****

**Knowledge Rich Curriculum Plan**

A-Level Criminology- Unit 3: From Crime Scene to Courtroom



| **Lesson/Learning Sequence**  | **Intended Knowledge:***Students will know that…* | **Tiered Vocabulary**  | **Prior Knowledge:***In order to know this students, need to already know that…* | **Assessment**  |
| --- | --- | --- | --- | --- |
| **1.1 Introduction to the Roles of Personnel Involved in Criminal Investigations.**  | * Students will know that the term personnel means the people who are employed by an organisation, or who are working on a particular case.
* Students will know that the term reliable means that something is of a consistent quality.
* Students will know that the term inadmissible is used to describe evidence that is not allowed to be used in a criminal case.
* Students will know how police officers are responsible for responding first to crime scene and piece all the information together to help solve a case.
* Students will know that Crime Scene Investigators in the UK are also known as Scenes of Crime Officers (SOCO), and that they role is to carefully collect evidence from a crime scene.
* Students will know that Forensic Scientists primarily work in a laboratory to interpret evidence in a scientific way and then report findings to investigators*.*
 | **Personnel****Reliable** | Students need to already know that various people are involved in criminal investigations, and may be able to name some such as police officers and forensic scientists. | Weekly questions set as homework and teacher assessed. |
| **1.1 Evaluating the Effectiveness of Police Officers.** | * Students will know that police officer’s main responsibility is the preservation of life.
* Students will know how police officers contribute to an investigation by securing a crime scene. This may mean monitoring the crime scene to ensure that nobody passes through it for a significant period of time until a thorough investigation in the area has been conducted.
* Students will know that there are specialist departments within the police. Examples include the criminal investigation department, action fraud (who specialise in fraud and cybercrime), counter terrorism policing.
* Students will know that an advantage of the role of the police in a criminal investigation is that they have specialist departments, allowing officers to be specially trained and deal more effectively with certain types of crime.
* Students will know that another advantage of police officers is that they ensure victims are safe by making the preservation of life their first priority.
* Students will know that a disadvantage of the role of a police officer in a criminal investigation is that they sometimes hold discriminatory attitudes which affect their handling of a case.
* Students will know that evidence of police failings due to discriminatory attitudes can be found in the case of Stephen Lawrence, a black youth who was suspected to be a gang member by police after he was attacked.
* Students will know that another disadvantage of the role of a police officer is that they often lack the resources to deal effectively with crime. For example, limited staff members mean crimes are handled by someone who is not trained in that particular area of crime.
 | **Preservation****Discriminatory**  | Students will already know that police officers are responsible for responding first to crime scene and also piece all of the information together to help solve a case. Students need to already know that the term evaluate means to consider the strengths and limitations of a given concept. Students will already understand that the term discriminate means to treat someone differently based on a characteristic they possess, such as race or gender. | Weekly questions set as homework and teacher assessed. |
| **1.1 Evaluating the effectiveness of Crime Scene investigators.** | * Students will know that Crime Scene Investigators are also referred to as Scenes of Crime Officers (SOCO).
* Students will know that the word contaminate means having been exposed to other, sometimes harmful, substances.
* Students will know that scenes of crimes officers are employed by the police. It is their job to recover evidence (such as DNA and fingerprints), photograph the crime scene, and communicate information to the police.
* Students will know how Scenes of Crime Officers operate - in a way that prevents contamination. They do this by wearing protective clothing and considering the order in which they work (e.g. have to collect DNA material before lifting fingerprints as fingerprint powder would contaminate DNA evidence).
* Students will know that one advantage of the work carried out by SOCO's is that is can provide conclusive evidence that either places and offender at a crime scene, or proves that they are innocent and can therefore be eliminated from the investigation.
* Students will know that an advantage of using SOCO's in a criminal investigation is that they have expert knowledge and have been trained to perform the tasks that are required. For example, they are usually trained in forensic photography, allowing them to take pictures of a crime scene in a way that will assist with an investigation.
* Students will know that a disadvantage of SOCO's being used in a criminal investigation is that there is a significant risk to their health and safety while performing the job. They may come into contact with hazardous substances such as hypodermic syringes, knives, firearms etc.
* Students will know that another disadvantage of the use of a SOCO is that the role is emotionally demanding. The work can be both stressful and upsetting. SOCO's may face demands such as removing evidence in a timely manner that may become stressful. They are also likely to encounter crimes that are difficult to deal with, such as rape and murder.
 | **Contaminate** **DNA****Conclusive****Hazardous**  | * Students need to already know that Scenes of Crime Officers are responsible for collecting evidence from inside a crime scene, such as anything containing DNA material and any fingerprint evidence.
* Students need to already know how evidence can become contaminated - meaning that some foreign substance has become mixed in with a sample.
 | Weekly questions set as homework and teacher assessed. |
| **1.1 Evaluating the effectiveness of Forensic Scientists**  | * Students will know that the term empirical means based on direct observation or experience rather than a theory.
* Students will know that forensic scientists analyse the evidence that has been obtained by the SOCO from the crime scene. They will do this in a laboratory under strict controlled conditions.
* Student will know that forensic scientists prepare reports on their findings that are then passed on the detectives whose role it is to solve the criminal investigation.
* Students will know that forensic experts sometimes appear in court as expert witness, where they are asked to explain their findings to a jury.
* Students will know that there are different types of forensic scientists, each trained in their own unique area of forensic science. Toxicologists analyse blood, urine and hair samples to determine whether a suspect was under the influences of drugs and/or alcohol. Dactyloscopies analyse fingerprints and Entomologists study the pattern of insects on a body to determine time of death.
* Students will know that an advantage of using forensic scientists in criminal investigations is that they can both provide a conclusive link to a suspect that may convince a jury of their guilt, as well as prove that a suspect is innocent.
* Students will know that a disadvantage of using forensic scientists as part of criminal investigation is that they are costly. This means that officers who are running an investigation will be prompted to limit their use of forensic scientists in criminal investigations where they believe it is not essential to secure a conviction, even if the evidence could help.
* Students will know that a false positive happens when a suspect sample is incorrectly matched to a sample of evidence collected from a crime scene.
* Students will know that errors can be made by forensic scientists, such as false positives. For example, Brandon Mayfield was wrongly accused of the Mardid bombings in 2004 after his fingerprints were concluded by a fingerprint expert to match those found on evidence at the crime scene.
* Students will know that there is a risk of contamination by the forensic experts which may result in errors within the report given by forensic scientists. For example, Adam Scott was wrongly accused of rape in 2011 when scientists mixed his DNA with that collected in a rape case.
* Students will know that evidence presented by forensic experts may actually confuse a jury, rather than help them to reach a decision. Sometimes more than one expert is used, who each disagree with one another. The jury are do not have the expert knowledge that allows them to effectively decide who is correct.
 | **Empirical****Toxicologists****Dactyloscopies****Entomologists** | * Students need to already know that the command word evaluate means to discuss the advantages and disadvantages of a given topic.
* Students will already know that forensic scientists work in laboratory settings to analyse evidence as part of an investigation.
* Students need to already know that the term bias means holding a view that is in favour of one idea/outcome over another.
* Students will already know that evidence from a crime scene is collected by Scenes of Crime Officers (SOCO).
 | Weekly questions set as homework and teacher assessed. |
| **1.1 Evaluating the effectiveness of pathologists**  | * Students will know that a post-mortem is an examination of a dead body to determine the cause of death.
* Students will know that the main role of a forensic pathologist is to carry out post-mortem examinations to determine the cause and time of death.
* Students will know that forensic pathologists who work for the home office are available 24 hours a day, as a homicide case could come in at any time.
* Students will know that when conducting a post-mortem examination, pathologists analyse both the external and internal parts of the body.
* Students will know that an advantage of the use of forensic pathologists within criminal investigations is that they can provide evidence that helps to establish guilt. For example, forensic pathologists report on the time and cause of death.
* Students will know that problems with the use of forensic pathologists in criminal investigations include their associated cost. Pathologists are expensive as part of a criminal investigation, which may restrict their use if funding to criminal investigations is not adequate.
* Students will know that the use of forensic pathologists in criminal investigations is also restricted due to the limited number of them that are available. The home office for England and Wales has only 35 fully trained pathologists. This can lead to delays within the investigation.
* Students will know how the use of forensic pathologists can contribute to miscarriage of justice (where an innocent person is convicted). For example, in the case of Sally Clark, the pathologist failed to report to the defence high levels of a bacterial infection in her two baby sons.
 | **Post-mortem****Miscarriage of justice** | * Students will need to already know that the term internal means from within/situated inside.
* Students will need to already know that the term external means belonging to or from outside of something.
* Students will need to already know how time, money and resources can each restrict a criminal investigation***.***
 | Weekly questions set as homework and teacher assessed. |
| **1.1 Evaluating the effectiveness of the CPS**  | * Students will know that the Crown Prosecution Service (CPS) is an organisation that works across England and Wales. Their lawyers assess cases to decide whether or not a suspect can and should be prosecuted.
* Students will know that the CPS work as an independent organisation. They are separate from the police and government, meaning they will make an unbiased decision about whether or not to prosecute a suspect.
* Students will know that the first test the CPS apply to decide if a case should be brought to trial is the evidential test. This checks to see if there is enough evidence to assume that there is a realistic prospect of conviction.
