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The ACPO Murder Investigation Manual was first published in September 1998. It was compiled by a group of experienced Senior Investigating Officers (SIOs) supported by experts and other professionals working in the criminal justice system. They carried out extensive consultation within the Police Service and partner agencies to identify good practice in homicide investigation. The resulting manual was widely praised for bringing together the vast array of issues involved and it is now seen as the definitive guide on homicide investigation, by practitioners and policy makers alike. It is used to underpin the training and development of SIOs and has become a reference point for the investigation of all types of major crime.

The second edition of the Murder Investigation Manual was published in December 2000 after being amended to take account of changes in legislation and procedure.

In the six years that have elapsed between the publication of the second edition and this edition, much has changed. The legal framework of criminal investigation has continued to evolve through legislation and case law. Scientific and technical developments have increased the range of material that is available to SIOs. Procedural developments have come about through the lessons learned from public enquiries, coroners’ inquests, trials and internal reviews. A wide range of other manuals providing professional practice for investigators has been published by the Association of Chief Police Officers (ACPO), the Home Office, the National Centre for Policing Excellence (NCPE), Her Majesty's Inspectorate of Constabulary (HMIC), the Police Standards Unit (PSU), and others. In addition ACPO Professionalising Investigation Programme (PIP) has been launched.

The extent of these changes means that this third edition of the Murder Investigation Manual is substantially different from its predecessors. It focuses mainly on the role of the SIO and the strategic issues involved in investigating a homicide. This is because many of the tactical issues are now dealt with in separate manuals which are referred to throughout the text.

Sections 1 to 8 deal with a number of issues which are likely to be relevant to all investigations; sections 9 to 23 deal with the individual strategies and techniques of homicide investigation.
PART 1
STRATEGIC MANAGEMENT
Section 1
HOMICIDE INVESTIGATION
AND THE ROLE OF THE
SENIOR INVESTIGATING
OFFICER

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1.1 INTRODUCTION

This manual is concerned with the police investigation of the three offences which are included in the Home Office definition of homicide. These are murder, manslaughter and infanticide.

The investigation of homicide presents unique challenges to investigators. Some of these challenges arise because homicide is a serious crime, and bringing offenders to justice is a priority for both the public and the police. As a result, there is often a great deal of pressure on Senior Investigating Officers (SIOs) to identify the perpetrator as quickly as possible. Other challenges arise from the range of circumstances in which homicide is committed. This leads to a great deal of variation in the type of information generated in each case, and the way it is distributed at scenes and among witnesses. This means that SIOs can face numerous, different problems in locating and recovering material. SIOs will be better able to address these problems if they have a clear understanding of the way in which material is generated during a homicide, how it comes to be distributed among scenes and witnesses, and the factors that motivate offenders and witnesses to provide this material to the police or to withhold it from them. This is a complex area and it is beyond the scope of this manual to cover all of the issues involved. A brief summary is provided in 1.2 Homicide but investigators should read the relevant publications to improve their understanding. This includes Brookman (2005) Understanding Homicide.

1.2 HOMICIDE

This section summarises some of the diverse circumstances in which homicide is committed and the impact that these have on the material generated.

1.2.1 TYPES OF HOMICIDE

Figure 1 is taken from Brookman (2005) Understanding Homicide, and lists the types of homicide recorded by the Home Office.
Between them, domestic homicide and confrontation homicide account for just over half of all homicide cases. Within the category of domestic homicide, killing by a current or former spouse is by far the largest group. Compared with these types of homicide, all others are infrequent. None generally have an incidence greater than ten per cent and many are much less frequent than that.

The important point to note in relation to Figure 1 is that the dynamics of these different types of homicide are very diverse. For example, confrontation homicides, which typically involve males as both offenders and victims, tend to be spontaneous and occur in public places, often in the presence of an audience. Alcohol frequently plays a significant role, and it is common for such incidents to take place in the street outside pubs and for the victim and offender to be strangers. The method used to kill is often hitting or kicking, which reflects the spontaneous nature of the incidents.

In contrast, homicide between current or former spouses typically involves men as offenders and women as victims. By definition, the offender and victim are known to each other and there is often a history of domestic violence. The offence generally occurs indoors and weapons feature more often than in confrontation homicides.

<table>
<thead>
<tr>
<th>Types of Homicide</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic homicide, which is sub-divided into:</td>
</tr>
<tr>
<td>Current or former spouse</td>
</tr>
<tr>
<td>Sexual rival</td>
</tr>
<tr>
<td>Parent/Child</td>
</tr>
<tr>
<td>Child/Parent</td>
</tr>
<tr>
<td>Other (eg, siblings/in-laws)</td>
</tr>
<tr>
<td>Homicide in the course of other crime, which is sub-divided into:</td>
</tr>
<tr>
<td>Robbery</td>
</tr>
<tr>
<td>Burglary</td>
</tr>
<tr>
<td>Other gain</td>
</tr>
<tr>
<td>Sexual attack (unrelated individuals)</td>
</tr>
<tr>
<td>Resisting/avoiding arrest</td>
</tr>
<tr>
<td>Gang homicide</td>
</tr>
<tr>
<td>Confrontation homicide (unrelated individuals)</td>
</tr>
<tr>
<td>Jealousy/revenge (unrelated individuals)</td>
</tr>
<tr>
<td>Reckless acts (unrelated individuals)</td>
</tr>
<tr>
<td>Racial violence</td>
</tr>
<tr>
<td>Other unspecified circumstance (unrelated individuals)</td>
</tr>
<tr>
<td>Unusual cases, which are sub-divided into:</td>
</tr>
<tr>
<td>Serial murder</td>
</tr>
<tr>
<td>Mass homicide</td>
</tr>
<tr>
<td>Terrorism</td>
</tr>
<tr>
<td>Homicide among children under 17 (unrelated)</td>
</tr>
<tr>
<td>Context/motive unknown</td>
</tr>
</tbody>
</table>

Figure 1 Types of Homicide
Such differences exist between many of the other types of homicide and occur across a range of features which are important to the investigation. For example, the location where the homicide occurs and the method of attack are both important in determining the type of forensic material that is generated and the ease with which it can be recovered. Location could also determine the likelihood of the attack being witnessed. Figure 2 shows the variations that exist in relation to the locations of homicide and the methods of attack.

Figure 2 Location of Homicides and Methods of Attack

<table>
<thead>
<tr>
<th>Location of homicides</th>
<th>The method of attack</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>Sharp instrument</td>
</tr>
<tr>
<td>Street or alley</td>
<td>Hitting or kicking</td>
</tr>
<tr>
<td>Pub or club</td>
<td>Blunt instrument</td>
</tr>
<tr>
<td>Open space</td>
<td>Shooting</td>
</tr>
<tr>
<td>Other</td>
<td>Strangulation</td>
</tr>
<tr>
<td></td>
<td>Poisoning</td>
</tr>
<tr>
<td></td>
<td>Causing to fall</td>
</tr>
<tr>
<td></td>
<td>Suffocation</td>
</tr>
<tr>
<td></td>
<td>Other</td>
</tr>
</tbody>
</table>

(Source: Brookman 2005)

1.2.2 PLANNING

Homicides also differ from each other in the degree of planning (if any) by the offender.

Where homicides are unplanned, the offender’s control over the volume and type of material generated by the incident may be limited. There may be witnesses, or the method used to kill the victim may result in bodily fluids, fibres or other materials being deposited at the scene. These can identify the offender or connect him or her to the crime. The offender’s actions after the event, such as telling others or leaving home, may lead to suspicion falling readily on them.

On the other hand, those who plan the killing or who have at least contemplated the use of violence by carrying a weapon may be able to exercise more control over the homicide and thereby generate less material. Furthermore, those in criminal networks or gangs may have sufficient resources to enable them to control the amount of material the police collect by intimidating witnesses, disposing of incriminating evidence and constructing alibis.
1.2.3 INFORMATION PROFILES

The various circumstances in which homicide is committed determine the quantity and quality of the material that is available for the police to collect during subsequent investigations. This material may be: physical evidence that can link an offender to the crime, for example, fingerprints, DNA, or material such as property left at the scene or taken from it; CCTV and other types of image; electronic data relating to activities such as telephone calls or financial transactions; or the testimony of those who have witnessed some event which links the offender to the crime.

Whatever form it takes, there will be a limit to the material generated during the course of a homicide. For example, there will only be so many fingerprints at the scene, a limited amount of material taken from it and only so many witnesses. Each homicide produces a unique mix of such material which varies by volume, type and distribution. This can be thought of as the information profile of the incident.

The information profile of an incident is one of the factors that will determine the difficulty of the investigation. The other factors are the actions of offenders and witnesses after the event. Some offenders take action such as cleaning scenes, disposing of incriminating evidence and intimidating witnesses; this can prevent the police from gathering material. On the other hand, some offenders surrender to the police or confide their involvement in the homicide to others, which leads to the information being provided to the police. The behaviour of individual witnesses also varies and may include them spontaneously contacting the police with information, or withholding it.

Understanding the different circumstances in which homicide is committed and the ways in which offenders and witnesses may behave after the event will assist SIOs to plan an effective investigative strategy.

1.3 THE ROLE OF THE SENIOR INVESTIGATING OFFICER

An SIO is the lead investigator in cases of homicide, stranger rape, kidnap or other complex investigations.

This requires the SIO to:

- Perform the role of officer in charge of an investigation as described in the Code of Practice under Part II of the Criminal Procedure and Investigations Act 1996;
- Develop and implement the investigative strategy;
- Develop the information management and decision-making systems for the investigation;
- Manage the resources allocated to the investigation;
- Be accountable to chief officers for the conduct of the investigation.
1.3.1 THE SKILLS OF THE SENIOR INVESTIGATING OFFICER

The role of the SIO in a homicide investigation is potentially one of the most complex and challenging positions within the Police Service. It combines two elements, i.e., the role of investigator and the role of manager, each of which must be performed to the highest standards.

Investigator

The wide range of circumstances in which homicides occur means that no two investigations are exactly the same. In many cases the available material is limited, ambiguous or of unknown accuracy. As a consequence, SIOs need to be skilled and experienced investigators who are able to develop investigative strategies based on the unique circumstances of each case, and they must continually modify them as new material becomes available. In particular, SIOs must have:

• Knowledge of
  – the criminal law
  – the circumstances in which homicides are committed
  – the ways in which offenders, witnesses and communities are likely to respond following the homicide and during the investigation
  – local and national policies in relation to criminal investigation including ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), and information management systems such as HOLMES and the Paper System
  – the principles of criminal investigation and supporting disciplines;
• Skills and experience in applying the techniques of homicide investigations;
• Decision-making ability.

Manager

SIOs must also acquire the necessary resources for the investigation. They must also establish information management systems to enable investigations to proceed effectively. Investigations of homicide and major incidents bring together a large group of professionals into a temporary team. This usually involves staff from within the Police Service and specialists from outside. In complex cases it is possible for hundreds of people to have some level of professional involvement in the investigation. In order for this temporary team to work effectively, SIOs must have a high level of management and leadership ability.

For further guidance on the role of the SIO, see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 1.2 Senior Investigating Officer.
1.3.2 RESILIENCE

Homicide and major incident investigation may require SIOs to perform long periods of duty under intense pressure. This is particularly the case during the early stages of an investigation and at key points, such as suspect arrest and interview, when SIOs are likely to personally direct all aspects of the case. SIOs, and those responsible for managing them, should recognise that this intensity of pressure can have an adverse effect on their performance as well as on their general health and welfare.

To minimise this, SIOs and other senior managers should ensure that they do not work excessive hours and that they take adequate rest days and leave. It is not usually appropriate for SIOs to have other managerial responsibilities while the homicide remains undetected. SIOs should delegate those functions which do not require their direct involvement. In doing this, however, they should bear in mind that they should not overburden others who are also working under pressure. Resource allocation should be kept under continual review to ensure that it is adequate for the workload.

1.3.3 PIP REGISTRATION AND CONTINUED PROFESSIONAL DEVELOPMENT

To meet the investigative and management challenges, SIOs should be registered at PIP Level III or above. Despite this registration, the complexity of investigations varies. SIOs who have only recently completed the SIO’s Development Programme, or who have not been involved in a wide range of investigations since completing it, may not have the depth of experience necessary to perform competently in complex investigations. In the light of developments in the investigation, the Assistant Chief Constable (ACC) Crime, Heads of CID and SIOs themselves have a responsibility to continually review the level of experience required by the SIO. For further information on the role of ACPO, see 3 The Role of Chief Officers in Major Crime Investigation.

SIOs should take every opportunity to increase their knowledge and widen their experience. In the past many SIOs developed their skills through a system biased towards experience. This development path depended on the number of cases the investigators had ‘under their belt’ and the willingness of others to share their experiences. It is still desirable for SIOs to learn from experience and by finding things out for themselves. This is, in fact, one of the core competencies of the SIO, but experience is relative and may be influenced by personal prejudices, beliefs or stereotypical images of certain groups and individuals. In addition, some types of homicide are extremely rare and even the most experienced SIO will not have first-hand experience of every type of case. Experience alone is, therefore, no longer sufficient preparation for leading a homicide or major incident investigation. SIOs must understand the wider principles of criminal investigation and related disciplines such as forensic science, crime scene examination and the behavioural sciences. This will increase their skills and knowledge, and improve their approach to all investigations.
The Criminal Procedure and Investigations Act 1996 (CPIA)

All SIOs should be fully familiar with the requirements of CPIA 1996. The following are extracts which are particularly relevant to the role of the SIO.

Section 2.1 of the Code of Practice under Part II of the Criminal Procedure and Investigations Act 1996 (CPIA) provides a number of definitions that are relevant to understanding the role of an SIO.

Criminal investigation

A criminal investigation is an investigation conducted by police officers with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it. This will include:

- Investigations into crimes that have been committed,
- Investigations whose purpose is to ascertain whether a crime has been committed, with a view to the possible institution of criminal proceedings, and

1.4 THE DEPUTY SENIOR INVESTIGATING OFFICER

In all but the most straightforward of investigations it is likely that a Deputy Senior Investigating Officer (D/SIO) will be appointed. The role of the D/SIO is not simply to mirror that of the SIO and to deputise in their absence. The D/SIO should be given specific responsibility for managing key areas of the investigation to enable the SIO to focus on strategic issues.

The exact role of the D/SIO will depend on the circumstances of each case, the type of resources that are being used and the investigative strategy being followed by the SIO. As a general rule the D/SIO should be responsible for:

- Deputising in the absence of the SIO;
- Assisting in developing the investigative strategy;
- Managing the logistics of the investigation;
- Implementing the investigative strategy.

Although it is appropriate to use the role of D/SIO as a way of developing future SIOs, the nature of the role means that the D/SIO will often be placed in positions where they must take full responsibility for the conduct of the investigation. They may also have to take significant decisions. SIOs should satisfy themselves that D/SIOs have sufficient training and experience before they are placed in such positions. Where SIOs are likely to be absent for substantial periods, for example, taking annual leave, they should ensure that the D/SIO has clear guidelines on the way the investigative strategy is to be pursued. They should also be given a point of contact with a more experienced SIO should they need support.

For further guidance on the role of the D/SIO, see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 1.3 Deputy Senior Investigating Officer.
• Investigations which begin in the belief that a crime may be committed, for example, when police keep premises or individuals under observation for a period of time, with a view to the possible institution of criminal proceedings.

Charging a person with an offence includes prosecution by way of summons.

Investigator
An investigator is any police officer involved in the conduct of a criminal investigation. All investigators have a responsibility for carrying out the duties imposed on them under this code, including in particular recording information, and retaining records of information and other material.

Officer in charge of an investigation
The officer in charge of an investigation is the police officer responsible for directing a criminal investigation. He is also responsible for ensuring that proper procedures are in place for recording information, and retaining records of information and other material in the investigation.

Section 3 of the Code outlines some general responsibilities.

3.1 The functions of the investigator, the officer in charge of an investigation and the disclosure officer are separate. Whether they are undertaken by one, two or more persons will depend on the complexity of the case and the administrative arrangements within each police force. Where they are undertaken by more than one person, close consultation between them is essential to the effective performance of the duties imposed by this code.

3.2 The chief officer of police for each police force is responsible for putting in place arrangement to ensure that in every investigation the identity of the officer in charge of an investigation and the disclosure officers is recorded.

3.3 The officer in charge of an investigation may delegate tasks to another investigator or to civilians employed by the police force, but he remains responsible for ensuring that they have been carried out and for accounting for any general policies followed in the investigation. In particular, it is an essential part of his duties to ensure that all material which may be relevant to an investigation is retained and either made available to the disclosure officers or (in exceptional circumstances) revealed directly to the prosecutor.
# Section 2

## THE STRATEGIC MANAGEMENT OF HOMICIDE AND MAJOR INCIDENT INVESTIGATIONS

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2.1 THE STRATEGIC PHASES OF AN INVESTIGATION

Homicide investigations typically have three distinct strategic phases.

1. **Instigation and initial response** – this involves the deployment of officers to the report of an incident, which may be a homicide, and the action they take to preserve life, secure the scene, arrest offenders and locate material.

2. **The investigation** – this involves developing investigative strategies for gathering the material needed to establish that the incident is a homicide, identifying and arresting suspects, and gathering material for a prosecution.

3. **Case management** – this involves post-charge enquires, preparing the material gathered for the prosecution and the defence, and managing witnesses and exhibits throughout the trial process.

There is usually some overlap between these phases. For example, SIOs arriving at scenes during the initial response are likely to start issuing actions relating to the investigation phase while the initial response is still being completed. Similarly, when a suspect is charged, there may be some investigation phase actions that still require completion while the prosecution file is being prepared. SIOs should not, therefore, view these phases in isolation but should consider how the actions carried out in one phase will impact on the next. Each of these phases is discussed separately in the following sections.

2.2 INSTIGATION AND INITIAL RESPONSE

An investigation starts at the time a report of an incident is made to the police. The way in which reports are dealt with by control rooms and the actions of officers initially deployed to the scene are generally outside the control of the SIO. The SIO only becomes involved once it has been determined that the incident may be a homicide or a major incident. It is, therefore, important that those with responsibility for homicide and major incident investigation ensure that control room staff and patrol officers are fully trained in the actions they should take when such incidents are reported. General guidance on the action to be taken during the instigation and initial response phase of a criminal investigation is provided in *ACPO (2005) Practice Advice on Core Investigative Doctrine*. The following subsection contains specific guidance in relation to homicide and major incident investigation.

2.2.1 INSTIGATION

It is not always obvious from the initial report of an incident that it involves homicide. Reports of bodies found with injuries that may have been caused by an assault, or reports made by those responsible for the homicides, are relatively straightforward and will prompt an appropriate initial response.
Less obvious scenarios include:

- Reports of missing persons;
- Sudden unexplained death of an infant;
- Reports of abduction;
- Reports of violence where fatalities are not anticipated;
- No body crime scenes;
- Hit and run accidents;
- Suicides;
- Fatal fires;
- Drugs-related deaths.

If the potential for these reports to involve homicide is overlooked, opportunities to gather significant material may be lost. Where death or serious injury is reported or the circumstances of an incident appear suspicious, call handlers should always **Think Murder**.

It is important to establish, from those reporting an incident that may be a homicide, whether the victim could still be alive. If in any doubt, medical assistance should be sent to the scene.

The significance of the information provided by the person reporting an incident that may be a homicide must not be underestimated. Accurately recording the following details is essential:

- Name, home address and telephone number of the person making the report;
- First account of the person making the report;
- Precise details of the location of the scene;
- Circumstances leading to the discovery;
- Identity of the victim, if known;
- Details of other people at the scene;
- Relationship of the person making the report to the victim;
- Location of the person making the report;
- Demeanour of the person making the report.

Until police officers have arrived at the scene, there is a risk that valuable material may be lost or contaminated. To minimise the potential for this to happen the person making the report should be advised to:

- Return to a location proximate to the scene;
- Not to enter the obvious parameters of the scene;
- Not to touch or move anything;
- Prevent others from approaching the scene;
- Identify themselves to the first officer arriving at the scene.

In cases where the caller attempts to remain anonymous, every effort should be made to discover their identity. If they terminate the call, steps should be taken to establish its origins.
All of the information obtained from callers should be passed to the officers making the initial response to the call. This will enable officers to minimise any risks associated with the incident and to prioritise their activity at the scene.

The initial response to an incident presents the greatest risk of scene contamination. Staff coordinating the resources deployed to the scene should be aware of the risk of cross-contamination; they should actively manage deployments to minimise the risk of the same officer inadvertently visiting more than one scene. This is a particular problem when suspects are identified during the initial response and officers are deployed to make arrests.

The details of all officers deployed in relation to the incident should be recorded and made available to the SIO.

The recordings of all telephone calls and radio transmissions relating to the investigation should be preserved and made available to the SIO.

2.2.2 INITIAL RESPONSE

The actions taken by the first officers attending the scene of a homicide or major incident are critical to the success of the investigation. From the outset, officers should adopt an investigative mentality and approach.

During the initial response it is sometimes difficult to determine if a death is the result of natural causes, an accident, suicide or homicide. If in doubt, investigate as homicide until the evidence proves otherwise.

Initial reports of vulnerable missing persons may also be difficult to assess. Those involved in the initial response should remember that every missing person report has the potential to become a homicide investigation.

Officers should carry out an initial assessment of the incident and send a situation report to the control room which, in turn, will coordinate the deployment of supervisors and additional resources to the incident.

Those making the initial response to an incident should be guided by the following principles which underpin all major investigations:

Figure 3 Five Building Block Principles
2.2.2.1 The Preservation of Life

This is the first responsibility for those initially deployed to the scene. On arrival, the condition of the victim should be assessed and if there is any possibility that they may still be alive, first aid should be applied and an ambulance called.

Applying first aid and removing the victim will involve disturbance of the scene and may destroy material. The following action, can minimise the impact of such disturbance:

• A sketch or series of sketches may assist;
• Observe exact detail of scenes, particularly the location of the victim;
• Identify anything which is moved, noting original and eventual position;
• Try to effect removal with minimum disturbance of the scene;
• Establish a single route into and out of the scene;
• Make an accurate record of these facts and report them to the SIO at the earliest opportunity.

When a victim is moved from the scene to the hospital, the identity of the ambulance crew and details of the hospital, should be established. Ideally, an officer should travel to the hospital with the victim to provide evidence of continuity and to coordinate investigative actions at the hospital. If it is not possible to send an officer from the scene, an officer should attend the hospital at the earliest opportunity.

Priorities for officers at the hospital, if the victim is still alive:

• Seize the victim’s clothing and other possessions (including mobile phones) as evidence;
• Establish the identity of the victim;
• Obtain a pre-transfusion blood sample;
• Obtain a medical opinion about the victim’s condition;
• Obtain details of family, friends or associates who visit the victim, as they may be witnesses or sources of other information;
• Subject to medical advice, if the victim is conscious, establish what has happened including details of any suspects (this might be admissible in a subsequent trial as a ‘dying declaration’).

A DYING DECLARATION is when:

• The person making the statement has since died or is in a settled and hopeless expectation of death;
• The statement is to be admitted in a homicide trial;
• It relates to the cause of death.
Priorities for the officers at the hospital, where the victim dies before arrival:

- Treat the victim as a scene;
- Ask the medical staff to leave the victim’s clothing on the body;
- In cases where medical treatment has been given to the victim or there have been attempts at resuscitation, request that all connecting tubes, needles, plasters and other medical items be left in place;
- If possible, obtain an opinion from medical staff treating the victim as to the type of injuries and the cause of death;
- Establish if the victim spoke to anyone before death and make a record of what was said.

Where officers attending the scene consider the victim to be dead, a police surgeon should be called to formally pronounce life extinct. Pathologists and some paramedics can also perform this function.

Note: There have been cases where police officers believed a victim to be dead, only for police surgeons to discover vital signs of life through medical examination. If in doubt, apply first aid and call an ambulance.

Where a police surgeon attends prior to an SIO, they should be asked to pronounce life extinct while causing minimum disturbance to the body and the scene.

2.2.2.2 Preserve Scenes

Crime scenes are an important source of material for investigations. Physical evidence, however, can be very fragile and easily destroyed or contaminated. It is, therefore, essential that those involved in the initial response take effective action to maximise the chances of recovering physical evidence. To do this, officers must:

- Identify;
- Secure;
- Protect.

Identify

- The identification of the crime scene is a priority activity.
- Look beyond the obvious, as parameters of a scene may well extend beyond where the body is found.
- Identification of routes taken to and from the scene by the suspect and victim is of equal importance.
- Identification of other crime scenes, where there is more than one.
Secure

- Prevent entry (other than to authorised persons such as the scenes of crime officer (SOCO), SIO and police surgeon).
- Ensure that protective clothing is worn by all those who enter the scene.
- Commence a crime scene log (see 9.4.1 Security).
- Depending on the circumstances, there will always be a wide range of methods available to secure scenes. Some of the most commonly used are:
  - Tape – start with a widely defined area to allow the SIO the best chance of securing all available evidence;
  - Stationing officers at entry points – beware of contamination issues that may arise if this is used;
  - Blocking access by using vehicles;
  - Road blocks and road diversions;
  - Temporary fencing.

Protect

Officers should prevent further human or animal disturbance of the scene, but, leave specialist protection such as protection from the weather to the SOCO and other specialists.

2.2.2.3 Secure Evidence

In the early stages of an investigation, witnesses are an important source of material. Focused questioning at the crime scene affords an opportunity to secure material by identifying witnesses and other scenes. This should include:

- Obtaining details of all persons at the scene;
- Identifying witnesses and obtaining an initial account from them, including descriptions of those they have seen at the scene;
- If they have made telephone calls from the scene, securing the numbers of the phones used and those called, as this will assist to verify witness accounts and times;
- Recording the index numbers of motor vehicles in the vicinity;
- Obtaining a description of any vehicle seen to leave the scene;
- Seizing any CCTV images that may have recorded relevant events.

Likely sources of witnesses are:

- Residents in the immediate vicinity;
- Passers-by;
- People working in the area;
- Family and associates of the victim or suspect.
The significance of information provided by the person reporting the suspicious death must not be underestimated.

**Note:** A person reporting a murder may be a significant witness or the offender.

### 2.2.2.4 Identify Victim

The identification of victims enables investigators to instigate actions which may lead to the early identification of suspects. Those reporting the incident and witnesses found at the scene should be questioned to establish the victim’s identity as soon as possible. No attempt should be made to search the victim’s clothing for identification evidence as this may destroy other physical evidence which could identify the offender.

A record should be made of clothing being worn by the victim together with their physical description.

If the identity of the victim is unknown, a search of missing person records should be undertaken to establish if any of the descriptions match the deceased. Visible tattoos or other physical features may also be used to search local records and the PNC.

### 2.2.2.5 Identify and Arrest Suspects

When homicide is suspected, the identification and arrest of the offender(s) must always be a priority.

**Note:** Offenders may still be at the scene or may return to it during the initial response.

Where suspects have been identified, the arrest should be made by officers who have not visited any scenes. This will avoid cross-contamination. If this is not possible, for example, if the offender is arrested at the scene by officers who are already there, arresting officers should follow normal procedures for taking suspects into custody but should try to reduce contamination of forensic evidence as much as possible. The fact that the arresting officer has been at the scene should be declared to the SIO as soon as possible.

The suspect should not be questioned in detail about the incident; anything that they say should be recorded as significant statements.

### 2.2.3 THE SIO AND THE INITIAL RESPONSE

SIOs are generally called to the scene of an incident following a situation report from those making the initial response. Depending on the nature of the incident, a great deal of activity may have been initiated prior to the arrival of the SIO. The SIO’s first task on being informed of an incident is to review what has been done prior to their involvement and bring the investigation under their command.
Each force will have its own arrangements for calling SIOs to the scene of an incident, together with out-of-hours cover arrangements. Whatever the nature of these arrangements, the first contact is usually by telephone and this provides the SIO with an early opportunity to review what has been done and to take control of the investigation. The SIO should speak to the person in command of the incident, apprise themselves of the situation and be satisfied that the action being taken is appropriate. They should also:

- Ensure that any instructions they give for the preservation of the scene or other fast-track actions are clear and recorded;
- Consider authorising the deployment of additional or specialist resources where they leave sufficient information to enable a judgement to be made;
- Ensure that the person in charge of the incident has a clear line of communication with them should they wish to confer before taking fast-track action as a result of information that may be received while the SIO is travelling to the scene.

In all but the most unusual of circumstances the SIO should attend the scene as soon as possible and take command of the incident.

On arrival at the scene the SIO should obtain a briefing from the officer in charge of the incident. There is usually a large amount of information to assimilate during the initial response and the SIO is likely to issue verbal actions during this period. SIOs should remember that verbal instructions are more prone to misinterpretation than written ones, particularly in the highly pressured environment of an initial response. They should, therefore, make sure that all instructions are as clear as possible. To ensure that they have accurate records of what they have been told and the actions they have raised, SIOs should consider appointing a loggist. Loggists should keep accurate records of:

- Material received by the SIO, its source and the time of receipt;
- Any observations, decisions or comments which the SIO intends to later include in their Policy File (as directed by the SIO);
- Actions issued by the SIO, including who they were issued to and the time.

Where it is thought likely that the initial response will be lengthy or complex, SIOs should consider establishing a temporary command team using the resources that are available to them at the scene. This will enable them to manage the various strands of work that will be required to successfully complete the initial response phase of the investigation.
SIOs should review the action taken prior to their arrival. In particular they should:

- Satisfy themselves that the scene parameters are adequate and that the measures taken to protect the scene are effective;
- Assess the number and type of resources that are needed to successfully complete the initial response and initiate their acquisition;
- Instigate any necessary fast-track actions;
- Identify all the staff who have been involved in the initial response, including those in the control room, and ensure that they are fully debriefed before they go off duty;
- Secure all records made by those involved in the initial response;
- Secure the recordings of telephone messages to the police about the incident;
- Arrange for a Major Incident Room (MIR) to be opened – local force policy will govern the location and specification of the MIR and where possible, SIOs should site the MIR near the scene and ensure that it meets the specification outlined in *ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP)*;
- Ensure that the victim’s family are aware of the death and allocate a family liaison officer (FLO);
- Consider issuing a preliminary press release. By informing the press that an incident has occurred and setting a time for a formal press conference in the near future, the media are less likely to seek information directly from the SIO at the scene.

### 2.2.4 FAST-TRACK ACTIONS

Fast-track actions are: *Any investigative actions which, if pursued immediately, are likely to establish important facts, preserve evidence or lead to the early resolution of the investigation.*

Fast-track actions are often used during the first twenty-four hours of an investigation, but they may be required at other key stages, for example, where another scene is discovered, a significant witness is identified, or a suspect is identified.

The process of reviewing and updating fast-track actions should commence from the moment an SIO is informed of an incident, when the SIO first attends the main scenes and as the investigation unfolds.

The fast-track menu shown in Figure 4 is not exhaustive and not all items on it will be relevant in every case. It is intended as a guide to the types of strategies SIOs might want to consider early on in an investigation. Specific details of the type of action required under each item on the menu can be found in the relevant strategic section.
2.2.5 THE ‘GOLDEN HOUR’ PRINCIPLE

Experienced SIOs often use the term the Golden Hour to describe the principle that effective early action can result in securing significant material that would otherwise be lost to the investigation. Where the police are informed of an incident shortly after it has occurred, offenders may still be in the area. Locating them can provide forensic opportunities that could otherwise be lost, the testimony of witnesses can also be obtained while the offence is still fresh in their mind, CCTV images and other data can be collected before it is deleted and action can be taken to secure scenes before they become contaminated. Even where the incident happened some time before the police are alerted, effective early action can often lead to the recovery of material which enables the investigation to make rapid progress. The importance of immediately following up on obvious lines of enquiry cannot be overemphasised.

Experienced SIOs, however, also talk of ‘creating slow time’ or ‘putting their foot on the ball’, to describe the need to bring some order to the many activities that others will have initiated during the initial response. If not brought under control, these activities run the risk of generating further confusion and, worse, the loss or contamination of material. Fast-track actions are a particular danger in this respect. While not discouraging initiative, SIOs should quickly review any fast-track actions that are already underway and satisfy themselves that they are well-founded. They should be particularly cautious when fast-track actions have been based on the uncorroborated verbal accounts of witnesses or other informants. Experience frequently shows that such accounts appear to have greater certainty about specific facts than appear in subsequent written versions. While it is not always possible or desirable to wait for written versions of material before taking action, this information should be verified as carefully as if it were written.

Figure 4 Fast-Track Menu

Fast-Track Menu

1. Identify Suspects
2. Intelligence Opportunities
3. Scene Forensics
4. Crime Scene Assessment
5. Witness Search
6. Victim Enquiries
7. Possible Motives
8. Media
9. Post-Mortems
10. Significant Witness Interview
11. Other Critical Actions
12. Identify Passive Data Opportunities
Balancing the need to take effective early action with the need to bring some control to what is often an uncertain and confusing situation is never likely to be straightforward, however, it is usually better to try to exploit an opportunity to gather material than risk losing it by waiting. SIOs should minimise the risks associated with fast-track actions by giving clear instructions as to what is required and what the limitations are of the action to be taken. They should also periodically review that these instructions are being followed.

2.2.6 MISSING PERSON REPORTS

Some homicides first come to the attention of the police as reports of missing persons. Detailed advice on dealing with a report of a missing person is contained in the *ACPO (2005) Guidance on the Management, Recording and Investigation of Missing Persons* and this should be followed in all cases. Where officers suspect that a missing person may have come to harm they should alert supervisors immediately and consider the following factors:

- Is there a reason to go missing?
- Is the disappearance out of character?
- What are the circumstances of the last sighting?
- Did the subject prepare for a leave of absence from home?
- Is the subject considered to be ‘at risk’?

**Note: If in doubt, think murder**

All searches carried out for missing persons must be thoroughly documented. This should include details of the area searched, when it was searched, who searched it and to what level. A search grid may help in recording these details. Where members of the community assist in searches, their details should be recorded. Knowing who has searched a particular area may assist in the forensic examination if a body is discovered nearby and, as some offenders are known to involve themselves in such searches, it may provide useful material to the investigation.

The subject’s home address should be thoroughly searched because there is always the possibility that they may be hiding or their body may be concealed there. These searches should be handled diplomatically but thoroughly. There have been cases where bodies have been found in premises on the third or fourth search.

Consideration should also be given to searching the homes of relatives, friends, neighbours and acquaintances. Details on the CATCHEM Database suggest that approximately a quarter of murder victims have been found in the homes of the offenders and that in the majority of all murder cases the victim was killed by a person known to them.
2.3 THE INVESTIGATION PHASE

As the actions associated with the initial response phase of the investigation are completed, SIOs will start to initiate actions designed to take the investigation forward under more controlled conditions than are possible during the initial response. The key strategic considerations during the investigation phase are:

- Managing material;
- Investigative decision making;
- Developing an investigative strategy;
- Implementing an investigative strategy.

2.3.1 MANAGING MATERIAL

The SIO must have effective management systems in place to ensure that all the material gathered by the investigation is recorded, analysed and stored appropriately. In particular, the system should enable the SIO to assimilate material into their knowledge of the incident and to make effective decisions about how it can best be used to progress the investigation.

In order for this to be achieved, it is essential that SIOs use *ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP)*. This should be used together with the Home Office Large Major Enquiry System (HOLMES) or, in smaller enquiries, what is commonly called the Paper System, which uses the same conventions as HOLMES but on a card index system. These procedures provide a nationally approved and supported management system which serves the needs of the investigation and enables independent audit.

SIOs should be familiar with *ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP)*, the use of HOLMES 2 and the Paper System. It is the SIO’s responsibility to ensure that all relevant guidance in their use is followed throughout the investigation.

Material

The distinction between the terms information, intelligence and evidence is not always clear and they sometimes tend to be used interchangeably. The term material is used throughout this document because it is consistent with the wording of the CPIA.

Whether material is information, intelligence or evidence depends on the use to which it is being put. For example, a CCTV image of a disturbance in the street is material under the terms of CPIA. It can provide information about where the incident took place, the time and date and the numbers involved. When used in conjunction with other information it may provide intelligence as to who was involved and it is evidence when used in court to prove that a particular individual committed an offence during the disturbance.

*ACPO (2005) Practice Advice on Core Investigative Doctrine*
SIOs should ensure that everyone on the enquiry is clear as to the material being sought. This will be assisted if the SIO sets parameters for the following:

- **Every location that is a scene** – this will enable investigators to know when a person has been in a scene. A scene should be a relatively small area within which significant activity took place.

- **The vicinity of the scene** – this should be a well-defined area within which the scene is located. This is required because in many cases it may not be possible to place someone in the scene, but it may be possible to put them into the larger area encompassed by the vicinity of the scene. Parameters around the vicinity will not usually be required for every scene, but it is advisable for those where the presence of the offender would have evidential value.

- **Suspects** – it is not always possible to set suspect parameters because the material needed to do so is not available. In many cases, however, there will be witness testimony, CCTV images or other material that will enable the SIO to set suspect parameters. When SIOs are relying on a single witness testimony to set parameters, they should take into account that descriptions given by witnesses may be distorted by their perceptions of such things as age, height, ethnicity. They should, therefore, set parameters more widely than those given by the witness. It can be desirable to use descriptive terms such as tall, short, old, young in press releases because these convey a general sense of the description, and allow for some degree of error on the part of witnesses. These should not, however, be used in suspect parameters because they are too subjective and may result in an inconsistent application of the parameters by investigators.

- **Times** – also known as alibi times. These are the times within which the offence is known to have taken place. At the widest these will be based on the last sighting of the victim and the discovery of the body. Other material may be available to set them more closely than this. Again, SIOs should err on the side of caution and, unless absolutely certain of the times, should choose wider rather than narrower time parameters.

- **Trace/Interview/Eliminate categories** – are the groups of people within which the offender may be found (see 19 Elimination Enquiries). These will typically be those known to have been at the scene during the time parameters, those known to have been in the vicinity of the scene during the time parameters, relatives of the victim, associates of the victim and any group suggested by the circumstances of the offence, for example, local burglars.

SIOs should set clear guidelines for the Office Manager on the material that they wish to see. In small enquiries SIOs should view all of the material that is gathered by the investigation. In larger investigations it may be necessary to prioritise the material that is seen by the SIO because the volume is too great. In such cases the SIO should consider, with the Analyst Manager, how the material can best be summarised. See ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 1.14 Analyst Manager and Lead Analyst and ACPO (2005) Major Incident Analysis Manual.
SIOs should ensure that there is a disciplined regime for managing material. Ideally, no investigative activity should take place until the material giving rise to it has been processed by the MIR and a formal action has been raised. It is inevitable, however, that some material will be exchanged verbally by those engaged on the investigation and that they will, on occasion, take action on it. It is important to establish a culture of accurate record keeping within the team so that all exchanges of material and the action taken in relation to it is recorded. This will ensure that the material can later be put into writing accurately, and that the basis of any action can be justified.

SIOs should ensure that the work of the MIR is quality controlled to ensure compliance with ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP).

2.3.2 RESEARCH AND ANALYSIS

Applying an analytical approach to the material flowing into an MIR will assist the SIO to make effective decisions. Research and analysis can assist the SIO to manage the investigation by:

- Providing management and analysis of material to help decision making;
- Focusing and prioritising lines of enquiry;
- Identifying gaps in material;
- Providing information to make resource decisions, thus reducing the cost of investigations;
- Assisting the development of interview schedules;
- Providing an objective summary of the case;
- Assessing compliance with legislation and guidance.

The ACPO (2005) Major Incident Analysis Manual contains practice advice for analysts and researchers. It details their duties, tools and products. SIOs should refer to this document to gain a clearer understanding of the ways in which analysts and researchers can contribute to an investigation.

2.3.2.1 Standard Analytical Products

The analytical and research process is structured around standard analytical techniques, as defined by the National Intelligence Model.

The results of any analysis may need to be displayed in a format that is easily understood by the investigative team and, if required in court proceedings. This could include charts, spreadsheets, maps or any other format appropriate to the material and the audience.

It should be noted that while charts and other products are undoubtedly useful to the investigation, these alone do not constitute analysis. It is the interpretation of the material contained within the collated products that represents analytical work.
While SIOs may have specific requirements regarding the information contained within the analytical products, they should be guided by the analysts as to the most appropriate format in which to convey the information.

The most commonly used analytical products are listed in Figure 6. This list is not exhaustive and SIOs may need to discuss the products further with their analyst. Further details can also be found in ACPO (2005) Major Incident Analysis Manual.
2.3.3 INVESTIGATIVE DECISION MAKING

SIOs are the key decision makers in investigations. This involves them judging the reliability of material, deciding on its possible meaning and determining the action needed to progress the investigation. Although others can assist in this, decision making cannot be delegated. SIOs should arrange the information processing systems in such a way as to ensure that all of the material they need is made available to them in a format which assists them to make effective decisions.

Guidance on investigative decision making is contained in ACPO (2005) Practice Advice on Core Investigative Doctrine, and SIOs should be familiar with this publication. The following subsections explore some of the features of decision making in relation to a homicide investigation.

2.3.3.1 The Management Team Approach

Although the SIO is responsible for all of the decisions made during the investigation, it is unrealistic to expect them to acquire expertise in all aspects of homicide investigation. One of the skills of SIOs is to make full use of the knowledge and experience of their management team to target investigative problems, and they should be involved in the decision-making process. The composition of the management team is, to a large extent, a matter for individual forces and SIOs. Figure 7 shows who should be considered as potential members of the management team.

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### Figure 6 Standard Analytical Charting Products

| Intelligence network chart | - Family trees  
- Associate networks  
- Details of addresses, background and history. |
|-----------------------------|---------------------------------------------------|
| Timelines                   | - Chronology of events  
- Suspect/victim's sequence of events  
- Parallel or sequence significant events  
- Milestones of events, offences, behaviours within part, or all, of the particular life span of a suspect. |
| Mapping                     | - Mapping of scene  
- Mapping of routes  
- Identifying mapping of possible search zones or areas for H2H, road checks or appeal posters  
- Scene features. |
| Flow charts                 | - Summary of financial and commodities material  
- Communication flow between individuals. |
| Frequency charts            | Linkages between two or more individuals and frequency of telephone contact between them. |
The list set out in Figure 7 is not definitive. Adopting a management team approach, however, will save on multiple staff briefings and increase the likelihood of success.

2.3.3.2 The Investigative Mindset

The application of the investigative mindset will bring some order to the way in which investigators examine material and make decisions. 

*ACPO (2005) Practice advice on Core Investigative Doctrine, p60*

During homicide and major incident investigations SIOs can become immersed in management issues and so lose sight of their investigative role. Adopting the investigative mindset will enable investigators to concentrate on the material being gathered and to focus on the investigative problems. They also need to be concerned with the management issues but, unlike the investigative decisions, many of these can be delegated to the D/SIO, the Office Manager and others.

2.3.3.3 Investigative Evaluation

In the early stages of homicide and major incident investigations, SIOs must evaluate and respond to a constant stream of information. To ensure that they have all the available information and that the investigative strategy accurately reflects the needs of the investigation, SIOs should frequently carry out an investigative evaluation as described in *ACPO (2005) Practice Advice on Core Investigative Doctrine*. This is particularly important at the conclusion of the initial response phase as it will enable the SIO to identify the material that has been gathered, test its reliability, assess its meaning for the investigation and identify the further material that is required to make progress.

The discovery of a murder or unexplained death presents the SIO with a series of questions around which they can structure an investigation.

- Is the incident a homicide?
- Who killed the victim?
- What is the evidence?

The solution is not always so easily identified, but SIOs can simplify problem solving by applying the formula: WHAT + WHY + WHEN + WHERE + HOW + WHO.
Each of these headings can be being broken down into a number of sub-questions, but SIOs may be assisted in formulating their plan of investigation if they consider the material in these terms.

2.3.3.4 The Elements of Homicide

Another way of ordering material in homicide investigation is to use the three elements of a homicide. This is a particularly useful technique during the early phases of an investigation when the material available to make decisions is likely to be limited. Under these conditions, the three elements of a crime enable SIOs to draw inferences from the material that is available.

Figure 8 Three Coincidental Elements of Crime

Location

The locations at which key features of homicides take place, such as the encounter between the victim and the offender, the location of the offence, the body deposition site and places where significant items are disposed of, can all provide valuable material to assist SIOs to make decisions. Some significant features of locations are shown in Figure 9.
Victim

Understanding the lifestyle and routine activities of a victim may help to establish the reason for their death and the likely identity of the offender. The use of a Behavioural Investigative Adviser (BIA) may be of particular value in doing this. The old maxim ‘find out how a person lived and you will find out how they died’, has relevance to the majority of murder investigations. In only a minority of cases has there been no prior association between the offender and victim. Some significant features are shown in Figure 10.

<table>
<thead>
<tr>
<th>Features of Location</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Selection</td>
<td>What choices has the offender made about the location?</td>
</tr>
<tr>
<td>Transport</td>
<td>How did the victim and offender travel to the scene?</td>
</tr>
<tr>
<td>Escape</td>
<td>How did the offender leave the scene?</td>
</tr>
<tr>
<td>Familiarity</td>
<td>How well did the offender and/or the victim know the scene?</td>
</tr>
<tr>
<td>Proximity</td>
<td>Is there any significance of the scene’s proximity to local features such as housing estates, pubs, clubs or transport sites?</td>
</tr>
<tr>
<td></td>
<td>Is the distance between different scenes significant? In particular, between the murder scene and the deposition site. The weight and age of the victim will always impact on how far they are moved. An SIO should consider the physical strength of any suspect and calculate what is achievable in the timescales available to the offender.</td>
</tr>
<tr>
<td>Encounter</td>
<td>Was the victim lured to the site, forced or ambushed there?</td>
</tr>
<tr>
<td>Planning</td>
<td>What evidence is there of planning? Did the offender choose the scene to minimise chances of being disturbed?</td>
</tr>
<tr>
<td>Relationships</td>
<td>What, if any, relationship is there between any scene and the victim or offender?</td>
</tr>
</tbody>
</table>
Offenders are frequently identified during the initial response stage. Where this is not the case, it is usually possible to infer some characteristics of the offender from the material that is available in the early stages of an investigation. This basic type of offender profiling has always been practised by experienced SIOs and is within the capability of the management team. Basic considerations for this are shown in Figure 11.

