

Investigative review of the fatal road traffic collision which resulted in the death of Harry Dunn

**Strictly not for publication
or broadcast before 00:01 on
Wednesday June 18th 2025**

JUNE 2025
V2.2

Contents

1. Foreword
 2. Executive Summary
 3. Terms of Reference
 4. Methodology
 5. Contextual Information
 6. Outline of Initial Circumstances
 7. Initial Police Response
-

- Attendance
- Scene management
- Arrest decision
- Subject matter expert opinion

8. Investigation

- Appointment of Senior Investigating Officers
 - Enquiry management and key roles
 - Hypothesis
 - Main lines of enquiry
 - Evidential recovery
 - Pathology
 - Forensic submissions
 - Digital strategy
 - Witness strategy
 - Suspect and interview strategy
-

- CCTV strategy
- SIO Policy Logs
- Crown Prosecution Service
- Intelligence

9. Leadership

- Initial stages
- Critical incident
- Gold group structure
- PIP4
- Communication

10. Family Liaison

- Role of the Family Liaison Officer
- Initial deployment
- Documented family contact
- Initial family liaison strategy
- Decision not to inform the family that Anne Sacoolas had left the country
- Victims code adherence
- Family being informed that a prosecution was unlikely
- Updates provided by the Family Liaison Officer on behalf of the Foreign and Commonwealth Office
- Withdrawal of the Family Liaison Officer
- Leadership impact on family liaison

11. Human Tissue

- Clothing recovery
 - Exhibit management
 - Legislation and policy
-

[Appendix A - Recommendations](#)

[Appendix B - Glossary](#)

1. Foreword

On 27th August 2019 Harry Dunn tragically died following a road traffic collision on the B4031 near RAF Croughton. Anne Sacoolas, a United States Citizen, was later convicted of causing death by careless driving.

Investigators were able to establish the circumstances of the collision leading to the death of Harry Dunn. There were only two vehicles involved. Anne Sacoolas had made admissions at the scene which she confirmed under caution when interviewed some months later. These were consistent with the accounts of witnesses, and experts deployed to the scene.

The incident and investigation changed dramatically on the 16th September 2019 when police were informed Anne Sacoolas had returned to the United States. What was an investigation into a fatal road traffic collision, became a diplomatic issue with various notable politicians being involved. There was also significant media interest on both a national and international level at times.

Whilst carrying out this review, Harry Dunn and his family and friends have been uppermost in the thoughts of those involved in this process. It is difficult to imagine the pain they have felt in losing Harry at such a young age, and it is hoped that this review provides some measure of solace as they continue to grieve.

A large number of documents have been examined including statements, reports, and emails. There have also been numerous interviews with key persons within the investigation team, and those in leadership roles in Northamptonshire Police. The review has also sought the views of subject matter experts to assist in specific areas to ensure that the review is balanced. The findings of the review are documented in the respective conclusions and recommendations areas highlighted in blue.

The purpose of a police review is to improve investigations, whilst identifying areas of learning for the police, there are clearly areas of learning in this review but there are also areas of care and dedication which are noteworthy.

The review has identified a number of key issues that have ultimately led to Harry Dunn's family losing trust and confidence in Northamptonshire Police. Amongst these is the decision not to inform the family that Anne Sacoolas had left the country as soon as possible after the police received the information. This has given rise to a suspicion that the police were somehow colluding with the Foreign and Commonwealth Office (FCO) to enable Anne Sacoolas to leave the country. Whilst this isn't the case, it is understandable that the family would feel this way. It is important to understand that whilst key decisions are made by Senior Investigating Officer's (SIO) within investigations, there are other significant factors that can influence decisions, and this review has sought to identify them.

The review has spent a considerable amount of time speaking to members of the Serious Collision Investigation Unit (SCIU), this includes a subject matter expert from a neighbouring force who sits on the National Collision Board (NCB). Nationally, Authorised Professional Practice (APP) guidance documents are created by the College of Policing, one of which relates to the investigation of fatal and serious injury road collisions. This details how to construct and manage an investigation of this type, particularly when they are of a complex nature.

It is clear from the personnel spoken to during this review, who work in the SCIU, that they feel somewhat undervalued, and it is felt there is a lack of recognition around the unique skillset required to investigate offences of this nature. The review has found that this is not unique to Northamptonshire Police. As a result, a number of recommendations within this review will seek to address this issue by assessing the training requirements within the SCIU's, and ensuring the skillsets are commensurate with what is required for investigations of this nature. Whilst the focus of this review is on the Northamptonshire Police SCIU, it is highly likely the position in Northamptonshire Police will be mirrored in other police forces. As a result, this review will be taken to the NCB for consideration.

The review would like to extend thanks to all of those who have made themselves available to the review, and their candour in interviews. For those who engaged, there is clearly a desire to identify any areas of learning and to implement any changes required.

2. Executive Summary

The investigation into the fatal road traffic collision, which resulted in the death of Harry Dunn, was not unusual in terms of evidence gathering. The case was unique due to the nationality and diplomatic status of the offender, Anne Sacoolas.

Anne Sacoolas had been in the United Kingdom for a matter of weeks prior to the collision. After the collision she remained in the United Kingdom for just over two weeks before returning to the United States. It was around two weeks after Anne Sacoolas left the United Kingdom that the Justice for Harry Campaign was launched by the family who appointed Mr Radd Seiger as a spokesperson on their behalf.

What followed was a campaign which was multi-faceted. Representations were made with senior political figures, which culminated in the family meeting the President of the United States at the time, Donald Trump. Due to the high-profile nature of interactions with notable politicians, and the drive to generate national media interest, Northamptonshire Police faced a challenging position in terms of media management.

The campaign generated an unparalleled level of media interest for Northamptonshire Police, with particular focus on what respective agencies knew and at what point. A media sweep was conducted by the Force Communications Team on the 8th October 2019, which detailed 86 local, national, and international articles on a variety of media platforms.

The SIO leading this investigation, is an experienced Detective Inspector, qualified to a high level having worked in the Northamptonshire Police Murder Investigation Team (MIT), and led numerous homicide investigations. This was fortuitous as officers qualified to this level are not a prerequisite for investigations of this nature. As a result, the evidence gathering and investigation is comprehensive. The work of

the file officer in this case, is particularly noteworthy. The Officer In the Case (OIC) has demonstrated a high level of dedication, their work and commitment has been commendable.

The review has found that whilst the investigation was well handled, elements of senior leadership were not. There was a lack of coordination and adherence to APP. There were clearly significant efforts being made to deal with the challenges that this unique set of circumstances presented, but the lack of a clearly defined Gold group strategy, and coordination of all stakeholders has meant that at times, areas of business were acting independently of one another.

This is evidenced during an interview when Chief Constable (CC) Adderley suggested that Anne Sacoolas could make decisions around waiving her diplomatic status, which she couldn't. According to the FCO, diplomatic immunity belongs to the sending state. This prompted the FCO to contact Northamptonshire Police and request CC Adderley did not repeat erroneous statements. There were also discrepancies within CC Adderley's press conference on the 22nd October 2019. Within the conference, information was provided to the national press which was inaccurate. The information was never sent to the SIO for fact checking prior to release. There was also a lack of appropriate recording and associated documentation in relation to high level meetings such as minutes, strategy, tasking and action logs.

The incident was never declared critical. Whilst the initial incident would not be classed as critical, the review finds that after Anne Sacoolas left the United Kingdom the threshold was met for a critical incident. The declaration of a critical incident would have provided an increased level of oversight and review of critical decisions. It would also have ensured the SIO was adequately supported. A lack of support is something which has been highlighted directly by the SIO.

It is clear from documents made available to the review that Harry's family had lost confidence in Northamptonshire Police. There were a number of factors which have led to the loss of confidence, including:

- The family not being informed by the investigation team that Anne Sacoolas had returned to the United States
- The removal of the dedicated Family Liaison Officer (FLO)
- The family being informed there was a minimal chance of a successful prosecution
- Criticism of the family spokesperson at a national press conference delivered by CC Adderley
- A social media post via Twitter (X) by CC Adderley in relation to civil proceedings launched by the family
- The discovery of human tissue on Harry's clothing which had been retained for over four years

The review has found some of the decisions made concerning the listed issues are not straightforward, and they are dealt with in detail within the review. However, some of the issues highlighted were avoidable and, in isolation, the positions created were recoverable.

The loss of confidence was compounded by the layering of each of the factors one after the other, making attempts to regain confidence incredibly challenging. The OIC has been highlighted for their work from an investigative perspective, but they should also be commended for their work with the family. The OIC has been the one consistent officer throughout the investigation and has worked tirelessly to try and regain the trust and confidence of the family. On a number of occasions, they have gone over and above the expectations of an officer of their rank.

It would be remiss of the review not to highlight some of the difficulties faced by the SIO and investigation team as a direct result of the activities of CC Adderley. It is clear from this review, and the various strategy documents written by the SIO, there was a desire to engage with the family and rebuild relationships. This is evidenced by the appointment of the National Family Liaison lead from the National Crime Agency (NCA) and a refreshed Family Liaison Strategy. Elements of this strategy were rendered almost redundant by CC Adderley who became a direct point of contact for the family spokesperson, without updating the investigation team concerning the nature of conversations.

