult to get into, and the focus of intelligent and able people's aspirations. The 34% to 37% of graduates who currently enrol in policing may be a welcome sight, but **we are still a long way from being a graduate profession**, and there is no prerequisite of subject in terms of the degree. We are however, some way from the police service stipulating the degree necessary to join the profession, although in 2009, this was the subject of lively debate in the pages of *Police Review*. That said, we must acknowledge that the Association of Chief Police Officers (ACPO), which requires formal entry recommendations, a learning programme, and appointment by a Police Authority to a chief officer position, is the closest that the police service comes to a professional body. That all but a handful of the current ACPO ranks have one or more university degrees suggests that policing—at least at this level—has the capability to be a 'graduate profession'.

2.5.3.2 *Where does the PCSO fit into this debate?*

Where does this leave the PCSO and what relevance does professional standing have for you and your role? As the police service itself is not yet structured in a way to allow easy transition into a profession (other than, perhaps, at the Command level), it is not likely that a new and evolving part of the organization such as PCSOs would be in a position to do so. The PCSO sits very much within the professional public police family, and may capitalize in time on any transition of the police from public service to a professional body. The PCSO cannot, it seems, be considered separately from the rest of public policing any more than police staff in general could be. **If or when the police as a whole become**

a professional body, PCSOs will come too. We further discuss professionalism at work and briefly look at what that means to the role of the PCSO at 7.4 below.

2.5.3.3 Qualifications routes for PCSOs

Until policing becomes a profession on a par with medicine or engineering (and the transition could be some years away, if then), the question is what can the PCSO do to ensure that there is some kind of national recognition of, and qualification for, his or her role? The discussion centres, currently, somewhere between a **Higher Education (HE)** qualification route and a **National Vocational Qualification (NVQ)** route. The former requires some form of cooperative alliance with an HE institution, such as a university; the latter can be delivered through most police forces and almost any further education college locally, under licence from national bodies, such as City and Guilds. There are other options, not just these bi-polar choices, but we do not detect any appetite nationally for **modern apprenticeships** for PCSOs for example, nor for a 'baccalaureate' type of qualification route. Interestingly, the *Stadswacht*, the equivalent of PCSOs in The Netherlands (from whom the idea first came to Britain), are entered more or less automatically on a foundation degree programme. Only when they are judged capable of attaining a full 'honours' (higher) postgraduate qualification can they move from *Stadswacht* to fully fledged police officer. Thus the Netherlands has established, *de facto*, a graduate profession for its police officers, which might also explain the ease with which the Dutch police embrace the academic world as partners.

2.5.4 What does the PCSO need?

What is clearly needed for PCSOs is a national qualification linked to the attainment of competences through the National Occupational Standards (NOS, dealt with in detail in Chapter 4). There is at present no national acceptance of the need for or structure of any such award and it is left to individual police forces to devise, arrange, or commission their own. NPIA currently recommend that forces consider adopting an NVQ route for training of PCSOs. However, NPIA also suggests the Chartered Management Institute (CMI) 'Introductory Certificate in Neighbourhood Management' as an alternative (NPIA, 2008, p. 16).¹¹ We are unlikely to have a resolution of this incoherence for some years.

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2.6 Designation

2.6.1 Carrying the 'Designation'

In something like the same way that a police officer carries a warrant card, you carry your PCSO Designation from your Chief Constable, the possession of which, whilst you are on duty and in uniform, gives you the legal right to exercise your PCSO powers.

2.6.2 No uniformity for the Designation

The manner of the Designation varies from police force to police force; there are no hard and fast rules as to what the document should look like. That said, common features should specify the powers which you have within the law and carry your Chief Constable's name and signature. Look at the example below:

DESIGNATION	
(Sections 38 & 42 & Schedule 4, Police Reform Act 2002)	
This is to certify that who is an employee of Gloucestershire Police Authority and is under my direction and control, is designated *POLICE COMMUNITY SUPPORT OFFICER with powers and duties set out in Paragraphs 1 (excludes 2(a) disorder) 2,3,5,6,7,8,9,10,11,12,13,14,15,16 of Part 1 (Paragraph 4 is currently suspended) of Schedule 4 to the Police Reform Act 2002.	
Chief Constable	<i>Timothy Brain</i> . Timothy Brain QPM BA PhD
Date
The Chief Constable may at any time by notice to the Police Community Support Officer modify or withdraw this Designation.	
This Certificate of Designation is to be retained by the Police Community Support Officer. When producing this Designation upon request in accordance with s.42 of the Police Reform Act 2002 the Community Support Officer shall produce the Constabulary Identity Pass bearing a photograph of the holder.	
A copy of this Certificate of Designation will be retained with the Police Community Support Officer's personal file.	
If this Certificate is modified, withdrawn or replaced it shall be surrendered immediately to Gloucestershire Constabulary Personnel Department and retained within the Police Community Support Officer's personal file.	
s.38(7)(a)	

(Reproduced with the kind permission of Gloucestershire Police, and of Dr Tim Brain, QPM, Chief Constable)

Figure 6: Designation of a PCSO in Gloucestershire Police

2.6.2.1 *The meaning of the Designation*

Notice how the authority of the Chief Constable over PCSOs derives from the Police Reform Act 2002, which we look at in more detail in Chapter 3. The essential point is that the bearer of the Designation is under the ‘direction and control’ of the Chief Constable, and acting with his or her authority. This is supplemented by specifying which of the powers designated under the Police Reform Act 2002 are applied by the Chief Constable. In some forces, each of the powers is specified (see 3.2 below), and in others a summary of the powers is provided. In this instance, Gloucestershire Police gives a short summary of the references to Schedule 4 to the Police Reform Act 2002, but gives further and specific detail on an attached page. Since the agreement to grant ‘standard powers’ to PCSOs in 2006, such specifics on the Designation are largely redundant, and may soon disappear to be replaced by the standard powers list, or brief reference may be made to the existence of powers only. The Designation is not an identity document (that is supplied separately as a police staff identification, which, again, varies from police force to police force) and possession of the Designation paper simply confirms that a PCSO can exercise specified powers, in uniform and on duty. Production of the Designation (under section 42 of the Police Reform Act 2002) is likely only in circumstances where the PCSO’s authority is challenged or questioned. Note that production of the Designation is ‘upon request’: it is not used like a warrant card.

2.6.2.2 *Distinction between PCSO and police officer*

Note too, that the Chief Constable of Gloucestershire Police is careful to comment that the PCSO who carries the Designation is ‘an employee of Gloucestershire Police Authority’ and not a police officer or officer of the Crown. We discuss this aspect of your employment further in Chapter 3, but essentially it means that PCSOs are support staff, employed by their Police Authority and not subject to the disciplined requirements of police regulations or sworn authority. In fact, police support staff, including PCSOs, are subject to and protected by employment legislation in ways that police officers are not. This is why the Chief Constable’s ‘direction and control’ are specified. The Chief Constable does not employ you but he or she does have **operational command**, which means that he or she can tell you what to do, where to go, and how to discharge your duty in accordance with the operational priorities and directions established for your police force.

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2.6.2.3 Your authority

In summary, then, the Designation sets out the legal authority and conditions under which you are deployed and specifies your powers. The Designation is signed by the Chief Constable of your Force and this is your legal entitlement to be a PCSO and exercise the powers of a PCSO whilst on duty. There are important differences in this from being a sworn police officer, which we might glance at briefly.

Discussion point

Can you enumerate the differences between a police officer and a PCSO in terms of powers and 'office'?

2.6.3 Differences between PCSOs and police officers

The differences are quite profound, and the greater extent of powers, the wide exercise of them, the use of discretion, and the ability to use force to ensure compliance means that a police officer's training, both in terms of physical training, skills for the job, and in knowledge of the law, is much more extensive and thorough than a PCSO's (about 23 months as against a maximum of seven weeks).

2.6.3.1 *The powers of 'the office of constable'*

A police officer is attested (or 'sworn') before a magistrate, whereupon the powers of **the office of constable** are conferred upon the individual officer, who may now act in the name of the Crown. S/he is issued with a warrant card which identifies the holder by name, photograph, and rank, and which is signed by the Chief Constable or Commissioner of his or her force. The warrant card is an important form of identification for a police officer, but s/he can continue to exercise his or her powers whether or not actually holding the card physically on his or her person. The powers of the office are available all the time, whether or not the police officer is on duty and whether or not the officer is in uniform. In practical terms, however, a police officer usually carries his or her warrant card at all times, and, of course, especially when on duty. Also, in practice, he or she is unlikely to have to exercise police powers in another Force or in another part of the country unless participating in a joint police operation of some kind, in which case arrangements

for the inter-operability of powers will have been made (such as happened when English and Welsh officers assisted Scottish police forces at the G8 ‘Summit’ at Gleneagles in July 2005).

2.6.3.2 PCSO Powers

All this is a far cry from being a PCSO. You can see that the powers for a PCSO are much more limited:

PCSO Powers and Jurisdiction
<ul style="list-style-type: none"> • Limited to the powers designated by a Chief Constable (irrespective of the ‘standard powers’) • Operable only when on duty • PCSOs must be in uniform • PCSOs must carry their Designations • In any law-enforcement or crime situation where police officers are present PCSOs are always subordinate to police officers in terms of powers and jurisdiction.

