

INTERVIEW #2

JASON:

POLICE OFFICER

Jason (not his real name) is a serving police officer who has seen service over more than 20 years, including being involved in some major incidents during that time period. He generously volunteered to provide some details of the work that he is involved in and his views of that work as part of an individual's journey. Text in bold represents the questions and Jason's responses are in normal type. Some of the details have been changed to protect Jason's identity but any editing retains the flavour of the discussion.

What I am really interested in is a sense of how a police officer thinks about their role within the whole process from when an offence gets reported, all the way through the point to which the police have no further dealings with a particular individual. So using that as a timeline, other than the police seeing an offence how do you get notification that there is something that you need to investigate?

For the majority of my service I have worked within intelligence in policing in three separate police forces. So, we can receive intelligence by a multitude of means and [in] lots and lots of different varieties. Obviously people tell us things, we can receive information by covert means with the relevant authorities, we receive information by technical means such as CCTV, cameras, listening devices, all manner of things. But I would say that the majority of the information that we get is from human resources.

So that could be a member of the public saying that 'this has happened to me' or 'I have seen this happen?'

Yes.

If a member of the public walked into a station or phoned up and said, 'I have been a victim of a crime', what's the process that is then set in motion?

Ever since I have been a police officer police officers work through pre-planned documents, which is commonly known as a crime report. That is populated by 'matter of fact': day, date, time, place, name, date of birth, other antecedents, details of the suspect and the nature of the crime, known as the *modus operandi* or 'M.O.' for short. They are delivered in quite a sort of 'police-ish' format. It's quite a formal format and each police officer has – it's a bit of a cliché and you've seen it in comedies-the format such as, 'whilst proceeding in a westerly direction' etc. There is a method behind that and it is something that has been done for a very long time and you see that manner of reporting over and over in the UK. It doesn't matter which police force you go to, it's a common theme. Obviously [when there are crimes] that are much more serious, such as murder and sexual offences, they will drill further down into that investigation; it will cost more money, it will cost the public more resources from the police service, outside agencies to assist with specialisms that are required to prove or disprove that crime. Certainly when I first started it was all about proving the crime, being on the side of the victim. We tend to be a lot more impartial now; we look at what could jeopardise a prosecution as well as enhance the prosecution. We are much more impartial and if there isn't sufficient evidence then you won't proceed down that line any further, if that makes sense? I've sort of deviated from your question a bit... So, quite formal, each police force has its own

different name for that form, it's generally known by a generic number, an A1, 2, 3, 4, 5, 6, etc, and they'll work through that document, which are sort of I.T compliant as well now. Before it used to be all by hand, when I first started. Now you'd use some kind of computer-based system to populate that document. And then it goes off and is recorded at the Home Office, which assists with statistics and crime recording nationally.

So, someone makes their allegation of an offence, they are talking to a police officer, who is making those notes. Then, from the point of view of a decision about an investigation, is that made locally or is it someone else looks at that and decides, yes, this is something that we have to action?

I would suggest that it would be up to the officer's personal decision if it was an offence of a lesser nature, so if you are looking at theft from a shop, a common assault, a criminal damage type offence without any aggravating factors. An officer can make a decision as to whether that crime should be written off as undetected if there is insufficient evidence, so it is up to them, they can use their common sense. Obviously if the offence is of a more serious nature, like a serious assault, a sexual offence such as a rape or an indecent assault, a murder, arson with intent to endanger life, you would tend to confer with the Crown Prosecution Service (CPS) at a very early stage and get some sort of direction on where the investigation is going to lead, what factors need to come into the investigation, what need to go out and it gives the investigation a sense of purpose or direction. And there are factors that need to be involved before it will be represented in court or if the person is to be charged. So it's not a decision that the police makes solely on their own now whereas back in the day it used to be.

So if we focus on the more serious crimes, who liaises with the CPS? Would that be the desk sergeant or a more senior officer?