Whilst the SIO was carefully considering what information to provide, taking all of the various investigative strategies into account, CC Adderley was providing information the SIO was not aware of. This placed the SIO and investigation team in an unenviable position as they sought to regain the trust of the family. The SIO's view was this caused more distrust with the investigation team as there may have been a perception that, at worst, they were withholding information or, at best, they were slow in providing it.

There were multiple areas of direct involvement from CC Adderley which had a detrimental impact on the SIO and investigation teams efforts to rebuild trust and confidence. These areas include:

- Criticism of the family spokesperson at a high-level press conference
- A social media post via Twitter (X), which resulted in calls for CC Adderley's resignation and an apology from the Police, Fire and Crime Commissioner (PFCC) Stephen Mold
- Direct contact with the family spokesperson via Twitter (X) direct messaging, without consultation with the SIO
- A breakdown of the relationship between CC Adderley and the family spokesperson after the direct contact

It is clear from correspondence made available to the review that these areas of involvement had a direct impact on the confidence of the family in Northamptonshire Police.

The SIO has drawn up a series of policy documents, which detail strategy for the various themes of the investigation. In contrast, the review has not seen a dedicated Gold group strategy which details terms of reference, spans of command, and clear lines of reporting. Whilst there were high level meetings, they lacked a coordinated approach with an overarching strategy.

The review finds the investigation into the collision was comprehensive and the subsequent case file presentation to the court was well handled. The response to the

incident was proportionate in the circumstances. Unfortunately, considerable challenges were created as a result of the family liaison interactions, particularly concerning the content and timing of updates, or lack of them at critical times, and the handling of exhibits, specifically Harry Dunn's clothing, after the incident.

Questions are raised concerning how CC Adderley has chosen to interact with the family, either directly via the Twitter (X) platform, or via the national media. The review also found that any Gold group structure implemented by CC Adderley was not fit for purpose, not in line with APP, and ultimately was a significant, contributing factor in the loss of confidence in Northamptonshire Police from Harry Dunn's family.

3. Terms of Reference

Chief Constable Ivan Balhatchet of Northamptonshire Police has commissioned a review of the police investigation into the death of Harry Dunn. The East Midlands Special Operations Unit (EMSOU) - Regional Review Unit will conduct this independent review. This will include:

- A review of whether the initial police response to the incident was proportionate
- A review of the structure and roles within the investigation
- A review of the police investigation
- A review of the policies and strategies involving the discovery of human tissue on the clothing of Harry - four years after the incident
- Identifying any learning or best practice that is required or has been enacted over the last four years; to be appropriately shared

In relation to the review of the contact with Harry Dunn's family, the terms of reference for this particular area are detailed below:

- A review of the various family liaison strategies adopted throughout the investigation, to include the original version and how it was amended as the enquiry progressed

- Were these family liaison strategies suitable, appropriate and effective throughout the course of this complex investigation?
- What contact was made with the family and / or the family representative(s) during key points in the investigation – were these suitable?
- Who was responsible for these contacts and again was this appropriate?
- Were any missed opportunities identified in the contacts with the family or their representative(s)?

4. Methodology

As the author of this report, I am a retired Police Officer having served 21 years, employed by Lincolnshire Police and latterly working for EMSOU as the Head of Major Crime. The majority of my career has been spent in Detective roles. I am an accredited Professionalising Investigations Programme level 3 (PIP 3) SIO and have worked within the Major Crime Department for 5 ½ years in total. I have been employed as the SIO on numerous homicide investigations, and I am also an accredited PIP 4 Strategic Investigator. I retired in April 2023, having reached the rank of Detective Superintendent (DSupt).

In the preparation of this review continual liaison has been maintained with the head of the East Midlands Regional Review Unit, Stuart Prior. Mr Prior is also an accredited PIP 3 SIO. He was the previous DSupt, Major Crime and Detective Chief Superintendent (DCS), Head of Crime for Leicestershire Police. He has worked on numerous homicide investigations and is also an accredited PIP 4 Strategic Investigator. Mr Prior finished his Police Officer career as the Assistant Chief Constable (ACC) for Nottinghamshire Police with the crime portfolio, before becoming the Head of the Regional Review Unit six years ago.

In order to conduct this review, the following has been completed by the review team:

Relevant documents relating to the initial response and subsequent investigation of the incident have been collated and reviewed. The documents included email

correspondence, case file papers, decision logs, and documents relating to the interaction with external stakeholders. The Niche records management system was also reviewed. This management system alone contains over 200 logged entries and 166 reports.

There was specific focus on the discovery of human tissue recovered from Harry Dunn's clothing after the incident. The Review Officer (RO) who assisted with this part of the review is an experienced Exhibits Officer.

Family liaison was a specific focal point. Relevant interaction logs and decisions around appointment of staff were reviewed.

Face to face or remote meetings have been conducted with relevant persons including:

- Chief Officer Team – Deputy Chief Constable (DCC) Simon Nickless (retired)
- Chief Officer Team – ACC Simon Blatchly (now Derbyshire DCC)
- Chief Officer Team – ACC Pauline Sturman (retired)
- Head of Executive Support (Exec Supp)
- Superintendent Operations (Ops Supt)
- Peer review Superintendent (DSupt PP)
- Northamptonshire Police Head of Corporate Communications (Corp Comms)
- SIO's leading the investigation (SIO, SIO1, SIO2)
- Attending Police Sergeant (PS)
- Officer in the Case (OIC)
- Forensic Collision Investigator (FCI)
- Northamptonshire SCIU Lead
- NPCC lead for Family Liaison

Subject matter experts have been approached to assist with the review and provide their expertise in a number of areas:

- SCIU lead from another force (SCIU Lead). This subject matter expert also sits on the NCB

- Family Liaison Advisor (Reg FLA Lead). This advisor is the regional lead for the East Midlands and is responsible for training in the area
- Embassy liaison lead from the Parliamentary and Diplomatic Protection Command
- Disaster Victim Identification (DVI) lead
- Senior Forensic Scientist

The review is based on material available and will be subject to disclosure to interested parties to ensure accuracy.

5. Contextual Information

The police investigation commenced in August 2019. There have been numerous changes to staff and procedure in Northamptonshire Police since 2019. As a result, some of the issues identified may have been addressed.

There are national guidance documents and codes of practice in relation to investigations of this type. APP material is produced by the college of policing and provides guidance around policing practice. Guidance documents that were relevant in this review consist of:

- APP – Investigation of fatal and serious injury road collisions
- APP – Investigation process
- APP – Investigative strategies
- APP – Critical incident management
- APP – Working with victims and witnesses
- Ministry of Justice Code of Practice for Victims of Crime (2015 version)
- Major Crime Investigation Manual
- Criminal Procedure and Investigations Act 1996
- Human Tissue Act guidelines

6. Outline of Initial Circumstances

Around the time of 20:25 hours on Tuesday 27th August 2019, Harry Dunn was riding his Kawasaki ER650 motorcycle, registration prefix AD19, on the B4031 near the entrance to RAF Croughton when he was struck by a car driven by Anne Sacoolas who is a United States Citizen. Anne Sacoolas had left RAF Croughton with two children. She turned left out of the base and had proceeded on the wrong side of the road. Harry had reached the crest of a slight rise in the road just prior to the collision occurring. Harry was taken to hospital where he sadly died.

The B4031 is a rural road which joins the A43 to the village of Croughton. The road itself has gentle bends with what would be described as slight undulations. It is single carriageway in both directions. RAF Croughton is a United States Air Force base, accessed via the B4031. The B4031 is around 3.5 miles in length. The speed limit is 40mph at the point where the vehicles impacted.

Harry was an accomplished motorcyclist. Witness evidence has described him as often riding his motorcycle and although he was only 19, he had amassed a large number of motorcycle miles and would often go out for rides.

Anne Sacoolas is a United States citizen. She is a married mother of three and had been in the United Kingdom since 24th July 2019. Anne Sacoolas held a US drivers' licence and had done so since the age of 15.

Prior to the collision, Anne Sacoolas had been attending a barbecue at RAF Croughton with her husband Jonathan Sacoolas. Anne Sacoolas was driving a Volvo XC90, registration prefix KT10 which the family had acquired on the 30th July 2019. This was a right-hand drive vehicle with automatic transmission. It had a current MOT and was insured appropriately. At the time of the collision there were two other people in the vehicle with Anne Sacoolas, her 4 year old daughter and her 11 year old son. Jonathan Sacoolas left the camp first and Anne Sacoolas followed. There was one vehicle between them.

Harry finished work around 14:00 hours and met a friend. They spent some time together until around 19:00 hours as Harry's friend had to go to work. They then met again at 19:45 hours. They parted company but Harry's friend received a SMS message from Harry at 19:57 hours.

At 20:21 hours Harry was making his way along the B4031, heading in the direction of RAF Croughton. Anne Sacoolas was heading in the other direction on the incorrect side of the carriageway for a vehicle heading towards Croughton. The collision occurred some 350 metres from the main entrance to RAF Croughton.