2.6.3.3 Another form of Designation

Let us look at another Designation by a Chief Constable of a PCSO, this time on the other side of the country, in Kent. The Designation for a Kent PCSO looks like this:

KENT POLICE COMMUNITY SUPPORT OFFICERS DESIGNATED POWERS
Kent Police Community Support Officers, having passed an accredited training course, are hereby designated under Part 4 of the Police Reform Act 2002, to exercise the following powers when on duty by the Chief Constable of Kent.
To issue Fixed Penalty Notices for dog fouling, littering and cycling on the footpath
Power to stop a pedal cyclist riding on a footpath
To issue Penalty Notices for Graffiti and Fly Posting
To request the name and address of a person acting in an anti-social manner
To request a person to stop drinking in a designated public area and to surrender open containers of alcohol
To confiscate alcohol from young persons

Figure 7: PCSO Designation—Kent Police

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To confiscate cigarettes and tobacco products from young people
To enter premises to save life or limb, or to prevent serious damage to property
To seize vehicles used to cause alarm and distress under section 59 of the Police Reform Act
To require removal of abandoned vehicles
To stop vehicles for the purpose of a road check where the road check is authorized by Police Superintendent under Section 4 Police & Criminal Evidence Act
To maintain and enforce a cordoned area under Section 36 Terrorism Act 2000
To stop and search vehicles and things carried by driver, passengers and items carried by persons in authorized area under Sections 44 and 45 Terrorism Act 2000
Signed: Michael Fuller QPM Chief Constable
KENT POLICE COMMUNITY SUPPORT OFFICERS POWERS TO REQUIRE NAME AND ADDRESS
Police Community Support Officers have the power to require the name and address of a person in the following circumstances:
Where a PCSO has reason to believe that a relevant offence has been committed.
A relevant offence includes:
<ul style="list-style-type: none"> • a relevant Fixed Penalty Offence (as listed above) • an offence involving injury, alarm or distress, or an offence involving loss or damage to property (in respect of offences involving Thefts, Assaults, Criminal Damage or Harassment)
OR
• a reasonable belief that a person is or has been acting in an anti-social manner
It is an offence to
<ul style="list-style-type: none"> • Assault, resist or wilfully obstruct designated PCSOs in the execution of their duty • Fail to give your name to a designated PCSO when required to do so • Impersonate a designated PCSO
APPROVED UNIFORM
The Chief Constable of Kent has approved the following uniform to be worn by Kent Police Community Support Officers:

Figure 7 (continued)

Black trousers, white shirt, blue tie, blue epaulettes with approved Kent Police PCSO badge
Black jumper, black fleece and yellow reflective outer coat with approved Kent Police PCSO badge on the front and rear
Black cap for men and black bowler hat for women with approved Kent Police PCSO badge
Badge bearing Police Community Support Officer and Force number will be worn at all times
Community Partnership PCSOs will wear green ties, epaulettes, jumpers, fleece and coat with an approved Community Partnership PCSO badge

Figure 7 (continued)

2.6.3.4 Differences in emphasis and detail

This reproduction of the Kent Police Designation points up some subtle differences from the Gloucestershire example. The paper makes explicit the powers with which the Chief Constable designates patrol PCSOs in Kent's Neighbourhood Policing Teams, and specifies each of the powers, together with the necessary references to sections of the **Police Reform Act 2002**, **PACE 1984**, and the **Terrorism Act of 2000**. Then the Designation makes clear the compulsion powers which a PCSO has in respect of requiring a name and address and defines the related offences for which that power can be invoked. The offences of 'assault, resist or wilfully obstruct' and impersonation of a PCSO are also spelled out in the Designation, serving both to remind the individual PCSO what his or her powers are, and explaining a PCSO's powers to any enquirer.

2.6.3.5 Function of the Designation

Those of you about to enter service as PCSOs should now have an appreciation of how your Designation serves as the legitimization of your function, as well as being a handy form of reference for your legal powers. For those of you already with some service in, you may wish to note that Designations vary from force to force. It is worth comparing your Designation with others, since there may be elements in yours which could assist or clarify the Designation used in another force, and vice versa. For the foreseeable future, the Designation paper will continue to act in the 'standing' of a police warrant: it is simultaneously the PCSO's authority and the means of defining that authority.

Task

Compare your Designation with that of two of your neighbouring forces.

What points are there in common between Designations?

Are any of the differences worth importing to your Force? How would you go about that?

2.7 What Do You Do? Varieties of PCSO Deployment, Variations from Force to Force: A Typical Tour of Duty

The difficulty in producing a PCSO Handbook whose guidance and information apply across all police forces and circumstances is that some of the topics we cover will vary in emphasis, utility (whether it works), and popularity from force to force, from BCU to BCU, from neighbourhood team to neighbourhood team, and even from PCSO to PCSO. *None will vary more than what you actually do.* The strength of the PCSO role, of course, is that it adapts to the local community in which it is placed and, in terms of community engagement and problem solving (two of its chief functions), it takes its cues from the people in the community themselves. Therefore, a definitive guide to what you do on a daily basis is impossible to compile and could actually take you down a wrong path, especially if what you attempt (because you saw it here) is at odds with what your community wants and expects.

2.7.1 Generic and specialist roles

This section will look at some generic roles that would probably be included in a PCSO's daily duty, as well as looking briefly at some of the specialist *roles* that a PCSO could play. We are not providing a 'to-do list', rather we are suggesting a guide to some of the common areas of work undertaken by a PCSO. The NOS determine the standards you must attain to demonstrate competence, but the NOS don't tell you *what* to do or *how* to do it. We make some suggestions about what we know works, what we have tried ourselves, what we have observed, what has worked elsewhere as 'best practice' in policing, and what we have been informed about as having been effective and productive in other places. The way forward is for you to try out such ideas or suggestions in your own

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area and then see if they are suitable for that neighbourhood or that community.

Discussion points

What work would you consider to be in the daily routine for a PCSO?

Make a note of the tasks you identify and see if they crop up in the following section or perhaps elsewhere in the Handbook. However, do not neglect or forget your own ideas because they could be really suitable for your BCU and worth trialling.

2.7.1.1 What would be likely to occur on a 'standard' PCSO shift?

Task

Using the table below identify which of the following tasks you think would occur on a 'standard' PCSO shift.

Task	Yes or No
Visible foot patrol	
Intelligence gathering	
Organizing a road safety event at a local school	
Community surgery at the local library	
Dealing with anti-social youths, or anti-social behaviour by any age group	
Issuing 'tickets' for littering	
Chairing a public meeting	
Attending a multi-agency meeting	
Seizing a mini-motorbike	
Taking part in a truancy sweep	
Manning a police cordon in the event of a terrorist incident	
Mediating in a neighbour dispute	
Meeting local business owners	
Directing traffic at the scene of an accident	
Administer first aid to a casualty	
Taking a statement from a victim of crime	

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A varied day

As you know, of course, all the above are events that could occur in a shift and are ones that a PCSO could deal with at any time. The likelihood of them all occurring on the same day is remote unless you happen upon the shift from hell (though we envisage one such in the risk assessment section: see 5.7 below). This simple table demonstrates the wide variety of work within the PCSO remit but it is far from definitive and you will very probably have thought of more.

2.7.1.2 Core purpose of a PCSO

What we have shown you here is that there is a breadth and a ‘complexity of exchange’ within the PCSO role that is hard to replicate on a Handbook page or even in a sustained exercise. We do know, though, what is expected of you and what you may be called upon to do. The core **purpose** of a PCSO has been articulated well by ACPO:

The fundamental role of the PCSO is to contribute to the policing of neighbourhoods, primarily through highly visible patrol with the purpose of reassuring the public, increasing orderliness in public places and being accessible to communities and partner agencies working at local level. The emphasis of this role, and the powers required to fulfil it, will vary from neighbourhood to neighbourhood and force to force.¹²

This description provides us with a handy basis from which to look at a typical PCSO day, as well as containing the useful caveat that the role does vary dependent on location, circumstances, and the composition of the community with which you engage. It will also vary according to your temperament, your inclinations, your strengths, and your sense of purpose. That said, and allowing for local variability and the peculiarity of circumstances applying at any particular time and place, the key themes in the ACPO Guidance are clear—**policing, reassurance, increasing orderliness, and accessibility**. These elements would therefore form the core of any PCSO day.

2.7.2 The four basic themes

We can take these four basic themes and begin to build a perspective on how they modulate and clarify the daily work of a PCSO.

2.7.2.1 Policing

In 1829, Sir Richard Mayne, one of the first Commissioners of the Metropolitan Police, provided a definition of policing that has stood the test of time even in today's more complex and fragmented world.

The primary object of an efficient police is the prevention of crime: the next that of detection and punishment of offenders if crime is committed. To these ends all the efforts of police must be directed. The protection of life and property, the preservation of public tranquillity, and the absence of crime, will alone prove whether those efforts have been successful and whether the objects for which the police were appointed have been attained.¹³

This vision of what policing a community entailed and what should be the measure of success still has a resonance for PCSOs, as it does indeed for police officers. With the addition of the concept of **community engagement policing**, we can still look at 'protecting life and limb', maintaining 'tranquillity' (or 'keeping the peace'), and 'prevention of crime' as primary objectives for any PCSO, engaged with any community anywhere in the country. It is also of equal contemporary importance that the definition proffered by Mayne for success is the community judging the police on these issues. It is not only a key facet of neighbourhood policing and therefore a core part of your work, it also shows that the essence of policing has not changed, because the fundamentals of human nature have not changed. Sir Richard was a far-sighted man, but even he could not have foreseen now, in the 1980s and 1990s, the police would become divorced from the communities they were sworn to protect, and how it is through the 'reinvention' of the neighbourhood team concept, including introducing the PCSO, that the police now seek to recapture the lost ground. The Policing Pledge (see 1.5.6.2) and the police Standards of Professional Behaviour (see 1.5.6.4) are measures that attempt to contribute directly to re-engagement with communities, and try to re-establish trust between the police and the policed.

2.7.2.2 Reassurance

ACPO has identified reassuring the public as a crucial part of PCSO responsibilities and this has itself evolved from the **National Reassurance Policing Programme**, a project designed to assess the impact of neighbourhood policing within some selected test communities.

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Reassurance policing is a model of neighbourhood policing which seeks to improve public confidence in policing. It involves local communities in identifying priority crime and disorder issues in their neighbourhood, which they can then tackle together with the police and other public services and partners.¹⁴

Listening to what the community wants, in terms of its feelings of safety, security, and reassurance, has become a key theme for successive governments, with special emphasis on the notion that all public services, not just policing, should have a 'citizen focus'. As we note elsewhere in this Handbook (for example at 6.5 below), the annual publication of the **British Crime Survey** records people's responses to crime and to what the police do. Consistently, over a number of years, such surveys have said in summary that **no matter what the crime statistics tell you about falling crime or the decreasing likelihood of theft or robbery, people judge the effectiveness of their police forces [in part at least] by whether they can go out safely at night and whether they can live in their communities without the constant fear of being mugged, burgled, robbed, assaulted, or subjected to anti-social or low-level criminal behaviour.** Taking the need to reassure the public as a central strand of police work, it is very much the neighbourhood teams, of which you are a part, which will deliver on this reassurance. Being there and being seen, being approachable and being effective, are thus very important components of what you do.

