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THE JOURNAL OF HOMICIDE AND MAJOR INCIDENT INVESTIGATION

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Managing and Preventing Critical Incidents

**DCI Terry Devoil, DI Stuart Ryan, DS Michael Thompson
Critical Incident Advisory Team*, Metropolitan Police Service (MPS)**

Abstract

Following a Performance Needs Analysis conducted in 2005, the MPS Diversity and Citizen Focus Directorate conducted a project across three London Boroughs. The purpose of the project was to assess the level of critical incident management currently taking place. This included pinpointing areas of concern; addressing training needs and identifying good practice. The Boroughs chosen for the project reflected differing standards and approaches to critical incident management, and differing demographics within the MPS area in order to get as wide a view as possible of current practice.

This paper sets out the findings of the project, illustrating some of the issues raised through case studies.

The findings from the project are currently being developed further for incorporation into MPS and Borough training and standard operating procedures.

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* All work referred to within this paper was completed while the team was within DCFD management. Since April 2007 the CIAT operate under the Violent Crime Directorate within Territorial Policing.

1 Introduction and context

Few employees of the Police Service nationwide can be unaware of the impact of significant events of recent years, which have shaped the way the United Kingdom (UK) is policed. Through recent events such as the Stockwell shooting to the historical watershed as a consequence of the Stephen Lawrence Inquiry; the Police Service is on a constant journey to maintain its delivery of service to, and the confidence of, the citizens of the UK.

The gravity of the challenge to do this is evident in the ACPO definition of a critical incident:

Any incident where the effectiveness of the police response is likely to have a significant impact on the victim, their family and/or the community.

ACPO (forthcoming) Practice Advice on Critical Incident Management

The wide reaching nature of this definition means that the threat of a critical incident is present in even the most routine daily policing activity. The encounters that we have with the public on a daily basis shape the relationships with our communities who look to us for protection and response when they have been victimised.

The ethos upon which this concept is based; to deliver an effective and professional service, is a basic thread that runs through policing. However, it is easy for complacency to set in and for those dealing with communities to become desensitised to their needs. It is acknowledged that the daily demands on those charged with policing the UK are many, placing a unique responsibility on individual shoulders.

Experience has shown that on occasion, police have lost or cannot gain the confidence of victims, families and communities, and despite best efforts are unable to retrieve the situation in a satisfactory manner. The adherence to some basic principles will at least evidence, in an accountable and auditable manner, that the Police Service has an awareness and commitment to resolving incidents and meeting individual needs.

Any incident or investigation may become critical at any stage throughout its life, if specific factors are present and cause tensions to escalate. This requires an assessment of actions that should be taken to respond effectively to the situation. This paper proposes good practice to support decision-making by identifying a Critical Incident correctly. Actions can then be taken immediately to either prevent the incident escalating into a Critical Incident or, if the situation is already critical, to manage and reduce the impact and nature of the Critical Incident itself.

2 Definition of a Critical Incident

The ACPO definition of a Critical Incident is provided in the previous section. Any member of the Police Service may identify an incident as critical at any stage, where it is believed the confidence of the victim/family/community is or could be affected by the police response. This identification will centre around either the victim, family or community expressing a lack of confidence or the police identifying potential factors that may impact on their confidence in the police.

Upcoming practice advice from ACPO on this subject identifies ‘criticality elements’ of an incident, which may increase the likelihood of an incident escalating into a Critical Incident. The advice identifies a variety of criticality factors. Examples of these include:

- Status of victim in terms of repeat victim/venue.
- Rise in community tension.
- Breakdown in confidence of victim/family/community.
- Breakdown in communication with victim/family/community.
- Cross border/OCU implications.
- High media profile or likely to generate media interest.
- Vulnerability of victim/witness/suspect or other due to age, infirmity, mental health or likelihood to become a repeat victim.
- Any death/serious injury/serious incident.
- An incident motivated or aggravated by, age, disability, faith, gender, race, sexual orientation, or other diversity factors.
- Identification of internal issues such as insufficient resourcing, inadequate decision making and procedural failure.
- Verbal/written complaint.
- Recent local community problems that may have a bearing on the incident concerned.

The presence of any of these elements could indicate that an incident has the potential to escalate into a Critical Incident and they should be considered when first attending any incident or investigation.

This list is not exhaustive and local intelligence should always be used when a decision is made. Different areas are likely to have their own unique circumstances that may contribute to the escalation of a Critical Incident.

There is often confusion as to whether an incident should be defined as ‘Major’ or ‘Critical’. This differentiation can cause problems later on where the police response issues are masked due to the major incident itself and confidence problems may occur which could have been prevented.

A Major Incident is defined as *“any emergency that requires the implementation of special arrangements by one or all of the emergency services and will generally include the involvement either directly or indirectly of large numbers of people”*. This normally involves some immediate impact on public safety, disruption and/or risk, and has to be immediately managed and contained involving a wide use of resources not just police based.

Some major incidents are initially managed by other emergency services and support is provided by the police. For instance, in a fire, the fire brigade control the scene while the police provide support until the scene is made safe. The incident is then handed over to the police if a criminal investigation is required.

There will be some crossover between the boundaries of a major incident being also a critical one. Despite an incident starting or being flagged as ‘major’, the critical elements that can impact on the confidence of the police response remain and the manner of the police reaction needs to be considered and recognised from the start of the incident. This is especially relevant when the public, in general, believe that the ‘police’ are responsible for managing all scenes. It must be remembered that the incident may potentially continue to be subject to dynamic change a long time after closure of a Major Incident.

3 Risk Management

Once a supervisory review has taken place and the Critical incident established, it is good practice for a risk assessment to take place so that an action plan can be implemented that provides control measures that are proportionate and effective. This would ensure all the risk factors identified are managed.

Police responses to risk assessment differ dependent on the type of incident and the factors of concern. For example the management of a major incident may encompass the consideration of many generic risks and co-ordination factors including other emergency services, multiple agencies, families, media, and the implementation of successful contingency planning and maintenance of resilience. Involved within this tactical deployments such as that of a Family Liaison Officer will involve a risk analysis considering safety, cultural, procedural and ethical considerations.

4 MPS Critical Incident Project

4.1 Background

The Metropolitan Police Service (MPS) Critical Incident Advisory Team (CIAT) have been researching and developing approaches to the management and prevention of Critical Incidents across London. Assessment has been made of a number of Operational Command Units (OCUs) and the learning experienced from these projects has been incorporated into this document. Much good practice has been identified but there is more to be done in arriving at a consistent Critical Incident standard. Putting the findings into a national context, it is clear that the impact of a Critical Incident will vary across different policing areas and that it is likely that the implications for rural and metropolitan policing will differ.

The CIAT has also been effective in conducting Critical Incident reviews across the MPS, and have identified common gaps in delivery as well as examples of good practice, which have been incorporated into policy and standard operating procedures to ensure ongoing professional service delivery. Examples of the learning are presented in the Appendices to this paper.

4.2 Method

In 2005, a Performance Needs Analysis (PNA) was conducted across the MPS, which centred on Critical Incident management at Sergeant and Inspector level. The key findings were:

- There was a disparity between the number of Computer Aided Despatch¹ (CAD) incidents that had been flagged as a Critical Incident, and the actual number being dealt with by staff.

¹ CAD records are the computer records created when an allegation or reporting of an incident is first recorded. MPS policy dictates there should be a Critical Incident (CI) flag placed on the record when a CI is first identified.

- It identified a lack of understanding in how to identify and respond to a Critical Incident.
- There was no formal Critical Incident training.
- Good practice was not being disseminated.

As a direct result of the PNA, a three-month project site was developed by the CIAT. The focus of the project was to assess the level of Critical Incident management across three differing OCUs.

These were identified and selected due to the findings of the original PNA in 2005 where they exhibited differing approaches and attitudes toward the management of Critical Incidents. One of the OCU's had a robust response and assessment system in place, one had a minor strategy in place and one OCU had nothing in place. This allowed the project mandate to be tested across differing skills and management styles. This also met the inner/outer London OCU contrast in policing.

Inspectors and Sergeants from each OCU were provided with training on identifying Critical Incidents and notifying the CIAT and familiarisation with a Duty Officer's binder², prior to the project sites going live.

One of the OCUs requested CIAT input at their training days for all staff. This received positive feedback for its relevance and usefulness. The CIAT also provided advice on setting up Critical Incident tabletop training exercises.

Aims of the original project were to:

- Identify the number of Critical Incidents declared during the period February to April 2006.
- Identify the criticality elements present within such incidents.
- Assess and monitor Critical Incident identification and response.
- Identify good practice and training issues.

² The Duty Officers binder is a paper-based folder that was provided to all uniformed inspectors. This identifies the actions that should be taken on a wide range of incidents and provides a checklist to decision-making processes is open and transparent. Also accessible 24/7 via an internal MPS intranet site.

- Provide advice and support on Critical Incident management to appropriate staff.
- Operationally test a Duty Officer's Binder as fit for purpose.
- Assess the impact of the CIAT on Critical Incident management on OCU and the feasibility of developing MPS wide local Critical Incident advisors.
- Record the amount of local Family Liaison Officer (FLO) deployments via local Family Liaison Co-ordinators (FLC).
- Liaise with local Independent Advisory Groups (IAG)³ to assess their understanding of Critical Incidents and their frequency of contact with OCUs.

A total of 21393 crime reports were created on the project sites, during the three-month period (approximately 230 per day). All the reports were viewed by a CIAT single point of contact and an assessment made as to whether a Critical Incident:

- a) Was in evidence;
- b) Was correctly identified;
- c) Was missed;
- d) CIAT intervention was required.

Of these crime reports, 126 were monitored because critical elements were identified and the potential to escalate was apparent. Of these, on 74 occasions the CIAT passed advice to investigators or supervisors as further investigative options or a lack of supervision had been recognised. On 12 of these occasions, the incidents had not been flagged as Critical Incidents or responded to as such. This core failure was due to mis-identification of the incident or lack of appreciation of the factors that could cause it to escalate. This highlighted training needs for the OCUs involved and the MPS in general.

Over the project period, there were approximately 72000 CAD reports created across all three OCUs. 74 were tagged as 'CI' (critical incident). Of these only 15 had been identified

³ IAG are local people who represent many walks of life, cultural and faith backgrounds that can be found in London boroughs. The members give independent advice, which can range from policy to the way police activity is interpreted or perceived by local people.

and correctly flagged as a Critical Incident. The other 59 related to major incidents or incidents where no critical elements existed.

Two issues have been identified from this:

- Most of the reports that were mis-identified were major incidents and not Critical Incidents. This suggests that an MPS training issue exists around early identification of a Critical Incident.
- 49 incidents that were identified, as Critical Incidents within the Crime reporting system were not flagged on the CAD system.

5 Lessons Learned

5.1 Criticality elements commonly identified during project sites

The most common criticality elements encountered during the period of the project period were:

- Effective identification, care and strategy in relation to repeat victims.
- Perceived lack of action by police which was correctly perceived in most cases.
- Risk assessments not completed, particularly in respect of domestic violence.
- Police officers accused of assaults.
- Protracted investigations with little or no apparent information being given to victims.
- Community tensions where real or perceived community concerns were apparent.
- Diversity factors were identified but these were concentrated on race and faith issues.
- Lack of consistency and understanding regarding FLO deployment.

These criticality elements, when responded to effectively, provided the community/victim/family with support and an effective police response invariably followed.

One of the OCUs experienced a number of incidents that were serious in nature and featured at least one of the above criticality factors. This was potentially due to its inner city demographics and volume of work. Most of these came to notice via a comprehensive Daily Management Meeting (DMM) briefing. None of these incidents escalated during the period of this review. This was due to the excellent standards of investigation and there supervision that were present within the OCU. This ranged from close supervision to direct monitoring and leadership from the OCU managers. The environment of effective command leadership at senior management level that had been created, through robust meetings and direct intervention further supported this.

Over the three-month project period, empirical evidence was collected, which clearly showed that criticality factors were often present and did contribute to the escalation of Critical Incidents. This highlighted the need for a standard operating procedure (SOP) for Critical Incident management and response.

5.2 Areas of concern

The project sites identified differing areas of concern. These can be summarised as follows:

- On two of the OCU's inadequate supervision was highlighted leading to Critical Incidents being missed and not responded to effectively. In contrast, the third OCU had such a robust intrusive management system that supervision, response and identification of Critical Incidents did not emerge as an issue.
- Senior management intervention in Critical Incidents differed from OCU to OCU. As a result of CIAT involvement and advice, Critical Incidents were added to the agenda for the DMM meeting at each OCU.
- Need to improve response to medium and high risk missing persons were highlighted at two OCUs.
- There were generally clear investigative strategies placed on crime reports, especially in the areas of vulnerability i.e. Domestic Violence (DV), racial incidents. However this consistency of standard occasionally failed.

- Concern was identified around the lack of linking Crime and Intelligence reports when the same person was involved, or not completing a corresponding intelligence report for a crime in the first instance. This was common across all three OCUs.
- When delivering training, it was clear during question and answer sessions that personnel were not aware of what support was available during a Critical incident and how they should respond. This confirmed the initial PNA findings of 2005.
- Although structures were in place, there were minimal Family Liaison Officer (FLO) deployments during the project site and the Family Liaison Co-ordinator (FLC) on each site did not have a clear picture of the number of deployments.
- At the start of the project, one of the OCU's identified that they did not have an IAG* set up. This could have had a disproportionate negative impact on community impacting incidents. Due to concerns raised by the CIAT, the OCU concerned began developing a local IAG system.
- There was confusion amongst front line and supervisory officers about the difference between a Critical and a Major Incident. This was highlighted both during the training delivered to the OCUs and in the subsequent flagging of incidents.

The interviews with IAG members revealed that they felt that the level of support and information during IAG meetings was generally high. However, they too had some concerns around Critical Incidents from an IAG perspective. These were:

- The need for earlier contact for advice by the police to the IAG representative.
- The need for awareness training of Critical Incidents and Gold groups.
- The need for improvement in the dissemination of information to the community.
- The need to improve communication to IAG members when a non-OCU based unit i.e. Murder Investigation Team (MIT) becomes involved.

Interviews with Inspectors and Sergeants on training identified three main areas of concern:

- The need for better identification and management of Critical Incidents.

- The need for more robust flagging of Critical Incidents.
- The need for better understanding and clear distinction between Critical and Major incidents.

5.3 Good practice

Each OCU highlighted differing good practices. These are summarised as:

- One of the OCUs did not initially have a robust management structure during their daily senior management meeting. During the course of the project the style of meeting changed and included critical incidents and supervision of crime reports. Medium risk-missing persons were added to the agenda and a new Detective Inspectors post was created to oversee the initial recordings and investigations of allegations on the crime reporting system. As a consequence the incidents requiring CIAT input reduced.
- At two of the OCUs there were regular examples of intrusive supervision and risk assessment/investigative strategies being utilised. In one OCU this was shown across the whole spectrum of crime and the police response. At the other this centred on the Community Safety Unit (CSU) responsible for hate crime and domestic violence investigation. Both were good examples of how supervision should be directed, supported and recorded.
- One OCU had developed an efficient communication system when issues fell outside crimes reported to the DMM. One area of concern around a CAD notification system was identified and then actioned within the DMM. As a result a confidence issue was identified and resolved.
- One OCU identified that the absence of an IAG set up could have a negative impact on incidents. This issue was actioned, and with the support of the CIAT a new IAG was developed. This was good practice in terms of identifying the need for a local IAG protocol and putting the requisite support strategies in place.
- One OCU had a robust IAG, who were very positive of the new management on the OCU and the way their input was recognised and supported.

- One OCU did not have a recognised IAG system but instead utilised an advocacy service. During the CIAT input in the OCU training cycle, the importance of IAG in resolving situations was promoted. Subsequently the OCU use of IAG increased, with the OCU CSU deploying a member of the IAG to provide expert advice on a Critical Incident where a high profile complainant was involved in allegations of racial harassment.
- The Crime Manager on one OCU implemented a checklist for what CID officers should consider when dealing with Critical Incidents. This included a comprehensive overview of the strategies required to be managed and guidance on decision log entries. This checklist is so effective that it is now incorporated into the CIAT Duty Officers' manual.

5.4 Recommendations from the project sites

The following recommendations were identified through the project results to improve MPS responses to Critical Incidents. By April 2007, these are now in the either being tested or changes have already begun to deal with these issues:

- Training in both Critical and Major Incidents to enable earlier identification of criticality elements. *(New supervision courses for Critical Incident Management have begun within the MPS).*
- Development and introduction of a Critical incident Standard Operating Procedures (SOPS) to provide a minimum standard of response around Critical Incidents and allows a corporate and consistent standard to be introduced. *(This is scheduled to be tested within the MPS Summer 2007).*
- Introduction of mandatory Critical Incident flagging on the CAD system, so a more accurate record of Critical Incidents can be identified and retrieved. *(This requirement is likely to be super-ceded by new flagging requirements built into the Critical Incident Standard Operating Procedures).*
- Introduction of local, “in house”, Critical Incident Advisors across the MPS to support Senior Management Team (SMT) in their identification and response. *(This is pending waiting the results of the Critical Incident SOPS).*
- A co-ordinated and standardised approach to Critical incident training scenarios should be developed across the MPS. *(This is ongoing with training packages being developed for front line staff).*

6 Conclusion

A Critical Incident can have a long-term impact on how a community views the police and the actions they take. Modern society is continually taking more interest in the accountability of the Police Service, and therefore it is subject to increasing public scrutiny.

Experience shows that across the UK, Critical Incidents are responded to professionally and effectively. Most staff do so without recognising what they are dealing with specifically as a Critical Incident. Their success comes from dealing with the incident/investigation according to the specific incident Standard Operating Procedures and maintaining a professional standard.

The irony is we can never properly measure when a Critical Incident has been prevented, as we cannot show what would have happened if it had escalated. What we do know is what happens when a Critical Incident has occurred and the impact this has had on the people and communities involved. This paper provides the framework for both effective prevention and management of Critical Incidents, with benefits for the communities we serve, personal accountability and the reputation and status of the Police Service in the UK.

Appendix A – Operation Texel 2005

This review related to a series of hate crime attacks on an elderly Muslim female. She lived alone in a house next to a Jewish school, and over an extended period had been subjected to racial abuse and intimidation from pupils there. Her fence at the bottom of her garden had been knocked down allowing youths to have access to her premises. Video evidence was captured of youths from the school at the bottom of her garden gesticulating, being abusive and harassing her.

A number of these allegations had been reported to police but there had been little response or action. As a result, she had lost confidence in the police investigative response. She formally made a complaint against police on the grounds that they had failed to take her allegations seriously and investigate them properly, failure to take action after the video evidence was produced, discrimination on the grounds that she had been treated differently due to the offenders being Jewish and that the Data Protection Act had been breached following disclosure of the video evidence to the Community Security Trust (CST).