There were no independent eyewitnesses to the collision itself although a key witness arrived at the scene immediately after. The witness was making their way along the B4031 after passing through the village of Croughton. They described seeing a fire in the road, the two vehicles were close together with the car facing towards Croughton. A woman who we now know to be Anne Sacoolas was waving frantically at the witness and there were two children at the roadside. The witness described Anne Sacoolas as being disorientated and in shock. It was at this point that Anne Sacoolas described what had happened:

'I've had a head on collision with a motorbike. It's all my fault, I was on the wrong side of the road.'

The witness then made their way to where Harry was positioned. At 20:25 hours they called an ambulance and did their best to comfort Harry. An Eastern European couple (as described) stopped and offered assistance. This couple have never since been traced. The witness then returned to Anne Sacoolas who stated again that she was on the wrong side of the road:

'It's my fault, I was on the wrong side of the road, I've only been here a couple of weeks.'

Whilst the witness was in attendance a police car arrived. This car contained two Ministry Of Defence (MOD) Police Officers. They had not been called to the scene but had left RAF Croughton to conduct a routine perimeter patrol. Upon their

attendance, the MOD control room created incident number 146 of the 27th August 2019.

The two attending officers offered assistance to Harry, and in their presence, Harry stated:

'The car was on the wrong side of the road.'

Attending officers then contacted RAF Croughton Fire and Rescue Department for assistance.

RAF Croughton Fire and Rescue Department consisted of four persons and arrived first around the time of 20:45 hours. This was followed by Northamptonshire Fire and Rescue Service shortly after, which consisted of four persons. Fire Officers approached Anne Sacoolas to check on her condition. At this point Anne Sacoolas was in her husband's vehicle with all three of their children. Anne Sacoolas was asked how fast she thought she was going, to which she replied 30 mph.

One of the attending fire officers established the casualty was Harry Dunn. They were known to each other as the fire officer was Harry's window cleaner. As a result, Harry's father was contacted. Within 10 minutes Timothy Dunn had arrived at the scene.

Around 21:00 hours a Speciality Doctor who had also been a General Practitioner was passing the scene. They stopped to offer assistance and helped to treat Harry.

The East Midlands Ambulance Service (EMAS) incident was created at 20:25 hours. A Consultant Anaesthetist was on duty alongside a Critical Care Paramedic. Together they were supporting the Air Ambulance Service. At 20:28 hours they were deployed to the scene, arriving at 21:06 hours. They were the first ambulance resources to arrive at the location. At 21:08 hours they were joined by an Ambulance Technician who was in company with an Emergency Care Assistant. Arriving at the same time was a Critical Care Paramedic from Thames Valley Air Ambulance.

After receiving treatment at the scene Harry was taken to the John Radcliffe Hospital in Oxford, arriving at 22:27 hours. Harry was received by a Consultant, who had already alerted a trauma team to treat him. At 22:50 hours, despite further medical intervention by the trauma team, Harry tragically died.

7. Initial Police Response

Attendance

Northamptonshire Police were notified of the collision at 20:29 hours on 27th August 2019. Incident report NP-20190827-0478 was created. Two uniformed response officers were despatched to the scene. Whilst on their way to the scene the officers were provided with an update that the road was closed from the Croughton side. The officers arrived at the scene at 21:02 hours.

The officers first actions were to establish the identity of Harry. After establishing Harry's identity one of the officers made their way to a parked vehicle containing Anne and Jonathan Sacoolas, along with all three of their children. Jonathan Sacoolas informed the officer the family had only been in the country for four weeks.

At this point Anne Sacoolas was being treated by paramedics. The response officer overheard a conversation between the paramedics and Anne Sacoolas. Anne Sacoolas said:

'I went for dinner with my husband and had water. I came out turned left and we crashed. I was so stupid.'

The duty Police Sergeant (PS) heard of the collision on the radio and noted that it involved a car and motorcycle. Recognising the potential for this to be a serious collision, the duty PS deployed to the scene, arriving at 21:00 hours. On arrival the duty PS was informed by paramedics the female driver, Anne Sacoolas, was with her two young children and believed to be in a state of shock. The duty PS directed officers to carry out a roadside breath test on Anne Sacoolas. The duty PS heard on the radio that the vehicle was insured and had a valid MOT certificate in place.

One of the attending officers carried out a roadside breath test on Anne Sacoolas, and she provided a zero reading. This indicated that she didn't have any alcohol in her system. As she was providing details she said to the attending officer:

'I've made a mistake, I've been so stupid.'

The attending officer contacted the duty PS by radio. The duty PS was present at the scene but some distance from the attending officer, hence the conversation being via a radio. There was a conversation between the two officers whereby the duty PS was asked if they were happy for Anne Sacoolas to leave the scene. The duty PS stated they were, provided all of her details had been obtained. There was a brief conversation between the attending officer and Anne Sacoolas as she enquired as to Harry's condition. The attending officer then advised her to go home.

The duty PS provided a statement; they stated the female driver had been identified and there were no factors giving them cause for concern. The duty PS made the decision that Anne Sacoolas could be collected by her husband. It is known that Jonathan Sacoolas was already present at the scene as he was spoken to by the attending officer prior to the breath test procedure.

At 21:22 hours the duty PS requested the attendance of the SCIU. The on-call Detective Sergeant (DS) SCIU supervisor was contacted. At 22:10 hours the SCIU DS contacted the duty PS via their radio and advised them to detail a rationale on the police incident, as to why the suspect hadn't been arrested.

At 22:22 hours the SCIU DS created a document that detailed how they were the only SCIU DS on duty for Leicestershire and Northamptonshire and had been for the previous 15 hours due to leave and sickness.

At 23:05 hours, after being informed of Harry's death, the SCIU DS appointed a DC as the FLO and declared that the offence under investigation was Death by Dangerous Driving. The FLO was already at the scene as part of the SCIU response to the incident and their appointment as the FLO came after their initial deployment. The SCIU DS arrived at the scene at 00:02 hours in company with an accredited FCI

to gather and provide expert evidence for the investigation. The FCI was assisted by another Police Constable (PC).

At 00:26 hours on the 28th August the SCIU DS created a fast-track actions document. Within that document a priority interview of the suspect was detailed, along with contacting the local Neighbourhood Policing Team as Anne Sacoolas was a US citizen, and Harry was from Banbury. A further document was created at 01:33 hours where the SCIU DS detailed who would be the OIC.

Scene management

The road (primary scene) was closed. There is an entry on the police incident log at 21:29 hours from the duty PS. It states “*SCIU will be attending. RD will be closed.*” The review has not seen documentation that clearly details the parameters of the scene, or the timing of the road closure, and this is not documented in the duty PS statement. As a result, the review cannot ascertain exactly when the road was closed or what the initial parameters were. However, the duty PS has confirmed that the road was closed and preserved as a scene.

The review has not seen a scene log in relation to the incident or any direction for an officer to commence a log. The duty PS has stated that they handed control over to the FLO, and at that time Harry was talking to those present at the collision. As a result, the duty PS believed that, whilst the collision was serious, it was unlikely to prove fatal. The duty PS was surprised and saddened to hear of Harry’s passing later at the hospital.

In terms of identifying witnesses, there were no eyewitnesses to the collision. The initial MOD attending officers described an Eastern European couple who were present at the scene. Their identity has never been established. All other witnesses who arrived after the collision have been identified.

Anne Sacoolas was quickly identified as a suspect, largely due to her admissions. She remained at the scene with her family until such time as it was decided she could leave by officers. It is clear the attending officers had control of Anne Sacoolas during the initial scene management phase. In terms of securing material or

evidence from Anne Sacoolas, she was the subject of a roadside breath test but was not the subject of a roadside drug test. No mobile telephone was seized, or enquiries made concerning a dashboard camera. If they were, it is not documented.

None of the officers present activated Body Worn Video (BWV). One Police Officer attempted to, but their camera bleeped indicating either low battery or no memory available. There were a number of significant comments made by Anne Sacoolas in terms of her location on the road. BWV may have captured some of this evidence, and it could potentially have captured any statements made by Harry.

There has clearly been an issue with the integrity of any cordon as an attending Police Officer documented several vehicles having tried to enter the scene whilst they were dealing with the situation. Timothy Dunn was able to approach the scene of the collision. It is noteworthy that the first officers on scene were from the MOD.

Conclusions

From a review perspective it is important to take into account the unfolding situation. Reviews have the benefit of hindsight. It is now known that this was a fatal road collision but that may not have been apparent to the attending officers in the first instance. As such there is always a process of assessment to understand the gravity of the situation. The initial call to ambulance was at 20:25 hours, MOD Police Officers arrived soon afterwards, and Northamptonshire Police Officers arrived at 21:02 hours. The road closure was detailed on the Northamptonshire Police incident log at 21:29 hours. Clearly the priority for any incident is the preservation of life. Given the disclosures made by Anne Sacoolas, this was clearly a crime scene. This incident highlights the need for officers to consider the preservation of a crime scene at the earliest opportunity.

The review has not seen a scene log in relation to this incident. Scene logs should always be utilised at incidents such as this. They prevent unauthorised entry to a scene and disturbance of evidence.

BWV has not been activated by the attending officers. There have been a number of disclosures made by Anne Sacoolas. BWV may have captured some of this

evidence, and it could potentially have captured Harry's statements in terms of the position of Anne Sacoolas' vehicle immediately prior to the collision. Officers should seek to utilise BWV when attending incidents of this nature.

