



FAMILY LIAISON PRACTICE ADVICE

Family Liaison and Independent Legal Advice

This practice advice has been written to provide clear direction for police forces in their working with personal injury legal firms (and their employees).

The police must ensure that bereaved families are placed at the forefront of our considerations, throughout the entirety of an investigation, any ensuing court process and beyond. The investigation and police practice must have integrity and be as open and transparent as possible.

This document is intended to assist Senior Investigating Officers (SIOs), Family Liaison Co-ordinators (FLCs), Family Liaison Advisors (FLAs) Family Liaison Officers (FLOs) and any police personnel with an interest in family liaison training, in order to inform policy, strategy and manage risk.

1. Investigations

For homicide investigations it is important that FLOs adhere to nationally agreed protocols already in place to support families bereaved by murder/manslaughter.

The Homicide Service

Officers and staff should, in these cases, refer families to the Homicide Service (provided by Victim Support) within 24 hours of an investigation being commenced. It is a matter for the family whether they decide to opt into the services offered by this scheme which is funded by The Ministry of Justice (MoJ) and sets out a national level of service. This service is outlined within the practice advice for Evidence Gathering, Victimology and Information Sharing/Working with the Family (support for family, Page 7).

Brake

There is an agreement that the Brake pack *Information and advice for families and friends following a death on the road* is given out to every family bereaved through a road collision. Stocks are provided by Brake to all forces. The Brake pack is updated annually and provides invaluable information about many different aspects of what to do following a road collision including legal issues. There are different versions for England and Wales, Scotland and Northern Ireland.

Brake's National Road Victim Service, accessed through the helpline 0808 8000 401, includes helping families to understand legal issues and gain access to legal firms meeting strict selection criteria across the UK. These legal firms provide invaluable help with issues including compensation claims that provide families with much-needed income in cases of bereavement and also bereavement and serious injury.

It is important to note that whether criminal charges are brought in a case of road death does not dictate whether a civil claim for compensation is possible; in some cases a civil claim is still possible and expert legal firms can advise.

Should families require further information regarding legal advice they should be given the below list of telephone numbers or referred to the victims and witnesses information website (as outlined at the end of this document).

FLOs and the provision of legal advice

Family Liaison Officers must not favour any particular legal firm or advise the family on whom to contact.

FLOs should not arrange for, or attend any legal meetings with legal solicitors without the express permission of the SIO.

The police should not be part of any decision by a family to appoint solicitors or legal advisors, the role of the police should be able to withstand any independent scrutiny.

2. Training and accreditation

(i) Initial College of Policing accredited training of Family Liaison Coordinators (FLCs), Family Liaison Advisors (FLAs) and Family Liaison Officers (FLOs)

In accordance with national NPCC agreements all FLCs, FLAs and FLOs should be able to be deployed in support of other police forces under mutual aid arrangements. All FLCs, FLAs and FLOs must therefore be accredited through the College of Policing, which requires their training to be delivered through trainers accredited through the College of Policing.

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Where a Home Office force or other law enforcement agency is licensed to deliver College of Policing accredited training, but wish to outsource or co-deliver the training with any third party provider, they are required to obtain prior written permission from the College of Policing to use the training material.

In the event that a personal injury (or other) legal firm offer to provide free FLO or FLC training, the relevant police force should be able to satisfy the below criteria.

(ii) Continuing Professional Development (CPD)

The NPCC Family Liaison National Executive Board (FLNEB) arrange CPD across England and Wales, these are marketed by a contracted events team. The events team deal with tendering and marketing and normally attract sponsorship from personal injury legal firms. The arrangements for the events are overseen by the FLNEB, which is chaired by the NPCC lead for family liaison.

If a police force wishes to hold its own CPD events, the advice at (i) above for initial training remains relevant for the purposes of CPD. However, the following guidelines should also be observed;

Where guest speakers are invited, in particular, a bereaved family member being asked to present at an event, to maintain the integrity of any investigation:

- a) The agreement of the SIO should be obtained
- b) The views of the FLO, FLC and FLA for the investigation should be obtained
- c) Welfare and support issues should be addressed for the family and any FLO
- d) If criminal, coronial, conduct or other legal proceedings are awaited, then agreement with the relevant SIO or lead investigator must be obtained to meet any disclosure or other legal requirements.

All forces have a duty of care to discharge in relation to both the person, investigation and force, hence the need to ensure that the safety and wellbeing is paramount.

Consideration should be given to consulting the force training department, legal services and/or professional standards department.

Any gifts or hospitality provided by a legal firm or any other party, must be recorded in accordance with any relevant force policy.

3. Information for Families

Should the bereaved family members request information on legal advice the following can be provided:-

Homicide Service (for cases of murder and manslaughter)

www.victimsupport.org.uk – who can access legal advice and support when needed.

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Telephone number 0300 303 1984 or Next Generation Text on 18001 08 08 16 89 111.

Brake Road Safety Charity (National Road Victim Service in cases of road death)

www.brake.org.uk

Provides a freephone, confidential support service providing emotional support, practical help and advocacy for families bereaved by road death. Helpline 0808 8000 401.

RoadPeace

www.roadpeace.org

RoadPeace is the national charity for road crash victims in the UK. They provide information and support services to people bereaved or seriously injured in road crashes.

Helpline 0845 4500 355

Independent agencies / websites that can be accessed by families / injured people seeking legal advice are as follows:-

Civil Legal Advice (CLA) – www.gov.uk

Telephone – 0345 345 4 345

Text 'legalaid' and your name to 80010

Citizens Advice

www.citizensadvice.org.uk - Advice line: 03444 111 444

APIL – Association of Personal Injury Lawyers www.apil.org.uk

Legal 500 – www.legal500.com

Chambers - www.chambers.com

The Law Society – www.lawsociety.org.uk