

Unit 39: Criminal Investigation Procedures

Unit code: R/502/5584

QCF Level 3: BTEC National

Credit value: 10

Guided learning hours: 60

● Aim and purpose

In order for a criminal prosecution to be successful, the Crown must provide secure and reliable evidence. This unit introduces learners to the methods, tools and legislation involved in criminal investigations.

● Unit introduction

The fundamental principle of British justice is that people are innocent until proven guilty and this is important for every member of the public. In this unit learners will gain an appreciation of the Criminal Justice System (CJS) and the role of agencies within it, such as the police, courts, and Crown Prosecution Service (CPS). The unit covers the legal framework within which the CJS agencies must work important legislation to protect individual rights and the adversarial system where prosecution and defence set out evidence in court to determine guilt or innocence. If the evidence collected by the Crown is not secure and reliable, the defendant will be acquitted, even if guilty. This illustrates the importance of rigorous criminal investigation procedures.

In order for learners to appreciate how to collect reliable and secure evidence, the unit looks at the principles that have been developed to minimise the risk of an innocent person being found guilty. Learners will look at the wide range of tools, skills and powers which can be used by investigators. As crime prevention measures can be a source of evidence for investigators, these will be described in this unit. Criminal investigations can range from minor crimes to major incidents, but the procedures to be followed must be equally rigorous in all cases.

● Learning outcomes

On completion of this unit a learner should:

- 1 Know the principles of basic criminal investigations
- 2 Know the aids and tools available to the criminal investigator
- 3 Understand the legal framework for criminal investigation and relationship with the Criminal Justice System
- 4 Understand the relationship between crime prevention methods and criminal investigations.

Unit content

1 Know the principles of basic criminal investigation

Stages of the investigative process – crime scene to court: initial response to reported crime; preliminary and follow-up investigations; standard operating procedures and regulation; report writing and presentation of evidence in court, eg the investigation plan; incident room; investigating leads; researching and analysing intelligence systems; gathering and analysing facts; identifying patterns and links; process of elimination; ethical considerations; use of press, media and other CJS agencies

Roles and responsibilities of the investigation team: police officers and powers of police; detectives; scene of crime officers and evidence recovery; forensic scientists and collection of forensic evidence; scientific support; Major Crime Squad; Crown Prosecution Service (CPS); role of other investigative agencies, eg Serious and Organised Crime Agency; military police; Immigration Service; HM Revenue and Customs; Environment Agency; Financial Service Agency; Post Office Investigations; NHS counter-fraud; private insurance and fraud agencies

Types of crime investigations: definition and classification of different crimes; level and type of criminal investigation; common criminal and civil offences; crimes against people, property, society; basic and serious offences; computer crime; organised crime; terrorism; sensitive cases, eg paedophilia, domestic violence, racial incidents; major incidents, eg train, aeroplane hijacking

2 Know the aids and tools available to the criminal investigator

Technical aids: eg scanners, bugs, probes, cameras, electronic facial ID software, Automatic Number Plate Recognition; operational policing tools and systems, eg National Intelligence Model, IMPACT Programme; profiling techniques, eg crime mapping, geographical profiling, offender profiling, psychological and behavioural profiling

Surveillance techniques: devices, eg CCTV, phone tapping, communications data surveillance, interception of communication; traffic data surveillance; covert operations, eg directed surveillance, intrusive surveillance, surveillance logs, levels of authorisation

Sources of information: Intelligence databases, eg Police National Computer, Home Office Large Major Enquiries System, National Automated Fingerprint Identification System, National DNA database, Driver and Vehicle Licensing Agency Database; criminal records; crime statistics; reports, eg crime, autopsy, toxicology; recorded 999 calls; models of crime investigation; written, tape and video recorded interviews and statements; requirements of PACE; personal records, eg telephone, mobile, financial; community intelligence

3 Understand the legal framework for criminal investigation and relationship with the Criminal Justice System

Legal framework: the adversarial system; definition of crime; elements of crime – guilty act (Actus reus) and guilty state of mind (mens rea); burden of proof; corpus delicti; types of evidence, eg hearsay, direct evidence, circumstantial evidence, collateral evidence; jurisdiction