### Figure 10 Significant Features of Victims

<table>
<thead>
<tr>
<th>Features of Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Routine</strong></td>
</tr>
<tr>
<td>Does the victim’s routine account for their presence at the scene?</td>
</tr>
<tr>
<td>If not, why was the victim at the scene?</td>
</tr>
<tr>
<td><strong>Vulnerability</strong></td>
</tr>
<tr>
<td>Was the victim young, disadvantaged, elderly or vulnerable in any other ways?</td>
</tr>
<tr>
<td><strong>Lifestyle</strong></td>
</tr>
<tr>
<td>Does the victim’s lifestyle have any relevance to the investigation, for example,</td>
</tr>
<tr>
<td>drug dealer, prostitute, police informer?</td>
</tr>
<tr>
<td>What habits, hobbies, leisure and work routine did the victim have?</td>
</tr>
<tr>
<td>Where did the victim frequent, eg, public houses, places of worship, betting shops?</td>
</tr>
<tr>
<td><strong>Associates</strong></td>
</tr>
<tr>
<td>What friends, family, work colleagues and other associates does the victim have?</td>
</tr>
<tr>
<td>Is the victim divorced or separated. How stable is their domestic situation?</td>
</tr>
<tr>
<td><strong>Links to scene</strong></td>
</tr>
<tr>
<td>Is there an explanation for the victim’s presence at the scene?</td>
</tr>
<tr>
<td>Is there a link to another person at the scene? Was the victim targeted?</td>
</tr>
<tr>
<td><strong>Physical appearance</strong></td>
</tr>
<tr>
<td>How might their physical appearance have attracted this type of offender, eg,</td>
</tr>
<tr>
<td>physical attributes, mode of dress, usual behaviour, sexuality.</td>
</tr>
<tr>
<td><strong>Control</strong></td>
</tr>
<tr>
<td>What, if any, control of the victim took place and by what means, eg, physical</td>
</tr>
<tr>
<td>restraint, fear, trust, entrapment, ruse?</td>
</tr>
<tr>
<td><strong>Personality</strong></td>
</tr>
<tr>
<td>Did the victim’s personality in any way influence what happened?</td>
</tr>
<tr>
<td><strong>Precursor incidents</strong></td>
</tr>
<tr>
<td>When did the offender first encounter the victim (days/weeks prior to the offence)?</td>
</tr>
<tr>
<td>Had the victim complained of previous incidents?</td>
</tr>
<tr>
<td><strong>Relationships</strong></td>
</tr>
<tr>
<td>What drew the attention of the offender to the victim?</td>
</tr>
<tr>
<td>Relationships with location?</td>
</tr>
</tbody>
</table>

**Offender**

Offenders are frequently identified during the initial response stage. Where this is not the case, it is usually possible to infer some characteristics of the offender from the material that is available in the early stages of an investigation. This basic type of offender profiling has always been practised by experienced SIOs and is within the capability of the management team. Basic considerations for this are shown in Figure 11.
### Features of Offenders

<table>
<thead>
<tr>
<th><strong>Motive</strong></th>
<th>This must be considered when making an assessment of who the offender might be. Determining the motive is a complex matter and there may be more than one including:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gain</strong></td>
<td>theft and robbery, but consideration should be given to other ways in which offenders may gain from homicide, eg, inheritance or business advantages.</td>
</tr>
<tr>
<td><strong>Jealousy</strong></td>
<td>includes estrangements, ‘eternal triangles’, divorce, infidelity.</td>
</tr>
<tr>
<td><strong>Revenge</strong></td>
<td>from an urge to inflict punishment for a wrong done or perceived, business rivalries, legal or criminal.</td>
</tr>
<tr>
<td><strong>Elimination</strong></td>
<td>in order to escape a situation such as a burglary, or where eliminating a witness to protect the identity of the offender (prevalent in child murders).</td>
</tr>
<tr>
<td><strong>Conviction</strong></td>
<td>murders committed by terrorists who are dedicated to a cause, or the mentally ill acting under the influence of harmful delusion.</td>
</tr>
<tr>
<td><strong>Sex</strong></td>
<td>offences where the sexual element is the core factor.</td>
</tr>
<tr>
<td><strong>Thrill</strong></td>
<td>killing for pleasure, power or control.</td>
</tr>
<tr>
<td><strong>Hate</strong></td>
<td>motivated through fear or hatred of certain individuals eg, prostitutes, or groups within the community, eg, racism, homophobia.</td>
</tr>
</tbody>
</table>

| **Number** | More than one offender? Was the offender acting alone? Did the offender have an accomplice? |

<table>
<thead>
<tr>
<th><strong>Planning</strong></th>
<th>Was the incident spontaneous or planned?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>If, planned, what was the level of planning required?</strong></td>
<td></td>
</tr>
<tr>
<td><strong>What did the offender do to avoid detection?</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Scene disguise</strong></th>
<th>What degree of scene arrangement or rearrangement has taken place?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Has the body been moved, arranged or hidden?</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Escape routes</strong></th>
<th>What escape routes has the offender taken?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Were they planned?</strong></td>
<td></td>
</tr>
</tbody>
</table>

| **Recognition** | What steps has the offender taken to avoid themselves or the victim being recognised? |

| **Travel** | By what means did the offender travel to scene? Car, public transport, on foot? |

| **Approach to scene** | How and from what direction did the offender come? |

| **Relationship** | Can a relationship be established between offender, scene and victim? |
2.3.3.5 The Use of Hypotheses

From the outset of the investigation, the SIO and the investigation team will be trying to answer numerous questions that help to make sense of the incident. In many cases the answers to these questions will be provided by material that is readily to hand, but there will be gaps that cannot be filled. It is in these circumstances that hypotheses can provide a powerful tool to assist SIOs to bridge the gap and indicate where further material may be gathered. The use of hypotheses in the decision-making process is described in **ACPO (2005) Practice Advice on Core Investigative Doctrine**.

The key points when building hypotheses are:

- Ensuring a thorough understanding of the relevance and reliability of all material gathered;
- Ensuring that the investigative and evidential test has been applied to all the material gathered in the investigation;
- Ensuring there is sufficient knowledge of the subject matter to interpret the material correctly;
- Defining a clear objective for the hypothesis;
- Developing hypotheses that ‘best fit’ with the known material;
- Consulting colleagues and experts to formulate hypotheses;
- Ensuring sufficient resources are available to develop or test the hypotheses;
- Ensuring that hypotheses-building is proportionate to the seriousness of the offence.


Hypotheses must not be based on ‘flights of fancy’. They should be developed objectively. SIOs should be aware of the dangers of making assumptions or believing that assumptions made by others are fact. Where assumptions are used to develop hypotheses this should be made explicit.

2.3.3.6 An ‘Idealised’ Model of the Investigative Decision-Making Process

Using the model of an idealised investigative decision-making process will help SIOs to organise their thoughts in a way that helps them focus on the needs of the investigation.
Figure 12 Model of Idealised Investigative Decision-Making Process

1. Notification of potential serious crime

2. What immediate uniformed police response is required?
   - Initiate uniformed reaction (preserve, record, prevent escape, notify CID).

3. What immediate detective response is required?
   - Initiate detective reaction (first-cut assessment, immediate information gathering, initial action(s)).

4. What does the investigation now know?
   - Assess available information in collaboration with relevant specialist advisers (identify and evaluate information from the crime/context of crime).

5. What does this tell you about what (might have) happened?
   - If it is not absolutely clear what occurred, develop scenarios as to what happened, why it happened and who committed the crime. Evaluate scenarios against available information and advice to identify the most plausible explanation(s) of the facts.

6. What else does the investigation need to know?
   - Identify what further information is required to:
     - i) identify offender(s),
     - ii) arrest offender(s),
     - iii) charge offender(s),
     - iv) complete case papers for CPS.

7. Where is the required information most likely to reside?
   - Identify where the required information is most likely to reside given what is known/believed to have occurred.

8. How can the investigation best get hold of the required information?
   - Identify the best strategic and tactical approaches to collect required information (either directly or, if needs be, indirectly).

9. How is the investigation getting on with finding the required information?
   - Initiate and monitor appropriate actions within policy guidelines.

10. No more information required

   - Post-Charge Investigation identifies that more information is required

   - Enter Post-Charge Investigation process.

   - Investigative Maintenance identifies new viable line of enquiry

   - Enter Investigative Maintenance process.

Dick Oldfield
Police Research Group 1998
2.3.4 DEVELOPING AN INVESTIGATIVE STRATEGY

Adopting an investigative mindset, using investigative evaluations and developing hypotheses where necessary will help SIOs to understand the material that has been gathered. It will also define the additional material that they need to make progress in an investigation. To locate and gather this material effectively, SIOs need to develop an investigative strategy. The investigative strategy should consist of the elements set out in Figure 13.

Figure 13 Elements of the Investigative Strategy

| Crime Scene | Media |
| Forensic | Community |
| Pathology | Passive Data |
| Witness | House-to-House |
| Family Liaison | Search |
| Suspect | Reconstructions |
| Elimination Enquiries | Covert |

Although the principal aim of the investigative strategy is to locate and gather material, there are two other important aims:

- To provide the victim’s family with a level of service that assists them to come to terms with the tragedy (see 16 Family Liaison);
- To satisfy legitimate requirements for information about the murder from partner agencies and the community (see 5 Working with Others, and 18 Community Involvement).

The volume of material gathered during the initial response phase of the investigation and the unique circumstances of the case will determine the individual elements that are required in each case. SIOs should, however, adopt a standard method of developing each element of the investigative strategy.

2.3.4.1 Advice

The team approach to decision making discussed in 2.3.3.1 The Management Team Approach is particularly advantageous when developing the individual elements of the investigative strategy. SIOs should supplement their team with those who are able to provide authoritative advice in relation to the strategic area they are developing.

2.3.4.2 Material

SIOs should ensure that they have all the available information on the material relating to the strategic area under development. They should also ensure that everyone involved understands the material and its meaning to the investigation.
2.3.4.3 Objectives

Each of the strategies should be underpinned by a clear statement of the objectives that the SIO is trying to achieve. If an SIO is not absolutely clear about what they want, there is little chance that the investigation team can achieve it. SIOs should avoid general and ambiguous statements such as, ‘Carry out a full forensic examination of the scene’ or ‘Carry out house-to-house to obtain information about the offence’. In the context of a homicide and major incident investigation, such instructions are meaningless and compel those who must carry them out to interpret them as they see fit. This means that, in effect, the team is setting the investigative strategy, not the SIO.

2.3.4.4 Methods and Resources

SIOs should provide a broad outline of the methods by which the objectives are to be achieved and the resources they anticipate will be required to carry them out. There is no requirement at this stage to go into great detail, but SIOs should provide sufficient information to enable others to understand how the SIO intends to achieve the objectives and what resources will be required to do so.

2.3.4.5 Responsibility

The SIO must identify someone to be responsible for delivering the strategy. Where the strategy involves a specialist technique or procedure, the person identified to deliver it should have sufficient understanding of it to be able to carry out their responsibilities effectively. In all other cases it is recommended that the D/SIO or the Enquiry Team Manager is given responsibility for most strategies.

2.3.4.6 Review

The person responsible for each strategy should keep it under constant review in light of the material that is coming into the investigation. They should also advise the SIO of any significant developments affecting the strategy as they happen. In addition, the SIO should formally review strategies at regular intervals to ensure that they are considered in the light of all developments in the investigation. In the early stages of the investigation such reviews may be necessary each day because of the volume of material received. In long-running enquiries, however, reviews may be held less frequently. Applying these principles will ensure a structured approach to planning investigations and will assist SIOs in accounting for what they have done and why.

Planning the investigation is a dynamic activity. During the course of an investigation new material will constantly force the SIO to review previous decisions. One piece of material can cause the SIO to review whether to pursue further, not to pursue or to instigate new actions. SIOs should never adopt an entrenched position regarding the investigative strategy.

Note: It is not an admission of personal failure to change investigative direction in the light of new material.
The SIO must ensure that the investigative strategy is constantly shared with the investigative team. This will help the team to understand the direction of the enquiry and the rationale behind the SIO's policy and decision making.

The investigative strategy and subsequent decisions about it should be recorded in the SIO's Policy File.

2.3.5 IMPLEMENTING AN INVESTIGATIVE STRATEGY

2.3.5.1 Resources

Homicide investigations require SIOs to manage a range of human resources that have come together temporarily for the purposes of a single investigation. Even in those forces that maintain permanent teams to investigate homicide and other major incidents, these are unlikely to include all of the human resources that will be required. For example, specialists such as crime scene examiners, press officers, forensic submissions officers, analysts, intelligence officers, FLOs and covert resources are usually managed independently and will be drafted-in to a team on a temporary basis. In addition, SIOs are likely to make use of specialist human resources from outside their force such as pathologists, forensic scientists and experts in various fields.

As well as human resources, some forces devolve a range of budgets to be managed by SIOs. These may include forensic budgets, overtime costs and staff costs such as travel and subsistence.

The specific mechanisms for resource management vary between forces, but SIOs should have sufficient rank and experience to manage these resources in compliance with the policies of their force without difficulty.

An early objective assessment of the scale, gravity and complexity of the offence under investigation should be undertaken. This may be difficult to achieve during the instigation and initial response phase of an investigation because the circumstances are likely to still be unclear. In such cases, the ACPO categorisation of A+, A, B and C provides a rough and ready guide to the likely resource requirements of the investigation; this should, therefore, be used in the first instance. As more material becomes available it will be possible to carry out a more mature assessment of the resource requirements. Detailed guidance on assessing the resource requirements of the investigation can be found in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 2 MIR Models and Resourcing Considerations.

2.3.5.2 Actions

An investigative action can be defined as ‘any activity which, if pursued, is likely to establish significant facts, preserve material or lead to the resolution of the investigation’.

ACPO (2005) Practice Advice on Core Investigative Doctrine, p77

The person allocated responsibility for the individual elements of the investigative strategy should work with the Action Allocator to raise the actions required to achieve the objectives.
Both HOLMES and the Paper System have action management systems which translate the SIO’s strategy into individual actions for allocation to investigators. No activity should be undertaken by investigators unless tasked by an action. This should be written, although in exceptional cases may be verbal (see 2.3.1 Managing Material). Where the strategy requires work to be carried out by people outside the enquiry team, such as forensic scientists or other experts, an action should be raised and allocated to the manager or investigator to task that individual.

In deciding on the investigative action needed, the following should be taken into consideration:

• The likelihood that the action will locate and gather the intended material.

• The achievability of the action. There is little point in raising actions that cannot be achieved, for example, the strategic objective may be to locate the offender, but it is unrealistic to issue this as a single action. It is far better to break it down into smaller achievable actions which, in combination, are likely to lead to the offender being located.

• The probable size of the action. Some actions, though theoretically desirable, are simply too large to achieve. For example, interviewing all modus operandi (MO) suspects is usually a very large task which has to be reduced by prioritising those who live nearest the scene or have the most recent or relevant convictions. Another consideration is the volume of material that will be generated by the action and have to be managed in the MIR. This is often a problem with passive data generators, such as mobile phone data, and should be anticipated before the action is raised and allocated.

• The availability of resources to carry it out effectively, including any specialist resources, equipment or facilities.

• The likely costs of carrying out the action. This includes downstream costs such as forensic examination and storage.

SIOs should quality assure the actions being raised by dip sampling them.

See ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 4.3.1 Action Management for guidance on Action Priorities and Action Queues.

2.3.5.3 Lines of Enquiry

Within the investigative strategy there will often be a series of actions that have a particular focus, for example, tracing a vehicle described as leaving the scene. In small enquiries this may be encompassed in a single action, but in more complex cases it will be broken down into a series of smaller actions, such as interviewing witnesses, house-to-house enquiries, media appeals, Vehicle Online Descriptive Search (VODS) and Police National Computer (PNC) searches, tasking informants, all of which are for the purpose of tracing the vehicle. A series of actions such as this is often referred to as a line of enquiry.
A main line of enquiry is one that appears to have the potential to lead to the suspect and which is, therefore, given a higher priority than others.

2.3.5.4 Key Management Posts

- **Deputy SIO** see 1 Homicide Investigation and the Role of the Senior Investigating Officer and ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 1.3 Deputy Senior Investigating Officer.

- **Office Manager** – has the delegated responsibility for the efficient running of an incident room and should be of supervisory rank. They are responsible for all of the functions of the MIR and should be supported by others such as the HOLMES Manager and the Analyst Manager, where such functions are used in an MIR. For further guidance on the role of the Office Manager see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 1.4 The Office Manager.

- **Outside Enquiry Manager** – is responsible for the enquiry team. They should have a thorough understanding of the SIO’s strategy and the day-to-day priorities. They should establish an efficient working relationship with the Action Allocator and ensure that actions are allocated to the most appropriate member of the team. They should know the capabilities of each team member, monitor their workload and quality assure it to confirm that it has been completed to a high standard. They should do this by periodically checking work submitted by enquiry team investigators to the MIR. Quality assurance should not delay submission of work as this may delay the receipt of valuable material.

- **Crime Scene Manager** – see 9 Crime Scene Management.

- **House-to-House Coordinator** – see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 1.23 House-to-House Coordinator.

- **Forensic Manager**

- **Media Manager**

- **Covert Policing Manager** – see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 10.3.1 Covert Policing Manager.

SIOs implement the investigation strategy through these managers and ensure that they clarify and communicate the strategy to them.
The SIO should ensure that each manager establishes good working practices within their area of responsibility so that the integrity of the material gathered is ensured, and the morale of their staff is maintained. They should have a clear strategy for quality assuring the work carried out in their area of responsibility.

2.3.5.5 Briefing

Homicide and major incident investigation is a team effort and regular briefings are an effective way of establishing communication between the SIO and team members. Briefings help to build team spirit. The investigation team should be considered in its broadest sense. Anyone involved in the investigation and who can contribute to the investigative effort should be invited to attend. Figure 14 shows the attendance at a typical briefing.

Figure 14 Attendance at a Typical Briefing

The list is not exhaustive and can be adjusted to take account of different circumstances. The message is: work as a team.

If the briefing is to be an effective means of communication, the SIO must take the trouble to plan each one. Briefings should not just be allowed to happen and SIOs should consider the following when planning the briefing.

- **Scheduling** – Ensure staff are aware of the time and location of briefings. Attendance should be compulsory and before the end of each briefing the time should be set for the next.

- **Establish a structured approach** – set objectives for each briefing and follow an agenda.

- **Create the right environment** – the SIO should strike an appropriate balance between a free flow of relevant information and a ‘talking shop’. It is important to encourage openness and honesty between the SIO and the investigative team. It is a chance for staff to gain ownership of the investigation and to influence its direction, while keeping up-to-date with developments. There will be occasions when the SIO feels they must withhold information from the team. This should be kept to a minimum and only occur when the needs of the operation demand such a course of action.

- **Duration** – make sure everyone has the chance to participate, question, make suggestions and report relevant facts, but do not allow briefings to be unnecessarily protracted. They should be kept business-like.
• **Briefing material** – SIOs should take every opportunity to display copies of the Policy File and analytical charts in the vicinity of the briefing. This material should be referred to during the briefings and staff should be encouraged to read it regularly. The briefing should be interesting. Using overhead projectors, videos – particularly of scenes, PowerPoint presentations, white boards, flip charts and analytical charts will assist with this.

• **Suitable physical environment** – avoid using crammed office space where telephones constantly ring. The MIR is not the ideal location to conduct briefings as there are too many distractions. Ideally, purpose-built conference facilities with briefing aids such as flipcharts, OHPs and white boards should be used. If such facilities are not available, accommodation which is adequate in size and suitable for the task should be identified. In circumstances where the MIR is remote from the investigation site, the use of technical equipment to link to the site should be considered. Some forces have successfully employed telephone conference facilities for the purpose. The use of video link is also possible.

• **Avoid unwelcome distractions** – consider enforcing a rule that mobile phones and pagers are either switched off or in silent mode.

• **Keep records** – briefing notes should be kept to ensure that all relevant material generated during the briefing is captured and enters the MIR. Make arrangements for a minute taker. Some SIOs may wish to tape or video briefings. SIOs need to be aware that other groups within the investigation may need to hold their own debriefings. Examples of these groups are:
  – Forensic Management Team
  – Management Team
  – Search Teams
  – House-to-House Teams
  – Interview Teams
  – Arrest Teams
  – FLOs.

Notes should be kept of such meetings.
2.4 CASE MANAGEMENT PHASE

The issues involved in the case management phase of a homicide or major incident investigation are not significantly different from those that arise in any investigation. The scale of what needs to be done, however, is likely to be substantially greater because of the volume of material that has been gathered. Sufficient resources must, therefore, be allocated to ensure that all necessary work is carried out thoroughly and within the timescales imposed by the criminal justice system.

When someone is charged with the offence of homicide, the SIO should develop a case management strategy, and the following actions should be included:

- Completion of all outstanding relevant actions. It is likely that suspects will have been charged before all of the outstanding actions have been completed. These may include investigating mitigating circumstances put forward by suspects, the results of forensic or other tests, and actions which have no relation to the suspect. Where there are other suspects, the enquiry will continue in relation to them.

- Preparing a file of evidence.

- Preparing disclosure schedules.

- Liaison with the CPS and prosecuting barrister.

- Witness management (see 15 Witness Management).

- Family liaison (see 16 Family Liaison).

- Developing a post-trial media strategy (see 17 Managing Communication).

Homicide and major incident investigations usually generate large amounts of material that must be presented at court. SIos should consider the ways in which they can help others to understand this material, perhaps through the use of visual display technologies. There is no standard method or technology for doing this but a number of products are available to assist. Before using any particular system, the SIO must liaise with the CPS and court administrators to ensure that its use is both acceptable and practical.

At the conclusion of the trial the SIO should submit a closing report and arrange to have exhibits returned, where appropriate. Other material gathered during the investigation must be securely stored according to individual force policy.
2.5 ACCOUNTABILITY

2.5.1 POLICY FILES

One of the most important aspects of managing any murder investigation is the systematic recording of the SIO’s policies. SIOs should use the Policy File to record critical policy decisions. It is the definitive record upon which they will rely when subsequently asked to account for decisions at:

- Magistrates’ or crown court;
- Coroner inquests;
- Other judicial proceedings;
- Reviews;
- Appeals.

Policy Files should be mainly used to record strategic policy decisions. It is not an action book but should be used to document the progress of an investigation. Individual actions, unless likely to be controversial, should be administered within the MIR.

The use of Policy Files is subject to ACPO Crime Committee guidelines revised in 1999. The guidelines can be summarised as follows:

- A Policy File should be maintained on all enquiries where a major incident room is set up;
- The format of Policy Files should be standardised by forces;
- There is a facility on HOLMES for the Policy Files to be typed and this should be used at the discretion of the SIO;
- All members of the investigation team, subject to the SIO’s directions, should be made aware of policy decisions;
- At the conclusion of the enquiry, the Policy File must be retained and stored with the case papers.

Policy Files are sequentially numbered bound books. Each entry is signed and dated by the SIO or anyone directed or requested to make an entry on behalf of the SIO.

The SIO must adopt a disciplined approach to planning the investigation and this should be recorded in the Policy File. In particular, the SIO should concentrate on strategic and operational priorities. Financial issues and resources are an important strategic consideration that should be properly reflected in the Policy File, but care should be taken to avoid a lack of focus by filling the Policy File with routine administrative and logistical issues.

Policy should be constrained to strategic, critical, tactical and investigative issues. Care should be taken when making entries regarding sensitive matters which can be anticipated as likely to be subject of PII hearings at a later stage of the investigation. In constructing the Policy File the SIO should always attempt to look forward and anticipate likely future challenges to the decisions made by them.
Further information on policy keeping and the SIO’s Policy File is provided in Appendix 3 and ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 3.11.3.

2.5.2 OTHER RELEVANT RECORDS

It is likely that all of those with management responsibilities will maintain records in addition to those kept by the SIO. It is important that the SIO is aware of the other records that are being kept and periodically reviews them to ensure that they accurately reflect the investigative strategy recorded in the SIO’s Policy File. The following managers typically maintain a policy file:

- Crime Scene Manager (CSM);
- House-to-House Manager;
- Covert Manager.

ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 3.11 lists the other documents that may be relevant and SIOs should be aware which of these are being used in a particular investigation.

2.6 COMPLEX CASES

In most homicide and major incident investigations credible material is gathered at an early stage and provides a clear focus for enquiries. Such cases are detected relatively quickly. Only a minority of investigations are complex. These can be grouped as low information investigations, high information investigations, critical incidents and linked series investigations.

2.6.1 LOW INFORMATION INVESTIGATIONS

In some cases there is insufficient material available to the investigation to enable progress to be made. This usually occurs at three points.

Homicide Determination – there is insufficient material to determine that the incident is a homicide. Such cases include reports of missing from home, kidnap, no body scenarios, or where there are competing or ambiguous explanations of the cause of death.

Suspect Identification – the circumstances of the incident are clear, but there is insufficient material to enable a credible suspect to be identified.

Evidence Gathering – credible suspects are identified, but there is insufficient material to enable them to be charged with the offence.
In low information cases SIOs should adopt the following approach.

- Avoid issuing low-quality actions simply as a way of doing something – this is demoralising for the enquiry team and risks clogging up the management systems with low-quality material.

- Ensure that all actions issued have been carried out effectively.

- Consider requesting a formal review of the investigation by an independent team of officers to quality assure the investigative strategy and its implementation.

- Adopt a problem-solving approach which seeks to identify the reason why there is low information, for example:
  - Has the offence been planned to minimise the amount of forensic material or testimony generated?
  - Is the offender able to exercise control over witnesses to inhibit the transmission of material to the police?
  - Are those with material withholding it because of
    - a mistrust of the police
    - social or cultural values that lead them to view the offence as not meriting criminal justice sanction
    - loyalty to the offender
    - fear of the offender.

- Have police failures led to material being missed?

- Has material that has been gathered been misinterpreted?

- Seek expert assistance in key strategic areas. The NCPE Operations Centre will be able to advise on this (see 6 Investigative Support).

In long-running, sensitive or complex investigations particular attention should be paid to the morale of enquiry staff. This is especially important where there are perceptions that the investigation is not going well, and if the community and media are criticising the conduct of the investigation.

2.6.2 HIGH INFORMATION INVESTIGATIONS

Some cases can become complex because of the high volume of information that has to be processed. This can arise because of the size of the incident, for example, a terrorist attack. Other reasons can be the level of public interest where, for example, a homicide involves a child or there is some unique feature of the event itself, such as a homicide at a large sporting event witnessed by people who have travelled from all over the county. In such cases the complexity arises from the need to process high volumes of material and integrate it into the SIO’s understanding and knowledge of the incident.
Where SIOs expect that the MIR will have to process a high level of information, they should consider establishing an MIR Call Centre and Message Assessment Unit, as part of the incident room structure. The procedures for this are described in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 2.

In some cases the nature of the incident will result in high volumes of low value information. The investigation may then have the characteristics of both a high information case and a low information case. In these circumstances the information management systems must be regularly quality assured so that nothing of value is missed or misinterpreted within the MIR. Having done this, the SIO should adopt the procedures described in 2.6.1 Low Information Investigations.

### 2.6.3 CRITICAL INCIDENTS

Not all critical incidents will involve a homicide or major incident investigation, but many do. SIOs should consult ACPO (forthcoming) Practice Advice on Critical Incident Management to ensure that they understand the way in which their investigation can support the wider force response to the incident.

In such cases, the SIO is likely to have additional responsibility placed on them by the ACPO officer who is managing the critical incident. It is important that the limits of this responsibility are clear so that the SIO is not drawn away from their primary responsibility to investigate the incident.

### 2.6.4 TAKING OVER EXISTING INVESTIGATIONS

When an SIO manages an enquiry from the outset, their understanding of the unique circumstances of the homicide, the characteristics of the victim, their family, witnesses, suspects and the communities affected by the incident gradually develops as they implement their investigative strategy and gather material. When another SIO takes over the investigation, or where an old investigation is reopened by a new SIO, they may find the investigation difficult initially because they lack this in-depth knowledge.

Acquiring an in-depth knowledge of the investigation requires new SIOs to fully assimilate all the material. In particular they should ensure that they have a thorough understanding of:

- The circumstances in which the homicide was committed;
- How the investigation was initiated;
- What action was taken during the initial response stage and the material that resulted from this;
- The previous SIO’s evaluation of that material and the investigation strategy that was developed from it;
- The material that was gathered as a result of the investigation strategy;
- The characteristics of the victim, witnesses, any suspects and the communities which are relevant to the investigation;
- Any specific problems or issues that arose during the investigation.
This information can be obtained through briefings from previous SIOs and others who have worked on the investigation, by reading policy files and interrogating the HOLMES account. In long-running investigations or cases that have gathered a high volume of material, this is likely to be a lengthy process. SIOs and the chief officers who deploy them should allow ample time for this process to ensure that any subsequent action is based on a thorough understanding of the material and the issues involved.

2.6.5 LINKED SERIES

Linked series homicide investigations occur very infrequently. When they do they pose specific challenges for the SIO. ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 11, Linking Major Incidents, outlines the overall structure of a linked series investigation. Any SIO embarking on such an enquiry should familiarise themselves with that document.

SIOs involved in linked series enquiries may benefit from speaking to officers who have led similar investigations. The NCPE Opsline can provide details of those with relevant experience (telephone 0870 2415641).

2.6.5.1 Assessing the Link

It is essential that any potential links with other homicide or non-fatal crimes are thoroughly and accurately explored and assessed. Erroneous inclusion of a case into a series can skew the investigative strategy, reduce the likelihood of identifying the offender, complicate disclosure and compromise the strength of the case in court. Alternatively, failure to include a genuinely linked offence may prevent the discovery of information leading to a serial offender and so leave the public vulnerable to further offences.

Any potential links between cases should be fully explored by collaboration between all the relevant SIOs and, where one has been appointed, the officer in overall command (OIOC). If an OIOC has already been appointed, they are responsible for making the final decision to include any cases into a linked investigation.

A link occurs when one or more factors indicate that the same offender is responsible for more than one offence. When similar factors have been identified the SIOs (and the OIOC if appointed) will need to assess the likelihood that the offences have been committed by the same offender. The factors which may indicate a link will vary according to the characteristics of the case. SIOs need to be clear about which factors from the investigation are significant to this assessment, and the criteria which will be applied to these factors in order to determine the likelihood of a link. These criteria should be robust and applied consistently to all cases.

Additional techniques may be useful in determining the relevant factors and criteria which should be applied. Examples of these techniques include:

- Forensic;
- Analytical;
- Statistical;
- Behavioural.
SIOs should contact NCPE Operations through the Opsline for additional support as soon as they suspect a link between crimes. A number of the services available through NCPE Operations can provide invaluable expertise in assessing the likelihood of a link. The Serious Crime Analysis Section (SCAS), in particular, can help the SIO to determine the linking criteria. Through analysis of behavioural traits, SCAS can produce statistical probabilities for certain aspects of each offence, thereby identifying any statistically unusual features. These can provide an accurate indication of the likelihood of a link.

A matrix of salient characteristics will help SIOs and, where relevant, the OIOC to assess the strength of the link according to clear and consistent criteria. This matrix may be used continually to assess any new, potentially relevant cases which come to the attention of the investigative team. An example of a matrix is included in Figure 15 (see end of section 2).

If the SIOs believe there are grounds to support the existence of a link, they should immediately inform an ACPO officer so that an OIOC can be appointed as soon as possible. This is particularly important if there is more than one force involved as the chief officers will need to negotiate funding arrangements should a link be established.

Providing the ACPO officer with regular updates from the outset and throughout the life of the enquiry can also help to ensure that resources seconded from other BCUs are maintained.

### 2.6.5.2 Types of link

In accordance with *ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP)*, the assessment of a link can only result in one of three outcomes:

- Linked;
- Not linked;
- Deferred.

#### 2.6.5.2.1 Linked

Categorising two or more cases as linked implies a high degree of certainty about the connection between them. Such certainty may be gained from forensic evidence which strongly supports a link, or a set of unique features so distinct as to make it almost certain that the offences are linked.

#### 2.6.5.2.2 Not linked

The decision not to link cases should be made in accordance with the same criteria and to the same degree of certainty that is applied to the linking of two or more offences. Categorising offences as not linked should not be used as a default category where insufficient evidence exists to either prove or disprove the existence of a connection between them.
2.6.5.2.3 Deferred

Cases where the decision on linking is deferred are substantially more common. These occur when there is insufficient evidence to determine, with adequate certainty, whether the offences are linked or not. When the decision to formally link offences is deferred, the SIOs involved should collaborate in their investigative efforts until such time as there is sufficient evidence to link or not.

2.6.5.3 Managing a Linked Investigation

Where the investigation spans more than one force or MIR and there is evidence which allows the investigations to be linked, the ensuing investigation should be managed according to the procedures outlined in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP). This includes appointing an OIOC.

The investigative strategies for each case should be developed as part of the overall investigation of the whole series. Each case, however, must be investigated in such a manner that it can be progressed as an individual case if necessary. Failure to do so may compromise the prosecution of the case, either as an individual charge or as one of a number of charges.

2.6.5.3.1 The SIO and the MIR

In cases where the offences under investigation have occurred within the boundaries of one force, these may be managed by one SIO and one MIR. This will, however, depend on the resources required by the investigation and the size of the force. In such instances the investigation will be managed on a day-to-day basis in much the same way as a non-linked case.

The relative responsibilities of the OIOC and the SIO are described in detail in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP). The OIOC retains overall responsibility for the linked investigation and is accountable for everything that occurs within it. The way in which any individual OIOC fulfils their responsibilities may vary according to the geographic placement of offences, the individuals involved and the nature of the investigation. Existing SIOs can, however, expect their role to undergo some changes as a result.

When a case is included into a previously established linked investigation, the OIOC will need to consider a review process of the newly-linked case. The review process will identify the needs of the new case as a stand-alone investigation and ensure that these are not lost within the wider, linked series.

While the OIOC has responsibility for determining the overall strategy for the investigation, this will be decided in consultation with the SIOs and key managers. Individual SIOs may be asked to take the lead on a particular strategy or strategies on behalf of the OIOC. In such cases the SIOs will need to prepare detailed briefing documents on their strategies for the OIOC, other SIOs and managers.
The SIOs should ensure that they adhere to the overall strategies agreed with the OIOC. There is usually room for some autonomy within this agreement, but the SIOs should be absolutely clear when they need to follow the overall strategy and when they can work more independently.

A duty SIO system may be required in order to provide a first point of contact and to activate contingency plans in active linked series investigations. This will ensure that swift action can be taken in accordance with the investigative strategy if further offences are committed or linked; a person is arrested for offences related to the linked series; or when a person comes into contact with the police in relation to another offence, but who may be of significant interest to the investigation.

In some investigations the OIOC may nominate one of the incident rooms as the lead MIR. This should not be confused with the Central Research Incident (CRI) which supports the enquiries by:

- Managing data which may be common to more than one incident;
- Administering the investigation of any possible matches between records across the linked series;
- Carrying out database comparisons between linked series.

The CRI does not manage specific strategies, enquiries or actions beyond those associated with these tasks.

Where a lead MIR has been nominated, the managing SIO is responsible for the completion of any additional tasks requested by the OIOC, for example, case preparation. They will also need to manage any seconded staff and the attendant logistical issues of accommodating them, where required.

2.6.5.3.2 Managing the Investigative Team

Managing an investigative team in a linked series does not differ significantly from non-linked investigations. However, as in all cases where a large volume of information is generated, the SIO is at risk of overlooking the opinions of investigators in their own team. It is important, therefore, that the SIO establishes internal mechanisms which allow members of the investigative team to articulate their views.

2.6.5.4 Managing Deferred Links

Where a link is deferred, the reasons for doing so should be recorded in the Policy File. The SIOs should also agree and document an action plan for gathering the information required to make a formal decision, giving a specific review date.
2.6.5.4.1 Reviewing the Link

The SIOs should continue to communicate on a regular basis, continually reviewing the strength of the link. The relevance of material, or offences, may change as more information becomes available. A formal process should, therefore, be established to allow the regular review of material from the outset. While assessment of the link may be scheduled for particular points in the investigation, certain events may trigger additional examination of the evidence for or against linking the offences. These may include the discovery of further forensic evidence, the identification or apprehension of a suspect, or further offences being reported.

The precise management structures required in an investigation where the decision on linking has been deferred will depend on the type of link, the location of the offences (intra or inter-force) and on the demands on the SIOs involved.

2.6.5.4.2 Working with Other Teams

Whether cases have been formally linked or the decision on linking has been deferred, the ensuing investigations will benefit from a high level of contact between the respective teams. Frequent contact between SIOs and officers in similar roles is essential if teams are to be kept up to date with relevant developments in fast-moving investigations. Regardless of whether the investigations have been formally linked, SIOs in potentially linked cases should meet frequently from an early stage in the investigation. This is to ensure that enquiries are established in such a way as to make the linking of investigations as easy as possible, should this be required.

Where the decision to link has not yet been made, investigations may still benefit from high levels of cooperation. Collaboration on media releases, interview strategies, family liaison, forensic analysis, covert opportunities and elimination enquiries can yield material useful to more than one enquiry, and may help to establish whether the investigations are linked.

Communications between the teams may be particularly important at certain points in the investigation, such as the discovery of an additional crime scene, the identification and arrest of a suspect, or the identification of new key witnesses.

Inter-team communication may take place through:

- Regular management meetings involving all SIOs, the OIOC and major managers.
- The forensic group to discuss forensic developments.
- Two-day meetings which include a wide spectrum of professionals such as representatives from the CPS, analysts and BIAs. These may have particular themes or be prompted by specific events.
- Informal discussions between officers in equivalent roles.
2.6.5.5 Managing the Media Strategy

The media frequently make links between cases early on, and/or with a greater degree of certainty than is supported by the facts of the case. As a result, if there are perceptible similarities between two or more cases with as yet inadequate information to link them, this can lead to intense pressure on the police to make this link.

The media strategy will differ in linked series investigations. Regardless of the strength of the link or whether the decision has been made to formally link enquiries, there should be a coherent media strategy across all teams as soon as the possibility of a link becomes apparent. All press releases should be passed through just one press officer to ensure consistency, and a single officer should be identified as the spokesperson for all associated cases.

When deciding the content of a media strategy, SIOs should be aware of the consequences of any statement regarding a link on subsequent legal proceedings. Statements which imply that the same offender is certainly responsible for all homicides in the investigation may be used against the case in court if a suspect is tried for only one, or only some of the offences. When speaking to the media about linked or potentially linked investigations, the SIO should, therefore, be mindful of the terminology used and the potential consequences for any subsequent trial.

The SIOs and the OIOC will also need to consider the impact of media releases on the offender. Geographic profilers and BIAs will be able to offer advice in this area, particularly with respect to any likely changes in offending behaviour, such as modus operandi, location and the possible direction of travel. The SIOs and the OIOC may need to work together with neighbouring forces if the offender is likely to change the location of their offending.

The indication of a linked series of offences can have a significant impact on public anxiety. The media strategy will, therefore, also have clear implications for the family liaison strategy and community involvement. Briefings to key groups can be very important if cases are linked in the media, regardless of the actual strength of link. Borough commanders can assist the lead investigators in communicating with the appropriate groups.

2.6.5.6 Managing the Family Liaison Officer Strategy

Once a link has been made, either by the investigation team or the media, there should be a high degree of collaboration between all the FLOs involved with the families. All families will need to be told of developments in any of the investigations. Giving a consistent and coherent message to all the families is important if good relations are to be maintained between them and the investigative team.
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# Section 3

## THE ROLE OF CHIEF OFFICERS IN MAJOR CRIME INVESTIGATION

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3.1 INTRODUCTION

Volume crime is at the forefront of service delivery and government expectation. If a single homicide investigation is called into question, however, the ramifications may be felt across the whole of the Police Service and have a negative impact on public confidence. Few policing activities attract more attention than the investigation of offences of murder. The public expect such offences to be investigated thoroughly, to high professional standards and by officers who are skilled and experienced. Advice from the Crown Prosecution Service regarding the obligations of homicide investigation under Article 2 of the European Convention on Human Rights is that:

- The SIO and investigators are trained and experienced;
- They are supervised;
- It is reviewed;
- Records are kept.

The police response will be judged against these obligations at all times.

Officers charged with the responsibility of investigating these offences must do so in the knowledge they have been appropriately trained, the investigation is properly resourced and that they are supported by their chief officers.

A professionally conducted murder investigation sets the standards that all other major crime investigations should meet. In achieving these standards, the role of chief officers cannot be overstated.

3.2 KEY PRINCIPLES

The Homicide Working Group (HWG) has devised guidelines for chief officers on behalf of the ACPO Crime Business Area. The HWG guidance sets out the following principles:

- A lead chief officer with specific responsibility for murder and major crime investigations should be nominated for each force;
- Chief officers have an important leadership role and are responsible for ensuring that major crimes are investigated to a high standard;
- Chief officers retain an individual responsibility to develop and maintain their current knowledge of issues related to murder and major crime investigation;
- Chief officers retain an ongoing responsibility in relation to police working practices and the force’s ability to resource major investigations;
- Chief officers have a strategic rather than an investigative role (except when appointed as the Officer in Overall Command [OIOC] of a linked series of offences);
- Chief officers have varying degrees of involvement in investigations that depend on factors such as complexity, community impact and the prospect of success in the investigation;
- Chief officers should be involved in the selection and appointment of SIOs, and ensure that the appropriate development and training needs are met;
- Chief officers are responsible for ensuring that reviews and debriefs are undertaken on a case-by-case basis.
3.3 THE STRATEGIC ROLE

These guidelines define the strategic role but have the flexibility to allow chief officers to fulfil their obligations according to their individual management style while having regard to the requirements of each chief constable.

Depending on existing infrastructures, many forces will have a detective chief superintendent (who is Head of CID). The chief officer should set out clearly what is expected of this particular role.

3.3.1 STRATEGIC CAPABILITY

Forces should have defined structures, resources and policies in place to enable them to satisfactorily discharge their duties in response to investigations of homicide and other major investigations. This capability should be commensurate with the strategic assessment concerning risk in this area of criminality.

It good practice for forces to have dedicated Major Investigation Teams (MITs) which allow for the development of specialised and experienced staff.

3.3.2 CATEGORISATION OF HOMICIDES

Chief officers have an important role to play in the adequate resourcing of investigations. Interventions in this regard should take place at an early stage of an investigation, after the initial assessment of the crime has taken place. They should also be subject to periodic review.

The following system can be used as a guide to the initial deployment of resources.

**Category A+**

A homicide or other major investigation where public concern and the associated response to media intervention is such that normal staffing levels are not adequate to keep pace with the investigation.

**Category A**

A homicide or other major investigation which is of grave public concern or where vulnerable members of the public are at risk, where the identity of the offender(s) is not apparent, or the investigation and the securing of evidence requires significant resource allocation.

**Category B**

A homicide or other major investigation where the identity of the offender(s) is not apparent, the continued risk to the public is low and the investigation or securing of evidence can be achieved within normal force resourcing arrangements.
Category C

A homicide or other major investigation where the identity of the offender(s) is apparent from the outset and the investigation or securing of evidence can be achieved easily.

The categorisation does not determine the resources that should be provided to the investigation. The nature of the requirements of every case must be considered. Once the facts of the incident are clear, a detailed assessment of the resource requirements should take place in accordance with the guidance set out in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP).

Chief officers must ensure adequate financial provision is made for each investigation and, where possible, a suitable work environment is provided for officers working on the investigation. They should also regularly review the resources allocated.

3.3.3 GOLD GROUPS

Where an incident falls within the definition of a critical incident, the nominated chief officer (or other chief officer as appropriate) must declare the matter a critical incident and ensure that the investigative team know this. The chief officer should then arrange a Gold Support Group.

The functions, membership and content of a Gold Support Group will inevitably vary according to the nature of the major crime under investigation.

Membership of this group includes essential members; other members are included at the discretion of the chair.

Figure 16 Potential Membership of Gold Support Group

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<tr>
<td>ACPO Chair</td>
<td>Independent Advisory Group (IAG) Member(s)</td>
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<tr>
<td>Media Adviser</td>
<td>Specialist Adviser(s)</td>
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<tr>
<td>Line Supervisor of SIO</td>
<td>Forensic Adviser</td>
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<tr>
<td>The SIO or IO</td>
<td>Force Legal Department</td>
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<td>BCU SMT Member</td>
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<td>Other Emergency Services</td>
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Terms of reference for the group should be to:

- Develop a gold strategy;
- Identify and address any risks or potential areas of criticism regarding the incident, matters leading up to it or matters since it occurred;
- Address risks with regard to the investigation;
- Consider issues for the victims or suspects, family or families and community or communities through family liaison strategies and community impact assessments;
- Consider impacts to or from any other agency or public body;
- Consider the media requirements of the force;
- Oversee, advise and, if necessary, direct the investigation and ensure access to expert advice;
- Consider the needs for resources to match the demands and meet appropriate requests;
- Identify any points for learning or change in policy (for debrief);
- Keep to the agenda – once agreed and set;
- Ensure full records are kept of any meetings or decisions;
- Satisfy the requirements for disclosure;
- Consider emerging legal issues.

The agenda for the meetings of such a group will depend on the situation, but a suggested agenda is:

1. Attendees/apologies;
2. Agreement of the agenda;
3. Terms of reference (to be agreed and regularly reviewed for fitness);
4. Minutes of previous meetings;
5. Actions from previous meetings;
6. Investigation update (from SIO);
7. Critical issues;
8. Forensic update;
9. Family/families update;
10. Community/communities update;
11. Issues for partner agencies;
12. Resources;
13. Media;
14. Issues regarding ethics (for consideration by the ethical group);
15. AOB;
16. Date of next meeting.

Although the Gold Support Group may be in place, the chief officer should ensure that the SIO has direct access to specialist investigative support. This could include peer support from within or outside the force (or the Police Service). In many forces the SIO achieves this within an SIO’s Management Team while other forces’ requirements are achieved through an Investigative Support Group.
3.3.4 FAMILY AND COMMUNITY LIAISON

The nominated chief officer will not normally meet the family or the community, however, there will be occasions when this is a requirement of a specific investigation. If this does arise, the chief officer must ensure that the SIO is aware and that the FLO is present, or at least aware of such a visit. In the case of meeting the community, it is advisable that the chief officer consults the SIO and the local BCU commander. A record must be kept of any such meetings.

3.3.5 COMMUNITY IMPACT ASSESSMENT

Guidelines on community impact assessment were previously issued by the ACPO Crime Committee in September 1999. Chief officers should establish that an impact assessment has been conducted. They should be satisfied that it represents an accurate interpretation of the impact of the crime, and that the divisional response is effective. The community impact assessment (CIA) should be regularly reviewed during the course of the investigation. Chief officers have an important role to play in respect of CIAs, particularly as they relate to interacting with community representatives, Members of Parliament and other policy makers and practitioners.

3.3.6 MEDIA ISSUES

The SIO is responsible for producing a media strategy. The chief officer's strategic role is primarily one of quality assurance. There may, however, be some cases where the impact of either the offence or the investigation merits their direct intervention as a result of force-wide implications. In critical incidents this will be dealt with by the Gold Support Group.

3.3.7 MANAGEMENT OVERSIGHT AND REVIEWS

Commissioning and managing reviews is a key responsibility for chief officers. Independent reviews of homicide investigations are a proven means of assisting in their detection, quality controlling the work of the SIO and enquiry team, and identifying good practice. The lessons learnt from reviews may also enable improvements to be made to force systems to facilitate better support for future investigations. Guidance on commissioning and conducting reviews is contained in 4 Major Crime Reviews.
3.4 CONCLUSION

Nominated chief officers should ensure all homicide and major incidents are investigated to a high standard in accordance with national guidelines and this publication. This responsibility should be discharged in each specific case and should be reflected in force policies and working practices. To achieve high standards of investigation, investigators must acquire skills through training and work experience.

Ultimately, the chief officer is accountable to the chief constable for the professional standards of their force as they relate to major crime investigation. **Accountability** extends to broad policies and working practices as well as individual investigations.

In an investigation, part of the accountability should include endorsing the appointment of the SIO, as it relates to that person’s professional competence, training and experience. The SIO should never be allowed to feel ill-equipped to lead such an investigation or feel they are solely responsible for the conduct of the enquiry.
Section 4
MAJOR CRIME REVIEWS

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4.1 INTRODUCTION

The importance of carrying out independent reviews of major crime investigations is recognised throughout the Police Service. The ACPO Crime Committee issued revised guidance for major crime reviews in 1998 and this section is based on that guidance.

4.2 OBJECTIVES AND BENEFITS

The objective of any review is to constructively evaluate the conduct of an investigation to ensure:

- It conforms to nationally approved standards;
- It is thorough;
- It has been conducted with integrity and objectivity;
- That no investigative opportunities have been overlooked;
- That good practice is identified.

Set against this objective is the fundamental need for the review to be carried out in a spirit of cooperation between the reviewing officer and SIO. The review should always be regarded by the SIO as being of assistance and support to the investigation, and should never be seen as a threat.

Reviews should be considered for both undetected and detected crimes. In the case of undetected crimes, the review can reassure the SIO and the organisation that the lines of enquiry were appropriate. Equally, the process may reveal aspects of the investigation which should be pursued or modified.

Every review should be seen as an opportunity to improve future working practices by identifying lessons learned and good practice. These lessons can be found in detected and undetected cases.

4.3 POLICY

Chief officers are advised to ensure that clear policy exists to reflect individual force expectations in relation to the conduct of major crime reviews. Policy must make a clear distinction between the formal review process and day-to-day senior management supervision of the investigation. In this regard, it may prove useful to define the strategic role of ACPO, which is to commission reviews, determine terms of reference and appoint a reviewing officer, in conjunction with the head of crime in their role as senior investigative consultant.
4.4 REVIEW CRITERIA

Individual forces are responsible for determining which cases to review. As previously stated, reviews can be of equal value whether the case is undetected or detected. It is strongly recommended that, as a minimum requirement, all undetected offences of murder or stranger rape should be formally reviewed. In addition, other undetected serious offences, eg, attempted murder, unprovoked sexual assault or other serious crimes, where the gravity of the offence suggests it would be prudent, should be reviewed.

4.5 TIMING

The timing of a review can be critical and consideration should be given as to when maximum benefit can be obtained from appointing a reviewing officer. Some forces take the view the ‘earlier the better’ and appoint the reviewing officer after seven days if the offence is undetected. In general, if a case has not been detected after twenty-eight days from the outset of the enquiry, a review should commence at the earliest opportunity. In exceptional cases there may be good reasons to delay a review, for example, disruption to a critical phase of the investigation. Under these circumstances a written record of the reasons for delaying the review should be made in the SIO’s Policy File.

Depending on the length of the investigation, the review should be an ongoing process, preferably using the same reviewing officer. The frequency with which subsequent review reports are prepared is a matter of judgement for the relevant ACPO officer. In any event, it is good practice to conduct a review immediately before every undetected murder or rape is ‘closed down’, in other cases it should be conducted as appropriate. Part of this process should be to elicit good practice and lessons learned from the investigation.

It is also strongly recommended that force policies should reflect the need to regularly review all undetected murders and rapes periodically. In particular, a review of outstanding forensic evidence may reveal new investigative opportunities as a result of scientific advancement. As a minimum, all undetected murders should be reviewed at least every two years.