From a SCIU perspective, the initial response to the incident was largely in keeping with what is required for an incident of this nature.

Recommendations

Northamptonshire Police should ensure that all responders consider criminal activity and ensure the preservation of scenes at road traffic collisions.

Northamptonshire Police should ensure that scene logs are a mandatory requirement at fatal and serious injury road traffic collisions in line with APP.

Arrest decision

The duty PS made a decision not to arrest Anne Sacoolas. The incident log provides a timeline of entries with updates from officers. At 21:09 hours an attending Police Officer was with Anne Sacoolas. At 21:22 hours the duty PS was updated by the Air Ambulance Doctor that the injuries sustained were going to be life changing and life threatening. At 21:22 hours on receipt of this information, the duty PS requested the assistance of the SCIU. At that time, it was believed Anne Sacoolas was travelling on the wrong side of the road at the time of the collision. It is clear that Anne Sacoolas was suspected of committing an offence.

At 22:10 hours the SCIU DS requested the duty PS place a rationale on the incident log as to why the suspect had not been arrested. At 23:26 hours a rationale was placed on the incident log by the duty PS:

'The female driver of the offending vehicle was seen by paramedics and was deemed to be suffering from shock. Her identity had been confirmed and there were no aggravating factors, drink driving, that at the time would have been necessary for her arrest. Following the advice of the paramedic the female driver and her 2 children aged 4 and 11 were collected by her husband and taken back to her home address on the air force base.'

The duty PS provided a statement that the female driver had been identified and there were no factors giving them cause for concern, and made the decision that Anne Sacoolas could be collected by her husband. As previously stated, it is known that Jonathan Sacoolas was already present at the scene as he was spoken to by an attending officer prior to the breath test procedure.

Police and Criminal Evidence Act 1984 – Code G. Code of practice for the statutory power of arrest by police officers. A lawful arrest requires two elements:

A person's involvement or suspected involvement or attempted involvement in the commission of a criminal offence and reasonable grounds for believing that the person's arrest is necessary for one or more specified reasons:

- a) Ascertain the person's name
- b) Ascertain the person's address
- c) To prevent the person in question
 - (i) Prevent physical injury to himself or any other person
 - (ii) Suffering physical injury
 - (iii) Causing loss or damage to property
 - (iv) Committing an offence against public decency
 - (v) Causing an unlawful obstruction
- d) Protect a child or vulnerable person from the person in question
- e) Allow a prompt and effective investigation of the offence or of the conduct of the person in question

The code explains that the necessity criteria are exhaustive but the circumstances that may satisfy those criteria remain a matter for the operational discretion of individual officers. In considering the individual circumstances, the constable must take into account the situation of the victim, the nature of the offence, the circumstances of the suspect and the needs of the investigative process.

On the 20th September 2019 the SIO reviewed the decision not to arrest Anne Sacoolas and stated they supported the officer and would have made the same decision with the circumstances known at that time.

The duty PS has informed the review that at the time they made the decision not to arrest, Harry was conscious and breathing. Had they known that it would prove to be a fatal road traffic collision, they would have directed an arrest.

Within the circumstances presented, the duty PS didn't believe the necessity test had been met, and Anne Sacoolas could have been arrested later in the evening to secure evidence if required. The duty PS cannot recall if any consideration was given to the seizure of mobile devices, and it wasn't something that would ordinarily be considered.

Anne Sacoolas had diplomatic immunity status, but this was not known to officers at the scene. It is not documented anywhere that her nationality or status was a consideration whilst a decision was made concerning her arrest, so in terms of any decision to arrest her at that point, it was largely irrelevant. Whilst this wasn't a factor in any decision to arrest her, it has raised important questions around immunity status and what powers are available.

Subject matter expert opinion

The review has sought the views of an independent subject matter expert from a SCIU in another police force (SCIU Lead). The expert sits on the NCB. A report has been prepared and concerning the consideration of arrest, the SCIU Lead is of the view that the decision not to arrest is not explained in enough detail and the overriding factor in the decision appears to be the welfare of the suspect and her suffering from shock, with little to no consideration around the full necessity test under the Police and Criminal Evidence Act. A prompt and effective investigation was not considered or articulated. The view is that in these circumstances the suspect could and should have been arrested to assist the evidence gathering process.

Conclusions

The review understands that the arrest of a suspect in these circumstances can be a difficult decision to make. Serious road traffic collisions are also traumatic for attending officers with multiple factors to take into account and consider simultaneously.

Within this scenario, it is clear there was a power of arrest available to the officers at the scene with regard to Anne Sacoolas. The duty PS made a decision not to arrest. The rationale was largely based on a belief that the necessity test was not met, and information received that Anne Sacoolas was in shock. Whilst the welfare of any person is a concern for officers, this should not have prevented the arrest of Anne Sacoolas.

The duty PS has also informed the review that at the time the decision was made not to arrest, Harry was alive, and they believed that his injuries were survivable. Had this not been the case, they would have directed an arrest. The duty PS quite rightly made the observation, that if further evidence was sought, Anne Sacoolas could have been arrested after the news of Harry's death was received. There is no further documented decision of whether Anne Sacoolas should be arrested, after Harry's death.

The duty PS has informed the review that a screen for drug use was not routine at that time. There were very few officers trained, and the equipment wasn't readily available.

Anne Sacoolas made significant comments repeatedly to various persons at the scene. She made reference to only being in the UK a couple of weeks and being on the incorrect side of the road. Her accounts immediately after the collision appear to have been accepted. There were other areas of evidence gathering that should have been considered such as the seizure of any mobile devices, dashcam, and a roadside drugs test. Responders and investigators need to approach cases with an investigative mindset.

Some time after the collision, the question of mobile devices was raised. Data can always be applied for, but this is not conclusive as it relies on the number provided by the suspect being the one in use at the material time.

Officers should consider their powers of arrest in order to secure evidence by way of search if necessary. Anne Sacoolas' diplomatic status was largely irrelevant at the time as the officers have not cited this as a reason not to arrest.

The review has potentially highlighted a culture of not arresting in circumstances such as these, which could lead to evidence not being obtained and influencing a charging decision or a sentence on conviction. As a result, a number of reference guides have been drawn up by the SCIU Lead to assist responders and officers around arrest decisions such as these.

Arrest of persons with diplomatic immunity

It is important that officers are aware of their powers in circumstances such as these. There is guidance available to officers on the CPS website [Diplomatic Immunity and Diplomatic Premises | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/diplomatic-immunity-and-diplomatic-premises)

Subjects would not be liable to arrest or detention pending trial, except in the case of a grave crime. Grave crime is defined as; one punishable on conviction, as a first offence, with a sentence of five years or more. Causing death by dangerous driving or causing serious injury by dangerous driving could be categorised as a grave crime under this definition. As part of this review an Embassy Liaison Lead from the Parliamentary and Diplomatic Protection Command has been contacted, who will offer a training input to Northamptonshire Police and other similar forces.

Recommendations

Northamptonshire Police should ensure their staff adopt an investigative mindset and carefully consider the arrest of suspects at serious road traffic collisions.

Northamptonshire Police should ensure that drugs wipe equipment is readily available and there is adequate provision of trained officers to administer screening. Driving under the influence of drugs is detailed as one of the “fatal four” causes of persons being killed or seriously injured in a road traffic collision.

Northamptonshire Police should ensure information around Parliamentary and Diplomatic Protection Command ranger control system, which operates 24/7 and can offer advice at any time on diplomatic issues, is available via the force intranet.

Northamptonshire Police should identify a training lead to enable the input from the Parliamentary and Diplomatic Protection Command.

Northamptonshire Police should ensure the reference guides drawn up by the SCIU Lead are available to Northamptonshire Police via the force intranet.

The NCB should consider some analysis on arrest figures for fatal road traffic collisions and assess this against positive court outcomes.

8. Investigation

Appointment of Senior Investigating Officers

At 08:15 hours on the 28th August 2019, the SIO was appointed. This particular SIO was well qualified having served on the Northamptonshire MIT, leading homicide investigations. The appointed SIO was well equipped to lead an investigation of this nature.

The SIO has recorded their decision making in a policy file. There are also three comprehensive Lead Investigator review documents held within Niche to supplement the policy file. According to the policy file there have been three SIO's in total that have led this investigation. For the purposes of this review, they will be referred to as SIO, SIO1, and SIO2. They are listed below with the duration of their time as the investigative lead:

SIO – 28/08/2019 to 20/07/20

SIO1 – 20/07/20 to 20/08/21

SIO2 – 20/08/21 to conclusion

This section of the review will be concerned with the investigation phase itself with specific focus on the various strategies employed within the investigation.

Enquiry management and key roles

This investigation has been managed on a records management system called Niche. Niche is a system used by many police forces to manage information concerning core entities such as people, vehicles, locations / scenes, property, and evidence. It is also used for intelligence and case file preparation.

The Niche management system contains an Occurrence Enquiry Log which officers have used to provide various updates and detail their interactions with other stakeholders. The Occurrence Enquiry Log is also used to detail family interaction by utilising a dedicated family liaison log template.

There are 200 Occurrence Enquiry Log entries, and 166 document reports contained within the Niche account for this investigation. There are no issues with the Niche account. The use of the Niche system is commensurate with an investigation of this type.