Role of Criminal Justice System agencies in criminal investigations: courts, tribunals, appeals; national and local police forces, other law enforcement agencies; Crown Prosecution Service; National Probation Service; victim support

Legislation relating to criminal investigation procedures: arrest, search and seizure procedures; reporting and recording of crime; rules of evidence; disclosure of evidence; code of practice on data retention; communications service provider obligations; laws governing police powers, eg Criminal Justice Act Section 9 witness statements, Police and Criminal Evidence (PACE) Act 1984, Codes of Practice; Prosecution of Offenders Act; Criminal Procedures and Investigations Act; Youth Justice and Criminal Evidence Act; Regulation of Investigatory Powers Act (RIPA); Criminal Procedure Rules; Human Rights Act; Data Protection Act; Freedom of Information Act

4 Understand the relationship between crime prevention methods and criminal investigations

Identify individual and community based methods of crime prevention: manual and electronic security; individual and community based, eg education and campaigns, neighbourhood watch, community policing, crimestoppers; situational crime prevention methods, eg CCTV, ASBOs, opportunity and displacement theory; social crime prevention methods, eg environment, broken windows model, zero tolerance policing

Assessment and grading criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria for a pass grade describe the level of achievement required to pass this unit.

Assessment and grading criteria		
To achieve a pass grade the evidence must show that the learner is able to:	To achieve a merit grade the evidence must show that, in addition to the pass criteria, the learner is able to:	To achieve a distinction grade the evidence must show that, in addition to the pass and merit criteria, the learner is able to:
P1 describe the stages of the investigative process from the crime scene to the court [IE1,2]	M1 explain the different stages of the investigative process from the crime scene to the court	D1 relate the different stages to a successful outcome of the investigation with particular consideration of ethics
P2 identify the roles and responsibilities of the investigation team [IE1,2; SM2,3]	M2 explain the roles and responsibilities of the investigation team	D2 relate the roles and responsibilities of the investigation team to different types of investigation
P3 describe the technical aids and tools available to the criminal investigator [CT1,2]	M3 consider how these technical aids and tools can be used in different types of criminal investigation	D3 explain why the technical aids and tools selected would be chosen for different types of criminal investigation
P4 outline surveillance techniques used by criminal investigators [CT1,2; SM2,3]	M4 describe how surveillance techniques might be chosen for different types of criminal investigation	D4 explain why specific surveillance techniques might be selected for different types of criminal investigation
P5 describe the legal framework for criminal investigations	M5 outline the safeguards within the legal framework designed to protect people under criminal investigation	D5 evaluate the safeguards within the legal framework
P6 explain the role of Criminal Justice System agencies in criminal investigation [SM2,3]	M6 explain the role of the Crown Prosecution Service in criminal investigations	D6 assess the effectiveness of Criminal Justice System agencies in different types of criminal investigation
P7 explain how methods of crime prevention can contribute to criminal investigations. [IE1,2; SM2,3]	M7 assess the range of evidence which crime prevention methods could contribute to criminal investigations.	D7 evaluate the range of evidence which crime prevention methods contribute to criminal investigations.

PLTS: This summary references where applicable, in the square brackets, the elements of the personal, learning and thinking skills applicable in the pass criteria. It identifies opportunities for learners to demonstrate effective application of the referenced elements of the skills.

Key	IE – independent enquirers CT – creative thinkers	RL – reflective learners TW – team workers	SM – self-managers EP – effective participators
------------	--	---	--

Essential guidance for tutors

Delivery

The purpose of this unit is to develop the learners' knowledge and understanding of the procedures, techniques and tools used to investigate crime, and the roles and responsibilities of the agencies and individuals involved in criminal investigation.

The material in this unit should be introduced through a programme of theory and practical activities, tuition, guided learning and independent learner research. This unit should be delivered wherever possible through a practical investigatory approach, to enable learners to develop their skills and understanding of fundamental concepts required for further development in the area of criminal investigation practices.