* Students will know that the second test the CPS apply when deciding whether or not to prosecute is the public interest test. In deciding this, the crown prosecutor will weigh up the reasons in favour and the reasons against prosecuting.
* Students will know that an advantage of using the CPS is that they work independently, making the process of prosecuting a suspect fair and objective.
* Students will know that the use of the CPS in criminal investigations also ensures consistency across the country in the way that suspects are prosecuted.
* Students will know that poor relationships can develop between the police and the CPS if the CPS reject a case due to inadequate evidence collected by police officers. However, ensuring evidence meets a certain standard maintains high conviction rates in England and Wales.
* Students will know that the CPS can make errors that hinder an investigation and prevent justice. For example, in the case of Damilola Taylor the CPS failed to check the credibility of a key eyewitness. The eyewitness was then found to have lied in court and the case collapsed.
 | **Credibility****Crown Prosecution Service (CPS)** | * Students need to already know that when evaluating they must consider the advantages and disadvantages.
* Students will need to already know that the term independent means to act of your own accord, with help or influence from others.
* Students need to already know how a criminal case brought to court includes both prosecution and defence.
* Students will need to already know that the prosecution are those who are bringing legal proceedings against a person suspected of criminal activity.
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations** **Databases** | * Students will know that intelligences is the collection of information that is of value to an investigation
* There are two intelligence databases used in criminal investigations – the DNA database and the police national computer (PNC).
* The DNA database stores the DNA profiles of suspects. Samples of DNA are taken when a suspect is arrested. The sample is then analysed at a lab and a DNA profile is generated.
* Students will know that a DNA profile is a specific pattern of DNA found when a sample is analysed
* Students will know that polymorphisms are specific regions of DNA that vary between individuals. Analysis of polymorphisms is used to generate the profile, and determine a DNA match.
* The DNA database also contains DNA profiles that have been obtained when evidence was lifted from a crime scene.
* As well as identifying exact matches, DNA profiling can also identify individuals that are related. This is known as familial matching. If an individual’s DNA is found to be a close match to a sample that has been taken from a crime scene, police may look closely at their relatives as possible suspects.
* Students will know that familial matching was used in the case of Colette Aram. Paul Hutchinson was arrested after his son’s DNA sample taken when he was arrested for a driving offence was found to be a familial match to sample that had been taken in the Colette Aram murder investigation. This case demonstrates effective use of the DNA database.
* Students will know that the police national computer records information such as the name, address, date of birth, ethnicity and gender of any offender. It also stores information on the type of offence they have committed, and the outcome in court (sentence and verdict).
* Students will know that an advantage of using intelligence databases such as the PNC and DNA database is that they can be used to identify repeat offenders. For example, police will store the DNA profile of any suspect meaning that if their DNA is then found at a crime scene they are quickly picked up and arrested. This provides better protection to members of the public. The Police National Computer also stores details such as their address to facilitate with arrest.
* Another advantage of using intelligence databases is that the DNA database can prove a suspect is innocent, helping to rule them out of a police investigation and save time.
* A disadvantage of the use of intelligence databases in criminal investigation is that they can be considered unethical as they breech an individual right to privacy. The Protection of Freedoms Act led to 1.7 million profiles taken from innocent people being deleted in 2012/2013.
* Another disadvantage of the use of intelligence databases is that the police do not have access to them. The DNA database is restricted, with other approximately 30 people from the Home Office having access. This means the police force cannot check the validity of information passed to them by the Home Office.
 | **Intelligence** **DNA profile** **Polymorphism**  | * Students will know that people who are genetically related have more similar DNA than those who are not genetically related.
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Surveillance (CCTV)** | * Students will know that there are two types of surveillance that can be used in criminal investigation – CCTV and covert surveillance
* Students will know that surveillance means the close observation of something or someone
* CCTV is a form of video surveillance and it is usually the first thing that a police officer will look for once a crime has been committed. For example, if a crime took place in a street they may look to see if any of the residents have CCTV installed on their homes, or possibly even dashcam data from any parked cars.
* CCTV can be used in a wide range of crimes – e.g. theft from a shop. CCTV is now a normal part of modern life, with many towns and cities having invested in CCTV as a way of controlling crime.
* CCTV can clearly show who was responsible for a crime, how the crime happened, and the exact time the crime took place.
* Advantage: CCTV can be used to correctly identify the offender. Such evidence can then be presented before a jury to help them to reach a verdict when the offender has been identified.
* Advantage: CCTV is very useful for help to confirm details reported by victims, eyewitnesses, and offenders themselves. We know that eyewitness testimony can be unreliable. CCTV may help to confirm the details reported by an eyewitness and give confidence in the reliability of the witness. Can then be used alongside other evidence in court.
* Advantage: CCTV is a cost-effective method to us in an investigation. It is something that many towns and cities have invested heavily in in recent years, meaning it is widely available. Police can request CCTV footage without adding any cost to their investigation.
* Advantage: CCTV was used successfully in the case of Sarah Everard. Doorbell footage was able to show the direction that Sarah Everard had gone in when she left her friends house and later disappeared. CCTV from a passing bus was able to show Wayne Couzens with Sarah Everard beside a hired vehicle. Police were then able to confirm it was Wayne Couzens who had hired the vehicle. The CCTV from the bus was used in court, as it was apparent that WC was coercing SE into the hired vehicle using his police ID.
* Disadvantage: Sometimes privately installed CCTV footage can lack clarity and therefore is not useful in an investigation. Clear images of the offender are required to make an identification. The quality of the footage can be an issue.
* Disadvantage: Many offenders are aware of the widespread use of CCTV and make efforts to avoid detection – particularly when the crime is premeditated.
 | **Surveillance****Covert**  | * Students will already know what CCTV is and will be able to explain what it can confirm in a police investigation
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Surveillance (Covert)** | * Covert surveillance is undercover surveillance of an individual or group of individuals who may be connected to a crime. The subject of surveillance is unaware that they are being monitored.
* Covert surveillance can be used to infiltrate (means to gradually gain access to) a gang who are involved in criminal activity and obtain evidence that can later be used in court. Information can be gained using undercover police officers or informants (someone who already has access to the criminal gang and is willing to give information to the police).
* As well as infiltrating gangs using undercover officers, covert surveillance can be carried out remotely through the monitoring of devices (computers, laptops, mobile phones).
* Covert surveillance that is carried out on someone’s private property is known as intrusive surveillance.
* Advantage: It can be used for a wide variety of cases. Examples include benefit fraud, drug crimes, terrorism, and child pornography. Plain clothes police officers can also conduct covert surveillance in areas that are known to be high in crime, for example in high street shopping areas prone to shoplifting.
* Advantage: It can be used to combat serious crimes, such as organised crime, major drug crimes, and terrorism. This is a strength because it means crimes that have a big impact on society can be brought to justice, and threats to the public minimised/eliminated. It therefore helps to keep the public safe. Can link in the anom sting here as an example of a real case.
* Disadvantage: Gaining permission for covert surveillance can be a problem. There are many laws protecting an individuals privacy. The Regulation and Investigatory Powers Act (2000) protects privacy by setting out rules for the use of covert surveillance by the police. The police, according to this act, must get permission from the Home Secretary to use surveillance that will intercept phone calls, messages etc.
* Disadvantage: There are risks for those who are acting as informants or undercover police officers. While they are helping with a criminal investigation, there is a risk that if their cover is compromised they will be in a significant amount of immediate danger.
* Disadvantage: Any evidence that is collected without permission is then inadmissible in court – showing importance of gaining proper authority before acting. This is evident in the case of Colin Stagg. When the prosecution presented their evidence gained through the use of entrapment in court, the judge ruled it inadmissible and the case collapsed. If this was to happen with someone who was guilty, it would result in an unjust verdict.
 | **Infiltrate** **Intrusive****Covert surveillance** | * Students will already know that there are two types of surveillance used in criminal investigations – CCTV and covert surveillance.
* Students will already know that surveillance means the close observation of an individual.
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Profiling (Top Down)**  | * Students will know that criminal profiling is a method used in recurring crimes (such as rape and murder), and that it uses available evidence to make predictions about the offender.
* Students will know that criminal consistency is the assumption that the way an offender behaves at a crime scene is the same as the way they behave in their everyday lives.
* Students will know that criminal consistency is an underlining principle of offender profiling.
* Students will know that there are two profiling techniques used in criminal investigations, the bottom-up approach and the top-down.
* Students will know how the top-down approach was developed - through interviews with 36 serial killers.
* Students will know how the top-down approach classifies offenders as either organised or disorganised.
* Students will know that a disorganised offender acts impulsively, leaves behind a lot of evidence at the crime scene, and is of low intelligence and socially and sexually incompetent.
* Students will know that an organised offender plans their crimes in advance, leaves behind no evidence, and is intelligent and socially and sexually competent.
* Strength – can help with an investigation that is difficult to solve because a profile can still be generated when there is no evidence. No evidence is a sign of an organised offender, meaning a profile can be generated and the police have information to use in their investigation. Means there is a higher chance of catching the offender. Before profiling, this wouldn’t have been the case.
* Strength – helps to focus the investigation. Generating a profile allows the police to choose which suspects are worth pursuing. Some investigations have 1000s of suspects. By reducing the number of suspects that the police have to focus on, it saves time and money in the investigation.
* Weakness – methods used to generate typologies is not valid. Interviewed 36 serial killers. Use of self report methods means offenders may have lied, exaggerated events or withheld information to deliberately mislead investigators. Profiles would therefore be inaccurate. Could also criticise application to other types of crimes following interviews with serial killers only.