At the commencement of the investigation a small team was formed to complete the investigation, and they were allocated the following roles:

- SIO
- OIC
- FLO
- FCI and FCI Assistant
- FLA

Conclusion

Niche is a system that is routinely used by police forces to manage investigations and enquiries. Whilst Niche is suitable for the majority of cases such as these, it can be of significant benefit to have additional options for more complex investigations. Some police forces utilise other systems such as “Crimson” and “Dames” to manage more complex investigations, and they can add significant value with regard to action and material management.

Recommendations

Northamptonshire Police to assess what crime management systems they have in place and have a contingency for more complex investigations in SCIU.

Hypotheses

At 01:14 hours on the 28th August 2019 the SCIU DS outlined what were believed to be the relevant hypotheses within the investigation.

1. The driver has driven on the wrong side of the road due to the fact she is American, and she would be used to travelling in the opposite carriageway
2. The driver was distracted by something in or out of the vehicle which made her drive on the wrong side of the road
3. The driver had a medical episode
4. There was a mechanical defect with the car

The SCIU DS considered that hypothesis 1 was preferred. The SIO refers to the hypotheses set within their Lead Investigator review document and stated they had no reason to change them and agreed with them. The hypotheses continued to be under evaluation throughout the SIO's Lead Investigator review documents and did not change.

Conclusion

The purpose of developing hypotheses is to assist an SIO in identifying where further material may be available. It is important that a level of evaluation of the evidence available at that time has been carried out in order to inform the hypotheses. It is also important to understand how reliable any evidence is.

In this case there have been various disclosures made by Anne Sacoolas and the attending officers were able to evidence exactly where the vehicles were positioned. The listed hypotheses demonstrate a level of evidential evaluation and understanding of the position of the investigation at that time.

Whilst the listed hypotheses are reasonable, there was no consideration concerning the potential for illegal substances or mobile telephone use at the material time. Whilst one of the hypotheses describes distraction in the vehicle, this doesn't specifically detail a mobile telephone. This could be considered an omission given the purpose of developing hypotheses is to identify where further material may be available.

Main lines of enquiry

The SIO prepared three lead Investigator Reviews. Within these reviews the SIO detailed the main lines of enquiry and the strategies behind them. From the initial Lead Investigator review document, dated 29th August 2019, it can be established what the SIO considered to be the main lines of enquiry:

- Witnesses
- Suspect management
- Vehicle examinations
- Scene management and search strategy
- Forensic considerations after recovery of all exhibits
- CCTV recovery
- Family liaison
- Forensic collision investigation
- Media management

Each of the areas listed has an accompanying strategy. The SIO detailed resources were stretched and as such there were seven priority lines of enquiry, which were clearly set out.

The next Lead Investigator review document is dated the 20th September 2019. Within this review the main lines of enquiry were again readily apparent. Anne Sacoolas had left the country at this point so there was added focus on the suspect strategy. There is also consideration as to whether the incident should be declared a critical incident. At the time of this review the SIO considered the main lines of enquiry:

- Witnesses
- Suspect management
- Family liaison
- Media management

The third Lead Investigator review document is dated 30th September 2019, and there is a specific focus on the areas listed below:

- Witnesses
- Suspect management
- Family liaison
- Media management
- Forensic collision investigation
- CCTV
- CPS/Counsel
- Mobile data

Conclusion

The SIO has completed three Lead Investigator review documents. Within those documents there is a clear and coherent thread of what the main lines of enquiry are at the time of each of the reviews. The reviews are in effect separate policy documents which detail decision and rationale around key areas.

Within the first review the SIO detailed resources were stretched and as such there was a circumspect approach to the priority lines of enquiry. This isn't unusual for an SIO as resource management is always a challenge. Attrition of evidence is a real concern during the early stages of an investigation. As such pathways to additional resources for SCIU should be developed for utilisation during acute need.

Recommendation

Northamptonshire Police should review how additional resources could be made available to SCIU during times of acute demand.

Evidential recovery

There were three scenes declared within this investigation.

Scene 1 – B4031 (scene of the collision)

Scene 2 – Volvo XC90, registration prefix KT10

Scene 3 – Kawasaki motorcycle registration prefix AD19

Scene 1

On the evening of the collision members of the SCIU were despatched to the scene. The FCI assistant attended. They were latterly joined by the FCI. This was due to the collision initially being graded as a serious injury collision. The FCI joined them after it was discovered that Harry had sadly passed away. The SCIU DS, and the FLO also attended.

An initial examination of the scene was conducted, and it was confirmed this was a head on collision, with Vehicle 1 (Volvo XC90 registration prefix KT10) being on the incorrect side of the road but positioned towards the centre. Vehicle 2 (Kawasaki Motorcycle registration prefix AD19) was on the correct side of the road.

This scene was subject to assessment by the accredited FCI. The FCI was stationed at Northamptonshire Police Force Headquarters and has received extensive forensic road collision training.

The objectives of an FCI are to determine a likely series of events by analysing the available evidence. They will create plans of the scene and carry out time and distance studies. They will then produce a report and give evidence if required.

The FCI and FCI assistant took a number of digital images of the scene. The FCI also conducted an electronic survey of the scene, from which a scaled plan was completed by the FCI assistant. The FCI also returned to the scene at a later date and conducted a traffic survey utilising a similar vehicle to Anne Sacoolas' and returned soon after to conduct a reconstruction using two similar vehicles. The FCI produced a Fatal Road Death Incident Report and an addendum report.

The Volvo XC90 registration prefix KT10 and the Kawasaki motorcycle registration prefix AD19 were both recovered to Cowan Motor Group (CMG) who are an agent specialising in recovery of motor vehicles and are contracted by Northamptonshire Police. The vehicles were recovered for a full vehicle examination and further forensic collision work.

The Occurrence Enquiry Log details a query from the FLO in relation to Harry's clothing that was left at the scene and its whereabouts. The FCI detailed that Harry's motorcycle helmet was located in the SCIU and would be retained as an exhibit. Harry's clothing had been collected at the scene, placed into a single bag and taken to CMG. The FCI attended and seized the clothing at 14:00 hours on 6th September 2019. The list of items are as follows:

- Green hooded top
- Black Jeans
- Black trainer - left
- Black trainer - right
- Black T-shirt
- Black glove
- Black boxer shorts
- Motorcycle helmet visor

At 16:35 hours on 6th September the FCI provided a further entry on the Occurrence Enquiry Log. This entry was in response to a question concerning other property that Harry may have had in his possession. The FCI stated that other than the clothing listed and recorded in property, no other items had been recovered. The FCI detailed the motorcycle was almost completely burnt out and there was evidence that items were destroyed in the fire. A mobile phone shell was located melted into the tarmac which was photographed but disintegrated into ash when attempts were made to recover the item. The FCI also detailed the remains of some tools located close to the motorcycle, but they were also destroyed.

Information was passed to the SIO to suggest that Harry may have been wearing a GoPro type camera on his helmet. The helmet was examined, and nothing was attached to it. As a result, the SIO tasked the duty Police Search Advisor to carry out a search of the scene for items that may have come off any of the vehicles concerned or any GoPro type camera that may have come away from the helmet. The review hasn't seen evidence of any such item being recovered.

Scene 2 and 3

The Volvo XC90 registration prefix KT10 and the Kawasaki motorcycle registration prefix AD19 were both recovered to CMG. The vehicles were recovered for a full vehicle examination and further forensic collision work. The vehicle examinations were carried out on the 12th September 2019 by the Northamptonshire Police Vehicle Examiner. The examiner did not find any specific evidence of mechanical defects with either vehicle.

Conclusion

There has been a SCIU deployment that was in keeping with APP.

The evidential recovery is as would be expected for a case of this nature with the exception of Harry Dunn's clothing. The clothing was seized some time after the collision whilst being stored at a recovery depot. Aside from the integrity of the exhibit, attrition of evidence would be a considerable risk if any forensic submission was required.

The victim was not declared a scene in this investigation. Given the nature of the investigation, and to maintain protocols in line with the guidance, the victim should have been treated as a scene.

Recommendation

Northamptonshire Police should review how material is recovered from the scene of a collision and ensure that clothing and personal effects are seized at the earliest opportunity to ensure the integrity of exhibits are maintained and evidence is preserved.

Pathology

HM Senior Coroner for Northamptonshire was spoken to ahead of a postmortem, which took place on 29th August 2019 by a Forensic Pathologist. The cause of death was detailed as Hypovolaemic cardiac arrest, multi-site skeletal, abdominal and chest trauma sustained in a road traffic collision.

The Forensic Pathologist was provided a briefing ahead of the postmortem along with scene photographs. The SIO asked the Forensic Pathologist to consider the delay in arrival of the East Midlands Ambulance Service with the initial call being received at 20:25 hours and the arrival time of 21:16 hours. The SIO sought to ascertain if this was a contributory factor in Harry's death.

Conclusion

There is no reference to any delay being a contributory factor within the Forensic Pathologist's statement. It is clear that the SIO considered this ahead of the postmortem. The review is aware that HM Coroner has produced prevention of future death reports in relation to the delays.

Forensic submissions

The only forensic submissions in the case were made to the Forensic Toxicology Service for blood analysis to determine whether or not Harry was under the influence of drugs or alcohol at the time of the collision. Harry was not under the influence of any substance at the time of the collision.