Seven pupils from the school were eventually arrested and received reprimands for harassment. But the victim continued to suffer victimisation and continues to have lack of confidence in police action. The matter has featured as part of a Channel 4 news documentary, which was critical of police response and also featured in faith media for both the Muslim and Jewish communities. The Independent Police Complaints Commission (IPCC) investigated the allegations against the MPS made by the victim.

Issues arising from the Review recommendations

This was a Critical Incident within the definition, as there were potential vulnerabilities for the Service. This also had wider implications of affecting confidence across two large and significant communities. The CIAT conducted a fast time review to expeditiously identify issues that could be immediately addressed to regain the confidence of the victim and communities involved. This included:

- Informing the victim that the CIAT would be conducting an independent review
- Police ensuring that recent allegations were recorded on the crime reporting system
- Establishing a Gold Group to set short and long term goals
- Establishing a single point of contact within the local police for the victim

- Conducting a further risk assessment for the victim based on new developments

The CIAT then opened dialogue with significant community leaders from the Islamic Rights Commission and made the following recommendations:

- The allocated single point of contact and an appropriate supervising officer to make a personal visit to the victim, to establish their wishes regarding making a formal complaint and then follow appropriate complaint protocol if this is the case
- Discuss options with the victim about re-establishing her confidence in police involvement. This could include investigative tactics agreed with her to move the investigation forward
- Arrange a family meeting to include victim's son, local BOCU officers and CIAT
- Gold Group to be convened including all stakeholders across both communities
- Reaffirming victim's status with her as a victim and consider interviewing her on tape as a significant witness for all the allegations
- Developing strategy for noise control with local authority and liaison with Education authority re noise and conduct of school

The CIAT then made general and strategic recommendations:

- Supervisor to attend any further allegations made by the victim to maintain confidence
- Any reports to be supervised at the earliest opportunity
- Allegations made by all parties to be recorded within the crime reporting system to ensure that a complete historical picture is created
- Establish a clear media strategy to highlight police impartiality
- OCU teams to be regularly updated through daily briefings and special schemes established
- Consider disclosure of review document to the victim at senior management level

- MPS Hate Crime Standard operating Procedure to be re-emphasised to all officers within the OCU to ensure that hate crime is effectively flagged, managed, investigated and supervised, with particular attention to repeat victimisation, victim safety and aftercare

This situation still remains unresolved although the IPCC (Independent Police Complaints Commission) have become involved in the issue and have recommended that the advice provided by the CIAT is implemented.

Abbreviations

ACPO	– Association of Chief Police Officers
BME	– Black and Minority Ethnic
OCU	– Operational Command Unit
CAD	– Computer Aided Despatch
CIAT	– Critical Incident Advisory Team
CST	– Communities Security Trust
CSU	– Community Safety Unit
DCFD	– Diversity & Citizen Focus Directorate
DMM	– Daily Management Meeting
DV	– Domestic Violence
FLO	– Family Liaison Officer
FLA	– Family Liaison Co-ordinator
IAGs	– Independent Advisory Groups
IPCC	– Independent Police Complaints Commission
MPS	– Metropolitan Police Service
MIT	– Murder Investigation Team
NIM	– National Intelligence Model
NGOs	– Non-Government Organisations
PNA	– Performance Needs Analysis
SMT	– Senior Management Team
SOP	– Standard Operating Procedures
TP	– Territorial Policing
VCD	– Violent Crime Directorate

Honour Related Violence: Context, Culture, and Consequences

Detective Chief Inspector Adrian Atherley
West Midlands Police

Abstract

DCI Adrian Atherley was the SIO for the murder of Sahjda Bibi a bride murdered, apparently in the name of so called honour, on her wedding day in 2003. At that time there was a limited understanding in Criminal Justice of the concept of honour and its impact upon individuals, communities on investigations and the wider criminal justice system. This work draws on national and international research to provide a context to honour in the UK and to assist those charged with preventing and investigating alleged honour related crime. The intention of the article is to provide practitioners with an overview of the cultural context within which honour based violence frequently occurs in terms of its antecedents and consequences; the prevalence of honour related violence and its implications for the legal system. Guidance on the procedures for investigating such cases can be found in ACPO (2004) Guidance on Investigating Domestic Violence; ACPO (2005) Guidance on Dealing with Cases of Forced Marriage and FCO (2000) A Choice by Right.

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1 Introduction

Honour Related Violence (HRV) is as inadequately understood within policing and criminal justice circles as it is in the wider public policy community. The manifestation of HRV in its most extreme is the murder or suicide of mainly girls and women in patriarchal societies. This may be considered to be an aggravated form of domestic violence, the death is arranged or sanctioned by family or community members because they believe that the victim has dishonoured her family or community, usually by her allegedly immoral sexual behaviour. In the UK, members of communities from the Middle East, Asia, and Eastern Europe are most vulnerable. Despite a number of significant studies by academic and governmental investigators, the scale of the problem in the UK is unknown. Too few professionals within the justice or caring services are sufficiently aware of HRV, of how to prevent women becoming victims, how best to deal with the cases as they arise and with their implications and aftermath.

This article, based on research undertaken in 2004-05 for a Masters dissertation, examines the nature of HRV and its consequences. It aims to increase understanding of HRV by exploring the cultural context within which HRV occurs principally through four selected case studies which graphically demonstrate the human cost of HRV.

Each case study is chosen to illustrate different aspects of honour; a survivor of extreme violence in a forced marriage overseas, a child being forced into marriage, a murder to prevent a marriage and a murder responding to the westernised behaviour of a young woman. The case studies are from three different cultural backgrounds, giving the SIO a broad view of the subject. The article then discusses recent changes in the prevalence of HRV, drawing on the limited published literature on the subject. Finally, it includes consideration of the implications of HRV for investigators and the need to for better understanding of the true scale of the problem within the UK.

2 Understanding Honour Related Violence

In general terms, we can understand Honour Related Violence (HRV) as a particular aggravated form of domestic violence that is present in many communities. It is important to understand the context and nature of HRV and the cultures of those upon whom it impacts if the risks of incidence are to be minimised yet without intentionally or ignorantly offending communities. It should also be recognised that, although there are many families that condone HRV, there are equally others from the same communities who absolutely reject it as a method of social control.

'Knowledge of the cultural background of this kind of violence is needed in order to support the members of strongly honour normative families, especially those who suffer from HRV and to prevent its occurrence...It is highly important to base the discussion of HRV on the principle of maintaining respect for universal human rights in order to avoid the risk of stigmatising immigrant communities which could result in anti-immigrant sentiments and policies and also further social exclusion.'

Kvinnoforum, 2005 p18

The UK is a multicultural society whose many communities live with established cultures that differ widely from the majority culture of the country (Leach & Percy-Smith, 2001). The state accommodates different cultures but there is a risk that it does not understand or adapt its framework of policies and practices, particularly in relation to law and order. The main focus of this article is upon Honour Crime and Honour Killing although the concept of HRV extends to include other cultural abuses, especially of females, such as systematic female infanticide, rape and the mutilation of female genitals before puberty. Little of this is sufficiently understood within criminal justice system or within the caring public services. Such inadequacy of understanding, together with a generally accommodative governmental attitude and respect for differences of culture between communities, has the potential to leave many vulnerable people without either proper protection of their rights or effective protection from violence and murder (BBC, 2003; Shachar, 2001). As such, it could be said that significant parts of the UK public sector are *Institutionally Racist*¹ (Macpherson, 1999).

In London, a Metropolitan Police research project identified over 100 murder cases in the UK in a ten year period in which there appeared to be an association with HRV. As indicated, the victims of HRV are mostly (though not exclusively) women. Frequently, incidence is linked to forced marriage and affects predominantly girls in their late teens and early twenties. In addition, many older women who, for example, seek divorce or are accused of being involved in 'sexual misconduct', risk becoming victims too. While there are no clear links with particular faith groups – victims having been identified among all the main religions, including (in no particular order) Islam, Sikhism, Christianity, and Hinduism – HRV does appear to be culturally defined, occurring in families from the Middle East, Asia, Eastern Europe and some African regions. Internationally it has been estimated that there may be at least 5,000 Honour Killings every year (UNFPA, 2000 pg. 29); although this figure

¹ Paragraph 6.34 of the Macpherson Enquiry defines Institutional racism as: 'The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.'

probably underestimates rather than exaggerates reality given the unreliability of reporting and data collection processes in many of the regions of the world where prevalence is highest (Kvinnoforum, 2005 pg.16).

One problem here is the lack of an internationally agreed definition of ‘Honour Crime’ although the following quotations collectively provide helpful insights on the broad scope and nature of what is involved in HRV.

‘A crime that is or has been justified or explained (or mitigated) by the perpetrator of that crime on the grounds that it was committed as a consequence of the need to defend or protect the honour of the family.’

(European Parliamentary Assembly, 2003)

‘The victim is killed by numerous stabs or pistol shots from close range, the killing takes place in a public place and the assailant states that he does not regret his deed but turns himself in to the police while stating the standard words “I have cleansed my honour.”’

(Maris & Saharso, 2001 page 53 quoting Claudine Van Eck)

‘Killings prompted by incidents such as women’s attempts to select marriage partners ... seek divorce or other behaviour deemed to breach cultural norms.’

(Sen et al 2003 page 23)

‘Family honour, or sharaf, is a cherished concept that stretches back over many centuries.

It was long the bedrock of Jordanian society, particularly for the original inhabitants of Bedouin descent. The unwritten law said that if someone is wronged, the perpetrator’s family must make amends – often with gifts or livestock – to avoid an injury to family honour that could end in a feud. Restoring a woman’s honour, however, is a more complicated matter. If she’s believed to have had an affair, the only way to clear her name, if at all, is for her to be married to the man in question – or to be killed. The practice also occurs in some other parts of the Arab world, but analysts say it has its roots in local custom, not Islam’.

(Prusher, 1998)

Even in regions where HRV is prevalent, just because a family comes from a community or tradition where HRV has been practiced does not of course mean that any unnatural death or murder within the family will be an instance of HRV. Many families have rejected HRV abroad as well as in the UK and so to understand whether HRV may be the cause or motivation behind an unnatural death or murder it is vital to understand the cultural context of HRV. The four case studies described in the following sections provide vivid illustrations of some of the human impacts of HRV but it is from wider research that it becomes more clearly apparent why and how honour is the fundamental driver in this form of violence.

3 Cultural Context

Case Study 1 Survivor B – Violence following a Forced Marriage

This case study has been described from statements made by the survivor to Kurdish Women Against Honour Killing (www.kwahk.org) and reported subsequently at a conference on International Honour based Violence (21st/22nd March 2005, London) as the account of 'a woman in hiding...of the failed attempt to murder her by her brother at the coercion of her father and husband in Iraq'.

B was born and brought up in Iraq. From the age of six years men oppressed her. Her mother had four children; her father threw the family out when she was six and so her mother had to go out to work. When B was 15 years old her father came back to claim her and at gunpoint forced her to marry his nephew. Despite the threat of force B refused to go through with the ceremony and so a mullah was brought to the house. B had considered suicide but her mother told her that she had struggled to bring B up she did not now want to mourn for her. After the wedding B's husband beat her because she had not wanted to marry him, thinking that she loved someone else. That was the first of many beatings; over the years B suffered serious injuries including on one occasion collapsed vertebrae that led to six months of hospitalisation in Baghdad.

During the first few years of her marriage, B hung on for her mother, she did not want to die for her sake, later after having three children she carried on for them because she believed that if she committed suicide their father would abandon them. One evening her husband kicked her out of the house, refusing to let her take her children with her, when she tried to take them he beat her and took them away by force. In desperation B went to her father and brother and begged for them to help. They told her that the beatings were her fault; she had brought them on herself by being a bad wife and answering back. She was forced to stay with her father for seven months and was unable to see her children. Eventually B's husband wanted her back but she demanded conditions to ensure her safety, he would not agree to any conditions. She wanted to go to court to get custody of her children but a cousin threatened her with a gun and said that if she went to court she would be regarded as a 'fallen woman'.

One evening community leaders visited, the head of the tribe told her that she had to go back to her husband. B said that she would, if the leaders could get her husband to agree not to beat her as she feared that her body physically could not take any more beatings.

B's cousin said that to impose conditions on a husband would make the wife a whore and she should go back without conditions. Her cousin pulled her by the hair to the middle of the group and started beating and kicking her, he kicked her back; she felt an explosion in her vertebrae and wet herself. Some of the women came and got her and she was left alone for the next 20 days. B was worried because she had answered back to a man that he would create a story.

One day at 4pm B's father came home, outside there was shooting going on, her father asked her to go outside to see what was going on. In the courtyard she saw her 17 year old brother looking pale and angry 'like a criminal'. He pulled out a gun, she put up her hands but he fired three shots, she ran, he fired another shot hitting her hip and then another that entered her pelvic bone, she fell to the floor. B's mother and sister came into the yard, her sister was shouting at her brother but he just said that if he had more bullets he would have shot her too. There was no medical help but eventually security men came and they took B to hospital where she was operated on for seven hours including having damage to her kidney and pelvic bone. After a month in hospital she had nowhere to go and so was taken to a women's prison for safety. In prison the wounds became infected so she had to go back to hospital for a further three months. She was then taken to a mental health centre to stay for safety. B discovered that her father had planned for a man to be shot so that he could say that the man had an affair with B; B's brother was told to shoot her after he had heard that this man had been shot.

After recovering she was moved to a shelter for women escaping from the threat of honour crime. B wanted to go back to collect her children but a worker told her that she would be killed and that no one would benefit from that including her children. B stayed here for five years with no contact with her children and under the threat of being killed by her family. The shelter managed to get B to Germany where after being detained for two years she successfully claimed asylum. B's children were also taken to Germany; they had been regularly beaten and told that their mother was a prostitute. The children still need counselling. B is desperate to tell her story.

Incidents of HRV have been reported in many countries including Afghanistan, Bangladesh, Brazil, Ecuador, Egypt, Germany, India, Israel, Italy, Jordan, Lebanon, Morocco, Norway, Nigeria, Pakistan, Palestine, Peru, Sweden, Turkey, Uganda, UK and USA. HRV is also apparent in families from many religious and cultural backgrounds although the cultural background of those involved has not always been published, (UNFPA, 2000 pg. 30; Asif, 2005 pg. 90).

Along with the lack of a commonly agreed definition of HRV, the work of criminal justice agencies in this context is hampered by the lack of clarity (in written guidance) about the use of violence to resolve ‘honour’ issues. Seemingly, this is something that varies not just from case to case but also between communities and geographical region. However, tacitly, HRV is primarily used to control female sexual and reproductive behaviour and to enforce gender segregation. Such control also impacts on education and employment for women, the family and the community (Goodwin, 1995). But the rationale here goes much deeper. In regions where HRV is prevalent, honour must be understood as a crucial element of patriarchal society and the violence as an expression of the controlling dominance of the family unit over individual and personal independence (Awwad, 2004; Agosin, 2001). Where state authority is weak, family status becomes all important, and in this context honour becomes a vital key to accessing societal resources. Within the family unit, status is achieved and maintained differently by men and women. Men work to achieve a higher status through overt *masculinity* and this is reinforced by the submissiveness and sexual purity of *their* women. Women maintain the honour of men and therefore of the family through their chastity and obedience (Awwad, 2004, pg. 43; Gill 2004 pg. 475; Asif 2005a, pg.52).

‘Virginity and sexual purity is expected of women in the Middle East of all ages and social status, married and single. A powerful system of social control was created to protect the sexual purity of women in the Middle East. This system involves factors such as shame, scandal and gossip aimed at protecting the prestigious status of the patrilineal family. This system of social control puts the burden on women in protecting their own sexual purity. If shame is brought on the family then women are to blame; this shame occurs even if their male counterparts raped them, lending to the ideology of blaming the victim.’

Awwad, 2004 pg. 44

HRV is a means of controlling women to protect family honour, family status and the status of men. In many such patriarchal contexts, cultural practices that have been long developed and practiced to protect the family’s resources have given men almost complete power within the family. For example, in some societies, only men can inherit, preventing married women from passing family property outside the family (Awwad, 2004, pg. 40). The marriage of girl to a relative in the extended family has a similar impact. In Pakistan and Afghanistan, for instance, honour can be traced from the Baloch and Pastun tribes, where HRV responds to the concept of honour and the commoditisation of women. Women are in effect ‘a private good’; the husband pays a ‘bride price’ to the bride’s father, and after marriage effectively owns his bride. If, after the transaction, the bride is found to be ‘damaged’ then the father must pay compensation (Agosin, 2001 pg. 75) that can include

the promise of other women. The commodification of women also serves to legitimate the handing over of a woman as compensation to a man whose honour has been damaged or to settle a conflict between two tribes or families. In Pakistan this practice is known as *khoon baha*, (blood money) and the price can be settled in whole or part by the conveyance of a girl or woman to the injured party. The standard unit is one girl over seven years or two under seven (leading to the practice of removing a young girl's milk teeth so that a family can escape by paying with one daughter rather than two) (Amnesty International, 1999 pg. 10).

Such associations of women as 'currency' in settling inter-family honour disputes have been carried forward in certain communities in the contemporary UK context. For example, some marriages of people of South Asian origin still involve financial transactions, the payment of *dowries* (payments from the bride's family to the groom's) or of *dower* (the reverse) (Sammad & Eade, 2001 pg. 32). At the same time, in some communities, clear codes of practice and restrictions are actively operated to protect honour and with HRV largely accepted as an enforcing regime (Agosin 2001, pg.76).

Failure to abide by the 'Honour Code' can lead to severe punishments for a girl or woman. For example, in some communities a girl from Asia or the Middle East is brought up in constant fear of losing her virginity since a man would expect his bride to have her hymen intact as '*proof that the merchandise is brand new*' (Accad, 2004, pg. 13). If this proves not to be the case, or if other allegations arise of sexual misdemeanours, the woman might expect to be killed. Gossip and rumour are also significant in the control of honour and, if such allegations have not yet spread from the immediate family it may be possible for the matter to be settled without violence, for example, by arranging the marriage of the girl or woman to the rapist or alleged boyfriend/abductor (if she had run away with her boyfriend). Other commonly pursued courses of non-violent action for dealing with the dishonour include the banishment or casting out of the female 'offender' from the family. Indeed, referring particularly to Turkish groups in the Netherlands, Maris & Saharso (2001) suggest that killing should be seen as an exceptional rather than typical response to dishonour:

'Killing for family honour thus should not be considered the unavoidable consequence of a loss of honour. "Honour Killing" may be part of the culture of some Turkish immigrant groups, but that culture is not so monolithic that it offers but one reaction to the (imminent) loss of family honour.'

(Maris & Saharso, 2001 page 58)

That said, there is some evidence to suggest that HRV as murder is under reported in South East Turkey. Here, for instance, the suicide rate for women is three times higher than for the country as a whole and suspicions have been voiced that many of the reported suicides might in fact be poorly investigated murders (BBC, 2003). For sure, caution is called for in drawing conclusions from the official statistics in areas where some of the associated features of HRV are prevalent. In many contexts where the rule of law is less strong, for example, the authorities may not always view HRV in offending terms, particularly if the perpetrator hands himself in to the police and presents his defence in terms of the repaying of honour. It is also common for killings to be commissioned by the family and perpetrated by young people – often the victim’s younger brother – precisely because such a young person is less likely to be convicted or to receive a severe punishment if convicted (Accad, 2004 pg. 15; BBC, 2003; van Eck, 1997, in Maris & Saharso, 2001 pg. 55).

