**Police station representative accreditation scheme**

**Part 3 Standards of performance**

**Unit 8 Advising and assisting a client in respect of identification procedures**

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| Assessment outcomes  The candidate will be able to: | Assessment criteria  The candidate can: | Knowledge, understanding and skills |
| 1. Advise the client on identification procedures | 1. Request a copy of the description of the suspect as first given by an eye-witness, and respond appropriately in the event of refusal | The police must make a record of the description of the suspect as first given by an eye-witness, a copy of which must be given to the suspect or their solicitor before any identification procedure is conducted (Code D, para. 3.1).  The solicitor or representative should ask for a copy of such a description. In the event of refusal, the solicitor or representative should refer the police to the relevant provisions of Code D and, if necessary, refer the matter to a more senior officer. |
| 1. Seek information about whether any eye-witness has been shown photographs or other visual images prior to any identification procedure | If the identify of a suspect is known and they are available to take part in an identification procedure, and eye-witness must not be shown photographs or other visual images.  If a suspect’s identity is now known, and eye-witness can be shown photographs or other visual images, subject to certain limitations regulatory procedures (Code D, para 3.3, and Annex E).  The solicitor or representative should seek to discover whether an eye-witness has been shown photographs or other visual images and, if so, assess whether this complies with the provisions of Code D.  The solicitor should record information obtained, and any representations made. |
| 1. Advise the client on the advantages and disadvantages of the various identification procedures, and whether to co-operate with any identification procedure proposed by the police | The solicitor or representative should:   * have a practical understanding of the various forms of identification procedure * be able to analyse the advantages and disadvantages to their client of any identification procedure proposed by the police, and convey that analysis to their client in a form that they can understand * advise the client whether to co-operate with an identification procedure proposed by the police, taking into account the consequences if they do not co-operate |
| 1. If identification is in issue, and the police are not proposing to conduct an identification procedure, advise the client on whether to request an identification procedure | The solicitor or representative should:   * have a practical understanding of the provisions of Code D concerning when an identification procedure must be held, and * be able to formulate advice to the client as to whether to request an identification procedure * if relevant, make appropriate representations to the police, keeping a record of representations made and the response |
| 1. Seek to ensure that identification procedures are fairly conducted | 1. Consider whether the procedures proposed or adopted by the police comply with the relevant provisions of Code D, and take appropriate action if they do not | The appropriate procedures depend upon the form of identification procedure conducted, and the solicitor or representative should have a practical knowledge of them.  The solicitor or representative should seek information from the police upon how the procedure is to be conducted, consider whether this complies with the relevant provisions of Code D, and make relevant representations to the police in order to safeguard the fairness of the procedure.  A record should be made of any representations made, and the response |
| 1. Advise the client on their participation in the identification procedure to be conducted | The advice will depend upon the form of identification procedure to be conducted but should seek to ensure that the client conducts him or herself in a way that is in his or her best interests. |
| 1. Maintain an accurate written record of the identification procedure | If the solicitor or representative is present at the identification procedure, they should make an accurate, contemporaneous record of the process, including a record of any representations made and the response to such representations. |