Where specific acts and regulations are referred to in this unit, it is the latest versions of these that should always be considered.

Delivery strategies should reflect the nature of the investigative work involved in the criminal investigation by setting applicable crime scenarios and case studies. This unit is closely linked with *Unit 40: Criminal Investigations in Practice* and should be integrated wherever possible.

A range of teaching and learning methods may be used including:

- individual, pair and group research investigations, eg into different types of criminal investigations and investigators
- group verbal presentations, eg reviewing aids and methods used in investigating crime
- crime prevention case study seminars and workshops, eg reviewing current crime prevention media campaigns, eg mini-cab rape, mobile phone crime
- class and group discussions, eg differences between situational and social crime prevention models or ethics of surveillance techniques
- critical use of television, eg Crimewatch, The Bill, CSI, Law and Order, Silent Witness; and crime film and documentary DVDs, eg The Bone Collector, Copycat, Forensic Detectives
- examination and investigation of real and mock sources of information, eg witness statements, 999 audio recordings, telephone and bank records, autopsy forms
- use of recorded radio news broadcasts for discussion and debate
- criminal investigation case studies, eg mock investigations of current crime news
- role play, eg carrying out surveillance techniques, searching a suspect
- industrial visits, eg the Old Bailey, local criminal court, local police station
- guest speakers, eg police officer from crime prevention unit of local police force.

To cover learning outcome 1, learners need to know the different stages in criminal investigation right from the crime scene to the presentation of evidence in a courtroom and appreciate the importance of a clear trail right through the procedure. In this outcome the different types of criminal investigation must be introduced and linked to different types of crime. Learners need to understand the roles and responsibilities of the investigation team and the similarities and differences of different types of criminal investigation through studying different ACPO criminal investigation models.

Learning outcome 2 is focused on the technical and scientific aids and tools available to the criminal investigator to collect information and evidence in their investigations, together with the use of evidence from surveillance techniques and other evidence sources. From the information and evidence collected, investigators can determine whether a crime has been committed and who is responsible. Learners need to know the different roles of techniques available and the different types of information provided by them.

For learning outcome 3, learners will need to understand the legal framework under which criminal investigations take place and appreciate safeguards in place to protect individual rights. The role of criminal justice agencies in the criminal investigation process will be considered in this learning outcome and this will take account of the constraints established in law which ensures separation of the police from the judiciary.

For learning outcome 4, learners will need to take account of the main crime prevention approaches and consider the types of evidence which they can contribute to the criminal investigation process.

Outline learning plan

The outline learning plan has been included in this unit as guidance and can be used in conjunction with the programme of suggested assignments.

The outline learning plan demonstrates one way in planning the delivery and assessment of this unit.

Topic and suggested assignments/activities and/assessment

Introduction to unit and programme of assignments.

Introduction to principles of basic criminal investigation.

Tutor input on practices at crime scene.

Case studies/learner research.

Practical or simulated exercise to cover content aspects, drawing out roles and responsibilities of team.

Learner research supported by tutor input on agencies not covered in the exercises.

Whole class discussion on use of the media, learner feedback on what they have seen or read about crime investigations particularly in their local area.

Tutor input on types of crime investigation.

Learner research on particular types of investigation followed by presentations or reports.

Assignment 1 – From the Crime to the Courtroom (P1, P2, M1, M2, D1, D2)

Introduction to aids and tools available to the criminal investigator.

Tutor input on types of aids available.

Class discussion, case studies or exercises on aids available, how are they used; evidence from media could be useful here.

Assignment 2 – Different Crimes, Different Tools? (P3, M3, D3)

Tutor input on surveillance techniques.

Classroom discussion and debate and/or practical exercise looking at local community to see examples of surveillance techniques.

Tutor input on sources of information.

Class discussion/debate on these sources and use of current information from media, eg recent European legislation on police retention of DNA samples from innocent people.

What safeguards are in place to control police powers in collection of evidence (eg PACE). Why are these important for the public?

Assignment 3a – Catching Criminals – Useful Techniques (P4, M4, D4)

Topic and suggested assignments/activities and/assessment

Introduction to legal framework for criminal investigation and relationship with the Criminal Justice System.