* Weakness – categories are too vague and it is unlikely that offenders will fit neatly into one category or another. E.g. may clean up some evidence but improvise on weapon. Makes it difficult to categorise offender, which would in turn mean it is difficult to determine the profile. If the profile is inaccurate, the investigation will be misled.
 | **Criminal consistency****Profiling**  | * Students need to already know that consistency means that something is the same every time. Behaviour can be consistent.
* Students need to already know how the term impulsive refers to actions that are carried out without consideration of the consequences.
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Profiling (Bottom Up)** | * The bottom up approach was pioneered by criminologists David Canter and Paul Britton.
* In this profiling technique there are not fixed profiles or types of offenders, recognising that profiles need to be unique in the same way that each crime is unique.
* Two key methods are used in this profiling technique.
* The first method is geographical profiling. Geographical profiling seeks to establish the likely place of residence of the offender. It assumes serial offenders always operate in a circle around their own home. Marauders operate near their own home whilst the commuter will travel to commit their crimes.
* Investigative psychology uses statistics taken from previous cases to make predictions about the likely offender. Key details can be put into a database and compared with previous, similar cases. For example, can find out the average age range for a child abduction case and use this to narrow down number of suspects. You can also look at unique details, such as how the time of day when the offender is operating links to characteristics of offenders who also operated at that time in the past. Those who attack midday may be those who typical work a job with night shifts. This can be useful in investigations when choosing which suspects to pursue.
* Strength – as with the top down approach, this also helps to focus an investigation. While it cannot lead to the exact offender, it can reduce the number of suspects that the police should focus on in their investigation. This helps to save time and money, and may also lead to a quicker conviction.
* Strength – evidence supports the effectiveness of this investigative technique. In the case of the Railway Rapist, David Canter was able to analyse evidence and generate a profile that was remarkably accurate – predicting that the offender would live in Kilburn, practiced martial arts, and had marital problems. All of these details turned out to be correct and led to the conviction of John Duffy, who was 1505th on the list of 2000 suspects.
* Strength – approach is driven by statistics, and not intuition (which was the case with the top-down approach). E.g. investigative psychology looks at similar past cases to predict the characteristics of an offender. This is more objectives (not based on opinion or feelings), and therefore less subject to bias.
* Strength – allows crimes that have been committed by the same offender to be linked based on their similarities. Details can be put into a database that tell the investigators how common a feature is in a type of crime, those that are uncommon can be useful for revealing crimes committed by the same person. This saves the police time and money because what would have been many investigations can be condensed into one.
* Weakness – case of Rachel Nickell demonstrates that technique is not always effective and actually sometimes hinders a case. Profile generated by criminologist Paul Britton led to the police focusing their entire investigation on an innocent man (Colin Stagg). This meant that the real perpetrator was still able to go on and commit further offences, as he continued to pose a threat to the public.
* Weakness - Britton found that CID chiefs who responded to a questionnaire reported that they found profiling to be inaccurate and unhelpful. Police attitudes towards the approach will therefore mean that its use is limited.
 | **Commuter** **Marauder** **Objective**  | * Students will already know that profiling is a method used in recurring crimes (such as rape and murder), and that it uses available evidence to make predictions about the offender.
* Students will already know that criminal consistency is the assumption that the way an offender behaves at a crime scene is the same as the way they behave in their everyday lives.
* Students will already know that criminal consistency is an underlining principle of offender profiling.
* Students will already know that there are two profiling techniques used in criminal investigations, the bottom-up approach and the top-down.
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Interviews (Eyewitness)**  | * Students will know that there are two types of interviews used to help solve criminal investigations – eyewitness interviews and expert interviews.
* An eyewitness is someone who was present when the crime took place and is able to give a description of either the event itself, or the perpetrator, to help secure a conviction. They are often asked to appear in court to give their account of what it is they have witnessed.
* Students will know that human memory is not reliable, and as a result eyewitness testimony can be inaccurate.
* Eyewitness accounts can be affected by the event itself, as well as post event information.
* For example, if there is a weapon used when a crime occurs, the witness’s memory for the event is usually less accurate. This is known as the weapon focus effect.
* Post event information can distort memory. This includes information in the media, discussions about the crime with others, prompts and cues given by law enforcement and leading questions.
* If leading questions are used when an eyewitness is interviewed, their memory for the event will be altered. This is evident in the research conducted by Loftus and Palmer. Participants in this experiment were found to be more likely to report seeing broken glass when asked ‘how fast were the two cars going when they smashed into each other’ than they were if they were asked ‘how fast were the cars going when they contacted each other’. There was no broken glass in the video of a car accident shown to ppts in this experiment.
* The case of Ronald Cotton shows how ineffective eyewitness interviews can be. Ronald Cotton was wrongly convicted of the sexual assault of Jennifer Thompson based on eyewitness testimony. During the investigation, the police officers presented Jennifer Thomson with a series of photographs and asked her to identify her attacker. When she picked out the photograph of Ronald Cotton, officers praised her for choosing him, suggesting that she had got it right. This increased her confidence, despite the fact that she spent some time deliberating between two of the photographs. The police then carried out a formal line up whereby Ronald Cotton was the only person present from the original line-up. Cotton served 10 years for a crime he did not commit before he was released based on DNA evidence that proved his innocence.
* The accuracy of eyewitness interviews can, however, be improved through the use of the cognitive interview and the double-blind technique.
* The double blind technique can be used when an eyewitness is asked to identify a suspect. The officer conducting the identity parade should not be aware of who the suspect is in the case. This means they cannot influence the eyewitness.
* The cognitive interview asks the eyewitness to recall everything without interruption, recall from different perspectives, recall the event in reverse order, and the interviewer attempts to reinstate the context in which the crime occurred to act as a cue. This technique has been found to produce more information from an eyewitness.
 | **Weapon focus effect** **Eyewitness** **Leading question** **Double-blind technique**  | * Students may already be familiar with what an eyewitness is and the types of information they can give to police officers
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Interviews (Experts)**  | * Expert interviews are often used in court.
* An expert witness is someone who is qualified and/or has a substantial amount of experience in their chosen field, allowing them to give further knowledge relating to evidence presented in a case. This evidence is something that the jury would otherwise have been unaware of as it is not common knowledge. This information is therefore important for helping the jury to reach a verdict.
* Expert witnesses also need to be objective when giving evidence in court. Objective – free from bias/opinion. The expert witness remains objective by reporting only their findings, and not their opinion on the case.
* They must also remain impartial. Impartial – treating all parties equally. In the case of the expert witness, they must not be on the side of either the prosecution or the defence.
* Examples of experts that may be used in cases include pathologists (murder), toxicologists (drink driving and drug offences), psychologists, finger print experts, blood spatter analysts.
* Advantage - Experts can help the jury to understand things about the case that they otherwise would not know. This is vital for correct interpretation of evidence that can then help the jury to reach a more accurate decision about the guilt or innocence of a person standing trial.
* Advantage - There are many different types of experts that can be used to help the jury, and the police, to understand a case. For example, entomologists help to determine the time of death, blood spatter analysts can theorise the movements of an offender at the time a crime was committed, DNA analysts and finger print analysts can help to match evidence at a crime scene to a potential suspect, or even rule them out. Can be used for violent crimes such as murder, rape, and burglary.
* Disadvantage - Presentation of information can affect the usefulness of this investigative technique. For example, when experts give testimony in a way that is descriptive instead of reporting statistics, they have more of an effect on the jury because the jury are better able to understand their testimony. Experts should avoid giving a biology lecture to the jury who may be unable to comprehend the technical explanation behind evidence.
* Disadvantage - There is also a risk that the jury may misinterpret the information given to them by an expert witness. For example, if an expert was to say that there is a 1 in 100 chance of the offender having a certain blood type that matched the crime scene, and that their blood type does indeed match, the juror may wrongly assume that this means it absolutely was their blood at the crime scene.
* The case of Sally Clark shows ineffective use of the expert interviews. Pathologists states that there was a 1 in 73 million chance of two children dying from SIDS within this household. This would have been compelling, as the statistic was delivered by an expert. However, pathologists are not statisticians and this statistic was not backed by statisticians.
 | **Objective** **Impartial** **Jury** **Verdict** **Prosecution** **Defence**  | * Students will already know that there are two types of interviews used in criminal investigations – eyewitness interviews and expert interviews
* Students will be familiar with different types of forensic experts from 1.1 – toxicologists, pathologists etc.
 | Weekly questions set as homework and teacher assessed. |
| **1.2 Assess the usefulness of investigative techniques in criminal investigations****Forensics**  | * Forensics refer to techniques used on criminal investigation that involve the use of scientific tests.
* They are particularly useful at the crime scene. Forensic experts are able to collect evidence that may reveal a link to a suspect. They will collect evidence in a way that minimises contamination, allowing them to analyse the evidence with confidence for the purpose of aiding an investigation.
* One of the most common examples of forensics is DNA profiling. DNA profiling is when evidence containing traces of DNA are analysed and a forensic scientist produces a pattern that shows the parts of the DNA that are unique to an individual. This pattern can then be compared with samples taken from suspects, or those held on police databases from previous cases.
* Biological samples taken from victims and suspects for comparison to those lifted from a crime scene are called reference samples.