Some forces may wish to promote a policy of ongoing SIO ownership of undetected cases because the original SIO may no longer be in post. Cases can then be passed on from one SIO to another, thereby ensuring continuous reviews.

4.6 REVIEWING OFFICER AND TEAM

Appointing a reviewing officer requires careful consideration. The decision is at the discretion of individual chief officers. In the past, some forces have seen this appointment as an opportunity to provide career development for the reviewing officer. This is a practice which, in general terms, should be avoided.
If one of the principal objectives of the review is to support and assist the SIO, the reviewing officer should have a career profile which includes recent and relevant investigative experience. Only by appointing an officer with such experience will the SIO have confidence in the opinions of the reviewing officer, and whether they will actually add value to the process.

Where practicable, the reviewing officer should be at least of equivalent rank to the SIO, but in some circumstances this may not always be possible. The overall determining factors in selecting a reviewing officer should be based on relevant and credible experience.

In cases involving high profile, complex or sensitive issues affecting the investigation, consideration should be given to appointing a reviewing officer from another force. Similar consideration applies to smaller forces which may need to approach another force to provide a suitably experienced reviewing officer.

In most cases it will be necessary to appoint a team of officers to work with the reviewing officer. The team should comprise officers of different ranks and skills with wide practical experience and include a HOLMES 2 computer operator, preferably a supervisor. Ideally, the review team should also include an analyst and an experienced scenes of crime officer or scientist capable of carrying out an incisive review of forensic issues. Review officers should also consider the benefits of employing Forensic Science Service (FSS) resources to assist in the review process.

Whether a single officer or team is appointed to review an investigation, both will benefit from an in-depth presentation of the facts by the SIO and their management team. This should take place at an early stage to emphasise that the review is to assist the investigation and to provide comment while the enquiry is live. Objective comments passed on at this stage can be more relevant to the SIO than later, when the reviewing officer will have the benefit of hindsight.

### 4.7 TERMS OF REFERENCE

The reviewing officer should be given terms of reference in writing by the ACPO officer commissioning the review. Ideally, these should be drawn up following consultation with the SIO. Terms of reference should be relevant and focused, primarily aimed at establishing the effectiveness of the investigation, particularly in respect of issues such as scene management, forensic strategy and major lines of enquiry.

Reviews which are all-embracing and include a time-consuming audit of all HOLMES 2 accounts should generally be avoided.

The Chair of the ACPO Homicide Working Group provides advice to chief officers formulating of terms of reference in complex or difficult cases. Requests for such assistance should be made through the ACPO office.
4.8 METHOD

Any review of an investigation should be based away from the operational incident room where possible. Including a HOLMES 2 operator in the team makes this possible as it enables the system to be accessed from an independent location. This removes the need to visit the incident room (except where, for example, documents need to be checked against the computer record, or some other important aspect requires discussion).

The reviewing officer must be supplied with copies of the Policy File, sequence of events, statements obtained from the main witnesses and exhibits schedules. The log of events and the current situation reports should be made available. This enables officers involved in the review to be fully informed before commencing it.

It is essential that the SIO provides a briefing to the reviewing officer and the review team. At the start of the review, a visit to the scene of the crime by the reviewing officer and supporting team is usually desirable.

The methods being used by the investigation teams to pursue the major lines of enquiry should be identified. This includes those relating to the main suspects, together with incident room procedures, staffing levels, briefings, publicity, exhibits, nominals linked to five or more messages or actions, accuracy of transcription, unidentified persons and vehicles, house-to-house enquiries and actions directed at seeking information.

**Note:** The primary objective of a review is to assist the SIO to detect the crime; operational matters should, therefore, take priority over administrative issues.

Once it has been decided which lines of enquiry are to be examined, they should be prioritised accordingly. Reviewers should not set or accept unrealistic deadlines.

The SIO and their senior management team should be kept fully aware of any problems or anything else requiring immediate attention. Regular meetings during the review can assist in achieving this. If, during the course of the review, any actions requiring immediate attention are discovered, the SIO should be informed as a matter of priority.

4.9 REPORTS AND SUBSEQUENT ACTIONS

Once the review has been concluded, the reviewing officer should prepare a report and submit it to the ACPO officer who commissioned the review. Before the report is submitted, however, the SIO should be allowed to read it so that they can make an initial response, should they wish to do so. Any responses should be forwarded to the ACPO officer, together with the report.

The findings of a review, particularly the recommendations, lessons learned and suggested good practice, should be formally considered for adoption by the ACPO officer.
Many forces have found it beneficial for the report to be formally considered by a review panel. This usually comprises an ACC Chair, Head of Crime, Divisional Commander and Scientific Support Manager and any other member who the Chair feels would be capable of constructively contributing to the process. Any meeting of the review panel should also be attended by the reviewing officer who should present the findings of the review, and the SIO, who should be invited to respond.

**Note:** This process should be conducted in a constructive rather than negative manner.

Reviews should be a dynamic process. They should not only be used to assist the SIO in the investigation of a crime, particularly identifying lines of enquiry which need to be pursued, but also to increase the effectiveness and intensity of major crime investigations. At the end of each process, lessons learned and identified good practice should be circulated within each force. Where appropriate, relevant force policies and working practices should be revised in the light of review findings.

## 4.10 Disclosure

In the event of a person or persons being charged in connection with a major crime investigation where a review has been conducted, the report should be revealed to the CPS. The prosecutor, in consultation with the SIO, will then determine whether the whole or any part of the review report is material to the defence case and should, therefore, be disclosed to the defence. There may be circumstances where the prosecution feels it is appropriate to claim Public Interest Immunity (PII) status in respect of part or all of the review report.
## Section 5
### WORKING WITH OTHER AGENCIES AND MULTI-AGENCY BODIES

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5.1 INTRODUCTION

Following the death of a person, more than one investigation may need to be instigated. This is because circumstances could, initially, require more than one agency to be involved and each agency will have different reasons and responsibilities for undertaking its own investigation. Each investigation team will have different roles and objectives to meet when a death occurs. A coordinated approach and clear lines of communication are essential between the police and other teams to ensure an effective investigation.

This section describes:

- Other investigating teams which SIOs are likely to find themselves working alongside;
- Each investigating team’s functions and responsibilities;
- The key principles for cooperation, multi-agency liaison and consistent working practices to enable each investigating team to work together, as well as independently, in achieving their objectives efficiently and effectively, where a protocol or Memorandum of Understanding (MoU) exists;
- Where to find the protocol or MoU.

5.2 KEY JOINT WORKING PARAMETERS

5.2.1 EXISTING MEMORANDA OF UNDERSTANDING AND PROTOCOLS

5.2.1.1 Prison, Probation and Immigration-Related Deaths in Custody

All deaths that take place in prisons are treated as potential homicides.

The police have the duty to make initial enquiries into the circumstances surrounding the death and must be given primacy for their investigation. This will ensure that other investigations do not prejudice any criminal investigation or the fair conduct of any legal proceedings that might result. It is the responsibility of the police and, when involved, the Crown Prosecution Service (CPS) to make sure that there is no prejudice to criminal proceedings.

The police investigation retains primacy over any investigation by other agencies, except in cases where the CPS advises there is insufficient evidence or it is not in the public interest to bring charges for a criminal offence, or the SIO decides a full criminal investigation is not required.

A detective officer of the rank of inspector or above and a crime scene investigator will attend every death and make an initial assessment of the circumstances surrounding the death. Where the circumstances of the death raise the suspicion of criminal conduct, a detective officer of the rank of inspector or above, or the SIO and a supervisory forensic investigator will attend the scene together and undertake an investigation.
Where a death occurs on police premises while the deceased is under the control of
the Prison Service or a private contractor being used on a temporary basis for the
purpose of housing people in prison custody (including clinical settings, court cells,
police cells, any vehicle used by the prison or private contractor to transport persons
held in custody, immigration detention accommodation and secure training centres),
an SIO will be appointed from the outset to make an initial assessment of the
circumstances surrounding the death.

Contact will be made with the Head of Police Professional Standards, the
Independent Police Complaints Commission (IPCC) and the Prison and Probation
Ombudsman (PPO). The IPCC has primacy for the investigation, but will liaise with
the PPO about the prison’s action leading up to the death.

Full details can be found in:

Protocol for Police Investigations in The Journal of Homicide and Major Incident

5.2.1.2 Patient Safety Incidents (Unexpected Death or Serious Untoward Harm)

The types of patient safety incident that may prompt an NHS trust to seek the
involvement of the police are those which display one or more of the following
characteristics:

- Evidence or suspicion that the actions leading to harm were intended;
- Evidence or suspicion that the adverse consequences were intended;
- Evidence or suspicion of gross negligence and/or recklessness in a serious safety
  incident.

If the police decide that a death or serious injury to a patient may have been caused
by the use of unsafe equipment or procedures, they may consider referring the
incident to the Health and Safety Executive (HSE) to make a decision on whether it
should investigate.

Where possible, the police and/or the HSE will come to an early view about the
nature of the incident and where responsibility lies for any future investigation. They
may conclude, for example, that there is no further role for either party in the
matter, or it may be decided that the trust should investigate further before the
police and/or the HSE decide whether they need to conduct their own investigations.

The police and/or the HSE may also ask the NHS to organise an Incident
Coordination Group (ICG) meeting. Police representation on this will normally be a
detective chief inspector or above. In instances where a suspicious death has
occurred, it may be necessary to ask the coroner to send a representative. The ICG
provides a strategic oversight of a patient safety incident when the NHS and the
police and/or the HSE are involved. It also enables actions to be agreed that will not
prejudice each investigating body’s work.
It is essential that any relevant physical, scientific and documentary evidence is preserved safely. The trust should deal with concerns about patient safety but not undertake any activity that may compromise any subsequent investigations conducted by the police and/or the HSE, until after the first ICG meeting.

Full details can be found in:

Memorandum of Understanding – Investigating Patient Safety Incidents see:
http://www.acpo.police.uk/policies.asp

5.2.1.3 Deaths on Land or Premises Owned, Occupied or Under the Control of the Ministry of Defence

When a death occurs, the police force with jurisdiction for the area in which it has occurred should be immediately notified by the Head of the Ministry of Defence establishment (this includes land, premises or vessels owned, occupied or under the control of the Secretary of State for Defence).

Primacy for conducting the investigation of all deaths rests with the chief officer of the police force under whose jurisdiction the death occurs. This is retained throughout the investigation and includes responsibility for the preparation and presentation of case papers to the coroner, the CPS and, where the circumstances warrant it, any civil or criminal courts.

The police force conducting the investigation will liaise with the HSE under the terms of the existing national protocol, should the circumstances of the death warrant their involvement.

The SIO appointed to investigate the death should have complete unrestricted access to all the material that is relevant to the enquiry.

The Head of the MoD establishment is responsible for ensuring that the scene of any death is secured and preserved. Beyond taking steps to ensure the safety of other personnel, the scene should remain undisturbed. They are also responsible for ensuring that any equipment, artefacts, records or documents that may be relevant to the investigation are preserved in situ.

In all cases the SIO should consider and, if deemed appropriate, use available MoD expertise to assist the investigation. This may include MoD police and/or service police who may be able to provide specialist knowledge, advice or technical support. The SIO may also use additional sources of expertise such as those which can be provided by the HSE.

Full details can be found in:

5.2.1.4 Work-Related Deaths

A police officer attending an incident involving a work-related death should, in accordance with their own force procedures:

- Identify, secure, preserve and take control of the scene and any other relevant place;
- Supervise and record all activity;
- Inform a senior supervisory officer;
- Enquire whether the employer or other responsible person in control of the premises or activity has informed the HSE, the local authority or other investigating or enforcing authority;
- Contact and discuss the incident with the HSE, the local authority or other enforcing authority. In conjunction with them decide how to control the scene, access to others and other local handling procedures to ensure the safety of the public.

A police officer of supervisory rank should attend the scene and any other relevant place to assess the situation, review actions taken to date and assume responsibility for the investigation. Should any other investigating or enforcing authority have staff in attendance before the police arrive, it should ensure that the police have been called, and preserve the scene in accordance with the initial actions described until the police arrive.

Where the investigation results in suspicion that a serious criminal offence (other than a health and safety offence) may have caused the death, the police will assume primacy for the investigation, and work in partnership with the HSE, the local authority or other enforcing authority.

Where it becomes apparent during the investigation that there is insufficient evidence that a serious criminal offence (other than a health and safety offence) caused the death, the investigation should then, by agreement, be taken over by the HSE, the local authority or other enforcing authority. Both parties should record such a decision in writing.

Where the HSE, the local authority or other enforcing authority is investigating the death, and new information is discovered which may assist the police in determining whether a serious criminal offence (other than a health and safety offence) has been committed, then the enforcing authority will pass that new information to the police. An enforcing authority inspector may do this, but it may also be from the enforcing authority’s solicitors via the CPS. The police should then consider whether to resume primacy for the investigation. The decision and reasons for this should be recorded in writing.

There will also be rare occasions where, as a result of the coroner’s inquest, judicial review or other legal proceedings, there may need to be further consideration of the evidence and surrounding facts. Where this takes place, the police, the enforcing authority with primacy for the investigation and the CPS should work in partnership to ensure an early decision. There may also be a need for further investigation.
Full details can be found in:

_Work-Related Deaths – A Protocol for Liaison_ see:
http://www.hse.gov.uk/enforce/enforcementguide/wrdeaths/investigation.htm

### 5.2.1.5 Police and Emergency Services in the Aftermath of an Aircraft Accident

The police role is to establish whether there is sufficient evidence to justify criminal proceedings. Preliminary enquiries should, therefore, be carried out by the police to prove beyond any reasonable doubt whether an offence has been committed.

A police investigation will only take primacy over an Aircraft Accident Investigation Branch (AAIB) technical investigation when there is a firm indication of serious criminality. Otherwise, police responsibilities include:

- Notifying the AAIB, without delay, of any information received about an accident or serious incident;
- Guarding the wreckage;
- Providing security for the accident site;
- Compiling a list of witnesses and their contact details, and taking initial statements;
- Sharing communications equipment and facilities during the on-site stage of the investigation;
- Establishing and maintaining good liaison and cooperation with the AAIB.

In the case of fatalities, the coroner’s officer and AAIB inspectors will collaborate in the investigation.

Full details can be found in:

_Guidance for the Police and Emergency Services in the Aftermath of an Aircraft Accident_ see:
http://www.aaib.gov.uk/guidance_and_regulations/index.cfm

### 5.2.1.6 Marine Accidents

The police role is to establish whether there is sufficient evidence to justify criminal proceedings. This is because a criminal investigation will only take primacy if there is firm indication of serious criminality. Where criminality is suspected, the Marine Accident Investigation Branch (MAIB) lead inspector, police and the coroner, where involved, will decide how to progress the investigation and which investigation takes primacy.

If, after preliminary enquiries, foul play or criminal offences are suspected, a more thorough investigation will be led by the SIO. In the case of a fatality, the SIO will lead a major investigation.
If the police receive information about a marine accident or incident before the MAIB, the information must be passed to the MAIB without delay. If the MAIB receive notification first and it is considered the police should be involved, the MAIB will notify the police force in the area where the accident or incident occurred.

Responsibility for preserving the wreckage and providing initial security for the site lies with the police.

The MAIB investigating team has primacy of interview of any person involved in, or connected to, an accident. This does not have a detrimental effect on the validity of the police interview, nor will its validity be damaged in court as a result of it having taken place after an MAIB interview. The police may interview anyone deemed to be a witness to the accident or who may have information relevant to their enquiries. The MAIB cannot release any interview declarations or inspectors’ notes pertaining to interviews. The SIO will, however, on request, share police statements with the MAIB for the purposes of furthering and clarifying detail.

Access to, and the collection (including seizure, removal and preservation) and the use of evidence should be conducted in accordance with the Merchant Shipping (Accident Reporting and Investigation) Regulations 2005, section 259(2) of the Merchant Shipping Act 1995, the Police and Criminal Evidence Act 1984 and Part 2 of the Criminal Justice and Police Act 2001.

MAIB inspectors must be allowed unrestricted access to an accident scene and to any preserved wreckage and evidence. It is the responsibility of the SIO to ensure appropriate clothing is worn by everyone at the scene of a marine accident or incident. This is to prevent evidence being contaminated and to safeguard the health and safety of personnel.

MAIB inspectors may request that vital technical evidence, not integral to the police investigation, is collected or protected by the police prior to MAIB inspectors’ arrival at the scene.

Collection and preservation of all technical evidence, including voyage data recorder equipment and data, will be controlled by MAIB inspectors.

Where a marine accident has led to a fatality, the responsibility of informing the next of kin will usually fall to the police. If police investigations have led to prosecution, the SIO may decide to deploy a police FLO.

Full details can be found in:

Memorandum of Understanding between the MAIB and ACPO see:
http://intranet.acpo.pnn.police.uk
5.2.1.7 Rail Accidents and Incidents

A firm indication of serious criminality is required to justify a criminal investigation taking primacy over that of a Rail Accident Investigation Branch (RAIB). Where there is a clear indication that the railway accident or incident has been caused by serious criminality, it will normally be appropriate for the criminal investigation to take primacy. Any decision to this effect will be agreed between the police and RAIB inspectors. The police will then assume lead responsibility for the investigation.

The RAIB is required by the European Railway Safety Directive, 2004/49/EC to investigate serious accidents as defined by the Directive. It also has a statutory responsibility to independently investigate railway accidents and incidents. This includes those which may involve the commission of a criminal offence or where deaths have occurred, and establishing the circumstances and cause of a railway accident or incident.

In establishing the cause or reasons for the severity of consequences of a rail accident or incident, the RAIB or the HSE will normally provide the necessary technical expertise. The RAIB will, therefore, in most instances, assume lead responsibility for the investigation into a rail accident or incident and for the recovery of evidence.

The police are responsible for investigating potential criminal activity and sudden deaths arising from a rail accident or incident. They will focus on the cause of the accident and provide evidence in any criminal and/or sudden deaths investigations.

In cases where criminal and sudden deaths investigations depend, in part, on the technical expertise of RAIB and/or HSE inspectors, it is essential that the police and HSE gather evidence in a manner that takes account of the evidential requirements of law.

In cases where the police are the first in attendance at the scene of a rail accident, it is their responsibility to liaise with the RAIB and the HSE about the accident, any subsequent rescue operation and the collection of evidence which may need to take place prior to the arrival of the RAIB and the HSE. It is also the police officers’ responsibility to compile and make available an initial list of the names and contact details of the persons who have witnessed the accident or incident.

Regardless of which party is leading the investigation, their needs must be met and decisions must be made, in consultation, about:

- Collection, sharing and use of evidence;
- Contact with the injured and bereaved and next of kin (in the first instance the police FLO will be the main channel for this process);
- Public statements and media coverage;
- Employment of third parties.
The RAIB will normally wish to interview persons before the police or the HSE do so, and will keep its witness statements and identities confidential. The police and HSE will conduct independent interviews and, when necessary, the police may exercise their power to detain a person who is a suspect in the criminal investigation. Such action may be required prior to any RAIB interview, and the SIO should coordinate this detention with the RAIB so that the RAIB’s independent interviews are not jeopardised.

Full details can be found in:

*Memorandum of Understanding Agreed Between the Rail Accident Investigation Branch, the British Transport Police, Association of Chief Police Officers and the Health and Safety Executive for the Investigation of Rail Accidents and Incidents in England and Wales* see: http://intranet.acpo.pnn.police.uk

5.2.1.8 Murder or Suspicious Death on Railways

In relation to any crime or suspected crime of terrorism, or any incident of murder or suspicious death on railway premises, British Transport Police (BTP) will take any immediate action necessary while simultaneously informing the chief constable of the local police force. Thereafter, the force chief constable, in consultation with the BTP chief constable, will determine how the investigation is to proceed.

Full details can be found in:

*Policing Protocol – BTP and Home Office Forces* see:
http://www.acpo.police.uk/policies.asp
http://www.acpo.police.uk/asp/policies/Data/protocol_btp_forces.doc

5.2.1.9 Road Deaths

Dealing with road death is core police work and in many circumstances the investigation of a road death is equivalent in complexity to that of a homicide. All incidents are treated as *unlawful killings* until the contrary is proved, and all fatal or potentially fatal collisions must be investigated. The integrity of the investigation is the prime concern and officers must recognise the fundamental importance of preserving what they must initially treat as a crime scene, until proved otherwise.

The overall control of a road death investigation is, and remains, the responsibility of the police. Following initial preliminary enquiries, it is the SIO’s responsibility to decide whether the investigation is to be full or scaled down. The SIO must ensure all evidence is thoroughly examined and disseminated at an early stage to ensure the highest evidential value has been obtained from the information gathered.
It is essential that the SIO is careful that the progress of the investigation is not impeded, and that all parties involved are provided with appropriate levels of information. The SIO leads the investigation, providing investigative focus, motivation for the team and being accountable for every facet of the enquiry, including the final responsibility for evidence produced. In addition, the SIO may have to manage a range of internal and external specialist resources to maximum effect. This might include:

- Qualified collision investigators or supervisors where there are fatalities or potential fatalities. Where a police force is unable to provide a suitable level of skill from within its own resources, consideration should be given to obtaining the services of a collision investigator from another force.

- Family liaison officer (FLO) to provide the appropriate level of support for, and liaison with, the bereaved family.

- Vehicle and Operators Service Agency to assist where large commercial goods and passenger carrying vehicles are involved.

- Highways Agency or the local highways authority to assist with road closures.

- HSE personnel if the investigation involves consideration of working practices that appear to be illegal or dangerous, or to have been applied negligently; in these cases, the HSE is likely to focus on operational procedures, risk assessments and health and safety at work, and it is highly likely that these are the same areas the SIO will also be investigating. There will, therefore, be a parallel investigation.

5.2.1.9.1 Police-Related Road Deaths

The need for swift examination will mean that the management of the scene will automatically fall to the local force. Consideration should, however, be given to bringing in an independent investigation team from another area or other force. Such procedures will only be possible if protocols for this have been agreed beforehand.

Under the Police Reform Act 2002, police-related road deaths and serious injuries must be referred to the Independent Police Complaints Commission (IPCC), whether a formal complaint is made or not. The IPCC may independently investigate the incident, or manage or supervise a force investigation. If the IPCC concludes that there are no serious implications for the reputation of the police force arising from the incident and there is no potential impact on the community, they may refer the incident back to the force concerned for a local investigation. In managing an investigation, the IPCC will determine the SIO’s terms of reference. In supervising an investigation the IPCC will agree the SIO’s terms of reference.

A police-related road death may need to be the subject of a notification to the HSE and, as such, the HSE will declare its interest and level of involvement at an early stage.
In the case of some incidents, particularly those involving multiple fatalities, the Health and Safety Commission may, with the consent of the Secretary of State, direct that a public inquiry be held. Alternatively, the Commission may authorise the HSE, or any other person, to investigate and produce a special report. In such circumstances, the police will provide any necessary support and evidence to the person appointed to conduct the public inquiry, or to the special investigation, subject to the relevant regulations.

Full details can be found in:

ACPO (2004) Road Death Investigation Manual see:
http://www.acpo.police.uk/policies.asp

5.2.2 WORKING WITH OTHER AGENCIES AND MULTI-AGENCY BODIES WHERE NO MEMORANDUM OF UNDERSTANDING OR PROTOCOL EXISTS

Where no MoU or protocol exists, for example with the Fire and Rescue Service (FRS), Her Majesty’s Revenue and Customs (HMRC), and Serious Organised Crime Agency (SOCA), incidents where serious crime and/or death and potential death are involved, the local police will be called on to investigate. The police investigation will take primacy and follow usual criminal investigative procedures.

5.3 SUPPLEMENTARY INFORMATION ON AGENCIES AND MULTI-AGENCY BODIES

5.3.1 BRITISH TRANSPORT POLICE

BTP is the national police force for the railways providing a policing service to rail operators, their staff and passengers throughout England, Wales and Scotland. The purpose of BTP is to provide a policing service that delivers a safe railway environment free from disruption and the fear of crime. The majority of its activity, like that of any other police force, is law and order policing, maintaining the Queen’s Peace and protecting staff and the public.

BTP contact details: Duty Inspector in the Management Information and Communications Centre, telephone .

5.3.2 DEPARTMENT FOR TRANSPORT

The following three Accident Investigation Branches (AIBs) are administrated by the Department of Transport but each conducts their investigations independently and reports to the Secretary of State for Transport.

5.3.2.1 Air Accident Investigation Branch

The AAIB investigates civil aircraft accidents and serious incidents within the UK. They do so to determine the circumstances and causes of an accident in order to preserve life and avoid accidents in the future.
5.3.2.2 Marine Accident Investigation Branch

The MAIB investigates all types of marine accidents, both to ships and the people on board them. The sole objective of any MAIB investigation is to prevent marine accidents in the future by determining the causes and circumstances of an accident. The MAIB is not a regulatory or prosecuting authority.

MAIB contact details: for twenty-four-hour accident reporting telephone [blank] (between 17.30 – 8.30 this line is answered by the DfT duty officer) and to relay messages to MAIB inspectors, telephone [blank].

5.3.2.3 Rail Accident Investigation Branch

The RAIB investigates railway accidents and incidents in the UK to improve safety. It covers:

- National railway networks in Great Britain and Northern Ireland;
- Channel Tunnel (in cooperation with its equivalent operation in France);
- London and Glasgow underground systems and other metro systems;
- Tramways;
- Heritage railways (including narrow-gauge systems over 350 mm gauge);
- Cable-hauled systems of 1 km or longer.

RAIB investigations are independent. They focus only on improving safety and preventing further accidents from taking place by identifying the causes of accidents and other aspects, that could have made the incident worse.

RAIB contact details: telephone [blank] (outside working hours, calls to this number will be answered by the DfT duty officer who will take summary details of the incident and pass them to RAIB’s duty coordinator.)

5.3.3 FIRE AND RESCUE SERVICE

The FRS carries out a wide range of activities to promote community fire safety. This is for the purposes of preventing deaths and injuries in the home, and reducing the impact of fire on the community as a whole.

The FRS has a responsibility to investigate a fire scene. If, however, the fire is thought to have been started deliberately, the location becomes a crime scene. Police crime scene investigators (who are not specialist fire scene investigators) will then be deployed. If fraudulent arson is suspected, then an insurance company may also deploy a fire scene investigator to examine the case.
A number of FRSs work in partnership with their local police force through an Arson Task Force. Members include representatives from:

- Local authorities;
- Probation service;
- Youth offenders teams;
- Community groups.

5.3.3.1 Arson Prevention Bureau

The Arson Prevention Bureau was established in 1991 to spearhead and coordinate a national campaign to reduce arson, raise awareness of the problem and bring together public and private sector organisations sharing these objectives. It is in active partnership with the Arson Control Forum. They can be contacted by telephoning...

5.3.3.2 Arson Control Forum

The Arson Control Forum is led by the Office of the Deputy Prime Minister and includes the following key stakeholders:

- Fire and Rescue and Police services;
- Insurance companies and associations;
- Home Office and other government departments;
- Confederation of British Industry;
- Local authorities;
- Fire Brigades’ Union and other trade unions or staff associations.

For contact details see: acf.enquiries@odpm.gsi.gov.uk

5.3.3.3 Fire Control

Following a review of fire control rooms, the Bain Report and the White Paper ‘Our Fire and Rescue Service’, resulted in a recommendation to move from the existing system of forty-six fire control rooms in England, to a network of nine new amalgamated regional control rooms. The first control centres are planned to open in 2008.

5.3.4 HEALTH AND SAFETY EXECUTIVE

The HSE has statutory responsibilities to make adequate arrangements for the enforcement of health and safety law in relation to specified work activities. The HSE, together with local authorities, has a responsibility to ensure duty holders (who may also be suspects) take action to deal immediately with serious risks. They are also responsible for promoting and achieving sustained compliance with the law. There is a wide range of responsibilities and legal powers affecting health and safety enforcement. The HSE (or another relevant enforcing authority, such as a local authority) will investigate and, where appropriate, prosecute breaches of health and safety law under the Health and Safety at Work Act 1974 (HSWA). The HSE cannot, however, investigate or prosecute unlawful killing, or any other criminal offences outside its health and safety remit.
5.3.5 HM REVENUE AND CUSTOMS

Although HMRC is no longer a prosecuting authority, it still has an important, frontline role to play in protecting society from illegal imports of drugs, alcohol and tobacco, and tax fraud. HMRC works under the overall direction of the Treasury.

The new, combined HMRC Criminal Investigation and Intelligence Service will play a vital role in combating criminal behaviour across the tax system. It will focus particularly on attacks on the tax system by organised criminals. HMRC will also continue to perform a key role in protecting the UK’s frontiers, working in the UK and overseas with partner organisations to combat all forms of smuggling, including drugs, and on a number of new border security measures to combat terrorism.

HMRC works on a collaborative basis with the intelligence services, the Police Service, and other law enforcement organisations, both in the UK and overseas. The fully independent prosecuting authority, the Revenue and Customs Prosecution Office (RCPO) is another key partner. The RCPO prosecutes all HMRC cases in England and Wales, and is accountable to the Attorney General. Situations where HMRC might request the services of the police include:

- Early morning visits where a breach of the peace is possible;
- Possession or ownership of firearms;
- Money laundering and tax fraud;
- Disclosure of information;
- Drug smuggling, where HMRC is committed to working with other agencies such as the police and SOCA to
  – reduce the supply of illegal drugs
  – dismantle criminal gangs that traffic drugs
  – help tackle illegal drug production and distribution around the world
  – deprive traffickers of their assets and proceeds of crime
  – stop potentially ruthless drug trafficking criminals who are known to be violent and carry guns (HMRC officers are unarmed)
  – reduce the harm caused by drugs in the community.

5.3.5.1 Revenue and Customs Prosecution Office

The RCPO forms an integral part of the UK’s criminal justice system. With staff in London and Manchester, the RCPO is responsible for prosecuting some of the UK’s largest criminal cases involving drug smuggling, money laundering and tax fraud.

Independent from HMRC, but working closely with them, the RCPO offers professional, expert legal advice from the early stages of an investigation, to build strong and effective prosecution cases to present before the courts.
5.3.6 MINISTRY OF DEFENCE

The MoD and the Armed Forces (British Army, Royal Airforce, Royal Navy and Reserve Forces) have a presence throughout England, Scotland, Wales and Northern Ireland.

The key principles which provide the basis of work for the MoD are:

- Defending the UK and its interests;
- Strengthening international peace and stability.

The MoD operates a distinct criminal justice system which is entirely complementary and comparable to the wider criminal justice system in the UK.

Its contribution to communities includes search and rescue, fishery protection, counter-drug operations and explosive ordnance disposal.

5.3.6.1 Royal Military Police

The Royal Military Police (RMP) provides day-to-day police support for Army personnel and their dependents in the UK, and MoD civilians overseas. RMP units are trained and equipped to deal with the most serious crimes. The Special Investigation Branch (SIB) operates on a similar basis to the civilian CID.

To provide the Army with police support, the RMP has the following functions:

- Providing operational support to units in the field;
- Preventing crime;
- Enforcing law within the community and assisting with maintaining discipline;
- Providing a twenty-four-hour response service which gives assistance, advice and information.

The RMP operates mainly under the Service Discipline Acts and the majority of UK domestic legislation including Criminal Justice Acts, Road Traffic Acts and a form of PACE adapted for the military. Members of the RMP are not constables. Their powers and jurisdiction come from the Army Act 1955 and the Queen’s Regulations.

5.3.6.1.1 Royal Military Police Special Investigation Branch

The SIB investigates serious and sensitive criminal offences within the Army. It also conducts special investigations into other matters and is responsible for establishing the truth of the circumstances under enquiry. This entails interviewing witnesses and persons suspected of crime. Trained SIB Scenes of Crime Officers (SOCOs) are available to assist in examining crime scenes for forensic evidence.

RMP contact details: twenty-four-hour Service Police Crime Bureau, telephone ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️ ☑️.
5.3.6.2 MoD Police and Guarding Agency

The MoD Police and Guarding Agency incorporates two professional security services within the MoD. It supplies policing and guarding services to the whole of the defence community, both military and civilian. It also supports the Defence Vision (‘A Force for Good in the World’) by contributing to international policing in countries such as Kosovo and Iraq.

The primary role of this agency is to counter the following main crime and security risks:

- Terrorist attack and the threat of such attacks;
- Disruption and disorder caused by protestors;
- Theft of key assets;
- Major financial fraud.

5.3.6.2.1 MoD Police Service

The MoD Police Service is the MoD’s own dedicated civil police. Its role is to apply constabulary powers and civil police training to combat the risks of crime and disorder faced by the MoD. It concentrates on four key areas of operation:

- Armed security – the capability to deter and respond to an armed attack on defence personnel and property;
- Uniformed policing – using police powers to deter, detect and respond to crime and disorder;
- Crime investigation – investigating crime that impacts significantly on defence capability;
- Defence policing policy – contributing to defence policing policy.

5.3.6.2.2 MoD Guard Service

The MoD Guard Service provides the MoD with unarmed guarding services. It contributes to the delivery of the UK’s defence capability by guarding defence personnel and property.

5.3.7 NATIONAL HEALTH SERVICE

NHS trusts have a responsibility to ensure the safety and well-being of patients and staff, and to investigate when things go wrong. All patient safety incidents are investigated using existing NHS procedures developed by the Department of Health and the National Patient Safety Agency.

Some patient safety incidents may result in the police and/or the HSE investigating possible offences by individual NHS employees or the NHS employer. The latter is, however, more often the case as health and safety legislation places the primary responsibility on the employer.

All fatal accidents (except deaths of patients that arise from medical treatment or otherwise) should be reported to the HSE and will be investigated by them.
5.3.8 PRISON AND PROBATION OMBUDSMAN

The PPO has a duty to investigate all deaths related to custody, and to avoid any unnecessarily delay in doing so. A list of interviews conducted by PPO investigating officers prior to the commencement of a police investigation will be provided.

5.3.9 REFLEX

In May 2000 the government established and sponsored Reflex, a multi-agency taskforce dealing with organised immigration crime. Its remit is to coordinate operations against organised immigration crime, to develop the intelligence and strategic planning that underpins operations and to target the infrastructure. Chaired by the Director General of the Serious Organised Crime Agency (SOCA), Reflex brings together the government, the Immigration Service, intelligence agencies and the law enforcement community. It provides a broad range of options to disrupt and dismantle criminal activity and to build preventive measures in source countries, along the transit routes and in the UK. As Reflex has developed, it has established links to territorial policing. Immigration has been a long-standing priority in channel port forces, but there has been a lack of capability elsewhere. Reflex funding, therefore, supports work in a number of forces where this capability is particularly needed, including:

- Merseyside – International Crime Unit;
- South Yorkshire Police – Police and UK Immigration Service (UKIS) Joint Intelligence Group (commenced August 2003);
- Essex Police – Police and UKIS Joint Intelligence Group (commenced summer 2004);
- The Metropolitan Police Service – Maxim, which is a joint operational unit between the Metropolitan Police Service and UKIS and the UK Passport Service;
- ACPO North East Region – Joint Intelligence Groups and Operational Teams within South Yorkshire, West Yorkshire and Humberside Police areas (commenced July 2004).

Advice and support can be accessed by contacting Reflex Secretariat:

reflex.secretariat@ncs.pnn.police.uk

5.3.10 SERIOUS ORGANISED CRIME AGENCY

SOCA is a new law enforcement agency that became operational in April 2006. It is an executive, non-departmental public body sponsored by, but operationally independent, from the Home Office. It was created to reduce the harm caused to people and communities in the UK by serious organised crime. It takes over the functions of the National Crime Squad, the National Criminal Intelligence Service (NCIS), the role of HMRC in investigating drug trafficking and related criminal finance, and some of the functions of UKIS in tackling organised immigration crime.

Its priorities (in order of importance) are: drugs trafficking, primarily Class A; organised immigration crime; individual and private sector fraud; other organised crime; and supporting law enforcement partners to achieve their objectives when those objectives would not otherwise be SOCA priorities.
5.3.11 CRIMINAL CASES REVIEW COMMISSION

The Criminal Cases Review Commission (CCRC) is an independent public body established in 1997 under the authority of the Criminal Appeal Act 1995. The role of the CCRC is to review cases where it is alleged that a miscarriage of justice has taken place. Cases normally come to the CCRC by application from the convicted person. Any person convicted of a criminal offence in England, Wales or Northern Ireland (Scotland has its own Commission (SCCRC)) can apply to have their case reviewed. Unless there are exceptional circumstances, they should have exhausted the normal appeal process first. The application can be for review of the conviction, the sentence or both.

The CCRC can be directed by the Court of Appeal to carry out investigations, on behalf of the court, in relation to matters arising from a normal appeal.

The CCRC does not carry out a reinvestigation of the case. Its role is to establish if there is any new evidence or new argument, and then to consider if there is a real possibility that the appeal court is unlikely to uphold the conviction or sentence. If the CCRC decide that such a possibility exists, it will refer the case back to the relevant appeal court to consider the matter.

Under the Act, the CCRC has the authority to make enquiries into the issue or issues raised in the application, or identified by the CCRC in considering the case. The CCRC also has the power to require an investigating officer from a police force to assist with such enquiries.

Where the CCRC believes that material exists in the possession or control of any public body that may be relevant to the exercise of the CCRC’s functions, section 17 of the Act gives it the power to require the retention of that material and its subsequent production. This power is not affected by any obligation of secrecy or limitation on disclosure. Consequently the CCRC has experience of handling sensitive material and has developed systems for its secure management. Section 25 of the Act provides for subsequent disclosure of such material to be subject to consent from the body holding the material.

Further information or advice on the work of the CCRC can be obtained by telephone: 0121 633 1800, or by visiting their website: http://www.ccrc.gov.uk
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6.1 INTRODUCTION

Investigators must consider using the entire range of expert skills available to support them in murder investigations. This is stressed throughout this manual. The SIO cannot be an expert in every aspect of the investigation, but their role is to draw together, manage and maintain a team of experienced investigators and specialist advisers over the course of the investigation.

Notwithstanding this, SIOs should be mindful that it is their responsibility to request such support and, depending on the type of opinion being offered, evaluate the advice in the context of the investigation.

6.2 NCPE OPERATIONS

The Operational Support Section of the National Centre for Policing Excellence (NCPE) is part of Centrex and comprises the Operations Centre and Opsline, Crime Operational Support, the Serious Crime Analysis Section (SCAS), the Uniform Operational Support Team and the Major Disaster Advisory Team (MDAT).

6.2.1 OPERATIONS CENTRE AND OPSLINE

The NCPE Operations Centre can provide information, support and advice to any SIO investigating a homicide or other serious crime. The Centre operates a helpline (Opsline) and can offer the following types of advice and support to senior investigators:

- Crime and Uniform Desk – advice on the investigation of murder and other serious crime;
- Database of SIOs with previous experience of similar homicides and available expert advisers;
- Access to Regional Advisers and Crime Investigative Support Teams;
- Covert Desk – advice on the lawful and effective use of covert investigative techniques.

When Opsline is contacted, the details of the enquiry will be recorded. SIOs involved in homicide investigations will then be referred to the Crime Desk. The Crime Desk is staffed by experienced officers who provide information and advice to SIOs. They have access to an extensive database of available expert advisers, including other SIOs experienced in managing particular types of investigations. This allows enquiring SIOs to contact those with relevant operational experience from around the country.

Opsline can be contacted by telephone on: 0870 241 5641
or email: opsline@centrex.pnn.police.uk

Opsline offers a twenty-four hour, seven days a week service. For further details see 6.2.2.2 Crime Investigation Support Officers.
6.2.2 CRIME OPERATIONAL SUPPORT

The Crime Operational Support Section of NCPE Operations is a responsive support unit for SIOs involved in serious crime investigations such as murder, rape, abductions and series sex offences. Staff from the Crime Operational Support Section provide help in identifying the needs of an investigation at an early stage and supply appropriate initial and ongoing advice and support. This facility is available for SIOs across the UK and Northern Ireland.

6.2.2.1 Regional Advisers and Support Teams

The Regional Advisers offer strategic advice and practical support to investigators of serious and series crimes such as homicide and other complex enquiries, including cross-border and high-profile cases. They focus predominantly on:

- Sexually-related murder;
- Rapes;
- Series sexual offences;
- Abduction;
- Serial arson;
- Suspicious missing persons;
- No body murder investigations.

The Crime Operational Support Section will support investigations into other types of crime, depending on the circumstances of the crime and the resources that are available.

The Regional Adviser, where appropriate, will formulate a Regional Support Team of experts required by the investigation. This could include:

- Crime Investigation Support Officer (CISOs);
- National Interview Coordinator or ACPO approved Interview Adviser;
- Behavioural Investigative Adviser;
- Geographic Profiler;
- National Search Adviser;
- National Family Liaison Adviser.

In addition, Regional Advisers and Support Teams have close links with the Physical Evidence Unit, the National Injuries Database (NIDb) (see 6.2.2.7 Physical Evidence Unit), and SCAS (see 6.2.2.5 Serious Crime Analysis Section). They can, therefore, access a full range of products and services on behalf of SIOs.

Forensic science Specialist Advisers, NIDb staff and SCAS Analysts often form part of the deployed Regional Support Team.

The services of the NCPE are supplied free of charge. SIOs will be advised when charges may apply for other services.

Regional Advisers are not automatically notified of homicides in their area. SIOs should, therefore, consider consulting the Operations Centre at the earliest opportunity to draw on any relevant experience and expertise.
6.2.2.2 Crime Investigation Support Officers

The Crime Investigation Support Officers (CISOs) are detective sergeants who provide access to the whole range of NCPE support services and products.

They provide out-of-hours access to the Crime Desk database of expertise and experience, and also offer initial tactical advice twenty-four hours a day, seven days a week.

All the CISOs have portfolio responsibilities in subjects relevant to the post, thereby extending the range of available advice.

6.2.2.3 Behavioural Investigative Advisers

Formerly known as offender profiling, behavioural investigative advice is the process of drawing inferences about an offender or offence from a detailed, behavioural examination of actions within a crime.

Behavioural investigative advice is a strategic information management tool that can be used to understand an offence better, prioritise suspects, assist in the interview process and develop new investigative strategies to complement traditional approaches.

The support and advice available from BIAs takes many forms and includes:

- Crime scene assessment;
- Motivational factors;
- Series identification/case linkage;
- Risk assessment;
- DNA screening suspect prioritisation;
- Advice to support interview strategies;
- Offender background characteristics;
- Investigative suggestions/strategies;
- Familial DNA prioritisation.

All requests for behavioural science support must be directed through Opsline to the appropriate Regional Adviser who will offer advice on the nature of any support available which may assist the enquiry.

The NCPE Operations Regional Teams have at least one full-time BIA whose services are free to the enquiry. It should be noted, however, that their availability is limited and may not include recognised expertise in every case.

The ACPO Sub-Committee for Behavioural Science also manages an approved list of consultant BIAs. This covers a wider range of expertise, particularly in the fields of clinical psychology and advice to support an interview strategy. It is ACPO policy to only use BIAs from this list. These ACPO approved consultant BIAs come at a cost to the enquiry, which must be negotiated with the BIA. For further information about this service, SIOs should contact their Regional Adviser or Crime Investigation Support Officer through Opsline.
A BIA will usually require access to all relevant statements, interviews, forensic pathology reports, crime scene photographs and all relevant crime scenes. They should also receive a full briefing from the relevant investigators.

The SIO must agree terms of reference with the BIA that clearly establish what is expected of both parties. These terms should be made explicitly in writing as soon as the BIA is brought into the investigative process, and must be clearly understood by the SIO and BIA. This applies particularly to ownership of any material, and confidentiality which is expected in those instances where a BIA might have privileged access to sensitive information about crime scenes or victims. This should, for example, inhibit disclosure of certain information to the media without the SIO’s express permission. The terms of reference should also provide similar assurances to the BIA that all relevant case materials will be made available, and that any developments which may support, refute or refine the advice proffered will be communicated as soon as possible. It is also important that the SIO carefully read and note any caveats contained within the preamble to a BIA’s report.

6.2.2.4 Geographic Profilers

Geographic profiling is an investigative support technique designed to provide assistance in cases of serial crime or singular crimes with a number of related sites.

This geographic analysis attempts to determine the most probable location of the offender’s ‘anchor point’ (which is frequently their residence but may in some cases be related to their employment or social activity). It is based on the analysis of the locations of a connected series of offences, the characteristics of the neighbourhoods in which they have occurred and, where available, the behavioural analysis or psychological profile of the offender.

Not every case may be geographically profiled and a preliminary review is usually necessary to determine its suitability. In addition to geographic profiling, the following services are also available to investigators.

Geographic Search Analysis (GSA)

The Geographic Profiling Section has developed a technique that has been successfully used in searches for the body of a suspicious missing person, where it is believed that a known suspect has killed the victim but the body has not been recovered. This process, termed Geographic Search Analysis (GSA), involves the application of certain analytical techniques (temporal and spatial analysis from a geographic perspective). These are overlaid against intelligence in respect of the suspect’s known movements, background and lifestyle. The analysis is used to provide a prioritised list of the locations of probable deposition sites. This is then used for developing the search strategy within the investigation.

Target Location Analysis

As with GSA, this technique has been developed for use in searches for missing suspects. It is based on detailed intelligence and applied in a similar manner to GSA.
Mapping Assistance

Assistance can be provided for mapping out locations related to a crime or a series of crimes. This can be particularly useful when reconstructing historical cases or for presentations in briefings and at court.

Other Specific Analytical Techniques

These include time/speed/distance calculations and Theissen Polygon analysis.

The NCPE Operations Regional Teams have at least one full-time geographic profiler whose services are given at no cost to the enquiry.

A geographic profiler will usually require the specific crime data, eg, crime information and statements, together with any relevant geographic data, victimology and, if available, the behavioural analysis report and advice. They will also need to visit all the relevant scenes.

All requests for geographic profiling services must be directed to the Regional Adviser through Opsline. The Regional Adviser will offer advice on support available which may assist the enquiry.

6.2.2.5 Serious Crime Analysis Section

SCAS can potentially offer SIOs a number of significant lines of enquiry and analytical support to the investigation of a homicide. The unit holds the national remit for analysing serious ‘stranger’ sexual attacks and murder. Its purpose is to identify similar offences and/or suspects for an investigation. SCAS can also contribute significantly to the prosecution of individuals by evidencing any links between the current offence and previous offences or convictions.

Analysts from the unit highlight pertinent aspects of offences in order to identify similar offences. In some instances similar cases will have a known offender, thereby providing SIOs with a potential suspect. Based on its experience of homicide, SCAS also provides SIOs with parameters to search its internal systems (eg, Crime Recording, Command and Control) for incidents of potential relevance. Analysis can also provide a statistical indication of how rare elements of an offence are, thereby providing an area of focus for investigators.

SCAS use a number of sources of information in their analysis. The most specialised of these is the Violent Crime Linkage Analysis System (ViCLAS). ViCLAS is designed to capture the information necessary for analysing sex offences and, in that respect, differs from most in-force systems such as crime recording. It is vital, therefore, that information surrounding key elements of the offence such as modus operandi and offender speech is captured accurately and forwarded to the unit.

Besides identifying potential suspects through case comparison, SCAS, as part of an NCPE team, can assist in generating potential suspects for suitable investigations. Using information from various sources and the parameters set by experts within the NCPE, a list of potential suspects can be provided in some cases.
Support is tailored to the particular needs of investigations. For each case analysed, SIOs are contacted by the unit to establish terms of reference and identify the levels of support required. Support can take a number of forms such as a written report, presentations to the investigative team, or attendance at case conferences to provide evidential support.

SCAS has a responsibility to analyse serious stranger sexual crime and murder on behalf of all UK police forces. A statutory code of practice for police forces using SCAS specifies the minimum standards that should be considered by SIOs for case submission to the unit. Cases which need to be notified to SCAS include:

- All murders with sexual element(s) or motive;
- All murders which are undetected after twenty-eight days;
- Stranger murders with unknown motives (in consultation with SCAS).

Each police force has at least one designated SCAS Contact Officer, usually based in the FIB, who identifies relevant cases and forwards case papers to SCAS. If the SIO, however, has not been contacted by SCAS within three weeks of the offence date they should consult their SCAS Contact Officer.

SCAS also analyse a range of sexual offences. SIOs should contact their SCAS Contact Officer for further information.

6.2.2.6 National Advisers – Interview, Search and Family Liaison

Through its National Advisers, NCPE Operations also have access to comprehensive strategic and tactical advice in the areas of interview, search and family liaison issues through its National Advisers.