3.1 Arranged or Forced Marriages

HRV is often related both to ‘forced marriage’ and to ‘arranged marriage’ – the distinction between which is important. Forced marriages are illegal and are not supported by any of the main faith groups, though it appears they frequently take place. Arranged marriages, on the other hand, are perfectly legal and happen in circumstances where two families agree a marriage on behalf of the couple, who in turn consent to the arrangement.

Case Study 2 Sadir – Forced Marriage

The case of Sadir (reported at a police conference in Birmingham on 4th July 2005 by Qayyum Chaudhary from the Doli² Project, pseudonyms used throughout) tells of the consequences of a family, trying to do the right thing for their children, who were pressured to support a forced marriage.

In many Pakistani families it is the practice for children to be married to first cousins, this was the case in the family of Sadir, one of seven children. Sadir had five sisters and one brother, at the age of 11 she was living in Birmingham with her family. She went with the whole family to Pakistan for her brother's wedding. An older sister had been promised to marry a Pakistani relative Khalid, in part so that he would be able to come to the UK and another older sister was married to Khalid's older brother. This sister however told her parents that she would refuse to marry Khalid. One of Khalid's aunts told the family that instead it would be all right for Sadir to marry Khalid; Sadir's parents were unsure and asked for time to consider. Sadir's family went to visit another village and when they returned a few days later they found a party in full swing, it was Khalid and Sadir's engagement party! Sadir's family did not approve but to refuse now would have caused them personal dishonour and so they agreed to the arrangement. Sadir and her family returned to the UK where she continued her education. Sadir's older brother had moved to the UK, it was clear that Sadir and her family were reluctant to go through with the wedding, Khalid's brother told them that he would divorce his wife if Sadir refused to go through with the wedding. Sadir's paternal grandmother told her son that he and his family would be disowned by her and the community if he prevented Sadir going through with the wedding. The pressure was too much for the family and in 1995 Sadir was forced to marry Khalid.

Khalid came to the UK with his wife in 1996 and then began to physically abuse her. Over the years they had three daughters, Sadir and her daughters were beaten by Khalid and forbidden from seeing the rest of their family. Despite the abuse Sadir did not leave Khalid because of the several violent episodes, Sadir was seriously injured by being beaten with a vacuum cleaner pipe and had her clothes taken away to stop her leaving the house to get help. One of her daughters raised the alarm and the police became involved. Khalid was later convicted of the assaults and sentenced to ten years imprisonment; Sadir and her children are still in hiding.

² Doli is the Urdu name for a wedding chair used to take a bride to her wedding in rural Pakistan. The Doli Project has been set up by the British Council of Pakistan to advise families and potential brides or grooms.

It is common among some societies, including Muslim communities, for people to defend arranged marriages (for those of marriageable age) by arguing that they are more successful than so-called 'love matches' (Samad and Eade, 2002). From a westernised background this argument may be difficult to support but in conservative Muslim backgrounds the marriage would not be seen as romantic love but as a financial or business transaction and as such a woman would be unlikely to be disappointed in her husband if he was a good provider (Callaway, 1987, page 36).

In the more complex multi cultural UK society, expectations vary in line with education and social class with better educated or well off families more likely to select a spouse for a child from within their own economic group but not necessarily from the immediate family. Less well educated or well off parents are more likely to marry their child to a niece or nephew and to have made the promise to marry at an earlier age (Samad and Eade, 2002). This can lead to conflict for example where a child disagrees with the match or where a parent dies and the child is required by family honour to complete the marriage (ibid. page 40).

From outside the particular community it may be difficult to understand why a bride doesn't simply refuse to go through with a forced marriage. But the Sadir case study gives a graphical explanation of why this may not always seem a feasible option. From within the Pakistani community in the UK there is recognition by more progressive people of the difficulties associated with forced marriage. As mentioned, the British Council of Pakistanis has set up the Doli Project in part as a result of the much higher than expected suicide rate among young Asian women (there is said to be a particularly high rate of suicide in Asian women, with young Indian married women particularly at risk whereas Asian men and older people have relatively low suicide rates (Bird & Faulkner, 2000; Gill, 2005b)). The project aims to improve the understanding of forced marriage in the community and the public services and to provide practical help men or women from the community facing the threat of forced marriage. It is still common in Britain in families from South Asia for young women to marry within their family; marriages with *outsiders*³ are rare and can lead to a couple at least being ostracised, perhaps killed.⁴ Considerations of class, caste and kinship, guide the selection of spouses that can be made across generations of a family, reinforcing family ties and keeping resources within the family (Samad & Eade 2001, pg.30).

³ For these purposes 'outsiders' can range from people from different ethnic or religious backgrounds, to people as close as from a neighbouring home village. In extreme traditions such as the Syed (descendant of the prophet) in the Punjab, the family of a girl wait for a son to be born to the girl's paternal uncle, ideally the girl will be around 15 years old and is expected to care for the boy who will be her husband when grown. Where there is no suitable paternal uncle or baby another close relative will be chosen. Syed women observe strict seclusion to the extent that some may never leave the house that they were born in. The apparent intentions of such strict traditions are to preserve the high status of the family (Amnesty International, 1999 pg. 10).

⁴ See Briggs, 1997, for his account of how he and his Asian wife continue to be pursued by bounty hunters/contract killers following their marriage in Britain.

3.2 Men's Honour

Case Study 3 Sahjda Bibi – Marriage to an 'Unsuitable Partner'

Sahjda Bibi's family were originally from the Dadyal region of Pakistan but had moved to the UK before her birth in Birmingham on 17th August 1981. Sahjda lived with her retired mother, father and older brother in Wright Road, Saltley; an inner city area of Birmingham. Razaqat Hussain, one of her cousins, murdered her in her bedroom on 11th January 2003, her wedding day.

Sahjda attended a Birmingham comprehensive school until, when aged 13, she attended a family funeral in Pakistan. When she returned to the UK her family kept her out of school, working at home as a dressmaker. It is perhaps surprising that the school did not follow up Sahjda's absence, understanding that she had emigrated⁵. There is little doubt that Sahjda's parents loved her, but whereas her brother completed his education it did not seem to be a priority for Sahjda. The implications of this were that Sahjda lived in isolation having no school or work friends. In fact at the time of her murder Sahjda had only two friends, outside of her immediate family.

The practice in Sahjda's family was that women would have a marriage arranged for them when they were in their late teens or early twenties; in Sahjda's case there had been no marriage arranged. About two years before her murder Sahjda had been to a cousin's wedding in the North West, there she had met the bride's brother Mohammed⁶, the two became friends and began a secret relationship but meetings were irregular and often at family events. Sahjda was only able to tell her two friends about this secret relationship but according to these friends she clearly loved Mohammed. On 9th January 2003, Sahjda decided to visit Mohammed secretly; her parents and brother became aware and went with her. On this day Sahjda asked her father to arrange a marriage with Mohammed for her. Sahjda's family agreed to do this but they were worried how their extended family would take to the wedding as Mohammed was not Sahjda's cousin and he was a divorcee. The wedding was arranged to take place on 11th January only two days later and was to take place in Sahjda's family home, the wedding would be a religious ceremony.

⁵ It is of some concern that under current policies and practices in Birmingham schools, there are no reliable systems or checks in place to ensure that, when parents move a child from an area, that there is reliable knowledge as to where the child is next to be educated (and that the pupil's school records are duly forwarded). At present, there are clear opportunities for dishonest parents to remove their children from the education system without the authorities being able to trace them.

⁶ In this account the name of the brother has been changed.

It was not until the day before the wedding that Sahjda's family began phoning and speaking to relatives to invite them to the wedding; many did not approve of the wedding but agreed to attend. One of the people Sahjda's brother telephoned on that Friday evening was their cousin, 37 year old Razaqat HUSSAIN. Razaqat lived in Camberley in Surrey where he worked night shifts.

Razaqat was at work but he immediately left and headed to Birmingham in a borrowed car. In Birmingham Razaqat met up with his cousin Tafarak, a partner in a private hire car business, the two of them made and executed detailed plans for Razaqat to kill Sahjda and then escape in one of Tafarak's taxis to Heathrow Airport and from there to Pakistan. Both men then went to Sahjda's house; Razaqat was allowed to see Sahjda in her room while she was dressing for her wedding.

In Sahjda's room she was wearing her best jewellery and dressed in her wedding dress. There was no argument heard but suddenly there was the sound of a fight from Sahjda's room, then Razaqat ran out, down the stairs and outside, Sahjda's mother rushed into Sahjda's room to find her already dead, stabbed a total of 22 times. As Razaqat ran towards the front of the house, his white wedding suit covered in Sahjda's blood, people shouted that Sahjda had been killed. Sahjda's brother and Mohammed detained Razaqat in the narrow front paved yard, both being stabbed by him in the process. Others including Tafarak struggled to release Razaqat successfully and then Tafarak drove Razaqat in his car to the waiting taxi about two miles away. Razaqat reached Heathrow Airport in only an hour and a half; from there he fled to Pakistan.

Back at the house someone took the murder weapon from where it had been dropped in front of the house into the kitchen and washed the obvious signs of blood off it.

Tafarak was arrested and later charged with murder on the basis of his involvement in the preparation and commission of the killing. On 19th March 2003 Razaqat voluntarily returned to the UK and was immediately arrested.

Both men appeared at Birmingham Crown Court on 15th October 2003. Razaqat pleaded guilty to murder, Tafarak was found guilty after a trial; they both offered mitigation that the other had been the main offender. They were both sentenced to life imprisonment.

Having considered the significance in many cultures of honour as a necessary condition for family prosperity, and the value placed on female obedience to an honour code, what of men and control of their behaviour? Are men similarly expected to refrain from sexual promiscuity? Here the answer seems to be culturally diverse. Generally amongst the communities where HRV is present, there are often similar (though perhaps slightly lower) expectations about the behaviour of men and punishments for disobedience by males are rarely severe. For example, in the case of adultery, it is almost always the woman who will be blamed and punished (Asif 2005a, pg. 65; Kvinnoforum, 2004 pg. 14). If the death of a party is required to repay the honour, this death will usually be that of the woman.

‘To sacrifice a woman stained by rape or adultery is to give back to the tribe its purity, therefore its honour. A man who rapes a woman or commits adultery does not fall under the economy of the pure and impure because he is not considered as someone who reproduces and creates life’

Kvinnoforum, 2004 pg. 14

In some communities, the question of guilt on the part of the man is simply not raised. It is the woman who is raped that brings dishonour on her family and if the family are controlled by HRV, maybe she will be killed. If she can escape it is she who must live in hiding or in detention centres where the state can protect her.

Research on this subject undertaken by the Metropolitan Police and involving interviews with relevant groups in London to explore motivations behind HRV, identified how deep-rooted was the concept of honour. From one such interview with a group of Punjabi men, the following explanation was given of the apparent double standards for men and women:

‘You see we have an old saying. Men are created like a piece of gold and women like a piece of fine silk. The piece of gold, even if dropped in the mud is still a piece of gold. But not so a piece of cloth; once it is stained, it is stained forever. If a woman is loose in character, if she has been raped, divorced or earned the “wrong reputation” she is no longer that pure piece of cloth. But men, whether they are dishonest or have cheated on their wives, they remain still a piece of gold.’

Asif, 2005a pg. 5

The same research also highlighted the following contemporary male view of shame and honour, as provided by a middle-aged Punjabi man while awaiting trial for allegedly assaulting and threatening to kill his wife.

'Look brother...the day I shouted at my wife, I had simply asked her to fix me some breakfast. She just ignored me. I reminded her of her 'dharma' (religious duty) as a wife, at which she shot back calling me a 'freeloader, useless piece of rubbish.' She said (that) I deserved to be chucked out into the council's skip parked in front of the neighbour's house. So I just reminded her what I thought of her. I told her she was a slut, because she was happier leaving home each morning for her workplace, to mingle with other men while disobeying her partner. She walked around in the house always humming, with her head high in the air like a whore. Everyone in the community taunts me at bearing with her. They whisper behind my back and say, "Here comes the dalla" (pimp). My friends call me a khassi (eunuch). I just hide my face in shame and anger. This woman has ripped my izzat (honour) into shreds with her bare hands. She's left me standing as if stark naked in the middle of my community, as someone being jeered at mercilessly, as someone trying to hide his shame.'

Asif 2005a, pg. 4

Case Study 4 Heshu Yones – Dishonouring the Family

Heshu Yones was a 16 year old girl who was murdered in October 2002 in London, she was stabbed to death by her father, Abdallah Yones. Abdallah then tried to take his own life.

Twelve years earlier the family had come to the UK as refugees from Iraqi Kurdistan. Heshu grew up valuing her own Kurdish history and culture but also having Western friends and interests. She liked to dress in stylish clothes, listen to music and do all the things that other teenage girls from her school did. For some two years she had a boyfriend whom she had met at school; he was a Lebanese Christian, but she this relationship secret from her family.

In May 2002, Heshu ran away from home, she was terrified of a planned trip to Kurdistan where she expected to be forced into a marriage. When she returned home she was beaten. Fearing being forced into marriage she followed British Government Advice (for current advice see Home Office, 2005a) and gave copies of her passport to her friends. In August she was taken to Kurdistan. In Kurdistan Heshu told her parents that she would find a way to get back to England if they left her there. Nevertheless a marriage was arranged with a cousin, before this could take place it was discovered that Heshu had a boyfriend and may not be a virgin and the wedding was cancelled. Her father threatened to kill her and held a gun and a sword to her but family members stopped him from going further. The family came back to the UK.

In the weeks leading up to her murder Heshu planned to run away but letters and a runaway note went missing from her room. Three days before the murder Abdallah received an anonymous letter in Kurdish saying that his daughter was behaving like a prostitute. He waited until he was alone in the flat with Heshu, he stabbed her in the back, chest and shoulders in a frenzied attack, before attempting to take his own life by trying to cut his own throat and jumping from the flat's balcony.

After the murder Heshu's family told investigating officers that there was a loving relationship between Heshu and her father. There were no forced marriages, no beatings, women in the family were respected more than men and that Heshu's Westernised life style was accepted. But others gave a differing account. From the school, tutors said that Heshu was terrified of her suffocating father particularly of bad reports getting back to him; she was frightened of her family finding out about her boyfriend and was worried that she was going to be forced into marriage. Friends told how she was really scared of her dad, that he would kill her if he knew of her boyfriend. Heshu was proud of her Muslim religion and her Kurdish culture but Abdallah did not believe this. In her recovered runaway note Heshu had written:

"Bye Dad, sorry I was so much trouble. Me and you will probably never understand each other. But I'm sorry I wasn't what you wanted but there's some things you can't change. Hay [sic] for an older man you have a good strong punch & kick. I hope you enjoyed testing your strength on me, it was fun being on the receiving end. WELL DONE ... One day when I have a proper job every penny I owe you will be repaid in full... I will find a way to independently look after myself. I will go to social security to get myself a flat or hostel. I will be ok. Don't look for me because I don't know where I'm going yet. I just want to be alone."

The four case studies illustrate both diverse and common features of HRV. In each case the victim was in some way isolated and punished through non-compliance with cultural norms although this non-compliance and the family or community reaction to it was different. In the Bibi case her *offence* was to want to marry an *inappropriate* man, in B it was that she wanted a divorce to leave an abusive and forced marriage, in the Sadir case she was forced into marriage through community pressure despite the support of her family and in Yones, her westernised behaviour and relationship with a man from outside her family's culture seemed to have been the key underlying factor.

Another interviewee in the Metropolitan Police study placed some of the blame for HRV on the women in the community who would not respect a weak man;

'But the problem is that within our communities those men who are kind, use soft words and are considerate towards women are taunted by their own wives and mothers. Women deride them for not taking decisions and acting like 'heejda' (eunuch).'

Asif, 2005a Ibid, pg. 45

This latter comment draws attention to that fact that, while the victims of HRV are predominantly female, there are indeed instances of males experiencing some victimisation and suffering directly from HRV. From the limited body of research undertaken, it seems that there are four principal contexts in which males can be victimised in this way:

- Being themselves forced into marriage
- Brothers standing up for threatened sisters
- Unwanted partners of a girl due to marry, and
- Those who are homosexual

Although awareness here is very limited, generally it seems, the greatest risk of a male being murdered in the name of honour is for those not wanting to marry a chosen bride or who marry a bride of their own choice and against the wishes of the family (Kvinnoforum, 2005).

4 Is the Prevalence of HRV in Ascendancy or in Decline?

Because of the lack of reliable statistics internationally it is hard to know whether the incidence of HRV is increasing or reducing. In Pakistan the suggestion of some commentators has been that, even allowing for the effects of increased media coverage and of some murders being deliberately disguised as HRV to protect the perpetrators, the trend is upwards (Amnesty International 1999, pg. 32). In the UK, with no agreed definition or method of reliably recording HRV incidents, whether handled by police, health or social services, the situation is no more clear and, of course, as elsewhere, many HRV incidents may well be disguised as runaways, suicides or stranger attacks.

'At the moment...there is no reliable, up-to-date incidence data available in the UK for different forms of violence against women. This absence of relevant data is the result, in part, of the variability in the definition of honour crimes, the absence of effective reporting

systems, lack of co-ordination between the criminal justice system and social services, and the absence of uniform systems for data collection in the country. Moreover, given that honour-related violence and the abuse of women in general is shrouded in secrecy and silence, and therefore hard to detect, only a small proportion of cases will be documented. These difficulties aside, honour-related abuse of women is at least of the same magnitude as other forms of violence against women and is among the most prevalent afflictions that women suffer in the South Asian Diaspora.'

(Gill, 2005)

The research by the Metropolitan Police Service referred to earlier, identified some 117 potential HRV murder cases nationally in the decade 1993 – 2003, although only 12 of these have been categorised as definitely arising from HRV (Asif, 2005 pg. 95). Around mainland Europe there remains a similar absence of data. Following an International Conference on the subject in Stockholm in 2003, a European Resource Book (Kvinnoforum, 2005) was published detailing work ongoing in eight countries with reported instances of HRV. Nevertheless, according to the Resource Book, no official and agreed records currently exist in Sweden (where a lack of a consistent definition and recording methods hampered research), the Netherlands, Germany (where there has been no understanding of the subject until 2003 and where the language includes no word for it), Finland, Cyprus and Bulgaria.

Clearer insight on the scale of incidence of HRV has been sought by UNICEF who, in conjunction with Violence Against Women Forum (V.A.W.), has conducted research in three districts of the North West Frontier Province of Pakistan. The research set out particularly to establish whether the incidence of HRV was largely confined to the few cases which were highly reported in the media or whether the incidence was much higher and just hidden.