Tutor input on the fundamental principles – adversarial system, innocent until proven guilty, separation of state and judiciary.

Definition of crime and elements of crime – classroom discussion and/or debate after tutor input.

Difference between actus reus/mens rea – learner research, report/presentation.

Types of evidence tutor led discussion and use of learner evidence from media eg newspaper articles, TV programmes if possible with local input.

Tutor input on criminal justice agencies.

Learner research, case study/visits, external speakers from CJS agencies particularly courts and CPS involvement in the processes.

Tutor input on legislation relating to criminal investigation procedures.

Learner research, case studies, role play, media evidence on how legislation controls procedures.

Assignment 4 – The Police Should Be Judges and Jurors to Ensure that Criminals Get What They Deserve (P5, P6, M5, M6, D5, D6)

Introduction to relationship between crime prevention methods and criminal investigations.

Tutor input on individual and community based methods of crime prevention.

Learner research on use of these methods in local area – survey, research, reports, presentations.

Local input from agencies, eg neighbourhood watch, local community police.

Learner research on media presentation of individual and community based methods of crime prevention.

Tutor input on situational and social methods of crime prevention.

Learner research on local application of these methods.

Tutor input and whole class discussion/debate on how these measures impact on criminal investigation procedures – ideally linking with local examples.

Assignment 3b – Catching Criminals – Useful Techniques (P7, M7, D7)

Review of unit and programme of assignments.

Assessment

All the pass criteria must be met in order to achieve this unit. For P1, learners must describe, in logical order, the main stages of the criminal investigation process from its beginning at the crime scene right through to the presentation of evidence in court. For M1, learners must explain the importance of the different stages in the investigative process from the crime scene to the court, and take due account of the order of the stages. They must also take account of the principles underpinning the investigatory process. For D1, learners must analyse how the different stages in an investigation can contribute to a successful outcome and illustrate by using examples where errors in each stage could lead to acquittal of a guilty party. Ethical considerations are important in this context and successful coverage of this criterion will show understanding not only of the stages but where things can go wrong.

For P2, learners need to outline the roles and responsibilities of the investigation team during criminal investigations. For M2, learners must explain the different roles and responsibilities of the investigation team with reference to the different stages in the process from crime scene to court. For D2, learners must demonstrate with examples how roles and responsibilities of the investigating team can vary depending on the type of investigation, eg a mugging case, domestic violence, and a terrorism charge.

For P3, learners must describe a range of different types of aids and tools which are available to the criminal investigator, taking due account of the content descriptors. For M3, learners need to show how technical aids and tools can be used in different types of criminal investigation and should interpret information from these aids and tools. For D3, learners need to build on the skills demonstrated for M3 to use underpinning theory to justify the selection of technical aids and tools in different types of criminal investigation, and to look critically at information obtained from the aids and tools.

For P4, learners need to be able to outline a range of surveillance techniques which can be used by criminal investigators. For M4, learners need to describe how criminal investigators would select surveillance techniques suitable for different types of criminal investigation, and demonstrate awareness of the types of evidence obtained by the techniques. For D4, learners need to justify the selection of surveillance techniques for different types of criminal investigation and critically review the types of evidence obtained.

For P5, learners must describe the legal framework which regulates the criminal investigation process. For M5, learners need to outline safeguards within the legal framework which are designed to protect people under criminal investigation and give examples to show how legislation controls and limits the criminal investigation process. For D5, learners need to evaluate the operation of safeguards within the legal framework and identify examples where and how these safeguards have not worked.

For P6, learners need to outline the role of Criminal Justice System agencies in criminal investigations. For M6, learners need to explain the role of the Crown Prosecution Service in criminal investigations. For D6, learners need to look critically at the role of Criminal Justice System agencies in different types of criminal investigations and assess their effectiveness.

For P7, learners need to describe how methods of crime prevention can contribute to criminal investigations. For M7, learners must assess the range of evidence which crime prevention methods could contribute to criminal investigations and give examples of such evidence.