In appropriate cases advice can be sought from the NCPE National Advisers via the Operations Centre. Actual deployment should be arranged through the Regional Adviser. Descriptions of the role of the National Search Adviser and the National Family Liaison Adviser are available in 12 Searches in Homicide Investigations and 16 Family Liaison.

Interview Advisers

Interview advice can be accessed through NCPE Operations, the force ACPO Interviewing Champion or the ACPO Investigative Interviewing Regional Representative. SIOs should obtain advice at an early stage, ideally before a suspect is identified, in order to maximise all opportunities.

Interview advisers provide practical advice and guidance on interviewing strategies and techniques. Many forces now have their own staff trained, to Tiers 3 and 5 of the ACPO (2002) National Investigative Interviewing Strategy, who can assist SIOs in all aspects of investigative interviewing, including witnesses, victims and suspects.
ACPO have appointed a National Interview Coordinator. The National Interview Coordinator can be contacted through NCPE Operations and is able to provide assistance in the following areas:

- Advice and/or support on establishing victim or witness interview strategies;
- Advice and/or support on planning and preparing for victim or witness interviews;
- Advice about legal issues relevant to victim or witness interviews;
- Analysis of victim or witness interviews;
- Analysis of victim or witness written statements;
- Debriefing of the overall victim or witness interview process;
- Advice and/or support on suspect interview strategies;
- Advice and/or support on planning and preparing suspect interviews;
- Advice on legal issues relevant to suspect interviewing;
- Advice on pre-interview briefing strategies of legal representatives;
- Analysis of suspect interviews;
- Debriefing of the overall suspect interview process.

The National Interview Coordinator and NCPE Operations have access to a national register of ACPO approved interview advisers. They are experienced practitioners at Tier 5 of the ACPO (2002) National Investigative Interviewing Strategy who have been given permission by their force to work on complex cases outside their force boundaries.

Further information about the role of interview advisers is available in 15 Witness Management, and 20 Suspect Management.

### 6.2.2.7 Physical Evidence Unit

The Physical Evidence Unit offers SIOs specialist support to live major investigations and cold case reviews.

SIOs are able to access the following through this unit:

- Independent scientific advice from the head of section who is a senior forensic scientist;
- A network of Specialist Advisers attached to forensic service providers;
- Referrals to other expert advisers, particularly in disciplines not currently offered by the main forensic providers;
- The National Injuries Database.

**Scientific Advice**

This may take several forms and can range from verbal advice to a more involved approach as part of the Forensic Management Team. The overriding purpose is to provide a forensic overview and identify all physical evidence opportunities to satisfy the needs of an investigation.
**National Injuries Database**

The National Injuries Database allows for correlations to be made between wounds and weapons to assist in cases where the weapon employed is currently unknown and the injuries are of an unusual nature. The database currently holds over 20,000 images from more than 4,000 cases of suspicious deaths, homicides and clinical cases where cross-referencing and searching is almost instantaneous.

Images from the database can be used to display four cases side by side for comparison. This can be particularly useful with a potentially linked series of offences.

Images of weapons can also be superimposed onto unusual or regular wound patterns. These patterns can range from knife wounds to footwear impressions left on skin. This can be used at the investigative stage or during court proceedings to help link a weapon with an injury.

**6.2.3 UNIFORM OPERATIONAL SUPPORT**

The Uniform Operational Support Team works in conjunction with the ACPO Firearms Secretariat. In addition to offering tactical advice for firearms operations, they also offer support and post-incident advice. This facility may be particularly useful to SIOs investigating shootings where police officers have been involved in some capacity.

The Uniform Operational Support Team can also signpost SIOs to specialist Search Advisers (PoLSA). SIOs should consider such support if their investigation requires a particularly complex search, or if they feel they would benefit from a second opinion on searches already completed (see 12 Searches in Homicide Investigations).

**6.2.3.1 Major Disaster Advisory Team**

The Uniform Operational Support Team also coordinates the Major Disaster Advisory Team (MDAT). They are a team of serving police officers from across the country who have experience in disaster management. This team performs a number of functions which may be of use to SIOs investigating multiple deaths, or for cases involving traumatic fragmentation.
The team is able to provide advice and consultation in the following areas:

- Body recovery and search and site clearance;
- Temporary mortuary management;
- Disaster victim identification;
- Family liaison;
- Evacuation, relocation and reoccupation;
- Media management;
- Silver support (tactics);
- Support and advice by telephone or in person to SIOs and Senior Identification Managers twenty-four hours a day, seven days a week;
- Advice on working with AAIB, RAIB or MAIB;
- Suspicious deaths abroad;
- Casualty Bureau management;
- Counter-terrorist and chemical, biological, radiological and nuclear advice.

SIOs require the authority of an ACPO member from the enquiring force to use MDAT. MDAT operates under mutual aid principles and in the guise of Operation Goliath. They can be contacted via New Scotland Yard.


### 6.3 POLICE NATIONAL MISSING PERSONS BUREAU

The Police National Missing Persons Bureau complements the missing persons application on PNC. It acts as a central clearing house for information on missing persons, and serves both UK forces and overseas agencies. Investigators may find this facility useful in cases involving an unidentified body.

Police National Missing Persons Bureau can be contacted by telephone: 0500 700 700 or email: nationalmissingpersons@met.pnn.police.uk

The National Missing Persons Helpline is a charity dedicated to helping missing people and their families. They have substantial records which may include missing persons not reported to the police. The ID department can run immediate searches on unidentified bodies and use internationally recognised forensic age-progression technology.

National Missing Persons Helpline can be contacted by telephone: 0500 700 700


6.4 INTERNATIONAL SUPPORT

6.4.1 INTERPOL

Interpol spans 187 member countries and works to facilitate communication between law enforcement agencies around the world. Each member has its own National Bureau.

Interpol serves as a conduit for information between policing bodies in different countries. Although Interpol cannot become involved in anything that carries political, military or religious overtones, they can deal with any other enquiries that can be responded to on a police-to-police basis. On receiving a request for assistance, the National Central Bureau will liaise with the appropriate agency in the receiving country to facilitate the request.

Interpol can assist SIOs by helping to trace property overseas or persons who may have travelled abroad. The majority of tasks are achieved by securing intelligence although, in some countries, they can also facilitate obtaining evidence.

The National Central Bureau of Interpol for the UK, located within SOCA, is staffed twenty-four hours a day, seven days a week by serving police officers. Each force has an International Liaison Officer (ILO), although in some cases this is not a full-time role. SIOs should check the availability of their force ILO. If their ILO is not available, SIOs should not wait until they can make contact with them but should contact Interpol by telephone: . SIOs should refer to the Home Office (2006) Overseas Deployment of Police Officers and Police Support Staff, for guidance on deploying officers overseas in order to meet UK operational needs.

Interpol can be contacted by telephone: 

6.4.2 SCHENGEN INFORMATION SYSTEM

Schengen Information System (SIS) is a means of police information sharing and cooperation which enables police from EU countries to cooperate and work together under the Schengen Convention. PNC circulations will now be sent to Member States of the European Union, Norway and Iceland; circulations from these countries will also be available to UK police forces. Each member country has a Sirene Bureau (the administrative arm of the system) which is available twenty-four hours a day, seven days a week.

The SIS holds alerts on wanted or missing people, requests for information reports and lost or stolen property. ‘Hits’ on the system lead to a request to the officer concerned to seize the property, submit a report and/or make an arrest, subject to the laws of the country in which the officer is based.
The Sirene UK Bureau will contact the relevant force where one of their requests has been met by a force abroad.

SIS can be contacted by telephone: [redacted] or email: sireneuk@ncis.x.gsi.gov.uk

6.5 POLICE PORTAL ONLINE

The Police Portal Online uses the internet to communicate either privately within the Police Service or externally with the public. There are a number of ways in which this tool may assist investigators. There are, however, three functions that are of particular benefit to homicide investigations:

- Public Message Broadcasting (PMB);
- Targeted message broadcasting;
- Management of information generated through the site.

Using the PMB system, information or appeals regarding specific incidents can be transmitted via the website in order to communicate more widely with the general public.

Members of the public can also register their details in order to receive information on crimes of interest to them, for example, a particular incident or incidents occurring within their geographic area or community. Information can then be dispatched by email, text or recorded voice message, thereby allowing direct contact with targeted sectors of the public. This may be particularly useful as part of the community involvement, witness or media strategies. The speed of the system also allows messages to be dispatched immediately and may be of use in alerting the public either before, or during, scheduled house-to-house enquiries. This method of targeted message broadcasting can also be used to contact specific policing communities, such as all Heads of Intelligence.

Appeals using this type of broadcasting can generate huge amounts of information that can overwhelm the MIR, the investigation team and their technical systems, particularly in high-profile cases. The Police Portal has the ability to provide technical support and provides a useful tool for managing the information it generates from the public. The SIO can set parameters to weed out or prioritise information.

Information generated on previous cases is also held within the system. This allows SIOs access to a large amount of intelligence when investigating a possible linked series of offences.

For further information see: http://www.police.uk
# Section 7

## CORONERS AND INQUESTS

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7.1 INTRODUCTION

The importance of the working relationship between the coroner and an SIO throughout a homicide investigation cannot be overstated. It is essential that SIOs confer with coroners and their officers at the earliest opportunity. Early contact with the coroner will involve obtaining permission to move a body from a scene to a mortuary and securing the services of a Home Office pathologist to undertake a forensic post-mortem examination. Local arrangements with the coroner will usually facilitate this. Thereafter, the SIO must regularly communicate the progress of the enquiry to the coroner. Ultimately issues such as opening the inquest, release of the body for burial or cremation, and the full inquest will need to be addressed.

Coroners’ inquests are conducted in accordance with the Coroners Act 1988 and the Coroners Rules 1984 (as amended in 2005).

Coroners have a duty to hold an inquest into all cases where there is reasonable cause to suspect:

- That a person has died a violent or unnatural death;
- The death was sudden and the cause is unknown;
- The deceased has died (from any cause) while in lawful custody or detention;
- The death is suspected to be due to industrial disease.

The role of the coroner and the purpose of an inquest is to determine:

- The identity of the deceased;
- When and where death occurred;
- The cause of death;
- The circumstances in which death occurred;
- The particulars required to register death.

The inquest should not comment upon any other matter. An inquest is not a trial, but a limited enquiry into the facts surrounding the death. It is not the role of the inquest to apportion blame for the death, nor should a coroner comment upon the criminal liability of any named person. An inquest is a public forum that is almost certain to attract media attention in the case of a murder investigation.

It is a fundamental principal that coroners have absolute authority over issues relating to a dead body in the area over which they have jurisdiction. Coroners are assisted by their officers, who receive the reports of deaths and make enquiries on their behalf. Some coroner’s officers are police officers and others are civilian staff. Depending on the size of the population in the coroner’s area, they may work either full time or part time.
7.2 OPENING INQUESTS

The coroner will normally open an inquest as soon as practicable after the death is discovered. The nature of this hearing varies across the country. The opening of the inquest will be confined to establishing the identity of the deceased and hearing the result of the post-mortem examination. The SIO may be expected to report the progress of the investigation at this hearing.

Investigators should remember that the media and members of the victim’s family might be present where the inquest is opened in court. Care must, therefore, be taken in making comments that might be detrimental to the progress of the investigation or to the trial of an accused.

SIOs should be mindful that the opening inquest can be used as a further opportunity to make fresh appeals through the media in cases which remain unresolved.

Where a person has been charged and the defence have had an opportunity to carry out a second post-mortem examination, the coroner can, at this hearing, release the body to enable funeral arrangements to be made. In cases where no person has been charged in connection with a murder, the matter is likely to be adjourned pending the outcome of enquiries.

7.3 BURIAL AND CREMATION ORDERS

A burial or cremation order can only be issued by the coroner. The memorandum of good practice issued to police forces and coroners and copied to the CPS in Home Office Circular 30/1999 Post Mortems and the Early Release of Bodies provides useful guidance.

Where a person has been charged, the coroner will usually only release the body after a second post-mortem examination has been conducted and the prosecution and defence have confirmed that they have no objection to the body being released.

Where no person has been charged, the SIO should take account of the sensitivities surrounding the release of the victim’s body to the family. In these circumstances, coroners often authorise a second post-mortem examination to be conducted by an independent Home Office pathologist before releasing the body. The same consideration is usually applied in cases of unidentified bodies.

7.4 PROGRESS OF THE INQUEST

Once a person has been charged with causing the death of a person and the coroner is notified by the court of this fact, the inquest will remain adjourned pending the result of the criminal trial. The coroner will, however, register the death enabling death certificates to be issued.

If the person charged with an offence is subsequently convicted, the coroner would not normally need to resume the inquest. In such cases the crown court proceedings take the place of the inquest.
An inquest is likely to be resumed in the absence of a conviction, and an inquest will always be held if there is no trial. The coroner’s officer will prepare a file of evidence at this time. Such a file of evidence will rely heavily on the material gathered during the homicide investigation.

### 7.5 PREPARING A REPORT FOR THE INQUEST

The SIO is responsible for preparing a full, professionally presented report for the coroner in advance of the inquest. The report should detail the full extent of the investigation and the facts that have been determined, as well as other matters of relevance. The report should also include the history of the deceased, circumstances of death, evidential aspects, lines of enquiry, people interviewed, forensic aspects, persons charged and continuing enquiries. In undetected cases it is essential that the coroner, the victim’s family and the public are satisfied that the police have made all possible efforts to detect the murder. It is good practice to include in this report, for example, the number of hours spent on the enquiry, the number of actions raised and the number of people interviewed. It is important that any concerns about the onward disclosure by the coroner of any material to interested parties be raised at this time.

### 7.6 FULL INQUEST HEARINGS

SIOs may be required to attend the inquest to provide an overview of the police investigation, including the facts that have been established and the investigative policy adopted. In cases where it is anticipated that police action may be criticised, consideration should be given to providing legal representation to the chief officer and individual officers, as appropriate.
Section 8
INTER-JURISDICTIONAL
HOMICIDE INVESTIGATIONS

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8.1 INTRODUCTION

Inter-jurisdictional homicide investigations can take place in the following circumstances:

- Where a UK citizen dies abroad;
- Where a death in the UK needs enquiries to be made in another jurisdiction.

8.2 DEATH OF A UK CITIZEN ABROAD

Where a UK citizen dies in suspicious or violent circumstances abroad it will be investigated by the appropriate authorities in that country. There are, however, circumstances where a UK police force may become involved. These are:

- A request for assistance from the family of a person who dies abroad;
- Assisting in an inquiry into a death abroad at the request of a coroner;
- Conducting homicide enquiries through the Foreign and Commonwealth Office (FCO).

SIOs must agree the nature of their role with their head of CID at an early stage in their involvement with a death abroad.

8.2.1 ASSISTING THE FAMILY

Police are sometimes asked by relatives to help them establish the circumstances in which a family member died abroad, or to establish the whereabouts of a family member who has gone missing abroad. These circumstances can arise where the family are dissatisfied with the investigation into the death, or where contact has suddenly ceased between the family member and their relatives. The FCO serves as a gateway for relatives who express such concerns. The role of SIOs in these cases is one of facilitating communication between the family and the FCO, rather than to actively investigate the matter.

8.2.2 ASSISTING IN AN INQUIRY INTO A DEATH ABROAD AT THE REQUEST OF A CORONER

There is no provision for a coroner to hold any form of inquiry into a death of a person who has died overseas and whose body is not brought to England or Wales.

In those cases where a body is returned to England or Wales, a coroner must hold an inquest into the death if:

- The person has died a violent or unnatural death;
- The death was sudden and the cause is unknown;
- The person has died (from any cause) while in lawful custody or detention;
- The death is suspected to be due to industrial disease.
The coroner for the area where the body is to be buried or cremated will take jurisdiction in most instances because this is where the relatives of the deceased are likely to reside. In cases where a number of people have died in the same event (e.g., members of the armed services, victims of a mass disaster) it might, however, be deemed more appropriate to hold one inquest in the area where the bodies arrive.

The Consular Division of the FCO serves as a gateway for the coroner to make enquiries into deaths abroad. There is usually no reason to involve police in this process but they may be asked to act as coroner’s officers or to provide investigative services.

Coroners’ requests for information or reports from overseas countries should be sent to the:

Foreign and Commonwealth Office
International Legal Matters Unit (Consular Division)
Coroners and Estate Department
Old Admiralty Building
London
SW1A 2AF.

Police officers who are seeking material from abroad in these circumstances will be working under the direction of a coroner and must agree an investigative strategy with them.

8.2.3 CONDUCTING HOMICIDE ENQUIRIES THROUGH THE FOREIGN AND COMMONWEALTH OFFICE

8.2.3.1 General Principles

UK police officers have no power to conduct investigations abroad. Investigative activity in another country can only take place with the cooperation of the country concerned. The FCO will provide liaison and coordination with foreign police and government agencies where an allegation is made to a UK police force that the death of a UK citizen abroad is a homicide. In these circumstances the following principles apply:

• The force in which the family of the deceased resides is best placed to obtain evidence from them and should appoint an SIO to do so. Where there is uncertainty, such as might happen where the family is separated and residing in different force areas, responsibility for the case should be negotiated at ACPO level.

• There should be early consultation between the SIO and the FCO to agree what action to take.

• A FLO should be appointed where there is an investigative benefit.
• The SIO should meet the family with the FLO to explain the legal and investigative processes and provide them with a realistic appraisal of the likely outcome of any investigation.

• The SIO and the FLO should not make an offer to the family to travel abroad without the consent of their head of CID.

• The FCO will provide consular support abroad if families choose to travel, following consultation with them.

8.2.3.2 Homicides Abroad where the Suspect Is a British Citizen

While the UK police do not have the power to investigate matters overseas, action can be taken to secure evidence in the UK where the suspect is a British citizen who has returned to the UK. This situation could, for example, occur where a British citizen is alleged to be responsible for a homicide abroad and returns to the UK prior to the completion of an investigation in the country concerned. Sections 9 and 10 Offences Against the Person Act 1861 enable such enquiries to be made, but do not extend to the country where the offence took place.

Sections 9 and 10 of the Offences Against the Person Act 1861 also make it theoretically possible for a British citizen to be tried in the UK for a murder committed abroad. This is unlikely, however, because they can usually be extradited to the country where the offence took place. It is often easier to have a trial there because that is where most of the witnesses are likely to reside.

In rare cases where it is thought that a prosecution may be brought in the UK, early advice should be sought from the CPS and the FCO.

8.3 DEATHS IN THE UK THAT REQUIRE ENQUIRIES TO BE MADE IN ANOTHER JURISDICTION

Some homicides in the UK may require enquiries to be made in another jurisdiction. These can involve the seizure of property, the examination of records or taking statements. A preliminary step in these enquiries usually involves contacting the authorities in the country concerned to identify the police force with the appropriate jurisdiction and to confirm straightforward information such as where witnesses live and work, or where the property or records that are sought may be found. Such requests are usually transmitted through Interpol.

Following such preliminary contact it may be necessary to get legal authority to obtain the material sought, either by the police in that country or by UK police going abroad. The precise nature of that authority will depend on:

• The country concerned;
• The nature and circumstances of the offence;
• The nature of the material that is sought;
• The activity that is required to obtain the material.
In view of the complexities arising from these variables, advice should be sought from the following:

- Interpol;
- The CPS;
- The UK Central Authority for Mutual Assistance in Criminal Matters in the Judicial Cooperation Unit at the Home Office.

### 8.4 FURTHER READING

- *Guidelines on How to Deal with Intended Letters of Request (ILORS)*, (originally published by NCIS which is now SOCA).

PART 2
OPERATIONS AND
TACTICS FOR HOMICIDE
INVESTIGATION
## Section 9
### CRIME SCENE MANAGEMENT

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9.1 INTRODUCTION

The potential of crime scene management to link a suspect to an incident through the identification and recovery of material left at or taken from the scene has long been recognised. Advances in forensic science have increased the opportunities for interpreting the circumstances of a crime. In many instances of homicide investigation, there will be more than one scene. Examples of types of scene include:

- Places used to plan the crime;
- Places where encounters between the victim and offender took place;
- Places where the offender attacked the victim;
- Places where the offender detained the victim;
- Places where the offender killed the victim;
- Vehicles or other forms of conveyance used to transport the victim;
- Body deposition site;
- Weapons (including live and spent ammunition);
- Weapon deposition sites;
- Places used to clean or discard material used in or obtained during the offence;
- Access and egress routes to and from any scene(s);
- Witnesses;
- Victims;
- Victims’ home addresses, workplaces and vehicles;
- Suspects;
- Suspects’ home addresses, workplaces and vehicles.

This list is not exhaustive and SIOs should think as widely as possible about what might constitute a scene in any given homicide investigation.

As crime scene management can make a substantial impact on the direction of a homicide investigation, it should be given the SIO’s fullest possible attention. This section considers the following aspects of crime scene management.

- Developing a crime scene strategy
  - review of initial action
  - objectives
  - resources
  - parameters.

- Implementing a crime scene strategy
  - security
  - preservation
  - examination
  - recording the scene
  - releasing the scene.
9.2 RELATED SECTIONS

This section should be read in conjunction with:

- 10 Forensic Strategy;
- 11 Pathology;
- 12 Searches in Homicide Investigations.

9.3 DEVELOPING A CRIME SCENE STRATEGY

9.3.1 REVIEW OF INITIAL ACTION

Prior to the arrival of the SIO, the scene will, in many cases, have been attended by other officers who will have taken decisions about scene preservation and initial action (see 2.2 Instigation and Initial Response). SIOs should review decisions that have already been taken in relation to those scenes with particular reference to:

- The parameters of each scene;
- The security of each scene;
- The action taken to preserve material at each scene;
- The adequacy of the resources deployed at each scene;
- The record keeping arrangements at each scene.

SIOs should give clear instructions about any alterations they want to be made to earlier decisions.

In addition to this, SIOs should consider whether there are any other potential scenes that have not been identified as such and make the necessary arrangements for their management.

The risk of cross-contamination is particularly high during the initial response and when taking fast-track actions, as officers who have already been in contact with scenes or the victim may be forced to make arrests of suspects. SIOs should put in place strict monitoring procedures to ensure that cross-contamination does not occur, and to identify it if it should happen.

9.3.2 OBJECTIVES

SIOs should set the initial objectives for the examination of a scene and develop them in an ongoing dialogue with the Crime Scene Investigator (CSI), Crime Scene Manager (CSM) or Crime Scene Coordinator (CSC). While these objectives will depend on the nature of the scene, they should include some interpretation of what is likely to have happened (ie, develop an hypothesis) in circumstances where a body is present. The hypothesis should then be used to focus forensic resources by providing an initial direction to the examination, and it should be tested systematically against the emerging findings of the examination. The hypothesis should then be either modified or rejected as appropriate. Alternative interpretations of what might have taken place must be continually borne in mind.
9.3.3 RESOURCES

SIOs should identify the resources necessary for the management of each scene, including:

- Cordon officers;
- Crime Scene Loggists;
- Crime Scene Examiners;
- Exhibit Officers;
- CSMs;
- Pathologists;
- Photographers and/or video camera operators;
- Other specialists whose services might be required, such as
  - Crime Scene Coordinators
  - Forensic scientists
  - Police Search Advisers (PoLSAs)
  - Scientific Advisers (SAs)
  - Plan Drawers.

9.3.4 PARAMETERS

The SIO should clearly define the scene’s parameters at the beginning of the crime scene examination. If the designated area is too small, there is a risk of valuable evidence being lost. Consequently, the initial parameters should be set as widely as possible, and reduced only where there are overriding practical considerations or further assessment indicates otherwise.

9.4 IMPLEMENTING A CRIME SCENE STRATEGY

9.4.1 SECURITY

Where a scene is on private property, SIOs will need to negotiate access with those in control of the premises. Considerable tact and diplomacy will often be necessary for this, particularly where the scene is occupied or controlled by a suspect’s family or associates. If necessary, alternative arrangements should be made for their accommodation until the scene is released. Where a crime scene is likely to have a significant impact on commerce, SIOs should consult their force legal department for advice about the length of time it can be held.

Local protocols should be developed with the Fire Service when they are also involved in a scene. Where the HSE are involved, the guidance set out in ACPO et al (2003), Work Related Deaths: A Protocol for Liaison should be taken into account. In working with the Fire Service or the Health and Safety Executive, SIOs should take account of the increased potential for contamination that inevitably arises when more people have access to the scene.
SIOs must ensure that following the implementation of a cordon, a contemporaneous crime scene log is commenced at every scene detailing the movement of individual(s) in and out of the scene. Authority to enter a scene can only be granted by either the SIO or a CSM.

The purpose of a crime scene log is to account for the presence and movement of people in a designated crime scene area, provide continuity of exhibits and prevent contamination. It should not be necessary for an officer to await the arrival of the SIO before starting a crime scene log. Only one log must be kept for each scene. The purpose of a crime scene log is to ensure that:

- There is no unauthorised entry to the scene(s);
- The integrity of potential physical evidence is secured;
- Intelligence opportunities are maximised;
- Contamination issues are managed.

The loggist must sign, date and time the crime scene log both at the commencement and conclusion of the task. The log should show:

- Name of officer keeping the record;
- Name of any person entering or leaving the scene;
- Date and time of such entry or departure;
- Reason for entry.

When the log is kept by more than one loggist, handovers should be shown including the time, date and officers involved. The loggist should sign the log at the conclusion of each tour of duty.

When the scene is released, the crime scene log, along with the necessary exhibit labels, should be handed to the Exhibits Officer by the loggist.

**9.4.2 PRESERVATION**

As the tests for DNA and other scientific techniques become more sensitive, it is increasingly important that SIOs are aware of the risk that evidence might become contaminated. Managing the potential for contamination should be a priority in homicide investigations. The overall aims of scene preservation are to ensure:

- That the material at the scene remains in an unaltered state until it can be gathered to assist in the investigative process;
- The integrity of the material in the manner of its discovery, recovery and retention in the evidence chain.
Risks to the scene that have to be managed include:

- Damage being caused to the scene by exposure to the elements;
- Animal disturbance;
- Disturbance of the scene by material being moved from its original position (eg, during initial attendance of paramedics);
- Microbiological activity causing decay to material;
- Disturbance of the scene by items being taken into it;
- Disturbance of the scene by material being removed from it.

Contamination can also occur when samples are being gathered and transported for examination, or by persons entering the crime scene and transferring their own DNA and other trace samples. If not identified, this can distort initial findings and prolong subsequent efforts to identify offenders. SIOs should, therefore, ensure that the identity of those entering the scene is recorded. This should then be added to all the other intelligence and given to the scientists so that any potential misinterpretation of findings is kept to a minimum.

### 9.4.3 SEARCH

SIOs are responsible for setting clear objectives for any search. This should be carried out in conjunction with a Police Search Adviser (PoLSA), where deployed. When setting these objectives, SIOs must remember that the protection of life always takes primacy over the preservation and recovery of forensic material. In addition to this, the objectives of the search should always take account of the forensic strategy (see 10 Forensic Strategy).

The SIO should always consider health and safety issues before commencing a search or a scene examination. This is to ensure that personnel in attendance are protected from any potential hazards. Risk assessments should be completed where appropriate. Force health and safety officers should be consulted as necessary to advise on the health and safety issues pertinent to crime scenes.

### 9.4.4 EXAMINATION

A thorough examination of the scene is essential. Given that there is often only one chance, scene examination should not be made in haste unless a delay would result in the decomposition of evidence. Relevant experts should be consulted before commencing the examination, if necessary.

SIOs must be clear about what they require from the examination of a scene. This will usually include:

- The identification of material taken to or from the scene by the offender or the victim;
- The identification of the access and egress routes to and from the scene;
- The identification of any passive data generators which may of use to the investigation.
If assistance is needed to identify a forensic specialist for any given aspect of the scene examination, the NCPE Opsline and the NCPE Crime Investigation Support Officers (CISO) can be contacted. See 6.2.1 Operations Centre and Opsline.

In the case of all major or complex scenes, the SIO should appoint a CSM who should play an active role in managing all aspects of the scene examination. To this end, the CSM should ensure that a contamination log is commenced which clearly defines what each Crime Scene Examiner has undertaken, when, where and with whom. This will ensure that contamination issues are dealt with at the correct level. The CSM is also responsible for advising the team about any requirement for specialist services.

SIOs should ensure that the CSM is aware of the circumstances of the crime. Open channels of communication and regular briefings between the CSM and the SIO are an essential means of managing the expectations between them; the nature of the enquiry will largely determine the frequency of these exchanges. Each briefing should conclude with a concise summary of actions and priorities to ensure complete clarity of the task ahead.

A Crime Scene Coordinator (CSC) should be appointed in complex enquiries and incidents involving multiple crime scenes. Depending on the scale of the enquiry and the proximity of scenes, the role of the CSM and the CSC could be performed either by the same person or by two people performing each role separately. In some major investigations the final model adopted could involve several CSMS reporting to one CSC who will, in turn, report to the SIO. To ensure good management practice and to avoid the potential for contamination, the CSC’s role should be one of coordination rather than direct ‘hands on’ involvement.

An SIO must maximise the benefits that forensic science can bring to an investigation. This can be achieved by using a team approach to identify and investigate problems, and by using the expertise and experience of the team members to provide innovative solutions. For this reason, an SIO should consider setting up a Forensic Management Team (FMT) to provide advice on forensic science issues.

SIOs should formulate an examination strategy in conjunction with the CSM and CSC. Such a strategy should include:

- The objectives of the examination (including what the SIO requires from the examination);
- The resources needed to implement the strategy (see 9.3.3, Resources);
- The method used to record the detail of the scene (see 9.4.5, Recording the Scene).

The CSM and the CSC are responsible for delivering the strategy set by the SIO.
9.4.5 RECORDING THE SCENE

The value of crime scene examination is only as good as the regime set up to record it. Recording crimes serves a number of purposes including:

- Demonstrating the integrity of any evidence obtained from the scene;
- Providing evidence of a link between scenes;
- Making explicit the basis for any interpretation of the scene;
- Facilitating a re-interpretation of the scene if fresh information becomes available;
- Supporting briefings given by the SIO;
- Supporting information provided to the media in accordance with the media strategy;
- Presenting evidence at court.

Choosing the appropriate method to record a scene depends on its circumstances. In deciding on the method, the SIO should consider:

- The complexity of the scene;
- The sustainability of the scene in terms of
  - its potential to deteriorate
  - the time available for scene retention.

The methods available include:

- Making a written record;
- Formal scene plans;
- Standard photography;
- Video photography;
- 360 degree photography;
- Aerial photography;
- Virtual reconstruction;
- Theodolite equipment (surveying equipment used by traffic investigators to map out complex scenes).

9.4.6 RELEASING THE SCENE

SIOs should not release a scene until, having taken all the expert advice into account, they are satisfied that it has been fully exploited.

SIOs should ensure that, in every case, a full and final search of the scene by a PoLSA search team has been undertaken. The search team coordinator should be reminded to search areas which have been covered by crime scene tents and stepping plates. Once this has been completed, and only then, should the scene be cleaned and released in liaison with the environmental health department of the local authority, where appropriate.
Section 10
FORENSIC STRATEGY

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10.1 INTRODUCTION

The construction of a forensic strategy is a key priority for the SIO in the early stages of a murder investigation. Investigators will be familiar with Locard’s Principle which states: ‘Every contact leaves a trace’. This is the foundation on which the three physical evidence strategies – forensic, pathology and crime scene management – are based.

Forensic science may be used in a number of ways over the course of the investigation. Examples include:

- Clarification of circumstances;
- Elimination of TIEs;
- Implication of offenders;
- Forensic intelligence;
- Prioritising lines of enquiry;
- Providing interview material;
- Clarification of a sequence of events;
- Prioritisation of laboratory submissions;
- Corroboration;
- Linking scenes across separate offences.

In many of these examples the results of forensic examinations could help the SIO to understand what happened at the scene, even where they are not of direct evidential value. They will also have implications for the management and interviewing of suspects. It is, therefore, important that the SIO thinks about the application of forensic science in its widest sense and not from a purely evidential perspective.

Forensic science often provides only moderately strong corroborative evidence and rarely presents absolute proof of guilt in isolation. Forensic examination can, however, be used to exclude individuals from the investigation with a much higher degree of certainty. Elimination is a key issue in an investigation but is often undervalued by SIOs and forensic scientists alike. For example, a partial DNA profile with a one in twenty-five chance of identifying the offender will provide poor corroborative evidence. It will, however, absolutely exclude approximately ninety-six in a hundred TIEs.

As there are continual advancements in forensic science, SIOs may have difficulty in keeping abreast of these changes. Some familiarity with the potential applications of forensic science will, however, be of significant help. SIOs should, therefore, endeavour to maintain their professional knowledge on the capabilities of the science without needing to be expert on the scientific detail. This specific knowledge is available from informed individuals in the field, such as CSMs, CSCs and Specialist Advisers (SA). It is the SIO’s responsibility to harness such expertise to further the investigation.
A summary of the main types of physical evidence is contained in Figure 18, at the end of this section. This list is not exhaustive and it should be noted that the quality of any forensic strategy will be greatly enhanced if relevant experts help the SIO to manage the strategy.

This section outlines the way in which the forensic strategy should be developed and implemented. This includes:

- Setting objectives;
- The resources key to the implementation of the strategy;
- Ongoing management of the strategy;
- Appointing a Forensic Management Team (FMT).

### 10.2 RELATED SECTIONS

Strategies relating to forensic science, crime scene management (see 9 Crime Scene Management) and pathology (see 11 Pathology) are intricately interwoven. The SIO will need to be particularly mindful of the objectives and outcomes of all three areas when developing, reviewing and managing any of these strategies.

Other sections relevant to the forensic strategy include:

- 12 Searches in Homicide Investigations;
- 13 Passive Data Generators;
- 19 Elimination Enquiries.

### 10.3 DEVELOPING THE FORENSIC STRATEGY

Developing a forensic strategy is likely to begin when the SIO arrives at the scene. Establishing a strategy allows the CSM and forensic investigators to target their examination in line with the SIO’s priorities from an early stage. The strategy must be kept under continual review throughout the investigation in order to keep abreast of any developments.

When constructing the forensic strategy, the SIO should meet the FMT to establish:

- The location and nature of all crime scenes, suspects, witnesses and victims;
- The material recovered from each scene.
When planning or reviewing the forensic strategy the SIO needs to ask the following questions:

| Physical Material | • Is there more than one offender?  
|                   | • What has the offender done?  
|                   | • What has the offender touched?  
|                   | • What has the offender brought to the scene?  
|                   | • What has the offender taken from the scene?  
|                   | • How was the offence committed?  
|                   | • How was entry gained to the premises?  
|                   | • Has the victim been to the scene prior to the incident?  
|                   | • Is the location of the body the primary murder scene or a deposition scene?  
| Victim Incapacitation | • Was the victim bound, if so, how?  
|                     | • What methods/weapons were used to control the victim?  
| Sexual Evidence | • Is there any evidence to suggest the offence was sexually motivated?  
| Forensic Awareness | • What evidence is there to suggest offender was forensically aware?  
|                     | • Has the offender attempted to destroy evidence?  
|                     | • Did the offender wear gloves?  
| Offender Injuries | • Has there been a struggle?  
|                     | • How would the victim have defended themselves?  
|                     | • Was the offender injured?  
|                     | • What physical evidence may have been left by the offender?  
| Missing Items | • What, if anything, has been taken from the scene?  
|                     | (Theft for gain? Trophy items?)  
| Blood Distribution | • What weapon was used?  
|                     | • Degree of force?  
|                     | • Movement at the scene?  
|                     | • Injury to the offender?  
|                     | • Escape routes?  
| Linking Evidence | • What evidence is there to link:  
|                     | – the offender to the scene?  
|                     | – the victim to the scene?  
|                     | – the offender to other scenes?  
|                     | – the offender to other offenders?  
|                     | – the offender to the victim?  

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When devising the forensic strategy, the SIO needs to set the objectives for each piece of material and then prioritise the corresponding actions according to the needs of the investigation. Prioritisation is particularly important as there may be a number of sequential examinations required of any one exhibit or group of exhibits.

The development of the forensic strategy encompasses more than the prioritisation of recovered material. Key aspects of it include:

- Scene Examination Plan;
- Formulation of the Forensic Management Team (FMT);
- Monitoring forensic actions;
- Formal exhibit reviews in support of interview strategies and lines of enquiry.

Figure 17 illustrates how a forensic strategy should be developed, including its frequent reassessment.

When devising the forensic strategy, the SIO must take into account its implementation. The forensic strategy should identify those who will be responsible for its delivery; this specifically includes the CSM and the CSC. These roles, and the issues involved in the management of the forensic strategy are outlined in more detail in 10.4 Implementing the Forensic Strategy.

The strategy must also identify those who will form the FMT and the frequency with which they will meet. At a strategic level, the SIO should discuss forensic issues at Management Team meetings.

On a practical level, CSIs, CSMs, Scientific Support Managers (SSMs) and forensic advisers should meet regularly to discuss scene and analytical actions. The CSC may usefully chair such meetings. These meetings will ensure that the overall forensic strategy is being adhered to and that issues relating to the scenes are brought to the attention of the SIO.

In summary, SIOs should ensure that the forensic strategy includes, as a minimum, the following points:

- The make up of the FMT;
- The frequency and nature of forensic reviews;
- The person who will manage the forensic strategy on a day-to-day basis;
- Objectives for each piece of physical material;
- Actions for each piece of physical material;
- Prioritisation of sequential examinations
  - fast track (in-force) examinations
  - priority forensic service provider submissions
  - standard forensic service provider submissions.
Figure 17 Developing the Forensic Strategy

1. Arrival at and assessment of crime scene(s)
2. Designation of scenes
3. Formulation of scene examination plan, and discussion re expert support and resources
4. Instigate scene(s) examination
5. Assemble a Forensic Management Team
6. Establish investigative needs, points to prove and lines of enquiry
7. Establish submissions priority and refine with assistance of SA (where appointed)
8. Evaluate results in light of investigative needs and developments
9. Assess potential evidence
10. Information Intelligence Witnesses
11. Physical corroborate or eliminate
12. Hold an FMT meeting based on initial scene assessment and examination logistics
10.4 IMPLEMENTING THE FORENSIC STRATEGY

10.4.1 RESOURCES

SIOs should ensure that they have access to the following personnel, as necessary, in the circumstances of the case:

- Crime Scene Investigators (CSIs);
- Crime Scene Managers (CSMs);
- A Crime Scene Coordinator (CSC);
- Exhibits Officer (EO);
- An NCPE Crime Investigation Support Officer (CISO) or Regional Adviser (RA);
- A forensic Specialist Adviser (SA).

For further information about CISOs and RAs, see 6 Investigative Support. For further information about CSIs, CSMs and CSCs, see 9 Crime Scene Management.

Forensic SAs have a broad knowledge of forensic science and provide a specific service to SIOs in the investigation of serious crime. Their role is different from that of the ‘Byford’ scientist who may be employed in a series of cross-border crimes. The SA will also attend the scene if requested, not only as an expert in their own field but also to provide advice, in consultation with the CSM and CSC, to the forensic support staff. They will also coordinate the contact with the forensic service provider. Like all members of the FMT, the SA must have a clear understanding of the investigative needs of the enquiry. Their role is primarily one of communication and problem solving. They also represent the SIO to the forensic service provider.

When the initial visit of the SA is arranged by the RA or CISO, this will be funded by the NCPE. The attendant costs of employing an SA thereafter (which can be considerable in lengthy cases) will be the responsibility of the individual force. At the outset, the SIO, in conjunction with the CSM and CSC, should negotiate with the service provider an estimated cost and include this as part of the financial management of the investigation.

10.4.2 MANAGING THE FORENSIC STRATEGY

Early consultation with the CSM or CSC with regard to the attendance of a forensic scientist at the scene can be essential in clarifying the sequence of events and maximising the recovery of physical trace evidence. It can also be cost effective as appropriate items are selected for sequential examination at an early stage in the investigation, thereby allowing firmer interpretation of subsequent results as well as anticipating possible lines of defence.

If samples are gathered in isolation, vital evidence can be destroyed if one type of evidence is collected to the detriment of another. For example, if all fingerprints are used for fingerprint analysis without considering them for DNA, valuable evidence may be lost. SIOs should, therefore, consult their FMT prior to initiating testing of any samples so that the seizure of potential evidence is maximised. In some circumstances it may be possible to swab a surface after a fingerprint has been lifted, allowing the capture of both the fingerprint and the DNA.
It is essential that the forensic strategy (as with any other investigative strategy) is properly managed. During the development of the strategy the SIO must identify someone who will be responsible for its delivery. Day-to-day management of the strategy should normally be carried out by the CSM although, in complex cases it may be necessary to appoint another investigator to this role. This individual should have:

- A complete knowledge of the needs of the investigation;
- Good forensic awareness;
- Excellent communication skills.

SIOs should introduce clear lines of communication between a single point of contact within the MIR and the forensic service provider.

The officer concerned must take responsibility for the strategy from start to finish of the investigation and across the whole range of forensic issues. The role should be proactive in the sense of identifying problems. The response should be one of a range of innovative solutions developed in consultation with the FMT and the Senior Management Team. This approach is preferable to merely requesting scientists to provide test results.

The person responsible for delivering the forensic strategy should be identified before any significant scene examinations are conducted. They should be instrumental in identifying lines of enquiry and assisting in the prioritisation of submissions. They will be responsible for working with the SIO or D/SIO to identify investigative needs and, subsequently, with the FMT to generate forensic solutions. This approach will ensure that the examinations most urgently needed by the investigative team are prioritised appropriately in the laboratory, thereby assisting the progress of the investigation.

The investigator tasked with managing the forensic strategy should also ensure that opportunities exist to identify linked offences, and to provide other forces with valuable intelligence or evidence. Consideration should be given to submitting forensic items for evidential, intelligence, or internal financial reporting purposes, even where an offender is known or has made admissions.

On receipt of submission results, the SIO should be in no doubt as to their significance and this will depend on the circumstances of the case. As the evidential value of examination results can only be maximised if interpreted in the full context of the circumstances of the investigation, investigators must work in collaboration with the scientists. It is particularly important that the SIO ensures that the scientist assessing the exhibits is provided with sufficient knowledge of each case. This should include access to the scene, where appropriate, together with other material likely to assist them, for example, scene photographs and copies of relevant statements.

**Note:** The significance of the forensic material may change over the course of the investigation. The results of any tests or observations must be regularly reviewed in the light of the emerging facts of the investigation as they may become critical at a later stage of the enquiry.
Formal forensic reviews should be conducted by the SIO in discussion with the FMT. Such discussions must be fully documented and disclosed.

The interview adviser should be aware of any forensic information and its evidential significance.

Given the volume of physical evidence normally recovered during the course of the average ‘cold scene’ murder investigation, the continuity of evidence and the associated disclosure issues need to be managed with care. This can be achieved using the HOLMES 2 Exhibits Management System as a stand-alone facility, regardless of whether the full HOLMES facility is being used. Procedures associated with the HOLMES system are described in greater detail in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP). There is no essential difference between the disclosure of scientific and other expert evidence, and items of evidence must be systematically accounted for. Decisions, results of tests and opinions must be justified and recorded.

The SIO should ensure that the Disclosure Officer works in close association with the Exhibits Officer, CSIs, CSMs, CSC and staff from the forensic service provider.

### 10.4.3 FORENSIC MANAGEMENT TEAM

The purpose of an FMT is to provide focus to an investigation so that its physical evidence requirements are constantly reviewed and met. The FMT provides a forum of advice to the SIO, ensuring that they have a comprehensive knowledge of the forensic scientific support available to them that can be applied across the spectrum of current investigative needs, as appropriate.

The FMT should include:

- SIO;
- D/SIO;
- Scientific Support Manager;
- NCPE Crime Investigation Support Officer or Regional Adviser;
- CSC;
- Crime Scene Manager;
- Exhibits Officer;
- Officer identified to manage the delivery of the forensic strategy.

In cases where scene interpretation is more complex it is good practice to include:

- Relevant forensic Specialist Advisers, including a fingerprint expert;
- Home Office pathologist;
- Other experts as required.
The objectives of the FMT are the:

- Management of scientific support resources;
- Provision of scene management, coordination and operational advice;
- Strategic management of scientific support services to meet investigative needs.

The FMT is responsible for reviewing the physical material recovered from scenes and prioritising the submission of exhibits. This process needs to be constantly reviewed to coincide with changing investigative developments.

All results of submissions are relayed to the SIO who, with the FMT and the Interview Adviser, should consider them in the context of their evidential value and relationship to the needs of the investigation. Forensic results have the potential to influence significant lines of enquiry and the prioritisation of further laboratory submissions.

10.5 FURTHER READING


Figure 18 Summary of the Main Types of Physical Evidence

<table>
<thead>
<tr>
<th>Evidence Category</th>
<th>Where found?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blood</td>
<td>Can be found on any items associated with a crime where blood is shed, including suspect, victim, witnesses, scene, weapons, implements, and environment.</td>
<td>Often visible staining but must give consideration to the possibility that small, weak or diluted stains are often missed by the naked eye. Consideration should be given to a scientist/scene examination specialist attending the crime scene to consider blood distribution or where it is suspected the scene has been cleaned.</td>
</tr>
<tr>
<td>Semen</td>
<td>Can be found on any items associated with a crime where semen is shed. These will include intimate samples taken from the suspect, victim, and relevant ‘partners’. May also be found on items associated with the crime or scene including clothing, bedding, towels, implements or the scene itself.</td>
<td>It is important that intimate samples are collected at the earliest opportunity. It is possible for semen to be shed even where ejaculation has not taken place during the incident, for example where semen traces are already present on the penis. The examination of the scene for semen staining may also be relevant and will normally require the attendance of scientists/scene examination specialist.</td>
</tr>
<tr>
<td>Body Fluids</td>
<td>Includes saliva and vaginal secretions. Possible substrates include skin, bite marks, condoms, penile swabs, clothing, discarded cigarette butts, drinking vessels, masks, spittle etc.</td>
<td>Intimate samples must be collected at the earliest opportunity.</td>
</tr>
</tbody>
</table>
### Figure 18 Summary of the Main Types of Physical Evidence (continued)

<table>
<thead>
<tr>
<th>Evidence Category</th>
<th>Where found?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cellular material</td>
<td>All other categories of cellular material including dandruff, cells transferred through touch, prolonged contact and wear.</td>
<td>The DNA profiling success rates of such materials are often low and variable. Careful consideration should be given to the circumstances of the offence and early discussion with a scientist and/or the force Scientific Support Manager is advisable.</td>
</tr>
<tr>
<td>Fingerprints</td>
<td>Potential for fingerprints on any touched items including points of entry or egress, on moveable items, weapons or implements.</td>
<td>Most fingerprints will be developed using well-established techniques. Consideration should be given to joint examinations between DNA and relevant marks expert, eg, fingerprint expert; chemical enhancement specialist particularly on surfaces or items considered crucial to the investigation.</td>
</tr>
<tr>
<td>Hairs</td>
<td>Particularly useful where hairs have been pulled from the offender by the victim/witness, where ‘foreign’ hairs are present in combed pubic hair samples in sexual assault cases or where animal hairs, particularly those foreign to the scene, have been found.</td>
<td>Hairs that have been forcibly removed are particularly successful for DNA profiling tests. The presence of shed hairs on the victim or at the scene may be of limited use, depending on the circumstances of the case.</td>
</tr>
<tr>
<td>DNA</td>
<td>DNA can be present in many forms on victims, suspects, witnesses, scenes and items associated with scenes. More detailed guidance can be found in the ACPO (2005) DNA Good Practice Manual.</td>
<td>Sensitive (LCN) DNA techniques should be considered at an early stage as there is the potential for contamination or loss of evidence. However, care should be exercised when formulating a forensic strategy based on such evidence, and advice should be sought from a Specialist Adviser or other appropriate adviser.</td>
</tr>
<tr>
<td>Fibres</td>
<td>Can be transferred on contact and found on clothing items worn by the victim, suspect or witness, vehicles to and from the scene(s) and in combed hair samples where masks or hats have been worn.</td>
<td>The value of fibre transfer evidence depends on many factors including force and duration of contact, type of fibre and information about legitimacy of contact.</td>
</tr>
<tr>
<td>Particulates</td>
<td>Includes all types of particulate material the most common forms being glass and paint fragments. May be transferred on contact or found in debris deposited at the scene(s).</td>
<td>Consideration should be given to early collection and the recovery of relevant controls.</td>
</tr>
<tr>
<td>Toxicology</td>
<td>Samples of choice include blood, urine, tissue, hair and organ (eg, liver) samples.</td>
<td>It is important to discuss the required samples with the designated Home Office pathologist. Where specific drugs or poisons or medicines are potentially involved, this information must be conveyed to the forensic provider to ensure they are included in any screening tests.</td>
</tr>
</tbody>
</table>
### Figure 18 Summary of the Main Types of Physical Evidence (continued)

<table>
<thead>
<tr>
<th>Evidence Category</th>
<th>Where found?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Marks</strong></td>
<td>Includes footwear marks, tool marks, manufacturing marks, cuts (eg, from bolt croppers) and any other impressions.</td>
<td>Can provide conclusive evidence and useful intelligence. Suitable surfaces at scenes should be considered at an early stage. It may be appropriate to consider the use of specialist techniques, including light sources and chemicals, to visualise and enhance marks.</td>
</tr>
<tr>
<td><strong>Ballistics</strong></td>
<td>Includes recovered weapons (genuine, imitation and re-activated) and their component parts, ammunition, discharged cartridge cases and bullets and firearms discharge residues.</td>
<td>Consider the use of a ballistics expert at the scene to assist in interpretation and proper recovery of items and residues. There may be a conflict between the recovery of ballistics evidence and other forms of evidence eg, fibres and DNA. Seek advice in such instances, either from the ballistics expert or other relevant specialist. In such instances a joint examination should be carried out between the appropriate experts.</td>
</tr>
<tr>
<td><strong>Technology</strong></td>
<td>Includes the recovery and examination of CCTV, video footage, mobile phones and computer equipment.</td>
<td>Well-established use of such evidence. Consider presence of other evidence when examining mobile phones (eg, DNA, fingerprints, drugs) before carrying out examination of the SIM card or phone memory. It may be advisable to consult the in-house Hi-Tech Crime Unit or Technical Support Unit, as appropriate. Often requires the consideration of several evidence types including handwriting, inks, indented writing, DNA and fingerprints.</td>
</tr>
<tr>
<td><strong>Documents</strong></td>
<td>Includes recovery and examination of hate mail, threatening letters, alleged suicide notes, ransom demands and other items for intelligence purposes, eg, maps and drug recipe books.</td>
<td>Consider photocopying the documentation prior to examination.</td>
</tr>
</tbody>
</table>
Section 11
PATHOLOGY

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11.1 INTRODUCTION

The SIO can draw on the expert assistance of a forensic pathologist to:

• Advise on the removal of the body to the mortuary;
• Assist with the identification of the victim;
• Assess the size, physique and previous health of the victim;
• Determine the cause of death and, where possible, mode and time of death;
• Obtain and record evidence, including detailed photographic evidence of external and internal injuries;
• Provide advice on the type and dimensions of any weapon;
• Set the post-mortem findings in context against the initial crime scene assessment;
• Suggest early lines of enquiry to the SIO;
• Contribute to the forensic strategy;
• Contribute to the decision-making process throughout the enquiry.