'The forum decided to focus on finding honour killing to begin with to establish a concrete basis for it's advocacy against violence against women, and specifically honour killing.'

(V.A.W. 2001 pg. 2)

Based on analyses of official reports into deaths with the findings from interviews within local communities, with the local press and with hospital reports, some 46 honour killings were identified in a four year period (1996-2000) in the Swabi district⁷ alone. Moreover, some of the attitudes emerging from the interviews within the community certainly suggested little relinquishment of values over time; for example, suggesting that the victim 'deserved her fate', that it was a 'deserved fate because her honour had been compromised', that she was of 'loose character', and that these were 'private matters' (ibid. pg. 6).

⁷ Swabi district has a population of 1.1M (www.swabi.4mg.com)

Similarly, many others simply referred to the incidents as ‘an accident,’ or ‘suicide’. The research also considered the police responses and noted in its conclusions that:

- The majority of the victims (67 %) were unmarried women.
- The killers had invariably been male members of the family and violence had been perpetrated on basis of suspicion of illicit relations of the victim with someone in 67 % of the cases.
- In 56 % of the cases the killer was either a brother or father of the victim In 38 % of cases the killer surrendered voluntarily to the police. While in 47 % of cases the killer is still at large even after two years.
- Only 21 % of the total cases in the courts were finally decided in the previous eighteen months.
- In 50 % of the cases the killer (presented by the police) was honourably acquitted, while in the rest of the cases the offender was given a light sentence of 1-5 years of imprisonment.

While again, this research by V.A.W. did not claim to be statistically reliable and indeed was context specific to one small area of Pakistan, it hardly suggested any weakening of attitudes over time either among the communities affected by HRV or in the responses of the authorities to it.

5 HRV and the Legal System

5.1 Religion and Culture as a Defence

In regions where incidence appears most prevalent, two factors in particular are used to defend, HRV: religion and culture, even to the extent of murder.

With regard to religion, within the UK most HRV tends to be reported in communities who identify with, or are from, Islamic Asian or Middle Eastern populations although, as indicated, there is little reliable data to validate or refute the inference here that the pattern of reporting actually reflects the real pattern of incidence (Sen et al, 2003 pg. 23). Similarly, there is evidence to suggest some measure of support among Muslims for HRV (or at least support for the view that Islam does not forbid it)

‘The persistent myth in Jordan surrounding Domestic Violence in general and “honor” killing in particular, however, is that if a woman is sexually tainted—even if her sexual activity is only suspected or rumoured—this humiliation extends to the family and is grounds for her relatives to kill her without violating the Islamic prohibition against taking a life.’

(Human Rights Watch, 2004 Pg. 4)

But as indicated, HRV also occurs in communities of other religious backgrounds including, for example, Christianity (Maris and Saharso, 2001 pg. 59; Kvinnoforum, 2005 pg. 16; Kvinnoforum, 2004 pg. 14) and the suggestion is that religion is better seen to be suborned by cultural and social norms (V.A.W. 2001, pg.12) and not itself a fundamental driver of HRV. Moreover, many Muslim community leaders in the UK and overseas challenge the view that Islam condones HRV and argue that incidence reflects cultural traditions not religious beliefs (Sen et al, 2003 pg. 23). Religion can therefore be argued not to be responsible for HRV.

Within some countries’ criminal jurisdictions explicit allowances are certainly made for Honour Killings, and here a cultural defence may well result in a significantly reduced sentence. For example, Penal Code 16, 1960 Article 340⁸ in Jordan permits a killing where a spouse has found the other spouse committing adultery. There are similar provisions in Syria (Awwad, 2004 pg. 46) and until recently in Turkey also (Guardian 5th July 2004). In Pakistan the Criminal Law Amendment Bill 2004 sought to increase punishments for ‘Honour Killings.’ However, it did not seek to amend the Qisas and Diyat laws – these covering offences against the human body. Under these laws it remains possible for a man to be pardoned by a relative of the deceased who accepts diyat (blood money) and so go free. As most such offences in Pakistan are committed by family members, often with the knowledge or consent of the family, offenders can often be pardoned by the family and are rarely punished. This impunity is said to be the greatest factor supporting HRV in Pakistan (Asian Centre for Human Rights, 2004).

Shocking though it might seem to western thinking, the notion of a lawful killing in the name of honour within certain local communities in the UK may be one that is so deeply rooted in traditional cultures that it proves hard to abandon. Accordingly, our courts have found themselves from time to time having to consider how our law should be applied to people who quote such cultural defences (Tunick, 2004 pg. 395). Some might see it as simply a reflection of the clash of cultures and could well consider that allowances should be made for the alleged offenders’ behaviour. But, as indicated, there are plenty of others from the same backgrounds and cultures that absolutely reject HRV and of course the

⁸ This code originally only allowed men to kill their wife and adulterous partner but was amended in 2001 to allow a wife to kill her husband in the same circumstances in the interests of equality!

courts must also take account of the situation and expectations of the victims. In a radio interview (BBC, 2003), Hanana Siddiqui of Southall Black Sisters (a pressure group representing women's rights, particularly for minority groups) commented as follows:

'I don't think this is a straightforward culture clash, which was what was said by the judge in Heshu's case (Yones). Because I think there are progressive elements that are not necessarily western elements within minority communities and women's organisations for example have been battling for women's rights for a long time and are very much part of those communities and so the communities themselves are not completely conservative. And secondly there is a conflict of values. It is not just a generation problem with the older generation with more conservative views when younger ones don't. I think that a lot of young men in particular have taken on some very conservative views and a lot of the older generation have progressive views... For us we don't think you can use cultural arguments and defences to justify murder and it is very important that the courts recognise this and have that reflected as a murder in terms of both convictions and sentencing.'

5.2 Responding to HRV: Identifying Those at Risk

So, by way of conclusion, what more might be done within the UK context to address this generally underestimated and inadequately understood phenomenon? Here there are both issues about risk identification and response to be considered. From a policing perspective, The Metropolitan Police have invested in analysis to identify common themes or types of murder such as domestic violence or gang related, and then the associated risk factors that may help officers to anticipate potentially violent crimes. The police, with partner agencies, attempt interventions to prevent murder. Laura Richards the head of the Metropolitan Police Homicide Prevention Unit has analysed known cases of HRV in the UK to discover what risk factors may help to predict and prevent instances of HRV. While there is much still to be learned in this respect, advice about the key factors has recently been provided at specialist conferences such as the 'Home Office and Metropolitan Police International Conference on Honour Based Violence held in London in March 2005'.

Several such *risk factors* have been seen as potential early indicators in the cases that have been categorised as HRV murders within the UK. These include:

- Truancy, a risk factor particularly amongst teenage girls. The reason for this seems to be two fold. First if a girl is in a controlling environment at home, being dropped off and collected from school she may not have any other opportunities to socialise with friends, truancy may be the only opportunity for independence. Another possible reason is that many girls do not see the point in completing an education if once they leave school they are to be sent abroad to marry where a British

education will be of no use or to live under similar control in the UK; these reasons are not mutually exclusive. There is a danger that a school may, as seen through the lens of HRV, handle this issue clumsily by taking it up directly with parents or without considering the view of the girl. In a similar vein in the Hensu Yones case ante, her tutors inadvertently added to her problems by suggesting to her family that her work was suffering because of her having a boyfriend; something that Hensu was frightened of her family discovering.

- Self harm, often self harm or suicide is committed by people who are not well socialised, in the case of Asian women in the UK the rate of suicide is far higher than for men the opposite of normal expectations (Gill, 2005c). Suicide itself may of course be a disguise for murder but self-harm was also shown to be an indicator of forthcoming HRV in the research.
- The person becoming isolated or withdrawn, obviously not unique to the HRV arena and so this feature must be talking into account with other factors but it has been present in the research.
- The fear of a forced engagement or marriage, there has been considerable effort by the Home Office and the Foreign and Commonwealth office in publicising this problem to the police, schools and health (for the latest advice see Home Office, 2005a). This is an overt factor that may be reported to officials as well as to friends of the person.
- Extramarital affairs, probably effecting more mature women than teenagers, this was together with the next point one of the most common features in the research.
- Attempts to divorce or separate
- Being reported missing, often by a *professional*. This factor is of particular concern often when a school or employer makes contact with the police. The police need to ensure that the investigation of the report is properly considered and that the report is not closed until the person has been interviewed (National Centre for Policing Excellence, pg. 33, 2005). If a young person is reported as a missing person by a school for example, the risk is that if the parents say that the child is alright that there will be no follow up to confirm that. There are examples certainly in the West Midlands where girls are sent or kept abroad against their wishes, in the Yones case she expressed the fear that she would be killed in Kurdistan. Education authorities

need to consider the procedures when a girl prematurely leaves school too. In the Bibi case her family told the school assumed that at the age of 13 she had emigrated and there was never any attempt to confirm whether that was true.

Other risk factors that have been frequently discussed in this context include;

- Threats to kill
- Threats to be kept away from her children, never to see them again (this can be very impactful if the woman has or believes that she has, insecure immigration status where she is concerned about being deported while her children remain in the UK.)
- Pressure to go abroad or to a *homeland*
- Effective house arrest, where a woman is kept at home under the supervision of relatives or in-laws
- Lack of access to passport or her own finance

6 Conclusion

In this article the aim has been to explore and understand better the nature of HRV, its impact in families and communities and the attitudes and expectations that typically provide the oxygen it needs to survive. Even on modest estimates, it seems that several thousands of women around the world suffer death each year through HRV. And there must be many more for whom quality of life is seriously harmed by the implicit or explicit threats that HRV brings. However, the dearth of reliable information about the extent of the problem is itself a significant constraint on action by way of response, both in the UK and internationally. One clear conclusion from the research on which this article is based is that more empirical research is called for.

The recent focus on this subject by the Metropolitan Police is useful in opening up the subject and emphasising the need for a range of public authorities to play their part in intervening to prevent HRV and killings. But such preventative intervention must not only be at the late stages when the risk of serious violence and death is highest. It must also involve working with communities who themselves need to deal with the issues and to reduce the pressures that underlie the incidence of HRV. In this respect, the Birmingham Doli Project is an encouraging and ground-breaking initiative whose excellent work deserves to be shared

and developed in many more local areas. It simply cannot be presumed that enhanced economic prospects, or indeed the 'westernisation' of communities in the UK and around the world, will automatically mean this problem recedes with the passage of time. Indeed, as the Hanana Siddique case reminded us, younger generations are as likely to hold conservative views and respect the values that support HRV as their older peers. Particularly in era of the Human Rights Act within the UK, HRV is a taboo that simply cannot be allowed to remain in the closet.

Appendix

Points of view compared between alleged killers or close relatives of the deceased and other community members in the Swabi district of Pakistan (V.A.W. 2001 pg. 7)		
#	PERPETRATOR	OTHERS
1	Committed suicide	Husband killed her
2	Quarrelled with me and took pesticide	Stepmother killed her
3	Died suddenly	She was killed for her land
4	Was ill	Husband demanded her to get her share of land from her fathers. She refused and was killed violently
5	Died during delivery	Her husband was interested in marrying another woman. She would not allow this. He killed her with help of other women in the house.
6	Caught fire and died	Killed by her son. Son and mother quarrelled all the time.
7	Left house without permission. Remorse set in and she committed suicide.	She was brought back home and then killed.
8	Suicide	Samina was unhappy with her engagement. She went to the house of her paternal aunt where her Aunt's son managed to obtain her divorce, and then married her himself. Her parents were not happy and got her poisoned.
9	Bad Character	An allegation. No! Act of honour. Conflicting views on this case.
10	Married neighbour after the death of my brother	Ajmina remarried when her first husband died. Her brother-in-law (first husband) killed her for this.
11	Bad Character	She was very young. Her mother was responsible for her bad ways.
12	Suicide	Killed by her uncle but news circulated that the girl had declared committing suicide in her dying moments.

#	PERPETRATOR	OTHERS
13	Father-in-law's loans not repaid to son-in-law.	Gul Zari father was a poor man and used to borrow from his son-in-law (Mohammad Kamal). He was unable to repay. Daughter paid the price for the father.
14	Suicide	Rima killed by her brother as he suspected her of having bad character.
15	Suicide	She was unhappy at marrying Gulroze. Therefore, she poisoned herself on the third day of her marriage.
16	Bad Character	She had illicit relations with a person named Uzair.
17	Killer in love with the victim and did not tolerate her marriage to another	A cruel act of murder
18	Bad Character	Bad character
19	Bad Character	Bad character
20	Suicide	In-laws disliked her and killed her.
21	She died during a quarrel	She was killed during a quarrel. Hot-blooded killing
22	Bad character	Her husband was in army and she was killed in his absence.
23	Suicide	Husband poisoned her.
24	Bad Character	Allegations of bad character.
25	Bad Character	An act of honor and GHAIRAT.
26	Bad Character	Husband fault.
27	Bad Character	She was shameless.
28	Bad character	She should have been married rather than killed.
29	Suicide	Killed herself on the occasion of her marriage as Khan Wali threatened to reveal her affair with him to her husband on the occasion of her marriage.
30	Bad Character	Cruelty. She had run away with Fazal Hadi. Her brother Ahmad with the help of JIRGA brought her back home guaranteeing her safety. However, he killed her.

#	PERPETRATOR	OTHERS
31	In revenge of death of daughter/sister	Bakht Rawan dead sister was married to Shamsia's brother. Bakht Rawan and father Gulzar believed that sister/daughter was killed by her husband during delivery. Therefore they killed Shamsa in revenge.
32	She died during delivery	She was strangulated.
33	Natural death	She was poisoned.
34	Suicide	Rabia was killed by her husband. He was a profligate.
35	Bad Character	She was innocent. Her brother was an incredible person.
36	Bad Character	It was violence and injustice.
37	Bad Character	She was a simple woman.
38	Bad Character	Mere allegation on Jamala
39	Bad character	Sherin did not obey her husband.
40	Bad Character	She had bad character.
41	Bad Character	Brothers killed her.
42	Bad Character	Bad character.
43	Bad Character	Her husband was mentally deranged
44	Bad Character	Bad character
45	Bad Character	Her husband disliked her and thus murdered. Nothing unnatural
46	Bad Character	Engaged to Saleem but she loved Saeed and wanted to marry him. When she ran away from her house, her lover did not join her as promised. The brother of the person to whom she was betrothed took her home and killed her.

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The Development of Intelligence-Led Mass DNA Screening

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Abstract

This article outlines the development of DNA techniques in relation to the criminal process specifically relating to intelligence-led mass DNA screening. It highlights the work, A Practitioner’s Guide to Intelligence-Led Mass DNA Screening, which was developed to act as a one-stop-shop for all matters relating to this subject.

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1 The Discovery of DNA

In 1962 Francis Crick and James Watson, together with Maurice Wilkins, won the 1962 Nobel Prize in Medicine for their discovery of the structure of deoxyribonucleic acid (DNA). At this time no one could have foreseen the impact that this discovery would have on future law enforcement. Without a doubt, this was one of the most significant scientific discoveries of the 20th century.

In the early 1950s Crick and Watson were both working at the Medical Research Council unit at the Cavendish Laboratory in Cambridge. Together they studied the structure of DNA, the molecule that contains the hereditary information for cells.

Maurice Wilkins and Rosalind Franklin were both working at King's College, London. They were using X-ray diffraction to study DNA. Crick and Watson used the findings of Wilkins and Franklin within their own research. In 1953, Crick and Watson published the news of their discovery, a molecular structure of DNA based on all its known features – the double helix. Their model served to explain how DNA replicates and how hereditary information is coded on it. This set the stage for the rapid advances in molecular biology that continue to this very day. In the years that followed, the discoveries by Crick and Watson were added to by their fellow scientists. An entire science developed around DNA.

2 The First Use of DNA Within the Criminal Process

In 1983 Lynda Mann, a 15-year-old schoolgirl, was found raped and murdered in the small town of Narborough, Leicestershire. A semen sample taken from the victim's body was found to belong to a person with type 'A' blood group. Despite an exhaustive investigation, the offender was not identified and the enquiry was eventually wound down.

Three years later, Dawn Ashworth, also 15, was found strangled and sexually assaulted in the same town. The investigating detectives were convinced the same assailant had committed both murders. Semen samples recovered from Dawn's body revealed her attacker had the same blood type as Lynda's murderer. A local youth became a strong suspect. During questioning he apparently revealed previously unreleased details about Dawn Ashworth's body. Further questioning led to his confession but he denied any involvement in the first murder – that of Lynda Mann.

Despite this denial, the investigating detectives were convinced he was responsible for both murders. To gather evidence to support this hypothesis, officers from Leicestershire

Constabulary contacted Professor Sir Alec Jeffreys at Leicester University. He had developed a technique for creating DNA profiles. Dr Jeffreys had jointly published with colleagues, the first paper on applying DNA profiling to forensic science. In 1985, they were the first to demonstrate that DNA could be obtained from crime stains. Dr Jeffreys compared semen samples from both murders against a blood sample from the suspect. This conclusively proved that both girls were killed by the same man, but not the suspect. This suspect became the first person in the world to be exonerated of murder through the use of DNA profiling.

The police then decided to undertake the world's first DNA intelligence-led mass screen. All adult males in three villages, a total of 5,000 men, were asked to volunteer and provide blood or saliva samples. Initially blood grouping was performed and then DNA profiling carried out on the 10 per cent of men who had the same blood type as the killer. The murderer almost evaded detection by getting a friend to give blood in his name. However, this friend was later overheard bragging in a pub about giving his sample masquerading as Colin Pitchfork.

Colin Pitchfork was arrested and his DNA profile matched the semen from both murders. In 1988 he was sentenced to life for the two murders. Since that time, both the science of DNA and its application to law enforcement has advanced massively and the United Kingdom can rightly claim to be in the vanguard.

This first use of DNA within the criminal process was significant for a number of reasons. Firstly, it proved the guilt of a double murderer, Colin Pitchfork, and the innocence of another man initially suspected of the crime. Secondly, it introduced the method of intelligence-led mass DNA screening to the police service.

3 The Development of a Practitioner's Guide to Intelligence-Led Mass DNA Screening

Since the introduction of intelligence-led screening as a specialist DNA service in 1995, there have been 340 mass screens in England and Wales which have resulted in 298 matches (as of 31/5/06). These enquiries can be long running and expensive, both in terms of human and financial resources. Consequently, it is of vital importance that they are set up and managed correctly from the outset. Despite being a potentially costly enterprise, such an enquiry may, however, ultimately be less expensive than an enquiry not utilising a DNA screen.

In the past the policy and the management systems have evolved as the enquiry progresses. Guidance was limited and this has inevitably led to delays and resources not being utilised to the best effect.

A Practitioner's Guide to Intelligence-Led Mass DNA Screening was written by myself and Glen Burchall as a result of the lack of available guidance and the experiences (and occasional frustrations) I encountered during two previous intelligence-led mass DNA screens (Operations Parasol and Amberslade). Assistant Chief Constable Steve Watts (Hampshire Constabulary) sponsored the project. We consulted widely with colleagues from Kent Constabulary, Surrey Police, Metropolitan Police Service, The Forensic Science Service, The National DNA Database, ACPO National DNA Operations Board, ACPO Homicide Working Group, NPIA, Forensic Alliance, LGC and Interpol.

