

Do the police achieve  
the aims of the  
criminal justice  
system?



' The aims of the criminal justice system in England and Wales are always achieved'. Critically discuss this positional statement with regard to one of the following - The police

The Criminal Justice System is, " a complex social institution which regulates, governs and controls social disorder and contemporaneously maintains the status quo of a particular society." (*Hucklesby/Wahidin, 2013, p. 1*) In order for the criminal justice system to maintain this, ' status quo', each institution inside has its own specific aims with their own goals to ensure safety and peace amongst communities in England and Wales. For example, preventing and deterring crime through the use of police officers walking around the streets. Additionally, it aims to punish offenders, maintain justice in courts and ensure law and social order. However, the reality of whether these aims are achieved successfully is questionable and one to determine.

One of the agencies in the criminal justice system are the police, whose aim is to prevent and reduce crime by arresting people performing illegal activities. When discussing the aims of the criminal justice system this essay will focus on the police. In order to do this the following areas will be critically explored; the history of the police, their aims and their role in society.

" The purpose of the police service is to uphold the law fairly and firmly; to prevent crime; to pursue and bring to justice those who break the law; to protect, help and reassure the community." (T. Newburn, 2003, p. 87) Over the years the aims of the police have become blurred with increasing roles being added. Many cases involve multi-agencies with the police taking a leading role whether this is appropriate or not. The number of criminal laws

has greatly increased with the number of crimes per officer also increasing. Therefore, it is clear that the police are an agency within the criminal justice system that have a significant duty when tackling crimes. To an extent it can be argued that due to this increased role it makes it more challenging for the police to always achieve their aims on such a broad scale. An example is, "the increasing use of motor cars from the 1930s in particular generated challenges for the police." (Turner et al, 2017, p. 188) This means that criminals were much harder to apprehend as they were driving motor cars whereas the police were used to being on horseback or on foot. Similarly in today's society the Borough Commander of Hackney Police, Chief Superintendent Steve Dann, feeling somewhat uncertain said,

"My belief is I think we need to fundamentally review what policing is about ... it is such a complex business now, so I think we need to take a bit of a time out and say: "Okay, what are we here for?" (Affairs, 2008) This clearly indicates that the police's aims in modern day society are becoming confused with what they originally were set up to do in 1829; this could be down to the culture shift in advanced industrial society. For example, with technological changes in society there are more corporate crimes committed on a day-to-day basis which are completely internal; the police would not necessarily pick upon these crimes as part of their regular duties.

With this being said, Sir Robert Peel in 1829, came up with nine principles of law enforcement which in policing today is developed and summarised in the 'Peelian Principles'. These principles are based on the fact that the police have the power but only by the consent of the people. These principles are still valid today and have shaped the approach of the HMIC, formerly known <https://assignbuster.com/do-the-police-achieve-the-aims-of-the-criminal-justice-system/>

as, ' HerMajesty's Inspectorate of Constabulary and Fire & Rescue Services'.

AsChief Constable Alex Marshall from the College of Policing stated,

“ Weshould be proud of our history and constantly strive to live out the Peelianprinciples as they apply in the modern context.” (Marshall, 2004)

The fact thatthe College of Policing follow these key aims emphasises that when people trainto become part of the police force principles, such as crime prevention andco-operation with the public, are embedded in the heart of their programme. This leads society to believe that with the right training their aims can beachieved.

Alternatively, this is not always the reality, an aim in particular that the police appear tohave abused, and have not previously achieved, is the excessive use of forceupon people in some cases. As one of the police's general instructions they canuse, “ minimum physical force if necessary after the exercise of persuasion, advice and warning.” (Office, 2012) However, one casewhere the police did not achieve this aim was with Harry Stanley in 1999. Stanley was shot dead by the metropolitan police as they thought he was armedwhen in reality he was found carrying a table leg. The Crown ProsecutionService however accepted the police's declaration that they were acting inself-defence. However, the Guardian newspaper headline was, “ Killing of manwith table leg unlawful” (Association, 2004). Thus, the media clearlyheld the opinion that this act was wrongful although the police officers werefound not guilty by the court. A further case was that of Ian Tomlinson. In the2009, “ London summit protests”, Tomlinson was a bystander who was pushed to theground by a police officer which subsequently led to his death.