* Elimination samples can also be taken in criminal investigations. elimination samples are often collected from consensual sex partners and others, such as first responders, crime scene personnel and analysts working the case so they can be excluded from the investigation.
* Advantage – everyone’s DNA is unique. This allows matching to have a high statistical probability that the suspect matches the DNA found at a crime scene. Can be confident of a conviction as a result.
* Advantage – Forensics can help to solve past crimes. For example, the innocence project have exonerated over 300 people using DNA evidence. Can also re-open unsolved cases that were committed before advances were made in DNA testing and re-assess the evidence in the hope of bringing justice to victims.
* Advantage - As well as helping to identify a suspect, DNA testing can help to prove innocence and rule out potential suspects if they are not a match.
* Disadvantages – Evidence can become contaminated if it is not stored and processed correctly. Evidence should be collected as soon after a crime has been committed as possible. The longer it is left, the more likely it is that other people will come into contact with the crime scene and contaminate evidence.
* Disadvantage - DNA must already be stored on the police database to enable matching. This means that the police must already have an idea of who the offender may be, so that they can obtain DNA samples from them to allow comparison. Alternatively, if the offender is already known for previous crimes their DNA will be stored already on a police database to allow comparison. However, in cases where the police have no clear suspects and the DNA does not match any profiles already stored by police, this technique is not very useful.
* Cost of DNA profiling is also an issue. It may be the case that the police do not have the money to fund DNA profiling in less serious cases. The use of DNA profiling is therefore limited.
 | **Contaminate** **Forensics** **Reference samples** **Elimination samples**  | * Students will already know that DNA profiles are stored on the National DNA database.
 | Weekly questions set as homework and teacher assessed. |
| **1.3 Explain how evidence is processed** **Physical evidence**  | * Students must know that to succeed in this task, they must explain the collection, transfer, storage, analysis, and personnel involved.
* Students will know that physical evidence is tangible evidence – it can be seen and held.
* Physical evidence includes fingerprints, shoeprints, blood stains, semen stains, hair samples, fibre and threads, and bite marks.
* Fingerprints can be latent (invisible to the naked eye) or parent (visible).
* Fingerprints are collected by SOCO. SOCO will collect latent prints by identifying them using a UV light, brushing over the area with magnesium powder, and then lifting them using adhesive tape. Patent prints can be photographed.
* Fingerprint samples are analysed by a fingerprint expert/Dactyloscopist.
* Shoeprints are collected by SOCO from a crime scene. They can be photographed alongside a ruler or tripod, ensuring that the scale of the print is visible for analysis. Casts can also be made.
* Blood stains must be allowed to air dry before being packaged. They will then be packaged by SOCO in paper packaging.
* Semen stains are also collected by SOCO. They must be allowed to air dry, then placed in a paper bag, then a polythene bag.
* Victims of sexual assault should be examined by a doctor.
* Hair samples collected by SOCO must be packaged in paper.
* Fibres and threads collected at a crime scene by SOCO are collected using tweezers. SOCO will wear gloves and other protective clothing to prevent contamination of evidence. Fibres and threads are then wrapped in paper, followed by an envelope that is sealed and marked.
* Bite marks are common is sex offences. They are usually photographed and images sent to a forensic odontologist for analysis.
* All samples collected by SOCO at a crime scene are labelled. Each item is given a unique reference number. The date and time it was recovered is logged. When each item of evidence is processed, each person that handles the item must add to the chain of custody, signing their name to indicate that it has been in their possession.
* In the investigation into the murder of Jill Dando, Barry George who had been found guilty in 2011 later had his conviction quashed. The physical evidence used in his original trial was not reliable. A spec of gunpowder residue had been found on Barry George’s clothing. However, he had been in contact with armed police prior to the clothing being taken for analysis, meaning the gunpowder residue could have been transferred from them.
* **Students will then need to find another case study to show how physical evidence is processed.**
 | **Quashed****Physical evidence** **Testimonial evidence** **Locard’s exchange principle**  | * Students will already know that physical evidence is collected by SOCO/CSI at a crime scene.
* Students will already know that evidence must be processed carefully to prevent contamination
* Students will know that forensic scientists work in laboratories to process evidence
* Students will know that there are different types of forensic scientists, each specialise in processing certain types of evidence – toxicologists, pathologists, entomologists, fingerprint experts etc.
 | Weekly questions set as homework and teacher assessed.Mock assessment set for assessment criteria 1.1. and 1.2. |
| **1.3 Explain how evidence is processed****Testimonial evidence**  | * Testimonial evidence is evidence that is spoken. It therefore comes from eyewitness testimony, expert interviews, and character witnesses.
* Testimonial evidence is collected by the police (who interview witnesses) as well as the prosecution and defence (who may source experts who will be useful in the criminal investigation).
* As part of the processing of testimonial evidence, the prosecution and the defence team have to ensure all evidence is disclosed to the opposition.
* Before a case goes to court it is important that both the prosecution and the defence have had a fair opportunity to review the evidence that will be used.
* They must each make available all witness statements.
* They have to provide a list of witnesses they intend to call to trial.
* Have to disclose CCTV evidence.
* When testimonial evidence is given in court, the opposing team have the opportunity to cross-examine a witness. This allows the prosecution and the defence to check the credibility of witnesses, challenge them on their evidence, and explore anything else that may be useful to the case.
* In a court of law, the judge will be responsible for determining which evidence is admissible and which evidence is inadmissible.
* Hearsay evidence, forced confessions, and evidence obtained through the use of entrapment is inadmissible.
* Hearsay evidence is evidence that has been provided by a witness in court of law that comes from another source. It is a statement made that is not their first-hand account.
* A forced confession Is one that has been obtained through the use of force and threat.
* Entrapment is an attempt to trick a defendant into a confession.
* In the investigation into the murder of Rachel Nickell entrapment was used to try to gain a confession from Colin Stagg. Police used an undercover officer, named ‘Lizzie James’. Lizzie James sent letters to Stagg pretending to be a potential love interest, and in one letter threatened to break off the relationship if he was not the man who murdered Rachel Nickell. When the case went to trial, all evidence relating to Lizzie James was ruled inadmissible.
* **Students to find and include one further case study that demonstrates the use of testimonial evidence.**
 | **Disclose** **Cross examine** **Inadmissible** **Entrapment** **Hearsay evidence**  | * Students will already know that the CPS form the prosecution team in most cases, and that they build the case before the trial.
* Students will already know what eyewitness testimony is.
* Students will already know that experts appear in court to provide evidence.
 | Weekly questions set as homework and teacher assessed. |
| **1.4 Examine the rights of individuals in criminal investigations** **Rights of Suspects**  | * Students will know that to succeed in 1.4, they must examine the rights of all three individuals – suspects, victims, and witnesses. They must also reference legislation.
* Suspects can be asked to stop and account by police officers, e.g. give their name or explain why they are in the area.
* Suspects can be stopped and searched by police, providing the police have reasonable grounds for carrying this out.
* Section 24 of the Police and Criminal Evidence Act (1984) states police can make an arrest if they have reasonable grounds to believe the arrest is necessary
* The police can use reasonable force when making an arrest
* Suspects can be held for 24 hours in police custody. This is extended to up to 36 hours for an indictable offence, and 14 days for terrorist suspects.
* Suspects have the right to have someone contacted and informed of their arrest
* Suspects should have access to free legal advice
* They should be shown the rules police must follow, so that they know their rights
* If under 18, or vulnerable, an adult should be present during questioning
* May be released on conditional bail
* Suspects cannot refuse to give samples when in custody. If they do, police can obtain them using reasonable force.
* Suspects have a right to silence when being questioned, but it can be used against them in court.
* If found guilty, suspects can appeal. This is automatically granted in a magistrate’s court. Must be approved by a judge in a crown court case.
 | **Reasonable grounds** **Reasonable force** **Indictable offence** **Conditional bail** **Magistrates court** **Crown court** **Appeal**  | * Students will already know that an indictable offence is a serious offence, usually tried in a crown court (covered in unit 2).
 |  |
| **1.4 Examine the rights of individuals in criminal investigations** **Rights of Victims** | * The Domestic Violence, Crime and Victims Act (2004) outlines the rights of victims.
* Information that should be given to victims includes a crime reference number, name and contact details of the investigating officer.
* Police officers should tell them how often they should expect updates, put them in contact with victim support organisations, and ask them if they want to write a victim personal statement to explain how they have been affected by the crime.
* The victim should be updated whenever there is significant progress made in the investigation, such as a suspect being arrested, released, or charges dropped. Victims can ask for a review the decision if they disagree.
* Victims have a right to privacy, meaning the police must ask for their permission before that can release any details of the case to the media.
* In court, a judge may allow the victim to read out their victim personal statement.
* The victim is given updates relating to the trial outcome.
* Victims may be entitled to compensation for harm suffered
* After the trial, they may be invited to take part in restorative justice.
* Vulnerable victims are assigned a family liaison officer and given more regular updates.
 | **Victim personal statement** **Restorative justice**  | * Learners will already know that to gain the highest marks in 1.4 they must examine the rights of all 3 individuals and refer to relevant legislation.
* Students will already know that a victim is someone who has been directly targeted when the crime was committed.
 | Weekly questions set as homework and teacher assessed. |
| **1.4 Examine the rights of individuals in criminal investigations** **Rights of Witnesses**  | * The rights of witnesses are documented in the Witness Charter. This is guidance, not legislation.