Conclusion

A sample of blood taken from Harry Dunn was the subject of a toxicology submission within this case which is entirely normal for a case of this nature. The review acknowledges Harry's family may question the impartiality of an investigation whereby a sample from the victim in the case was subjected to drug analysis, but the suspect was not.

Recommendation

Northamptonshire Police should ensure that drugs wipe screening is a mandatory requirement for suspects at fatal and serious injury road collisions in line with APP.

Digital strategy

The SIO detailed a mobile data strategy in the third Lead Investigator review document. Telephone data was requested from the number Anne Sacoolas had provided. The data showed that a call was made post collision, there was no

evidence of Anne Sacoolas calling or texting anyone at the time of the collision, on the number provided. Mobile telephone data was sought from Harry's phone via the service provider.

Sometime after the collision, information was passed to the enquiry team that Anne Sacoolas may have been on a mobile telephone at the time of the collision, and this was a different number to the one that had been provided. The enquiry team made efforts to substantiate the information and produced a document titled "mobile phone enquiries 28.07.21" which detailed various actions to establish if there was another handset. The result of the additional enquiries was that no other information existed to suggest Anne Sacoolas was on a mobile telephone at the time of the collision.

Conclusion

The information provided to the enquiry team generated additional actions for the investigation team. This highlights the importance of the early evidence gathering at the scene, and considerations around the seizure of evidence.

The SIO prepared a digital strategy that was appropriate for this investigation. Advancements in technology have developed to such an extent that the "digital scene" is now a critical part of an investigation, providing compelling evidence in some cases.

Recommendation

Northamptonshire Police should consider the training of a designated Digital Media Investigator for exclusive use and strategy formulation within the SCIU. This could be explored on a regional basis, in collaboration with other forces and EMSOU.

Witness strategy

The SIO has detailed the witness strategy within the three Lead Investigator review documents. The strategy is clear with an overarching objective of seeking to:

'Identify as many witnesses as possible who saw or were at the scene of the collision, as well as those who saw the driving of both the suspect and victim just prior to the collision.'

The SIO detailed how witness evidence would be captured after assessing whether they were a key and significant witness or vulnerable / intimidated. The strategy also detailed the methods in which witness evidence would be captured; audio recording, Section 9 statement or video recorded interview.

The SIO prepared a witness list and where relevant, detailed their involvement from a witness perspective as well as preparing a comprehensive witness appeal to be released through the media. Accident investigation boards were placed at the scene to appeal for witnesses.

Conclusion

From the material reviewed within this investigation it is clear efforts to trace witnesses were comprehensive. The only witnesses that remain unidentified are a couple who were described as “Eastern European”.

Suspect and interview strategy

Anne Sacoolas was declared a suspect by the FLO at 22:03 hours on 27th August 2019, after receiving a briefing on the circumstances of the collision. Although Anne Sacoolas had been officially declared, she was effectively declared when the duty PS made a decision not to arrest her. This decision is documented on both the police incident and within the duty PS's statement. Neither of these state the actual time the decision not to arrest was made. The entry on the police incident was made at 23:26 hours. The duty PS detailed the rationale for not arresting in their statement as follows:

‘The female driver was identified and her address was on the air force base, with there being no factors at that time that was giving me cause for concern, I made the decision that the female could be collected from the location by her husband, I had been satisfied that the requirements had been fulfilled confirming her name, address, and there were no identified issues with regards to the vehicle.’

At 12:10 hours on 28th August, the SIO visited Anne Sacoolas in company with the OIC. The purpose of the visit was to inform Anne Sacoolas that an investigation into

an offence of causing death by dangerous driving had commenced and she would be asked to attend a location for an interview.

The SIO detailed the visit to Anne Sacoolas in the Lead Investigator review document dated 29th August 2019, with the purpose of the visit being:

- *To notify her that the rider of the motorcycle was deceased*
- *To check on her welfare and provide her with details of support agencies*
- *To ensure she was aware of her right to legal support*
- *To arrange to interview her as a suspect*
- *To obtain details of her UK / US address*
- *To establish if she has a phone and details of any phones*
- *To establish if there was any dashcam in her car*
- *To obtain details of her driving licence*
- *To establish if she has any plans to return to the USA*
- *To establish which children were in her car at the time of the collision and notify her that they may be classified as witnesses and spoken to in due course*

Also present during the meeting were a Host Nation Paralegal and a representative from the US Department of State. There were absolutely no indications that Anne Sacoolas was planning to leave the United Kingdom. On the contrary, investigators were told that the family had been in the United Kingdom for a matter of weeks and that the posting was due to last for three years. During the meeting, no one notified the SIO or OIC that Anne Sacoolas and her family had diplomatic immunity.

The SIO was informed later the same day that the Sacoolas family had diplomatic immunity and as such Parliamentary and Diplomatic Protection forms were submitted seeking a waiver to allow Anne Sacoolas to be interviewed. At 11:26 hours on 29th August the FCO confirmed receipt of the forms.

At 10:04 hours on 2nd September an email was sent to the SIO from the Deputy Head of the Diplomatic Missions and International Organisations Unit (FCO). The email detailed how a formal request would be made to the US Government seeking a waiver of the immunity held by Anne Sacoolas, as well as Jonathon and their son,

to enable them to be interviewed as witnesses. In relation to Anne Sacoolas the request was for interview and subsequent charge as necessary, attendance at court and sentencing.

At 16:39 hours on 16th September the SIO received a telephone call from the FCO, informing them the US Embassy had denied the request for a waiver of immunity. Anne Sacoolas had left the United Kingdom.

On 28th October Anne Sacoolas was interviewed under caution by the SIO and the SCIU DS in the United States.

Conclusion

Anne Sacoolas was visited the day following the collision. The purpose of the meeting was to inform her that an investigation was underway, and that she would be asked to attend an interview. The questions to be asked during the meeting are listed. As an observation some of the questions, such as those around mobile telephones and a dashcam were related to the investigation and should have been asked under caution.

The SCIU Lead highlighted this meeting, and the questions, as being pertinent to the investigation. The questions asked should have been under caution, and this is an example of where the suspect's interests had been put ahead of securing and preserving evidence.

Anne Sacoolas left the country and was subsequently interviewed in the United States. The SIO and the SCIU DS conducted the interviews. It is out of the ordinary for an SIO to conduct an interview, as is consultation with a Queens Counsel prior to an interview. This demonstrated how carefully the SIO approached the interview, and this is highlighted as good practice.

The review has not seen a Tier 5 interview plan and strategy relating to the interview, which would be good practice in more complex investigations, as is the use of Tier 3 interviewing officers. The review does not consider this to be a complex investigation from an interview perspective. However, the review finds that a unit such as SCIU, which deals with death involving criminality, should have specialist trained

interviewers and planners. The review has enquired as to the numbers of specialist trained staff in these specific disciplines within the Northamptonshire SCIU; there are some trained officers, but most of them have been trained whilst employed in other departments, and not as part of their present role.

Recommendation

Northamptonshire Police should carry out a skills assessment of personnel within the SCIU and ensure their interviewers and supervisors attain Tier 3 Interviewer, and Tier 5 Interview advisor status respectively.

CCTV strategy

The SIO detailed their CCTV strategy within the 1st Lead Investigator review document. The parameters were 20:00 to 20:45 hours on 27th August 2019. The SIO was specific around which locations CCTV was sought:

- RAF Croughton covering the entrance / exit and any cameras on the perimeter alongside the B4031
- Park End Barn Reclamation
- High Street, Croughton between Mill Lane and the scene of the collision
- Fire Tender
- Ambulance
- RAF Croughton covering the area where the Sacoolas family had their meal / met earlier in the evening

The SIO was clear in defining what the objectives were for CCTV recovery and sought to capture evidence of both vehicles movements prior to the collision.

As a result of the CCTV trawl, footage was seized from RAF Croughton. Exhibit reference KP/1 refers. The CCTV was critical evidence as it not only captured Anne Sacoolas leaving RAF Croughton and turning left onto the B4031, but it also showed Anne Sacoolas proceed to the right-hand side of the carriageway. The collision was also captured on the CCTV in the distance, although not clearly.

Conclusion

The CCTV strategy detailed by the SIO is clear and concise. The parameters set are fit for purpose, proportionate to the investigation and have led to the recovery of key CCTV evidence KP/1.

SIO Policy Logs

The SIO compiled an electronic SIO Policy Log. The log contains 30 policy entries in relation to the case. Each of the policies has been reviewed. 26 of those entries were made by the SIO and four by SIO2. There are no policy decision entries made by SIO1.

There are three Lead Investigator review documents compiled by the SIO. These review documents contain the more detailed strategies around subject areas such as Witnesses and CCTV. A rationale was recorded where required within the documents.

The policies recorded by the SIO demonstrate the direction of the enquiry and what was required under the relevant areas of the investigation.

Conclusion

The primary objective of a policy file is to record investigative direction, instruction, parameters and priorities for major crime investigations whilst complying with the requirements of the Criminal Procedure and Investigations Act (CPIA) 1996. The policy file should accurately reflect the strategic and tactical decision making of the SIO. In the case of this investigation the SIO complied with guidance.