Certainly in my circumstances, in the more recent cases that I have been involved in, which have all been protracted murder enquiries, as soon as the investigation commences you tend to have a briefing and a debriefing on a daily basis as to where the investigation is, what sort of enquiries you've dealt with on that day and you progress in that intensive manner for at least a calendar month. Within a two week period, the Senior Investigating Officer – they call them SIOs – will meet with and have quite a lengthy meeting with a complex case lawyer and the CPS. They will look at the evidence so far and steer it in a certain direction. For example, do we need to look at mobile phone data? Do we need to look at forensic evidence? Do we need to look at intelligence? The SIO has what we refer to as a toolkit nowadays and they actually go away and have quite intensive training around homicide investigation, but everything is done in collaboration and in close conference with the CPS. So, specialist case lawyers who have had quite a high degree of training, whereas I guess back in the day when I first started my career it was a little more slap-dash.

And is it the case that the CPS could look at what's been achieved and then make a decision that there is actually no point in carrying on with this for particular legal reasons or for some other kind of reason they could say, there's no point in taking this further?

Yes. And that does happen quite frequently.

Within the limits of confidentiality, are there any particular reasons that the CPS would say, ok, there's no point in carrying on with this investigation?

The most salient point that I would make around that, from the investigations that I have been involved in recently is, [as] I said at the top of the interview, that our investigations used to be biased towards the victim, or would head off down a direction or path in support of the prosecution. And [in contrast], now we are much more impartial and we will look at mitigating factors and evidence that could prejudice any subsequent prosecution at

court and those factors are chucked into the mix much more early on. As soon as they are identified they are flagged up, you talk about them at the debriefing at the end of the day and then they go into the melting pot with the CPS. I'll give you an example: there's been something in the media very recently where four football players were in Brighton and they were up in Crown Court for indecent assault. Basically, I think they had been out drinking and taken a girl back and had taken some indecent images on a mobile phone. The prosecution went down a certain path but at a very late stage the victim of that crime disclosed that nothing untoward happened. So that ultimately prejudices the case and that prosecution immediately collapsed and those footballers were free to leave the court with no further action.

Had she brought the complaint in the first place?

Yes.

But she decided that either untoward means that nothing illegal happened or that she had consented?

Without a shadow of a doubt there were images on one of their mobile phones. I think she had become embarrassed about that and for whatever reason she decided that she had been indecently assaulted whilst she was drunk. She had no memory of it and to be fair, with those factors a prosecution has to commence. But then in the cold light of day, under cross-examination at court, once they have gone through all of the facts, under cross-examination, which is obviously quite stressful, she's had cause to tell her version of events of what was the truth in her mind and I think it was substantially different from what these guys were in front of the court for.

So, the idea that the police are also now looking for things that might interfere with a case or make a case look slightly different from how it was initially presented, is that a relatively new thing that has come in?

I would certainly say within the last decade.

If we follow this line of thinking, following a more serious sort of case, let's suppose that there aren't currently any factors that would make the CPS say that they are not going to proceed. At what level are decisions made about things like how many officers need to be involved and who is making the administrative decisions about what they then go and do?

If you have a good understanding of the rank structure in the police it is what I would refer to as middle-tier management. If you're looking at a murder investigation or anything serious crime related, then SIOs tend to be of the rank of Chief Inspector and/or Superintendent. So they make those logistical decisions. They pull the strings and orchestrate the investigations, staffing, budgeting, resources and decisions in collaboration with the CPS.

How many on-going cases would any one SIO be involved in at any one time, typically?

Quite easily a dozen.

A dozen on-going, active cases?

Yes.

Wow.

It's a lot.

Are they managing that from a desk and delegating responsibility to the people out in the field or are they out in the field too?

No, they tend to be sort of working it out from a more strategic perspective. Whereas people like myself are out and about doing the day-to-day business around the crimes.

So people like you who are gathering the evidence and interviewing people, how many cases might you be involved in at any one time?

Slightly different for me, because I come from the intelligence community and it is very difficult to quantify a work load or a case load. But from an investigatory point of view, if you are looking at the East Midlands in general, that sort of response is now a regional response. So, Nottinghamshire police won't deal with their own homicides.