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The officer from the Metropolitan Police's Territorial Group was charged with manslaughter but also found not guilty. Cases such as these show a clear indication of where the police have abused their power and have not achieved their aims.

Ashworth and Redmayne identify that, " police behaviour is influenced by a ' cop culture' that is widely spread through the organisation." One of the elements that they mention which creates this ' cop culture' is " the ' macho image,' this includes heavy drinking and physical presence and may extend to sexist and racist attitudes." (Redmayne, 2010, p. 69) Here, the ' physical presence' is clearly used in some cases to exercise the police's power.

An important case where the police did not achieve their aims but instead appeared to abuse their power was in the ' Hillsborough Disaster'. As the Telegraph stated, " Hillsborough verdicts: Police to blame for disaster in which 96 Liverpool fans were unlawfully killed." (Watson, 2016, p. 1) The ' Hillsborough Disaster' was a fatal human crush during the FA Cup semi-final match between Liverpool and Nottingham Forest in Sheffield at the Hillsborough Stadium, in 1989. There was a substantial amount of overcrowding and a police officer ordered Exit Gate C to be opened, this led to more supporters entering the central pens, which subsequently led to the crush. However, it took 27 years for the police to finally admit and accept the blame for causing the deaths of the ninety-six people who died in the crush. Initially the police gave the media information accusing the supporters of, " violent behaviour after drinking alcohol" (Conn, 2016), however the deaths were not accidental and it has been established as a " major cover-up <https://assignbuster.com/do-the-police-achieve-the-aims-of-the-criminal-justice-system/>

had taken place in an effort by police and others to avoid the blame for what happened...the police 'caused or contributed' to the disaster and that the victims have been unlawfully killed." (Watson, 2016, p. 1) The Hillsborough Disaster is no doubt one of the greatest miscarriages of justice that was caused by the police. With a case like this it becomes difficult to suggest that the police have achieved any of their aims in preventing crime and protecting people.

In contrast to this, a key aim of the police is to make arrests when they feel it is necessary to do so and 'stop and search' anyone who they believe to be acting suspiciously. In the year ending March 2018, "there were 698,737 arrests carried out by the police in England and Wales... and in the year ending March 2008, there were almost 1.5 million arrests." (Office, 2018, p. 6) This evidence indicates that the police are making fewer arrests as time passes into more recent years, indicating a potential decrease in crime of the individuals. Therefore, if the statistic for arrests is decreasing, it could be argued that the police are achieving their aim by preventing and therefore reducing crime.

Additionally, a case where a police officer went above and beyond his duty is Wayne Marques in the London Bridge attack of 2017. Here a terrorist vehicle drove straight into pedestrians on London Bridge. Marques attempted to fight the attackers with a baton and got stabbed in the process. This heroic move and bravery were recognised across the country especially in the media. For example The BBC news wrote headlines such as, "London Bridge attack officer fought to keep people alive." (News, 2017) Marques was

left temporarily blinded with stab wounds in his head, leg and hand, this sort  
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of courageousness saved many more people's lives showing his heroism. Marques had Royal recognition and was rewarded a 'George Medal' for his bravery. Acts like this makes the criminal justice system credible as it demonstrates that their aims are being achieved in the capacity of being a police officer but even further by taking near fatal wounds in the act of saving other people. Thus, an example where police officers such as Marques achieve their aims in keeping people safe.