The SIO produced an electronic policy log and Lead Investigator review documents which contain policy decisions. Ordinarily the decisions in the Lead Investigator review documents would be recorded in the policy log itself. The SIO has recorded in this way to enable the document to be loaded onto Niche and allow others to have immediate sight of those decisions.

Whilst the SIO in this investigation utilised an electronic policy log, the review is aware this isn't standard practice and other SIO's / Lead Investigators within the SCIU record their policies in different ways. It is a matter for individual forces and individuals how policy decisions are recorded so long as they apply the APP principles.

According to the documents, SIO1 is listed as the lead investigator from the 20th July 2020 to the 20th August 2021. The review has not seen any policy entries or Lead Investigator review documents from SIO1 in this period. There are approximately 18 Occurrence Enquiry Log entries within the Niche record during this time, none of which have been made by SIO1. This indicates a lack of strategic management of the case for around a year whilst SIO1 was the designated SIO.

The initial SIO in this investigation is a qualified PIP3 SIO, and this is apparent in how they have documented their decision making and set out the investigation. This was fortuitous as PIP3 qualification is not a mandatory requirement for investigations of this nature. The review has found that numerous elements of SCIU investigations are similar to those within homicide investigations, and accreditation to PIP3 level should be explored for SIO's who manage SCIU departments.

Recommendation

Northamptonshire Police should ensure standardised practice for policy recording in the SCIU, in line with APP.

The NCB should explore accreditation to PIP3 level for SIO's in senior SCIU positions.

Crown Prosecution Service

Early investigative advice was sought on this case on the 16th September 2019. Policy entry 10, timed at 18:57 hours detailed the SIO's decision to make early contact with the Crown Prosecution Service (CPS) to seek their advice on the evidence obtained in the case, the offence likely to be charged, and the options concerning the extradition of Anne Sacoolas. The SIO detailed their rationale as wanting to provide Harry Dunn's family with an update that provides them with the

facts and options moving forward. The SIO also wanted to explore the options available to progress the case as a criminal matter.

The SIO produced a document of points to be covered for a family meeting scheduled for the 26th September 2019:

Point number 1

'Due to circumstances beyond our control it is unlikely that anyone will be prosecuted for Harry's death.'

Point 10

'I'm working closely with colleagues in the FCO and CPS to establish what next steps may be available but I am not hopeful that we will be able to proceed with any legal proceedings.'

The document covering the points above was sent via email to a number of stakeholders, including the CPS. At 14:49 hours on 20th September a reply was received from a Prosecutor within the CPS. Within the email the Prosecutor stated that they agree with the SIO's view that it was highly unlikely that any prosecution could be brought in this matter. If it was the position that the suspect has diplomatic immunity and that the US is declining to waive the same, this could amount to a complete bar to prosecution. At 15:30 hours on the 20th September the FCO replied and stated that they thought the prepared document managed expectations well.

On 8th October a meeting was held with the CPS, who were provided with an overview of evidence and the material was taken away for review.

On the 15th October the SIO was notified by the CPS that Anne Sacoolas would be willing to be interviewed under caution in the USA. The CPS made the necessary legal arrangements, whilst the police made the practical arrangements.

On 24th October a meeting was held with the CPS and the appointed Queens Counsel (QC). It was at this meeting the interview plan was discussed for the interview of Anne Sacoolas. The CPS had a line of communication with the attorney

of Anne Sacoolas, who was taken to the collision scene and given pre-interview disclosure, they were also provided a copy of the relevant CCTV. All of this was carried out in consultation with CPS.

The interview of Anne Sacoolas was carried out on the 28th October in the United States. A report to the Crown Prosecutor for a charging decision was prepared by the OIC. The threshold for charging Anne Sacoolas had been met.

Conclusion

The SIO has engaged with the CPS as early as possible, and on the same day as they were notified that Anne Sacoolas had left the country. This is in order to ascertain what options are open to the investigation team with regard to extradition proceedings and charge.

Throughout the investigation there has been good interaction and exchange between the investigation team and the CPS.

Intelligence

SIO2 recorded a dedicated policy entry (policy 28) in relation to some information received about Anne Sacoolas using a mobile telephone at the time of the collision. As a result, there were a number of actions created in an effort to ascertain if this was the case.

The review has not seen a dedicated overarching intelligence strategy in relation to this case, or any analytical product. It is often the case in relatively straightforward investigations that a dedicated intelligence strategy is not prepared, and intelligence is dealt with as and when it is received. There has clearly been a variety of intelligence sources used within this investigation such as Police National Computer, incident management systems, telephone billing, and CCTV. There has also been extensive liaison with the FCO.

Conclusion

There are benefits to compiling a dedicated intelligence strategy including how it is handled, managed and presented. This would include intelligence sources and

information received by partner agencies. Analysts can be of significant value in terms of identifying gaps in information, developing lines of enquiry for the investigation and identifying areas requiring further development. They can also prepare and present material for court proceedings.

Recommendation

Northamptonshire Police should assess the accessibility to trained analysts for officers conducting SCIU cases.

9. Leadership

Initial stages

The investigation was managed by the SIO, who directed the activities of the investigation team. Whilst this incident may have been discussed at a daily management meeting, it would be unlikely that any other escalation would have taken place or be required at that stage. This position changed on the 16th September 2019 with the knowledge that Anne Sacoolas had left the United Kingdom. The sequencing of notifying relevant personnel was as follows:

16th September 2019

- 16:39 hours the SIO was made aware that the request for immunity waiver had been denied
- 18:51 hours the SIO sent an email to the Ops Supt, SIO1, ACC Simon Blatchly, and the OIC. The email informs that the Sacoolas family have left the United Kingdom. It is important to note that at this time SIO1 was an Operational Chief Inspector, the SIO's line manager, and not leading the investigation.

17th September 2019

- 09:13 hours ACC Blatchly sent an email in reply to all names listed and included DCC Nickless, requesting he was briefed in the absence of CC Adderley, stating that the situation had a range of implications including public confidence

- 09:48 hours DCC Nickless replied to all and informs them that he is back into work the following day, when he would take over as duty Chief Officer, and requested a full briefing and queried if this was a critical incident, and if so, what was the command structure, clear timeline and next steps. DCC Nickless also copied in the Head of Crime (HOC), and Corp Comms
- 10:07 hours the OIC sent an email to DCC Nickless, ACC Blatchly, the SIO, Ops Supt, SIO1, HOC, and Corp Comms to inform them that the FCO have requested a delay informing the Dunn family whilst they explore the options available, but they understand that Police will want to inform the family as soon as possible
- 10:16 hours DCC Nickless replies to all, requesting that Ops Supt and SIO1 lead.
- The SIO informed the review they briefed DCC Nickless on this date. It is more likely that any briefing occurred the following day, but the review is unable to establish this categorically

18th September 2019

- 08:21 hours SIO1 was briefed by the SIO
- At some point during the morning the Ops Supt provided a verbal briefing to DCC Nickless (exact time not known)
- 10:29 hours SIO1 sent a written report via email concerning the incident to the Ops Supt
- 11:51 hours the Ops Supt forwarded the report to DCC Nickless with ACC Blatchly copied in. Within this email the Ops Supt explained they had briefed the Head of Crime, and the PFCC would also be briefed shortly

Conclusion

It is clear from the listed sequencing that all the relevant internal stakeholders were now aware of the escalation of the incident and the potential implications concerning confidence in the police.

Critical incident

According to the Critical Incident Management APP guidance document a critical incident is defined as:

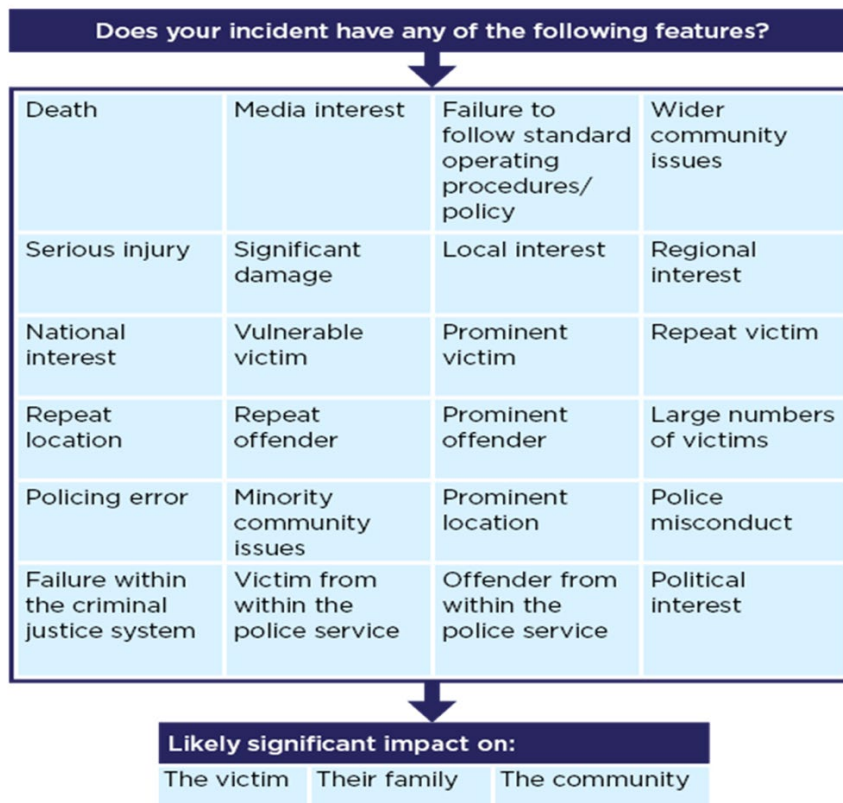
“any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and / or the community”

Management of a critical incident should start with early identification and notification. It is particularly important that small-scale critical incidents are identified early, as even these can have a long-term impact on community confidence if left unchecked. Processes should be in place to manage issues that may affect the quality of the police response before they affect public confidence.