* Witnesses are assigned a point of contact who keeps them informed of the progress of the case.
* When a court date is set, it will be set considering the witness’ availability.
* Before court, police conduct an initial assessment of the witness to see if any special measures are required in court. Special measures apply to vulnerable witnesses.
* Witnesses are given information about the court process in advance.
* When the trial starts, witnesses will wait in a separate area when they arrive for court, away from witnesses of opposition and any family members of the defendant or victim.
* Special measures for vulnerable witnesses may be put in place – such as giving evidence behind a screen, using video link, pre-recorded. To make a witness feel more comfortable, the judge may take off their robe and wig.
* If the defendant appeals the verdict (challenges the original verdict) the witness should be informed.
* If a witness feels they have not been treated with dignity and respect throughout the process they have a right to complain.
 | **Special measures**  | * Learners will already know that to gain the highest marks in 1.4 they must examine the rights of all 3 individuals and refer to relevant legislation.
 | Weekly questions set as homework and teacher assessed. |
| **2.1 Explain the requirements for the Crown Prosecution Service (CPS) for prosecuting suspects**  | * The Prosecution of Offences Act (1985) dictates that the CPS must take over criminal proceeding from the police. The CPS are responsible for prosecuting a suspect.
* According to the Criminal Justice Act (2003) the suspect must be notified of any charges brought against them in writing.
* The full code test includes both the evidential stage and the public interest stage.
* Within the evidential stage, Crown Prosecutors check the evidence to see if there is a realistic prospect of conviction.
* They must check to see if evidence is admissible. This means the evidence is actually allowed in court and can therefore be presented before the judge and the jury to help them to make their decision. Inadmissible evidence includes hearsay evidence, forced confessions, and evidence of entrapment.
* They must check the reliability of the evidence. For example, has the eyewitness given the same account each time they have been questioned? Does their testimony match up with the rest of the available evidence? Are the witnesses of good character? CPS can advise police throughout investigation if there is an issue with any evidence or if more evidence is needed.
* They must decide if the evidence is credible. This means that it is believable. If the facts of the case are presented before the jury, judge or magistrate, will they believe it to be true?
* Once a case has met the evidential stage, it must then pass the public interest stage.
* In the public interest stage, Crown Prosecutors will consider how serious the offence is when deciding to prosecute. The more serious, the more likely a prosecution will be.
* Level of culpability means CPS have to consider how responsible to suspect was when the offence was committed. How involved were they? Was the offence planned? Did they benefit? If suspect has been exploited by others, their culpability will be lower.
* Harm suffered by victim is considered at this point. In cases where the offender had a position of trust/authority, or if they targeted or exploited their victim, and when the offence was motivated by prejudice, a prosecution is more likely.
* Age – younger suspects are less likely to be prosecuted because there is an emphasis on keeping them out of the Criminal Justice System.
* Crown Prosecutors will look to see if the offence is proportionate by considering the cost vs. likely penalty. When there are multiple offenders, the most serious are more likely to be prosecuted because the penalty will be greater.
* When there is not enough evidence to pass the Full Code Test, the Threshold Test can be applied. All of the following must apply in order to prosecute:
* There must be reasonable grounds to believe that the suspect committed the offence and that further evidence can still be uncovered.
* The crime should be serious.
* There must be a reason to object bail (intimidating witnesses)
* Public interest stage must be met.
* Once a suspect has been charged, the case must be reviewed regularly until the Full Code test can eventually be applied or charges dropped.
 | **Reliable** **Credible** **Culpable** **Proportionate****conviction** **Admissible**   | Students will already know from 1.1 that the CPS: * Prosecute (bring charges against) a suspect
* Advise the police throughout their investigation
* Decide on appropriate charges
* Prepare cases for court
* Apply the full code test to decide whether or not to prosecute a suspect
 | Weeklyquestions set as homework and teacher assessed. |
| **2.2 Describe trial processes** **Courts and crime classification**  | * Students will know that to succeed in 2.2, they must describe all trial processes listed in the specification.
* When a decision has been made to prosecute, the trial proceedings will begin.
* Before the trial, the crime must be classified so that it can be handled accordingly. A crime is either a summary offence, indictable offence, or either way offence.
* All cases begin in the magistrates court, where the defendant will give their plea. This is a formal statement of guilt or innocence.
* Once the plea has been submitted, the magistrate will proceed to the next stage.
* If the crime is an indictable offence, the case must be passed on to the crown court where it will be heard before a judge and jury.
* If the crime is a summary offence, it will be heard in the magistrates court with three magistrates being responsible for issuing the verdict and sentence.
* Either way offences can be heard in either a magistrates court or a crown court. The magistrate must look at the mitigating and aggravating factors in a case to decide if they will be able to provide a suitable punishment. If they cannot, they must pass the case on to the Crown Court, where sentencing powers are greater.
* A defendant can request trial before the Crown Court for either way offences.
 | **Plea** **Magistrate**  | Students will already know the court hierarchy system in the UK as discussed in Unit 2.Students will already be aware of the two types of offenses – summary or indictable and will be able to provide examples for both types. | Weekly questions set as homework and teacher assessed. |
| **2.2 Describe trial processes** **Plea bargaining, bail and appeals** | * Before the trial, the defendant will be given a summary of what crimes they have been accused of, the reasons they are being accused, and the evidence to support the need for a trial. Defendant is given information and advice on legal aid, and representation in court.
* Usually the defendant will have the opportunity to submit their plea before attending court. The plea is the formal statement made by the defendant about their guilt or innocence in relation to the offences they are accused of.
* If submitting a guilty plea, a magistrates court may assess whether or not they are able to deliver a just sentence. If they are, they will pass a sentence then.
* More serious cases are adjourned and passed on to the crown court who can issue a sentence that is proportionate to the offence.
* Look at aggravating factors and mitigating factors
* Plea bargaining is when the prosecutor and defendant come to an agreement on a guilty plea, with there being additional benefits for the offender.
* Charge bargaining – defendant pleads guilty to a lesser crime and receives a more lenient punishment
* Count bargaining – defendant pleads guilty to one charge, with others then dropped e.g. pleading guilty to charge of rape but not sexual assault
* Sentence bargaining – pleads guilty to original charge with the promise of a more lenient sentence. Each crime carries a minimum and maximum sentence. In these cases, the dependent will be hoping for a sentence that is towards the bottom end of the scale
* Bail is the temporary release of a suspect pending (awaiting) trial. Since every individual is presumed innocent until proven guilty, bail is an assumed way of dealing with suspects.
* Most people are released on unconditional bail, meaning they are free to leave and simply need to attend court on a date and time specified.
* Others are released on conditional bail, where their release from police custody is dependent on a number of conditions being agreed and met. For example, they may have to agree to stay away from witnesses, or surrender their passport.
* Appeals must be submitted within an allotted time.
* For magistrates decisions, an appeal must be submitted within 21 days.
* For a crown court decision, an appeal must be submitted within 28 days.
* For decision made in a magistrates court, the right to appeal is automatically granted. Defendant can appeal against sentence or verdict (if they pleaded not guilty).
* For a crown court appeal, the appeal must be submitted to the Court of Appeals. A judge will then decide whether or not to approve to request. The appeal is then heard by 3 judges, not a jury.
* The prosecution can also appeal a decision made in a crown court case if they think the judge had dismissed the case due to an error they made in understanding the law, if the prosecution believed the acquittal was a result of jury tampering, or if the prosecution believes the sentencing was too lenient.
* If new and compelling evidence is found after a defendant is found guilty, a re-trial may be ordered by the Court of Appeals.
* The highest court in the legal system is the supreme court. They usually deal with issues that are of general public importance. Decisions made by the supreme court are binding.
 | **Bargaining****Tampering****Acquittal****Unconditional bail****Conditional bail** | Students will already know the court hierarchy system in the UK as discussed in Unit 2.Students will already be aware of the two types of offenses – summary or indictable and will be able to provide examples for both types. | Weekly questions set as homework and teacher assessed. |
| **2.3 Understand rules in relation to the use of evidence in criminal cases** | * Reliable – a term used to refer to something that is consistent.
* Dispute – disagreement between two parties
* Fact at issue – a term used throughout court proceedings to refer to facts that are in dispute
* Hearsay evidence – a statement made by a witness appearing in court that was passed on to them by a witness outside of court
* Before the trail - They must each make available all witness statements.
* They have to provide a list of witnesses they intend to call to trial.
* Have to disclose CCTV evidence.
* Prosecution must disclose unused material to defence – this is important because it includes any evidence that is likely to cast doubt on the guilt of the defendant. If evidence is deliberately withheld, this itself is a crime as it is considered that the prosecutors are perverting the course of justice.
* Pace stands for police and criminal evidence act (1984). This is statutory information relating to the powers of the police and the rights of members of the public. PACE notes how a defendant is entitled to a fair trial and gives powers to the judge to rule something inadmissible in court.
* ‘the admission of the evidence would have an adverse effect on the fairness of the proceedings’
* The Criminal Justice Act (2003) includes:
* Restricts the ability of defence lawyers to cross-examine prosecution witnesses about their own criminal records.Permits greater use of hearsay evidence.
* Witnesses can be called by either the prosecution or the defence. Witnesses include experts, eyewitnesses and character witnesses. This is the testimonial evidence (recap how testimonial evidence should be processed). Character witnesses could be used to claim a defendant is of bad character. This may be allowed if the evidence is relevant to the case, such as proving defendant lies, or has similar previous convictions. Can use evidence to prove defendant is of good character.
