

Diploma in Consumer Affairs and Trading Standards

Intelligence and Investigative Principles

NOVEMBER 2017

Candidates answering the questions from the Scottish or Welsh law viewpoint: Please ensure you write “Scottish” or “Welsh” on the front of your examination booklet.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force (i.e. has been enacted) and regulations which have been made but are not yet in force, if they are directly relevant to the subject-matter of the examination.

There are three sections to the examination paper:

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| <i>Section A</i> | Consists of five questions.
Candidates should attempt to answer all questions.
Total allocation of marks is 25 marks.
Suggested time allocation is 45 minutes. |
| <i>Section B</i> | Consists of two questions.
Candidates should attempt to answer one question.
Total allocation of marks is 25 marks.
Suggested time allocation is 45 minutes. |
| <i>Section C</i> | Consists of three questions.
Candidates should attempt to answer two questions.
Total allocation of marks is 50 marks.
Suggested time allocation is 90 minutes. |

Total time allowed – three hours (plus ten minutes reading time).

The Intelligence and Investigative Principles paper is a closed book; no materials are permitted to be taken into the examination room.

*The examination paper has **six** pages, including this front sheet.*

Section A

Candidates should attempt to answer **all** questions -
total of 25 marks.

1. Briefly explain why the credibility of your witnesses is important and how you would make the appropriate enquiries to establish this.
(5 marks)
2. Briefly explain, drawing on one example, why consideration of time limits during an investigation is important.
(5 marks)
3. Briefly explain the purpose of a defence statement.
(5 marks)
4. Briefly explain the purpose and substance of a subject profile.
(5 marks)
5. Briefly explain the differences between the old 5x5x5 intelligence report form and the new 3x5x2 form.
(5 marks)

Section A total of 25 marks.

End of Section A.

Section B

Candidates should attempt to answer **one from two** questions -
total of 25 marks.

6. When conducting an investigation, trading standards must act in accordance with general legal provisions that regulate their behaviour, to ensure there is a fair investigation and that appropriate procedures are followed.

Taking a broad approach, critically discuss how this can be achieved.

(25 marks)

7. “One of the key objectives for National Trading Standards has been to develop intelligence-led working and to support local authority trading standards services in using intelligence to help support local work and priorities.” (<http://www.nationaltradingstandards.uk/work-areas/intelligence-team/>)

Critically evaluate the above statement and discuss the advantages and disadvantages to an intelligence-led approach in trading standards.

(25 marks)

Section B total of 25 marks.

End of Section B.

Section C

Candidates should attempt to answer **two from three** questions - total of 50 marks.

8. Answer **all** parts

You are Jane Brown, a trading standards officer with Blankshire Council. You have received a high volume of complaints from consumers about unsafe cars purchased from Rubbish Vehicles who are based in your area.

- (a) Explain what initial steps you will take to understand the scale of the problem. (8 marks)

You now have a better understanding of the problem and, as your investigation progresses, you decide to conduct an interview under the Police and Criminal Evidence Act 1984 (PACE) [in Scotland, the Criminal Procedure (Scotland) Act 1995] with Mr Rubbish, the owner of Rubbish Vehicles, whose first language is not English.

- (b) Discuss how you will comply with PACE Code C to ensure that Mr Rubbish is treated fairly and appropriately both before, during and after the interview. (6 marks)

Following the interview, you have sufficient information to submit a report to your senior officers recommending a prosecution.

- (c) Explain the importance of your authority's enforcement policy and how you will have adhered to this throughout your investigation. (11 marks)

(total 25 marks)

Section C is continued over the page.

9. Answer **all** parts

You are Bob Blank working with Blankshire Council. You are leading a complex investigation which has uncovered a number of vulnerable people who have been affected by the criminality.

- (a) Discuss how you will ensure that you achieve best evidence from the vulnerable people who have been targeted.

(6 marks)

Best evidence has been achieved and you have obtained a high volume of evidence relevant to your investigation.

- (b) Explain how you will ensure compliance with all record keeping requirements.

(6 marks)

Your investigation progresses and you prepare a Prosecution Report, including a schedule of evidence, to submit to your senior officers.

- (c) Discuss the importance of a schedule of evidence and, using examples, explain what it should contain and what hearings may be applicable.

(13 marks)

(total 25 marks)

Section C is continued over the page.

10. Answer **both** parts

You are a trading standards officer with Blank Council and are the Officer in Charge of an investigation into a business, based in your area, called 'wegotyou.com'. This business has generated a high volume of complaints from consumers in both your area and in the neighbouring authority, Blink Council. You decide to conduct a raid at the registered address for 'wegotyou.com', which is on an industrial site spanning the borders of your authority and Blink Council.

- (a) Discuss your powers of entry and what processes you would need to undertake to enable the raid to occur.

(12 marks)

During the raid, you mainly seize digital evidence, including computers, smart phones and other technical equipment.

- (b) Explain how you will comply with the legislation that governs the gathering of digital evidence and the appropriate steps you should take.

(13 marks)

(total 25 marks)

Section C total of 50 marks.

END OF EXAMINATION PAPER.