11.2 RELATED SECTIONS

Strategies relating to crime scene management (see 9 Crime Scene Management) and forensic science (see 10 Forensic Strategy) are intricately interwoven with pathology. The SIO will need to take account of the objectives and outcomes of all three when developing, reviewing and managing any of these strategies.

Other sections of this manual that are relevant to pathology include:

• 12 Searches in Homicide Investigations;
• 16 Family Liaison.

11.3 DEVELOPING THE STRATEGY

11.3.1 STRATEGY CONTENT

There are a number of strategic issues that must be addressed in relation to pathology:

• Notifying the coroner and appointing a pathologist;
• Pathologist attendance at the crime scene;
• Liaison with the pathologist throughout the investigation;
• Removal of the body, including
  – actions which must be performed prior to its removal;
  – supervision of removal of the body
  – continuity of the body from the scene to the mortuary
  – identifying the body to the pathologist, prior to the post-mortem examination;
• Deciding who should attend the post-mortem, including specialists, the SIO or D/SIO;
• Provision of the correct resources at the post-mortem to deal with exhibits and to take photographs;
• Family liaison considerations presented by the post-mortem;
• The need for any secondary or defence post-mortems;
• The release of the body.

These issues and any additional elements of the forensic strategy should be logged in the Policy File where appropriate.

11.4 IMPLEMENTING THE STRATEGY

11.4.1 KEY ROLES

Effective pathology is essential to the success of the forensic strategy. The following professionals play a significant role in this.

11.4.1.1 Home Office Pathologist

In compliance with the provisions of the Coroners Rules 1984, the coroner will appoint a Home Office pathologist to conduct a post-mortem examination in cases of unexplained and suspicious death.

All pathologists who are registered by the Home Office are members of a group practice which will have agreed MoUs with the local police forces served by the practice. The practice will ensure that a Home Office pathologist is on call twenty-four hours a day to respond to requests to attend scenes, and to conduct post-mortem examinations in accordance with the provisions of the MoU.

It is the pathologist’s responsibility to advise on health and safety issues in the post-mortem room. All those present will be expected to take serious account of the pathologist’s directions, particularly when dealing with a recognised or potential high-risk case. The HSE view is that any autopsy where infectious disease cannot be safely excluded should be treated as a high-risk case.

11.4.1.2 Coroner’s Officer

The SIO should designate an officer to liaise with the coroner, defence team(s) and pathologist(s) and record their details in the Policy File. This officer, who may be a coroner’s officer (with the coroner’s agreement), should also be responsible for producing the necessary file relating to identification, which will allow the inquest to be opened. They should ensure that the necessary action is taken to satisfy the coroner that all examinations are completed and the body can be released. This should only occur once the SIO is satisfied that all scientific results have been received and no further examinations will be required.

11.4.1.3 Other Roles

If the circumstances of the case require additional expertise to perform the autopsy, such as a paediatric, cardiac or neuropathologist, it is the responsibility of the pathologist to make appropriate recommendations to the SIO or senior SOCO.
Radiological examination should be part of the examination in all cases of suspected non-accidental injury in children and in all deaths involving firearms or explosives. It can also be of considerable assistance in the examination of badly burnt or decomposed bodies, and may be appropriate in other instances. The pathologist will be responsible, in consultation with the SIO, for advising on the need for such examination and obtaining the assistance of a consultant radiologist where necessary.

Depending on the nature of death, the SIO should consider inviting additional specialists to attend the post-mortem. The decision to invite specialists should be made in agreement with the pathologist. Examples of specialists who may be considered by the SIO include, but are not restricted to:

- Odontologist;
- Biologist;
- Medical illustrator;
- Toxicologist;
- Ballistics expert;
- Crime scene examiners;
- Entomologist;
- Anthropologist.

An exhibits officer and identification officer will also be required.

11.4.2 INITIAL RESPONSE AND PRE-POST-MORTEM ACTIONS

**Note:** It is a fundamental responsibility of the police to preserve life. Police officers should not assume a person is dead unless the circumstances are obvious, for example, a badly decomposed body. Otherwise a police surgeon should attend the scene to pronounce life extinct.

Once an incident has been deemed a suspicious death or homicide, the coroner for that area must be notified. The SIO has responsibility to notify the coroner immediately that an investigation is underway. Where there is a requirement to move a body from one coroner’s jurisdiction to another, the respective coroners must be apprised and their authority sought before any movement occurs. In many forces, the coroner’s officer has an important role to play in this regard. A Home Office pathologist, authorised by the coroner, must be used in all cases of suspicious death or unlawful killing.

In the initial stages of an investigation, the SIO should also consider the following:

- Noting details of the police surgeon, paramedics and pathologists who have attended the victim (recording them in the Crime Scene Attendance Log);
- Preventing cross-contamination between the victim and suspect by using separate police surgeons in the event of an early arrest;
- Recording details of all treatment and drugs administered to the victim and relaying that information to the pathologist (prior to the post-mortem examination, where possible);
- Recording details of any drugs, illegal or prescribed, found at the crime scene(s) and relaying this information to the pathologist;
• Obtaining the victim’s medical records prior to the post-mortem examination and making these available to the pathologist;
• If it is suspected that the victim may be infected with Hepatitis B, HIV or other infectious diseases, this must be communicated to
  – The coroner’s officer
  – Mortuary staff
  – The pathologist
  – Anyone else who might otherwise come into contact with the body.

11.4.3 CRIME SCENE ATTENDANCE

The SIO should be clear about why they want a Home Office pathologist to attend a scene. If the SIO is of the opinion that the investigation would benefit from it, they should insist that the pathologist attends before the body is moved. This should first be discussed with the coroner.

The SIO retains overall responsibility for all the crime scenes and directs all investigative activity. The pathologist must not attend scenes until the SIO is satisfied the initial crime scene assessment examinations have been completed and that the body can be removed from the scene without detriment to the investigation. Premature attendance of a pathologist at a scene can place the SIO under pressure to remove the body.

Although it is not always necessary for the pathologist to attend crime scenes, occasions will frequently arise when attendance will benefit both the SIO, in relation to scene interpretation and removal of the body, and the pathologist in understanding and interpreting the injuries. The majority of pathologists have considerable experience of suspicious deaths. If there is any doubt, it is recommended that an SIO discusses the need to attend with a pathologist. The pathologist’s attendance at the scene will be particularly beneficial if the incident involves one or more of the following:

• Multiple stabbing or mutilation;
• Shootings involving multiple shots;
• Complex scenes, eg, a buried body or the attempted destruction of a body by fire;
• Where there are multiple scenes and/or multiple deaths;
• Circumstances where samples are required to be taken in situ, eg,
  – sexual offences
  – weapons embedded in the body
  – entomological evidence exists;
• Where advanced decomposition has occurred;
• Any scene where the SIO considers that attendance might be of benefit to the investigation.
11.4.3.1 Briefing the Pathologist

Prior to an attendance at the crime scene the SIO should brief the pathologist, in writing where possible, and ensure the needs of the investigation are fully communicated. The following key areas should be included in the briefing:

- Identity of the body if known;
- History of the body – including the medical history of the victim, drugs found at the scene and actions taken or developments since the discovery of the body;
- Timescales concerning the finding of the body, the last sighting and any other significant times which may impact upon an estimation of the time of death;
- Any additional information received from other experts if appropriate;
- Initial evidence from witnesses;
- Scope and priorities of the investigation;
- Any special evidential expectations and requirements of the scene examination and post-mortem.

At the briefing, the pathologist, in liaison with the SIO, the CSM and other physical evidence experts, will evaluate the available information and identify:

- Health and safety issues in relation to the scene of discovery of the body and the personnel involved in the examination of that scene;
- Evidential issues raised by the circumstances of death and how these issues are best approached;
- Risk of contamination posed by the circumstances of the case, and the measures that are required to prevent such contamination;
- How the examination of the scene and body should be approached;
- The best location for the autopsy and, if possible, an approximate time of arrival at that location.

Pathologists should make a detailed, dated and timed record of the briefing.

Pathologists must record full details of the scene and the body, and document both their own actions and those of others that may be significant to the pathologist’s examination.

11.4.3.2 Taking Specimens at the Scene

It is essential that no specimens be taken from the body until there has been consultation between the pathologist and the CSM. SOCOs and forensic scientists, if present, should be consulted.

Where it is considered likely that trace evidence may be shed or contaminated by manipulation of the body into the body bag, it may be advisable to remove some or all of the clothing at the scene. All specimens should be taken using only equipment supplied or approved by the SOCO. If clothing is to be cut, only instruments supplied by them should be used.
When deciding what material will be relevant in any particular case, taking samples from the following areas should be considered:

- Tapings from exposed body surfaces and uppermost surfaces of clothing;
- Combinations of head hair, beard and moustache hair and pubic hair;
- Plucked hairs from the above sites (additional hair samples may be needed if there is objective evidence of chronic drug use);
- A swab or swabs from the mouth, teeth, genitals and any injured or moist surface areas of the body;
- Tapings from the hands where any foreign material is recognised;
- Scrapings from underneath the fingernails of each hand, or fingernail cuttings.

If the pathologist is unable to attend or is delayed and it is agreed the removal of the body is essential, for example, because of the locality or adverse weather, the SIO should ascertain from the pathologist what action might be taken prior to removal. When a scene has not been attended, photographs, video recordings and other imaging techniques may be useful in the subsequent briefing of the pathologist.

### 11.4.3.3 Removal of the Body

When a scene has been assessed, the pathologist will usually supervise the packaging and subsequent removal of the body. If trace evidence has not been collected at the scene, the deceased’s hands may be placed in bags before the body is removed. If the head is to be similarly placed in a bag, it must be remembered that any open head wound is likely to shed blood into the bag during transit. This may obscure such details as the direction of dried bloodstains and make it difficult to collect trace evidence. It is advisable to examine the head for such material at the scene, where applicable.

On arrival at the autopsy room the body should remain undisturbed, still in its wrapping or body bag, until the pathologist arrives to undertake the examination. This is unless any different action has previously been agreed with the SIO, or other person designated by the SIO, for some specific purpose.

The SIO is responsible for ensuring continuity of the body. They must designate an officer to accompany the body from the crime scene to the post-mortem examination room, and to identify the body to the pathologist.
11.4.4 LIAISING WITH THE PATHOLOGIST

The role of the pathologist is not limited to the actual post-mortem, and there may need to be regular contact between the SIO and the pathologist throughout the investigation. This is particularly the case when evidence relevant to the injuries or cause of death becomes available from witnesses, scientists or the offender. While most communication will be conducted directly between the SIO and the pathologist, the appointed coroner’s officer may also serve as a useful point of contact. See 11.4.1.2 Coroner’s Officer.

The need for effective lines of communication between the SIO, coroner and pathologist cannot be overemphasised. Photographs of the scene and the results of an AIDS test must be relayed to the pathologist as soon as possible, as must any other issues affecting the injuries or cause of death that become apparent during the investigation. Results of subsequent forensic tests, especially toxicology, will be essential in confirming the pathologist’s opinion.

11.4.5 VICTIM IDENTIFICATION

In the majority of cases, the identity of the victim will be known and they can be positively identified by a relative or friend. Whenever possible, identification should be made before the post-mortem examination takes place by two independent people. This may not be possible where contamination issues cannot be managed appropriately or if a member of the victim’s family is a suspect. Viewing the deceased is facilitated by the family liaison officer (FLO) through the coroner’s office.

It is of paramount importance to discover the identity of a victim as soon as possible where it is unknown. On occasions, the body may be mutilated or have been concealed for such a time that post-mortem changes make recognition impossible. The detailed examination of the deceased for evidence of identity is a specialised task for the pathologist and other experts. The following methods of identification will assist in identifying the victim where the body is decomposed, dismembered or otherwise unsuitable for visual identification:

- Fingerprints;
- Dental records;
- DNA profiling;
- Tattoos, scars and other unusual marks;
- Property and clothing;
- Jewellery;
- Facial reconstruction.

When skeletal remains are found, information can usually be provided concerning:

- Whether the remains are actually bones;
- Whether the bones are human;
- The sex of the person;
- The age of the person;
- The height of the person;
- The race of the person.
The SIO should be familiar with the Interpol Disaster Victim Identification forms and should ensure their completion, where appropriate. They should also use the Interpol processes for circulating details of unidentified bodies, if applicable.

In all instances, the SIO should ensure the victim’s, or suspected victim’s, family are kept informed of developments, provided with the Home Office Victim’s Family Pack and given appropriate support, see 16 Family Liaison.

11.4.6 TIME AND CAUSE OF DEATH

Evidence of the time of death based on factual evidence, such as when the victim was last seen or when they were found dead, tends to be more accurate than that based on the condition of the body and its immediate environment. Estimations by the pathologist can be liable to error. A pathologist is more likely to provide a range of times between which death occurred. However, even an approximate time of death can be invaluable in narrowing TIE parameters or providing information for the suspect interview strategy. It is, therefore, important that the SIO obtains from the pathologist some indication of the time period within which death has occurred.

Uncollected mail and newspapers may give an indication of the approximate time and date of death. The condition of the environment, the presence of food and dirty dishes, and last sighting of the victim can also be useful indicators. Consideration should be given to using timelines to assist in determining the facts.

Forensic analysis of alcohol levels may also be useful. Alcohol back-calculations in Road Traffic Act cases are well established and based on sound data. Similar conclusions about the time that has elapsed since drinking can often be drawn in fatal cases.

Where the time and contents of a last meal are known, the degree of digestion can assist in establishing a time of death. Stress, however, can slow down the digestion process and this should be discussed with the pathologist, especially in cases where the victim has been held hostage.

The cause of death should be included in the pathologist’s report and explained in both plain English and in medical terms. If the victim suffered multiple injuries the pathologist will, in the majority of cases, be able to identify which of these caused death.

The cause of death is a pivotal factor in an allegation of homicide. It is, therefore, essential that the SIO fully understands the cause of death identified by the pathologist, and their reasons for coming to this conclusion. The SIO must be prepared to draw on material generated by the investigative team to assist and challenge the pathologist’s conclusions.
11.4.7 THE POST-MORTEM

The purpose of the post-mortem is to establish the cause of death, the extent of the victim’s injuries, the presence of any natural disease and to make a factual record of the findings. Furthermore, the pathologist can offer opinions concerning what may have happened at the scene and when death may have occurred.

This enables the investigator to:

- Identify the victim;
- Determine the cause of death and where possible the mode and time of death;
- Determine the nature and size of the weapon used and the amount of force used;
- Determine the approximate height and stature of the offender.

The pathologist must record full details of the autopsy and document both his or her own actions and those of others that may be significant to the pathologist’s examination.

11.4.7.1 Post-Mortem Attendance

In addition to the professional resources outlined in 11.4.1 Key Roles, the SIO will also need to decide whether any additional persons should attend. While formal identification of the body is normally undertaken by a member of the deceased’s family, the family have no legal right to attend the post-mortem or have other access to the body until it is released by the coroner. A representative of the family may be allowed to attend the post-mortem at the coroner’s discretion.

Finally, the SIO will need to consider whether or not they will attend the post-mortem. In the majority of cases the SIO will wish to be present at the post-mortem examination. This will ensure that the SIO is always involved where there are interpretational issues or findings that could significantly alter the course of the investigation. In some cases the SIO may wish to send their deputy who must be comprehensively briefed regarding their role and the evidential issues. This decision must be weighed against the other strategic issues that the SIO will inevitably be engaged in. The SIO may wish to attend at the start of the post-mortem and then at the end to be briefed by the pathologist.

11.4.7.2 Sample Types

The SIO, following discussion with the pathologist and SOCO, determines the exact requirements for obtaining forensic samples, based on the initial crime scene assessment. Routine samples, except when the circumstances of the case demand otherwise or samples have already been taken at the scene, may include:

- Anal, vaginal, oral, penile swabs;
- Fingernails;
- Head and pubic hair;
- Blood, urine, stomach contents;
- Pre-transfusion blood.
In circumstances where the initial information is limited, it would be sensible to adopt the maxim ‘if any doubt, obtain all samples’.

When appropriate, the pathologist should try to ascertain whether or not the victim had been sexually assaulted. This includes looking for evidence of buggery. Vaginal or anal swabs should be taken with a proctor-scope or a speculum to prevent challenges to the integrity of the sample. In cases of possible oral sexual contact, mouth swabs and drainage onto the neck or clothing are likely to be more helpful than analysis of the stomach. In the stomach the acid contents are likely to destroy the DNA in semen or dilute it too much for analysis. Mouth swabs should be taken in all cases irrespective of the absence of evidence of sexual activity as this may only come to light at a later stage. It is as important to look for elimination factors as implication factors.

One of the purposes of the post-mortem is to obtain samples for analysis to detect the presence of drugs and poisons, and to ascertain the blood alcohol level. Routine samples obtained during a post-mortem may also include blood, stomach contents, hair, urine, ocular fluid, bile, liver and lungs as well as a visual inspection of the organs. Further detail on the information that may be gained from such examinations is included in 10 Forensic Strategy.

The pathologist should make a histological examination of the major organs (assuming that they are not heavily decomposed) in all suspicious deaths. Histology is of value in confirming, evaluating and revising the course of natural disease processes that may have contributed to the cause of the death. Other samples should be taken for histological examination, depending on the circumstances of the case, eg, for the purposes of determining the age of injuries. The reasons for not conducting a histological examination must be fully recorded so that the pathologist is in a position to defend this decision if necessary.

11.4.7.3 Recording the Post-Mortem

The SIO, in consultation with the pathologist and other experts, must make a record of all injuries and assess their significance.

While the use of sound-recording is not envisaged, video recording might be useful, depending on the coroner’s wishes and the views of the pathologist. Video recording can be of value to:

- Create as near a complete record of the processes as possible;
- Facilitate further examination of the body in its original state;
- Assist the process of a second autopsy, if one is needed;
- Assist the SIO and the investigation team in understanding crucial elements of the post-mortem in specific cases;
- Record the removal of ligatures and other devices from the body, where possible. These might be best captured by some form of hand-held camera, either video or still, that can be manoeuvred manually to show precisely how a particular device was applied to the body. Such a video might also assist a virtual reconstruction, where this is subsequently deemed appropriate.
When still photographs are taken, it is essential to obtain detailed photographic evidence of external and internal injuries. The following general principles apply:

- Photographs, including something to indicate measurement (ie, a scale), should be taken of each injury or group of injuries;
- Photographs should be taken at an angle of ninety degrees to the injury or group of injuries;
- SIOs must ask for specific photographs, the pathologist will certainly do so;
- Where the identity of victim is unknown, consider photographing the victim’s clothing, tattoos, marks and unusual scars. Care must be taken when photographing clothing in the mortuary because of the dangers of contamination; clothing can always be described in detail at the post-mortem and photographed after the examination.

External examination of the body may reveal surface fragments of material that may be trace evidence, such as flakes of paint, glass fragments, fibre, blood, semen or hairs embedded in wounds. Foreign material may also be present under the fingernails and may include hairs, fibres, skin fragments and blood from the attacker. It is essential that these items are correctly photographed, seized, packaged, labelled and retained. Consideration should be given to using the body as an exhibit and sub-exhibiting all samples taken from it in accordance with the process set out in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP).

The body should be photographed while fully clothed and particular attention paid to injuries and damage to the clothing. Care must be taken when removing clothing from the victim. The indiscriminate use of scissors to remove clothing should be avoided. Undressing the body should only take place in the presence of the pathologist.

All clothing should be fully searched and any items found exhibited. Investigators can use body maps to identify the position of injuries, marks, scars and any other distinguishing features. Consideration should also be given to using specialist photography to highlight bruising. If there are a number of bruises or other injuries, the pathologist should give each an identifying number.

11.4.8 THE POST-MORTEM REPORT

When the post-mortem examination is complete the pathologist makes a thorough report (which becomes the property of the coroner). The report should be written as soon as possible and within an agreed timescale. The pathologist may make rough notes, sketches and body maps during an examination, although these would not ordinarily be provided to the SIO in addition to the report. Some aspects of the post-mortem, such as examination of the brain, may take up to eight weeks to complete and so delay the final report. In order to allow the MIR to use the information revealed in other aspects of the post-mortem, the SIO should ask the pathologist to provide an interim report. The SIO should, however, be aware that the results of the special tests may significantly alter the findings and hence the conclusions of the final report. In complex cases the pathologist should provide the SIO with a provisional timetable for the production of the final report.
The SIO, or whoever attends the post-mortem examination, should go through the findings with the pathologist at the time of the post-mortem. It is essential that the SIO ensures the pathologist is kept up to date with any investigative developments, even after the report has been produced. If information subsequently revealed by the investigation impacts on the conclusions contained within the post-mortem report, the pathologist should produce a supplementary report incorporating that information and drawing further conclusions.

It is good practice to supply the pathologist with a record of all the exhibits taken, with their relevant exhibit numbers, at the completion of the post-mortem so that an accurate reference can be made to them in the report.

As an overview the post-mortem report should include:

- The information the pathologist received in advance of the autopsy.
- That the data justifying decisions and actions taken at the examination of the scene and the body have been retained.
- Details of all investigations made either personally or by submission to a laboratory for report.
- Conclusions and an explanation for those conclusions. Where unusual features are found but are concluded not to be relevant, the pathologist must explain why the finding has been discounted.
- The reasoning underlying why, where findings are open to alternative explanations, one particular explanation is favoured.
- The reasoning that supports the conclusions, detailing all the material drawn on to support that reasoning, including reference to pertinent and current literature.
- All samples that have been retained by the pathologist, whether or not these have been assigned police exhibit references.

11.4.9 INTERPRETING POST-MORTEM RESULTS

The post-mortem findings represent a vital ingredient of the crime scene assessment process. In addition to the forensic and pathology (hard science) elements to the post-mortem, the opportunity must also be used to collect the soft science elements, ie, the interpretative facts of the post-mortem, for example, by asking ‘What does this injury mean?’

The pathologist will contribute to the interpretation of the post-mortem results by:

- Attending any conference called by the police or the CPS to discuss the pathologist’s report and/or other issues involved in the case;
- Explaining clearly all the findings and their interpretation in the context of the case;
- Considering alternative explanations, testing alternative hypotheses, drawing conclusions and giving advice based on the facts of the case and established scientific principles;
• Stating what is required before additional conclusions can be drawn, and demanding that those requirements are fulfilled before any additional conclusions are drawn;
• Identifying, clarifying and summarising areas of agreement and disagreement;
• Requesting feedback to determine whether those involved in the investigation understand the outcomes of the consultations.

The SIO may wish to explore the following issues:

- **Cause of Death** – which injury was responsible for death? If there are multiple injuries, which was the fatal injury? Cause of death? Significance of injuries? Degree of force used?

- **Time of Death** – this is vital for setting ‘Relevant Time’, for enquiry parameters. It may prove the suspect could have had access to the victim.

- **Toxicology** – blood/alcohol may provide time of death. Is there evidence of victim drug abuse? Was the victim drugged or intoxicated? Stomach contents may give evidence of lifestyle or sequence of events.

- **Level of Attack** – likely to give an indication of the nature of the attack, the degree of force used and over what period. Was the victim capable of ‘fight or flight’? How many attackers were there? What was the likelihood of the offender being injured? Did the offender intend to kill? Was there evidence of overkill?

- **Injury Analysis** – number and type of injuries. How were the injuries caused? Evidence of defence wounds? Timing of injuries in relation to time of death? Evidence of gratuitous violence? Were injuries caused before or after attack? Are injuries consistent with accounts of witnesses? Is there evidence of bodily contact, eg, bites and scratches?

- **Murder Site** – evidence that the deposition site was not the murder site?

- **Disguise Cause** – attempts by the offender to disguise the cause of death.

- **Sexual Evidence** – what evidence is there of a sexual element to the offence such as rape, oral sex, shaving pubic hair, penile penetration, clothing removal and semen deposits?

- **Weapon Analysis** – type of weapon used, number of weapons, weapon found at the scene?

- **Lifestyle** – cleanliness of the victim, sexuality, drug user, overall state of health of victim, evidence of recent assaults.

- **Size and Physique of Victim** – evidence of being controlled before death? Is it likely that the victim could have posed a threat after being injured? Is the victim right or left-handed? The position of defence wounds may assist. Is the assailant right or left-handed?
11.4.10 EXHIBITS

Where instances arise of weapons and other articles being found at the scene, these will need to be taken to the mortuary or to the pathologist for inspection. The exhibit must be properly packaged to avoid contamination, but also be clearly visible. A packaged knife must allow the width and length to be measured. The pathologist must sign the exhibit label of any article examined.

Other material may be of mutual interest to the pathologist and the investigative team; it should, therefore, be preserved either at the crime scene or during the post-mortem. Examples of such articles include:

- Ballistic projectiles;
- Extraneous items such as hairs, fibres, blood or semen on the body;
- Ligatures (do not cut or undo the knot).

11.4.11 DEFENCE AND SECOND POST-MORTEMS

When informed that a person may be charged with murder, manslaughter or infanticide, a coroner may agree for a further post-mortem examination by another pathologist. In order to facilitate the early release of the body, if no suspects have been charged or arrested within twenty-eight days of the first examination, a second, independent post-mortem should be conducted in anticipation of any future defence requirements.

The coroner will not usually object to a further post-mortem examination being conducted for, or on behalf of, any person who may have a proper interest – provided that such further examinations are conducted without undue delay and after proper notice has been given to the coroner. In all cases, the coroner should explore whether a second or subsequent post-mortem may be required. The SIO should cooperate with the coroner in meeting requests from the defence for early disclosure, if this will assist the early release of the body.

Whenever a post-mortem is required on behalf of the defence, details of the pathologist acting on behalf of the defence should be given to the coroner without delay. The post-mortem and subsequent release of the body can then be considered. Defence solicitors will need to establish, for example, the nature of the wounds and cause of death. They will also need to examine the post-mortem report, photographs and any other relevant items. Investigators should ensure that this documentation is available, subject to the coroner's prior approval.

The original pathologist should always be present and, where possible, the SIO or a representative.

Where a sexual motive is suspected, the SIO should expect the forensic pathologist to examine under the skin so as to identify any bruising. Where this has not been done, the SIO should expect a second post-mortem a few days after the original post-mortem to examine for bruising.
The coroner will decide whether to provide the police with a copy of the report from any secondary post-mortem examinations, but it is normally considered proper to do so. The coroner will retain the second report, and if an arrest in connection with the death is subsequently made, they will provide a copy of the second report to the defendant or their legal representatives.

In the event that significant discrepancies arise between the first and second post-mortem reports, the coroner will, without delay, consider whether to commission a third examination. It will not normally be appropriate to provide a third pathologist with either of the previous reports, or to seek to reconcile the differences between the earlier reports.

The third pathologist should again be independent of the first two pathologists, ie, from a different establishment. As soon as the coroner has decided that no further examination is necessary, the body will be released for disposal by the family or executors.

11.4.12 RELEASE OF THE BODY

Home Office Circular 30/1999 relates to the release of bodies in cases involving suspicious death. This circular suggests that, subject to the interests of the criminal justice system, it is the responsibility of all agencies to treat the early release of the body as a priority. It should also be a priority for the SIO in helping the family to cope with their grief. This grief may be compounded because of religious beliefs held in certain communities, eg, Muslim and Jewish, if there is any delay in burial after death. There is also likely to be a natural resistance from some communities, in relation to performing a post-mortem examination. This is usually based on religious beliefs particularly in the Muslim community. These matters require a sensitive response from the SIO who should bring them to the attention of the coroner. Further information in respect of this is available from the Commission for Racial Equality.

The SIO should be proactive in pursuing an early resolution of all post-mortem examinations in cases where a suspect has been arrested or charged.

When the post-mortem report is expected to be delayed, the SIO should liaise with the coroner and pathologist. The SIO should consider the following issues when contemplating the early release of a body:

- Whether the identification of the victim is in dispute;
- The evidential value of retaining the body;
- The needs of the investigation;
- The need for a defence or second post-mortem when the identity of the offender is unknown.

When the report is received, the coroner will provide copies of it to all those having a proper interest, including the SIO and any person who has been charged in connection with the death (and to their legal advisers). Any photographic or video recording taken at an examination will also be supplied (these will be made available by the police). The deceased’s next of kin should also be advised that the report is available, if appropriate. See also 16 Family Liaison.
The coroner will not release the body unless all those having a proper interest confirm in writing that they have no objection to the body being released (other than those proposing to release the body). The coroner will, not less than five days before the proposed release of the body, notify his or her intention to do so in writing to all those persons who have not confirmed that they have no objection to the release of the body.

If the coroner is advised by the SIO that a person is likely to be arrested within twenty-eight days of the discovery of the homicide, they will not release the body until the person is charged, or until the expiration of that period – whichever is the shorter. The coroner will serve, on any person who is charged, a copy of the report of the initial examination and any records of it.

Where the coroner is initially informed that a person may be charged within twenty-eight days of the discovery of the homicide and it subsequently appears unlikely that any person will be so charged, the SIO should inform the coroner at the earliest opportunity.

Families will want to know details of when the deceased will be released for burial. The FLO should facilitate this request, through the coroner’s officer after consultation with the SIO. The coroner has control of the body and decides when it will be released, and the SIO should ensure that the coroner is consulted and advised about the enquiry. When the crime is unsolved, consideration should then be given to asking the coroner to authorise a second post-mortem examination by another Home Office pathologist. This should normally clear the way for the release of the body once a further independent post-mortem examination has been conducted.

In a homicide investigation the question of organ transplants may arise. In such circumstances the SIO needs to consider the implications of a transplant for the investigation, as soon as possible. They should be mindful of the following points:

- In cases of unlawful killing, removal of the organs can only be with the consent of the coroner in whose jurisdiction death occurred.

- There will be a presumption in favour of transplant provided that the coroner is satisfied the organ donation will not prejudice the investigation of an unlawful killing. The interests of justice are paramount.

- The coroner will inevitably consult the Home Office pathologist assigned to the case, to establish that their examination will not be impaired by the removal of any organs.

- The relevance of the removal of an organ should be considered in the context of a second post-mortem examination.

- If a person is charged, no organ transplant should take place without obtaining the views of the defendant or a legal representative.

- The SIO should take a leading role in gathering opinions and assessing the impact of organ removal on the investigation.
11.4.13 RETENTION OF MATERIAL AFTER AUTOPSY

In the past, unnecessary or ill-considered retention of material removed at autopsy, has caused considerable distress to bereaved relatives. The pathologist must consider very carefully whether such material needs to be retained and for what purpose. At present, in criminal cases, retention is referred to in Rule 9 of the Coroners (Amendment) Rules 2005 which states:

A pathologist shall make provision, so far as possible, for the preservation of material which in his opinion bears upon the cause of death or the identification of the deceased.

The Criminal Procedure and Investigations Act 1996 states that any material obtained in the course of a criminal investigation and which may be relevant to the investigation should be retained until the end of criminal proceedings and following completion of any appeals procedure. In general terms, this may be interpreted as the release from detention of a person convicted of homicide.

Certain organs can only be fully examined if they are retained after the autopsy is otherwise completed. A police representative (eg, a FLO), or the coroner or their officer, should explain the reason for this to the appropriate victim’s relative.

Any materials retained must be kept in secure storage and under suitable conditions. Their whereabouts must be properly recorded and indexed in order to ensure easy access, see ACPO Homicide Working Group (2006) Guidance on Police and Coroners’ Approach to Pathology.

11.5 FURTHER READING

## Section 12

**SEARCHES IN HOMICIDE INVESTIGATIONS**

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12.1 INTRODUCTION

All homicide investigations are likely to involve some level of search. Searching combines the application of systems, processes and equipment to locate and identify material relevant to an investigation. It is essential that this function is carried out effectively and is linked to other parts of the investigation. Searches can be used to:

- Identify crime scenes;
- Uncover material that could
  – lead to the identification of suspects and witnesses
  – link offenders and victims to locations and objects that are significant to the investigation.

While the extent of the search in any homicide investigation depends on the circumstances, the following should be searched as a minimum in all cases:

- Scene (after crime scene examination and prior to the release of the scene, see 9 Crime Scene Management);
- Vicinity of scene;
- Access routes;
- Egress routes (for example, disposal sites, drains and roofs);
- Passive data sources (eg, CCTV);
- Victim’s home, workplace and vehicle;
- Suspect’s home, workplace and vehicle.

Other search locations depend on the SIO’s interpretation of the available material and the overall strategy of the investigation. In some instances, scenario-based searches may be necessary. For further information see ACPO (2006) Practice Advice on Search Management and Procedures.

It is of the utmost importance that the SIO ensures that each search is professionally managed. There needs to be a clearly defined strategy and this should be accurately recorded and clearly communicated to those persons responsible for carrying out the search. The development of a search strategy consists of the following elements:

- Risk assessment;
- Health, safety and welfare considerations;
- The legal powers for search;
- Search objectives;
- Search priorities within and between scenes;
- Search parameters.

The implementation of a search strategy consists of:

- Resource requirements;
- Search methods;
- Briefing search teams;
- Media management.
12.2 RELATED SECTIONS

This section should be read in conjunction with:

- 9 Crime Scene Management;
- 10 Forensic Strategy;
- 13 Passive Data Generators.

12.3 DEVELOPING A SEARCH STRATEGY

A search strategy should be developed as part of the overall investigative strategy and coordinated with it. There should be mechanisms for revising the search strategy in the light of emerging material.

In cases where a search is likely to be complex or large, SIOs should ask the advice of a PoLSA. Where numerous searches are necessary, more than one PoLSA will be required and a PoLSA coordinator should be appointed. PoLSAs play a pivotal role in advising SIOs on the use of tactics that are likely to produce a successful outcome. In most cases it is, therefore, appropriate that the PoLSA or PoLSA coordinator forms part of the investigation management team for the period during which the search process retains a priority status.

The PoLSA should liaise closely with the nominated exhibits officer and CSM so that the recovery of items is subject to the rules of evidence and its forensic potential is maximised. This role can assume great importance in cases where large numbers of people are required for ‘blanket’ searches of open ground. On these occasions, coordination and direction of significant numbers of people is essential in order to:

- Retain public confidence;
- Maintain control of the search process;
- Maximise evidential potential.

12.3.1 RISK ASSESSMENT

Early decisions made on the level of searches to be undertaken should be subject to a risk assessment and governed by the following critical factors:

- The need to preserve life;
- The need to protect the public;
- The immediate pursuit of a suspect;
- The likelihood of destruction, damage or disposal of material caused by the weather or outside interference;
- The likelihood that recovering the material will lead to a rapid arrest of a suspect.
12.3.2 HEALTH, SAFETY AND WELFARE CONSIDERATIONS

All search activity should be carried out under the umbrella of a thorough risk assessment which addresses the principle of ‘duty of care’ towards staff and others involved in the search process. The assessment should include:

- The threat from any environmental hazards (eg, water, exposure to extremes of weather, noxious substances, confined spaces, heights, railways);
- The allocation of appropriate protective equipment to search personnel;
- The requirement for the provision of refreshments, where appropriate;
- Any associated risk management through the deployment of untrained personnel.

12.3.3 LEGAL POWERS

While the majority of searches of premises can only be carried out with the owner’s consent, SIOs do not usually face objections. SIOs should, however, explain the reasons for carrying out the search to people in control of the premises.

SIOs should also consider the following legal powers, where necessary:

- Search without a warrant under sections 17, 18 or 32 of PACE;
- Search with a warrant under section 8 of PACE.

12.3.4 SEARCH OBJECTIVES

SIOs should identify the specific material being sought. In some cases, however, this will not be possible. In all cases those carrying out the search should be fully briefed on the circumstances of the incident, together with relevant details of the SIO’s investigation strategy, so that they will be better able to identify material they find as being relevant to the enquiry.

There are numerous reasons for instigating a search. SIOs should, therefore, be clear about the search objectives before it is commissioned. Examples would be the need to locate and identify:

- Scenes;
- Victims;
- Witnesses;
- Suspects;
- Access and egress routes;
- Other scenes (including residences, workplaces and vehicles);
- Physical evidence (forensic and fingerprints);
- Weapons;
- Stolen property;
- Property abandoned by the offender or victim;
- Evidence to establish escape routes such as footmarks and tyre marks;
- Hides;
- Storage sites;
- Passive data generators (telephones, computers, diaries, financial information, lifestyle information including membership cards and association literature).
12.3.5 SEARCH PRIORITIES WITHIN AND BETWEEN SCENES

Priorities Within Scenes
In considering the objectives of a search, SIOs need to first establish the priority for the search. Such a priority is effectively established by the SIO’s assessment of the risk and the priorities of the overall investigation strategy. The most obvious potential conflict in this regard is forensic examination versus physical search. A physical search will invariably take primacy where the objective of the search is to locate a scene. Where the objective of the search is to examine a scene, a forensic examination will usually take primacy. This is because any decision to authorise a physical search before a forensic examination might be extremely damaging to the forensic potential of a scene. There will be occasions, however, when the risk assessment is such that that primacy needs to be afforded to the physical search of a scene that has already been identified (eg, for the preservation of life or the apprehension of an offender). In these circumstances contamination risks should be minimised as far as possible and advice sought from CSMs or CSCs.

Priorities Between Scenes
Where there is more than one scene, SIOs will usually have to decide the order of priority in which scenes should be searched. Such decisions should take account of:

- The number of scenes that need to be searched;
- The size of the scenes;
- Resource constraints and implications;
- The likelihood of recovering evidence;
- The risk assessment.

12.3.6 SEARCH PARAMETERS

SIOs should also identify the search parameters. Where there is a lack of specific information or intelligence on which to base such a judgement, the principle of the ‘ripple effect’, ie, beginning a speculative search from the body scene and working outwards, is accepted practice.

12.4 IMPLEMENTING A SEARCH STRATEGY

12.4.1 RESOURCE REQUIREMENTS

The resource requirement for a search will be determined by its objectives, parameters and methods. SIOs should consider whether the search can be managed solely by the enquiry team or whether additional resources are required. Additional resources include:

- Further police staff;
- Specialist police resources (eg, drugs or explosives, dogs, underwater search teams);
- Technical resources (eg computer experts);
- Mountain Rescue Teams;
- Royal Air Force (Air and Sea Rescue);
- Members of the public.
SIOs need to be aware of the duty of care towards any individual engaged in the search process on behalf of the police.

### 12.4.2 SEARCH METHODS

Search methods employed by investigators vary according to the type of investigation being conducted, but searches must be carried out thoroughly. The method or methods used will depend on the primary objective of the search. The location and subject of the search will also determine the most appropriate search method. This section provides a brief description of the following types of search:

- Initial visual check;
- Non-specialist search;
- Specialist search.

#### 12.4.2.1 Initial Visual Check

The purpose of an initial visual check is to provide a quick overview of the area to locate any obvious material of relevance. It is used at the beginning of a search when resources may be limited or when it is essential to find material quickly for the investigation. The use of this technique does not negate the need for a more detailed search where necessary in the circumstances.

#### 12.4.2.2 Non-Specialist Search

A non-specialist search is a search conducted by personnel who have not been trained by the Police National Search Centre to the standards set out in 12.4.2.3 Specialist Search. The majority of searches fall within this category.

#### 12.4.2.3 Specialist Search

A specialist search can be used where a higher degree of confidence in the process is necessary. The specialists involved in these searches fall into two categories:

**Specialist Search Assets**

Specialist search assets are police resources that have successfully completed an ACPO recognised licensing programme or accreditation system. For example, police dogs, underwater search units.

**Specialist Search Trained**

Specialist search trained personnel have either been trained or are recognised as such by the Police National Search Centre. They include Police Search Teams, PolSAs and Police Search Coordinators (PolSCs).
12.4.3 BRIEFING SEARCH TEAMS

Search teams must be properly briefed and informed about any investigative hypothesis and the action that should be taken in the event of material being discovered. Where supporting intelligence exists, it is essential that search teams are furnished with as much detail as possible so that the most appropriate techniques can be deployed to maximise the potential for success.

SIOs should ensure that search teams are given clear directions about what to do in the event of material being found. These directions should include:

- What to seize;
- What not to seize;
- Those who undertake the seizure;
- What should be examined in situ;
- Recording finds and seizure.

12.5 MEDIA MANAGEMENT

In cases that attract significant media interest it is equally important for SIOs to record the rationale for not searching a specific area. A misinformed public and media can lose confidence in the police when the rationale behind perceived police inactivity is undeclared. This is particularly important when a crime scene is retained for an extended period of time.

12.6 FURTHER READING

Further assistance in determining the parameters, methods to use and objectives of a search may be obtained from geographic profilers, the National Search Adviser and the various databases managed by the Serious Crime Analysis Section (SCAS) of NCPE. SCAS can be contacted by telephone: 0870 241 5641 or email: opslne@centrex.pnn.police.uk

*ACPO (2006) Practice Advice on Search Management and Procedures* is also an important source of advice.
Section 13
PASSIVE DATA
GENERATORS

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13.1 INTRODUCTION

Passive data generators is the term used in ACPO (2005) Core Investigative Doctrine, Section 6.7 to describe automated systems that gather information for purposes unconnected to criminal investigation, but which can be accessed by investigators. They are widespread and investigators will be familiar with the use of passive data generators such as CCTV and telephone billing systems. The potential of passive data generators to assist in homicide investigations is, however, far wider than these commonly used sources. For example, financial information is routinely collected and can be used to place individuals in particular locations, trace the flow of money, investigate lifestyles and establish relationships between people. Geographical positioning systems (GPS), traffic safety cameras, toll records and in-car computer systems can provide material that can assist in mapping the movements of vehicles. Computer systems can provide material on a range of activities, particularly lifestyles and relationships between individuals.

Automatic Number Plate Recognition (ANPR) systems (police and commercial) are a rapidly developing source of investigative opportunities for SIOs. In the near future, national searches will be possible on specific vehicles providing dates, times, locations, direction of travel and, in some instances, an image of the vehicle. Various analytic tools are currently being developed to assist in the analysis of ANPR data.

What distinguishes passive data generators from other types of record keeping, such as patient records made by doctors and client information kept by accountants, is the fact that they are automated and require no judgement on the part of the person making them: hence the term passive. They are also stored in systems that require technical expertise to access them. Records created by people are generally written documents and require no particular technical expertise to locate and gather them, although, as with patient records, their availability to the police and use by them may be subject to legal constraint.

Examples of passive data generators are:

- Financial information;
- CCTV and other images;
- Personal Computer information;
- Telecommunications information;
- Voice-recording systems;
- Customer information, including subscriber information;
- Access systems;
- Tachographs;
- ANPR.
13.2 RELATED SECTIONS

This section should be read in conjunction with:

- 9 Crime Scene Management;
- 10 Forensic Strategy;
- 12 Searches in Homicide Investigations;
- 15 Witness Management;
- 20 Suspect Management.

13.3 DEVELOPING THE STRATEGY

There are two ways in which passive data generators can assist homicide investigations:

- General material;
- Specific material.

13.3.1 GENERAL MATERIAL

Passive data generators can be used to provide material that will assist SIOs to understand the circumstances of the case. This is almost exclusively confined to:

- Locating, gathering and viewing images generated within particular locations for the purpose of identifying people and vehicles which may be significant to the investigation. These will involve locating CCTV systems, traffic safety cameras, police ANPR deployments and commercial ANPR sources.

- Analysing victims’ telephone activity with a view to identifying contacts which may be relevant to the circumstances of their deaths.

Any material generated in this way may later become evidence when specific suspects are identified.

In the first instance, the objective is to set the parameters within which officers should search for this type of material.

In relation to images, it is often the case that the only location known to be significant is the scene where the body is found, and so the searches will be confined to that immediate area and the potential access and egress routes. As more material becomes available it may be possible to set new parameters which enable more images to be located.

In relation to telephone activity, it is often the case that the only significant time that is known with any degree of certainty is the time that the body was discovered. The search for telephone activity will, therefore, begin there and work backwards. As more material becomes available about the circumstances, it will be possible to focus the search more precisely.

In either of the above cases, the priority is to locate the passive data generator and secure the material before it is deleted from the system. CCTV systems often work on a twenty-four-hour loop and so time is of the essence. Telecommunications billing data is generally kept for a fixed period of time.
13.3.2 SPECIFIC MATERIAL

The second way in which passive data generators can assist in the investigation of homicide is where SIOs are seeking material about specific circumstances that are relevant to the incident. These could be:

- The presence of victims, witnesses, suspects, vehicles or telephones at particular locations and the times they were there;
- The relationship between individuals;
- Times of contact between individuals;
- The lifestyles of individuals.

The material already gathered by the investigation will determine the degree of certainty that SIOs can bring to defining the parameters of these enquiries. Unfocused enquiries are likely to generate a very large quantity of data that will have to be analysed in order to locate the specific material required by the investigation. Setting parameters as tightly as possible is, therefore, essential when developing the objectives for these enquiries.

SIOs should also think widely about the type of passive data generator that may be useful in the particular circumstance of the case. Technical innovations mean new passive data generating systems are continually becoming available and it is sometimes difficult to recognise when a particular lifestyle or activity has the potential to generate such data. This makes it important to consult those who are knowledgeable about the type of activity or lifestyle that is relevant to identify the opportunities that may exist.

13.3.3 COMMON CONSIDERATIONS

Although there will be variation in the technical requirements needed to gather, use and store the data from passive data generators, there are a number of common factors which SIOs should consider when setting objectives.

**Speed of access** – in many cases data is only stored for a limited time, so if it is not identified and secured, it may be lost to the enquiry.

**Ownership** – all passive data is owned by someone. While this is no bar to it being used, there is likely to be a cost and some inconvenience to data owners. SIOs will often, therefore, be relying on the goodwill of data owners to access records to look for anything that may be of value.
Legal constraints – there may be legal constraints on how the police can access and use data. SIos should be certain that they have the appropriate level of legal advice to ensure that they are accessing and using passive data in legally valid ways. Access to some of the material which these systems generate is governed by legislation such as the Regulation of Investigatory Powers Act 2000 (RIPA) or PACE. Investigators should also take account of the provisions of the Human Rights Act 1998, notably respect for private and family life. Additionally, investigators must be aware of the agreed protocols, e.g., the Communication Service Providers (CSPs) have agreed protocols which permit investigators to preserve and access call data records. To ensure consistency and conformity with these protocols, identified individuals have been trained and accredited to act as single points of contact (SPoC) for each force. Investigators requiring information and advice about obtaining material from CSPs are advised to make early contact with the SPoC.