* Producing things = trace/physical evidence would be included here
* Conviction – when the defendant has been found guilty
* Relevance – logically proving or disproving = consider if the evidence presented is reliable. E.g. are witnesses giving accounts that are credible, do they correlate to information provided on CCTV, do they consistently give the same account, is it believable that they did see what they claim to have seen – consider conditions when witnessing, visibility etc. Is the evidence given by the expert supported by others in the scientific community? It is not uncommon for more than one expert to be used in a case. Do they all agree? Sally Clark case – convicted of murdering her two children. Expert pathologist changed original autopsy report from SIDS to smothering.
* PACE (1984) gives the judge the power to decide what is admissible in court. They must consider if evidence presented is relevant, and whether allowing the evidence could possibly lead to an unfair trial.
* Reliability of evidence should be considered – is the information given from witnesses credible, are documents genuine, is expert testimony reliable.
* The judge must consider if evidence presented, of any kind, helps us to understand the facts at issue. These are the facts of the case that are in dispute between the prosecution and the defence. Relevant facts will be allowed – these are the facts that tell us how likely it is that the facts at issue are true.
* The judge will consider if evidence presented has been obtained legally and properly. If those collecting evidence have broke a law, or used entrapment to obtain information, the evidence could be ruled inadmissible.
* The CJA (2003) permits evidence of a defendants character (good or bad) to be used in criminal proceedings. However, the relevance of the information should be considered so that the defendants reputation is not unjustly damaged. For example, previous convictions that are not similar to the ones the defendant is currently charged with may be deemed irrelevant.
* Hearsay evidence is usually not permitted in court. The CJA (2003) does allow hearsay evidence in limited circumstances, such as when a key witness is not able to attend court (dead, abroad etc.), when both prosecution and defence agree with statement made, or when expert opinions are needed to help with understanding a case.
 | **Reliable****Dispute****Fact at issue****Hearsay evidence** | Students will already know the key term reliable as they will have used this to evaluate criminological theory in Unit 2.Students will already be aware from 1.2 that eyewitness testimony cannot always be considered a reliable form of evidence. | Weekly questions set as homework and teacher assessed. |
| **2.4 Assess key influences affecting the outcomes of criminal cases****Evidence, witnesses and experts** | * Outcome – the end result of something
* Unconscious – a term used to describe mental processes that happen without our awareness
* Compelling – not able to be resisted/inspiring conviction
* Miscarriage of justice – a grossly unfair outcome in a judicial proceeding
* Media – it can be difficult for the jury to separate facts heard in court from information they have obtained through the media
* Experts – interpret info relating to a case for a jury. However, the jury do not know if what the expert is saying is true. Jury may assume the expert is correct. May not know how to test expert testimony. If expert testimony is inaccurate, it can lead to a miscarriage of justice.
* Experts have specialist knowledge that allows for depth of understanding in criminal investigations. They are trained, and usually have a significant amount of experience in their respective field.
* Their purpose is to allow the jury, who do not have this specialist knowledge, to fully understand the evidence presented in case. This allows the jury to make a fair and informed decision.
* Examples of experts that may be used – pathologists, entomologists, blood pattern analysts etc.
* Expert testimony can therefore be compelling, the jury may have a tendency to believe what the expert is saying with absolute conviction. They come to firmly believe that what the expert is saying is true.
* Experts are not always correct, and this can lead to a miscarriage of justice where the wrong verdict is given. An example of this is the case of Sally Clark. Sally was convicted in 1999 of the murder of her two children. The first child, Christopher, died in 1996. The cause of death at the time was determined as SIDS by Dr Williams (pathologist). Williams later revisited this following the death of the second child and changed the cause of death to smothering. In addition to this, Roy Meadow (paediatric pathologist) estimated before the court the likelihood of two cot deaths occurring in the same household as 1 in 73 million. The Royal Statistical Society (2001) claimed this statistic was not valid and had no statistical basis.
* Aim – to investigate the effect of regional accent on attributions of guilt
* Method – 119 students were each asked to listen to a 2 minute recording of a conversation between a male police officer and a young male suspect. In one version, the students heard the young male talk in a brummie accent. In the other condition, students heard the young male talk in a standard English accent. Ppts then had to decide how guilty they believed the suspect to be on a scale of 1-7.
* Results – brummie rated significantly higher than the standard british accent
* Conclusion – jurors do not simply use evidence to determine guilt of a suspect, they also form judgements based on the characteristics of the suspect.
* This is likely happening at an unconscious level.
 | **Outcome** **Unconscious** **Compelling** **Miscarriage of justice**  | Students will already know the key term miscarriage of justice from earlier in Unit 3. (1.1).Students will have already explored personnel in criminal investigations in 1.1 and how they are deemed experts in their respective fields. This incudes Pathologists, SOCO’s md Forensic Scientists. | Weekly questions set as homework and teacher assessed. |
| **2.4 Assess key influences affecting the outcomes of criminal cases****Media** | * How does it influence the jury in making their decision
* The media sensationalise crime stories, often exaggerating key pieces of information to make the story more interesting to read.
* High profile cases attract a lot of media attention
* Jurors are ordinary members of the public who listen to evidence and then decide is a defendant is guilty or not guilt.
* Their decision could be influenced by what they read/see in media coverage, meaning the defendant does not have the right to a fair trial. – link to PACE
* All defendants are said to be innocent until proven guilty. Trial by media sometimes happens, where a defendant is presumed guilty before a trial has actually occurred.
* Could result in prejudice on part of the jury.
* Cheryl Thomas found 1/5th jurors find it difficult to ignore press coverage when considering the evidence given to them in court.
* Colin Stagg was charged with the murder of Rachel Nickell in 1993 and then acquitted the following year. The case was thrown out due to attempts to entrap Stagg into confessing.
* Robert Napper was later revealed to be Rachel’s murderer in 2008.
* Though acquitted, many still believed Stagg to be the murderer. Press continued to harass, with the News of the World hacking his phone from 2000 onwards.
 | **Outcome** **Impartial** **Contempt of court**  | Students will already know that the media can sensationalise stories as discussed in Unit 1. | Weekly questions set as homework and teacher assessed. |
| **2.4 Assess key influences affecting the outcomes of criminal cases****Barristers and Judiciary** | * Barristers are lawyers who work as advocates for their client in court.
* Advocate – a person who presents a case/speaks on someone else’s behalf
* They have to prepare evidence to use in court.
* In a trial, there are two adversaries – prosecution and defence. The one who is able to convince the jury of their arguments will achieve the outcome they were aiming for. They therefore have a significant effect on the outcome of a trial. Characteristics such as extraversion, assertiveness etc will therefore play a role in convincing the jury.
* Legal teams are also involved in plea bargaining for their client, meaning they can negotiate on behalf of their client to bring down the charges or sentencing. Recap types of plea bargaining – charge, count, and sentence.
* Judiciary – a term used to refer to all judges collectively.
* The judge issues the sentence in a criminal case, therefore affecting one of the key outcomes. They have minimum and maximum sentencing guidelines but can decide what the appropriate sentence is for an individual within the given range. They may be tempted to issue a harsher sentence in cases that have gained more media coverage – link to 2011 riots.
* The criminal justice act (2003) give the judge the power to decide to hold a trial without a jury if there is significant risk of jury tampering, or if the case is too complex for a jury to comprehend (e.g. fraud cases). In these cases, the judge alone decides if the individual is guilty or not guilty, and issues a sanction. They therefore affect all outcomes.
* 65% of senior judges are privately educated. 75% of all attended either oxford or Cambridge university. (2019) statistics. Could mean they are more sympathetic towards higher class defendants.
* 68% are male. Male judges may lack sympathy for female victims in cases of rape. There could be misogyny within the criminal justice system – prejudicial views held towards women.
 | **Advocate****Adversarial system**  | Students will already know key details regarding the 2011 riots and specific example of crimes and their punishments.Students will already be aware of the Criminal Justice Act 2003 as a key piece of legislation. | Weekly questions set as homework and teacher assessed. |
| **2.4 Assess key influences affecting the outcomes of criminal cases****Politics** | * Precedent - an earlier event or action that is regarded as an example or guide to be considered in subsequent similar circumstances
* Common law – laws created through precedent set by judges
* Statute law – laws made in parliament when an act or statute is passed
* Due to politics, new offenses can be created e.g. Dangerous Dogs Act (1991), other laws can be abolished e.g. Sexual Offences Act (1967) and for others there can be changed in penalties.
* In 1954 the government appointed a committee to review the laws dealing with homosexual activity and prostitution, chaired by Sir John (later Lord) Wolfenden.
* **Homosexual offences**
* There had been much concern about the visibility of prostitutes in London during the early 1950s, along with an increase in the number of homosexual offences and media scandals about several prominent men.
* The Wolfenden Committee reported in 1957, and recommended the decriminalisation of private homosexual activity between consenting adults over the age of 21, but with heavier penalties against homosexual activity in public places.
* **Street prostitution**
* Stricter controls of street prostitution were also recommended, and these were put into effect in the Street Offences Act of 1959.
* The laws against homosexual activity remained unaltered, however. The Homosexual Law Reform Society campaigned for change, and the subject was addressed in Parliament in discussions on Private Members' Bills in 1960, 1962 and 1966.