For a distinction grade, all of the pass, all of the merit and all of the distinction criteria must be met. For D7, learners need to evaluate the range of evidence which various types of crime prevention methods produce and out strengths and weaknesses in the different types of evidence to support their judgements.

Programme of suggested assignments

The table below shows a programme of suggested assignments that cover the pass, merit and distinction criteria in the assessment and grading grid. This is for guidance and it is recommended that centres either write their own assignments or adapt any Edexcel assignments to meet local needs and resources.

Criteria covered	Assignment title	Scenario	Assessment method
P1, M1, D1 P2, M2, D2	From the Crime to the Courtroom	As a new recruit to a local criminal investigation team, you need to find out what your roles and responsibilities will be within the team.	Research, group work, role play, presentation of evidence collected.
P3, M3, D3	Different Crimes, Different Tools?	As a trainee member of your local police team you are presented with a list of tools and techniques available for you to investigate crime. You need to correctly select appropriate tools for at least two different types of criminal investigation.	Group research, individual reports, presentations.
P4, M4, D4 P7, M7, D7	Catching Criminals – Useful Techniques	The UK is reported to be the most intrusive society in history. What evidence is there of state surveillance? Work in teams to survey your local area, research media sources and collect evidence of different surveillance techniques. Report on your findings to show what sort of evidence is collected and how it might be used in criminal investigations.	Group work, notes for presentations, individual reports.
P5, M5, D5 P6, M6, D6	The Police Should Be Judges and Jurors to Ensure that Criminals Get What They Deserve	Learners are required to collect evidence using this claim as a basis, and draw out ways in which the current legislation and operation of the criminal justice system opposes this claim.	Research in groups, debates on issues involved; individual reports, essays or presentations supported by detailed notes.

Links to National Occupational Standards, other BTEC units, other BTEC qualifications and other relevant units and qualifications

This unit forms part of the BTEC in Applied Science sector suite. This unit has particular links with the units shown below in the BTEC Applied Science suite of qualifications:

Level 3
Criminology
Criminal Investigations in Practice

Essential resources

Learners require library resources and access to the internet. Guest speakers and visits are also important.

Employer engagement and vocational contexts

Learners should be encouraged to visit a police station and to use local media and ideally talk to community groups. Guest speakers from the Criminal Justice System would be a very useful resource and would be beneficial in strengthening links between academic centres and their local communities. Visits to courtrooms will enable learners to witness the presentation of evidence and how the adversarial system works in practice.

Indicative reading for learners

Textbooks

Conner P, Hutton G, McKinnon G and Johnston D – *Blackstone's Police Investigator's Manual (Blackstone's Police Manuals)* (Oxford University Press, 2008) ISBN 9780199236800

English J and English B – *Police Training Manual* (McGraw-Hill Professional, 2003) ISBN 9780077107314

Milne R and Bull R – *Investigative Interviewing: Psychology and Practice* (Wiley-Blackwell, 2007) ISBN 9780470016275

Pepper I – *Crime Scene Investigation: Methods and Procedures* (Open University Press, 2004) ISBN 9780335214907

Quinn F and Elliott C – *Criminal Law* (Longman, 2006) ISBN 9781405835282

The Home Office – *Covert Surveillance: Code of Practice* (Stationery Office Books, 2002) ISBN 9780113412846

