



ACCREDITATION OF POLICE STATION REPRESENTATIVES

WRITTEN EXAMINATION

PART B

PART B

Question 1

[Total 20 marks]

You attend a police station to advise Tania who is under arrest on suspicion of affray. The police tell you that Mike telephoned the police station to report a group of football supporters walking along the street shouting and throwing beer bottles. Mike was frightened and watched the group from behind a parked van on the other side of the street. The police arrested Tania in the next street. The police invited Mike to look at Tania while she was sitting in the back of the police car. Mike did this and told the police that she was one of the football supporters. The police tell you that when they approached the group, Tania shouted abusively at them and brandished an empty beer bottle. Tania was searched at the police station and the police took away her purse and a packet of paracetamol tablets.

You are required to answer the following questions briefly.

- (a) Explain to Tania whether it was lawful for the police to search her and to remove her purse and what will happen to the purse. (3 marks)
- (b) Advise Tania what must be proved to establish affray. (3 marks)
- (c) Analyse the evidence available to the police in order to explain to Tania whether or not it appears that some members of the group of protesters had committed affray. (4 marks)
- (d) Advise Tania of the significance of Mike identifying her while she was sitting in the back of the police car. (3 marks)

(e) Advise Tania what, if any, opportunities she might have to challenge the identification made by Mike.

(3 marks)

(f) Advise Tania, prior to interview, about the strength of the evidence available to the police and what matters the police would need to establish in the course of interview (or by other means) if she is to be charged with affray.

(4 marks)

Question 2

[Total 20 marks]

You are present in a police station to advise Tania who is under arrest on suspicion of affray. Tania was identified by Mike as one of a group of football supporters who had been shouting and throwing bottles. In private consultation, Tania tells you that she had drunk five pints of lager and that she and her friends had been singing Aston Villa songs very loudly. Tania denies that she threw any bottles. Tania tells you that she does not want to answer questions because she does not want to name any of her friends to the police. At the beginning of the interview, the interviewing officer says to Tania:

"When you were arrested you said: "We are going to sort out some Blues fans who are causing bother. " **[Police statement 1]**

Following this statement you stop the interview. During the course of the interview, you make a number of further interventions to advise Tania. Eventually the interviewing officer says to you:

"If you make any further attempt to obstruct the interview you will be excluded."
[Police statement 2]

You are required to answer the following questions briefly.

- (a) Advise Tania of the significance, if any, of the fact that she had drunk five pints of lager.
(2 marks)
- (b) Advise Tania, giving reasons, about the potential consequences of answering questions during interview but refusing to name any of her friends.
(3 marks)
- (c) Advise Tania of the potential consequences of refusing to answer any questions during interview.
(4 marks)

(d) Explain, to Tania whether or not her alleged statement ("We are going to sort out some Blues fans who are causing bother") would be admissible evidence against her if, when asked about it, she denies ever having made it.

(4 marks)

(e) Explain to Tania whether it is proper for the interviewing officer to put her alleged statement to her at the beginning of interview and what is the purpose of doing so.

(3 marks)

(f) What, if any, would be your response when you are told that you will be excluded if you make any further attempt to obstruct the interview?

(4 marks)

Question 3**[Total 20 marks]**

You attend a police station to advise Satnam who is under arrest on suspicion of burglary at a supermarket in which a large quantity of cigarettes and alcohol were taken. The police searched Satnam on arrest but found nothing incriminating. They now intend to perform a strip search. Satnam is unhappy about being strip searched and asks your advice about what it means and whether he must submit to it. The police also intend to search Satnam's parents' house. In private consultation Satnam tells you that he lives with his girlfriend but does not wish to disclose this to the police. Satnam suggests that he tells the police that he lives at 3 Lobelia Avenue (a house belonging to somebody else) in order to avoid searches to his parents' or his girlfriend's homes. Satnam tells you that he is feeling unwell because he is suffering from drug withdrawal and does not wish to be interviewed.

You are required to answer the following questions briefly.

- (a) What advice would you give to Satnam about the meaning and conduct of a strip search and whether or not he is required to submit to it?
(4 marks)
- (b) What action would you take in response to the proposal to strip search Satnam?
(3 marks)
- (c) What advice would you give to Satnam about the proposal to search his parents' house?
(4 marks)
- (d) What action would you take in response to the proposal to search Satnam's parents' house?
(3 marks)

(e) What advice would you give Satnam about his proposal to tell the police that he lives at 3 Lobelia Avenue?

(3 marks)

(f) What action would you take when Satnam tells you that he is feeling unwell and does not want to be interviewed?

(3 marks)

Question 4

[Total 20 marks]

You attend a police station to advise Satnam who is under arrest on suspicion of burglary at a supermarket. Satnam has been searched and his parents' house has been searched but nothing incriminating has been found. Satnam has refused to provide fingerprints and a DNA sample. Satnam has asked that Liz, his girlfriend, be informed of his arrest. Satnam has given the police Liz's mobile phone number, but the police have refused to contact her unless Satnam provides the full address of their shared flat which the police would like to search. In the course of interview the interviewing officer says:

"If you do not co-operate I would not promise that we will take a great deal of care when we find out your address and search the flat."

[Police Statement 1]

Following the interview, you are informed that the police propose to hold Satnam for a further period and to refuse bail.

You are required to answer the following questions briefly.

(a) Advise Satnam how long he can be held for and what factors may have a bearing on the duration of his detention prior to being charged or released.

(4 marks)

- (b) What advice would you give to Satnam in relation to the refusal to inform Liz of his arrest? Would you also make any representations and if so, what?
(4 marks)
- (c) What action, if any, would you take following **[Police Statement 1]**?
(3 marks)
- (d) Advise Satnam what safeguards would apply to protect his girlfriend's property if her flat were to be searched.
(3 marks)
- (e) What advice would you give to Satnam in relation to the police proposal to take his fingerprints and a DNA sample?
(2 marks)
- (f) Advise Satnam what factors will influence whether or not he is kept in custody or released after charge (if he is later charged) and how this issue will be determined.
(4 marks)