They won't?

They won't. There is a regional team that now look at homicide investigations in the whole of the East Midlands and they draw in police officers from the whole of the region. That's homicide. Serious and organised crime is the same, that's a regional response. Then you get down to your serious sexual offences, which are owned by the individual forces. So if you look at murder and serious organised crime, that sits above the sexual crimes, unless it's online exploitation of children, human trafficking and again that sits at a national level.

Policing nowadays is now based on the National Intelligence Model. Number 1 is local policing, so in Nottingham it will be split into districts or wards and will have its own policing team with the responsibility for everything that happens here. Level 2 is a regional response, the East Midlands in this area [for example], they have their own homicide teams and their own serious and organised crime unit. Level 3 looks at national and international issues, so dealing with issues such as people trafficking, drug importation, some of the bigger crimes.

And is it possible that someone who is working on a Nottingham-based crime could also be working on a Nottinghamshire investigation, or would they only work on one at a time?

It depends. Each investigation is resourced on its merits. For example, the last one I worked on was a classic 'whodunnit'; murder victim found dead, very little evidence to go on, so it was who can pull the rabbit out of the hat. And that was a very protracted, resource intensive, high-cost investigation that went on for a year and a half. Some last longer. If you look at the recent case in Derby, with the Philpotts¹, a massive, resource intensive... To be fair they got their breakthrough fairly early on, but the people who were involved in that... It was a regional response as opposed to just Derbyshire police dealing with that and if you look at any murder offence that happens in Nottingham, that will be dealt with a regional response. If you see policing in the future it will probably move to a more regional response and if you look at how Scotland has gone, maybe eventually there will be a national response.

I am assuming that it is possible that an offence that starts out looking like it's local, then with investigation it turns out that there are links to other crimes going on or other parts of the country, the use of resources is somewhat flexible.

Yes.

So, if it starts off being regional and it turns out that there are links to another region, then it may bring in national resources?

As far as national resources, if you look at how law enforcement is reflected throughout Levels 1, 2 and 3... How can I put it without going through the confidential side of things?... I am working on a job currently where we had some offences within my policing area, but there were more offences in another county elsewhere as well as other offences in other counties. We went to a series of meetings where you have a look at the investigations that I have got and the information that I have got around those offences, compare and contrast those with the others from other forces and then a strategic decision is made as to who is actually going to deal with that series. A series of offences will be connected by an M.O. but good quality villains or criminals don't understand boundaries, the East Midlands doesn't mean anything to them and the Eastern Region doesn't mean anything to them. Crime has no boundaries. Go [to] a geographical line on a map [and it] doesn't mean anything, but, the way things are set up around serious and organised crime it is a regional response so someone has to take ownership of that. Generally, common-sense prevails and the region that has the most offences and best evidence and/or if it is identified where those offenders emanate from, within that region they will assume ownership of that job. Generally, I have worked on a series of offences where a region has been unwilling to take ownership of a series by virtue of budgets, financial constraints, those kinds of things. Modern policing, we have seen our budgets cut by 25% at least and there is more to come. So it is all about money at the moment. But there is a National Coordinators office that will make decisions when decisions cannot be made at a regional level.

And while the investigation is going along there are meetings with the CPS, as they are ultimately going to represent the case in court. Who makes the decision that you have got enough evidence?

It will generally be the CPS. On a more local level they have a set of matrices for each type of crime and there is a point scoring for each offence and if it hits a 'gravity factor' then there is enough evidence to pursue, if it doesn't hit the gravity factor then there will be no further action.

And when it does reach that level, [that] there is enough evidence, it becomes a CPS issue and it is no longer a police issue, is that correct?