2.7.2.3 Increasing orderliness

In seeking to increase orderliness, or, as we noted briefly above, the 'keeping of the [Queen's] peace', the government has embarked on an almost evangelical crusade against anti-social behaviour in its many guises, particularly in the form of the 'hoodie'. This 'scary, raceless young male' character has been developed into the current generation's stereotypical 'folk devil'¹⁵ and is almost omnipresent as a demonization of the threatening behaviour of youth in media representations of anti-social behaviour. The drive to eradicate, or at the very least to suppress, anti-social behaviour has become a central theme of New Labour's law and order agenda. Consider this extract from the then-Prime Minister Tony Blair's foreword to the **Respect Action Plan**.

It is not in my gift, or that of anyone in Central Government, to guarantee good behaviour or to impose a set of common values about acceptable behaviour. But we will set out a framework of powers and

approaches to promote respect positively; bear down uncompromisingly on anti-social behaviour; tackle its causes; and offer leadership to local people and local services.¹⁶

2.7.2.4 *The law-and-order vote: political pressures*

This clearly impacts on the daily duties of the PCSO and it confirms the centrality of the PCSO in the government's claim to occupy the 'law-and-order high ground' in British politics. Using the law-and-order 'vote' for political ends is nothing new (it was central to Conservative Party manifestos for generations), and whether you believe the rhetoric from any political party is a matter for you, but you have to get used to the notion that what you do and how you affect your community may be seized on as evidence that government policies 'work' or that they don't. What is evident is that, political imperatives aside, the community of residents and commercial property owners in towns and villages overwhelmingly want to be able to go about their business safely, in orderly tranquillity, free from disorder, interference, or crime. Whilst some commentators on the police and policing tend to dismiss the importance of orderliness, it is a real enough aspiration for most people and a fundamental aspect of the reassurance agenda.

2.7.2.5 *Accessibility*

This role requirement extends to both the public and the partnership agencies with which the police work. The PCSO needs to be accessible on a practical level; that is, known to the public and available to consult on a regular basis, as well as on a perceptual level where the individual officer is amenable and open to new ideas or new opportunities. How accessible you are depends very much on what sort of person you are, as well as what sort of training you have. You will see in Chapter 4, where we look at the National Occupational Standards, that there are expectations about people in the community feeling confident about approaching you, and that you will be a focus for them in doing something about their problems. You are expected to be a good listener with a bent for practical resolutions (that doesn't mean, by the way, that you have to suffer fools gladly, but you do have to show 'imperturbable impartiality'). Your competence in this area (NOS 1AA2: *communicate with communities*) is judged on a recurrent basis, as those of you with service will acknowledge. This is part of the central 'toolbox' of your skills and effectiveness,

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whether working with hard-to-reach groups in the community, influencing partners and partner agencies to help you, or influencing your superiors to undertake a sustained policing operation to assist the community. It all begins with members of the community seeking access to you.

2.7.3 The PCSO's daily job

Your daily PCSO job will revolve around the four themes of:

- **Policing**
- **Reassurance**
- **Increasing orderliness**
- **Accessibility.**

You would most probably start your shift by accessing the latest briefings in regard to your BCU, such as intelligence reports, crime reports, operational activities, and so on (**policing**) and deal with any correspondence from the public or partner agencies (**reassurance, accessibility**). Having then left the station or office where you are based, visible patrolling will be a large part of your role as you walk, cycle, or drive around your patch (**reassurance**). In providing this high visibility you will be meeting residents, business owners, young people, schoolteachers, parents, and other members of the community as you make your way around. This will allow you to talk to people and give them the opportunity to talk to you (**accessibility**). You will conduct an Environmental Visual Audit (see, in particular, 4.5, 5.2, and 5.3 below, on 'signal crimes'; this means, briefly, that you make careful note of what has happened or changed as you patrol), and that will allow you to identify problems within a community that need solving and highlight which partners would be best to work with to achieve this (**accessibility, policing, reassurance, increasing orderliness**).

You will deal with any relevant matter within your remit, such as calls from your Force Control Centre with regard to your BCU (**policing**) and deal with any spontaneous events that occur whilst you are out on patrol (**policing, reassurance, increasing orderliness**). Throughout the whole shift you will collate community intelligence that you discover or that comes your way and which can be reported in the appropriate manner on return to your station or office at the end of the shift (**policing**).

Discussion points

What do you feel about this daily work pattern?

Is it what you thought the job would involve?

Does it correspond to the Home Office adverts which brought the job to your attention (if indeed they did)?

How does your daily experience of doing the job accord (or not accord) with what we have described?

2.7.4 Variable tasks

Within the police forces of England and Wales there are many variations in PCSOs' tasking and we have already said that we cannot provide a comprehensive guide to all the permutations which may be devised or pieced together, as local circumstances, partners and funding dictate. In whatever way these tasks are constituted, and whatever the PCSOs' described roles in the community, at the core are the four themes. There is, though, a further permutation which builds on the core themes, and adds a specialism. Some PCSOs may have been allocated to 'specialist' positions because of the needs of their individual force or area. Such positions include:

- **Schools PCSOs**—based in a school, often joint-funded with that school and working with that school (this can be popular with PCSOs who want to work 'term-time only', but watch dictatorial head teachers who want you there all the time, acting as a super-careaker). Your working day will almost exclusively concern young people and the problems which beset them, but your crime prevention and detection skills will not be neglected and you may become an invaluable source to the sworn police, for example in detecting or gaining intelligence on drugs dealers.
- **Family projects**—working with 'problem' families to ensure that low level anti-social behaviour does not escalate into full-blown criminality. This role can entail very close liaison with social services (indeed some have criticized this use of PCSOs as being 'social workers on the cheap'—sometimes you can't win), but in places it has proven most effective in 'straightening' someone who otherwise might have drifted into criminality.
- **Prisoner resettlement programmes**—this can involve working within **Multi-Agency Public Protection**

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Arrangements (MAPPA), which deal with the complexities of staging the return from prison to communities of violent or sex offenders. In our experience, MAPPA tends to be highly specialist and the PCSO's role in it tends to be minor. You are much more likely to be partnering the Probation Service and Social Services in resettling those who have served prison sentences for non-violent crime such as theft, burglary, or deception.

- **Missing persons programmes**—our research shows that PCSOs have enjoyed the challenges of 'misper' work and have rapidly accumulated both specialist knowledge and credibility, but do not expect that, by playing this role, you will necessarily be involved in exciting murder investigations. Most of the time you will be involved in tracing runaways—which is valuable in its own right—or bringing family members back into contact with each other, with any potential for conflict modulated through you. It can be a long-haul job, with many people choosing to cover their traces when they opt to disappear, or those who wish to remain undiscovered to their families, which can be frustrating. On the other hand, there are huge psychological and professional rewards in finding unharmed a child who has strayed, or returning a vulnerable adult to the protection of the community.
- **Road Safety programmes**—these are primarily aimed at young people, and may involve coordination with cycling safety schemes and other established ways of raising safety awareness, but it may also have to do with schools' visits, work with local environmental groups, and liaising with your Force's roads-policing staff. The work can also entail raising road safety awareness among the frail and elderly, or among those with mental disorders who need gentle instruction in the safest places to cross the road or how to be visible at night.

2.7.5 What next?

What of the future? Where is the PCSO role going? We look at this in some detail at 7.6 and 7.8 below, but it seems that the opportunities for PCSOs over the coming years will grow to encompass further projects or specialist positions. Although the core role for most PCSOs will always be in neighbourhood policing on the street (which is where the 'reassured' community wants you to be), it is not difficult to propose where future challenges

may arise. Perhaps new housing estates will have a dedicated PCSO working and living within that defined geographical community. Maybe the PCSO will become a fixture in the community with an office in the doctor's surgery or in the local library as a 'one-stop' community approach is adopted. There is a strong possibility that PCSOs could work in hospitals in a visible reassurance capacity (such as in Accident and Emergency departments) as well as assisting with other community and social problems that exist within hospitals. We will see more PCSOs 'embedded' in schools and having a patrol beat among the children and on the school premises; this is a specialist role that is certain to expand. Finally, though, the role of the PCSO will change and adapt largely because of the success of the work you do in your area, and will expand through the innovation, tolerance, and adaptability which you bring to the role. It is very much a case of **the job is what you do**.

2.8 Pitfalls and Problems: Potential Hostility in the Job and How to Deal With It

Hostility to PCSOs does exist, but not everywhere and not all the time. You may well be prepared, at least mentally, for displays of open or concealed hostility to you in the exercise of your function as a PCSO and in the discharge of your duty. You will assume that parts of the community will not welcome your presence, and those people who may previously have got away with anti-social behaviour may be actively hostile to you and to your neighbourhood team colleagues.

2.8.1 There can be hostility from those who don't understand your role

What you may be less prepared for is open or concealed hostility from among some of your 'police family' colleagues. Yet it exists, and we would be failing in our duty in writing this Handbook if we glossed over the fact that some police officers think that you are a threat to them, or think that, by some weird alchemy, you represent the end of policing as we know it (Gilbertson, 2007). *Why this has happened and what you can do about it are the themes for this section.* It may be that you never encounter, by look or action,

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the slightest resentment or hostility towards you and what you do. If so, congratulations and you can move on. If, however, you are one of the huge majority of PCSOs who has encountered precisely this, then read on.

Discussion points

Why would your colleagues feel hostility towards the PCSO role?

What sort of threat do you pose to your police colleagues?

Don't expect to find much written about this hostility in your training notes: publicists for the PCSO concept will not allow themselves to be diverted by what they see as a 'bedding in' or adjustment between the two sides, and those who oppose the whole concept of the PCSO are warring on a different political plane from the humdrum everyday role of the PCSO.