* **Sexual Offences Act 1967**
* In 1967 the Sexual Offences Act was passed which decriminalised private homosexual acts between men aged over 21, while at the same time imposing heavier penalties on street offences.
* The law was not changed for Scotland until 1980, or for Northern Ireland until 1982.
* **Criminal Justice and Public Order Act**
* In 1994 the Criminal Justice and Public Order Act lowered the age of consent for gay men from 21 to 18, and in 2001 it was further lowered to 16.
 | **Precedent** **Common law** **Statute law** | Students will already know that laws surrounding homosexuality have changed over time in the UK and homosexuality has been decriminalised. Students will be aware of the **Sexual Offences Act 1967.** | Weekly questions set as homework and teacher assessed. Weekly previous exam questions set as homework and teacher assessed. |
| **2.5 Discuss the use of laypeople in criminal cases****Juries** | * Juries act and criminal justice act state members of jury must be between 18 and 75 and UK citizen.
* Those with a criminal record with a sentence of 5 years or more are disqualified.
* Those with a medical condition or other legitimate reason for not being able to sit on a jury may be exempt.
* Not allowed to disclose any of deliberations to anyone, or search for information relating to a case

**Strengths**Unlike judges, jurors are not bound by what a law says or by verdicts reached previously in similar cases. As ordinary members of the public, they are free to decide a case based on what they feel is fair or morally right, regardless of the law or how the judge might direct them to apply it to a case.This is called jury equity. Case example - In a case in 2010, Kay Gilderdale was charged with attempting to murder her 31-year-old daughter Lynn, who had been seriously ill for 17 years. Evidence showed Kay was a devoted and caring mother.Lynn had sought to commit suicide by injecting herself with morphine. This failed to work and so her mum administered other drugs and she died some hours later.Kay pleaded guilty to assisting Lynn’s suicide, but the CPS chose to prosecute her instead for attempted murder. However, the jury acquitted her. The jury’s deliberations are held in secret and so the jurors are protected from outside pressures and influences.This allows them to bring in verdicts that may be unpopular with the public. Secrecy may also make people more wiling to serve on a jury than if they knew their deliberations could be made public. Public confidence and democracy - The jury is seen as a key element in a democratic society. The right to be tried by one’s peers is very old and the public have confidence in its fairness and impartiality. The jury system is also democratic because it allows ordinary citizens to become involved in the administration of justice, rather than leaving it all in the hands of the state. **Weaknesses**Majority do not understand instructions from judiciary. This means we can question the use of ordinary people, who have little understanding of the law, in criminal cases. Are they able to try a defendant fairly with this limited insight.External influences such as the media can affect outcomes – three juries thrown out in 2008 because of media influence. Issues of bias within individual jurors may also mean that they are not responsible enough to try a defendant fairly. One disadvantage of the use of a jury in criminal cases is that there is a risk of jury tampering. The defendant, or those close to the defendant, may try to coerce individual members of the jury into giving a not guilty verdict. Similarly, those close to the victim may put pressure on members of the jury to encourage them to deliver a guilty verdict. These influences may happen outside of the courtroom. If this happens, the defendant is not getting a fair trial. This can lead to a miscarriage of justice. However, the Criminal Justice Act 2003 works to prevent jury tampering from affecting the outcome of a trial by allowing a juryless trial in cases where there is believed to be a significant risk.  | **Democracy** **Exempt****Laypeople** **Jury equity**  | Students will already know types of offenses and the hierarchy of courts when discussing sentences in Unit 2.Students will already know the role of jurors from 2.4. | Weekly questions set as homework and teacher assessed. |
| **2.5 Discuss the use of laypeople in criminal cases****Magistrates** | * In England and Wales we have two types of court, magistrates court and crown court. In a magistrates court, you would expect to hear trials relating to summary offences, Whereas in a crown court, you would see indictable offences such as rape and murder.
* Magistrates are unpaid volunteers – ordinary members of the public - who hear cases in the magistrates court.
* You would expect to see three magistrates, one who speaks on behalf of the three of them collectively when issuing a verdict and sentence.
* Must be between the ages of 18 and 65 when appointed as a magistrate.
* They are given training, however they are not qualified. For example, some magistrates sit especially in youth courts and are given training that will help them to apply the law specifically to youths.
* Look at harm caused to victim and the part played by the offender when sentencing.
* They can impose a fine of up to £5000 or a prison sentence of up to 6 months (sentencing is restricted).

**Strengths**Magistrates come from the community .This means they have an understanding of the impact of crime in their local area which may allow them to fully understand the extent of a problem If they pass sentences based on what is having an impact on the community then they are able to protect the communityMagistrates are representative of the genal population Could compare this to the judiciary in crown court who are primarily middle-upper class males We know this because 13% are BAME and 14% of general population are also. 56% are female. This reduces risks of bias amongst magistrates meaning they are less likely to collectively give out less favourable verdicts and outcomes to particular groups of people. Cost effective method of dealing with crime Magistrates are unpaid volunteers Cost to employ judges who are fully qualified would impact ordinary members of the public as funding is issued by the government **Weaknesses**Magistrates may be seen as bias. Magistrates convict over 90% of all cases, and critics have suggested that this is because they are case hardened and biased in favour of believing the police and prosecution.There is the issue of postcode lottery. Despite guidance given to magistrates from the clerk (who instructs on the law) and the sentencing council, there appears to be inconsistencies in sentencing across the country. Can therefore question whether sentencing is just and fair. Over-reliance on legal advisers. Critics argue that magistrates rely too much on the legal adviser to the court. Demographic of magistrates – 49% over 60 vs 25% of general population. Majority also belong to middle and upper classes. Higher income means they can afford to take on an unpaid role.  | **Case hardened****Magistrate** | Students will already know types of offenses and the hierarchy of courts when discussing sentences in Unit 2. | Weekly questions set as homework and teacher assessed. |
| **3.1 Examine information for validity****Sarah Everard**  | * Information that require examination of validity include evidence, trail transcripts, media, judgements and law reports.
* Information can be examined for validity by considering the role of bias, opinion, circumstance, currency and accuracy.

**Sarah Everard case**Sarah Everard was abducted on 3rd March 2021 by police officer Wayne Couzens She was then raped and murderedHer body was later burned Couzens was given a whole life order at his trial on 30th September 2021Validity of media report Could question the currency of information provided on nickname – historical accounts being given Is it biased – all majority of the information suggests the defendant is of bad character and is potentially stereotyping the defendant as a predator prior to sentencing Transcript of Judge’s sentencing remarks made in court Transcripts are accurate and therefore valid – we can see clearly what the judge has said and what has been considered when sentencing is passed. Knowledge of the exact evidence presented in court. Evidence used: CCTV Cell Site Analysis is a means **of establishing the geographical location of a mobile phone** when calls, SMS messages or data is sent or receivedExpert findings – pathologist report on cause of death Account given by Dr Latham – Psychiatrist – who reported on the conversations he has had with the defendant. Also spoke to defendant’s wife. Tells us that the defendant had problems with his own vehicle and therefore needed a hire vehicle (trying to remove the claim that the murder was planned in advance and therefore reduce the level of culpability). Also described him as having driven around in confusion. In this case, the CCTV evidence carries more weight than the testimony provided by the Psychiatrist. Judge describes the evidence as compelling. The CCTV evidence outweighs the Psychiatrist testimony. This testimony is deemed to be inaccurate as CCTV evidence shows precise and careful preparatory steps taken by WC, he did not drive around in a state of confusion as he claims. Some evidence in this case is circumstantial, which may lead us to question it’s validity. Account given by Dr Latham is not verbatim – question accuracy and therefore validity.  | **Verbatim****Transcript****Validity****Currency****Psychiatrist****Cell site analysis** | Students will already be ware of the term validity from evaluating criminological theories in Unit 2.Students will have already explored the role of the media in crime in Unit 1. | Weekly questions set as homework and teacher assessed. |
| **3.1 Examine information for validity****Hillsborough disaster** | * Information that require examination of validity include evidence, trail transcripts, media, judgements and law reports.
* Information can be examined for validity by considering the role of bias, opinion, circumstance, currency and accuracy.

**Hillsborough disaster**Media reports of the Hillsborough disaster were inaccurate The Sun notoriously published the headline ‘The Truth’ where they presented a biased view in favour of police officers. They upheld the police claim publicly that the fans were to blame for the Hillsborough disaster with little thought given to the victims, their families, and no attention paid to accounts provided by anyone other than the police. Reports that are biased are not valid. The original reports made by police officers had been amended Police chiefs, in a bid to ensure blame was directed at supporters rather than themselves, changed to accounts given by their own officers of what happened at the Hillsborough disaster. 164 accounts were changed, with focus on removing negative comments about policing. These accounts therefore were no longer accurate – meaning evidence presented at the first inquest was not valid. The judgements made in the first inquest were not valid. For example, it was ruled that no officers would face charges and that the emergency service response could not be examined as all deaths happened before 3:15pm However, this judgement was not valid because evidence provided was not validThe judgements made in the second inquest were valid. Testimony provided by CS Duckenfield is now accurate Ruled deaths were the direct cause of gross negligence Judgement is accurate due to evidence being revealed that hadn’t been made available previously  | **Bias****Inquest** | Students will likely already have an understanding as to the Hillsborough Disaster and the role the media played in their coverage. | Weekly questions set as homework and teacher assessed. |
| **3.1 Examine information for validity****Jeremy Bamber**  | * Information that require examination of validity include evidence, trail transcripts, media, judgements and law reports.