Yes, although I think sometimes the lines are a little fuzzy. Certainly at the moment there is a big issue locally in the area that I work in around offenses with driving licenses, whereby in 1994, I think the DVLA issued photocard licenses and they only last for 10 years, and then they expire. A decision was made nationally that if you haven't renewed your photocard then your licence became invalid, you got 3 points on your licence, up to £1,000 fine and as you can imagine, if someone presented their licence at court, had 9 points and then was disqualified, they could lose their livelihood, it could cause problems in their marriage, they might split up and they are expecting an absolute barrage of civil claims because they actually got that wrong. Now, is that a police decision that was wrong, or a court's decision? Where does the blame lie? Is it with the CPS? It's yet to be decided, but sometimes it gets a little bit fuzzy. As a police officer - and I have done it for a long time now- the blame game is part and parcel of the job and you do get used to it. And as you get longer in the tooth it's like water off a duck's back. You get used to getting things wrong and making the wrong decision, but ultimately I guess if you learn from it and learn not to do those things again... There's so much to do and so many things to know about that mistakes are going to happen.

In some cases officers are called to court to give evidence. Is that typically the SIO who will present the evidence?

No. It's generally people like myself, detective constables, constables, sergeants, inspectors - people actually investigating the jobs rather than making the more strategic decisions. Everybody has a case to answer at court

and we all expect to give evidence if we've been involved in those investigations.

So you are involved in developing the case and you are also expected to present that. Even though, in some ways, the fact that the CPS has said it's fine, it could also be a test of whether the evidence is reasonable. And then it's a case of the jury making a decision about whether they are convinced by what it is that you have found.

At the beginning of my career, from my perspective, I would be expected to be in court every week. Some weeks were a blur. I was in court every day. If jobs were up for sentencing, that was normally on a Friday, so every Friday I could expect, as a young detective, to be at Crown Court. Then as soon as they were sentenced, into the weekend. Nowadays the CPS, by virtue of these different offence matrices, do tend to separate the wheat from the chaff, so if a job hasn't got legs then it will get written off. But if the job is strong it will then go to trial or ultimately the defendant will plead guilty through a series of different hearings. So generally when we do go to court now it is few and far between because the majority of the jobs are strong and the defendants do plead guilty at the earliest opportunity, so they get a discounted tariff. This is the case in organised crime, which is my bread and butter, whereas back in the day every job went to Crown Court.

How would you say that the police manage the issue of putting in a lot of time and effort and then having another body (the CPS) turn around and say, 'we're not going to prosecute this'?

I think it is part and parcel of policing now. I think the biggest turning point in my career was the Soham murder inquiry... Mistakes were made, horrendous mistakes around Ian Huntley². Information and intelligence was disposed of and lost, police forces didn't work collaboratively, county boundaries caused problems with the sharing of information. But not only that, police forces tried to deal with all of their problems by themselves and the Bichard Inquiry³ subsequently identified that that was the biggest problem. A couple of chief constables lost their jobs and the trouble started to tumble down through the ranks. I suppose there was a lot of learning. We all learned a hell of a lot off the back of that job and it's probably the most salient learning curve as a police officer that we could have had at that time. At the end of the day, Ian Huntley was convicted of those murders and quite rightly so but I don't think anybody involved in those inquiries could give themselves a pat on the back because the two little girls perished by virtue of mistakes made by the police.

So, the point I am trying to make is that we have learned from that and now we share everything. Not only do we share everything, everything that we do, certainly in my line of business, we work collaboratively with joint partner agencies as well, so if we are looking at an issue, or we're looking at an organised crime group, which is what my bread and butter is, we'll do it in league with joint partner agencies, which is HMRC⁴, Trading Standards⁵... You name it, we work with them now and we share information and we investigate jobs together now.

And is that in an effort to make sure that cases are as bullet-proof as possible?

Absolutely. So, if you can imagine the Al Capone Syndrome... Ultimately he was convicted of tax evasions when at the end of the day he was a murdering racketeer. So, it is just trying to think outside of the box and see what everybody can bring in to the party, if you like. And it is law enforcement, not policing, that's the biggest change that I have seen... Across Level 2 law enforcement, which is what I am involved in.

Thinking about that, how police see offenders, do they see them as a person who has broken the law or are they seen as bad people, evil people, who deserve punishment? Is there any general sense in which the police see people who are being investigated and prosecuted?