2.8.2 The Police Federation's open hostility

The Police Federation has led criticism of the PCSO concept. Much of the commentary from the Federation, particularly over the potential and actual confusions of role between PCSO and police officer, has been reasoned and intelligent, but sometimes the language used by Federation leaders reflects the emotional aggression which is sometimes used 'on the ground' by police officers, such as calling PCSOs '*numties in yellow jackets*' when the concept was first introduced on the streets in 2002; whilst in 2006, the Federation chairman of the Metropolitan Police's constable branch board said this: '[there is] a growing army of community support staff who walk around like gaggles of lost shoppers [recruited to take the place of constables on the street]'. Paul Kelly, Chairman of the Police Federation in Manchester is reported as saying in 2007 that 'PCSOs [...] are a failed experiment' and calling for them to be 'done away with'.¹⁷

The Police Federation in London took out full-page advertisements in south-east London newspapers in late June 2006 in an attempt to influence public opinion about PCSOs and the perceived threat which they pose to traditional policing. Two pictures were shown in the advertisement, one of a police officer and one of a PCSO. Each picture was surrounded by a dotted border and the image of a pair of scissors. The Federation is reported as saying: 'real officers are being replaced by the new breed.'¹⁸ Readers were invited to choose which they would 'cut out', a police officer or a PCSO.

Discussion points

How helpful is this 'either/or' choice?
 Why is the Federation trying to harness public opinion in this way?
 How might this hostility affect your work in the community?

2.8.2.1 PCSOs: Policing on the cheap?

The Federation's argument is essentially in defence of its members, police ranks from constable to chief inspector. Within that membership there is widespread unease that PCSOs *are* policing on the cheap; that the increase in the PCSO numbers threatens the recruitment of more police officers; and that there may be a withering of the need for fully-warranted police officers to perform core neighbourhood 'policing' tasks. However, what the Federation appears to miss, or ignore, is that there are fundamental changes afoot in the nature of policing which have very little to do with the role of PCSO or any other community support officer or rural warden. **It has everything to do with the rise and rise of 'private policing'** in which many of the functions of the traditional police are being contracted out to private companies, to security firms, or to people, more or less skilled, who undertake patrol, engage in prevention, and collect evidence for the prosecution of offenders. We go into this in much more detail in Chapter 7, particularly at 7.9 below, but the point we want to make here is that **policing in England and Wales is already in flux**, it is already changing in profound ways, and PCSOs are merely one among many manifestations of that change.

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Think about private policing, commercial security companies, 'gated communities', roads policing with the Department of Transport, 'immigration police' in the UK Border Agency, the Security Industries Authority, which licenses 'door stewards' among others, rural wardens, community support officers paid for from local authority funds, schools security officers, police staff, police authorities, and public/private investment schemes (PPIs). The wider police family can only expand.

2.8.2.2 Unison, not the Police Federation, represents the PCSO

This gives a context for some of the organized hostility that PCSOs have faced, and which they may continue to face, but of equal importance is the likely reaction to PCSOs 'on the ground',

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especially as they feature in Neighbourhood Policing Teams in increasing numbers. Perhaps what happens is that people distrust statements from politicians, both national and local, when the latter try to say what it is that PCSOs will do. Certainly the Police Federation was so disenchanted with the whole PCSO concept that, in June 2006, its members voted 'overwhelmingly' against a proposal to extend membership of the Federation beyond sworn officers.¹⁹ The union which represents police staff, Unison, was swift to move into the vacuum and promptly offered membership to PCSOs. The response from PCSOs themselves was equally rapid, and by the late summer of 2006, Unison reported the formation of a PCSO National Working Group under its auspices.²⁰ For all that, in February 2007, PCSOs were being described contemptuously in print, as 'minimally-trained auxiliaries who, despite their best intentions, are not up to it' (Gilbertson (2007) 27).

2.8.3 How good are PCSOs? Public perception and public survey

Research carried out in West Yorkshire in 2004 suggested that PCSOs were a popular innovation within the community. The West Yorkshire study was a twin-site public opinion survey carried out by Adam Crawford, Deputy Director of the Centre for Criminal Justice Studies at the University of Leeds, and a team of his colleagues from the Centre. The results were published as *Patrolling with a purpose*.²¹ Among the survey results analysed by Crawford's team, we might note the following:

- 69% of those surveyed perceived an increase in the number of officers patrolling the city centres
- 22% saw a community support officer more than once a day while 40% saw a community support officer at least once a day
- 96% of those who had encountered a community support officer reported high levels of satisfaction with how their problem had been dealt with
- 82% agreed that the presence of visible patrol personnel makes [the city centre] a more welcoming place to work, shop and visit.²²

Interestingly, the report came to this conclusion:

[West Yorkshire Police] successfully shielded CSOs from the normal demands of policing, such as dashing from incident to incident and dealing with a backlog of incident enquiries, which have traditionally

served to undermine locally-tied foot patrol. *Furthermore, community support officers have demonstrated that they can deliver effective patrols and engage with different communities without the need for the full range of powers vested in constables.* [Our italics.]²³

2.8.3.1 Reassurance and impact on fear

A detailed study of the effect of PCSO patrolling, in concert with a carefully developed neighbourhood policing plan, suggests that the impact on the community's sense of safety and security is out of proportion to the numbers involved. Additionally, there was a measurable effect on crime; the report suggests that in Leeds city centre, theft of vehicles fell by almost half, theft from a vehicle declined by a third, and tampering or interference with a vehicle fell by more than half. These are spectacular figures, even in a high crime-rate area, and the falls are confirmed by similar results in Bradford city centre, where theft from a vehicle fell by nearly a quarter, theft of vehicles was reduced by a quarter, and vehicle interference and tampering dropped by almost a quarter. The proportions are remarkably consistent, matched by the decline in personal robbery (down 47% in Leeds and down 46% in Bradford). That most reductions occurred in 'hot spot' areas suggests too that the PCSOs were appropriately deployed.

Discussion points

What does this tell you about the need for accurate targeting and focused deployment?

Are you surprised by the survey results?

Will they change the minds of your critics?

2.8.3.2 PCSO survey in Kent

At the other end of the country a year later, a similar survey of public opinion, conducted in Kent, came to very similar conclusions.²⁴ PCSOs tackle 'real crime', the public said, and are not simply a visible presence, reassuring though that is. Vehicle crime fell by a fifth in the 'control sites', which was more than double the rate in other areas where PCSOs were not deployed. There was a reduction in criminal damage three times that of the areas outside the control site. There was an increased perception of safety by residents, especially walking alone in the dark, or at home alone during the day and during the night. The Kent report goes on to note that PCSOs appeared to have little impact on reducing perceptions of

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anti-social behaviour ('and may even have heightened the awareness of some types of anti-social behaviour'). For all that, two-thirds (62%) of residents had contact with a PCSO and nearly 90% noted that their expectations of PCSOs regarding community involvement had been fulfilled. Three-quarters of those surveyed (76%) agreed that their PCSO represented 'good value for money'.²⁵

2.8.3.3 *The first national evaluation of the PCSO*

In 2006, a national evaluation of the work of Community Support Officers was published by the Home Office²⁶ and for the first time gave us a picture of the effectiveness of PCSOs on a national scale. The study was carried out by the Home Office between July 2004 and June 2005. Among the survey's key aims was an attempt to provide a 'national profile' of PCSOs and their deployment, and to explore perceptions by the public of the PCSO role. The findings which emerged were relatively straightforward and may be summarized thus:

- PCSOs were seen as more accessible than police officers. Members of the public were more likely to report things to PCSOs which they would not bother a police officer with. The public was more likely to pass information to PCSOs.
- The public valued the role of PCSO and there was strong evidence from two of the 'case study areas' [Merseyside, Sussex] that, where PCSOs were known in their communities, there was a perception that PCSOs had made a 'real impact' in their areas, 'especially in dealing with youth disorder'.
- More than 40% of PCSOs said that they joined as a stepping-stone to becoming a sworn police officer.
- The diversity of PCSOs, particularly in terms of ethnicity and age, has been a marked feature of the implementation.
- The survey found that there was no evidence that PCSOs were having a measurable impact on the level of recorded crime or incidents of anti-social behaviour in the areas where they were deployed.²⁷

2.8.3.4 *Early results confirm the value of the PCSO*

Some of the conclusions are a little suspect, or may be predicated on too little data. For instance, it is probably too early to say that PCSOs have no effect on crime or anti-social behaviour in their localities; though nationally, the evaluation appears to confirm some of the findings in the Kent survey. It seems axiomatic that the presence of PCSOs will have a deterrent effect on low level criminality and on anti-social behaviour over time, as we saw illustrated quite

dramatically in the Force-level studies in West Yorkshire. The best comparators will be found when the role has more completely bedded into the community and results are quantified on a neighbourhood (and thence to a BCU) level. At present, the community is getting to know and accept its PCSOs and the PCSOs are getting to know and understand their communities. Any appreciable or measurable effect on national crime figures is probably still some distance away. Meanwhile, should we be content with the positive effect which PCSOs are having on public opinion?

By contrast, there have been a number of stories in the media which have criticised the so-called 'disengagement' role of PCSOs. One occurred on 3rd May 2007 when two Lancashire PCSOs turned up at a lake near Wigan after reports of a boy, Jordon Lyon, getting into difficulties in the water. The boy was nowhere to be seen and the two PCSOs did not enter the lake and dive to search for him, leaving this to a police officer who was trained to do so. The boy's body was later recovered. When the matter came before a coroner's inquest some months later, there was much media comment on the apparent supineness of the PCSO role. An Assistant Chief Constable from Lancashire Police, Dave Thompson, publicly defended the actions of the PCSOs, noting that they had not been trained to perform such rescues and that observing and reporting were valid tactical options. The public grumbling continued, and surfaced again with reports in November 2007 that two Metropolitan Police PCSOs did not go to the aid of a man being attacked by three girls. A female member of the public went to his help and she led the subsequent media criticism, in which the PCSOs were labelled as 'plastic policemen'. An internal enquiry was launched by the Metropolitan Police, but the outcome was not made public.²⁸

2.8.3.5 *More recent evaluations of the PCSO*

An NPIA report into the effectiveness of PCSOs was published in July 2008, as part of an evaluation of the Neighbourhood Policing Programme.²⁹ We note from the NPIA report that 'neighbourhood policing can increase public confidence in policing, feelings of safety, and reduce crime and anti-social behaviour'; self-evidently, PCSOs have a major role to play in the delivery of such reassurance. The report identified that there was an element of PCSO 'role drift' in some forces where PCSOs were taken away from NPT duties and set to do other things, for some of which they had not been trained, and for others their duties played no part in public reassurance. To counter this tendency to treat PCSOs expediently, NPIA recommended that they should

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either be fully 'integrated into a Neighbourhood Policing Team (normally geographic but could be for a defined community of interest, for example, Safer Transport Teams [or located in schools]), or deployed directly to support Neighbourhood Policing Team[s] in their neighbourhoods'. The NPIA Report went on to recommend that PCSOs should spend the majority of their time within neighbourhoods and not be office/police station based and/or undertaking administrative roles. NPIA concluded that 'PCSOs in reality engage in activities that contribute to two outcomes, that of **effectiveness** (their contribution to improving reassurance, reducing anti-social behaviour, confidence and satisfaction), and **efficiency** (engaging in tasks that free up more expensive resources, [that is] fully sworn officers)'. [Adapted from NPIA's *PCSO Review*, July 2008, Chapter 3 'Review Findings', pp. 8–21, our additions in square brackets.]