Further information on the administration of an intelligence led screen is contained within ACPO (2005) MIRSAP.

4 Operation Parasol

Operation Parasol was the investigation into the rape and attempted murder of a young woman in Southampton. All conventional enquiries had failed to produce any suspects and the remaining lines of enquiry were drawing to a close. The decision was made to conduct a mass screen. Within two weeks the offender was swabbed by members of the enquiry team. He lived within the half mile radius of the attack site. Later, at Winchester Crown Court, the offender was detained indefinitely under the provisions of a hospital order.

5 Operation Amberslade

Operation Amberslade was an investigation into three rapes that occurred over a two year period. Each of the rapes occurred within two miles of each other around the outer fringes of Southampton. The attacks took place on the edges of public open-space land. The female victims were of variable ages and descriptions. Whereas the interval between the first rape and the second rape was twenty months, the interval before the third was only four months. Not surprisingly, this apparent escalation caused the enquiry team considerable concern. The first and second rapes had been linked by DNA recovered from the victims. From the outset an intelligence-led mass DNA screen had been conducted. Despite the huge efforts of the enquiry team, the offender remained at large. After the third rape was linked, again by the offender's DNA, a further intelligence-led mass DNA

screen was launched in the geographical area around the third attack site. Within a matter of weeks the offender was swabbed at his home address. At Winchester Crown Court he received a life sentence for each offence of rape.

It became apparent whilst setting up the intelligence-led mass DNA screen for Operations Parasol and Amberslade that the guidance that existed was not as comprehensive as it could have been. The guidance could not be found in any one place. Where it could be found, the advice was often parochial, reflecting the role of the organisation in question. It was the lack of a 'single point of contact' and provision of cohesive holistic guidance, that consequently made the task for the SIO all the more difficult.

Without an intelligence-led mass DNA screen it is, of course, impossible to say when and if the offenders in these terrible crimes would otherwise have been caught. It is equally impossible to know whether they would have gone on to rape again.

6 A Practitioner's Guide to Intelligence-Led Mass DNA Screening – Version 1

The first version of A Practitioner's Guide to Intelligence-Led Mass DNA Screening was launched at the National SIO Conference in November 2005. It was approved by ACPO and Centrex¹ for all police forces in England and Wales. It provided all the information needed to decide upon, set up and run an intelligence-led mass DNA screen in one place, providing a 'one-stop shop' for advice.

This process was originally known as 'mass screening' but is now usually referred to as 'intelligence-led screening' to reflect the more focusing role that intelligence now plays in such enquiries. However there will still be occasions when a 'mass screen' will be the appropriate course to take. In short, the process involves taking DNA samples from a selected part of the population and submitting them to your forensic provider in an effort to link the sample taken from the person to a sample found at the scene of a crime.

A Practitioner's Guide to Intelligence-Led Mass DNA Screening has been specifically designed to answer all the questions that may be asked by a police officer who has no previous experience or knowledge of the process. This could apply from an SIO to a uniform PC who may have been tasked to go out and take the swabs. It also details role responsibilities and full job descriptions for all officers involved in such enquiries.

¹ Now the National Policing Improvement Agency (NPIA).

DNA can be obtained from blood, semen, saliva, rooted hair, sweat, and cellular material such as skin flakes or dandruff. The preferred method of sampling persons in a mass screen is by a mouth swab, known as a buccal swab.

In the past the probability of the sample uniquely matching the stain was much lower than it is today. Current DNA technology using the latest SGM plus technique frequently gives probabilities of 1 in a billion (1 in 1,000,000,000) and higher. This, in effect, makes the match unique and often results in offenders left with little choice but to plead guilty at court.

As of the 9th July 2006, the National DNA Database (NDNAD) held 3,450,213 profiles, 286,357 crime scene stains and since it was set up in 1995 has made about 680,000 matches. On average 800-1000 matches are now made each week.

The analysis of swabs to produce a DNA profile and the subsequent searching against the National DNA Database can be undertaken by a number of forensic suppliers; The Forensic Science Service (FSS), LGC Forensics and Orchid Cellmark. All of these companies also offer additional DNA services.

7 A Practitioner's Guide to Intelligence-Led Mass DNA Screening – Version 2

A new version of 'A Practitioner's Guide to Intelligence-Led Mass DNA Screening' (2006 Version 2) has now been published. As before, this revised version has been approved by ACPO and Centrex² for all police forces in England and Wales. It was launched in the UK at the November 2006 SIO Conference at Wyboston Lakes. It received its international launch at the International DNA Users Conference for Investigative Officers organised by Interpol at their headquarters in Lyon. Interpol has adopted it as their recommended guidance for law enforcement, internationally.

Version 2 provides additional and more detailed information in certain key areas. This includes the full services offered by NPIA Crime Operational Support. Here far more information is provided regarding the unique services it offers such as Behavioural and Geographical Profilers, Special Advisers, Serious Crime Analysis Section (SCAS) and Specialist Operation Centre.

² Now the National Policing Improvement Agency (NPIA).

In addition, it contains the full guidance in respect of familial DNA. This tactical advice on using the product of the search was written by the NPIA Crime Operational Support and the Policing Standards Unit (PSU) at the Home Office. A full copy is encapsulated within the work.

Lastly, it contains more information on utilising the services of Interpol. The investigation of crime in this age frequently has an international dimension. As the use of DNA to combat crime spreads across the globe, it is useful for the SIO to have to hand the mechanisms for ensuring the support of colleagues around the world.

The guidance is fully interactive and contains hyperlinks to other websites and email addresses for other organisations, all of which are accessed by a simple click of the mouse.

8 Further Information

The guide can be found on the NPIA website (Genesis):
(<http://www.genesis.pnn.police.uk/genesis/Rooms/DisplayPages/LayoutInitial?Container=com.webridge.entity.Entity%5B0ID%5B59F27D5467592D4486D4007814C08515%5D%5D>)

Further enquiries (and requests for a copy of the CD Rom) can be made to:
Soc@npia.pnn.police.uk
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Managing the Relationship with the Family Liaison Officer

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Abstract

DI Ged Ashcroft has been a police officer for 26 years and is a career detective. He has experience in tackling organised crime, police corruption, homicide and until recently worked on the Family Liaison Advisory Team for the Metropolitan Police Service (MPS). The team work full time drawing up and advising on family liaison policy, reviewing operations and training both Family Liaison Officers (FLOs) and Family Liaison Coordinators (FLCs).

At a recent meeting of Family Liaison Officers, a FLO announced that he had met the SIO only once since taking on the role in a homicide several weeks earlier and wanted to know if this was the experience of colleagues. Commander Dave Johnston from the MPS felt that this was not an isolated incident and thought that an article on the management of FLOs by SIOs was timely. DI Ashcroft was asked to produce such an article and, together with Dr Sally Pearson from the National Policing Improvement Agency, undertook a series of interviews with SIOs and FLOs to explore the areas in which the SIO/FLO relationship can sometimes falter and, conversely, to document examples of good practice. The ensuing article is an amalgamation of the views expressed in these interviews with his experiences on both the Family Liaison Advisory Team and the Homicide Command.

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1 Introduction

Much has been written about the role of the Family Liaison Officer; increasingly so since the heightened profile of the role in mass fatality emergencies such as the attack on the World Trade Centre, the Asian Tsunami and more recently the terrorist bombings of London, to mention but a few. The profile of the role was enhanced still further by the Home Office (2005) Code of Practice for Victims of Crime which states:

‘Where a victim has died as a result of criminal conduct or suspected criminal conduct, the police must assign a Family Liaison Officer to any relatives which the police consider appropriate and make a record of the assignment...’.

Although the Code does not go so far as to place a statutory requirement on police to deploy a FLO following a homicide, it does nonetheless, place additional emphasis on the need to do so. Certainly failure to do so would be admissible in both criminal and civil proceedings and the appropriate court may take failure to comply with the code into account when determining a question in proceedings.

Given that the SIO will need to commit resources to this role, it follows that it should be managed in such a way as to maximise the benefits for the investigation.

When we began to research this subject a key question was: What, if anything, is unique about the relationship between the SIO and the FLO that it justifies an article dedicated to just this subject? If indeed the FLO is to be regarded as a core role within the Major Incident Team (MIT) structure then the relationship should be on an equal footing with other core roles. Within the SIO’s role as a manager, people management is at its most challenging when the pressures of the investigation are at their most intense; when the needs of the investigation can, at times, overwhelm the needs of the team and the individuals within it. When the SIO is under this level of pressure, are the professional relationships between individuals always managed to maximum effectiveness?

Many of the issues raised in this article are applicable to the relationship between the SIO and other members of the investigative team. However, there are certain issues unique to family liaison that influence this relationship. Family liaison is a relatively recent addition to the MIT structure, the profile of which was raised significantly after the recommendations of the MacPherson Report in 1999. As a result the FLO is perhaps not always held in the same regard as the more traditional core roles. Furthermore, in contrast to other core roles, the FLO does not always play a pivotal investigative role in every homicide. As a result of these factors the relationship with the FLO is not always granted the level of attention that it can warrant.

But how important is the relationship between the SIO and the FLO to the successful execution of both roles? What ingredients are necessary to ensure this relationship is effective?

2 Selection

The recently published ACPO (2006) Murder Investigation Manual advises that *'The SIO should be directly involved in the selection of the FLO(s) (p214)* and that their Family Liaison strategy should include *'the selection of FLOs and criteria employed for selection' (p213)*.

For an SIO, whether running a dedicated MIT or a team that has been brought together to investigate a recent homicide, limitations on resources may restrict the choice of FLOs available for deployment. Anecdotal reports from both FLOs and SIOs suggest that allocation of FLOs is frequently conducted on a 'taxi rank' basis. This means that the FLO allocation is conducted on the basis of who is next in line with the skill profile of the officer having little, if any, influence over that decision. Even relatively minor considerations such as annual leave and forthcoming court commitments can have a significant impact on the FLO's ability to perform the role effectively. When the choice within their own team is limited, there are frequently no simple alternatives. However SIOs may find it useful to consider the deployment of a FLO from the area in which the murder took place. This also carries the added advantage of strengthening the partnership with the local policing team.

3 Deployment and the Initial Stages of the Investigation

There are instances where there is a perception that family liaison does not play a significant investigative role. However the SIOs and FLOs interviewed suggested that, in the early stages of the investigation, it would be unwise to pre-empt the investigative opportunities which may or may not be present. As a result most emphasised the need for the initial appointment of the FLO to be made at a face-to-face meeting with the SIO. The importance of this first meeting was underlined by both SIOs and FLOs as the basis of a successful relationship and sends out a clear message from the SIO that he or she regards it as one of the core roles in a homicide investigation.

The initial meeting marks the first episode in what will ideally be a frequent and regular dialogue between the two. It provides the opportunity for the SIO to set out his or her standards and expectations as well as clear instructions specific to that investigation.

Whilst SIOs rightly expect FLOs to use their initiative when responding to the family's queries, a detailed initial briefing can help ensure that the FLO's responses are in keeping with the wider investigative strategy and those of media and community involvement. Families' awareness of the criminal justice system and police methodology are becoming increasingly sophisticated and better informed by the information available through a 24 hour media industry, community groups etc., and as such so are the questions they ask their FLO. Therefore the investigative role of family liaison is likely to be substantially more effective if the FLO has been included in more detailed briefings to ensure that the answers to these questions do not compromise the investigation, or the credibility of the FLO or SIO in the eyes of the family. A consistent theme amongst FLOs, particularly in complex investigations, is that they are sometimes left feeling vulnerable owing to a lack of specific instructions from the SIO. This is particularly relevant around what information they can and cannot give to family members.

FLOs report that they find the following items useful in their initial briefing:

- At what point does the SIO want to meet the family, both initially and subsequently?
- Are there instances where the SIO would want to be contacted personally and if so how do they want to be contacted out of hours?
- What are the SIO's expectations with regard to dealing with intelligence, particularly sensitive or urgent intelligence?
- What are the expectations of the SIO so far as the investigative aspect of the role is concerned? Are they restricted to the gathering of ante-mortem evidence, and the compilation of a family tree and lifestyle statement? If not what additional tasks are required?
- What expectations does the SIO have of the FLO outside the investigative role? These may include attendance at the funeral, assisting the family in the lead up to, and during, the inquest, and later at the criminal trial.
- The initial briefing is not too early to discuss the FLO's exit strategy, even if only in very general terms. The exit of a Family Liaison Officer is a process not an event. It should be planned in advance and implemented incrementally, taking into account the needs of the family as well as the investigation. The exit process can be

facilitated by SIOs incorporating in their briefings an instruction to FLOs to identify at an early stage, the support services that would best serve the needs of the family at the time the exit strategy is being implemented.

- Plan in advance. Certain events, such as a funeral or inquest and possibly criminal proceedings can be anticipated, giving sufficient time to plan for them.

In accordance with national policy the Family Liaison Advisory Team advocate dual FLO deployments in all cases. Where there are dual deployments one officer will frequently adopt a secondary role and may withdraw as the investigation progresses. An SIO who has a close relationship with his/her FLOs can anticipate this development – allowing the second FLO to undertake additional roles within the team and minimising the impact on resources.

4 Ongoing Management of the Relationship

FLOs frequently appreciate the opportunity to review the completed Family Liaison logs directly with the SIO. Not only does this reduce the risk of ambiguity but it also allows the SIO to discuss the notes in more depth with the FLO and provides them with an opportunity to raise any misgivings they may have or to discuss problems that have arisen or may arise. This is particularly useful when sensitive intelligence is being recorded or there are other complicating factors such as a suspect or CHIS in the family.

Where FLOs are deployed to members of a split family they can often find themselves in an awkward position. In such instances SIO/FLO discussions around the passing of significant information helps to ensure that all family members are in receipt of the same information, via the same channels, at the same time. Clear instruction from the SIO regarding key information is important in this area, particularly where one or more family members are witnesses to the offence or suspected of involvement in it. Failure to do so is often very damaging to the police relationship with the family.

SIOs suggest that a significant factor in the success of their relationship with the FLO, as with other core roles, is the SIOs' ability to be flexible in their management style. There are periods during the investigation where a more intrusive style of management will be both necessary and welcomed by the FLO who may feel vulnerable and in need of very precise instructions. There will be others when the SIO needs to be more trusting of the FLO's ability to work unsupervised.

5 Mass Fatality Emergencies

To deal with the subject of Mass Fatality Emergencies in depth is beyond the scope of this article. It is, however, worthy of note that, depending upon the nature of the incident, FLOs often work to the Senior Identification Manager (SIM), as well as to the SIO. The identification of the deceased, recovery of their bodies and the return of them to their loved-ones can conflict with the investigative demands of crime scene preservation and the identification of those responsible for the crime. This conflict is apparent to families and can place added pressure on the FLO which, in itself, needs careful management. A recent and vivid example of this was the London bombings of 2005. Here the need to avoid disturbance of the scenes and the nature of the scenes themselves inevitably led to a delay in the retrieval of bodies. This placed the FLOs under extreme pressure when dealing with the bereaved and distressed families.

6 Conclusion

The changing nature of the SIO's role means that in today's policing environment he or she is most frequently required to manage an increasingly large number of investigators, specialist advisors, community groups and so on. In amongst the new skills and areas with which they need to be familiar, one thing has remained constant – that of managing the people involved in or affected by the investigation and the need to strike an appropriate balance between the competing needs of various roles within the team,

Appropriate and successful family liaison always involves a level of negotiation between the FLO's investigative role within the team and their supportive function for the families involved. This duality of purpose presents some specific challenges to the FLO in performing the role and to the SIO in managing them.

References

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The Impact of Homicide on Community Reassurance

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Abstract

This article describes the findings of an academic ‘proof of concept’ study that was undertaken to explore the impacts of criminal homicides on community reassurance. The work was funded by the ACPO Homicide Working Group and the NPIA Neighbourhood Policing Team. It is being followed by a pilot project in three forces to establish if the signal crimes methodology described in the paper can be used by the police service to improve the way it deals with community reassurance during homicide investigations.

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1 Introduction

Each year a small number of criminal homicides, as a result of the exposure they receive via the news media, exert considerable influence upon levels of public fear and insecurity. Crimes such as the serial murders in Suffolk during the latter months of 2006 and the killing of Amanda Dowler in Surrey four years previously are amongst a number of recent incidents that have functioned as ‘signal crimes’ – changing how the British public think, feel or act in relation to their security. At a more localised level it is evident that the occurrence of some, but not all, illegal deaths exert similar kinds of influence over how people conceive of their safety and security in their neighbourhoods. Police have long been aware that such occurrences in a community can have pronounced and long-lasting negative consequences for reassurance, trust and confidence. In an attempt to address such matters, community impact assessment (CIA) techniques have been increasingly deployed as part of the police response to criminal homicides and other critical incidents where it is anticipated that a negative impact upon community reassurance may occur. However, it is probably fair to say that the development of such techniques has occurred in a rather haphazard and fragmented way. The approaches utilised in different forces vary greatly and there has been little attempt to formally evaluate their effectiveness.

This article describes the findings of an academic ‘proof of concept’ study that was undertaken to explore the impacts of criminal homicides upon community reassurance¹.

Three basic aims underpinned the research:

- 1) To examine how different homicides impact upon levels of public reassurance and neighbourhood security in and around the areas connected to the crime;
- 2) To evaluate the impact of current standard police investigative practices when responding to homicides;
- 3) To contribute to the development of a new methodology for measuring these impacts, and consider how it might aid more effective ‘community impact management’.

The study took the concept of CIA back to ‘first principles’ in order to explore how and why certain homicide incidents acquire a ‘signal crime’ status thereby shaping levels of

¹ The study was funded by the ACPO Homicide Working Group and managed by NCPE.

reassurance. The first phase involved the secondary analysis of data from in-depth interviews with members of the public, originally collected as part of the National Reassurance Policing Programme (NRPP) (cf. Innes et al., 2004). Common themes were used to construct a hypothesis about how and why certain incidents of homicide seemed to exert considerable impact upon levels of neighbourhood security, and why other, ostensibly similar crimes, did not.

In the second phase of the study, the hypothesis was tested through fieldwork² conducted in relation to the murder of John Monckton in London in November 2004. Monckton was a wealthy executive living with his wife and daughter in the Upper Cheyne Walk area of Cremorne ward, Kensington and Chelsea. He was killed and his wife seriously injured, when two men tricked their way onto the property saying they were delivering post. The crime received a very high national media profile and appeared to have all the characteristics of a signal crime.

The article is divided into two main sections. In the first, the hypothesis to be tested and how it was arrived at is explained. The second, main empirical section of the article then provides a case study of the John Monckton murder and the results of the analysis are reported. In the concluding section we provide a summary of the findings and consider their implications.

2 Constructing The Hypothesis

Based upon the analysis of the NRPP data four inter-linked concepts emerged that appeared promising in terms of predicting how likely it is that a signal will ‘resonate’ with a particular community, affecting their outlook.