Technical Issues – there is a high degree of variation in the type of storage system used by passive data gatherers. In addition to obvious differences, such as those between the use of tapes to store CCTV images and computers to store telephone billing data, there may be large differences in the technical specification of systems used for storing a particular type of data. Investigators will be familiar with the wide range of systems used to store CCTV images and the problems this can pose for viewing, storage and use. It is not possible in this manual to list all the technical issues that SIos may face when dealing with passive data generators. Moreover, the speed of technical innovation means that such information can quickly become outdated. SIos should ensure that they have access to the most up-to-date technical advice and support that is available in relation to the passive data gathering systems they are seeking to use. Sources of advice are:

- Scientific support units;
- Hi-Tech crime units;
- Forensic providers;
- Industry specialists;
- Academic experts;
- IT providers;
- National ANPR data centre and force ANPR data managers.

Integrity – maintaining the evidential integrity of material obtained from passive data generators is an important consideration for SIos. When they have sufficient understanding of the technical issues involved, they should implement a regime that ensures that courts can be satisfied that the material has been handled in such a way that its evidential value has not been impaired.

Volume – passive data generators tend to gather large volumes of data. Even where SIos are able to set tight parameters, it is likely that those tasked with searching for specific material will have to manage a high volume of data in order to locate it. In setting objectives, SIos should consult technical experts to identify the various methods by which data owners analyse it as these may be adequate for the needs of the investigation. If this is so, they are likely to be quicker than other alternatives. In other cases, SIos should task the analytical manager with developing a suitable method of analysis.
SIOs should ensure that the managers who are tasked with overseeing the implementation of the passive data generator strategy have the ongoing support of the appropriate technical specialist. This may be most easily arranged through the specialists consulted at the time the strategy was developed.

Managers should also be conversant with the legislation governing the police use of the data, and any relevant national or force policy. Where it is proposed to make extensive use of particular types of passive data, or it is thought likely that it will be central to a prosecution, SIOs should consider obtaining the services of a full-time legal and procedural adviser. This is particularly the case with telecoms data and financial information where, in addition to specific legislation covering its use by the police, there is also a national policy governing the way in which the police liaise with private providers.

In the case of CCTV or other images, SIOs should ensure that they use staff who are experienced in viewing this kind of material. An analyst may be required to fully exploit ANPR material. This is particularly important when images from different cameras are being viewed. Issues which often prove problematic are the synchronisation of the timings of different cameras and the criterion used to confirm the identification of individuals. The latter can be particularly difficult where the quality of the image is low. The use of experienced staff will ensure that such issues have a minimum impact on the investigation.

The material obtained from passive data generators can provide a powerful way of corroborating and challenging material supplied by witnesses and suspects during investigative interviews.

Investigative interviews can also identify passive data generators that may provide relevant material. Interview plans should, therefore, include questions designed to obtain information about the suspect’s movements, vehicles, financial activity, computer use and material that may, in the circumstances, identify passive data generators.

SIOs should ensure that interviewers preparing suspect interview plans have full access to the material obtained from passive data generators. This is because it is likely that interviewers will wish to elicit a suspect’s account of a particular activity that can be corroborated by such data, before revealing its existence. Care should be taken not to inadvertently reveal its existence to suspects during arrest or custody procedures. For example, the existence of CCTV images, ANPR material, telephone billing data or financial information linking the suspect to the offence, should not be used as a justification for detention if it could compromise the interview strategy.

When premises or vehicles associated with a suspect are being searched, officers should be briefed on the potential of passive data generators so that they are able to identify such material as they search.
Given the likely high cost of implementing the passive data generator strategy, both in terms of the costs imposed by data owners and of enquiry staff time, it is essential that the objectives and the parameters of searches are kept under constant review to ensure that they are as precise as possible. This is particularly important in the case of telecoms data where the desire to explore the links between telephones can lead to spiralling requests for billing data, as each new set of data reveals more telephone numbers that could be explored. Maintaining the focus on the objectives of the strategy, adjusted where necessary in the light of new material, will ensure that cost spent acquiring data will be kept to a minimum and that the investigators’ time is not wasted.

13.5 FURTHER READING

Further advice and guidance for investigators on the retrieval of intelligence that may be held within computers and portable IT systems can be obtained from within force computer and IT units.

Information regarding access to banking records can be obtained from force economic crime units.


For further guidance see ACPO (2005) Core Investigative Doctrine, Section 6.7 Passive Data Generating Strategy.

At the time of publication, an investigator’s guide to the uses of ANPR material is being developed. This will cover a range of issues including analytic options, reactive and proactive strategies, presentation of evidence, and RIPA.
Section 14

HOUSE-TO-HOUSE ENQUIRIES

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14.1 INTRODUCTION

This section provides an overview of key aspects to consider when setting strategies and methods for conducting House-to-House enquiries (HtoH). It should be read in conjunction with the strategic guidance contained in the ACPO (2006) Practice Advice on House-to-House Enquiries.

House-to-House is a technique that enables investigators to identify suspects by establishing who lives or works in a particular location, and obtaining an account of their movements during relevant times. It can also be used to canvass for witnesses in areas relevant to the crime. HtoH is most often used in residential locations but can be used in any area where people are associated with premises, eg, business parks, shopping centres or industrial estates. HtoH is used in many types of investigation. These enquiries are not necessarily resource intensive. A single investigator can carry out HtoH successfully in the immediate area of any crime, but when used in homicide or major incident investigations, it can be resource intensive. When conducted over a large area, HtoH usually generates a large volume of material that must be processed and potentially followed up. Whether undertaken on a small or large scale, HtoH must be conducted thoroughly and recorded accurately. If not carried out properly, HtoH may miss that a particular individual lives or works in the location and so their potential as a suspect or witness cannot be assessed. For these reasons, it is important that all investigators fully understand the strategic issues associated with the use of this technique.

14.2 DEVELOPING THE STRATEGY

The success of HtoH depends on investigators taking an organised and methodical approach. Setting clear objectives is essential to provide direction to a line of enquiry which may become resource intensive.

The elements of a successful HtoH strategy are:

- Setting the objectives;
- Identifying the location parameters;
- Setting time parameters;
- Setting subject parameters;
- Timing HtoH enquiries;
- Identifying resources;
- Fast-track HtoH enquiries.

14.2.1 SETTING THE OBJECTIVES

There are three main reasons for carrying out HtoH enquiries:

- Identifying suspects;
- Identifying witnesses;
- Gathering local information and intelligence.
14.2.1.1 Identifying Suspects

Where it is believed that a suspect may live or work in a particular location, investigators should establish the identities of all those living or working in premises in that location and obtain accounts of their movements at times relevant to the investigation. HtoH is the only certain way of doing this, and is particularly important where investigators wish to carry out intelligence-led mass screening of DNA or fingerprints.

In many enquiries, investigators carry out their own HtoH. They will also verify the accounts given by individuals to assess if they may be suspects. In larger scale enquiries where teams of officers are brought in to carry out HtoH, SIOs are likely to want to focus those teams on the HtoH enquiries and have verification enquiries carried out by others. In such cases, they should raise an action to allocate a verification enquiry to the enquiry team.

14.2.1.2 Identifying Witnesses

HtoH has the potential to identify witnesses living or working in locations that are relevant to the incident. These can include people who have witnessed the following:

- Events connected to the incident such as the encounter, attack or disposal;
- Sightings of the victim or offender before or after the event;
- Sightings of relevant property or vehicles;
- Sightings of potential witnesses (including the elimination of unidentified nominals reported by other witnesses).

To ensure that relevant information is gathered during HtoH, investigators should consider adapting the standard questionnaire to incorporate the circumstances of the particular offence, or using a bespoke questionnaire.

Where HtoH is undertaken to identify suspects, it will also often be the case that investigators want to identify witnesses and there is no reason why these two objectives cannot be combined. There is, in fact, some merit in doing this because the search for witnesses is likely to be viewed as routine and so is less likely to alert suspects to the fact that the police believe they live in the area.

14.2.1.3 Reassurance

In addition to the objectives set out above, HtoH can also be used to provide public reassurance in the immediate area of an offence.

Depending on the nature of the incident and the community concerned, investigators may find it worthwhile involving local community leaders or local authority staff to help provide reassurance.

Certain types of offence will generate intensive media interest. Reporters are likely to knock on doors looking for exclusive interviews with local residents. It may be that during HtoH enquiries, officers can make residents aware of this possibility and pass on any advice to them as appropriate.
Officers carrying out HtoH can offer crime prevention and personal safety advice. This needs to be consistent and relevant to the circumstances. Investigators should, however, be aware that such advice can have an adverse impact on public reassurance. For this reason, it should form part of a wider media and community strategy aimed at public reassurance.

SIOs should ensure that any information given to the public in this way is consistent with their media policy, and that enquiry officers are fully briefed about only divulging authorised information.

14.2.2 IDENTIFYING THE LOCATION PARAMETERS

Setting adequate and relevant parameters of the location(s) in which it is proposed to carry out HtoH is critical to achieving the objectives set out in 14.2.1 Setting the Objectives. Investigators should consider visiting the scene as soon as practicable to assist them in setting these parameters.

All premises within the line of sight of the scenes, all access and egress routes and areas where an offender may have lain in wait, should be included within the parameters for fast-track actions. For further information see 14.2.5 Timing House-to-House Enquiries and 14.2.6 Fast-Track House-to-House Enquiries.

Where the objective of the HtoH enquiries is to identify witnesses, the investigator should take great care to ensure that all of the available material is used. This will involve identifying locations that are significant to the investigation, and verifying the use and users of those areas. Investigators and HtoH coordinators should use local officers who have a knowledge of the community they police. These officers can give valuable information to the investigation team and should be consulted about any policing issues specific to their area. Other valuable local intelligence resources may be police community support officers (PCSOs), special constables and members of the community who have knowledge of how the area is used. This may identify important locations which would otherwise be overlooked, such as shortcuts over parks and other open land.

Where possible, parameters should be set to correspond with natural boundaries such as railway lines, major roads and open land.

In homicide and major incident investigations Police Search Advisers (PoLSA), BIAs and geographic profilers can advise investigators on setting appropriate location parameters for HtoH. Geographical profilers and BIAs may also be able to identify locations where suspects are likely to live. For further details on PoLSAs, see ACPO (2006) Practice Advice on Search Management and Procedures, Section 3.2.

Location parameters should be regularly reviewed in the light of new material.

14.2.2.1 Intelligence-Led Mass Screening for DNA or Fingerprints

Intelligence-led mass screening for DNA or fingerprints is an extensive and complex subject. Investigators should always refer to ACPO (2006) A Practitioner’s Guide to Intelligence-Led Mass DNA Screening when they are considering its use in an investigation.
Where this type of screening is to be used, it is usual to carry out HtoH enquiries beforehand to establish the identities of all those who live in the area. This information will then be put into a scoring matrix to prioritise the persons to be swabbed.

If the mass screen is solely geographical rather than intelligence-led, the swabbing process is carried out at the same time as the HtoH. Whichever method is used, the processes should be managed by an MIR. Effective HtoH enquiries will identify all persons who should be swabbed, including those who have since left the area.

Where investigators intend to carry out HtoH for the sole purpose of identifying those in an area for the subsequent intelligence-led mass DNA or fingerprint screening, they should consult a geographic profiler and/or a BIA who will be able to advise them on the location where the offender is likely to be located. This will ensure that HtoH is carried out in the smallest possible location parameters. The maps below are taken from a real case and show the difference between the area originally selected by the SIO (Map A) and the area recommended by a geographical profiler (Map B).

<table>
<thead>
<tr>
<th>Map A</th>
<th>Map B</th>
</tr>
</thead>
<tbody>
<tr>
<td>An initial DNA screening area based on the two offences established by the investigation team. (This area covered approximately 800 address locations.)</td>
<td>The final DNA screen area based on the analysis of the locations of the first two offences plus another criminal damage offence, research and practical experience of offenders who victimise the elderly, the post-offence movement of the offender and the geography of the area. (This area covered approximately 100 address locations.)</td>
</tr>
</tbody>
</table>

- DNA-linked offences
- ★ Criminal damage offence linked to DNA-linked offences
The geographical profiler was able to use the information supplied by the SIO to reduce considerably the location parameters and, therefore, reduce the time taken to complete the enquiry. The offender was located in the area shown in Map B.


14.2.2.2 Analysis of Location

Once the location parameters have been set, intelligence systems should be analysed to establish if there are any people or events in the area that those carrying out HtoH enquiries should be aware of. This could include:

- Violent offenders who pose a risk;
- Those wanted for other crimes or on warrant;
- Groups with particular linguistic or cultural needs;
- Local incidents or issues which residents may raise with the police.

Analysis of other records such as the electoral roll, force command and control systems and keyholder records, may assist with the reconnaissance of the area.

14.2.3 SETTING TIME PARAMETERS

Time parameters will be used by HtoH officers to verify the presence of individuals at an address and to interview potential witnesses. Depending on the circumstances of the offence, time parameters should be set for:

- The offence, ie, the times between which the offence is thought to have occurred;
- The scene, ie, the times when people have visited the scene;
- Sightings, ie, the times at which victims, other witnesses and offenders were seen in particular locations;
- Previous residents and visitors – the House Occupants Form (MIR/2) defaults to six months but this can be amended as necessary.

Where HtoH enquiries are being carried out in more than one location, investigators should set time parameters that are relevant to each. Where there is insufficient material to enable this to be done, the alibi times used for the TIE strategy should be used, see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 4.10.3.

14.2.4 SETTING SUBJECT PARAMETERS

In some cases, investigators may use HtoH to identify people with particular characteristics who are relevant to the enquiry but who are not thought to be the offender. This is most likely to occur when they are seeking to establish the identity of unnamed people sighted by witnesses, eg, an unknown male seen walking a dog in the vicinity of the scene or the driver of a car seen parked at the scene.
In other cases, investigators may decide to exclude some groups of the community such as males and females under the age of 14 years.

14.2.5 TIMING HOUSE-TO-HOUSE ENQUIRIES

During the initial response phase of an investigation, it is likely that fast-track HtoH will be conducted in the location where the offence took place. The object of these enquiries is the early identification of those with material that could enable the investigation to progress. The low level of material that is available during this period will often mean that these enquiries are very general in nature, and tend to rely on witnesses identifying that they have seen something of significance.

Investigators need to consider when HtoH enquiries of this sort should be commenced. If they believe they may be able to ask a specific set of questions, it may be preferable to delay HtoH until they have enough material to formulate these questions properly. This will avoid officers having to revisit the same premises to ask additional questions.

As the investigators’ knowledge of an incident increases, enquiries can be more specific. They may even focus on locating single pieces of material such as sightings of a particular person or vehicle. In cases where investigators have specific material that they hope to locate, bespoke questionnaires can be used.

14.2.6 FAST-TRACK HOUSE-TO-HOUSE ENQUIRIES

Where fast-track HtoH is carried out, officers may simply call at each house and ask if anyone has seen or heard anything, without seeking to fully establish the identities of all those who occupy the premises. Investigators should ensure that all initial enquiries and witness accounts are recorded on the HtoH Initial Enquiries and Witness Account Form, see Appendix 2 of ACPO (2006) Practice Advice on House-to-House Enquiries. This should assist the HtoH coordinator (when one has been formally allocated) to obtain a clear picture of what has and has not been done.

Accurate records must be made of all properties visited and persons seen, including details of properties where there was no reply and of persons who say they have no information to give. These initial records will be needed to confirm information or show discrepancies during court proceedings, or if further investigation is necessary.

14.2.7 THE USE OF QUESTIONNAIRES

Investigators should identify the questions they require HtoH enquiry officers to ask. Depending on the circumstances, the standard HtoH enquiry questionnaire may be adequate.

The standard questions can be amended via HOLMES to better reflect the enquiry. In these cases, a HOLMES supervisor should be consulted.
14.2.7.1 Bespoke Questionnaires

It is essential to ask the right questions. The quality of information gathered is only as good as the quality of questions asked. Investigators should consult the analyst manager or interview experts when constructing bespoke questionnaires to ensure that relevant questions are asked and that information is collected in a consistent way to facilitate later analysis.

14.2.8 AIDES-MEMOIRE AND SCRIPTS

Consideration should be given to using aides-memoire or scripts to ensure that HtoH officers have easy access to all of the relevant information they need for interviewing HtoH subjects. Relevant information could include local or national news items, TV schedules or significant events to jog witnesses’ memories. Where photographs of victims or property are used, these should be of the best quality available.

All such material should be updated as new material becomes available.

14.2.9 LEAFLETS

In some cases, people when initially contacted may be reluctant to provide HtoH officers with information that could be useful. It is good practice to leave a leaflet that gives details of the investigation and contact telephone numbers at each address. This will provide those in possession of undivulged information with a means of communicating it to the investigation team when they are ready to do so.

14.2.10 IDENTIFYING RESOURCES

The level of HtoH enquiries and the size of the area to be covered will, to a large extent, determine the resources that are required to carry them out. Where HtoH is confined to fast-track actions in the immediate vicinity of relevant scenes, or when used on smaller localised enquiries, it may be possible for investigating officers to carry them out on their own or with the assistance of a few colleagues. More extensive enquiries will, however, require the deployment of dedicated resources. Most forces have developed arrangements to support HtoH and investigators should ensure that they are familiar with their force arrangements.

14.3 IMPLEMENTATION

In homicide and major incident investigations, SIOs should appoint an HtoH coordinator to be responsible for implementing the HtoH strategy.

Where they have sufficient staff to enable them to do so, SIOs should consider the potential this role has for officer development. A junior officer may gain valuable experience by being part of the management team and performing this role under the guidance of the D/SIO.
14.3.1 BRIEFING

It is essential that HtoH officers are provided with a thorough briefing when they are first deployed to the enquiry. Briefings should be updated at least once a day and include a current summary of media releases to ensure that officers are aware of information in the public domain. This may also assist enquiry officers to recognise deceit and excessive interest. The initial briefing should cover:

- Details of the HtoH strategy and the relevant parameters;
- The method of carrying out HtoH enquiries;
- What action to take should they believe they have identified a suspect;
- What action to take in relation to key witnesses identified during the HtoH;
- What action to take if they locate items of evidential value;
- What action to take if individuals refuse to assist the investigation.

For more information on the content and conduct of briefings, see ACPO (2006) Guidance on the National Briefing Model.

Briefings are not just an opportunity to share information with HtoH officers; they are also an opportunity to shape their attitudes to the communities in which they are carrying out enquiries. HtoH officers are the main visible police presence local communities will see in relation to an investigation. Those briefing HtoH officers should ensure that they have the information they need about the community and understand the importance of fostering goodwill so that a free flow of information is encouraged.

Every opportunity should be taken to emphasise the importance of keeping accurate records. Investigators’ record keeping will include policy decisions, actions, details of what information was given out, where, when and to whom, and what information was received.

14.3.2 MOTIVATION

HtoH is rarely the most exciting job in an investigation, but may be the most important on some. It is essential that HtoH officers remain focused and alert to the possibilities that the person they are speaking to could be a vital witness, or even the offender. Those managing HtoH enquiries should ensure that officer morale remains high. This can be achieved by providing regular feedback on the way their enquiries are contributing to the progress of the investigation, together with updates on the progress being made with other lines of enquiry and on any other relevant new material that has been received.

Attention should be paid to the facilities provided for HtoH officers and, where possible, they should be included in the main briefings held for enquiry teams.
14.4 FURTHER READING


Section 15
WITNESS MANAGEMENT

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15.1 INTRODUCTION

The success of any homicide investigation depends largely on the accuracy and detail of the material obtained from witnesses. The importance of treating witnesses with respect and dignity cannot be overstated. The way in which witnesses are treated can have a significant impact on how they cooperate with the investigation and any subsequent prosecution.

A witness is a person, other than a defendant, who is likely to give evidence in court. At the time of an investigation, it is not always possible to identify everybody who is likely to give evidence; it may be the case that apparently irrelevant material supplied to police during the early stages of an investigation subsequently acquires greater significance. For these reasons, all those who come into contact with the police during an investigation should be regarded as potential witnesses.

Witness management comprises of three interdependent strategies:

- Witness identification strategy;
- Initial contact with witnesses strategy;
- Witness interview strategy.

This section sets out the strategic issues that should be considered when developing each of these elements.

15.2 RELATED SECTIONS

The following are particularly relevant to the guidance set out in this section:

- 16 Family Liaison;
- 17 Managing Communication;
- 20 Suspect Management.

15.3 WITNESS IDENTIFICATION STRATEGY

15.3.1 DEVELOPING A WITNESS IDENTIFICATION STRATEGY

SIOs must develop clear objectives for the identification of witnesses. The precise nature of these objectives will depend on the circumstances of the case but should include identifying settings and communities where witnesses are likely to be found. Settings might be identified as a result of crime scene examination, and additional assistance can be provided by BIAs and geographic profilers through the NCPE Opsline telephone: 0870 241 5641 or email: opsline@centrexpnn.police.uk

SIOs should think widely about the community in which witnesses might be found. Communities might, for example, be cultural, religious, sporting, occupational, clubs, associations or societies. Advice from members of the community, who are not necessarily witnesses, should be sought to help identify the best ways of gaining access to witnesses.
15.3.2 IMPLEMENTING A WITNESS IDENTIFICATION STRATEGY

Having identified relevant settings and communities, SIOs should be in a position to direct resources towards the identification of witnesses. The following methods might be used:

- The identification of people in the vicinity of the scene by
  - notice boards
  - media appeals
  - examination of CCTV
  - examination of ANPR data;
- Appeals in trade magazines;
- House-to-house enquiries, including local businesses, clubs and public houses;
- Enquiries of people having legitimate access to the scene;
- Enquiries of people engaged in local trades (eg, window cleaners, plumbers, electricians);
- Access to registers of members of clubs, associations or societies;
- Access to registers of employees;
- Enquiries of relatives;
- Scene reconstructions.

Depending on the resources available, initial enquiries might be confined to areas within line of sight and earshot of the following scenes:

- Place where the victim was last seen alive;
- Place where initial contact with suspect took place;
- Place where victim was attacked;
- Murder site;
- Body deposition site.

Consideration should also be given to:

- Initiating a witness search along the possible access and escape routes from each scene;
- Making enquiries at significant geographical locations proximate to the scene (eg, major foot routes, bus and railway stations).

15.4 STRATEGY FOR INITIAL CONTACT WITH WITNESSES

15.4.1 DEVELOPING A STRATEGY FOR INITIAL CONTACT WITH WITNESSES

Initial contact with witnesses is not confined to the early stages of a homicide enquiry but might occur at any point during the course of an investigation. SIOs should set objectives to ensure that the members of the enquiry team, and any other police staff who could have initial contact with witnesses, understand the action expected of them when they encounter a witness.
Where a reward for information has been made public, it should not be emphasised to any potential witness who comes forward. Where a witness asks an unsolicited question about a reward, a record should be made of it and the possibility of a subsequent challenge to the integrity of the witness taken into account as part of the overall investigative strategy.

15.4.2 IMPLEMENTING A STRATEGY FOR INITIAL CONTACT WITH WITNESSES

15.4.2.1 People Reporting a Potential Homicide

It is important to establish from a person reporting the discovery of potential homicide (the informant) whether the victim could still be alive. If there is any doubt, medical assistance should be sought. The significance of information provided by the informant cannot be understated. Accurate recording of the following details is essential:

- Name, home address and telephone number of informant;
- First account of informant, including the circumstances leading to the discovery;
- Precise details and location of scene;
- Identity of victim (if known);
- Relationship between informant and victim;
- Details of any other people present at the scene;
- Current location of informant;
- Demeanour of informant.

The officers who first had contact with the informant should be debriefed and a full record made of their account. This record could become crucial if the witness later becomes a suspect. In some circumstances, consideration should be given to interviewing such officers as ‘significant’ witnesses.

15.4.2.2 Victim or Witness as a Scene

In some cases witnesses to a potential homicide might in themselves be a ‘scene’, for example, where there is the possibility of the transfer of fibres or other material such as body fluids and glass. In these circumstances, SIOs must balance any medical and welfare needs that the witness might have with the need to recover uncontaminated material.

Where appropriate, consideration could also be given to:

- Photographing witnesses if it is likely to assist with identifying who was present at the scene;
- Photographing any injuries suffered by the witness.
Where a witness has made a recording (audio, video or photograph) of an incident that is relevant to the investigation on a mobile telephone or by any other means, efforts should be made to persuade the witness to hand the device to police so that the recording can be safely downloaded. Where consent to handing over the device is refused, the witness should be asked to retain the recording and alternative arrangements should be made at the earliest opportunity for a suitably qualified technician to visit the witness to download the material.

15.4.2.3 Fast-Track Interviews

The need to take immediate action in terms of securing medical attention and making initial decisions about the investigation plan might be such that some initial questioning of a witness is necessary. Any initial questioning should be framed to elicit a brief account of what has been witnessed; a more detailed account should be left until the formal interview takes place. The brief account should include where and when the event is alleged to have taken place and who was involved or otherwise present. This information can affect decisions made in the following aspects of the investigation plan:

- Forensic and medical examination of the witness;
- Witness protection issues;
- Crime scene examination;
- Identifying and preventing the contamination or disposal of other evidence;
- Identifying and interviewing other witnesses;
- Arresting alleged offender(s);
- Preventing other offences.

Fast-track interviews can also help with the overall interview strategy in terms of:

- Categorising the witness as vulnerable or significant;
- Prioritising the order of interview.

The circumstances and content of any fast-track interview should be recorded. Permission must be obtained from medical staff where the witness is receiving treatment.

15.4.2.4 Conducting an Initial Risk Assessment

An initial risk assessment should be conducted to establish the extent to which a witness might be at risk of intimidation. There are many different types of intimidation. These range from life being at serious risk as a result of providing the police with information, to fear of going to court.

- Life threatening intimidation.
- Non-life threatening but serious intimidation.
- Low level intimidation or harassment.
- Fear of low level intimidation or harassment.
- Fear of the court system or procedure.

This system of categorisation will enable the early identification of actual or potential intimidation. Witnesses can then be offered a service, tailored to their particular requirements, making it more likely that they will be willing to give evidence in court where required.

Having established that a witness is intimidated and identified which of the five categories they fall into, SIOs should consider taking appropriate action in accordance with Figure 19.

**Figure 19 Witness Intimidation Action**

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Potential Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Life threatening intimidation</td>
<td>Formal Witness Protection Scheme, application for special measures in court, eg, screens, live TV link.</td>
</tr>
<tr>
<td>2</td>
<td>Non-life threatening but serious intimidation</td>
<td>National Witness Mobility Scheme, application for special measures in court.</td>
</tr>
<tr>
<td>3A</td>
<td>Low level intimidation/harassment</td>
<td>Witness security and support, application for special measures in court.</td>
</tr>
<tr>
<td>3B</td>
<td>Fear of low level intimidation and harassment</td>
<td>Witness security and support; consider application for special measures in court.</td>
</tr>
<tr>
<td>3C</td>
<td>Fear of court system and procedure</td>
<td>Explanation of court system/procedure (possibility of applying for special measures in court in some instances, eg, ‘elderly and frail’ witnesses).</td>
</tr>
</tbody>
</table>

Whatever action is taken, SIOs should be careful to avoid any suggestion that inducements have been offered in return for the witness's testimony.

**15.4.2.5 Witness Categorisation**

Witnesses categorized as vulnerable, intimidated or significant should be identified as soon as possible because these categories have an impact on the interview process and applications for special measures in court.
Vulnerable witnesses are defined by section 16 of the Youth Justice and Criminal Evidence Act, 1999 as:

- Child witnesses under 17; and
- Witnesses of any age whose quality of evidence is likely to be diminished because they:
  - Are suffering from a mental disorder (as defined by the Mental Health Act 1983); or
  - Have a significant impairment of intelligence and social functioning (learning disability); or
  - Have a physical disability or are suffering from a physical disorder.

Vulnerable witnesses are eligible for a range of special measures including the use of a video-recorded interview as evidence-in-chief. Child witnesses in homicide cases should be interviewed on video, unless they do not consent to it. Vulnerable adult witnesses should be interviewed on video unless they do not consent to it or there is a clear indication that it is unlikely to maximise the quality of their evidence. This is only likely to be applicable where the witness’s disorder or disability is a minor one and their evidence is peripheral to the case.

Intimidated witnesses, as defined by section 17 of the Youth Justice and Criminal Evidence Act, are those whose evidence is likely to be diminished by reason of fear or distress. In determining whether a witness falls into this category, courts should take account of:

- The nature and alleged circumstances of the offence;
- The age of the witness;
- Where relevant
  - The social and cultural background and ethnic origins of the witness
  - The domestic and employment circumstances of the witness
  - Any religious beliefs or political opinions of the witness;
- Any behaviour towards the witness by
  - The accused
  - Members of the accused’s family or associates
  - Any other person who is likely to be either an accused person or a witness in the proceedings.

Complainants in cases of sexual assault are defined as falling into this category per se by section 17(4) of the Act. Home Office (2002) Vulnerable Witnesses: A Police Service Guide suggests that witnesses to racially motivated crime and elderly and frail witnesses are included in this category. Home Office (2005) Code of Practice for Victims of Crime also includes families of homicide victims in this category. Intimidated witnesses are eligible for a range of special measures, excluding the use of a video-recorded interview as evidence-in-chief, at the time of writing. In homicide cases, however, some of these witnesses should be interviewed on video as they are significant.
In addition to being eligible for a number of special measures when giving evidence, it should be noted that families of homicide victims are entitled to an enhanced service under the Home Office (2005) Code of Practice for Victims of Crime.

Section 137 of the Criminal Justice Act 2003 will permit the use of video-recorded interviews as evidence-in-chief for some witnesses who are currently classified as significant. This section, however, had not been implemented at the time of writing.

15.5 WITNESS INTERVIEW STRATEGY

15.5.1 DEVELOPING A WITNESS INTERVIEW STRATEGY

Given that information from witnesses is vital to any investigation, SIOs should not simply nominate interviewers then stand back from the planning and subsequent management of the interview process. A witness interview strategy should be developed at an early stage in the investigation; SIOs should be influential in developing this and playing an active role in its implementation.
A witness interview strategy consists of the six elements listed below:

- Setting objectives;
- Selecting interviewers;
- Briefing interviewers;
- Supporting the interview;
- Debriefing the interviewers;
- Supplementary interviews.

In complex cases, SIOs can appoint an interview adviser to assist them with these aspects of the process.

### 15.5.1.1 Setting Objectives

SIOs should set meaningful and realistic objectives for witness interviews, particularly in the case of vulnerable and significant witnesses. These objectives should not, however, prejudge the outcome of an interview, but should be phrased in a way that interviewers are clear about what is expected from them.

### 15.5.1.2 Selecting Interviewers

The selection of an interviewer or an interview team is an important first step in developing a witness interview strategy. Officers selected as interviewers should be competent to the appropriate tier of the ACPO (2004) National Investigative Interviewing Strategy.

In selecting interviewers, SIOs should also consider the following:

- The experience the officer has of interviewing witnesses in homicide investigations and any other skills that they possess that could be useful in the circumstances.

- The suitability of the officer to undertake the interview. This should include a consideration of any welfare issues and whether any previous experience that the officer has with the witness is likely to either inhibit a rapport with the interviewee or give rise to later challenges of coaching, prompting or offering inducements. FLOs should only be asked to conduct interviews with vulnerable or significant witnesses in very exceptional circumstances.

- Appointing reserve officers in the event of sickness or other unforeseen circumstances.
15.5.1.3 Briefing Interviewers

Interviewing officers should be informed of their role at an early stage and given the opportunity to fully plan and prepare for an interview. The first stage of planning should include a briefing.

Where the interview concerns a vulnerable or significant witness, the briefing should give guidance on matters including:

- The category the witness falls into, i.e., vulnerable or significant;
- The aims and objectives of the interview;
- Planning and structuring the interview;
- The nature of the allegation;
- How the alleged offence came to the notice of police;
- Points to be covered in the interview including
  - points to prove
  - descriptions
  - any exhibits to be identified;
- Anything known about the witness including
  - previous involvement with the police
  - whether an interpreter, intermediary or aid to communication is required;
- Location for the interview and any recording equipment that is needed;
- Means of contacting the SIO in the event of any urgent actions arising from the interview.

Interviewers should have easy access to the SIO when they are planning and preparing for an interview with a vulnerable or significant witness so that any issues that might arise during this stage of the process can be dealt with.

15.5.2 IMPLEMENTING A WITNESS INTERVIEW STRATEGY

15.5.2.1 Supporting the Interview


It is essential that SIOs play an active role in supporting interviews with vulnerable and significant witnesses. Interviewers should never be abandoned.
Ideally, the SIO should be in close proximity to the location of the interview because urgent decisions about any significant developments that occur can be more readily made. As an absolute minimum, interviewers should have some means of contacting the SIO at all times during the course of the interview.

15.5.2.2 Debriefing the Interviewers

Interviewers should be debriefed to establish:

- The information that has been obtained;
- How the account given fits in with other available evidence;
- Whether any action needs to be taken;
- What further enquiries are necessary.

15.5.2.3 Supplementary Interviews

Supplementary interviews with a witness should only take place where they are essential for the purposes of eliciting additional information or clarifying contradictory information of significance to the investigation. Consideration should always be given to whether holding such an interview would be in the witness’s interest and the CPS should be consulted where appropriate. The reasons for conducting supplementary interviews should be clearly articulated and recorded in writing.

15.5.2.4 Interview Advisers

The role of the interview adviser is described in Tier 5 of *ACPO (2004) National Investigative Interviewing Strategy*. The appointment of an interview adviser should be considered at the earliest opportunity, particularly in complex cases.
The role of an interview adviser includes assisting the SIO in:

- Formulating, applying and maintaining an ethical interview strategy;
- Debriefing first officers at the scene;
- Debriefing FLOs;
- Pre-interview analysis of relevant documents (eg, video interviews, MG11s, FLO logs);
- Considering the impact of the forensic strategy on the interviews;
- Categorising witnesses as vulnerable or significant;
- Considering the tactics to adopt where witnesses are reluctant or hostile;
- Prioritising witness interviews;
- Identifying and liaising with intermediaries, interpreters and experts as appropriate;
- Determining the general style of the interview;
- Determining the method of recording the interview;
- Identifying the necessary facilities and equipment;
- Identifying investigatively important information, including points to prove and relevant case law, and considering its management in interviews;
- Identifying probable action after interview (eg, medical, return home);
- Considering action to take where a witness might admit to being involved in an offence;
- Considering how witnesses should be prepared for interviews;
- Setting aims and objectives for interviews;
- Selecting interviewer teams (including a camera operator and note-taker);
- Briefing interviewers;
- Determining how and who will monitor interviews (including method of intervention);
- Managing interview plans;
- Monitoring interviews;
- Coordinating multiple interviews;
- Raising fast-track actions during interviews;
- Monitoring the welfare of victims and witnesses;
- Debriefing interviewers;
- Post-interview analysis of information obtained.

15.6 RELUCTANT WITNESSES

Reluctant witnesses are people who are believed to have witnessed an offence, part of an offence or events closely connected with it, but who are reluctant to become involved in the investigative process. There could be a number of different reasons. For example, adverse perceptions of the police or criminal justice process based on experience or popular perception, fear of an alleged perpetrator, concern about the response of the community where they live, worries about their identity being released or uncertainty about how they fit into the overall process. Initial actions should, therefore, include trying to establish the reasons for the witness’s reluctance as it is only by doing so that an attempt to address the issue can be made.
Reluctant witnesses should be given an outline of the offence(s) being investigated. Specific details of the allegation and the particulars of what is believed to have been witnessed by them should not be discussed, and no pressure should be brought to bear on these witnesses to talk to police or to give evidence. The function of the investigator in these circumstances is simply one of providing enough information to allow the potential witness to make an informed choice. Records should be kept of any contact with a reluctant witness including anything said by them.

The CPS should be fully informed about reluctant witnesses who remain unwilling to make a formal statement so that consideration may be given to applying for a witness summons.

15.7 HOSTILE WITNESSES

Hostile witnesses are people believed to have witnessed an offence, part of an offence or events closely connected with it, but who are opposed to the investigative process. The reasons for their opposition might include their lifestyle or they may have a close relationship with the alleged perpetrator and intend to appear in court as a defence witness for them. Some of these witnesses may simply refuse to cooperate with police; others might choose to provide false information intended to support the alleged perpetrator’s account. Records must be kept of all interactions with hostile witnesses, regardless of the reason for their hostility and the extent of their cooperation. Where hostile witnesses consent to an interview it should be recorded on video, unless they object to this.

15.8 SPECIAL MEASURES DIRECTIONS

Vulnerable and intimidated witnesses are eligible for a number of special measures by virtue of the Youth Justice and Criminal Evidence Act. These include:

- The use of screens;
- The use of a live TV link;
- Giving evidence in private;
- The removal of wigs and gowns.

The use of video-recorded interviews as evidence-in-chief is confined to vulnerable witnesses at the time of writing. Vulnerable witnesses are also eligible to use communication aids such as computer-aided speech programs and symbols on boards or in books where necessary. Communication through an intermediary for vulnerable witnesses is currently being piloted in a number of forces.

Where an application for special measures is contemplated, the CPS should be consulted in accordance with the practice guidance set out in Home Office (2002) Early Special Measures Meetings between the Police and the Crown Prosecution Service and between the Crown Prosecution Service and Vulnerable or Intimidated Witnesses.
15.9 PRE-TRIAL SUPPORT AND PREPARATION

Part of the post-charge investigation strategy should address the needs of prosecution witnesses. Most witnesses find the prospect of attending court stressful and, in some cases, frightening. The family and friends of the victim who are likely to give evidence will undoubtedly experience further grief and trauma. It is important that all witnesses are kept informed of the progress of the case in order to reduce frustration, anxiety and hostility. A contact, other than the SIO, should be made available to all witnesses so that individuals feel able to contact a member of the investigation team at any time.

The Witness Service should be used to alleviate some of the fears associated with witnesses giving oral evidence. In many cases this will be the witness’s first experience of a courtroom and they will not understand legal procedure and protocols. Guidance through the process and an explanation of the rules on giving evidence is likely to reduce the stress experienced by the witness. The Witness Service is available to defence and prosecution witnesses.

The provision of additional support from community and charitable organisations is dealt with in 16 Family Liaison.


Where a child witness might need therapy prior to the trial, reference should be made to the practice guidance set out in Home Office (2001) Provision of Therapy for Child Witnesses Prior to a Criminal Trial. Where a vulnerable or intimidated adult witness might need therapy prior to the trial, reference should be made to the practice guidance set out in Home Office (2001) Provision of Therapy for Vulnerable or Intimidated Adult Witnesses Prior to a Criminal Trial.

15.10 FURTHER READING


Section 16
FAMILY LIAISON

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16.1 INTRODUCTION

One of the most important considerations throughout a homicide investigation is providing support to the family of the deceased. Families should be seen as partners in an investigation; this concept is central to its success. The trauma associated with a sudden unexpected tragedy will place the family of the victim under immense personal pressures at a time when the needs of the investigation will make heavy demands for detailed information.

It is essential that families are treated with respect and their individual needs taken into account. This principle must be reflected at all levels within police structures and due regard given to any police action which may impact on a victim’s family throughout the process, from media statements made by a chief constable, to the telephone operator who responds to queries from a family member.

The overall aim of family liaison in homicide investigations is to:


- To work with the family to comply with their right to receive all relevant information connected with the enquiry, subject to the needs of the investigation.

- Assist the investigation by gathering information and evidence from the family in a way that is proportional to their fundamental right to privacy and family life.

The appointment of a Family Liaison Officer (FLO) is essential in all homicide investigations, but is critical in cases when the offence may be exacerbated by community tensions, for example, when racism is suspected as a motive. In such cases tensions are likely to be highly charged around those close to the victim and others within the local community.


16.2 RELATED SECTIONS

Other sections in this manual that may be relevant when developing and implementing a family liaison strategy are:

- 11 Pathology;
- 15 Witness Management;
- 20 Suspect Management.
In formulating the family liaison strategy the SIO must try to achieve a partnership approach with the family. The strategy should be defined and developed taking into account the needs of the family, the lines of enquiry and all available intelligence. This is a dynamic process which must be reviewed at regular intervals and in consultation with the FLO.

The FLO strategy will be recorded in the SIO’s Policy File and should include:

- Objectives of the strategy;
- The selection of FLOs and criteria employed for selection;
- The number of FLOs deployed and to whom;
- The information released to the family;
- Any requests made by the family which have not been acceded to, and the reason for this action;
- Any complaints made by the family and the SIO’s action to progress and resolve the matters raised;
- Decisions concerning involvement of the Victim Support Scheme and other support services;
- The use of interviewers;
- The involvement of lay advisers;
- Exit strategy for the FLO.

16.3.1 SETTING OBJECTIVES FOR FAMILY LIAISON

The objectives for family liaison typically include:

- Gathering evidence and information from the family in a manner which contributes to the investigation and preserves its integrity;
- Identifying support agencies able to provide appropriate care and support to the victim’s family;
- Ensuring that family members are given information about support agencies and that referrals are made to Victim Support and other agencies in accordance with the family’s wishes;
- Securing the confidence and cooperation of a victim’s family which can positively impact on the wider issues of community trust and confidence, as well as bringing positive benefits to the investigation;
- Providing the family with as full and up-to-date information as possible about the crime and its investigation;
- Obtaining full family background and other relevant details as directed by the SIO;
- Ensuring the investigation is not compromised by the injudicious disclosure of information.

Note: Although the FLO is a useful resource for gathering information from the family, the FLO is an overt investigator and it would be inappropriate for them to be used in any covert operation involving the family.
16.4 IMPLEMENTING A FAMILY LIAISON STRATEGY

16.4.1 KEY ROLES

Family Liaison Officer

Family liaison officers require specific skills in addition to being experienced investigators. The responsibilities of the FLO towards the family and the investigation are outlined in detail in the ACPO (2003) Family Liaison Strategy Manual. The Home Office (2005) Code of Practice for Victims of Crime places additional requirements on the FLO. Under this code, FLOs must advise the victim’s family on a monthly basis of the progress of the case throughout the course of the investigation. They must also notify the family within a specified time period of the arrest, interview, release or charge of any suspects. SIOs and FLOs should refer directly to this Code for further details.

Family Liaison Coordinator

Complex cases where multiple FLO are deployed may also require a Family Liaison Coordinator (FLC) to assist and advise the SIO in coordinating and communicating with FLOs. The FLC may assist the SIO in developing tactical options, particularly where there are complexities requiring specialist advice.

The FLC can also assist the SIO in preparing a risk assessment for FLO deployment. This should be completed prior to deployment, although often it is only after the FLO has made some initial enquiries that a full assessment can be made. It is, however, an essential document and must be reviewed on a regular basis throughout the investigation. (Further details on risk assessment can be found in the ACPO (2003) Family Liaison Strategy Manual).

Family Liaison Adviser

The post of family liaison adviser is optional. It may, however, be used in circumstances where the structures in any given force are such that the FLC is not in a position to provide advice and support to SIOs in individual cases on an everyday basis. This role is primarily one of supporting the SIO during the initial or other challenging stages of the enquiry. In essence, it is intended that the family liaison adviser serves some of the support functions associated with the FLC’s role in complex or problematic cases where the FLC is not able to provide such intensive support.

16.4.2 SELECTION AND APPOINTMENT

The FLO will be operating in a highly pressured environment and often with very distressed people. The choice of officer to act in the role should be well thought out in every case so that the most effective investigation can be carried out. The SIO should be directly involved in the selection of the FLO(s).
In all cases of suspected homicide the SIO must appoint FLOs who have received training to ACPO standard. The SIO should consider attaching a FLO who reflects the cultural or lifestyle background of the victim and/or family members. This means that the FLO will have an insight into the particular culture or lifestyle of the family and community. The attachment of such an officer to a family without prior consultation, however, may be viewed as tokenism by some individuals and may be detrimental to the police and family relationship.

In selecting the appropriate officer to perform the FLO function, the SIO should consider:

- The family's cultural and ethnic background;
- Any significant developments in the officer's personal life;
- The officer's experience and training;
- Recent work demands on the officer;
- The family needs;
- Results of any impact assessment;
- Scale and nature of the incident;
- A suspect in the family.

For further detail on appointing an appropriate FLO, SIOs should consult the ACPO (2003) Family Liaison Strategy Manual.

16.4.3 FAMILY LIAISON OFFICER DEPLOYMENT

One of the first tasks in implementing the family liaison strategy will be to identify those to whom a FLO may be deployed. In the first instance this will mean identifying the victim's family. While, in some cases this may be a relatively straightforward task, it may be substantially more complex in situations where the family is extended or split in some way.

The ACPO definition of a family includes:

- Partners;
- Parents;
- Siblings;
- Children;
- Guardians;
- Any others who have had a direct and close relationship with the victim.

The term family should, therefore, include 'chosen' family and reflect the victim’s culture and lifestyle. These family members need not necessarily be witnesses to the actual murder but have crucial lifestyle information nonetheless.

In the early stages of an investigation there will be periods of high activity when the FLO must operate with a partner or deputy. This can be particularly useful during these times where there is a desperate need for information between both family and police. It also allows one of the officers to temporarily remove themselves to transfer urgent information back to the SIO, without breaking continuity with family witnesses.
Multiple or deputy FLOs may also be useful where the family is fragmented or there is conflict between the family members.

In addition to deploying a FLO to the family of the deceased it may also be appropriate, in some circumstances, to deploy a FLO to surviving victims in a suspected homicide case. These victims are more likely to provide information critical to the investigation through a FLO who they have established a rapport with than other members of the investigative team. In appropriate cases, SIOs should consider deploying a FLO to the defendant’s family. The family of a defendant may also be an important source of material that could assist the investigation, as well as being victims who deserve access to support services with the assistance of police. Great care must, however, be taken in this kind of deployment. If such a facility is offered to the defendant’s family, the decision and reasons for it should be recorded in the Policy File regardless of whether or not this offer is accepted.

A risk assessment must be conducted before the deployment of a FLO. This should be reviewed on a regular basis and whenever there is a change in circumstances that could affect the deployment.

During their time with the family, the FLO will conduct a series of interviews with various family witnesses. The FLO, in conjunction with the SIO, must identify who is vulnerable, who is significant and whether anyone in the family group may be considered a suspect.

16.4.4 PRESSURE GROUPS AND COMMUNITY INTERVENERS

It is often the case that bereaved families resist the approaches of the police, preferring to communicate through their solicitor, a community pressure group or other community intervener. For the purposes of this section all of these groups and individuals will be referred to as ‘interveners’.

Wherever possible, the Police Service should respect the family’s wishes. Interveners will usually add to police understanding of family perspectives by articulating concerns in a clear and unemotional way. In some cases, however, interveners can obstruct the process of investigation by preventing dynamic communication.

The SIO must assess the role of interveners and obtain advice from the local BCU. It is likely that the intervener will have a relationship with the BCU, enabling problems to be addressed without tension or conflict.

Where the relationship with the family is being seriously damaged, to the detriment of the family, the SIO and incident commander should identify management options. These could include:

- Writing directly to the family, setting out police concerns and identifying the advantages of direct communication – any communication with the family must not implicitly or explicitly criticise the intervener;
- Meeting the intervener to set out areas of concern so that protocols to solve problems can be agreed.
If, after having tried to solve problems associated with communicating through an intervenor, obstruction persists but the family insist on continuing with existing communication processes, the SIO and incident commander must accept the family's wishes.

All contacts with the family and the intervenor must be fully documented, particularly any communication setting out the damage to the investigation.

### 16.4.5 SUSPECT WITHIN THE FAMILY

When a person in the family group is also a suspect, great care must be taken when deploying a FLO, and a risk assessment must be conducted to support the decision-making process. The following should be taken into account when a FLO is deployed in such a situation.

- Increased monitoring of the FLO's work and interaction with the family, including the FLO's welfare and safety.
- The level of information disclosure to the FLO and, in turn, the family.
- The process by which any intelligence that arises from FLO contact with the family will be managed.
- In view of the potential for intelligence and evidence gathering, the need for the FLO to be clear in their interaction with the family in respect of the requirements of:
  - the Police and Criminal Evidence Act 1984;
  - disclosure;
  - human rights;
- The importance of fully documenting all contact and interactions with the family.
- The deployment of a more experienced or senior FLO.
- The deployment of a new FLO when a suspect is arrested.
- The deployment of a deputy FLO for corroboration issues in addition to supporting the principal FLO.
- Not using the FLO in any search or arrest in the family group.
- Investigative or evidential impact of deployment.