Discussion points

What evidence do you have locally for the effectiveness of PCSOs in driving down crime?

What performance indicators on your BCU do you directly affect? How 'effective and efficient' do you think PCSOs are in their contribution to Neighbourhood Policing?

2.8.3.6 Responses to criticism of PCSOs

What should you do if you encounter some or any of the criticisms which we have looked at above? There are a number of tactics which you can use. The most obvious is to ignore the sniping and carry on doing your job as well as you can. Another tactic is to ensure that *your* work is singled out for praise because you have indeed 'gone the extra mile'. Again, you can use feedback from the community to evidence your effectiveness (you will be collecting all of this to demonstrate that you continue to meet the Competences), ensuring that good news stories get as much prominence as the bad ones. You could use some of the statistics we have referred to, from West Yorkshire (2004), Kent (2005), the national evaluation study (2006), and the 2008 NPIA Review to prove that **the popularity and effectiveness of PCSOs is growing exponentially year by year**. Indeed a report by the Home Office into the work of PCSOs (see Mason and Dale, 2008, published at the same time as the NPIA PCSO Review in July 2008), agreed with the Association of Chief Police Officers' (ACPO) conclusion

about a PCSO's primary role. The guidance states that 'the fundamental role of a PCSO is to contribute to neighbourhood policing, primarily through highly visible patrol in order to reassure the public, increase public order and be more accessible to communities and partner agencies at the local level'. Home Office findings confirm that PCSO activity corresponds well with ACPO guidance since PCSOs spend the majority of their time being highly visible within the community, dealing with minor offences and supporting front-line policing.³⁰

Ultimately, it is by *your* effectiveness that you will prove the doubters wrong. You can probably empathize now with those first women police officers struggling to be taken seriously by their male colleagues. Then and subsequently, the female officers were patronized, belittled, ignored, or expected only to deal with lost children and female suspects. Seldom were they seen as police officers who could handle whatever was thrown at them. The same unthinking prejudice is founded on insecurity and a lack of understanding about what PCSOs do.

2.8.4 Weather the storm

The message we want to leave you with is a simple one: if you encounter hostility at work from your police colleagues, it is likely to be from ignorance of your role and its value. As long as you have the support of your neighbourhood colleagues, and the community you serve, you can safely ignore the sniping from the sidelines. Most NPTs staunchly support the work of their PCSO colleagues and would not be without them. The criticism will diminish in time. After all, the Police Federation finally admitted women to membership in 1948, only fifty years after female police officers began service. Maybe, by 2052 ...?

2.9 The Criminal Justice System in England and Wales: Magistrates' Courts, Crown Courts, and Coroners' Courts

You will almost certainly have visited a court to watch what happens as part of your initial training as a PCSO. You might have been able to visit a **Crown Court** (see below) where criminal trials take place, or a **coroner's court**, which is convened (usually)

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to determine how someone died, but it is more likely that you attended a **magistrates' court**. You may be familiar from your local paper or news broadcasts with the role of the magistrates' court (the fines and appearances there of local people fill many column inches in local newspapers, for example). The Crown Court deals with serious criminal cases, and will attract national media attention sometimes. We're going to discuss now how these courts and the appeals processes in criminal law make up the **criminal justice system** of England and Wales.

2.9.1 Magistrates' court

This is the lowest level of '**judicial process**' (meaning *the working of the law*) in England and Wales and the first court for any criminal proceedings. Magistrates are ordinary, worthy, local people who apply to become magistrates and who are given some minimal training in the law. At the end of this process and after 'sitting' in judgement for a time, they are appointed by the Lord Chancellor on behalf of the Crown and are then styled as **Justices of the Peace** or **JPs**. Such people are **lay magistrates**—they do not get paid—and usually work part-time as a civic duty. If you talk to magistrates you will often find that they are experienced, mature people who are as concerned about society and community as anyone else, and that they have a strong sense of communal duty, keen to 'put something back' into the society which nurtured them.

2.9.1.1 Unpaid magistrates

This is all very good and very laudable, and we can be proud that the amateur tradition which has persisted in our justice system for a thousand years is still going strong. But (and there has to be a but), the sorts of people who can become magistrates and devote time to hearing cases during the working day, are either those who have retired or those who do not have to work. A *very* small number of the current magistracy in England and Wales also have full-time jobs. It's possible to juggle any full or part-time job with the demands of sitting as a lay magistrate, but it isn't easy and not many do it.

Discussion points

Why should it matter that magistrates are drawn from those who don't work or who have retired?

Shouldn't we be grateful that people want to do it at all?

2.9.1.2 *Some responses*

Of course, we should be grateful that ordinary people volunteer to give up their time to assist the community. This is not just a carping from the sidelines about people who can afford the time to sit as magistrates, but a concern about how representative they may be of the community. If the magistracy is drawn overwhelmingly from the white majority and professional occupations (which they are), what kind of handle will such people have on the tensions and problems of, for example, minority ethnic communities? How well will they understand the boredom of young people with nowhere to meet and nowhere to let off their exuberant energy? We are *not* saying that there is a permanent barrier of incomprehension between magistrates and those upon whom they sit in judgement, but we are saying that there is a danger that drawing magistrates from a rather restricted stratum of society may lead to their being unrepresentative.

2.9.1.3 *The importance of representing all sides of a community*

Why do we have the tradition of drawing magistrates and JPs from the community? Because society needs to protect itself against social predators, and the best way to ensure that its interests are served is to choose people from within the society or community to 'police' and control it. It is also the basis of 'common law' which we look at later. One of the first measures of self-protection which a community will impose is conformity with expected norms of behaviour. We explore this in more detail in Chapter 6, when we look at what a community is. To go back to the main point of this; it is surely better for a society that those charged with its protection should represent all parts of that society, than that it should merely default to those with time and inclination?

2.9.2 **Stipendiary magistrates**

There exists a kind of compromise between the points we have been making above and the higher courts, and that is the **stipendiary magistrate**, now more commonly called 'District Judge'. 'Stipendiary' means that the office holder receives a '*stipend*' or payment. In other words, the stipendiary magistrate (District Judge) is paid and is always a person trained in the law. The incumbent could have been either a solicitor or barrister, but his or her experience of practising law, for at least seven years,

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is a prerequisite. The stipendiary magistrate usually sits alone in judgement, whereas lay and unpaid magistrates usually sit in a panel or 'bench' of three, but there can be any combination between two and seven. Lay magistrates are always advised on matters of law by the **magistrates' clerk**, who is also a paid professional lawyer with at least five years' experience of practising law. In most magistrates' courts, the Clerk sits immediately in front of the bench of magistrates, and in some courts the Clerk will wear a black gown, even a little wig made of horsehair. It is worth noting that, as a professional lawyer, the stipendiary magistrate is likely to be even less representative of society at large than the lay magistracy, but the public appears to care less about the stipendiary District Judge, probably because s/he is paid and therefore a 'servant of the state', than about those who volunteer to become JPs and who cost us very little. It is a characteristic hypocrisy which underlies much to do with public justice.

2.9.2.1 *Role of magistrates*

Magistrates make judgements about guilt or innocence in **petty offences**. These are offences which, characteristically, attract fines or community service rather than imprisonment. This has recently caused controversy, because magistrates are concerned about what they see as increased police use of fines at the expense of the 'transparency of justice' in the magistrates' court. The use of out-of-court penalties by the police has increased markedly: across England and Wales in the twelve months to March 2008, only 724,179 of the 1.4 million offenders 'brought to justice' actually came before the courts. John Thornhill, chairman of the Magistrates' Association, commented: 'What is happening is that more than 50 per cent of offences never appear in court. That is a drop of 20 per cent over five years.' The police use of summary fines is reported to extend now to some forms of violent behaviour, but a proposal by the Justice Ministry in February 2009 to add a further 21 offences which were to be punishable by fines (including 'drunken and yobbish behaviour on trains') was withdrawn after strong protests from the magistracy.³¹

There are no juries in a magistrates' court, so the judgment is handed down from the 'bench'. Accused people can be defended in a magistrates' court, usually by a solicitor. However, it is entirely normal for the accused not to be represented by a lawyer. There is a high incidence of 'guilty' pleas in a magistrates' court. If you expect the clash of styles and approaches between defence and prosecution in a magistrates' court, familiar from

many a hackneyed television or film drama, you will be sadly disappointed. Proceedings in the real world are often brisk, often low-key and undramatic, and most offences are dealt with **summarily**, that is, there and then without fuss. A developing area is to create a 'virtual' magistrates' court, where defendants will lose their right to have a courtroom hearing and physically to appear in court. Instead, video links between a police station and a magistrates' court are designed to speed up 'summary justice'. Young people, the mentally impaired, and any case involving more than one defendant, are excluded from the 'virtual hearing' process. A trial scheme was set up in 2009 and one case, involving a guilty plea to drink-driving, meant that the individual concerned was fined and banned from driving, merely hours after he was arrested. The process means that a person pleading guilty to an offence in future can be sentenced on the spot.³²