2.1 Sensitisation

The concept of sensitization suggests people are more likely to attend to a specific incident if they have already been sensitized to these sorts of concerns by previous incidents involving similar issues – in effect the public’s ‘radar’ has already been ‘tuned’ to certain problems. This may arise from earlier incidents that have occurred in the locality, or as a result of stories circulating in the media.

² The fieldwork comprised of two waves of interviews conducted with members of the public living in Cremorne: the first in January 2005, two months after the original incident (16 respondents) and the second, following the conclusion of the court trial for the case in March 2006 (12 of the original sample). The interview instrument used was based upon was a modified version of the i-nsi computer-assisted personal interview software package (cf. Innes, 2005).

The most obvious example of sensitization was in North Walton, Surrey, where two fairly similar incidents had occurred in fairly close temporal and geographic proximity to each other – the abduction and murders of Amanda ‘Millie’ Dowler and Sarah Payne. Indeed, nearly all the people interviewed who made reference to one crime, did so with a cross-reference to the other. Whilst this is an extreme example, it serves to illustrate the fundamental point that people do not react to a homicide as an isolated incident, but draw upon the back-history they have about an area to make sense of it. This is reinforced by the following quotation in which the respondent describes his reaction to the double shooting of Laetitia Shakespear and Charlene Ellis in Aston, Birmingham,

“The one area we used to avoid is where the two girls were shot... it’s where ... all these subways are, that area is absolutely no go, I wouldn’t go there

Is that where the two girls were shot, is that why you won’t go there?

No, it was before that, it became that way, that is the latest development, and we were not aware until we saw the picture, but before that we always felt cagey about that, not even in the car... never felt safe for some reason, the way the place is set up, it felt... Very rough, it’s not pleasant”

(Ast~231)

As this person describes, there were already a number of signal disorders present that made this area feel unsafe prior to the shootings. From the community’s viewpoint it was an area where ‘trouble’ happened.

An important preliminary theme emerging from the analysis of these data is that people relate a crime to what else they know about patterns of offending and other problems in the area and it is this contextualised understanding that shapes the impact of the most recent offence.

2.2 Geographic Proximity

One factor impacting upon who will be concerned by a homicide is the geographic distance between people, the places they frequent and aspects of the crime. The closer someone is to the scene of the crime or the residence of a victim or offender, the more probable it is that they will be concerned by the crime itself. For one parent in North Walton, living near to one of the two victims gave the crimes particular import,

- N: ...cos obviously Millie was only round the corner.
 I: So she lived round the corner did she?
 N: Yeah, she lived down the road.
 I: So what sort of effect has that had on you personally?
 N: I'm very worried to let my children out without me.

(NWal-058)

Mass media can extend the geographic reach of a signal crime, such that people routinely have an awareness of crimes that have occurred in distant places. However, that does not mean that we should neglect the importance of geographic proximity. A homicide occurring in a neighbourhood or local community is likely to function as a signal crime for many.

2.3 Temporal Proximity

The concept of temporal proximity suggests the more recent an incident is the greater the likelihood it is that it will function as a strong and coherent signal but that with time the intensity of the impact may wane. Some sense of this 'signal decay' is illustrated in the following quotation from Aston,

"Well it gave us all a nasty shock when those two girls were murdered up here, that was a very bad moment... It perturbed us for months, but that's gone now, yes, that was a bad thing."

(Ast-224)

The concept does not always hold, however and for a variety of reasons, some historic cases exhibit considerable influence over an extended period of time particularly where a 'collective memory' formulates around the crime (Innes, 2003b)

2.4 Social Proximity

The influence of geographical and temporal proximity appears, under certain circumstances and in certain situations, to be mediated by the presence of 'social proximity'. Not all individuals in a community are equally affected by a crime occurring in their neighbourhood and the similarity between someone's social identity or routine activities and aspects of the crime in question increases the likelihood that it will function as a signal to them.

Although for some interviewees in North Walton the passing of time since the Amanda Dowler incident had led their concerns to at least partially abate, this was not true for

parents with children living in the area. For them, this crime, even two years on, was still a strong and coherent signal that was manifestly shaping how they thought, felt and acted in relation to their children's security,

"... I don't know about the community but lots of people we know took extra precautions to take care of their children... We still won't let our daughter walk alone... My wife makes sure um... she makes every effort to go and pick her up or send somebody that we know to pick her up."

(NWal-063)

The concept of social proximity has potentially important implications for CIA. Whilst the strength of a signal and the influence it has upon neighbourhood security may decay over time, any such decay may happen at different rates for different sections of the community, according to the nature and circumstances of the incident. This is a feature that may not be revealed by a randomly sampled survey of the area.

Social proximity also illuminates how and why serious violent crimes may not elicit as much concern as expected in a neighbourhood. For example talking about the double shooting in Aston, one resident recalled how,

*"I discussed it with family and the next-door neighbour and people and they reassured me it wasn't quite as bad as it seemed,
What did they have to say about it that reassured you?
Erm, just mainly it doesn't happen all the time and it's only usually within gangs and they don't usually bother with people outside the gangs..."*

(Ast-235)

For this person, consulting with their local social network served to reassure them that it was highly unlikely that they would be targeted by this kind of violence.

Such interpretations are especially interesting because this was a case that received an extremely high national media profile, connecting it to a perceived growing social menace of gun violence. This was not an isolated view and many respondents had sufficient local knowledge to be able to put the crime in context. Consequently, they had a reasonably measured understanding of the risks and threats to which they were actually exposed.

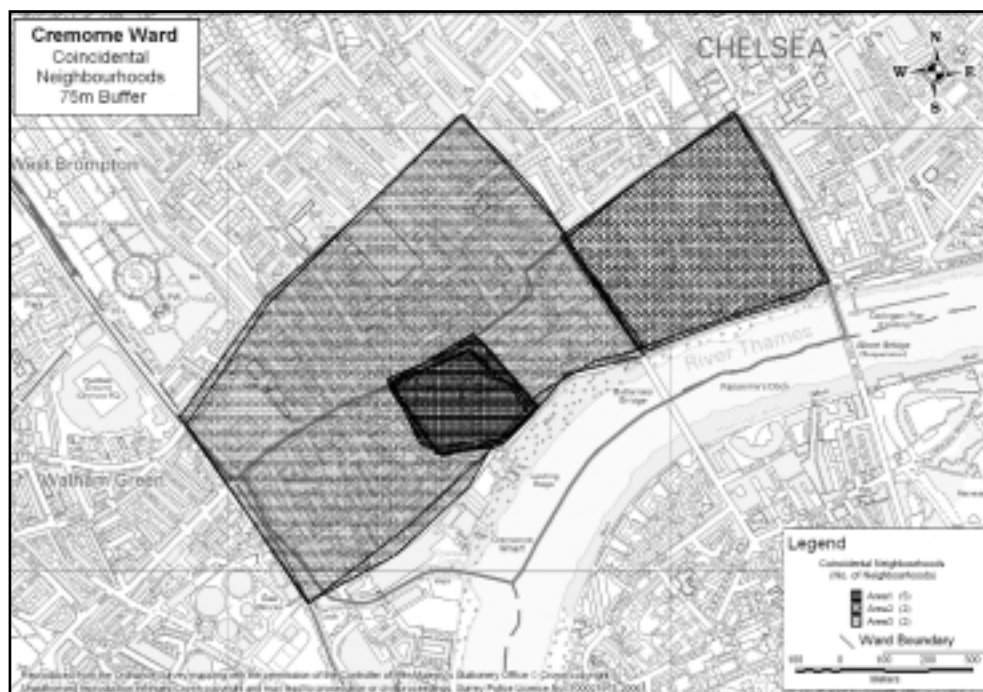
3 Testing The Hypothesis: A case study

The secondary analysis of the NRPP data relating to homicides thus suggested that the greater the level of sensitization, geographic, temporal and social proximity to an incident that are present within a community, the greater the likelihood of the incident resonating and functioning as a signal crime to them. It was this hypothesis that was tested through the fieldwork relating to the murder of John Monckton.

3.1 Natural Neighbourhoods

Analysis of the interview data revealed that in order to understand the impact of the Monckton murder it was first important to understand how the respondents conceived of different neighbourhoods and areas in the locality, as this latter dimension shaped the salience of the crime to them. At the start of the interviews respondents were asked to draw upon a map any areas that they thought of as distinct neighbourhoods or territories. A computer algorithm was then used to compare all the areas drawn and establish where there was common agreement about the presence of a 'natural neighbourhood' (Figure 1).

Figure 1: Natural Neighbourhoods in Cremorne Ward



Data suggested the existence of three distinct natural neighbourhoods. The medium shaded area on the Eastern side of the ward (Area 2) tended to be referred to as either ‘the Village’ or ‘Upper Cheyne Walk’. This represents the more affluent part of the ward and was the area where the Monckton family lived. The large, lighter shaded area (Area 3) was what some of the interviewees rather generically labelled as ‘South Chelsea’. A number of the respondents were far more precise in demarcating the exact boundaries of ‘The World’s End Estate’, shaded darkly (Area 1).

On the basis of this analysis, we will hereinafter refer to ‘the communities’ living in Cremorne to make clear that they do not see themselves as a cohesive, homogenous grouping.

3.2 Establishing Impact

Interviewing people living close to the murder scene it was clear that the crime had had a significant impact upon neighbourhood security. Sixteen months after the crime was committed, it was still an incident that played on their minds. For example, the following respondent described how he has become far more security conscious following the murder,

The effect on me was that I locked the door. I have got a Yale lock but you could put your hand through the letterbox and open it. I said to my wife because of the way that they had got into the Moncktons’ house I said that we are going to lock the two dead locks on the door..... we locked the door even when we’re in. It’s locked now actually.

For this affluent individual, the crime provoked particular anxiety because of the deception employed in its commission,

It was particularly threatening because it wasn’t the normal victim precipitated, drunk or you put your hand through the letter box, they used guile to persuade him to open what was a secure home.

(002)

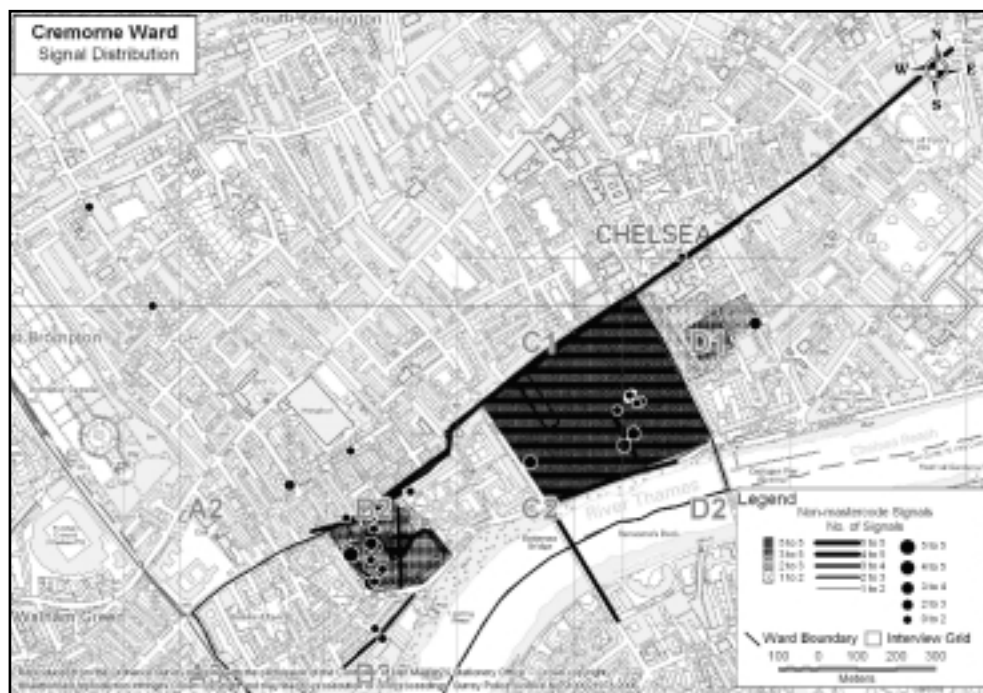
The use of deception was mentioned by several of the more affluent respondents and was an aspect of the crime they seemed sensitized to. The significance of this may be that it played upon the existing insecurities of this community relating to how, although they spent considerable sums on target hardening measures, ultimately they were still vulnerable to the actions of determined criminals. The majority of the other respondents living in and around the Upper Cheyne Walk area mentioned having modified their behaviour following the murder, ranging from being more careful about locking doors and windows, to being reluctant to walk alone in the area.

Across the two waves of interviews conducted 15 months apart, murder was the strongest and most coherent signal in the area being mentioned nearly twice as often as any other problem. The significance of this finding can be demonstrated by reference to the findings of the NRPP research where a similar methodology was employed (Innes et al., 2004). In none of the trial sites was murder the top signal crime. This suggests that the situation in Cremorne, following the Monckton incident, is markedly different to that to be found in most other locations. Overall then, it seems that the Monckton murder had impacted upon the local communities assessments of their security. Deploying the concepts of sensitization, geographical and social proximity, we will now try to calibrate the nature of these impacts more precisely.

3.3 Sensitization

Respondents were asked a sequence of questions about their knowledge and awareness of a range of different types of crime and disorder problems in the area. These data are overlaid to construct the signal distribution map in Figure 2.

Figure 2: All Signals Distribution Map



A number of black and grey dots, lines and shaded areas are used to denote where respondents have identified a crime or disorder as happening in a specific location, road or general area respectively. The size of the dot, the thickness of the line and the density of the area shading increase proportionately where multiple respondents have identified the same incident. There are two clear main clusters of problems. In Cell B2 there is a cluster of dots and a number of respondents have also used an area signal for the whole of the World's End Estate. Given that this is a deprived area of the ward with a number of other social problems present, is not surprising that we should also see crime and disorder signals clustering in the area.

More surprising perhaps is the intensity of the signals around the more affluent Village area of the ward (Cells C1, C2, D1, D2). Given the socio-economic profile of the residents here, one would not anticipate people defining this as a risky and threatening area, and yet the data suggests they do. There are three large dots in the corner of Cell D2 and just above that a densely clustered series of dots. This latter group are located in the area immediately surrounding the Monckton residence. The whole area is shaded densely red to reflect the fact that a number of respondents viewed it as a risky location. Although some of the signals were directly related to the Monckton murder, others referenced problems that people were previously concerned about in the area, mainly street robbery and groups of young men hanging around acting in a threatening manner.

These data are broadly supportive of the sensitization principle. In effect, the murder had raised people's sensitivity to potential risks and they were now on a heightened state of alert for most of the time. This finding has important implications for policing. Given the level of turnover amongst police staff it is unlikely that local officers are going to share the same 'back-history' that their communities may draw upon in making sense of an incident and consequently may not be well positioned to understand why a crime triggers high degrees of concern and fear.

3.4 Geographic Proximity

The concept of geographic proximity suggests that the closer a crime is to a person in physical terms, the more likely they are to attend to it. This idea is supported by the following quotation,

...because Mr. Monckton wasn't on my doorstep. You know, it was something that I didn't feel involved with. I just felt sorry for the whole family because of what had happened but it wasn't, although it was in the same borough, it wasn't on my doorstep.

(009)

Conversely, a second respondent describes her response to the Monckton murder compared to another homicide in a different part of the ward,

*I think the one closer to me had more of an impact, because it was on my doorstep.
Um, and then, when this happened to this young lad it seemed as though it was
not in my territory.*

(011)

In making reference to a ‘territory’ this interviewee is illuminating how conceptions of neighbourhood intersect with the salience that a crime takes on for an individual and their likely reactions to any particular incident.

3.5 Social Proximity

The definition of social proximity suggests that people will attend to a crime depending upon the extent to which aspects of their own lifestyle are mirrored by the circumstances of the crime in question. This is manifestly present in the data on the Monckton murder. There is a clear difference between the reactions and attitudes of the more affluent residents living nearer to the scene of the crime and those of the less affluent respondents living in World’s End. For example one man living in World’s End told how,

*I don’t think it would happen here so much because...they knew he was a
moneyed man...*

(W2-03)

Similar sentiments were articulated by another resident on the Estate,

*Maybe they select him because he’s rich you know?...Because of this, this crime is not
important for me.*

(W2-13)

In contrast, a wealthier respondent articulated the feelings evident in the more affluent end of the ward reflecting the particular insecurities and vulnerabilities to which residents there felt exposed,

*You know, and for it to happen in this kind of area, which, they’ve got high security in their
houses, you know, they can vet people before they even come in.*

(011)

So far the analysis of the Monckton data supports the concepts relating to signal resonance derived from the secondary analysis of the NRPP data. Drawing the strands of the argument together the findings can be summarised as:

- The Monckton murder had its most profound impact amongst the more affluent residents living in reasonably close physical proximity to the scene. Amongst these respondents there was evidence of the crime inducing both behavioural and emotional effects;
- As you move further away and the socio-economic profile of the respondents changes, so the concern about this particular crime becomes less coherent and strong. The incident appears to have generated emotional effects, but not behavioural ones.

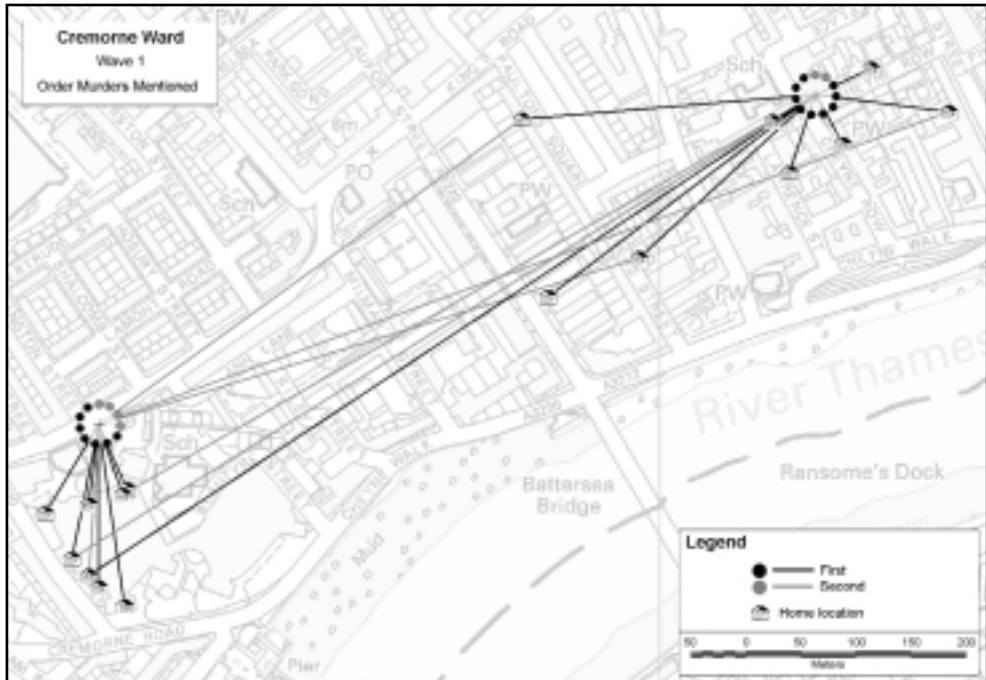
3.6 Other Homicides in the Area

In the process of the fieldwork it soon became evident that the situation ‘on the ground’ was more complex than it first appeared, with the majority of respondents also making reference to an earlier, gang-related murder of a young man outside the World’s End Estate.