* Information can be examined for validity by considering the role of bias, opinion, circumstance, currency and accuracy.

**Jeremy Bamber case**On 7th August 1985 5 of the 6 residents of Whitehouse farm were murderedThese included – Neville Bamber, June Bamber, Sheila Caffell (originally Bamber) and her two twin children. Cause of death – gunshot wounds Jeremy Bamber was then convicted in 1986The trial hung around the question of whether or not Sheila Caffell killed herself after a frenzied attack on her children, and adoptive parents, or whether she was murdered along with the other 4 family members by Jeremy Bamber. The jury found that Jeremy Bamber was guilty, and was sentenced by the judge to a minimum of 25 years. **Validity of information** - **Evidence** Police evidence - In the first trial, the jury heard that the defendant had phoned the police claiming that he had received a call from his father, in which his father had stated that his sister (Sheila Caffell) had gone crazy with a gun. This was evidence provided by the police. Given that Jeremy was convicted in this trial, the jury did not believe this evidence meaning it did not carry much weight. This may well be because the claim is coming from the defendant himself. The police evidence, however, was not accurate as key details were omitted. There was reports of a 999 call made by Neville Bamber, where he was claimed to have said that his daughter Sheila had gone berzerk with a gun. Doctor’s testimony – said before the court that Sheila’s body, as he saw it at the crime scene, looked as though the wounds had been inflicted by her own hand. Also stated that this was his opinion and that the jury should not rely on it. This means the evidence he gives carries little weight in defending Jeremy Bamber. Expert testimony – forensic scientist Mr Elliot reporting on his experimental findings in the case. He had taken swabs from Sheila’s body and tested for traces of lead. These were compared to the swabs taken from 8 volunteers who loaded 8 rounds of ammunition. The swabs from Sheila’s body contained very low traces of lead in comparison to the volunteers, suggesting that she did not load a gun. This evidence would carry weight. It is coming from an expert and being sold as a scientific study, suggesting high levels of control. However, the findings might not be accurate. There is now significant evidence to suggest that the crime scene had not been adequately preserved.  | **Preserve****Omitted** | Students will already be aware of the preservation of a crime scene by personnel is critical to the prosecution of an offender.Students will already be aware of the role and impact of expert testimony. | Weekly questions set as homework and teacher assessed. |
| **3.2 Draw conclusions from information****Miscarriage of justice** | * A miscarriage of justice happens when an innocent person is wrongly convicted of a crime and later has this conviction **quashed** due to new evidence.
* When a defendant **appeals** a conviction, there must be new evidence for an appeal to be upheld.
* In the case of the Birmingham Six, six men were convicted of two bombing believed to have been carried out by the IRA in 1974.
* Signed confession made by 4 of the 6 men were revealed to be due to police pressure. This, by 1991, bad been confirmed by an ex-police officer.
* Expert testimony provided by Dr. Skuse in the 1975 trial reported traces of nitroglycerine on two of the six men (from the Greiss test), and stated that he was 99% confident that these two men had been handling explosives. In 1985, research carried out by World in Action refuted these original findings. They demonstrated that the Greiss test can also produce a positive result from handling ordinary items, such as a pack of playing cards.
* The convictions for the Birmingham Six were quashed in 1991, after the men had served 17 years in prison

**IRA**Attacks blamed in IRA as part of their attempt to end british rule in northern Ireland Case in 1975 (when convicted) was based on **signed confessions** from 4 of the 6 men. However, it was revealed that these confessions came after being subjected to 12 hour police interrogation with not break, and being deprived of sleep and food. Other evidence used to convict was the **forensic evidence** provided by Dr. Frank Skuse – the Greiss test. Expert witness Frank Skuse said **Mr Hill** and **Mr Power** had tested positive for nitroglycerine in Greiss tests - chemical analysis looking for the presence of organic nitrate compounds. In court, Dr Skuse claimed this meant he was 99% certain the two had explosive traces on their hands. Other scientists had argued the test was unreliable because a positive result could be gained from nitrocellulose in a range of innocent products.**In the autumn of 1985**, World in Action demonstrated how shuffling an old pack of playing cards containing the substance produced a positive Greiss test. The accused men had played cards on their train journey.In 1986, an ex police officer came forward and confirmed that violent tactics were used by police officers in the course of this investigation.  | **Fabricated** | Students will already know the term miscarriage of justice and the Sally Clark case from Unit 3: 1.1. | Weekly questions set as homework and teacher assessed. |
| **3.2 Draw conclusions from information****Just sentencing** | Sentences can be just – the length of time someone is ordered to stay in prison is appropriate for the crimes they have committed. However, sentences can sometime be unduly lenient or unduly harsh.Aggravating and mitigating factors a judge must consider when delivering a verdict are:* Level of culpability
* Harm caused to victim
* Previous convictions
* Age
* Guilty plea

**Sarah Everard case** Could be interpreted as too harsh Wayne Couzens is currently trying to appeal the sentence he was given in September 2021‘The imposition by the judge, Lord Justice Fulford, of a whole-life term for the murder of a single person where terrorism was not a factor, set new legal ground.’ Judge has not sentenced according to other cases when an individual has been murdered, and the murder was premeditated. Judge set new legal ground when he issued this sentence. In this case, we may also point out that the defendant has pleaded guilty, which would usually mean a more lenient sentence is given. There was also an attempt to reduce culpability by suggesting Couzens was experiencing an episode of depression. The judge refuted this when passing sentence. Allow students to comment on the justness of this sentence, providing they justify it in their own way. E.g. could say the sentence is just because of the exercise of power, the planning, the CCTV evidence that goes against the claim he was experiencing an episode of depression and of poor mental state. Judge has clearly looked at sentencing guidelines to interpret whether whole life order is appropriate and has issued the sentence at their discretion. **2011 Riots**Sentencing were harsh Four year sentence for inciting riots using Facebook 18 month sentence issued to someone who was in possession of a stolen TV | **Discretion****Precedent****Statute****Unduly lenient sentence** **Unduly harsh sentence**  | Students will have explored the role of the media in the 2011 riots in Unit 1.Students will already be aware of aggravating and mitigating actors from discussing sentencing in Unit 2.Students will already know details regarding the Sarah Everard case from earlier in Unit 3. | Weekly questions set as homework and teacher assessed. |
| **3.2 Draw conclusions from information****Safe and just verdicts** | Something is considered safe if it does not carry a risk. A safe verdict is one that does not carry risk. There is not chance that factors during the trial would lead to doubt being cast over the verdict. An unsafe verdict is one that does carry risk. The way the trial was conducted may have been unfair leading to uncertainty over the verdict given. Verdict is not safe if rules have not been followed in court. The safeness of the verdict may therefore be compromised if: * Evidence was ruled admissible but should have been inadmissible
* Evidence was not credible (believable) – for example, eyewitness accounts
* There was not enough evidence to warrant a verdict
* The jury did not give the defendant a fair trial, e.g. looking up information online or discussing the case with those outside of court
* The judge misdirected the jury

Case example:In 2014 Rolf Harris was convicted of 12 counts of indecent assault against children aged 8 and above. He was given a sentence of 5 years and 9 months. However, he was released in 2017. One of the 12 convictions has since been overturned. One count of sexual assault against an 8 year old girl was quashed, the rest were deemed to be safe. The reason for the unsafe verdict was fresh evidence to support his innocence and a complaint made about the trial judge misdirecting the jury by commenting on the credibility of the complainants. The complainant in question is referred to as WR throughout the trial transcripts. At the trial in 2014, WR claimed that Rolf Harris had sexually assaulted her while she was getting an autograph. She claimed that this assault took place in 1969 at Leigh Park Community Centre in Portsmouth. ‘The defence case on this count was that WR was lying or mistaken in her account. **About 15 years had passed** between the alleged incident and her first telling anyoneabout it. She may genuinely but mistakenly have persuaded herself that the applicant was the person responsible. **There was no record, despite very extensive enquiries, of him having visited the community centre in the late 1960s**. **In summing up, the judge directed the jury that they must be sure that WR had correctly identified the applicant as the person who had assaulted her**.’ A just verdict is a verdict that is both lawful and deserved. If an individual has committed a crime, then we would expect them to be given the guilty verdict that they deserve. **Case example of case where justness of verdict has been questioned.**Billy Dunlop was eventually convicted of the murder of Julie Hogg in 1989. Julie Hogg had been strangled to death, and her body hidden in a bath panel. Two trials were held to determine whether Billy Dunlop was guilty of her murder, and both resulted in a hung jury (could not reach a unanimous decision). Following this, Dunlop was acquitted. At the time, the double jeopardy rule meant that Dunlop once acquitted could not face trial for the same crime again. When he was later serving time in prison for assault, he admitted to a prison officer that he had indeed been responsible for the murder of Julie Hogg. Julie’s mother began a campaign to abolish the double jeopardy rule. This was successful, and in 2006 he was finally found guilty of her murder and sentenced to a minimum of 17 years in prison.  | **Acquitted****Double Jeopardy Rule**  | Students will already know that jury equity allows juries to decide based on morality rather than law. This may help to produce a just verdict when the law seems unfair.Students will already be a aware of the key details of the Kay Gilderdale case from 2.5.  | Weekly questions set as homework and teacher assessed.Mock assessment for 3.1 and 3.3. in preparation for the controlled assessment. |