2.9.2.2 *Uniformity of sentencing?*

A further controversy between magistrates and the Ministry of Justice began in February 2009, focused on part of the **Coroners and Justice Act** which was then being debated in Parliament. Magistrates were exercised about proposals for an augmented Sentencing Guidelines Council which imposes uniformity of sentencing of offenders. At present magistrates 'have regard to' sentencing guidelines, but are free to move outside them — and give their reasons when they do. In future, it is proposed that magistrates 'must follow' the guidelines, 'except where the interests of justice dictate otherwise'. Magistrates believe that this is an assault on their independence and have made representations to the Ministry of Justice, where officials denied that the intention of these words in the Bill was to curb the independence of the magistracy. If nothing else, the episode demonstrated that magistrates are neither supine nor passive and are perfectly capable of mobilizing public and press opinion in support of their independence.³³

2.9.2.3 *'If it ain't broke ...'*

Our view is that, although sometimes the magistracy creaks at the seams, and although the magistrates themselves (and certainly the lay ones) ought to be drawn from a wider cross-section of the community, and although their judgments may reflect society's current prejudices rather than some dispassionate concept of the law; the system works pretty well and it is difficult to think of

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anything as effective to replace it. Certainly, '*people's courts*' as attempted in parts of eastern and middle Europe and in Africa have a Stalinist echo to them and no independent evaluation as to effectiveness; US-style *district courts* are expensive and entirely professional, so replicating the stipendiary principle; whilst in other parts of Europe and elsewhere the '*neighbourhood judiciary*' (an approximate term, covering the local systems in Germany, the Netherlands, Italy, Austria, and Denmark) is so very like our own magistracy as not to be a viable alternative. We know of no system so obviously superior that it could substitute for or replace our magistracy or 'lower court', and we are likely to have something very like the present system and process for many years to come. That's not to say that it should be above reform, though.

2.9.3 Referral to the Crown Court

The magistrates' court plays other very important roles that we have not yet considered. All criminal cases, however serious, must come first to the magistrates' court for assessment of the weight of evidence (we discuss evidence at 5.2 below). This is often called the '**preliminary hearing**' or '**committal hearing**'. What this means in practice is that the magistrates (lay or stipendiary District Judge) will consider the evidence of the serious crime and listen to what the police or the Crown Prosecution Service (CPS) lawyers and any defence lawyers have to say about the charges and about bail for the accused. The accused may 'reserve defence' against the charge at this stage, and make no statement or admission to the court.

2.9.3.1 *Bail*

The magistrate(s) will then refer, or 'commit', the case to be heard at the Crown Court, and make a determination about bail. The police will often oppose bail if they believe that the offender may offend again, or abscond (*run away*), or disappear. If their case is strong enough, the magistrates will remand the accused in custody. Alternatively, the magistrates may release the accused on bail or against a '**surety**' or bond of money. Occasionally this brings the amateur status of lay magistrates into sharp conflict with the police or CPS, where the former may be seen (in prosecution eyes) as too lenient or too trusting. Magistrates for their part sometimes regard the police or CPS as over-zealous about keeping people in prison while the case is prepared.

2.9.4 Other roles for magistrates

Some cases may take a year or more to come to trial; this can be a long time for a person to spend on remand in prison, given that no case against him or her has yet been proved. Each case is considered on its own merits: for example, it is unlikely that a person accused and charged with a crime of great violence would be granted bail, but a person charged with a theft might be. The magistrates will determine which course to take, and often decide at committal, when the accused has to be returned to court for checks on the case's progress. Before we leave magistrates, there are a couple of minor but police-relevant duties that magistrates perform, of which you should at least be aware. These are the **attestation** of a police constable (the administering of the oath or affirmation which a constable makes in order to receive full warranted powers) and the signing of some arrest or search **warrants**. This makes the entry to property, or searches, legally permissible. Such warrants are usually for specific persons, specific buildings or places and are valid for a specified time.

2.9.5 'Habeas corpus'

An arrested person, under the **Police and Criminal Evidence Act 1984 (PACE 84)**, must be charged and brought before a magistrate within 48 hours of his or her arrest (though the term may be varied by a senior police officer on short extension bases). This is the principle which you will often hear mentioned, called **habeas corpus**. This is Latin, meaning 'having or possessing the body'; in other words it is *producing to be seen the person charged*. It is a very old right of the accused, and goes back to mediaeval times. It was designed to prevent unlawful imprisonment, or stopping what we would now call 'detention without trial'. People who are not charged must be released (unless subject to the arcane terrorist holding powers of the Home Secretary, which are in dispute anyway). You should equally be aware that human rights legislation (the *right to a fair trial*) is also in effect here: **it is a serious business to arrest and detain another person**. That person's welfare is important to the courts. Those with powers of arrest must exercise those powers responsibly and in a proportionate and justified way. And that means you, when you exercise your (admittedly more limited) powers to detain—so the safeguard of **habeas corpus** isn't academic.

2.9.6 The importance of the magistracy

You can conclude from this brief survey of the magistracy that the functions of a magistrate are an important part of safeguarding the rights of the individual. Issues such as warrants and **habeas corpus** are designed to prevent abuse of powers by the police or anyone else (including you as a PCSO). Whilst some aspects of the magistracy may be in need of reform (some would argue, of urgent reform), the existence of a lower court to prevent abuse and to guard the liberties of the subject is reassuring. It might not be glamorous, but it is important to the proper and legal functioning of society. Now it is time to go to the theatre.

2.10 The Crown Court

Sometimes referred to (wrongly) by the old name of 'County Court'³⁴ and even sometimes as the much older '*Circuit Court*', the Crown Court is usually located on two or three sites throughout each county or shire. There will be at least one Crown Court in each major city. Although it is something of a joke to refer to the trappings of the Crown Court as 'theatre' (and we mean no disrespect), nonetheless there is something inherently dramatic in the Crown Court setting, which is so much more majestic (deliberately so) than the magistrates' courts: the judge, robed and throned above the court; the prosecution and defence lawyers in gowns and wigs; the dark, formal dress of the court officials; the presence of uniformed escorts to the accused; the appearance, in 'not guilty' pleas, of a jury of twelve men and women; the wood panelling of the court and royal coat of arms on the wall behind the judge; the solemnity and ceremony; the often old-fashioned language (including Latin) and the confrontation between prosecution and defence; the sometimes brutal, always probing, questions to witnesses and victims; the questioning of the accused; the tensions whilst the jury considers its verdict; these are all elements of high drama. Some critics argue that the absurd melodrama of seventeenth-century costumes and wigs has no part in a modern criminal justice process. Indeed, in some cases such as those involving child witnesses, judges and barristers can and do remove their wigs (see below). Nonetheless, the experience of appearing in a Crown Court is daunting for the average adult; it must be surreal to a child.³⁵ Yet this is the 'majesty of the law'.

2.10.1 Dressing up in costume?

We should not forget that the law and its process had its origins in the monarchy, and that the words 'Crown', 'Rex', or 'Regina' (King or Queen) in recorded case law and prosecutions, as well as the enactment of legislation, are still located in and part of the monarchical system. It also has a lot to do with the quintessential British love of pageantry and stylized drama. And, though other countries can be mildly mocking of such trappings, American judges wear black gowns, whilst judges in European courts usually wear black robes with characteristic high hats. We are not alone in retaining the pomp of justice, but perhaps we enjoy the spectacle and colour a little more than others. In September 2006, the Lord Chief Justice (Lord Philips of Worth Matravers) began a consultation exercise with the judiciary about the wearing of wigs and robes. It is expected that the horsehair wigs and gowns will become a thing of the past in commercial, family, and civil cases, though it is probable that the 'costumes' will be retained in criminal courts, at least for the foreseeable future. The Lord Chief Justice apparently favours 'a simple European-style robe and collar or foulard'.³⁶ At least part of the reason for the move away from wigs and gowns is that solicitors, who now represent some clients at Crown Court, are not permitted to wear wigs as barristers do, and the injustice of such deprivation evidently rankles with the solicitors. The outcome is likely to be that all wear wigs or none.

2.10.2 Functions of the Crown Courts

The Crown Court tries criminal cases. As noted above, such cases are always handled by a judge, who will have been appointed from within the legal profession (that is, usually having practised as a barrister or, more rarely, a solicitor). Judges begin as Recorders before progressing to 'Circuit' judges and then to High Court judges. Broadly, judges oversee proceedings in the Crown Court, usually giving considerable latitude to prosecution and defence lawyers, and direct the jury when law becomes complex or ambiguous. Judges sum up a criminal trial and, if a jury finds the defendant guilty, will pronounce sentence (how long the offender will be kept in prison). Judges are by no means unchallenged. Should the judge's summing up seem to have prejudiced the jury, the defence may appeal. The defence may also appeal against a sentence (though this can be fraught, because sentences can now be increased as well as decreased) or

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against some aspect of the trial which it perceives the judge to have mishandled. Appeals go formally to the Court of Appeal, and appeals from there go to the Supreme Court (opened in October 2009), where they are heard by the Law Lords. There is appeal beyond the Supreme Court to the European Criminal Court, which is very rarely invoked; it is also quite expensive to take a criminal appeal to Europe. Most parties in most cases are content with the decision of the Supreme Court; certainly in criminal trials. Unless there has been a gross abuse of a person's human rights, cases are not likely to prosper by referral to the European Court. That has to do with different criminal and penal codes in Europe from those followed in the UK (with small differences in Northern Ireland and Scotland).