Figure 3 opposite plots an analysis of the order in which the 16 respondents interviewed in Wave 1 of the research discussed the two homicides, taken as a tentative indicator of the comparative signal strengths. On the map the two circles of small dots denote the scenes of the two crimes and the house symbols denote the addresses of the respondents. The dots are connected to the house symbols to show the order that each respondent referred to each of the two crimes: black indicates that crime was mentioned first and grey that it was mentioned second.

Supporting the central hypothesis, the map illustrates that for the vast majority of respondents the crime that has greatest resonance for them correlates with the incident’s geographic and social proximity to them. Affluent individuals living closer to the scene of the Monckton killing were most likely to reference that crime as a signal impacting upon their security. In contrast, less wealthy respondents living in and around the World’s End estate only referred to the Monckton incident once they had discussed the gang shooting.

Figure 3: Wave One Order Incidents Mentioned



Further, preliminary analysis of the significance of this incident also suggests that:

- People were retrospectively sensitized to this incident by the Monckton crime and it may also have partly sensitized the communities to the impact of the Monckton crime;
- The gang-related homicide did not have as profound effect upon people in terms of causing changes in individual security protecting behaviours. This is because people seemed to understand that this kind of gang-related violence did not represent a direct risk to them;
- The greater media profile of the Monckton murder meant that the 'decay' of the signal was extended for some individuals compared with other killing, meaning that it had a longer-lasting impact upon public concerns.

4 The Police Response and its Consequences

In the aftermath of a major crime, it is common for increases in the visibility of policing in the area around the crime scene to be evident as officers involved in conducting the investigation go about their work. Commenting on the situation after the Monckton murder, several respondents perceived that local policing had improved,

Well, we see the police more now, they drive round in their cars once a week and we've got two community police officers... They walk up and down once a week.

(002)

People also thought that increases in police presence had deterred certain unwanted disorderly activities in the area.

The capacity for increases in police presence to improve the quality of a community's life by either intentionally or unintentionally addressing incivilities following a major crime are important. However, it is clear that such positive reassuring signals are finely balanced and that more negative consequences can also occur. For example, homicide investigations may bring to light previously 'hidden' activities that can serve to amplify the level of insecurity within the local community,

As I talk about it, it's quite disturbing... But there were lots of things that later, that came out of that, which I think the police were told about, like the children speaking up after, about how it had, the leading up to it, how things were happening previous to that. And how things we didn't know about which kids were frightened to talk about, about this guy with the guns and...."

Do you still worry as much now as you did at the time?

"Yes, absolutely, absolutely. Probably more now. I worry more now because I think that there's a lot of guns around."

(005)

The next quotation illustrates another example of the unintended consequences that can flow from police actions when responding to a serious crime. This respondent was an influential member of the community who was trusted by many local residents. Because of this the police attempted to use him to help reassure the wider community,

...he said "Well, did you realise that..." statistics, and I think he wanted me perhaps to calm the community. And to ask me whether they should leaflet the community, giving them the statistics. So I said statistics are not going to work, do some real work, I said "Catch the buggers!", "Catch the buggers!"

This attempt to allay local fears in the immediate aftermath of a homicide was viewed fairly contemptuously by this individual. Indeed, it coloured his evaluation of the police response overall and had left him feeling quite angry. As he detailed, statistical data did not cohere with the fears and anxieties that had been building in the local community,

When the police came [laughs], he said "there's no crime", I said well there was a murder in World's End the summer before, just three months before, a shooting, a murder.

(10)

The quotations above illustrate the inherent dangers of attempting to reassure communities by drawing upon recorded crime data. People may feel that the police are dismissing their concerns as irrational and unwarranted, and that they are not being taken seriously. It is vital that police are confident of the accuracy of any statistics they do use as, if these do not match the actual experiences of communities, levels of trust and confidence will be further undermined.

5 Conclusion

When responding to a major incident such as a homicide, the principal focus of the police response is naturally upon the investigation and bringing offenders to justice. Increasingly though, there is a growing awareness that such crimes and the quality of the police response to them can have a considerable impact upon community reassurance and neighbourhood security. Although the majority of the public in this country have contact with the police and serious crime very infrequently, when a homicide or other serious incident occurs in their neighbourhood, stresses and tensions can appear across communities and the public looks to the police to repair the damage that has occurred. In so doing, police need to attend to the issue not just of whether they solve the crime, but what the long-term legacy is likely to be.

This article has identified several new insights into how community reactions to major crime incidents are structured. We have developed and proven the concept of 'signal resonance',

showing clearly that the physical and social distance between groups of people and the crime, together with their past experiences, shape the degree to which an incident is likely to 'resonate' with their current concerns. The concept has two major implications for the development of current police practice in the field of Community Impact and reassurance:

- In conducting Community Impact Assessments, police need to establish methodologies that are sufficiently sensitive to appreciate the variations that might be present within a geographical community in terms of how different people may react to the same crime;
- In developing practices around Community Impact Management it needs to be recognised that communities should not be treated as homogenous entities and different sectors of a local population require different interventions to reassure them.

Field trials to develop the detail of how the principles of 'signal resonance' might be used to achieve these aims in practice are now underway.

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Legal Attendance at Post-Mortem Examinations

Jason Barrington Beer

Abstract

In 2003 Avon and Somerset Constabulary had arrested a suspect in relation to an ongoing homicide investigation. A firm of solicitors representing the suspect requested the permission of Her Majesty’s Coroner for the District of Avon to attend a post-mortem examination of the deceased. The Coroner granted permission.

DCS Johnston, and other Senior Investigating Officers, were concerned at the state of affairs described above. After raising his concerns with the Coroner, advice was sought from Jason Beer of 5 Essex Court, Temple regarding the legality of this request.

The following article relays the advice provided and is reproduced with kind permission of Jason Beer, Avon and Somerset Constabulary and DCS Dave Johnston. The advice given pertains only to this particular case and is presented for information purposes only.

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1 Introduction

1.1 My instructing solicitor acts on behalf of Detective Chief Superintendent Johnston and Head of CID of the Avon and Somerset Constabulary (“The Constabulary”).

1.2 Earlier this year the Constabulary were investigating a homicide. A man had been arrested as a suspect for the homicide. A firm of solicitors representing the suspect requested the permission of Her Majesty’s Coroner for the District of Avon to attend a post-mortem examination of the deceased. The Coroner gave permission.

1.3 DCS Johnston, and other Senior Investigating Officers, were concerned at the state of affairs described above. On 17th February 2003 he wrote to the Coroner stating that, although he recognised that the decision as to who may attend post-mortem examinations rests with the Coroner, he sought the Coroner’s support in resisting future applications for permission to attend made by solicitors representing suspects in homicide investigations. DCS Johnston gave six reasons for his position.

1.4 On 5th March 2003 the Coroner replied. He stated as follows:

“...It is in fact not a new phenomenon, and there is ample provision in the Coroners Rules relating to this matter. It is also quite clear from Rule 20, sub-rule 2 of the Coroners Rules 1984, sub-sub-rule (d), that any person whose act or omission...may in the opinion of the Coroner have caused or contributed to the death of the deceased will have the rights as properly interested person with regard to the inquest.

Practise, and indeed reference can be made to this in the current edition of Jervis on Coroners, that although there is no specific provision, persons in such a position regarding a criminal offence arising out of the death would normally be allowed to attend, or be represented, at the examination if they so desire.

I can fully understand your concerns, as amply set out in your letter, but I would be somewhat cautious regarding your comments in paragraph 5 in relation to the particular set of solicitors.

I am sure you will be aware that as a result of the Rules and the guidance issues, that any refusal will immediately lead to an application to the Administrative Court for an order post-mortem not to be carried out until such time as a defendant could or should be represented.”

1.5 In the light of the Coroner’s reply DCS Johnston raised the matter with the ACPO Homicide Working Group. The Secretary to that Group, Chief Superintendent Geoff White of the Staffordshire Police, researched the matter and received some informal confidential advice from his local Coroner. He compiled a draft letter to the Chief Constable of Cheshire Police who has the ACPO lead on Coronial issues. That letter has not yet been sent.

1.6 I am asked to advise upon the issue.

2 The Law

2.1 So far as is material the Coroners Rule 1984 (“the Rules”) provide as follows:

Coroners Rule (1984)

Part III

Post-Mortem Examinations

Delay in making post-mortem to be avoided

- 5 Where a coroner directs or requests that a post-mortem examination shall be made, it shall be made as soon after the death of the deceased as is reasonably practicable.
- 6(1) In considering what a legally qualified medical practitioner shall be directed or requested by the coroner to make a post-mortem examination the coroner shall have regard to the following considerations-
- (a) ...
 - (b) If the coroner is informed by the chief officer of police that a person may be charged with murder, manslaughter or infanticide of the deceased the coroner should consult the chief officer of police regarding the legally qualified medical practitioner who is to make the post-mortem examinations;
 - (c) ...
 - (d) ...

Coroner to notify persons for post-mortem to be made

- 7(1) Where a coroner directs or requests a legally qualified medical practitioner to make a post-mortem examinations, the coroner shall notify the persons and bodies set out in paragraph (2) of the date, hour and place at which the examination will be made, unless it is impracticable to notify any such persons or bodies or to do so would cause the examination to be unduly delayed.
- (2) The persons and bodies to be notified by the coroner are as follows-
- (a) any relative of the deceased who has notified the coroner of his desire to attend, or be represented, at the post-mortem examination;
 - (b) the deceased's regular medical attendant;
 - (c) ...
 - (d) ...
 - (e) ...
 - (f) ...
 - (g) if the chief officer of police has notified the coroner of his desire to be represented at the examination, the chief officer of police.
- (3) Any person or body mentioned in paragraph (2) shall be entitled to be represented at a post-mortem examination by a legally qualified medical practitioner, or if any such person is a legally qualified medical practitioner he shall be entitled to attend the examination in person; but the chief officer of police may be represented by a member of the police force of which he is chief officer.
- (4) Nothing in the foregoing provisions shall be deemed to limit the discretion of the coroner to notify any person of the date, hour and place at which a post-mortem examination will be made and to permit him to attend the examination.

Report a post-mortem

- 10(1) The person making a post-mortem examination shall report to the coroner in the set out in Schedule 2 or in a form to the like effect.
- (2) Unless authorised by the coroner, the person making a post-mortem examination shall not supply a copy of his report to any person other than the coroner.”

3 Discussions

3.1 In my view the position is, in short order, as follows:

- i The persons and bodies listed in Rule 7(2) of the Rules have a right to be *notified* of the date, hour and place of the post-mortem examination;
- ii Those persons have a right to be *represented* at the post-mortem examination: the rights to *representation* by legally qualified medical practitioner and not a right to be present themselves;
- iii A suspect in a homicide case has no *right* to attend or to be represented at a post-mortem examination;
- iiii A coroner has a *discretion*, under Rule 7(4) of the Rules, to allow a suspect in a homicide case to attend a post-mortem examination.

3.1 The real issue is how the discretion vested in the coroner, by virtue of Rule 7(4) of the Rules, should be exercised in the case of a suspect in a homicide case. The discretion must, of course, be exercised judicially. In my view there are six factors which, in general terms and in *most* cases, suggest that a coroner should not permit a suspect in a homicide case to attend a post-mortem examination either personally or by his solicitor. I discuss each below.

3.2 First, Parliament has determined (a) that a small number of persons and bodies are, by virtue of their position or status, properly interested in the conduct of post-mortem examinations and (b) that in respect of that small number of persons and bodies their proper interests are to be given effect to by giving them the right to be *represented* at the post-mortem examination by a legally qualified medical practitioner. Those persons and bodies are not permitted, by right, to attend personally. Those persons and bodies are not permitted, by right, to attend through their solicitor. Yet, in the Coroner's view, it is proposed to permit a person who has not been so identified by Parliament to attend in a way not provided by parliament. Put another way, if a suspect is thought by a coroner to be properly interested in the conduct of a post-mortem, then they ought only to be permitted to attend through a legally qualified medical practitioner. I note that this is precisely what is envisaged in the "*Memorandum of Good Practice Re Early Release of Bodies in cases of Suspicious Death*" which forms part of the Home Office Circular No 30/1999 (see, in particular, paragraphs 22 et seq). I should note that the formulations of Rule 7(4) of the

Rules might be said to prevent such an approach (because it envisages notice being given to *the person* and *the person* attending the post-mortem). This difficulty is easily overcome: the notice can be given to the suspect's legally qualified medical practitioner.

3.3 Second, post-mortem examinations in homicide cases can properly be said to be significant part of the criminal investigation being carried on by the police service on behalf of the state. The police service's significant and important position and role in such post-mortems is recognised by the Rules: (1) by Rule 6(1)(b) – the chief officer of the police must be consulted as to the selection of the legally qualified medical practitioner who is to conduct the examination and (2) by Rule 7(3) – the chief officer of police may be represented at the post-mortem not by a legally qualified medical practitioner but by a police officer. The unique status is a reflection of the realities of post-mortem examinations, involving as they do a dialogue between the pathologist and the police officer or officers present. Often information is disclosed by the police officers to the pathologist as to the circumstances known or suspected to surround the death. Often information is disclosed by the pathologist to the police officers as to the cause of death, the time of death, the sequence of injuries, whether certain injuries are pre- or post-mortem and other matters of that sort. For a suspect or his solicitor to be privy to that information, at that stage of the investigation, may prejudice the investigation. In some investigations the Senior Investigating Officer will wish to keep certain information from the suspect (or indeed the public at large). This may be in order to test the veracity of any subsequent 'confession'; to identify a person with unique knowledge of the case (which may suggest that they are guilty of the homicide); or to retain such information until a critical point in the interview of a suspect. If a suspect is present, either himself or by his solicitor, at a post-mortem examination then these investigative methods, in particular an SIO's interview strategy, may be compromised. In this connection I note that the Court of Appeal (criminal Division) in **R v. Thirwell [2002] EWCA Crim 286** (copy enclosed) considered a case where it was claimed that, as officers had not disclosed before interview that a Pathologist had reported that one of three possible causes of death was a heart attack, a defendant's subsequent false confession should have been excluded under Section 78 of the Police and Criminal Evidence Act 1984. In dismissing the appeal the Court noted that, whilst officers may not positively mislead,

“It is totally wrong to submit that a defendant should be prevented from lying by being presented with the whole of the evidence against him prior to interview”

3.4 Third, some suspects elect not to be represented by solicitors. If permission were routinely given to the solicitors of suspects to attend post-mortem examinations then I see no reason why that facility should not be extended to unrepresented suspects themselves.

This would undoubtedly cause much grief and distress to the family of the deceased. Some suspects would no doubt seek permission for other than bona fide reasons. Homicides motivated by sexual perversion provide a clear example.

3.5 Fourth, the conclusions reached by a pathologist at a post-mortem examination are often provisional. If a suspect or his solicitor is present when those provisional conclusions are given, then is there a corresponding duty to keep the suspect or his solicitor informed of subsequent development (such as toxicological analysis)?

3.6 Fifth, although a person charged with homicide has no statutory right to request a second post-mortem, the courts have recognised such a right (see **R v. HM Coroner for Greater London ex parte Ridley** [1985] 1 WLR 1347). The availability of such a right satisfies many of the legitimate interests of a suspect in a homicide investigation.

Sixth, in the circumstances set out above, I can see no pressing need for a suspect or his solicitor to attend a post-mortem examination. Rather than focus upon why such persons should be *prevented* from attending, why not examine why they need to attend? If it is to examine the conduct of the post-mortem, then the suspect can be represented by a legally qualified medical practitioner.

4 Conclusion

4.1 In summary, I support and endorse the position taken by DCS Johnston. I suspect that the best way forward is for the matter to be taken up by ACPO with the Home Office and, if possible, a Home Office Circular (or an amendment to HOC No 30/1999) to be issued on the subject. Now is an opportune moment to raise such an issue: as my lay and professional clients know, the Fundamental Review has just occurred and much reform is contemplated.

What Solves Hard to Solve Murders? Identifying the Solving Factors for Category A and Category B Murders. Does the SIO’s Decision Making Make a Difference?

**DCI Mark Roycroft
Metropolitan Police**

Abstract

This paper presents some preliminary results from research being carried out by a serving detective in the Metropolitan Police. The research records the results of qualitative interviews with 32 Senior Investigating Officers (SIOs) in the Metropolitan Police Serious Crime Directorate. It identifies 41 key solving factors and the decision-making process used by the SIOs in the investigation of 166 solved and unsolved Category A and Category B murders.

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1 Introduction

What solves murders? This was the question posed to 32 Senior Investigating Officers (SIOs) in the Metropolitan Police murder command. Secondary analysis of the relevant 166 Holmes accounts (databases) for the enquires within the period of the research compared the results of the interviews with the information on the accounts. This research is further concerned with the decision making of SIOs on the Metropolitan Police murder command and how this impacts on the success of murder investigations. The main aim of this analysis was to identify the key solving factors within these “*hard to solve cases*” and determine the relevance of individual solving factors, in short, where should SIOs concentrate their efforts?

The interviews revealed the internal and external pressures affecting decision making in the investigative environment. The interviews were more comprehensive and revealing of Senior Investigating Officers’ decision making than first hoped. Bitter (1970) has repeatedly observed how there has been inadequate attention paid to the “craft” of policing, the end product of any police organisation. Wilson and McClaren stated that:

“No area of law enforcement is in greater need of improvement than criminal investigation. The management of criminal investigation moreover is less effective on the whole than the management of other police activities.”

There has been little academic research in this area and it remains ripe for empirical study. Keppel and Weis (1994) observed that there was no empirical research on solvability factors. Analysing solving factors in homicide cases should lead to a clearer understanding of how enquires are conducted and contribute to the “*science*” of investigative methodology.

Current UK police thinking is contained within ACPO (2005) Core Investigative Doctrine and the ACPO (2006) Murder Investigation Manual (MIM). The doctrine defines an investigative strategy as:

“any activity which if pursued is likely to establish an important fact, preserve material or lead to the resolution of the investigation”.

The basic aims of police enquires are defined in the MIM as the five building blocks; preserving life, preserving the scene, securing evidence, identifying victims and suspects. This ACPO manual forms the basis of SIO training in the UK.

The present research is an attempt to move beyond these definitions to establish the key solving factors in major enquires. This is important because, as Wellford and Cronin (1999 www.jrsa.org) state, some of the variables involved in solving a case cannot be manipulated. Some factors can be controlled such as the number of detectives assigned to a case, following up on witness information and the actions of the first officer on the scene. They felt that adjusting these variables would increase the clearance rate for homicides. Overall they suggested that:

“practices and policies of law enforcement agencies can have a substantial impact on the clearance of homicide cases” (p4).