Journal

British Society of Criminology

Websites

cbs1.gcal.ac.uk/law/jbc/papers/DLeary.pdf	The Art of Storytelling in Police Investigation
faculty.ncwc.edu/TOConnor/315/315lects.htm	Lecture notes for criminal investigation
www.acpo.police.uk/asp/policies/Data/Hate%20Crime.pdf	ACPO criminal investigation guide for hate crime
www.acpo.police.uk/asp/policies/Data/volume_crime_manual.doc	ACPO Investigation of Volume Crime Manual
www.angelfire.com/mi/cj243/index.html	Criminal Investigation Online Course
www.cjsonlinegov.uk	The Criminal Justice System for England and Wales
www.cps.gov.uk/legal/d_to_g/evidence_admiting_evidence_under_the_cja/	The CPS Admitting Evidence Under Sections 9 And 10 Criminal Justice Act 1967
www.cps.gov.uk/legal/section20/chapter_d.html#_Toc50351028	Covert surveillance information
www.crimescene.com	Crime scenes
www.homeofficegov.uk/security/surveillance/types-of-surveillance	The Home Office types of surveillance
www.leeds.ac.uk/law/hamlyn/toc.htm	UK Law Online
www.met.police.uk/crimeprevention	Metropolitan Police crime prevention information
www.opsi.gov.uk/acts/acts1996/1996025.htm	Criminal Procedure and Investigations Act 1996
www.opsi.gov.uk/si/si2005/20050384.htm	The Criminal Procedure Rules 2005
www.police.homeofficegov.uk/operationalpolicing/powers-pace-codes	PACE codes and police powers
www.security.homeofficegov.uk/surveillance	The Regulation of Investigatory Powers Act (RIPA)

Delivery of personal, learning and thinking skills

The table below identifies the opportunities for personal, learning and thinking skills (PLTS) that have been included within the pass assessment criteria of this unit.

Skill	When learners are ...
Independent enquirers	[IE1,2] researching for information on the investigative process and roles of the investigation team
Creative thinkers	[CT1,2] asking questions when looking into techniques and aids used by criminal investigators
Reflective learners	taking part in group work undertaking assignments and giving presentations
Self-managers	[SM2,3] organising assignments and meeting deadlines, group work dynamics.

Although PLTS are identified within this unit as an inherent part of the assessment criteria, there are further opportunities to develop a range of PLTS through various approaches to teaching and learning.

Skill	When learners are ...
Independent enquirers	[IE3,4] engaging in class discussions and debates; evaluating safeguards within the legal framework
Creative thinkers	[CT4] considering ethics related to criminal investigations
Reflective learners	[RL2,3] setting goals for work/assignments; act on progress
Team workers	[TW5] analysing their contribution to discussions
Effective participants	[EP2,3] solving problems and looking creatively at ways to tackle group work, presentations and survey work.

● Functional Skills – Level 2

Skill	When learners are ...
ICT – Use ICT systems	
Select, interact with and use ICT systems independently for a complex task to meet a variety of needs	preparing assignments and presentations collecting of evidence/data.
Use ICT to effectively plan work and evaluate the effectiveness of the ICT system they have used	planning and preparing assignments
Manage information storage to enable efficient retrieval	saving work at various stages, recovering and progressing the work following good it practice
Troubleshoot	referring problems to technician where not resolvable
ICT – Find and select information	
Select and use a variety of sources of information independently for a complex task	researching for assignments and visits
Access, search for, select and use ICT-based information and evaluate its fitness for purpose	researching for assignments
ICT – Develop, present and communicate information	
Enter, develop and format information independently to suit its meaning and purpose including: <ul style="list-style-type: none"> • text and tables • images • numbers • records 	preparing material for presentations
Bring together information to suit content and purpose	working on assignments, presentations
Present information in ways that are fit for purpose and audience	group feedback, presentations
Evaluate the selection and use of ICT tools and facilities used to present information	self reflection on their use of it on the course
Select and use ICT to communicate and exchange information safely, responsibly and effectively including storage of messages and contact lists	researching for information, preparing for assignments writing reports
Mathematics	
Understand routine and non-routine problems in a wide range of familiar and unfamiliar contexts and situations	using various data collection methods in researching technical aids, tools and surveillance results
Identify the situation or problem and the mathematical methods needed to tackle it	interpreting data from investigative methods

Skill	When learners are ...
English	
Speaking and listening – make a range of contributions to discussions and make effective presentations in a wide range of contexts	listening to guest speakers and on visits contributing to debates and discussions giving feedback to peers
Reading – compare, select, read and understand texts and use them to gather information, ideas, arguments and opinions	researching material, preparing presentation information
Writing – write documents, including extended writing pieces, communicating information, ideas and opinions, effectively and persuasively	writing assignments and reports inviting and thanking guest speakers.