2.10.2.1 *The adversarial criminal justice system*

The criminal justice system followed in the UK is usually called the 'adversarial' system. An 'adversary' is an opponent, and this reflects what happens, especially in criminal trials (but also in libel cases and in some defamation cases). The prosecution sets out to prove ('beyond reasonable doubt') that Person X committed the crime of which s/he stands accused. The prosecution case (determined as to viability not by the police but by the CPS) will use police and witness evidence to prove that the crime was committed, and that the person charged with the crime committed it. This will be opposed by Person X's defence team, if Person X has pleaded 'not guilty' to the charge. The defence team will do everything it can to show that Person X not only did not commit the crime, but could not have committed the crime, which was committed, indeed, by someone else, and that Person X was 500 miles away when the alleged crime allegedly happened. All this is part of the defence tactic to have the case dismissed, discredited, or made doubtful. The principle of 'beyond reasonable doubt' is precious in British law (though Scotland can return a jury verdict of 'not proven'), because the adversarial process is founded on the **presumption of innocence**. Indeed, critics of the adversarial system point to the deviousness of defence tactics in undermining a criminal prosecution. Sir David Phillips, former Chief Constable of Kent and a past President of ACPO, is reported to have said: 'The purpose of a trial is to find out the truth. But we no longer have trials about who did it—the trial is always about whether somebody broke the rules in trying to find out who did it.'³⁷



Figure 8: Simplified diagram of the criminal justice processes in England and Wales

In the USA, where the adversarial system is also used, the characterization of the defence is something like this: *deny the accused's involvement in anything. When you can, fault the charge; if you can't fault the charge, fault the evidence; if you can't fault the evidence,*

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undermine the credibility of witnesses; if you can't undermine the witnesses, ridicule the process; if you can't ridicule the process, delay the trial, obscure the facts, and bewilder the jury.

2.10.2.2 Court procedures and appearances

You will often hear people, particularly police officers, speaking bitterly about defence tactics and the 'artificial' tricks and ploys of a criminal justice system which is based on two sides slogging it out in court. You may even have to deal with witnesses who have been subject to such ploys. It's hard to remain impartial when you see people who have been confused, bewildered, bamboozled into contradicting themselves, or whose testimony is undermined by a resourceful (if unscrupulous) defence lawyer. However, you have to try to see this as business and nothing personal. This is not to say that the process is a game, far from it. It can be the most serious thing in the world to the family of an abused child, or to a woman accused of her partner's murder. However, since the CPS lawyers, criminal barristers, and defence counsel are doing this sort of thing all the time, they become so detached and objective that it can seem indeed a game to those who come for the first time, or who are emotionally traumatized by what has happened to them, watching the point-scoring or the unpleasantly deliberate attack on witness credibility or character. If you have to give evidence (see 5.2 and 7.5 below), you will yourself be subject to cross-examination by a defence lawyer in a Crown Court trial. In fact, come to that, you could have your evidence challenged in a magistrates' court by a retained lawyer for the defence, though this is less likely. We discuss this extensively in 7.5 below.

2.10.2.3 Dealing with victims and witnesses

We deal in more detail later on with how you should present yourself and your testimony in court (see 7.5 below); all we need to note at this point is that you must try to remember what it feels like when you first go to court. You will soon become familiar with the rituals and processes; you may even get to enjoy them over time. Those whom you are dealing with (witnesses, victims) may never have been in a court before in their lives. Remember that, and then explain, reassure, accompany, and listen: your help will be of great benefit to frightened or awestruck or inarticulate people, in the grip of a system and a process which they may not understand.

2.11 Human Rights

2.11.1 The police role in supporting human rights

The concept of human rights and the responsibilities of police officers in the preservation and maintenance of those rights runs throughout this Handbook. Tuition in human rights should certainly have formed part of your initial training as a PCSO. At this stage, it is perhaps worth noting that the recent legislation concerning human rights marked a significant change towards an emphasis on rights ('you shall') rather than the usual focus of the law on prohibition ('you shall not'). By this we mean that most laws, until recently, **defined what constitutes wrong-doing** and how law enforcers and the criminal justice system should respond to this wrong-doing. Human rights legislation by contrast stresses an individual's entitlement to expect certain fundamental rights as part of the social contract between the person and the State and other forms of authority. **The Human Rights Act 1998** is the prime example. It falls to public authorities such as the police (and by extension, to a PCSO as a member of that police service), to maintain the fundamental rights of all individuals who come into contact with that authority.

There are a number of NOS relevant to human rights and the PCSO, most notably the element 1AA.1 to '*foster people's rights and responsibilities*' (see Chapter 4).

2.11.2 Origins of the concept of protecting human rights

The roots of the Human Rights Act 1998 are to be found in a set of Articles containing rights, agreed by the **European Convention for the Protection of Human Rights and Fundamental Freedoms** (often referred to more briskly as 'the Convention' or in written form as the ECHR), which came into force in 1953 as part of the reconstruction of Europe after the Second World War, and was itself derived from the declaration of the United Nations of the principles of human freedom.

There are two main features of human rights legislation:

First, all new statute law must be compatible with the rights.

Secondly, an individual may take a public authority to a UK court if the authority has not acted in a manner compatible with the rights.

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2.11.3 What are the rights?

These are normally described in terms of the 'Article number'.

Article number	Article title
2	Right to life
3	Prohibition of torture
4	Prohibition of slavery and forced labour
5	Right to liberty and security
6	Right to a fair trial
7	No punishment without law
8	Right to respect for private and family life
9	Freedom of thought, conscience, and religion
10	Freedom of expression
11	Freedom of assembly and association
12	Right to marry
14	Prohibition of discrimination
16	Restriction on the political activities of aliens
17	Prohibition of the abuse of rights
18	Limitation on use of restrictions on rights

(You may be wondering what has happened to Articles 1, 13, and 15. These refer merely to technical aspects of the adoption of the European Convention.)

2.11.4 The three types of Convention rights within the Act

There are three types of convention rights within the Human Rights Act 1998: absolute, limited, and qualified rights. We examine each in turn but this is only a summary.

2.11.4.1 *Absolute rights*

Within these rights, the interests of the community as a whole cannot restrict the rights of the individual in any way. They are 'absolute'.

Article number	Article title
2	Right to life
3	Prohibition of torture
4	Prohibition of slavery and forced labour
7	No punishment without law

2.11.4.2 *Limited rights*

These rights are not absolute because the articles are 'limited'.

Article number	Article title
5	Right to liberty and security
6	Right to a fair trial

An example of a limitation is in Article 5; the *right to liberty and security* does not apply if the detention is lawful as a result of six listed arrest situations and is carried out in the manner set down by law. One of these circumstances, for example, is when the arrest is made to ensure 'the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority'.

Article 5 is of particular note for the PCSO. As we discuss in Chapter 3, you have powers to detain a person, using reasonable force if necessary, and for up to 30 minutes for one or more of a specified number of reasons.

2.11.4.3 *Qualified rights*

These rights contain circumstances in which interference with them by the public authority is permissible if it is in the public interest and can be qualified; for example to prevent disorder or crime, for public safety, or for national security.

Article number	Article title
8	Right to respect for private and family life
9	Freedom of thought, conscience, and religion
10	Freedom of expression
11	Freedom of assembly and association

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However, a public authority (such as the police) may only interfere with one of these qualified rights under one of three circumstances:

- The interference is lawful and must form part of existing common or statute law (see 3.2 below) such as the power to stop and search
- The interference is made for one of the specifically listed permissible acts in the interests of the public so as to prevent disorder or crime for public safety
- The interference is necessary in a democratic society because the wider interests of the community as a whole often have to be balanced against the rights of an individual, but it must be proportionate, not excessive, heavy-handed, or over the top

2.11.4.4 *Applying the Human Rights Act to community and neighbourhood policing*

You may need to ask yourself the following questions in relation to any individual or group before you 'interfere' with their qualified rights:

- Are my actions **lawful**? Is there a common or statute law (such as the Police Reform Act 2002) to support my interference with a person's rights?
- Are my actions **permissible**? Am I permitted to interfere with a person's rights because it is in support of a duty such as the preventing of crime?
- Are my actions **necessary**? Do the needs of the many outweigh the needs of the few: in other words, must I take into account the interests of the community and balance one individual's rights against another's?
- Are my actions **proportionate**? Having considered everything, will my actions be excessive or could they be less intrusive and more in proportion to the outcome I need to achieve?

There are mnemonics to help you recall these principles, which we consider further in Chapters 3 and 4, such as PLAN (as Proportionate, Legal, Authorized, and Necessary), all of which express some elements of the points we make above.

2.11.4.5 *Task: Performance criteria*

A standard that you will need to achieve is NOS 1AA.1: to '*foster people's rights and responsibilities*'. (Note that **Skills for Justice** defines people '*to cover individuals, families, groups, communities*

and organisations. The people may be clients, colleagues or anyone else with whom you come into contact'.)

This element has the following performance criteria (see Chapter 4):

- (1) Recognize people's right to make their own decisions and acknowledge their responsibilities
- (2) Interpret the meaning of rights and responsibilities consistent with existing legislative frameworks and organizational policy
- (3) Provide information, which is up-to-date and takes account of the complexity of the decisions which people may need to make
- (4) Give appropriate help to people who are unable to exercise their rights personally
- (5) Acknowledge and provide appropriate support towards the resolution of tensions between rights and responsibilities
- (6) Ensure the necessary records relating to the promotion of rights and responsibilities are accurate, legible, and complete
- (7) Provide the necessary information to people who wish to make a complaint about an infringement of their rights.

How would you seek to meet criterion 4, to 'give appropriate help to people who are unable to exercise their rights personally'? What evidence would satisfy the performance criterion for this?

2.11.4.6 Human rights and the context of policing

A final point we might make about the importance of human rights in the context of policing, and specifically in the context of your work as a PCSO, is that you should always uphold such rights, never gratuitously infringe them. Occasionally you must interfere with an individual's rights where these adversely affect the needs of the many in our communities. No one has any 'right' to make the lives of others miserable, nor to impose his or her 'anti-social' behaviour upon others. Whilst most democratic societies would accept Winston Churchill's dictum that **the price of freedom is eternal vigilance** (now a motto of the FBI in America), it does not mean that we should accept the stealthy erosion of our civil liberties in the name of convenience. You have a role to uphold the law, as do your police colleagues. You are often the last protection of the vulnerable or the last hope of the weak. The debate is yet to be properly aired in Britain of whether **the price of security is the erosion of liberty**. We look to human rights legislation to ensure that the balance is kept.

2.12 Chapter Summary

In this chapter, we have looked at matters which will affect you when you enter a police force as an employee and the subjects which will preoccupy you at the outset. In some cases, we have been very specific and detailed in order to show you what may be involved when you join up; in others we have been broader in approach because we cannot generalize for all PCSO experiences across all forces (and some of them are very different from others).