Conversely, although the police in some instances save people's lives and prevent crime from happening by arresting individuals, this has not reduced the fear of crime. For example, the Police Foundation state, "There is a significant and sustained rise in the levels of crime for several decades... a rapid increase in feelings of insecurity and fear of crime." (Police Foundation / Policy Studies Institute, 1996) A reason for this could be the use of the media, for example Ian Marsh who states that television programmes only emphasise this, "Crimewatch has been criticised for contributing the fear of crime through its emphasis on and dramatic reconstructions of violent and sexual crime." (Marsh et al, 2017) This evidence suggests that the aim of attempting to reduce the fear of crime is not being achieved; in fact it is being highlighted. Thus making the perception of crime becoming worse than it actually is, mildly undermining what the police do in terms of their roles. However, the media do tend to portray the police in a positive light, suggesting them being 'heroes' as in the body of a text read by a news reader or printed in a newspaper, this then could arguably distort the public's view, as with the case of Harry Stanley where police brutality was evident.

However, there continues to be large numbers of police officers being investigated for the assault of prisoners/suspects/public with very few of these being suspended. " The Met in 2015 for instance has over 1200 Officers being investigated and only 5 were suspended and 28 put on restricted duties." (Gallagher, 2015) This, through its existence, shows that the aims of the police are being abused and not being achieved at all. It could be suggested however, that police officers are an ' easy target' and are more likely to be accused of assaults particularly if a prisoner is guilty of a crime and trying to deflect some of this blame.

In 2016 there was an alleged assault by the Police on Julian Cole that left him paralysed and brain-damaged. The Police were asked to suspend the officers during the investigation, but they did not do so. This is an example of the Police not matching the requirements of the justice system both during (allegedly) and after the event. " The officers were found to have lied in both their pocket notebooks and subsequent statements to investigators about Cole's condition" (Gayle, 2018) The fact the police not only changed Cole's life forever leaving him severely paralysed and brain damaged, they lied. This illustrates the horrific nature in some instances where police definitely do not achieve their aims and certainly do not follow their job role. In the end, three officers were sacked, however the fact they were only ' sacked' and no further action was taken shows a huge flaw in the criminal justice system because it is clear there has not been any justice for Julian Cole.

In London people who live there are about, " one third of the population but account for over 55% of brutality claims". (Robinson, 2017) In the West

Midlands the contingent is 14% of the population but half of the brutality  
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cases. " Ofthe 146 ongoing police assault investigations in the West Midlands whereethnicity is recorded, 71 complainants are white (49 per cent) and 69 black orAsian (47. 5 per cent" (Gallagher, 2015) This is rathersignificant as the statistics show that over half of the population living thecapital of England have been subject to police brutality. Alongside in the WestMidlands it appears to show that ethnic minorities are victimised by policeofficers thus indicating the police by no means achieving their aims in thecriminal justice system.

There isan argument that if quantitative targets were removed the Police could use more discretion when dealing with an incident. However, this could result in a lackof skills in making discretionary decisions placing pressure on individualofficers and mistakes being made. Greater leadership and supervision fromsuperior officers would be required and this could unnecessarily use the scarceresources that are available.

In summary, the Criminal Justice System exists to uphold thelaw and deliver justice where crimes have occurred. It would be too simplistic to suggest that this would occur without challenge. Any system of significance, such as the police force, will inevitably have its own glitches. One wouldalways strive to achieve the ends in delivering a flawless establishment but asdemonstrated it is clear to see that any system has challenges and each in turnhas to be dealt with on a case by case basis. However, it appears from theresearch that the police do not achieve their aims in many cases and this is toa rather significant extent. Examples of statistics and cases moslty indicatepolice not performing their job role in the proper manner which leads to

manyundeserved deaths and injuries. A prime example being the <https://assignbuster.com/do-the-police-achieve-the-aims-of-the-criminal-justice-system/>

Hillsborough disaster. In conclusion, although the police have a set of rules and procedures to follow it does not seem they uphold them to their highest standard in many cases. Excluding individuals obviously such as Wayne Marques, it needs to be noted that as a whole police brutality should be taken more seriously and dealt with severely.

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