2 Definition of a Solvability Factor

The author was concerned with establishing those features mentioned by the SIOs that led to a successful investigation. This was supported by secondary analysis of the relevant Holmes accounts. Solvability features or factors are those mentioned by an SIO as the pertinent features that led to the arrest and charge of suspects. In order to make sense of the features or “*factors*” mentioned the author categorized them into the 41 separate factors shown in Figure 1.1. By delineating the factors into these separate entities it was hoped to clarify precisely those factors that led to the conclusion of “*hard to solve*” murder cases. Defining and identifying the factors themselves was relatively straightforward in some instances. For instance, it was clear when forensic evidence had solved the case. Others, however, were more difficult to break down and unambiguous definitions were needed to provide clarity.

The most frequently used factors are shown in ascending order. The first six shown were in double percentage figures and it is interesting to note how infrequently some of the traditional methods were used, this includes anniversary appeals and POLSA (police search teams). This does not mean that these factors would not be successful and in some cases they may be “*the deciding factor*”.

There is a contrast between those themes used in solved and unsolved cases. In solved cases forensic evidence was the highest solving factor whereas in unsolved cases the use of intelligence ranked highest. In solved cases intelligence use was ranked fifth. Witness management did not figure in the six highest ranking factors for unsolved cases along with the use of Investigative Thinking. These two police initiated strategies reflect the importance of SIO behaviour. This may reflect the nature of the cases but after secondary analysis the research showed that this was only partially an answer.

Figure 1.1 Solvability Factors identified from SIO’s interviews

Solvability Factors	Percentage of cases where factor contributed to solution of the case		
Forensic material	38 %		
Witness management	32 %		
Intelligence	28 %		
Phone analysis	25 %		
CCTV	21.7 %		
Investigative thinking	18 %		
Covert methods	10 %		
Informants	9 %		
Surveillance	8 %		
House-to-house	8 %		
Identity parades	8 %		
Media	7 %		
Arrest strategy	7 %		
Consultation with CPS	6 %		
National Crime Faculty	6 %		
Recovery of murder weapon	6 %		
Financial information	5 %		
Behaviour of local officers	4 %		
– Liaison with expert advisers – Interviews – FLO	– E-Fit – Linked offences – Proactive strategy	– Confession – Analysis – Pathology	These factors <i>each</i> helped resolve 2 % of cases
– Reward – Pro active patrol	– Private CCTV – Crime watch	– Behavioural profiling – Anniversary appeal	These factors <i>each</i> helped resolve 1 % of cases
– Witness albums – PoISA – HOLMES	– Immunity – Geographic profiling – ANPR	– Dying declaration – Crimestoppers	These factors <i>each</i> helped resolve 0.6 % of cases

3 Solvability Factors Explained

There is insufficient space to describe all the factors in detail therefore the factors described below are those which were either the most important or required some explanation

3.1 Witness Management

The management of witnesses emerged as the second biggest solving factor. SIO 4 stressed the importance of “*grabbing*” or “*scooping up*” important witnesses in the early stages of an investigation. This strategy represented 29% of the total solving factors. The SIOs were involved in scenarios where the witnesses made evidence gathering difficult. Many witnesses were uncooperative or the police encountered cultural differences, which had to be overcome. Overall the careful management of witnesses through the criminal justice process is a major consideration for SIOs.

As Decker explains:

“Witnesses can be thought of as representing a third party in many homicide events expanding the dyad of victim offender roles to a triad of victim – offender – witnesses roles”
(Brookman, 2005: p114).

One SIO (SIO17) commented that you have to deal “*with the witnesses you are given in any enquiry*”. This particular SIO was criticised for the police handling of an important significant witness in a Category A case. The witness had changed their account during the trial and the judge criticized the police management of this significant witness. In this court case 18 witnesses gave evidence but defense counsel concentrated their defense on the main significant witness who proved unreliable.

Witness protection issues were mentioned by many of the SIOs. SIO 22 stated that:

“one case hinged on witness evidence and a witness was placed in a witness protection scheme. A separate victim who had received a punishment beating from the same gang identified the suspect in the murder case and she required witness protection as well”.

The social milieu of many witnesses is another consideration as the “*pool*” of witnesses in many cases will not be naturally friendly to the police or their culture may preclude giving information to the police. The research suggests that witness management was a particularly significant factor in the following types of murder cases:

- Category A murders
- Criminal killings
- Disputes
- Drug related murders
- Financial
- Operation Trident murders.

3.2 Investigative Thinking

Investigative thinking is the process used in situations where the decision maker recognises an unfamiliar situation and also designs a novel course of action. Some SIO’s displayed creativity in finding solutions to a problematic investigation. This refers to those lines of enquiry initiated by the SIO that were unique solving factors to that individual enquiry. SIOs mentioned investigative thinking as a solving factor in 18 % of cases and it therefore represents a significant strategy in terms of how case solutions were arrived at. This strategy can be defined as one which encompasses the SIO’s experience and lateral thinking.

3.3 CCTV

The use of CCTV material was the solving factor in 24 % of cases; the fourth most frequently mentioned factor. Many SIOs commented that when seeking to make full use of CCTV cameras it was vital to set parameters for retrieval quickly as tapes are used on a continuous loop that winds back over a 24 hour period. In one case the SIO used the CCTV material collected to create a “*facial map*” of the suspects. A third suspect was identified and confessed to being at the scene. The collection of CCTV evidence played a large part in the successful conclusion of cases involving disputes. This is explained by the large number of these cases that take part in public places and areas covered by CCTV notably town and city centres.

CCTV was used by SIOs to gather different evidence by different techniques. In a high risk missing person enquiry the SIO used the pictorial evidence from the CCTV to identify the suspect’s vehicle and in turn the make of vehicle was circulated throughout London. Two local officers stopped the vehicle and arrested the two occupants. In a criminal killing the CCTV showed a number on a suspect’s hat and the MIR team was able to trace this hat

within the Holmes system. SIO 18 set “*wide parameters*” to obtain all relevant CCTV evidence, in his words he “*went wide*” and asked his team to constantly review the CCTV material to identify the suspect. In his words:

“I went wide to seize the CCTV tapes, it was vital to identify the shop that the suspect recovered property from. I tasked the team with re watching the CCTV material and they identified the suspect the day after the murder taking the property into the shop (pawnbrokers)”

CCTV evidence was also used to identify suspects by a process of elimination. This process of elimination was further used by an SIO to pinpoint times that the suspect left the venue of the murder. “*Proving a negative*” was used by two SIOs to disprove an alibi used by suspects. This involved disproving what a suspect had said. This did not lead to the proving of the case but did negate the suspect’s story and allowed the team to move onto the next line of enquiry. The uses of CCTV evidence spread beyond simple identification and formed part of the SIO’s overall evidential strategy.

3.4 Telephone Analysis

Telephone analysis is an important solving factor (23%) and is a recurrent theme in most investigations. One case involving a feud between Albanian gangs was solved by telephone cell site analysis. This helped to establish the crime scene as well as the fact that two suspects had left the UK. Telephone analysis represented 106 actions out of 544 over 5 months. The SIO in this case understood the importance of the early collection of telephone evidence and used it effectively to solve the case.

One Category A case involving the death of a drug dealer was solved by telephone analysis. The suspect made 11 calls at the time of the murder, three of them from the body dump site. Analysis of the cell site area established the crime scene. One SIO detected the suspect by using detailed analysis of phone usage to ascertain the phone activity of the suspect and thus connecting him to the phone. Five people were arrested as a consequence.

A family liaison officer in one case was given the suspect’s phone and the SIO used analysis of the phone to “*put the phones in the hands of the suspects*” by attributing phone calls to “persons of interest” in the enquiry.

3.5 Media Management

The management of the media is now an important part of the SIO's investigation and Fiest (1999 p.v) showed that most SIOs spent between 20% and 40% of their time dealing with the media in the first two days of an enquiry. Soothill, Peelo et al (2002) found two prevalent themes underpinning which homicides were selected. Sexual homicides were most likely to be reported as were homicides where there was a financial motive or a revenge motive. Peelo (2002) examined the reporting of homicides in the Times newspaper and found that murders with multiple victims and/or children as victims are *"amongst the important ingredients for a homicide story to get reported."* The media can play a part in the level of resources deployed in murder cases. Innes (2001) observes that *"poorly managed media strategies can be detrimental to the overall efficiency and effectiveness of an investigation"*.

3.6 Liaison with Outside Experts

In certain cases the SIO had to call upon the advice of outside experts such as behavioural profilers or experts in specialist forensic evidence. These experts were only required in specific cases and therefore form a small part of the sample, however in the more difficult cases their evidence could be crucial. Kind (1987) stated that SIOs should avoid using specialists as *"last resort"* in unsuccessful investigations. The Flanagan report on the Soham case recommended a meeting of all expert witnesses in the case. The management of expert witnesses was a trait of the more successful SIOs, the experts were clearly tasked and used in specific areas.

Some SIOs were critical of behavioural profiling while others found it useful in the prioritisation of suspects and to formulate interviewing plans. SIO 18 discussed the need for SIOs to think around the issues revealed in the various stages of the investigation. SIO 18 evaluated his enquires on an individual basis. This SIO used and tasked other expert witnesses such as a clinical psychologist, a biologist and pathologist to assist the enquiry process. The ability to clearly task the individual experts marked out this SIO from others who mostly *"loosely"* tasked experts (i.e. they set vague parameters for the experts). Focusing on a number of avenues enabled the SIO to solve the particular case by using intelligence, house-to-house enquires, outside experts and CCTV material.

The use of intelligence was a significant theme and was used in 73 of the 166 cases. It represents the third highest solving factor at 28% of the total solving factors. The use of intelligence refers to the use of police databases and analysis. Police intelligence can be broken down into three types: that gathered in advance, retrospective intelligence (i.e.

arrest records and analytically developed data such as forensic material, and inferential work. All the SIOs had access to analyst and intelligence officers and they were used in different ways. Some SIOs used the analyst as very much part of the team.

3.7 Number of Solving Factors

The number of solving factors described by the SIOs in each case varied from 1 to 12 with the average being 4. The highest frequency of solving factors was 4, thus indicating that the SIO has to consider a minimum of 4 solving factors in each case. The highest number considered was 12 in one Category A case.

Forensic and technical issues along with witness management dominated the solving processes reflecting the uncontested nature of “hard facts” within the evidential chain.

4 Solvability and Homicide Type

The research then focused on other factors that determined success including the behaviour of the SIO and the type of case. Table 1.2 below shows that a higher percentage of some types of homicide are solved than others.

Figure 1.2 Solvability and homicide type

	Overall	Solved	Unsolved
Dispute/Domestic	50 (30.1%)	40 (80%)	10 (20%)
Robbery/Financial	26 (15.7%)	22 (84.6%)	4 (15.4%)
Drugs	21 (12.7%)	9 (42.9%)	11 (52.4%)
Ethnic Gang Killing	17 (10.2%)	11 (64.7%)	6 (35.3%)
Stranger Attack	7 (4.2%)	4 (57.1%)	3 (42.9%)
Criminal/Contract	7 (4.2%)	3 (42.9%)	4 (57.1%)
Missing Person	6 (3.6%)	5 (83.3%)	1 (16.7%)
Homophobic/Racist	6 (3.6%)	5 (83.3%)	1 (16.7%)
Mental Health	5 (3.0%)	5 (100%)	0 (0%)
Honour Killing	3 (1.8%)	3 (100%)	0 (0%)
Arson	2 (1.2%)	2 (100%)	0 (0%)
Unknown	9 (5.4%)	4 (44.4%)	5 (55.6%)

Further analysis of the data is being carried out to establish the correlation between types of homicide, individual variables and the solvability factors discussed above.

5 Secondary Analysis

Having defined the solving factors and the types of murder the research then focused on the impact of the SIO. ACPO (2005) Core Investigative Doctrine (p57) states, “*flawed decision making has been responsible for failed investigations and miscarriages of justice*”. The Royal Commission commented that the most common type of error in crime investigation was that of decision-making. As a result the secondary analysis in this study probed the investigative mindset of successful SIOs and attempted to determine whether their decision-making is by luck, experience or a deliberate process.

Analysis was carried out on the 166 cases on the Holmes database to test the findings so far. This identified four areas of SIO decision making which are relevant to considering the role they play in the detection of homicide.

5.1 Negative Lines of Enquiry

In the majority of cases the SIO's version of the solving factors was accurate. The secondary research did bring to light the effort devoted to other lines of enquires that perhaps proved negative. In some cases enormous effort had been put into other lines of inquiry that did not ultimately solve the case, nonetheless they appeared essential at that stage of the enquiry. In one Category A case the victim's family had carried out some investigations of their own before they took the case to the police. The SIO also conducted a series of Identity Parades, which he did not mention in the interview, as they were non-conclusive. In one other enquiry the SIO did not mention a line of enquiry that involved 102 actions in relation to a vehicle that appeared important in the first stages of the enquiry. This was a complex case with 5 different scenes, nine people seriously injured and one person dead. The total number of actions were 3987 and the case took 23 months. Witness management was very important along with phone analysis and the collection of CCTV.

One consistent theme from the secondary analysis was the number of investigative strategies that provided no evidential material but were nonetheless time consuming and resource intensive. Not surprisingly the highest number of investigative strategies not mentioned by SIOs involved the collection of forensic material that proved negative and identification issues along with negative CCTV actions.

5.2 Prioritisation of Lines of Enquiry

The prioritisation of lines of enquiry was seen as a fundamental part of the SIO's decision-making process by SIO11. This SIO stated that:

“each action should support a major line of enquiry. Prioritisation of lines of enquiry is vital and the SIO must consider if that particular item supports a line of enquiry. I prioritise intelligence and ignore routine non-essential statement taking from police witnesses. I place more emphasis on forensic reviews rather than taking statements from Polsa teams (Police search teams)”

Innes (2003) comments on investigative methodology, which he saw as the constant assessment of the specific investigation. There was a need to prioritise the best themes for solving the case. Investigative methodology *“shapes and guides the way in which detectives interpret information and understand the involvement of people, places and objects in crime”*.

SIO (SIO 17) saw the prioritisation of lines of enquiry as *“clear signposts to success”*. He felt that successful investigative work was a *“slow process”* using the example of one case where his team researched parking tickets on the victim's vehicle, which led back to the murderer.

SIO 1 stated that his use of the media to find a crime scene illustrated the need to prioritise lines of enquiry. In this particular case the SIO tasked his officers with a single line of enquiry rather than process actions from Holmes.

The ability to prioritise and *“score”* potential solving factors was part of one SIO's management and decision-making process. He held *“mini office meetings”* when appropriate and produced *“hypothesis”* that he then scored. Where appropriate he produced a matrix and explained in the decision log how it was scored. Another SIO remarked that the prioritisation of actions was the *“real skill”* and the SIO cannot *“pursue all lines of enquiry”* This SIO *“fast tracked”* one of the actions suggested by one of his DC's which led to an arrest.

5.3 Management Style

The management style of individual SIOs was found to be important and the more *“democratic”* style of management that allowed the *“collective brain of the team”*. (SIO 4) to be used proved to be the most successful. SIO 28 stated that:

“after an office meeting in one case one of my DC’s was adamant that one of the suspects sacked from his job recently should be arrested. He backed this up with geographical analysis in circles from the crime scene” I fast tracked this arrest and the suspect was arrested and confessed to the murder”

5.4 Phasing of enquires

Fiest and Newiss (2004) state *“The quality with which (Holmes) actions are undertaken is likely to be as significant as their quantity”*. The selection of lines of enquiry and the correct prioritisation and allocation of resources to support them is a key feature of a successful and cost effective investigation.

The phasing of enquires and the need to create fast time actions was a solving factor in a dispute that ended in murder. One SIO commented on the need to create fast time actions to stop the family of the victim taking their own retribution. The family wanted to kill three of the suspects and the SIO had to fast track intelligence issues to safeguard the witnesses.

In a Category A case within the research period, one SIO described the ability to review his decisions on an *“hourly basis”* as one of the main successful management factors early stages of the investigation where a dispute had led to murder. The same SIO commented that an SIO cannot afford to be *“too rigid”* in their original decision-making. The review of lines of enquiry and the ability to change Holmes actions quickly was a trait of successful SIOs.

6 Replicated Behaviour

The author found 17 examples of replicated behaviour among SIOs where individual SIOs appeared to rely on particular techniques; these factors being evident repeatedly across different investigations irrespective of the nature of the case. The techniques which tended to be replicated most frequently were:

- Covert techniques,
- Proactive techniques,
- Investigative thinking,
- Intelligence,
- Use of informants,
- Financial strategy and
- An arrest strategy.

The use of replicative behaviour reflected the particular experience of the SIO and their particular policing background. Those who had been involved in more pro active or covert police work tended to be more comfortable with this type of work. Similarly if an SIO had used one technique successfully in one case this tended to be replicated in other cases.

Replicated behaviour is not intrinsically a negative factor but successful techniques should either be shared or the resources that drive that behaviour should be available throughout the organization. If SIOs are simply replicating behaviour because they feel comfortable with those areas they may in turn miss other issues that may help solve the case but take them outside their comfort zone.

7 Conclusion

At the start of the article the question was posed “*What solves murders?*” The research has shown that hard to solve murder investigations are solved by a combination of factors. The identification of the correct theme of murder is important along with the correct solving factors for that theme. The research highlighted that certain cases are more difficult to investigate but some SIOs match their actions to that particular theme of murder. This is being further researched and is contained within a wider thesis.

There were areas of concern where 17 of the SIOs used replicated behaviour and did not appear to be concentrating on the solving factors for that type of crime. Secondary analysis of Holmes accounts showed the amount of time spent on other lines of enquiry that had not been mentioned in the interviews. In some cases this is inevitable when the SIO may have no idea of the motive or identity of the suspects in the early stages of the enquiry. This did illustrate that large parts of the enquiry were not necessarily focused on those issues that solved the enquiry. This is not necessarily a matter of concern but it does show the need for the SIO to concentrate on all lines of enquiry.

Successful SIOs displayed certain traits in their management of their investigations. These SIOs appeared to be more concerned with the management of witnesses and concentrated on forming their own unique lines of enquiry (the investigative thinking factor). The decision making process employed by these SIOs is highly relevant to the success of an investigation.

Certain traits of the offences themselves have bearing on the case i.e. the venue whereas the sex and age of the victim did not. Drug related murders were more difficult to solve than other cases and unsurprisingly criminal cases were also difficult.

The research has attempted to examine the elements that lead to success within a hard to solve case. The characteristics of the case do have a bearing on their success as does the behaviour of the SIO. What the research has done is define those traits and characteristics. It is hoped that these findings can assist in focusing SIO's efforts throughout these long enquires where the correct "phasing" (making the right decisions at the right time) becomes a solving factor in itself.

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