The FLC’s advice should be sought in developing a strategy concerning such deployments.
16.4.6 SUPERVISION

The SIO has a duty of care and obligation to support and regularly monitor the health and welfare of FLOs. As FLOs are continually exposed to the emotions and needs of the bereaved, SIOs should be particularly aware of the dangers of them experiencing undue stress levels. FLOs must not be left feeling abandoned or isolated. Further guidance on the welfare of FLOs can be found in ACPO (2003) Family Liaison Strategy Manual (see 16.7 Further Reading).

The SIO should give the FLO(s) a written strategy to work to on each deployment. There is no standard template for this as each deployment is unique and should always be approached on that basis. The FLC can assist in writing a deployment strategy. As with the risk assessment, the family liaison strategy should be regularly reviewed for effectiveness.

Clear objectives should be set for the deployment. These objectives may change as the investigation develops and so the communication between the SIO and the FLO(s) needs to be of the highest quality.

The FLO will also need to maintain a log for the life of their deployment. Family liaison logs are important documents within the MIR and should be typed onto the Holmes system in full. Logs must also be completed and supervised on a daily basis.

16.4.7 INTELLIGENCE

The more information that the FLO can generate about the victim and their lifestyle, the better opportunity analysts and other experts have when asked to assist an investigation. To this end the FLO should complete Personal Descriptive Forms on all family members, friends and associates that attend the family home. The FLO must make records of all information collected when working with the family.

The SIO should direct how they want this information and/or intelligence submitted to the major incident room. The FLO log has the specific purpose of recording when and where meetings with the family took place. They also record who was present, the information disclosed to the family, any family concerns and the date and time of the next meeting. The log should not be used to transfer intelligence.

It is essential that the FLO attends all team briefings so that they are fully aware of case developments. This will assist them in identifying significant information from the family which may otherwise have seemed routine and unimportant. In the early stages of an enquiry the FLO must also hold a briefing meeting with the investigation team. This can be highly beneficial to investigators, giving them, for example, an initial victim profile and assisting them when conducting other enquiries. Regular updates from the FLO should form part of subsequent briefings.
16.4.8 EXIT STRATEGY

FLOs will often need advice and support to decide how and when it is appropriate to exit from a family. They should be given this guidance and support by the SIO.

All those concerned with the family liaison process must be able to recognise when the objectives, set as part of the FLO strategy, have been met.

It is at this point that the FLO, at the request of the SIO, should exit from the family. The FLO will have discussed their exit with the family on many occasions leading up that point and their withdrawal should never come as a surprise.

In the event of the exit becoming an issue, eg, where an emotional attachment has developed between the family and the FLO, the FLC should work with the FLO and the SIO to achieve a satisfactory agreement.

It is important that the relationship with the family is not damaged by an inefficient or badly conceived exit strategy.

Support agencies who can assist families further should be contacted at an early stage. Failure to do so may result in the FLO taking on responsibilities that are not police related. FLOs may then be operating in an area that they are not familiar with or trained for. Also, by spending time doing things other than those they have been tasked to do could impact on the overall outcome of the investigation.

The FLC, at the request of the SIO, can assist FLOs to ensure that the most effective investigation into the family’s loss is achieved.

16.5 VICTIM LIFESTYLE ENQUIRIES

Once the family of the victim has been identified, FLOs are usually tasked to gather as much information as possible about the victim. Commonly referred to as ‘victimology’, such enquiries into the lifestyle of a particular subject need not be restricted to the victim. Many investigations may benefit from similar enquiries into the lives of suspects, witnesses or other individuals associated with the investigation.

Enquiries into the victim’s lifestyle commonly begin in the initial stages of the enquiry, usually as officers are trying to establish why the body is in a particular place. The information provided through such enquiries and the strategy used for gathering it, may need to be reviewed many times as the investigation develops.
SIOs draw on a number of sources of information when examining the lifestyle of a victim. These frequently fall into one of two categories: people and passive data, and may include the following.

- **Associations**
  - friends
  - colleagues
  - partners
  - associations with motive
  - other people that they come into contact with.

- **Lifestyle**
  - the way they lived their life
  - the people this brought them into contact with
  - their hobbies and habits
  - the way in which they travelled or moved around
  - the routes they took
  - if they worked, where and who with
  - how much they earned or otherwise received in income, how they spent their money, did they owe anyone money
  - were there any precursor events
  - what was their day-to-day routine?

- **Behaviour Patterns**
  - the type of personality they had
  - how would they responded in certain circumstances
  - were they vulnerable?
  - did they have unique behaviour in any way?

Use of passive data generators is discussed in greater detail in 13 Passive Data Generators.

The SIO must be clear about their reasons for making lifestyle enquiries and this will partly depend on the material already uncovered by the investigation. In cases where a reasonable body of material has already been generated, the aim of a lifestyle enquiry may be to establish links between suspects, victims and crime scenes. Alternatively, lifestyle enquiries can be useful in generating investigative opportunities where other lines of enquiry have been exhausted.

The reason for a lifestyle enquiry will determine the level of detail required. In the case of a domestic homicide where the victim’s partner has been arrested at the scene, lifestyle enquiries may be restricted to a establishing a history of violence through police records and interviews with neighbours. An investigation which has yielded little other than a body with no significant material from witnesses or forensic examinations may, however, require a more detailed subject analysis. In the latter instance, subject intelligence may be the only line of enquiry open to the investigation and so will warrant a more in-depth examination of all aspects of the subject’s life.
The role of lifestyle enquiries in generating new lines of enquiry can only be maximised if information is collected in a systematic manner. The value of this type of information is that it can be cross-referenced, for example, by cross-checking accounts from friends and family with work diaries and financial information. The SIO must, therefore, be explicit about how this information will be gathered and stored to ensure consistency.

SIOs should be mindful of the opportunities to gather lifestyle information from the outset of the investigation to ensure that none are missed.

16.6 FURTHER RESOURCES

A National Family Liaison Adviser is available for operational support and training advice through the Opsline of the National Centre for Policing Excellence telephone: 0870 241 5641.

The FLO should be able to advise the family if there is a Support after Murder and Manslaughter (SAMM) group in their area. There is an explanatory leaflet in the Home Office pack – Information for Families of Homicide Victims.

The defendant’s family should be referred to Aftermath. Aftermath is a registered charity providing support for the families of serious offenders. They can be contacted at PO Box 414, Sheffield S4 7RT, telephone: 0114 275 8520.

16.7 FURTHER READING

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MANAGING COMMUNICATION

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17.1 INTRODUCTION

Effective communication is essential to any homicide investigation. There are two main elements of managing communication:

- A media strategy;
- An internal communications strategy.

Both of these strategies are of equal importance. In managing communications, the SIO must exploit the media and internal communications as they both offer investigative opportunities.

Effective communication can result in:

- Crucial evidence being established;
- New witnesses being discovered;
- Important information coming to light;
- People being eliminated from the investigation;
- Suspects being identified.

In managing communications, the SIO will need to work closely with professional advisers and make full use of all communication opportunities. This may involve the use of specialist internal or external advisers, particularly regarding community and race relations issues as, inappropriately worded information can have a dramatic impact on internal and external perceptions of the police and the investigation.

17.2 RELATED SECTIONS

Other sections that are relevant when managing communications include:

- 15 Witness Management;
- 16 Family Liaison;
- 18 Community Involvement;
- 20 Suspect Management;
- 23 Reconstructions.

17.3 MEDIA STRATEGY

Murder investigations and suspicious deaths are always likely to attract intense media interest, the level of which will be influenced by the circumstances of each offence. A homicide offence committed in domestic circumstances is likely to attract interest from local and regional media sources. High-profile cases involving vulnerable members of society or stranger murders will attract national and, in some cases, international media interest. Both types of offence will place particular demands on the SIO.
Public concerns are particularly heightened in cases where:

- An offender is still at large;
- The victim is a vulnerable member of society;
- The nature of the offence is identified by extreme violence and/or sexual gratification;
- The offence is believed to be part of a series.

It is the responsibility of SIOs to ensure that their media strategy is robust enough to ensure that they remain in charge of press releases and that the police maintain ownership and control of media issues. SIOs should formulate the strategy in collaboration with the force press officer, who should be in attendance at sites where there is a high level of media interest. The SIO must decide if they will talk directly to the media or whether it is more appropriate for a media officer to present the information, allowing the SIO to focus on the investigation.

The SIO must establish the media strategy at the first briefing with the investigative team. Such a briefing should include a direction that no member of the team speaks to the media about the case. All police contact with the media should be strictly controlled by the SIO.

## 17.3.1 DEVELOPING A MEDIA STRATEGY

The overall purpose of a media strategy should include:

- Establishing the circumstances of the incident and bringing any offenders to justice;
- Controlling police interaction with the media;
- Maintaining public confidence in the police;
- Minimising the impact on public fear of crime;
- Generating confidence within the investigative team;
- Maximising the publicity opportunities in the search for information.

Depending on the circumstances of the case and progress of the investigation, the objectives of a media strategy are likely to include some or all of the following:

- Identifying offender(s);
- Locating offender(s), where their identity is known;
- Warning the public of any danger posed by the offender;
- Identifying victim(s);
- Identifying and locating people with material that could be useful to the investigation, notably
  - witnesses
  - those who can give lifestyle information about the victim
  - those who can give information about the area
  - those who can give information about a particular crime type.
17.3.2 IMPLEMENTING A MEDIA STRATEGY

17.3.2.1 Holding Statements

At the early stages of an incident, the police response may be restricted to a holding statement. This will generally be limited to confirming information such as:

- The police are dealing with an incident that is being treated as suspicious;
- Location of the incident;
- Arrangements are being made for a post-mortem examination by a Home Office pathologist;
- An incident room has been set up and these are the details of its contact numbers;
- An appeal for witnesses and information.

17.3.2.2 Press Conferences

After the initial holding statement, the media will expect more comprehensive details of the crime and the investigation as soon as possible. Their expectations can usually be regulated by an indication that the SIO or senior representative will be available for a press conference and interviews. Provided these arrangements can be made within a reasonable timeframe, the media usually accept them in the early stages of an investigation. Making such arrangements has the added advantage of the police being able to exercise discretion as to the choice of venue.

Press conferences involving victims’ relatives should usually only be held where:

- Their presence is likely to assist in an appeal for information;
- Their involvement may be likely to relieve media pressure;
- The family have an overwhelming desire to participate in order to assist the enquiry;
- They are not suspected of involvement in the offence.

SIOs should be constantly aware of disclosure issues and there should be a plan to video or audio record all press conferences. Copies of all releases given to the media should also be kept. It is good practice to keep a record of all press interviews. Many SIOs use a press cuttings file.

Note: SIOs should consider withholding details of the MO used so that any later statements made by a suspect can be evaluated against what could only have been known by the offender.
17.3.2.3 Press Releases

The SIO usually has a great deal of discretion and control over when and what information to release. It is generally unwise to divulge all the facts associated with the case at once. In consultation with the force press officer, it may be beneficial to the investigation to adopt a policy of staged release of information in order to maintain press interest. The need for regular press briefings is a fundamental requirement in any investigation.

The SIO must maintain a positive perspective throughout the investigation. This is particularly the case when a vulnerable member of society is involved and/or where the offence is suspected of being part of a series. It is good practice for the SIO to seize the initiative and raise issues where the following elements are present:

- Race hate;
- Homophobia;
- Hate crimes against people with a disability;
- There is potential for further offences.

SIOs often come under pressure to release details of the victim’s identity. In some circumstances there may be evidential advantage associated with the early release of victim details. The authority to release this information must rest with the SIO when:

- There is no doubt about the identity of the victim;
- The victim’s immediate family and friends have already been informed.

The SIO should, wherever possible, inform the family of significant developments in the investigation prior to releasing such information to the media. The FLO should be used for this purpose. The release of photographs of the victim to the media should, when possible, be approved by the victim’s family.

17.3.2.4 Press Appeals

The SIO should consider making press appeals. The timing for this in terms of when the appeal is likely to achieve maximum impact should be kept under review. Experience suggests, for example, that, in most routine cases, weekend appeals will receive less coverage than weekday appeals.

Where appeals are planned in high-profile cases and a substantial public response is anticipated, suitable staffing arrangements should be made to ensure telephones are adequately staffed. Some forces have found using the call-taking facility from HOLMES Casualty Bureau useful in these circumstances as the Incident Enquiry Unit staff are trained to handle a high volume of calls. For more information on high volume call-handling see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 2.7 Additional Resourcing Requirements for A+ High Volume Message System.
Appeals can be targeted towards the population most likely to have been in the relevant area(s) because of employment, leisure or residency. Wherever possible, the appeal should be accompanied by specific facts rather than a general plea. This will avoid giving the impression that there is no obvious indication of the offender’s identity. Even providing details such as a description of the offender can make the story more interesting and attract the interest of the public. The more thought that goes into the appeal the greater the likelihood of success. Every opportunity should be taken to stress key issues of the case, for example:

- The vulnerability of the victim;
- The heinous nature of the case;
- Relevant features of scenes;
- Sightings or movements of the suspect;
- Likelihood that offender will reoffend.

Such appeals might include the telephone number of Crimestoppers, particularly where people are only likely to provide information anonymously. In these circumstances, the SIO should liaise with Crimestoppers in advance of the appeal so that staff answering their telephones can be briefed accordingly. Crimestoppers can be contacted by telephoning, 0800 555 111.

When a full description of the offender is available, or where CCTV footage of the incident exists, the SIO should consider the advantages (and disadvantages) of releasing this material through the media. Members of the public may then identify a suspect and come forward. Similar considerations need to be applied with regard to E-FITS or artists’ impressions. When considering these options, SIOs must take account of guidance on the publication of films and photographs set out in ACPO/ACPOS (2003) National Working Practices in Facial Imaging and Code D of the Police and Criminal Evidence Act Codes of Practice.

When the SIO is confident that the identity of the offender has been established but the whereabouts of that person is unknown, they must strike a balance between reassuring the public that the police are doing everything they can to apprehend the offender and providing advice about the danger presented by the offender still being at large. This advice should include any sensible steps that members of the public can take to remain safe and prevent further offences occurring.

Decisions about revealing the identity of the suspected offender to the media must take account of any potential danger to the public and be balanced against the possible loss of valuable evidence. The SIO should take advice from the force press officer, the force solicitor and the CPS before making a decision to identify a suspect. This also usually involves obtaining ACPO authority.

Where a photograph or video clip is not available or has not been released, the SIO should provide as much information about the suspect as possible to avoid confusion and the possibility of an innocent member of the public being wrongly identified as the suspect. Failure to take such precautions may result in litigation by the aggrieved person against the force concerned.
17.3.2.5 Witnesses and the Media

Identifying material and obtaining it from witnesses before there is the possibility of distortion of the facts by media sources, should always be a priority.

The SIO must, in appropriate circumstances, allow media representatives to attend principal scenes. This may reduce the likelihood of them trying to obtain further information from the police and members of the public by other means.

An SIO should consider advising each witness in writing of the danger of jeopardising future proceedings if they discuss their evidence with a journalist, either on promise of payment or not.

Where activities such as chequebook journalism are identified, they should be brought to the attention of an ACPO officer, who may consider taking legal action or making a complaint to the Press Complaints Commission (for the printed media) or the Broadcasting Standards Commission (for sound and vision media).

17.3.2.6 Media Rewards

In every case where the media or other organisations are considering issuing a reward for information, the SIO should ensure that they, or a representative, are consulted and an holistic assessment made of the opportunities and threats that a reward might create.

17.4 INTERNAL COMMUNICATIONS STRATEGY

17.4.1 DEVELOPING AN INTERNAL COMMUNICATIONS STRATEGY

In addition to regularly briefing the investigation team, SIOs should constantly consider internal communications both within their force and, when appropriate, with other police forces. The main purpose of developing an internal communication strategy is to establish a two-way flow of information between the MIR and other police personnel, particularly local officers. As a minimum requirement, members of the organisation should be aware of:

- The name of the SIO;
- The location and telephone number of the incident room;
- The details of the offence including the victim, scene of offence, MO and any descriptions of suspects and vehicles.

These details need to be regularly updated as the investigation progresses.

A clear message should be sent to the force, particularly to local staff, asking them to contact the incident room if they have any information that might be of assistance to the investigation. In some circumstances SIOs might want to encourage local officers to visit the MIR to discuss information with members of the enquiry team.
The internal communications strategy should clearly identify the information needs of the investigation. The following examples are likely to feature in the strategy:

- Suggestions as to the identity of the suspect;
- Identification of vehicles;
- Details of any possible precursor offences;
- Information regarding the victim;
- Relevant intelligence (for example, people known to frequent the locality).

17.4.2 IMPLEMENTING AN INTERNAL COMMUNICATIONS STRATEGY

Any decision regarding the method of internal communication will be influenced by the audience (local, force-wide or national). Methods of communication should be regularly reviewed and feedback invited from the various audiences, where practical and appropriate. It is essential to hold the attention of the audience, therefore, an imaginative use of briefing methods should be considered. Such methods might include:

- Briefing sheets;
- Computerised briefings on force intranet systems;
- Email;
- Local intelligence bulletins;
- Video recordings to be played, for example, on parade or training days;
- Force newspaper articles;
- Police Gazette;
- Posters.

It is particularly important to brief those officers who work in the locality of where the crime took place, or who were on duty at the time the offence was discovered or is believed to have been committed. Arrangements should be made for an officer from the investigation team to brief officers either at parades or at specially arranged briefing sessions. Briefings should be frequent and sustained throughout the investigation.

It is important that local officers understand how to deal with any information that is received from members of the public. Policy should be set as to whether information should be received from local officers using local message forms or diverted to the incident room.

Care should be taken to avoid accumulating long lists of suspects based on individual officer's hunches. Officers nominating suspects should be asked to specify their reasons for doing so, for example:

- Similar description;
- Sighting in the locality;
- MO suspect;
- Commits crime in the locality;
- CHIS nominee.
These types of nominated suspects require extensive evaluation, unless the intelligence is of such a quality to suggest that fast-track actions are necessary to recover, for example, forensic evidence. Otherwise this type of information should be fully researched to enable a mature assessment to be made of the priority for action against any individual nominated suspect.

17.5 FURTHER READING


• Home Office Circular 115/82 Further Advice to the Police on the Contempt of Court Act 1981. (This points out that when criminal proceedings are active, any communication to the public that creates a substantial risk that the course of justice will be seriously impeded or prejudiced may be treated as a contempt of court.)
Section 18
COMMUNITY INVOLVEMENT

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18.1 INTRODUCTION

It is essential that SIOs take into account the impact that their investigation may have on the community. The measures of success of an investigation include:

- Conviction of those guilty of crime;
- Confidence of the family of the deceased in the investigation;
- Confidence of communities in the investigation;
- Lowering tension within those communities connected to the investigation.

The scope of the community impact assessment (CIA) and level of involvement will vary from case to case. In the majority of investigations, community consultation is usually confined to family members or specific sections of the community. In larger enquiries this may extend to the wider local community and, sometimes, to a national level. In sensitive cases, communities may be represented by an Independent Advisory Group (IAG) or at a Gold Group meeting. The terms used may vary from force to force. The key point to remember is that community engagement can help the Police Service to respond to family and community concerns, and can facilitate gathering local information and intelligence. The Stephen Lawrence Inquiry and other inquiries make it clear that there is a need to work with families and communities to ensure successful resolutions to homicide investigations. This success must be measured in the broader terms detailed above.

18.2 RELATED SECTIONS

Other sections relevant to community involvement are:

- 15 Witness Management;
- 16 Family Liaison;
- 17 Managing Communication.

18.3 COMMUNITY IMPACT ASSESSMENT

In every case of homicide, the potential damage to community relations must be subject to a community impact assessment (CIA). The CIA will also provide a valuable early indication of whether wider community involvement might bring useful material to the investigation. Consequently, this should be approached in an expedient manner so that any potential for public disharmony is curtailed.

It is important that the CIA is carried out by those who are in the best position to judge the likely impact that a homicide will have on the local community and other affected groups. This is usually undertaken by the commander of the BCU where the incident occurs, or someone acting on their behalf. In incidents where a gold commander has been appointed, they will take responsibility for coordinating work on the CIA. In some cases the SIO may be in a position to carry out the CIA themselves, for example, where the homicide occurs in a location where they work and where they have the knowledge of the communities affected. In all cases SIOs must work closely with whoever is preparing the CIA. This will ensure that it is based on the most up-to-date and complete information regarding the investigation, and the police response to the homicide.
The officer leading the CIA will also assume responsibility for establishing a programme of review of the CIA. The CIA should be seen as an ongoing process rather than a one-off event, and so will need to be reviewed at regular intervals. The need to monitor the CIA will be particularly acute during the initial stages of the enquiry and also as a consequence of any police action. Further reviews of the CIA may be required after key events have occurred in the local community, or as a result of global developments such as military action abroad or the progression of other cases through the courts.

Reviews of the CIA should not depend on the presence of investigative developments or key events alone, but should be revisited at regular intervals – even in the absence of any other triggers. The process of assessment and review is shown in Figure 20.

Figure 20 Community Impact Assessment
The inclusion of the press officer as part of the process should be decided on a case-by-case basis, as appropriate in the circumstances. Where the circumstances of a case have the potential to provoke a hostile public response, early consideration will need to be given to consultation with the media so that potentially inflammatory situations can be defused at the outset. (See 17 Managing Communication).

A homicide or other major investigation may have a significant impact on the immediate community, including minority and/or vulnerable groups. It is also essential that the SIO assesses the potential impact of the investigation on the community.

18.3.1 CONDUCTING THE ASSESSMENT

A CIA should be carried out in all cases involving homicide or serious crime. The assessment should be conducted as early as practicable after an SIO has been assigned to an investigation, and certainly within twenty-four hours of this.

Assessment is an ongoing process and when new information comes to light further CIAs should be conducted. The CIA should be reviewed every seven days thereafter, and also after any significant event which may impact on the community. A revision of the assessment may also be necessary after an event unconnected with the investigation, for example, the outbreak of hostilities in a distant part of the world can have an impact on a community in the UK and this, in turn, may affect the investigation. The impact of any intervention should also be assessed to ensure that this is having the intended effect on the community.

18.3.2 ACCOUNTABILITY

It is essential that the process of managing an assessment is ethical and transparent (this will help sustain public confidence in the police investigations into major crime). The assessment should be based on sound intelligence so that it is capable of withstanding scrutiny. If it is not possible to conduct an impact assessment at any time, the reasons for the delay should be entered into the Policy File.

18.3.3 THE COMMUNITY IMPACT ASSESSMENT FORM

A completed example of the form can be found at the end of this section. The CIA form consists of:

- Section A Consultation process;
- Section B Information on which the assessment is based;
- Section C Assessment of legislation;
- Section D Identification of specific risks;
- Section E Policing options;
- Section F Implementation plan.

The form follows a process advocated by ACPO’s National Community Tension Team. This team carries out CIAs for some of the more controversial policing operations, particularly counter-terrorism.
The impact assessment process has been amended to reflect the particular needs of each homicide investigation. It remains the case, however, that assessments are based on the views of an individual assessor or group of assessors. Officers in command of homicide incidents must recognise that assessments are not foolproof and assessors can only make judgements based on their experience, knowledge and the results of consultation. This is not a precise science.

18.3.3.1 Consultation Process (Section A)

Section A comprises a grid that records the internal and external consultation undertaken to complete the assessment. There may be some occasions when it is impracticable to consult widely when completing the first assessment. A further assessment must be completed after wider consultation has taken place.

The scope of consultation will vary according to the characteristics of the incident and local communities, and prior relations between the police and the community.

Consultation may include:

• Independent Advisory Groups;
• Gold groups (where an incident is judged to be critical);
• Consultation with community groups;
• Community officers;
• Police staff associations;
• Local people;
• Statutory bodies;
• National Community Tensions Team.

When consulting external agencies, the name of the individual and the organisation concerned must be recorded.

18.3.3.2 Information on which the Assessment is Based (Section B)

The SIO or other person in charge of the homicide incident must be aware of the extent of the information known to the person conducting the impact assessment. There may, however, be valid reasons why an assessor is not given all of the available information, eg, to protect sources or where details of the crime are withheld to assist the investigation. The assessor should, therefore, set out clearly what information has been used for an assessment. The person in charge of the incident then needs to take any additional information into account when deciding how to respond to the assessment.

18.3.3.3 Assessment of Legislation (Section C)

The Police Service has duties under various pieces of legislation, eg, the duty to promote good relations between racial groups contained in section 71 of the Race Relations (Amendment) Act 2000, Human Rights Act 1998, Disability Discrimination Act 2005 and the Equality Act 2006.

The assessment should identify how legislation might affect the investigation.
18.3.3.4 Identification of Specific Risks (Section D)

The assessment should identify a series of specific risks that will affect:

- Inter or intra-community tension;
- Police and community relations;
- Reputation of the Police Service, either locally, nationally or both.

The assessment identifies approximately seven risks. Substantially more or less than this number indicates that the assessment is at the wrong level.

Each risk is scored on the likelihood of it happening and the impact of this, should it happen. The scoring measures community impact – not the likelihood of a particular event happening, eg, the impact of an unsolved crime, not the likelihood of solving the crime.

The scoring is on a scale of one to five, where one is negligible and five is critical. The two scores of likelihood and impact are multiplied together to give a single figure rating of up to twenty-five.

Risks above eleven should have policing options for management, as should those where the impact is assessed at level five (critical).

18.3.3.5 Policing Options (Section E)

All risks scored above eleven and those with a rating of five (critical) on the impact index should have policing options identified for management.

The options for the most serious risks will usually also address the less serious risks. The most commonly used options are:

- Holding community meetings to inform local people of the progress of the investigation;
- Deploying high-visibility patrols in areas of high public fear;
- Establishing an intelligence cell where further incidents may happen;
- Monitoring hate crime and other indicators of community tension to enable rapid response to the possibility of disorder;
- Appointing an officer to deal with community issues.
18.3.3.6 Implementation Plan (Section F)

The implementation of the agreed plan is the responsibility of the BCU commander. The SIO should, however, discuss with the BCU commander the ways in which:

- The needs of the investigation can be met while minimising community tension;
- The BCU commander and the wider policing family can help the investigation.

In the planning phase there may be occasions where the BCU commander and the SIO have conflicting priorities. In cases where there is disagreement, advice must be sought from an officer of ACPO rank.

18.4 INDEPENDENT ADVISORY GROUPS

The discovery of a homicide usually has a significant impact on the community. This can include increasing feelings of vulnerability and inflame any existing tensions. To prevent a homicide investigation from escalating into a critical incident (see ACPO (forthcoming) Practice Advice on Critical Incident Management), SIOs must ensure that sensitivity towards local issues is built into every aspect of the investigative strategy.

The role of an Independent Advisory Group (IAG) in a homicide investigation is to review the investigative strategy and advise the SIO on relevant diversity issues which may impact upon, or be affected by, the crime itself and any subsequent police action. In addition to providing investigators with an understanding of community issues they may, in some instances, act as a conduit to the community to prevent rumour or misinformation from damaging the investigation and the police relationship with the community. SIOs should, however, exercise caution if attempting to use the IAG as a means of communicating with the community. IAG act as a voice for the community and the role of community members is to represent particular social groups to the police. Attempts to reverse this role and turn IAG members into police representatives within their own community may cause significant difficulties for the individuals concerned, and impact on their willingness to participate.

There is no definitive model of an IAG. By their very nature IAGs need to be flexible so that they can incorporate the needs of specific communities, policing environments and forces, or particular crimes. IAGs will, therefore, vary. This could be for example, in respect of membership, terms of reference, funding, chair arrangements and tenure. Differences in size, structure and demography, as well as their social, political and ethnic make-up, will all influence the ways in which forces may wish to use IAGs.
Despite the varied formation of IAGs, there are some basic principles common to all groups in all forces.

18.4.1 ESTABLISHING THE GROUP

In establishing the IAG, the SIO must resolve three main issues:

- Objectives;
- Recruitment and membership;
- Ownership.

Once the decision has been made to convene an IAG, the SIO must be explicit about their reasons for using one and what contribution they hope the group will make to the investigation. Clarity on the purpose of the group is essential to its success and will help to direct recruitment, contribute to the terms of reference and maintain the focus and momentum of the group’s discussions.

ACPO (2005) Independent Advisory Groups – A Guide cites the Metropolitan Police (MPS) network of IAGs as an example of good practice. The MPS established their first IAG in January 1999, followed by the Lesbian, Gay, Bisexual, Transgender Advisory Group in February 2000. They now have a network of IAGs at various levels and on different themes.

In addition to the IAGs established to critically appraise more general police policies and practices, the MPS Major Investigation Teams also convene case specific IAGs (locally referred to as Gold Groups) in response to specific homicides. These groups include a wide cross-section of individuals, broadening their membership beyond community representatives. Senior police officers are represented on these, including the SIO, SIO’s line manager, Borough (BCU) Commander, ACPO officer (or their delegate), a press officer and a FLO. In addition to community representatives, who may be drawn from force IAG members, groups usually include technical or forensic experts and media representatives. This diverse group of police officers, experts and community members helps to ensure that the group as a whole, and specific individuals, benefit from discussions which incorporate various, different perspectives.

While the MPS arrangement is comprehensive it is, inevitably, a derivative of the specific characteristics of that force. It is a good example of the application of the underlying principles of community involvement, but the precise characteristics of the MPS network may not translate well to other forces.
In addition to establishing the key objectives, the SIO must also consider the types of communities that should be reflected in the group and the levels of skills and aptitudes required for its members. Getting the processes right is important, but ultimately it will be the quality and commitment of the members of an IAG who will determine the group’s value and effectiveness. Members should be drawn from as diverse a range of groups as possible. This may include those that reflect characteristics (sexuality, gender, age, social, cultural and religious background) of the victim and any suspects. Communities from the geographical locality of any key crime scenes are also important additions to the group.

It is not sufficient to merely include members of the appropriate communities within the group: the right types of individuals must be recruited. In order for the group to add value to the investigation, its members must have the ability and the freedom to challenge the investigative process. Individuals also need to be able to articulate their views and concerns, even when what they wish to say may conflict with the views of other members of the group or police personnel. The group should also include members who are directly representative of the community, eg, who live or work there, and who have experienced being policed there. This will give a true insight into the impact of police activity on their community.

Members of the group must be independent of police interests and party politics. Elected members, such as local councillors, should be avoided (although they may be the police authority link). This is to avoid party politics influencing discussions and because elected representatives will already have their own channels for dialogue with the police.

The way in which members are recruited may impact on the impartiality and general effectiveness of the group. Different forces have adopted different recruitment methods. Some have invited known people from a range of different backgrounds while others have advertised through the local media. Selection processes also vary. They can be developed or organised by the force or police authority, or the services of independent recruitment and selection companies can be used.

Whatever method is chosen, the SIO in a particular investigation should maintain a distance between themselves and the recruitment process, and this should be independent at every stage. Openness and transparency are substantially increased if recruitment and selection can be conducted through independent channels.

In line with decisions on the recruitment process, the SIO also needs to establish who will have ownership of the group. The independence of the group needs to be maintained, and so, in terms of outcome, the group essentially owns itself. It needs an established source of funding, a supporting structure and administrative support, both during the recruitment process and throughout the life of the group. Forces, police authorities and IAGs themselves need to have a clear understanding of where the responsibility for funding and servicing lies, as well as understanding the lines of accountability.
18.4.2 MAINTAINING THE GROUP

Once the initial objectives, membership and ownership on an IAG have been established, the terms of reference must be negotiated between the SIO and the IAG members. There should be a clear understanding of what the investigation team requires from the IAG, prior to commencement. The terms of a constitution to deal with discipline, confidentiality and other requirements, for example, a media strategy, must be agreed by all concerned.

The introduction of the IAG needs to be dynamic and timely. A lengthy administration of this part of the process can lessen its impact and effectiveness. Such matters should, therefore, be agreed as early and as quickly as possible.

An IAG is essentially what the SIO and its members want it to be. It must reflect, and be responsive to local considerations. In whichever way it achieves this, it must provide an independent challenge to the investigative strategy. If the SIO and the investigation as a whole are to benefit from such consultation with community members, they need to be clear that the IAG has the scope and remit to challenge and comment on any actions which may impact on the community.

In order for the investigation to benefit from community engagement, the IAG should be given every opportunity to operate effectively. This includes being granted access to all the appropriate information. Furthermore, the SIO should anticipate that their strategies will be challenged by the IAG and make a commitment to the group to act on their advice.

There may be occasions when the SIO will wish to release information to the IAG that is not yet available to either the family or the media. The SIO needs to be mindful of the possible impact of this, particularly on the relationship between the police and the family of the deceased. In such instances, the reasons why this information has not been shared with the family should be made clear to the IAG.

Other agencies, in addition to the Police Service, benefit from using IAGs. Where such agencies or organisations have set up IAGs, there will undoubtedly be benefits from liaising with them. Nevertheless, if considering a wider criminal justice or partnership IAG, care must be taken to ensure focus is retained.

18.5 FURTHER READING

Before completing a community impact assessment, you should:

- Check to ensure that the information on which you will base the assessment is accurate.
- Consult affected communities.
- Seek advice from colleagues who may have specialist knowledge of affected communities or other aspects of the assessment process.

After completion you should deliver the assessment to the person in charge of the incident.
### Section A – Consultation Grid

<table>
<thead>
<tr>
<th>Name</th>
<th>Organisation/ Community</th>
<th>Date/Time</th>
<th>Info Given (bullet points)</th>
<th>Advice Received</th>
</tr>
</thead>
</table>
| Eric Edwards          | Chair of IAG                            | 1/4/01    | • Homicide at Grafton Avenue, WE4.  
• Victim not yet identified.  
• Being treated as murder.  
• Victim is a black man.  
• Circumstances suggest that victim may be gay.  
  - Additionally informed:  
    • Gay pornography found at scene.  
  - Not given further information about conditions at scene. | • Form Gold Group.  
• This is third incident of violence against gay people in this area in past two weeks – previous incidents not reported to police.  
• Great fear among gay community. |
| Jane Evans            | Runs Grafton Race Action Group          | 1/4/01    | Same as above                                                                            | • Far right groups have been meeting in a local pub, although there has been no directly linked trouble.  
• Muslim women report being harassed by groups of youths in the area. |
| Ron Broadhurst        | Head teacher at Grafton Comp.           | 1/4/01    | Same as above                                                                            | • There has been tension between rival groups at school over past weeks. Seems to be based on ethnicity. One incident involving knives – police were called. |
Section B – Information

Record all the information you know about the incident. It is important that those who read this assessment are aware of the basis on which it is made.

At 1pm on 1 April 2001 police were called to 44, Grafton Avenue, Westshire, WE4. A neighbour noticed the front door of the premises was open and there was no answer when he called into the house. On arrival police found a black man in an upstairs room. There was a significant quantity of blood and several apparent knife wounds. There were also a number of gay soft pornography magazines in the room.

The man had hands bound together with a belt.

A PM has not yet been held, but the incident is being dealt with as a murder enquiry.

Background Information

The area is adjacent to a park. Local residents have complained that the area has been used by young men ‘cruising’ to find men sexual partners. There is a pub at the junction of Grafton Avenue and High Street that is used by gay men.

A search of intelligence and crime indices shows that no recent crimes in the area were apparently homophobic or flagged as such. However, in carrying out consultation for this assessment, information was received suggesting two unreported recent previous incidents of violence against gay men.

The area is multi-racial, the most recent census showing high levels of white, Asian and black communities. There is also a small Chinese community within two hundred yards of the scene of the homicide.

A right wing group ‘Grafton Whites for Grafton Rights’ meets at the Grafton Arms. This group has a small membership – recently assessed by Westshire Intelligence Unit as being five core members with between seven and ten less active members. There are no reports of trouble involving these individuals.

A check of intelligence and crime indices does not reveal any racist or faith hate incidents in the last four weeks.

The local school has reported groups of youths fighting with each other both inside and outside the precincts of the school. These groups seem to be formed along ethnic grounds. No allegations of crime have been made, but the local neighbourhood team has been working closely with the school and there do not appear to have been any recent incidents.

The local BCU has a vibrant Independent Advisory Group and this is assessed to increase confidence of local people in the police.
Section C – Legislation


RRAA imposes duties on the police, the most relevant being the requirement to promote good relations between racial groups.

It is too early at this stage to assess whether RRAA will impact on this investigation. A further RRAA assessment should be carried out as the investigation uncovers information about the crime.

There are no HRA issues apparent at present. The investigation may need to examine the private lives of the victim, any suspect(s) and people connected to victim or suspect. Once it is apparent that this is a line of enquiry, a further assessment will be necessary to consider the right to private life.

Section D – Specific Risks

Identify risks to community tranquillity, police/community relations and/or police reputation. Assess the risks for their likelihood of community impact and the level of impact.

The person compiling this assessment may find it helpful to use the PPPLEM model to ensure breadth of thought – Police/community, Political, Physical, Legal, Environmental, Moral.

Likelihood and impact gradings are on a scale of 1 – 5 (1 – negligible, 2 – low, 3 – moderate, 4 – high, 5 – almost certain/critical).

Risk 1
Gay men will feel scared because they will feel vulnerable to violent attack
Likelihood – 5 (almost certain)  Impact – 4 (high)  = 20

Risk 2
Minority ethnic communities will feel scared because they will feel vulnerable to violent attack.
Likelihood – 4 (high)  Impact 4 (high)  = 16

Risk 3
People living in the area will feel scared because they will feel vulnerable to violent attack.
Likelihood – 4 (high)  Impact 4 (high)  = 16

Risk 4
Police Service will receive little help in the investigation because of long-standing mistrust of police from BME and gay communities.
Likelihood – 3 (moderate)  Impact 4 (high)  = 12

Risk 5
The nature of the crime will attract high levels of local and national media coverage, causing irritation and anger in local communities.
Likelihood – 2 (low)  Impact 4 (high)  = 8
**Section E – Policing Options**

<table>
<thead>
<tr>
<th>Policing Option</th>
<th>Risk(s) Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form Gold Group or other high-level incident management forum, chaired by high ranking incident commander (possibly ACPO). Invite:   • Local community representative;   • Representative from gay community;   • Representative on race issues.</td>
<td>1, 2, 3, 4</td>
</tr>
<tr>
<td>Involve force press department to devise communication strategy. Strategy to address communication needs of:   • Gay community, including lesbians, gay men and bisexuals;   • Minority ethnic communities;   • Local people.</td>
<td>All</td>
</tr>
<tr>
<td><strong>After consultation,</strong> consider high-visibility patrols to reassure people using the Grafton area.</td>
<td>1, 2, 3, 4</td>
</tr>
<tr>
<td>Consider the impact of:   • Witness appeals;   • Release of information about the investigation;   • Suspect photos/E-FITS. To ensure that they do not increase fear unnecessarily.</td>
<td>1, 2, 3, 4</td>
</tr>
<tr>
<td>Offer press briefing and filming opportunities at specific TIES and places.</td>
<td>4</td>
</tr>
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</table>

**Section F – Implementation Plan**

Record actions to take to implement community impact management plan. Date and time each entry.

1/4/01 9pm

I have called a Gold Group meeting for tomorrow morning at 10 am. Representatives from all groups identified in the options section have been invited and have agreed to attend.

I have formed a draft communications strategy with Press Department to manage immediate press issues. This strategy will be refined after the Gold Group meeting – it is a specific agenda item.

At this stage, consultation has suggested no need for high-visibility policing, particularly as forensic examination at the scene continues and police officers are deployed for scene security.

This impact assessment will be updated after the Gold Group tomorrow, or earlier if required.

Ch Supt A N Other
## Administration

**Officer Commissioning Assessment**

<table>
<thead>
<tr>
<th>Name</th>
<th>Date/Time</th>
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<td>Chief Supt A N Other</td>
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**Officer Completing Assessment**

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<tr>
<td>PC D Smith</td>
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**Assessment Delivered To**

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</tr>
</thead>
<tbody>
<tr>
<td>BCU Commander, Ch Supt A N Other</td>
<td>1/4/01 9pm</td>
</tr>
</tbody>
</table>
Section 19
ELIMINATION ENQUIRIES

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19.1 INTRODUCTION

Enquiries are usually appropriately focused from the outset of an investigation because a suspect is identified during the initial response phase. Where this is not the case, or where there is some doubt that the person named is really a suspect, SIOs are faced with a situation where TIE groups could include the offender.

Elimination enquiries provide SIOs with a method of identifying the types of groups that may contain the offender (known as TIE categories). These categories have to be populated and individuals within them have to be prioritised for enquiries to eliminate them against a set of criteria.

A TIE strategy can be very resource intensive and, unless managed effectively, can incorrectly eliminate the offender. Investigators who are not familiar with this investigative technique should, therefore, seek the assistance of more experienced colleagues.

Trace Interview Eliminate (TIE)

This is the abbreviated instruction given to officers in an action to carry out elimination enquiries.

Being in a TIE category does not mean that individuals are suspected of the crime, merely that the group is one which, in theory at least, could contain the offender.

Following enquiries, TIE subjects should be regarded as being either eliminated or un-eliminated from the TIE category, not as being eliminated or un-eliminated as the offender.

19.2 RELATED SECTIONS

Other sections that are relevant to elimination enquiries include:

- 15 Witness Management;
- 16 Family Liaison;
- 20 Suspect Management.
19.3 DEVELOPING A TIE STRATEGY

19.3.1 CONSTRUCTING TIE CATEGORIES

A TIE category is constructed around a group of people who share a common characteristic, and which may also include the offender. The common characteristic on which a group is based depends on the circumstances of the crime. TIE categories are typically based on those:

- With access to the scene at the time of the offence;
- In the vicinity of the scene at the time of the offence;
- Living in, or associated with, a certain geographical area or relevant premises;
- Related to or associated with the victim;
- With previous convictions for similar offences (sometimes known as MO suspects);
- With physical characteristics similar to the offender;
- With access to certain types of vehicle.

This is not an exhaustive list and the more that is known about the circumstances of the crime, the greater the chance of constructing accurate TIE categories.

In cases where it is unclear what has occurred, it is a good practice to create TIE categories such as ‘those related to the victim’ and ‘those associated with the victim’, even where it seems highly unlikely that the people in these groups are involved. Eliminating the victim’s relatives and associates at the same time as interviewing them about the victim’s lifestyle and movements is a way of ensuring, at an early stage, that those most closely associated with the victim are not involved in the offence. Clearly, SIOs need to exercise judgement as to when this is appropriate, but experience suggests that if family and associates are going to be subject to elimination enquiries, this is best done in the early stages of the investigation. At this time, they are likely to be seen as routine and less likely to cause offence, provided they are carried out with sensitivity. If they are carried out later in the investigation, after other enquiries have failed to identify a suspect, they are much more likely to be seen as intrusive and could cause tension in the relationship between the police and the family.

As more material becomes available, SIOs can reassess the validity of the TIE categories and, where appropriate, downgrade them to simply Trace and Interview (TI).
19.4 IMPLEMENTING A TIE CATEGORY

19.4.1 POPULATING A TIE CATEGORY

Having decided which groups may include the offender, investigators must identify as many of the members of the group as possible. In some cases the members of the group will be known with some degree of certainty. For example, a check of company records will identify all employees and could be used to accurately populate the TIE category of ‘those employed in the <named> premises’. In other cases the exact membership of the group may be difficult to determine, for example, a TIE category for ‘those visiting a <named> premises’. This will depend on the type of premises, the number of persons visiting, the number of access points, and the existence of witnesses or passive data generators such as CCTV cameras. The following are useful ways of populating TIE categories:

- Official records, such as membership lists, payrolls, electoral registers;
- Police intelligence databases;
- Media appeals;
- Snowballing – this technique involves interviewing known members of a TIE category to identify other members of the group. Like a snowball rolling down hill, this technique can start from a single point and gather additional material as it goes.

Those placed in a TIE category are known as TIE subjects.

19.4.2 PRIORITISING WITHIN TIE CATEGORIES

Sometimes the population of a TIE category is very large and it is not possible to carry out enquiries on each subject. SIOs may want to prioritise people in the group to identify those who are more likely to be the offender. In some cases it is possible to apply a number of filters to the category according to the priorities chosen by the SIO. These filters could include:

- Proximity to the scene;
- Date of last conviction of MO suspects;
- Age (where the age of the suspect is not known, investigators may wish to prioritise those who fall within the most likely age range of offenders for that category of crime);
- Sex (where the sex of the offender is not known, investigators may wish to prioritise those people who are of the sex which is most likely to have committed the crime).

SIOs are likely to have only limited material from the investigation and prioritisation is, by its very nature, an inexact discipline. To make their decisions, SIOs should use the material they do have to maximum effect by consulting behavioural scientists, geographic profilers and other relevant specialists, together with their management and enquiry teams.
19.4.3 SETTING ELIMINATION CRITERIA

SIOs need to establish the criteria by which they are prepared to eliminate members from the TIE category. The HOLMES database uses a six point code to do this.

1. Forensic elimination – where forensic material or a fingerprint which can uniquely link an offender with the offence is available, the relevant samples are obtained from TIE subjects for comparison against it. This method can provide definitive evidence which eliminates the individual from the enquiry. A TIE subject can only be considered as eliminated if it can be shown with certainty that the forensic material or fingerprint must have been left by the offender and that no other person was involved. Where the offence has been planned, the offender may well have taken precautions to avoid leaving such evidence at the scene. In such cases, the absence of such an evidential link does not confirm that the TIE subject was not involved.

2. Description – where witnesses have provided a description of offenders or where there is other material, such as CCTV images, SIOs may be able to define appropriate suspect parameters which enable those who fall outside of them to be correctly eliminated. Characteristics that can be used to define the suspect parameters include:
   - Sex;
   - Age;
   - Physical characteristics;
   - Ownership of, or access to, a particular make or colour of vehicle;
   - Ownership of, or access to, particular clothing.

   The value of these characteristics varies, for example, knowing only the sex of the offender is of limited assistance, although it still eliminates half the population. Investigators should always consider setting parameters wider than those suggested by the material to allow for a margin of error in descriptions given by victims or witnesses.

3. Alibi provided by an independent witness – in the absence of forensic evidence or a description, some TIE subjects can be eliminated through alibi enquiries. Alibi enquiries establish that a subject was not available to commit the offence because the person was in another location during the time that it was committed. The degree of reliance that can be placed on alibi elimination depends on the credibility of the person providing the alibi. The HOLMES elimination criteria distinguishes between alibi witnesses who are independent of the nominal, those who are associated with them in some way and those who are in an intimate relationship with them. Clearly, the value of alibi enquiries depends, to a large extent, on knowing with some certainty the location of the homicide and the times during which it occurred. If SIOs are unable to set reasonably tight locations and alibi times, then it is likely that a great many TIE subjects will remain un-eliminated.
Setting accurate time parameters is an essential element of alibi enquiries. Where the exact time is not known, investigators should set the time parameters between the earliest time at which the crime could have been committed and the latest time.

4. Alibi provided by an associate or relative – see point 3.

5. Alibi provided by a spouse or common-law relationship – see point 3.

6. Not eliminated – where it is not possible to eliminate someone using the criteria described in points 1 to 5, they must be recorded on the HOLMES or the Paper System as un-eliminated. This does not mean that they are a suspect in the case. Where the elimination criteria are broad, it is likely that fewer TIE subjects will be eliminated than where they are more narrowly defined.

This is a tried and tested coding system and SIOs should use it whenever they are carrying out TIE enquires.

It is considered good practice for SIOs to decide which level of elimination they will accept prior to the commencement of TIE enquiries. This will depend on the material that is available, but if, for example, a forensic sample is available, everyone should be eliminated to that criterion. The same applies to a description. In the case of the three alibi criteria shown at points 3 to 5, it is best to achieve the highest criterion, i.e., an independent witness, but where this is not possible, to accept an alibi from an associate or spouse. The criteria should be set prior to commencing enquiries so that enquiry officers are clear about the task they have to achieve. The danger of not setting as high a criteria as possible is that enquiry officers may be tempted to settle for a lower criterion than could be achieved, simply because it saves time.

An important principle of TIE strategies is that any elimination is always provisional and should be rigorously tested against the material to hand and against new material as it becomes available. TIE subjects should be regarded as being either eliminated or un-eliminated from the TIE category, not as being eliminated or un-eliminated as the offender. For example, someone who has been eliminated against criterion 5, an alibi supported by a spouse, can always be re-examined if new material comes to light which allows a forensic elimination criterion to be set.

19.4.4 ELIMINATION ENQUIRIES

The term Trace Interview and Eliminate is an abbreviation for a longer instruction from the SIO to the enquiry officers. It means trace the person named in the action, interview them to ascertain what they know about the incident and eliminate them against the criterion set by the SIO.

The trace element of this instruction will be more or less difficult depending on the level of information that is available about the nominal. SIOs should consider providing resources in the MIR to research each TIE subject prior to allocation so that enquiry officers have the maximum amount of background information on which to base their enquiries.
The interview element requires enquiry officers to gather material from the TIE subject. The nature of the material sought should depend on the unique circumstances of the case and be subject to specific briefing by the outside enquiries manager, following consultation with the SIO.