I think it's up to the individual officer as to how they perceive individual offenders on each and every occasion. I could make any judgement on any person that I have had dealings with over the last 27 years. I would say, as I have become older and more experienced, I tend to look outside of the box and I can identify that there are reasons as to why people offend. And it is not because they are a scumbag or because they are evil. There is always something that sits behind it. Whereas as a younger officer it was more black and white for me; they were just offenders, they were just scumbags, we were fighting a war on crime, whereas now I am probably at the other end of the spectrum. I've got more understanding I think as to why people commit crime. Be it an addiction to drugs, or the fact that they were abused badly as children, any sort of mitigating factor that could have been involved in their upbringing or their lives.

Do you think that shift has made you a more effective officer?

It depends on how you quantify 'effective'. I certainly feel more worldly wise than I did before. I joined the police at 18, straight in at the deep end and learned a lot of rich and valuable life experiences as a very young man. Saw some good things, saw some bad things. Seen some horrendous things, which I would care to forget about at the drop of a hat and I wish hadn't happened to me, but I think it's made me a richer and wiser person, a much more tolerant person. I would also say that I am ready for a different direction in my life as well.

Because it is part of your job to investigate some of the worst aspects of human behaviour and in that [to] also be confronted by the consequences of that behaviour and the people who are carrying it out, how do you manage being exposed to those kinds of things? Are there any particular kind of police ways or any training that you are given?

I went to a disaster a long time ago, a really horrible event. It was the King's Cross fire⁶ as a probationary officer, as they were called then. Because I was the new guy on the shift I was thrown in at the deep end. They opened a temporary mortuary for the dead bodies at Kentish Town and myself and my colleague had to get a paper suit on and a mask and sift through the charred remains of the dead bodies to try and find any identifying features so that we could identify and notify the next of kin. That stayed with me for all of my service... On the flipside of that, as soon as we were finished it was a case of, 'Are you alright, son?', 'Yeah, yeah, I think so', 'Come on then, let's go and get pissed'. So we went out and got pissed. And that was the end of it, you were expected to be ok after that. That affected me for quite some time afterwards but it was sort of 'stiff upper lip' back then, there wasn't any counselling or anything like that, whereas now Occupational Health would swing in and deal with any aftermath of issues that you had thereafter. But you were just expected to get on with it. At that time I was 19 years old, I had just been away from home for a year and it was quite a lot to take. Do you ever forget about issues like that? Is it something that you can bury away? No. Not really.

Now there is some kind of support?

Oh yes.

But that is something that has come in relatively recently?

Yes.

Do you that was in response to something like the King's Cross fire?

Yes, I guess. I mean, the big one for all of us in London was the Poll Tax riots¹. That was horrendous. I worked at that and at that time police certainly were [scared]. People like myself didn't show that we were scared, but

I actually saw grown men cry on that occasion and my colleagues were genuinely scared. [The] person I was standing next to got a brick in the face and landed on the floor and his jaw was on his chest and... It was horrendous, it was horrible and it took a long time before we got any help and advice after that, but it did swing in eventually and then I think thereafter it got much better. And nowadays we are fairly well wrapped up. But as luck would have it I don't really put myself in those situations anymore. I've got myself a job where I very rarely come into contact with members of the public. Is it less dangerous? Yeah, probably.

But presumably, even though you may not be coming into contact with the public you are still privy to information that could be distressing?

Yes. And at the end of the day if something were to happen in front of me when I leave here today, I am duty bound to get involved and sort it out. And that's something that's through me like a stick of rock and I will get involved. But ultimately something could happen which could be detrimental to me, but at the end of the day it's my job and I've got to... Touch wood, it hasn't happened in a long time but you never know what's around the corner.

When you first decided to become a police officer, was your view of it that you would be dealing with crime rather than things like the King's Cross fire and the Poll Tax riots? Was your view that it was about fighting crime?

Yeah, I think so. Being a police officer is something that I always wanted to do, I always wanted to be a detective and I did everything as quickly as I could and then went off in a different direction as soon as I became a detective. I was unusual back then, I was quite young and fit, but being a detective back then was all about getting as drunk as you could, it was pretty shabby.