2.12.1 Uniform

We began with issues which you might encounter from day one, such as the uniform you will wear and the equipment with which you may be issued.

2.12.2 Training

Before you go out on the streets, you need to be trained, and we looked at the likely nature of your initial training and what your Force training programmes are likely to cover. This is by way of being a reference and preparation section because not all forces will train the same things in the same order; but we do think it is likely that you will cover the 'core' subjects and the National Occupational Standards which we outlined. We emphasized that the police approach to training is based on the **KUSAB** principles of **k**nowledge, **u**nderstanding, **s**kills, **a**ttitudes, and **b**ehaviours, and we explored how important it is that your experiences are reflected not only in what you learn *and* in what you know and understand, but also in how this affects your attitudes (to people and to situations) and what you actually do out on the ground.

2.12.3 Ways of learning

There followed two short technical sections covering how you learn, what you have to learn, and the varieties of learning, with the emphasis on the practical application of knowledge to what you do in your daily work. Then we looked briefly at the kinds of professional qualification which are on offer or in prospect for you as a PCSO, and we summarized the current debate on professionalizing the police and how this may affect the future of PCSOs as well. The service as a whole has not yet

decided where in the longer time frame and how, in the greater scheme of things, a professional career path for PCSOs will be constructed.

2.12.4 Designation and what it means

This was followed by a discussion about Designation, and we looked at examples of Designation and the debate surrounding PCSO powers and general duties, before considering what a PCSO may expect to do after training, and what a typical tour of duty might look like. This led us to a controversy which persists concerning some hostility towards the PCSO from inside the service. We noted some of the critical things which have been said about PCSOs and concluded that the fault largely lies with the police service itself which steadfastly refuses to define, and thereby limit, the role of the PCSO against that of the police officer. The probability is that performance pressures are forcing the hands of some police forces that do not have the luxury of a well-resourced workforce. We looked carefully at some recent research work into the role of PCSOs and concluded that the public steadfastly thought that PCSOs were doing a good job, whatever some internal police critics may say.

2.12.5 Criminal justice and human rights

We then turned our attention to the broader areas of criminal justice in England and Wales, looking at the role and characteristics of the courts (magistrates' and Crown Courts). We briefly discussed the adversarial system and the context of law and law-making. The chapter concluded with a discussion about human rights deriving from the **European Convention on Human Rights**, and the impact of legislation and thinking on your everyday work and interaction with other people.

Notes

- 1 Though there has been talk of giving all PCSOs all available powers *de statu* (as of law) and excising the word 'Police' from the PCSO title. However, the first flush of enthusiasm for this, espoused by the Home Secretary in November 2008, has not surfaced again. It may be that other things have occupied the Home Secretary's attention—and her successor's—in the interim. There are no current plans in the Home Office to revive the issue, which has not been welcomed by Chief Constables.

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- 2 ABCs are 'acceptable behaviour contracts' and ASBOs are 'anti-social behaviour orders'.
- 3 See ACPO, *Guidance on Police Community Support Officers* (2005) 25, paras 9.24 and 9.25.
- 4 See ACPO, *Guidance* (n 3 above). We are grateful to ACPO for permission to refer to and quote from this *Guidance*, and similarly to the revisions and draft guidance in ACPO's *PCSO Practitioners' Guide*, Version 1 (November 2006).
- 5 See eg the description by Jan Berry, the Federation Chairman (*sic*), in *Police Review*, 24 November 2006, in which she described PCSO powers as a 'dog's dinner' (*ibid* 6). On other occasions, PCSOs have been derided by Federation spokespersons as 'numties in yellow jackets', 'traffic wardens lookalikes', 'police-lite', and 'half-cops', none of which appears to shed light on the police/PCSO debate.
- 6 Introduction to ACPO, *PCSO Practitioners' Guide* (n 4 above) and referring to ACPO, *Guidance* (n 3 above) para 3.9.
- 7 *ACPO Guidance* (n 3 above) para 10.12 and Appendix J.
- 8 In the 18th and 19th centuries, much more than the amateur but gentlemanly muddle which was the Army (other than in the 'hard bits' of gunnery and engineering), the Navy was self-evidently a profession, requiring technical competences in seamanship, gunnery, navigation, logistics, victualling, navigation and so on. See NAM Rodger's superbly definitive history of the Royal Navy, *The Command of the Ocean, a Naval History of Britain 1649–1815* (Penguin, 2004).
- 9 See Rodger, *The Command of the Ocean* (n 8 above) Ch 31 (Administration 1793–1815) 487–8, for a description of naval surgeons.
- 10 This is from personal observation of recruitment of police officers nationally and in Kent over the last ten years, but we understand from many conversations with our counterparts in other forces, allied to more general information in human resource development about demographics and career planning, that this is certainly a national trend and may be as widespread in Europe and North America. There are several published and on-going studies of the impact of the ageing population and the 'inverted' pyramid of young people in employment, and we have no doubt that this, allied to a more general restlessness about 'career', is impacting on young people's choices of vocation, profession, inclination to enter public service or private industry, and so on. Thus far, the prolonged economic recession and stringencies in the UK do not seem to be moderating this trend. The impact on the police of these demographic, social, economic and professional changes is eminently suited to a separate study, but we do not know at this time whether one has been commissioned.
- 11 NPIA (2008) Neighbourhood Policing Programme NPIA *PCSO Review* [Online]; available at <http://www.npia.police.uk/en/docs/PCSO_Review_Final_Report.pdf> accessed September 2009.
- 12 ACPO, *Guidance* (see n 3 above) 2003, updated 2005, again in 2006.
- 13 Sir Richard Mayne 1829, quoted on <<http://www.met.police.uk>> accessed 17 October 2006.

- 14 R Tuffin, J Morris, and A Poole, 'The National Reassurance Policing Programme: a six-site evaluation', Home Office Research Study 296 (Findings 272) January 2006, 1.
- 15 For an exploration of this topic, see Stan Cohen's seminal work, *Folk Devils and Moral Panics* (3rd edn, Routledge, 2002).
- 16 T Blair (Prime Minister, 1997–2007), Foreword to the *Respect Action Plan*, Respect Task Force, January 2006, 1.
- 17 Reported in *Police*, June 2006, 30. Part of this section formed the basis of B Caless, 'Numties in Yellow Jackets', *Policing: a Journal of Policy and Practice*, Vol. 1, No. 2, August 2007, OUP.
- 18 Reported by BBC news on-line, 27 June 2006, at <<http://news.bbc.co.uk/1/hi/england/london/4505040.stm>> accessed 29 June 2006.
- 19 Reported in *Police*, June 2006, 7.
- 20 Reported in *Police Staff* (the Unison magazine), Summer 2006, 4.
- 21 A Crawford, S Blackburn, S Lister, and P Shepherd, *Patrolling with a purpose: an evaluation of police community support officers in Leeds and Bradford city centres* (Centre for Criminal Justice Studies, University of Leeds, 2004). Crawford and Lister published an article, 'Patrol with a purpose', *Police Review*, 6 August 2004, 18–20, in which their research was quoted extensively.
- 22 Crawford and Lister, *Police Review* (n 21 above) 19.
- 23 *ibid* 19.
- 24 V Harrington, G Down, M Johnson, and C Upton, *Police Community Support Officers: An Evaluation of Round 2 in Kent, 2004/2005* (O&D, Kent Police, 2005).
- 25 *ibid* i, ii, and v.
- 26 C Cooper, J Anscombe, J Avenell, F McLean, and J Morris, 'A National Evaluation of Community Support Officers', Home Office Research Study No 297 (2006).
- 27 *ibid*, 'Key Points', 1.
- 28 See for example, *BBC News* 'PCSOs 'did not watch boy drown'', 28 September 2007, available from <<http://bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/1/hi/england/manchester/7007081.stm>> and 'Community police officers stood by as grandmother rescued man attacked by three girls', *Daily Mail*, 5 November, 2007, available from <<http://www.dailymail.co.uk/news/article-491645>> accessed 28 May 2009.
- 29 In summary the Review focused on role, powers, selection, training and career development, supervision, uniform and protective equipment with some ancillary research on age and the volunteering scheme. The Review, fronted by Chief Constable Matt Baggott (ACPO lead for PCSOs), Bob Jones, Chair of the Association of Police Authorities (APA), and the Rt. Hon Tony McNulty, then Minister of State for security, counter-terrorism, crime and policing, was published by NPIA in July 2008. Details of the report are NPIA, Neighbourhood Policing Programme, *PCSO Review* (July 2008, National Police Improvement Agency, available from <http://www.npia.police.uk/en/docs/PCSO_Review_Final_Report.pdf> accessed 1 May 2009.
- 30 On 17 July 2008, the Home Office published a report on the activities undertaken by Police Community Support Officers (PCSOs) while on

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- active duty. The report summarizes findings from an Activity-Based Costing (ABC) analysis of PCSOs taken in 2006/07. See Mason, M and Dale, C, *Analysis of Police Community Support Officer (PCSO), Activity Based Costing (ABC) data: results from an initial review*, (July 2008), Home Office, available from <<http://www.homeoffice.gov.uk/rds/pdfs08/horr08.pdf>> accessed 1 May 2009.
- 31 See Gibb F, 'JPs win first round in battle over extension of on-the-spot fines,' *The Times*, 5 February 2009, available from <<http://timesonline/tol/business/law/article4622156.ece>> accessed 5 May, 2009.
 - 32 See Gibb, F 'Straw goes to court to defend trial run of virtual hearings', *The Times*, 28 May 2009.
 - 33 See Gurr, B 'En garde! Magistrates ready for battle over punishments', *The Times*, 26 February, 2009, also available in timesonline archive by date, see reference in n 31 above.
 - 34 Civil cases proceed through county courts, not criminal ones.
 - 35 We should note in fairness that, increasingly, children's evidence is given by video-link rather than by physical presence in a courtroom.
 - 36 Frances Gibb, 'Judges to hang up gowns and wigs', *The Times*, 23 September 2006, 39.
 - 37 Sir David Phillips, quoted in P Hitchens, *A Brief History of Crime: the decline of order, justice and liberty in England* (Atlantic Books, 2003) Ch 2, 41.