When carrying out TIE enquiries, investigators should be aware that the subjects of a TIE category may also be potential witnesses. This is particularly so where they were present at the scene or where they are in a group who may know the victim or offender.

Each subject in a TIE category should be interviewed using the PEACE framework of investigative interviewing to gather material that is of interest to the investigation.

The third part of the TIE category requires officers to apply the elimination criteria. Although there is nothing inherently difficult in this, officers who have been seconded to the enquiry from divisional duties may have limited experience of carrying out this type of elimination enquiry. This is because they rarely feature outside homicide and major incident investigations. SIOs should ensure that the outside enquiry manager has procedures in place to ensure that officers know how to carry out such enquiries, and that they are subject to quality control procedures. It is not unknown for offenders to persuade others to provide forensic samples or fingerprints for them, or to provide them with false alibis. The best safeguard against this happening is to ensure the thoroughness of the elimination procedures and the quality of enquiries made by officers.

### 19.4.5 MANAGING UN-ELIMINATED TIE SUBJECTS

It is likely that at least some TIE subjects will be eliminated from the investigation. This will enable decisions to be made about how to progress enquiries in relation to those who are un-eliminated. The way in which this is done will depend on the unique circumstances of the case and the material available. Simply re-issuing the action with a vague instruction to ‘continue enquiries’ is unlikely to improve the situation or to contribute to the morale of enquiry officers. SIOs should, therefore, have a clear policy of how they wish to proceed. Where there are a large number of un-eliminated TIE subjects in a particular category, it may be necessary to accept that little can be done until more material is gathered. In these circumstances it may be more productive to put resources into locating and gathering material rather than to continue to focus on individuals. Where there are a smaller number of un-eliminated TIE subjects, it may be possible to carry out further research into them, or to raise actions to implicate or clear them by more intrusive investigative methods such as searches of property, surveillance, interview or identification enquiries.

### 19.5 INTELLIGENCE-LED MASS SCREENING ENQUIRES

Intelligence-led mass screening involves taking DNA samples or fingerprints from a selected part of the population and submitting those samples to the force forensic provider. This attempts to match a sample found at the scene of a crime to a member of the population.
Such enquiries can be long-running and expensive, both in terms of human and financial resources. It is, therefore, essential that the SIO carefully consider whether they are likely to yield benefits for the investigation. The use of this technique should be restricted to when more routine enquiries are yielding little or no information, or are proving more costly and time consuming than conducting a screen.

In addition, there are three issues that the SIO must bear in mind when considering the appropriateness of an intelligence-led screen:

- The quality of the DNA profile or fingerprint;
- The probability of the DNA stain or fingerprint belonging to the offender;
- The probability of the offender being included within the population sampled.


19.5.1 DEVELOPING THE INTELLIGENCE-LED MASS SCREENING STRATEGY

The purpose of an intelligence-led mass screen is to match a DNA profile or fingerprint to a particular person. In developing an appropriate strategy the SIO will need to consider the following:

- The geographic area where the offender is believed to be located;
- The nature of the population in the area, in terms of density and transience;
- Prioritisation of the locations or persons within that community;
- A community impact programme, developed in collaboration with the local commander;
- A media strategy for before, during and after the screening process;
- The point in the investigation where a screening strategy should be implemented;
- The management of the outcome of the process, including
  - storage and transportation of swabs
  - management of swab analysis
  - implementation of the arrest strategy in the event of an arrest being made during the screening process
  - policy for dealing with nominals who refuse to provide a sample or who have died since the commission of the crime.

In the case of DNA screens, the type of analysis carried out on collected swabs should be discussed with forensic Specialist Advisers. In some investigations it may be appropriate to include familial DNA searches and partial stain comparisons. For further guidance on the use of familial DNA, see Home Office (2006) Tactical Advice – Using Familial DNA Intelligence Products in Serious Crime Investigations.

The SIO will need to consult Specialist Advisers to prioritise the samples gathered. A matrix of factors such as the physical characteristics of the donor and geographical location may be of assistance. For an example of a Prioritisation Matrix for intelligence-led DNA screening, see ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP).
In most cases the SIO will start to devise their intelligence-led screening strategy some time prior to its implementation. As the investigation develops, so the SIO must review the conditions that need to be met and the enquiries which should be completed before a costly screening process becomes necessary.

Where the target population is transient, for example, it is at a camp site or in student accommodation, the SIO must consider how to capture an accurate picture of the people who were resident in the area at the material time. Swab teams may need to question local residents about those persons or communities who have since moved from the area. The SIO must also consider how they will deal with previous residents, the circumstances under which they will wish to trace them, how this will be prioritised, and how such a search will be resourced.

19.5.2 IMPLEMENTING THE INTELLIGENCE-LED SCREENING STRATEGY

19.5.2.1 Resources

The resource requirement for an intelligence-led mass screening will be determined by the parameters set by the strategy. In order to ensure smooth delivery, specific roles must be designated to individual officers. These roles are described in 19.5.2.1.1 to 19.5.2.2. They are also given in detail in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP).

19.5.2.1.1 Screen Manager

This officer will be responsible for ensuring delivery of the intelligence-led mass screening strategy. The screen manager should be appointed prior to the implementation of this strategy in order to assist the SIO in gathering relevant information. Their expertise may also be used in developing the final strategy.

19.5.2.1.2 Swab Exhibit Officer

This officer will manage the logistical issues of storage and transportation of swabs. This may need to be a dedicated role in investigations where large numbers of swabs are generated by the screening process.

19.5.2.1.3 Specialist Adviser Liaison Officer

The Specialist Adviser liaison officer should be nominated at an early stage. They will be the twenty-four-hour point of contact for the forensic service provider and should liaise with them at all stages of the enquiry. They must also be available for urgent communications.

19.5.2.1.4 Swab Managers in Other Forces

Another force’s swab manager may be required to manage and collate all swab requests sent to other forces.
19.5.2.2 Specialist Advisers

Specialist Advisers play a significant role in the development and implementation of the intelligence-led mass screening strategy. Advice from experienced professionals such as BIAs, geographic profilers and forensic Specialist Advisers, should be sought by the SIO as soon as possible. Guidance from such specialists will be particularly useful in assisting the SIO during the planning stage to ensure that the parameters for the screen are set in such a way as to maximise the benefit for the investigation.

19.5.2.3 Financial Considerations

Intelligence-led mass screening carries a significant financial burden for the investigation. The SIO should, therefore, ensure that their budget is sufficient to complete the process prior to initiation. The ACPO lead should be consulted at an early stage in the planning process to discuss budgetary and community issues.

19.6 FURTHER READING


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SUSPECT MANAGEMENT

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20.1 INTRODUCTION

The identification and subsequent management of suspects is essential to the success of any homicide investigation. Suspect management consists of three interdependent strategies:

- Identification;
- Arrest;
- Interviewing.

Contingency plans should be put in place at the earliest opportunity in respect of each of these strategies. The preparation of these plans should not be routinely left until a suspect is about to be arrested.

This section sets out the strategic issues that need to be considered when developing each of these strategies.

20.2 RELATED SECTIONS

Other sections relevant when considering suspect management are:

- 15 Witness Management;
- 16 Family Liaison.

20.3 SUSPECT IDENTIFICATION STRATEGIES

The identification of an offender is often the turning point in a homicide investigation. When identification is an issue, the identification evidence must be secured in a manner that will stand scrutiny in court. SIOs must, therefore, ensure that the rules governing identification procedures are fully complied with. In formulating an identification strategy, SIOs must make sure that those involved follow the guidance set out in the ACPO/ACPOS (2003) National Working Practices on Facial Imaging and Code D of the PACE Codes of Practice.

20.3.1 DEVELOPING A SUSPECT IDENTIFICATION STRATEGY

Given the importance of identification evidence, whenever an SIO is in doubt, they should obtain advice from the CPS as part of an identification strategy.

The main strategic issues involved in an identification strategy are:

- Initial description of a suspect;
- Identification where the suspect is not known;
- Identification where the suspect is known;
- Showing films and photographs of incidents;
- The existence of an E-FIT or artist’s impression;
- Examinations and taking photographs to establish the identity of suspects detained at police stations;
- Photographing suspects detained at police stations and elsewhere;
- Voice identification.
20.3.2 IMPLEMENTING A SUSPECT IDENTIFICATION STRATEGY

These processes are covered in PACE Codes of Practice Code (D) and the ACPO/ACPOS (2003) National Working Practices on Facial Imaging. SIOs should follow the additional guidance given here when considering voice identification.

- Voice identification should **not** be regarded as proof of identity in its own right, but can be used to provide additional evidence against a suspect.
- Carry out the identification as soon after the offence as possible.
- If the suspect consents, attempt to replicate words spoken at the time of the offence.
- If the suspect does not consent, use a previous tape-recorded interview (if available), preferably one from which ‘no action’ was taken.
- Choose a small extract of speech and transcribe the passage.
- Invite volunteers from the community who have a similar accent or dialect, to a recording session.
- Record the volunteers using the words spoken by the suspect in a similar context (eg in conversation, rather than reading a prepared statement).
- Use different tapes for each volunteer.
- Listen to the pitch of the volunteers’ voices and identify those who have a lower, similar and higher pitch to the suspect.
- Involve a linguistics expert at an early stage to advise and provide assistance in conducting these procedures. (A list of such experts is available from the NCPE Opsline, telephone 0870 241 5641.)

20.4 ARREST STRATEGIES

Depriving a person of their liberty is always a significant decision, particularly in the case of murder. Making such a decision without careful consideration and planning will have serious implications for the investigation. The SIO must, therefore, have a properly considered arrest strategy, and this should be reflected in the Policy File.

20.4.1 DEVELOPING AN ARREST STRATEGY

The main strategic issues involved in developing an arrest strategy are:

- Power of arrest;
- Searches;
- Timing of arrest and the research that underpins this.

20.4.1.1 Power of Arrest

Arrests in homicide investigations are likely to take place in the glare of publicity. In an increasingly litigious society, errors are likely to erode public confidence in the Police Service. They are also likely to have serious financial ramifications for individual forces. SIOs must, therefore, be in a position to justify the reasons for an arrest.
The relevant legislative considerations for SIOs are set out in section 24 of the Police and Criminal Evidence Act (PACE) 1984, as substituted by section 110 of the Serious and Organised Crime and Police Act 2005 and Code G of the PACE Codes of Practice. It is incumbent on individual officers to research the full text of the legislation and supporting codes.

20.4.1.2 Searches

Depending on the circumstances of the proposed arrest, SIOs must ensure that arresting officers are not only aware of the powers available to them to enter, search and seize evidence, but also where the necessary legal authorities can be obtained.

20.4.1.3 Timing of Arrest and Underpinning Research

The way in which the identity of a suspect is discovered has an impact on how and when an arrest should be made. Ideally, an arrest should not take place until the suspect has been fully researched. There will, however, be circumstances where an immediate arrest is necessary and the ability to research a suspect will be limited.

Research should try to establish or find:

- A description of the suspect;
- A recent photograph of the suspect;
- The likelihood of the suspect being violent;
- Whether the suspect has got access to firearms and/or is likely to use them;
- The suspect's previous criminal history, convictions and MO;
- Any intelligence to suggest that the suspect may have committed other offences;
- Any other evidence of 'bad character';
- The suspect's lifestyle, associates and places frequented;
- What other premises the suspect has access to;
- What vehicles the suspect has access to and their pattern of movements through ANPR data;
- Detailed plans of any premises in which the arrest is likely to take place;
- The history of any premises in which the arrest is likely to take place (e.g., previous search warrants, knowledge of other occupants);
- The details of telephones within premises;
- The likely impact on the community.

20.4.2 IMPLEMENTING AN ARREST STRATEGY

The main strategic issues involved in implementing an arrest strategy are:

- Planning an arrest;
- Pre-arrest briefings;
- Custody processes.
20.4.2.1 Planning an Arrest

Careful planning and preparation before an arrest is likely to result in a well-executed operation. If circumstances arise that merit a rapid police response the plan may need to be modified and adapted, but it should not be totally ignored. While the particular planning issues in any given case will depend on the circumstances involved, an arrest plan will invariably centre on three issues:

- Risk;
- Resources;
- Logistics.

Risk

The SIO has a legal obligation (under Health and Safety regulations) to consider the safety of officers involved in an arrest, and also the safety of the public. This means conducting a risk assessment. If the circumstances of the offence under investigation, or intelligence, suggests that the suspect might have access to a firearm, serious consideration must be given to deploying armed officers in the arrest. In such a situation, suitable plans should be drawn up according to individual force policies, and in consultation with both an ACPO officer and a tactical firearms officer. If intelligence suggests the suspect is likely to be violent, contingency plans should be developed accordingly, including providing arresting officers with protective equipment and clothing.

Resources

- Officers to take part in the arrest
  – where there is more than one suspect, different arrest teams for each suspect
    (particularly where there is a risk of forensic contamination)
  – in the case of multiple arrests, consider an arrest coordinator.

- An exhibits officer and CSI for each arrest location.

- Transport.

- An ‘appropriate adult’ where the suspect is a juvenile or otherwise suspected to be vulnerable.

- An interpreter, where necessary.

- An officer to guard the scene after arrest, where necessary.

- Officers necessary to manage other people likely to be present.

- Specialist equipment to force entry to premises if entry is likely to be refused.

- Video-recording equipment for the arrest and subsequent search, when it is considered useful.
Logistics

- Identifying when a suspect is in a given place (e.g., their home address) using surveillance;
- How the arrests will be coordinated where there is more than one suspect involved (including whether they are to be held at the same or different police stations);
- Alerting the custody officer to likely arrest(s);
- Obtaining authority for searches and samples.

20.4.2.2 Pre-Arrest Briefings

Officers who will be involved in the arrests should be thoroughly briefed beforehand. Each officer should be made fully aware of their role in the operation and the following points must be addressed:

- Summary of crime under investigation and the role the suspect is believed to have played in it;
- Full details of suspect, including known antecedent history;
- The likelihood of the suspect being violent, including access to weapons, and the steps to take to manage the risk (e.g., deployment of firearms officers, use of shields, protective clothing);
- Detailed description of suspect;
- Provision of a recent photograph of suspect;
- Details of anybody else likely to be in any premises or vehicle where the suspect is going to be arrested, and what is known of their antecedent history, including any propensity towards violence and access to weapons;
- The grounds for suspecting that the suspect has committed an offence;
- The criteria that have made an arrest necessary;
- Location, time of arrest;
- The information to be given to the suspect on arrest, namely
  – that they have been deprived of their liberty
  – the nature of the offence (e.g., murder)
  – where and when the offence was committed
  – the criterion or criteria making the arrest necessary (e.g., for the prompt and effective investigation of the offence)
- Instructions regarding the use of handcuffs;
- Instructions regarding recording significant statements, and the importance of not questioning the suspect any further unless there are imminent threats to life or property;
- Instructions regarding requests for solicitors;
- Instructions regarding requests to contact persons prior to arrival at the police station;
- Instructions regarding the need to make a record of anybody else in the premises or at the scene where an arrest is effected, and the importance of considering them as potential witnesses in the case;
- Instructions regarding the search of premises where the suspect is when arrested or premises that are occupied or controlled by the suspect;
- Issues arising from the forensic strategy impacting on the arrest, any subsequent search and transport to a police station;
- The details of any property, clothing or material relevant to investigation;
• The legal authority for any search;
• The details of any vehicle which the suspect has access to, and the need to preserve it as a scene;
• The police station to which the suspect is to be taken;
• Instructions regarding searching police vehicles in which the suspect travels.

20.4.2.3 Custody Processes

Once in custody, a suspect’s detention is controlled by section 30 of PACE. Efficient PACE time management should be of the utmost concern to SIOs, and consideration may be given to appointing a dedicated PACE officer to assist in this regard.

Reception

On arrival at the police station, the custody officer will record the information and actions required by Code C of PACE on a custody record. The implications of the following aspects of Code C of PACE on the interview strategy should be considered when briefing the custody officer:

• The code requires that the grounds for the suspect’s arrest be recorded on the custody record, but not all the information implicating the suspect in the offence;
• The suspect’s legal representative has the right to see the custody record as soon as practicable after their arrival at the police station.

In addition to the requirements of PACE Code C, early consideration should be given to the following:

• Obtaining intimate and non-intimate samples;
• Examination by a police surgeon;
• Noting and photographing any injuries on the suspect;
• Taking full-length frontal and profile photographs to show the general appearance of suspect;
• Seizing clothing and footwear;
• Obtaining fingerprints.

It is important that the officers involved in the arrest are debriefed at the earliest opportunity. Details of any comments made by the suspect, particularly significant statements, must be noted. Statements should be made by the officers immediately after debrief and before the officer goes off duty. Any relevant information from the debriefing should be communicated to officers involved in any subsequent search of premises, and in the interview of the suspect.

Warrants of Further Detention

SIOs should anticipate the need to make an application to a magistrates’ court for a warrant of further detention and they must be fully aware of the requirements of sections 43 and 44 of PACE. The decision to make such an application should not be left until the last moment. In particular, the need to notify a magistrate’s clerk is essential so that a court and magistrate can be made available.
The interview team or interview adviser should be given the opportunity to comment on applications for warrants of further detention before they are submitted because of their potential impact on the interview strategy. (See 20.5 Suspect Interview Strategies).

Wherever possible, either the SIO or the D/SIO should attend the application because, with their overall understanding of the investigation, they may be required to answer questions to the satisfaction of the court. SIOs should ensure that a written record of questions asked by the defence is maintained as these may indicate knowledge of an offence that only the offender would have.

Where appointed, the dedicated PACE officer can prepare the paperwork to support an application for a warrant of further detention. They should notify the defence and the court of this and also keep the custody officer informed.

The SIO or the PACE officer should prepare a schedule detailing a suspect’s custody to demonstrate that the investigation has been carried out diligently and expeditiously. It can also be used to identify periods when the time available for direct contact with the suspect has been curtailed (eg, rest periods and consultation with legal advisers).

### 20.5 Suspect Interview Strategies

Since information from suspects is vital to any investigation, SIOs should not simply nominate interviewers and then stand back from the planning and management of the interview process. Wherever practical, a suspect interview strategy should be developed at an early stage in the investigation in preparation for the identification and arrest of a suspect. SIOs should be influential in developing the strategy and must play an active role in its implementation.

#### 20.5.1 Developing a Suspect Interview Strategy

The main strategic issues involved in developing a suspect interview strategy are:

- Selecting interviewers;
- Briefing interviewers.

In complex cases, SIOs can appoint an interview adviser to assist them with the development and implementation of the suspect interview strategy. The same interview adviser or, in complex cases, a different adviser can be used to assist with witness interview strategies, see 15 Witness Management.

#### 20.5.1.1 Selecting Interviewers

The selection of an interview team is an important first step. A team of two officers is usually regarded as ideal. Whenever possible, there should be a different interview team for each suspect. Officers selected as interviewers should be competent to the appropriate tier of the ACPO (2004) National Investigative Interviewing Strategy.
The following should be considered when SIOs select interviewers.

- The experience of the officers in interviewing suspects in homicide investigations, and any other skills they possess that could be useful in the circumstances.

- The suitability of the officers to undertake the interview. This should include some consideration of welfare issues and whether any previous experience that the officer has with the suspect is likely to either facilitate rapport building or to adversely affect the overall interview process.

- Appointing reserve officers in the event of sickness or other unforeseen abstractions.

### 20.5.1.2 Briefing Interviewers

Interviewing officers should be informed of their role at an early stage and given the opportunity to fully plan and prepare for the interview.

The briefing should give guidance on the following matters.

- The nature of the allegation.

- Anything known about the suspect including:

  - previous involvement with police;
  - whether an interpreter or an appropriate adult are required;

- Location of the interview and any recording equipment that may be needed. (Where possible, consideration should be given to visually recording interviews with suspects in homicide investigations in accordance with PACE Code F.)

- The aims and objectives of the interview.

- Planning and structuring the interview.

- Points to be covered during the interview, including:

  - points to prove;
  - exhibits to be identified;
  - any information that might lead to the identification of new witnesses, eg, where has the suspect been and who they told?

- Pre-interview briefing for legal advisers:

  - what is to be included and why;
  - what is not to be included and why;
  - how what has not been included is to be handled (method and timing of introduction into the interview).

- Dealing with significant statements.

- Use and timing of special warnings.

- Dealing with prepared statements.

- Dealing with evidence of bad character.

- Means of contacting the SIO in the event of any urgent actions arising from the interview.
When planning and preparing for an interview with a suspect interviewers should have easy access to the SIO so that any issues that might arise during this stage of the process can be addressed.

### 20.5.2 IMPLEMENTING A SUSPECT INTERVIEW STRATEGY

The main strategic issues involved in implementing a suspect interview strategy are:

- Managing the interview;
- Debriefing the interviewers.

#### 20.5.2.1 Managing the Interview

Interviews conducted with suspects should take place within the PEACE framework. The most common method of interviewing is one of conversation management (see ACPO (2004) Practical Guide to Investigative Interviewing).

SIOs must play an active role in supporting the interview. Interviewers should never be abandoned.

Ideally, the SIO should be in close proximity to the location of the interview so that decisions about any significant developments that occur can be readily made. In any event, interviewers should have access to the SIO at all times during the course of the interview. The potential benefits of remotely monitoring an interview should be considered where the facilities exist (Home Office Circular 50/1995 Remote Monitoring of Interviews with Suspects should be taken into account where remote monitoring is used.)

#### 20.5.2.2 Debriefing Interviewers

Interviewers should be debriefed as soon as possible to establish:

- What information has been obtained;
- How the account given fits in with other available evidence;
- Whether any action needs to be taken;
- What further enquiries need to be made.
20.6 INTERVIEW ADVISERS

In complex cases, consideration should be given to appointing an interview adviser as described in Tier 5 of *ACPO (2004) National Investigative Interviewing Strategy*, at the earliest opportunity.

The role of an interview adviser includes assisting the SIO in:

- Formulating, applying and maintaining an ethical interview strategy;
- Debriefing the first officers at the scene;
- Pre-interview analysis of relevant documents (e.g., video interviews with vulnerable or significant witnesses, MG11s);
- Coordinating and prioritising interviews where multiple suspects are involved;
- Considering the impact of the arrest strategy on the interview;
- Considering the impact of the forensic strategy on the interview;
- Identifying and liaising with interpreters and expert advisers, as appropriate;
- Deciding on the method of recording;
- Identifying the necessary facilities and equipment;
- Identifying PACE issues that are likely to have an impact on the interview (e.g., custody time limits, the need for rest and refreshment);
- Identifying information that is important to the investigation, including points to prove and relevant case law, and deciding how to manage it in interviews;
- Ensuring that significant statements, silences and special warnings are identified and introduced appropriately in the interview;
- Managing the introduction of evidence of bad character in interviews;
- Setting aims and objectives for interviews;
- Selecting interview teams;
- Briefing interviewers;
- Determining how and who will monitor interviews (including the method of intervention);
- Managing interview plans;
- Preparing pre-interview briefings for legal advisers;
- Monitoring interviews;
- Raising fast-track actions during interviews;
- Monitoring the welfare of suspects;
- Debriefing interviewers;
- Post-interview analysis of information obtained.

Where a force has no access to an interview adviser or where a force interview adviser needs additional support, consideration should be given to engaging the services of the National Interview Coordinator, who can be contacted through Opsline, telephone: 0870 241 5641.
20.7 FURTHER READING

• ACPO 2006 Practice Advice on Dealing with Legal Advisers.

• ACPO 2006 Practice Advice on the Right to Silence (Revised Edition).

• ACPO 2005 Practice Advice on Evidence of Bad Character.
Section 21
SURVEILLANCE STRATEGY

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21.1 INTRODUCTION

Surveillance techniques provide SIOs with a range of options for gathering material on suspects, witnesses and locations. Although they can be used at any time during a homicide investigation, this usually only tends to happen once suspects have been identified. Surveillance can assist in identifying or eliminating suspects, identifying the suspect’s associates and providing information on their habits and lifestyle. They can also be used to monitor significant locations to identify witnesses.

Section 48(2) RIPA defines surveillance as including:

- Monitoring, observing or listening to persons, their movements, their conversations or their other activities or communications;
- Recording anything monitored, observed or listened to in the course of surveillance;
- Surveillance by or with the assistance of a surveillance device.

The following surveillance techniques are available to SIOs:

- Static or mobile surveillance by trained surveillance officers;
- Technical surveillance, which can be audio, visual or both;
- Interception of telecommunications and post.

Trained staff and specialised equipment are required in order to ensure that surveillance techniques are successful. Although it may be possible to use enquiry team members for basic, static surveillance where urgently required, for example, to watch a suspect’s house for a short period prior to an entry and arrest, trained staff are necessary for all other deployments. SIOs are unlikely to have these resources within the enquiry team and when setting their objectives will require the advice of an experienced officer, who is familiar with the force surveillance capability.

RIPA and Part III of PACE provide the legal framework which regulates the authorisation and use of the varying methods of surveillance. SIOs should ensure that those advising them on the development of a surveillance strategy have a thorough knowledge of this legislation and its application in operational situations.

The role of a Covert Policing Manager is described in ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 10. The Major Incident Room and Covert Policing Cell. SIOs should appoint a suitably qualified person to fulfil this role to assist them in developing the surveillance strategy, see 21.3 Developing the Strategy.

21.2 RELATED SECTIONS

Other sections relevant to developing a surveillance strategy are:

- 13 Passive Data Generators;
- 20 Suspect Management.
21.3 DEVELOPING THE STRATEGY

The elements of a surveillance strategy are:

- Objectives;
- Authorities;
- Resources;
- Management;
- Disclosure;
- Implementation.

21.3.1 OBJECTIVES

In setting their surveillance strategy SIOs should identify:

- The type of material they need to gather through surveillance;
- The subjects of surveillance;
- The surveillance technique required to gather the material from, or about, the subject(s).

21.3.1.1 The Type of Material Commonly Sought

- The locations of significant sites or concealed articles, such as weapons, stolen property and hidden clothing.
- The relationship between subjects and other people, significant locations or significant vehicles.
- Significant lifestyle characteristics, e.g., purchasing drugs, spending habits, times spent at significant locations.
- Capturing significant conversations which may assist in implicating subjects in the crime, or eliminating them from involvement.
- Capturing significant conversations that indicate the existence of other sources of material.

Clarity on the types of material sought will assist those implementing the strategy to choose the most appropriate tactical options and to focus on the type of material the SIO requires. It will also help to identify when the surveillance has achieved its objectives and prevent mission creep, i.e., where the objectives of the surveillance expand beyond those necessary to achieve the SIO’s purpose.

21.3.1.2 The Subjects of Surveillance

The type of material being sought will usually determine the subject of the surveillance, but SIOs should make full use of the material available to them when deciding who should be placed under surveillance. They may wish to use an analyst to ensure that they have as full a picture as possible of relevant networks, individuals and locations to ensure that their choice of surveillance subject offers the best chance of securing the material sought.
21.3.1.3 Selection of Surveillance Technique

While it is not necessary for the SIO to develop the tactics for implementing the strategy, they should ensure that the Covert Policing Manager has a clear understanding of the parameters within which the tactics should be developed. This involves identifying, in broad terms, the appropriate surveillance techniques and the extent to which they will be used. This will ensure that the strategy remains within the agreed limits.

21.3.2 AUTHORITIES

Many surveillance techniques require authority before they can be used. In some cases those issuing the authority can request modifications to the way the technique is used, or can place limits on its use. SIOs should ensure that, prior to deployment, the Covert Policing Manager provides confirmation that authority to use the technique has been granted and gives details of any modifications or limitations that have been imposed. This will enable the SIO to identify any further action that may be necessary to secure the material being sought.

21.3.3 RESOURCES

Specialist resources are required to implement a surveillance strategy and SIOs must ensure that they have secured them at the planning stage. This will enable them to adjust their strategy in the light of any restrictions on resources.

Acquiring resources at short notice can be difficult. SIOs should consult the person in charge of their force surveillance capacity through the force Tactical Tasking and Co-ordination Group at an early stage to ensure that their requests receive the appropriate level of priority.

21.3.4 LEVELS OF COVERT MANAGEMENT

SIOs should consider the level of covert management required by their surveillance strategy. Factors to consider are:

- The sensitivity of the proposed surveillance techniques;
- The sensitivity of the source of surveillance material (including the location from where static surveillance will be carried out or which will house the equipment used in technical surveillance);
- The sensitivity of the material being collected;
- The level of operational security required to successfully implement the strategy.

The SIO, in consultation with the Covert Policing Manager, should consider these factors and decide on the appropriate level of covert management required.

Some basic levels of surveillance are unlikely to require any covert management, for example, surveillance on the home of a suspect from a public place to ensure they are present prior to entry and arrest. The policy decisions, tasking, and material derived from surveillance operations at this level can be adequately managed through the SIO’s Policy File and the MIR.
Most surveillance deployments require some form of covert management. Where deployments are likely to be few in number and are expected to generate limited amounts of material, SIOs should consider using the existing force processes. Most forces have full-time surveillance resources which have developed their own procedures for managing deployment, material processing, storage and dissemination of the surveillance product. Where only limited surveillance techniques are to be used, it may be possible for SIOs to rely on these existing systems to manage the material generated by the surveillance. The outcome from it must then be communicated to the MIR via a national information/intelligence report (commonly known as a 5x5x5 form). The Covert Policing Manager will be able to advise SIOs on whether the capacity of force units can provide adequate levels of covert management of this sort. Where this option is used, SIOs should use a sensitive policy book to manage the surveillance strategy.

Where the required level of security cannot be provided by existing force systems, or the volume of tasking or material processing required is beyond their capacity, SIOs should establish a Covert Policing Cell. ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP), Section 10 The Major Incident Room and a Covert Policing Cell, describes the procedures for establishing and using a Covert Policing Cell. Its use provides the SIO with a high level of control over the material and is easily scaled up or down, depending on the volume of tasking and material processing required. It is, however, an expensive option and adds considerable complexity to managing an investigation. SIOs should only use Covert Policing Cells when they have the staff with the necessary training and experience to operate them.

21.3.5 DISCLOSURE

Choices about covert management have implications for the disclosure regime in an enquiry, particularly how to fulfil disclosure obligations under the Criminal Procedures and Investigation Act 1996, while still maintaining the security of the covert material. SIOs should appoint a trained disclosure officer at an early stage and involve them in decisions about covert management structures to ensure that they have a full understanding of the material that is gathered by the investigation and the way in which it is to be managed for disclosure. Some force covert units have disclosure officers permanently attached to them, and they should be used to support the disclosure officer in the MIR. When a Covert Policing Cell is being used, SIOs should consider placing the disclosure officer within the cell to ensure that they have sight of material on both sides of the sterile corridor.

When surveillance methods which may attract PII are being considered, early consultation with the CPS will ensure continuity throughout the disclosure processes.
21.4 IMPLEMENTATION

It is essential that fully trained staff are used to implement the surveillance strategy. It is likely that they will be from force surveillance resources and will be managed through their existing management structures. Implementation issues are, therefore, limited to tasking units and maintaining ongoing liaison between them and the MIR.

SIOs should ensure that a member of the management team has responsibility for the implementation of the surveillance strategy. This is likely to be the D/SIO or the enquiry manager. This person will be responsible for tasking the force surveillance resources and ensuring that liaison is maintained between them and the MIR. They should be in a position to update the SIO with the progress of this line of enquiry and any changes in circumstance which require action by the SIO.

Where extensive use is to be made of surveillance techniques, SIOs should consider bringing a manager from the force surveillance unit involved onto the management team. This will ensure a more direct link between the MIR and the surveillance resources.

Implementation of the surveillance strategy should include how information is to be supplied to the MIR, how material is to be stored and how disclosure is to be managed.

21.5 FURTHER READING

ACPO guidance and legislation governs the management, authorisation and use by investigators of the various types of covert investigation. SIOs must maintain their knowledge of these policies and procedures.


The SIO must also refer to the Annual Reports of the Office of Surveillance Commissioners which contain advice and best practice on authorisation of covert policing techniques. This will assist the SIO to compile precise and accurate information in verbal and written authorities.
There are many different people who can provide useful tactical and technical assistance and practical advice to an SIO who is considering using a surveillance technique against a target. Wherever possible, there should be early liaison and consultation between the SIO and those who can offer advice. Decisions can then be made on the most suitable surveillance technique to deploy. These individuals include:

- Covert Law Enforcement Manager in cases where test purchase, decoy or undercover officers are being considered;
- RIPA Authorising Officers in cases where authorities for directed or intrusive surveillance are being considered;
- Hi-Tech Crime Units, where intrusive or directed surveillance of computers is being considered;
- Surveillance Research Officers, where observation posts and static or mobile surveillance capabilities are being considered;
- Technical Support Unit Staff, where the deployment of technical surveillance capabilities are being considered;
- The CPS in relation to disclosure and case management issues;
- Single Point of Contact (SPoC) for telecommunications data. The role of a SPoC is outlined in ACPO/ACPOS (2003) Manual of Standards on Accessing Telecommunications Data. The SIO must use a SPoC in any investigation involving lines of enquiry involving to telecommunications, whether telephone, postal or internet based. The SPoC is an Accredited Person as outlined in the terms of RIPA (2000). The SPoC will be able to advise the SIO of any investigative opportunities for gathering material and securing evidence. They will also give advice on the capabilities of each Communications Service Provider (CSP) and Internet Service Provider (ISP) in order to optimise those opportunities.

Opsline can also give advice on legal issues and the effective use of covert techniques. They can be contacted by telephone: 0870 241 5641, and email: opslie@centrex.pnn.police.uk
Section 22
COVERT HUMAN INTELLIGENCE SOURCES

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22.1 INTRODUCTION

Covert Human Intelligence Sources (CHIS) can provide material of considerable value to homicide investigations, particularly in organised crime cases and where unplanned homicide is committed in the course of another crime.

The Regulation of Investigatory Powers Act 2000 and the underpinning Codes of Practice require agencies to protect the true identity of any CHIS, and to consider their security and welfare. This issue must be addressed by the SIO managing the investigation together with the authorising officer (AO) of the CHIS. Such a responsibility must not be inappropriately delegated. It is reasonable, however, for an SIO to allocate the day-to-day management of this responsibility to the D/SIO, and for the AO to task activities to a nominated source controller for action. Any such delegation should be clearly outlined in force policy.

This section provides information for those involved in the investigation of major crime and those responsible for source management, where a CHIS is used in the investigative process.

22.2 RELATED SECTIONS

Other sections that may be relevant when using CHIS in homicide investigations are:

- 15 Witness Management;
- 16 Family Liaison;
- 20 Suspect Management;
- 21 Surveillance Strategy.

22.3 DEVELOPING THE STRATEGY

CHIS can provide important material to an investigation, but their involvement can lead to complex disclosure issues. This is particularly likely if they are also a witness or part of a network of criminal associates of the accused, and questions of their potential involvement in the offence can be raised. To minimise the impact of these issues, it is essential that SIOs provide a clear framework within which a CHIS can be managed. Clear objectives on the role that CHIS will play in the investigative strategy should be set up to underpin this framework.
22.3.1 SETTING OBJECTIVES

Possible objectives of using a CHIS are to:

- Gain information about the victim and their lifestyle;
- Gain background information about criminal networks and criminal activity that may be relevant to the homicide;
- Discover the identity of suspects;
- Discover the location of material that is significant to the investigation, eg, weapons, stolen property, contaminated clothing, vehicles used in the offence;
- Gain other significant material that implicates the suspect. This may include things said or done by them, the relationship between them and other significant individuals, and criminal activity relevant to the offence.

SIOs will need to decide whether to search for an existing CHIS or to actively recruit new ones.

SIOs may sometimes be presented with unsolicited CHIS information. Where this happens, they should apply the same principles of setting objectives when deciding if, and how, to use the CHIS.

The issues that SIOs should take into account regarding the level of covert management required by their CHIS strategy are similar to those in a surveillance strategy (see 21.3.4 Levels of Covert Management).

Decisions made in respect of the CHIS strategy should be recorded in a sensitive policy file.

22.3.2 NOMINATION OF A CHIS LIAISON OFFICER

Where an intelligence requirement has been identified, the SIO should nominate a trained informant controller as a CHIS Liaison Officer to support the investigation and facilitate the necessary research on behalf of the investigation. Where a CHIS is involved in an investigation, whether through the provision of information, tasking or as a suspect or witness, the SIO should consider the CHIS Liaison Officer as a member of the enquiry management team.

22.4 IMPLEMENTING THE STRATEGY

22.4.1 PRODUCT MANAGEMENT

All contacts with CHIS should be recorded in accordance with legislation and guidance. The provision of source-based intelligence should include a briefing to the SIO of any relevant background circumstances, including the provenance and the nature of the relationship that led to the information.

Any conflicts of interest between the management of the source and the requirements of the enquiry should be resolved jointly by the SIO and relevant AO as the issues arise.
Where it is anticipated that a CHIS will be a witness, there should be early liaison with the CPS to ensure that any evidence obtained is admissible. If a CHIS has provided information regarding the crime under investigation and is prepared to give evidence, any reward, paid or promised, for the provision of that information must be disclosed.

22.4.2 DISCLOSURE ISSUES

It is the SIO’s responsibility to ensure that all material generated by the investigation, including that relating to CHIS activity, is retained so that appropriate revelation can be made to the prosecutor. In all cases, it is essential that the SIO is aware of the existence of sensitive material.

All documents and HOLMES records relating to CHIS must be treated as Highly Sensitive Unused Material (HSUM) for the purpose of revelation to the prosecutor. Guidance on the handling of HSUM and CHIS material in particular, can be found in ACPO and CPS (2005) Disclosure Manual.

22.4.3 ESTABLISHING THE STATUS OF A PERSON AS A FORMER OR CURRENT CHIS

As a general principle, checks against records held of CHIS should not be undertaken in relation to persons connected with a major crime investigation, whether a victim, suspect or witness. This principle will apply whether research is proposed against local, other force, agency or national records and databases.

In exceptional circumstances, however, a search of CHIS records may be justified. For example, there may be occasions where it is appropriate to ascertain if a victim of homicide was a CHIS, but this should not automatically include investigations where a motive for a homicide cannot readily be established. It can include enquiries where the SIO has developed and recorded an hypothesis which considers CHIS issues a possibility.

Note: The police duty of care to the victim’s family and associates remains in cases where the victim is a CHIS.

In relation to suspects or significant witnesses, the SIO has no duty on an SIO to routinely enquire whether such a person is, or has been, a CHIS. Any such enquiry must be justified and approved by the AO. Such approval should only be given in exceptional circumstances.

22.4.4 DISCLOSURE OF THE TRUE IDENTITY OF A CHIS

Where a CHIS is providing information to support a major investigation, it is not normally necessary for the SIO to be made aware of his or her true identity. In certain circumstances some revelation of the source may be necessary, but this should be an incremental process agreed by the AO and the SIO.
22.4.5 CHIS ISSUES IMPACTING ACROSS AGENCIES AND FORCES

In major crime enquiries where CHIS issues involve more than one force area or other agencies, the relevant AO, in consultation with the SIO, is responsible for ensuring that an agreed Memorandum of Understanding is produced. This should detail how the issues will be managed and include tasking, product management and disclosure under CPIA and \textit{ACPO and CPS (2005) Disclosure Manual}.  

22.4.6 STATUS DRIFT

During the course of a major crime enquiry, many people may be interviewed by the police to obtain information about the incident. Inevitably, some of these will provide first-hand information which will normally be made subject of an evidential statement. There will be occasions, however, when the individual is unwilling to make a statement or where obtaining one is not necessary. In such situations, consideration must be given to whether they meet the criteria for CHIS and, if so, whether they should be authorised.

Particular care needs to be taken when individuals are seen repeatedly during the enquiry in order to obtain further information. As a guide, consideration needs to be given to whether it is merely to check facts or recall historical information, or whether the individual is able to report on ongoing events. Clearly the latter could amount to the individual requiring CHIS authorisation.

22.4.7 THE TASKED WITNESS

There may be occasions where a person who is likely, or expected, to give evidence in forthcoming proceedings as a witness, is initially required to fulfil the role of a CHIS in connection with the enquiry. This is a tasked witness.

Confusion about the status of a tasked witness sometimes exists when someone has already provided a witness statement giving details of events that have occurred, and they are then tasked to interact with some individuals in respect of that or related offences. If they then covertly provide the police with this information, where such tasking meets the criteria for CHIS, authorisation under RIPA is required.

22.5 FURTHER READING

Section 23
RECONSTRUCTIONS

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23.1 INTRODUCTION

Reconstruction of the movements of significant individuals, or a sequence of events, during a homicide is often seen as part of a media strategy. There are, however, many other ways in which a reconstruction can contribute to an investigation. These include:

- Identifying individuals;
- Tracing witnesses;
- Developing evidence by refreshing the memory of witnesses and potential witnesses to bring forward new information;
- Testing hypotheses;
- Validating witness testimony;
- Developing lines of enquiry and identifying any evidential gaps;
- Validating timelines;
- Generating public interest and raising awareness;
- Presenting evidence;
- Identifying further forensic opportunities.

23.2 RELATED SECTIONS

Note: Reconstructions are investigative techniques that can be used to support various different strategies but they are not strategies in themselves.

Other sections in this manual that are of particular relevance to reconstructions are:

- 10 Forensic Strategy;
- 11 Pathology;
- 15 Witness Management;
- 16 Family Liaison;
- 17 Managing Communication.

23.3 SETTING OBJECTIVES

The SIO must set clear objectives for a reconstruction as this will determine the method they will use and the resources required for it. Such objectives should take account of how the outcome of the reconstruction is likely to be used in the prosecution case when it enters the evidence chain. For example, in some circumstances, having a member of the enquiry team simply standing at a junction might be an adequate means of validating a witness’s claim to have seen something from that location; in other instances it might be necessary to commission a detailed plan which provides lines of sight.
23.4 TYPES OF RECONSTRUCTION

This section considers four types of reconstruction:

- Physical;
- Forensic;
- Virtual;
- Documentary.

23.4.1 PHYSICAL RECONSTRUCTIONS

The extent of a physical reconstruction will vary according to the objectives set by the SIO. The reconstruction might be confined to a relatively small piece in a chain of events, such as a member of the enquiry team walking a route claimed to have been taken by a witness, with a view to establishing the time taken to cover the distance. Alternatively, an extensive reconstruction of the last known movements of a homicide victim, including a look-a-like, might be organised in an effort to generate maximum publicity for an investigation.

23.4.2 FORENSIC RECONSTRUCTIONS

As with physical reconstructions, the extent of a forensic reconstruction varies according to the objectives set by the SIO which will be used on expert advice. The scope of such reconstructions might, for example, range from the time taken for bodily fluids to dry, to partial reconstruction of a crime scene to test a hypothesis concerning the rate at which a fire is likely to have spread.

23.4.3 VIRTUAL RECONSTRUCTIONS

With the advent of digital technology, virtual reconstructions can now be prepared using computerised animation. Such animation can be used to:

- Test hypotheses about likely chains of events, as described by witnesses;
- Test forensic hypotheses, where appropriate;
- Help the SIO and enquiry team gain a better understanding of the events established during the course of the investigation (potentially giving rise to new lines of enquiry);
- Briefing the CPS and prosecuting counsel;
- Presenting evidence in court, bringing scenes to life with clear, unambiguous graphics;
- Portraying a sequence of events to IAGs and other community forums.

Additional benefits include the potential to show the position of:

- Bodies;
- Fingermarks;
- Footprints;
- Blood distribution;
- Objects and debris.
This can be a useful technique for making an accurate record of the scene before, during and after an event. Consideration should, therefore, be given to using this method early on in an investigation. Where this is not practicable, details for the computer graphics can be drawn from scene plans.

23.4.4 DOCUMENTARY RECONSTRUCTIONS

Documentary reconstructions are usually represented in the form of a plan of the scene. The advantage of this method is that it can be compiled in close proximity to the discovery of the scene and assist the investigation in timely fashion. It can also be used to complement any future physical or virtual reconstruction.
# APPENDIX 1
## ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACPO</td>
<td>Association of Chief Police Officers</td>
</tr>
<tr>
<td>AAIB</td>
<td>Air Accident Investigation Branch</td>
</tr>
<tr>
<td>ACPO</td>
<td>Association of Chief Police Officers</td>
</tr>
<tr>
<td>ACPOS</td>
<td>Association of Chief Police Officers in Scotland</td>
</tr>
<tr>
<td>ANPR</td>
<td>Automatic Number Plate Recognition</td>
</tr>
<tr>
<td>AO</td>
<td>Authorising Officer</td>
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<tr>
<td>BCU</td>
<td>Basic Command Unit</td>
</tr>
<tr>
<td>BIA</td>
<td>Behavioural Investigative Adviser</td>
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<tr>
<td>BTP</td>
<td>British Transport Police</td>
</tr>
<tr>
<td>CATCHEM</td>
<td>Central Analytical Team for Child Homicide Enquiry Management</td>
</tr>
<tr>
<td>CCRC</td>
<td>Criminal Cases Review Committee</td>
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<tr>
<td>CCTV</td>
<td>Closed Circuit Television</td>
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<tr>
<td>CHIS</td>
<td>Covert Human Intelligence Source</td>
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<tr>
<td>CIA</td>
<td>Community Impact Assessment</td>
</tr>
<tr>
<td>CISO</td>
<td>Crime Investigation Support Officer</td>
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<tr>
<td>CPIA</td>
<td>Criminal Procedure and Investigations Act</td>
</tr>
<tr>
<td>CPS</td>
<td>Crown Prosecution Service</td>
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<tr>
<td>CRI</td>
<td>Central Research Incident</td>
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<tr>
<td>CSC</td>
<td>Crime Scene Coordinator</td>
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<tr>
<td>CSI</td>
<td>Crime Scene Investigator</td>
</tr>
<tr>
<td>CSM</td>
<td>Crime Scene Manager</td>
</tr>
<tr>
<td>CSP</td>
<td>Communication Service Provider</td>
</tr>
<tr>
<td>D/SIO</td>
<td>Deputy Senior Investigating Officer</td>
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<tr>
<td>DNA</td>
<td>Deoxyribonucleic Acid</td>
</tr>
<tr>
<td>EO</td>
<td>Exhibits Officer</td>
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<tr>
<td>FCO</td>
<td>Foreign and Commonwealth Office</td>
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<tr>
<td>FLA</td>
<td>Family Liaison Adviser</td>
</tr>
<tr>
<td>FLC</td>
<td>Family Liaison Coordinator</td>
</tr>
<tr>
<td>FLO</td>
<td>Family Liaison Officer</td>
</tr>
<tr>
<td>FMT</td>
<td>Forensic Management Team</td>
</tr>
<tr>
<td>FRS</td>
<td>Fire and Rescue Service</td>
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<tr>
<td>FSS</td>
<td>Forensic Science Service</td>
</tr>
</tbody>
</table>
RAIB ....... Rail Accident Investigation Branch
RCPO ....... Revenue and Customs Prosecution Office
RIPA ....... Regulation of Investigatory Powers Act
RMP ....... Royal Military Police
RRAA ....... Race Relations Amendment Act
SA ......... Specialist Adviser
SAMM ....... Support After Murder and Manslaughter
SCAS ....... Serious Crime Analysis Section
SIB ......... Special Investigation Branch
SIO ......... Senior Investigating Officer
SIS ......... Schengen Information System
SMT ......... Senior Management Team
SOCA ....... Serious Organised Crime Agency
SOCO ....... Scenes of Crime Officer
SPoC ......... Single Point of Contact
SSM ......... Scientific Support Manager
TI ......... Trace/Interview
TIE ......... Trace/Interview/Eliminate
ViCLAS .... Violent Crime Linkage Analysis System
VODS .... Vehicle Online Descriptive Search
APPENDIX 2
REFERENCES

REFERENCES


ACPO (2005) Memorandum of Understanding Agreed Between the Rail Accident Investigation Branch, the British Transport Police, Association of Chief Police Officers and The Health and Safety Executive for the Investigation of Rail Accidents and Incidents in England and Wales. London: ACPO.

ACPO (2005) *Practice Advice on Core Investigative Doctrine*. Wyboston: NCPE.

ACPO (2005) *Practice Advice on Evidence of Bad Character*. Wyboston: NCPE.


ACPO (2006) Memorandum of Understanding between the MAIB and ACPO. London: ACPO.


APPENDIX 3
LIST OF SUPPLEMENTARY MATERIAL AVAILABLE ON CD-ROM

LIST OF SUPPLEMENTARY MATERIAL AVAILABLE ON CD-ROM


ACPO (2006) Memorandum of Understanding between the MAIB and ACPO. London: ACPO.