So, it is like the TV programmes?

Yeah, if you wanted a detective after two o'clock, one had to be hauled out of the pub. That's exactly how it was, without a shadow of a doubt and some of those things on the telly have been written very well. So, I went off in a different direction and did something else, probably for about a decade and then came back to being a detective a bit later on in my service. And things had cleaned up a bit. It's very rewarding and something that I had always wanted to do. It's something that I have always done, I've always been a detective.

If it's possible to sum up what you see the role of the police [being], how would you sum up that role in the UK?

Crikey... Caring, impartial, honest... Conducting yourself in a very professional and disciplined manner... Setting a good example for others... Compassionate... If you'd asked me this question 27 years ago, I would have given you a totally different answer.

It sounds like it was a different kind of force!

You wouldn't believe it. Good fun. It's not as much fun now. But that's for good reasons, it was a very sexist and racist profession back in the day and they have ironed that out now. They have confronted the demons and you don't see that any more. Which is a good thing, a really good thing. It's much more professional now.

Is there a way to summarise what you see the police role as within the criminal justice system?

I guess I have touched on that already. It is law enforcement, it is not policing any more, as far as I am concerned. I mean, there is a strand to it... I think there is more of a community focus, but I am not heavily involved in that. I sort of sit at a policing level above, which sounds a bit grandiose and it's not meant as that, but local policing as far as I am concerned, is much better than it used to be, there is more of a community focus. To be fair, a good half of all of my colleagues are community support officers... Is that a good thing or is that a bad thing? Well, they are not police officers but I think that they are dealt with as police resources... I would rather see a cop, I must admit, a police officer. I am not saying that they don't do a good job but they haven't got any powers and ultimately when they turn up to a job, if they haven't got the tools in the box to deal with it they have to send a police officer anyway. I see my job now as law enforcement rather than policing. They are two different things. We don't police events like we used to do, there is more responsibility on the local authority to provide stewards whereas before we used to police the living daylight out of everything. But it is more enforcement of the law than policing of the community now. That's how I see the biggest change over the last few years.

What would you say now and in the near future is the biggest challenge for UK policing?

It has got to be budgets. I can see that certain police forces are going to go bust. There could be a real financial crisis in policing. I can recall that on a night shift you are only allowed to do so many miles in a police car and if an urgent job came in, the person who had not driven so many miles had to go to that job because you are only supposed to use so much fuel. And I think we'll go back to those sorts of times where there is just insufficient money to put fuel in a police car to turn out to an emergency. Police forces are on the brink of bankruptcy and the biggest problem that I foresee in the near future is funding.

I am guessing that my view of police cars is similar to a lot of people. You are the police, you've got fuel, you do what you have to do...

No, they have the same financial constraints as everybody else now. With the devolution of budgets they have a pot of money that has to last every financial year, but then every year they have to give back and as budgets shrink the expense of running a police force does not appear to shrink, it gets more and more expensive so something has to give. They are looking at making people like me redundant.

To save money?

Yeah. And whereas I come close to retirement, there's always been an option to stay on if you are enjoying yourself, if things are fine. But now when you reach retirement you have got to go. They just can't afford to keep people on. And with that you lose your experience as well and you're highly experienced, highly trained individuals. 'Specialists', I guess you would call them, within the police, just have to go and do they get replaced? Yes, I guess so, but they do lose a lot of expertise.

Endnotes

¹ For more information on this case you can search the internet for Mick Philpott, for example; <https://www.bbc.co.uk/news/uk-england-derbyshire-22013080>

² http://en.wikipedia.org/wiki/Ian_Huntly

³ <http://dera.ioe.ac.uk/6394/1/report.pdf>

⁴ <http://www.hmrc.gov.uk/>

⁵ <http://www.nationaltradingstandards.uk/>

⁶ <https://www.theguardian.com/uk-news/2017/nov/18/kings-cross-fire-victims-honoured-30-years-on>
http://en.wikipedia.org/wiki/King's_Cross_fire