Ongoing monitoring of critical incidents ensures that resources are used effectively and appropriately. Post-incident evaluation can lead to positive learning outcomes for the future.

From a review perspective it is worth detailing some of the keywords as defined by the guidance and to consider the critical thinking matrix:

- Effectiveness – this is a measure of the professionalism, competence and integrity evident in the police response to an incident
- Significant impact – significant should be interpreted as being particular to each incident but critically relates to the impact on the individual, family or community
- Confidence – this is a reference to the long-term confidence of victims, families and communities in policing
- Likely – all incidents that the police deal with could have a significant impact on confidence, but are they likely to?



There are a number of features within the matrix which apply to this incident including death, media interest, national and international interest.

The initial collision was not declared a critical incident. This was the correct decision. It is clear the position changed significantly on the 16th September 2019 when Anne Sacoolas left the United Kingdom.

Following the email sent by DCC Nickless at 09:48 hours on 17th September querying whether this was a critical incident, the SIO replied to the Ops Supt and SIO1 via email stating that it in their view it wasn't a critical incident. This email was not sent to DCC Nickless and the SIO stated that outside of the email there was no other contact in relation to questions around whether this was a critical incident.

SIO Policy entry 9 refers:

'I have considered if this should be declared a critical incident and my view is no for the following reasons:

The decision not to arrest Anne Sacoolas on the night of the collision after she was breathalysed (0) is consistent with how we would deal with a suspect in these circumstances. Added to which she had two young children in her car and no risk was identified.

A meeting took place the following day with the suspect, the US Embassy and a paralegal from the base. We were informed that Mrs Sacoolas was in the UK for 3 years and had no plans to leave the country.

There was no risk identified on the night of the collision or the following day. Added to which if she had been arrested and the embassy informed, it would have become clear that she had diplomatic immunity and the likely outcome would have been that we could not interview her, thus the investigation would be no further forward than we are now.'

DCC Nickless has informed the review that on the morning of the 18th September he was verbally briefed by the Ops Supt. To the best of his recollection the Ops Supt outlined that they did not believe that the incident met the critical incident definition. The investigation had been conducted in line with what would be expected and there was no indication or prior knowledge that Anne Sacoolas was going to leave the country.

DCC Nickless was aware that an experienced SIO was leading the investigation. The family were being engaged, and no issues had been raised. DCC Nickless informed the review that he tested issues around stakeholder engagement, media and resources. The Ops Supt felt that the correct level of individual was being consulted within the FCO and CPS and no Chief Officer intervention was required. DCC Nickless requested that the PFCC was informed.

DCC Nickless considered whether the incident should be classed as critical. From the information provided, DCC Nickless felt that the investigation had been conducted effectively. There was no significant media interest, and there was no information that the family were dissatisfied with Police actions. The decision to delay informing the family was to allow the family to grieve and establish next steps

which seemed appropriate to DCC Nickless. Looking forward, DCC Nickless felt that the right level of seniority was engaged with partner organisations to determine the next steps without the necessity for Chief Officer intervention.

DCC Nickless did not feel the critical incident definition was met at that time and given the updates received, and measures in place didn't feel that a command structure would add value over and above what was in place at that point. DCC Nickless informed the review that he recognised the potential for the situation to change and as such requested that the Ops Supt brief him in respect of any change in circumstance or if additional support was needed as this would enable him to review the criticality of the investigation.

At 11:59 hours on the 18th September the Ops Supt sent an email to DCC Nickless. The email informed him that the media team had been briefed and there had been no media enquiry to date. SCIU had a plan around family contact and the timing of any update would be balanced against a response from the FCO. A Detective Superintendent from the crime department (DSupt Crime) had been briefed and raised no issues or concerns with the management of the investigation to date. DSupt Crime would offer additional support to the SIO if required. The Ops Supt also informed that they would update the PFCC, and notify if there was a change in circumstances, any additional support required, and progression. DCC Nickless felt this provided assurance that coordination was in place, and he would be able to reconsider the position regarding a critical incident in a timely manner and convene a Gold Group as required.

From the 18th September DCC Nickless cannot recall if there had been any further contact regarding the investigation. To the best of his recollection, DCC Nickless attended the SCIU department on the 23rd September when he was informed that Harry's family were aware that Anne Sacoolas had left the country and had not been provided this information from the investigation team. DCC Nickless recognised the significance of this, and he believes he requested an update from the Ops Supt.

At 13:54 hours on 23rd September DCC Nickless received an email from the Ops Supt, which confirmed the family were aware but did not raise any issues. The media strategy had been refreshed and was fit for purpose.

At 10:11 hours on 24th September the PFCC sent an email to DCC Nickless asking if the MP should be briefed and if they should be writing to the Prime Minister. DCC Nickless advised that they should wait until after a planned family meeting. On the day of the family meeting CC Adderley returned from annual leave and DCC Nickless cannot recall any further involvement in the investigation.

Conclusion

This section of the review outlines the considerations of DCC Nickless, and rationale for not declaring the incident as critical. DCC Nickless felt that declaring the incident as critical would not have added any value to the investigation as a very experienced SIO was in place, and the investigation was being well handled. The family hadn't raised any concerns, and there had been minimal media interest. DCC Nickless took a position of ensuring that various leads were in place, whilst monitoring the incident, and being ready to escalate if required.

The review finds that the family would be unlikely to raise any concerns initially, as they were unaware that Anne Sacoolas had left the country. Media would also have been minimal for the same reasons but there was a significant likelihood that this position would change once the family had considered their position, and mainstream media became aware of the incident, and of Anne Sacoolas leaving the country.

The SIO's rationale for not declaring a critical incident is an accurate reflection of the events post collision but it doesn't consider the position of Anne Sacoolas leaving the country. Referring to the keywording in the critical incident guidance; Anne Sacoolas leaving the United Kingdom was almost certainly going to have a significant impact on the victim's family, and it was most likely going to affect the confidence of the family and wider community with questions being raised as to how Anne Sacoolas had been able to leave the United Kingdom. In its starkest terms, the situation could be described as a United States National being responsible for the death of a United

Kingdom National and being able to flee the country to evade justice. Whilst this might not be an accurate reflection of the position, this could be the perception of the public and national media.

The decision making concerning not declaring a critical incident considered what had already taken place, and how that had been handled, rather than looking forward and the potential for declining confidence in Northamptonshire Police. The effectiveness of the police response within this scenario is not in relation to the actions taken by police in the immediate aftermath of the collision or within the submission of paperwork to the FCO to seek a waiver. Whilst the suspect leaving the country is outside of the police control, the effectiveness of the police response thereafter isn't. This is particularly significant when considering family liaison.

The review is mindful of the benefit of hindsight but has found that once Anne Sacoolas left the United Kingdom, the threshold for a critical incident was met, and the case should have been declared as such. This would have triggered additional Chief Officer oversight and governance throughout the investigation. Even if not initially declared a critical incident, the incident should be the subject of continual review by staff as to whether the critical incident threshold has now been met as circumstances change. In this case the family discovering via a third party that Anne Sacoolas had left the country was a significant change in circumstances.

The decision not to declare it as a critical incident had ramifications in terms of the ongoing monitoring from a strategic management perspective.

Recommendation

Northamptonshire Police should ensure that critical incident guidance is readily available to staff to assist with early identification and management of critical incidents.

Gold group structure

The Command and Control APP guidance details how a dedicated command structure should be implemented when necessary. The principles are scalable and can be used in a multitude of situations or events.

The generic command structure is based on a hierarchy system of Gold, Silver and Bronze. The Gold Commander would be in overall strategic command of the operation. The Silver Commander coordinates the tactical response in line with the Gold Commander's strategy. It is not uncommon in larger operations for a Gold Commander to appoint more than one Silver Commander. In this scenario the Silver Commander would have a "span of command" which details accountability in specific areas and what individuals are responsible for. Bronze Commanders would be in command of a specific discipline and are occupationally competent in that area.

The use of a Gold group to manage the police response is no longer limited to critical incidents. It has become an effective method of coordinating police and partner activity to achieve a shared objective, generally a return to normality in the community and the removal of any threat or risk.

The appropriate command structure should be determined by the Chief Officer, whether this is a local or cross border structure. The nominated Gold Commander will establish a Gold support group - the functions, membership and content of which will inevitably vary according to the nature of the crime under investigation.

The agenda for Gold meetings will depend on the situation but there would be a number of elements that would be considered as standing items, such as:

- Overarching Gold Strategy and objectives
- Terms of reference (to be agreed and regularly reviewed for fitness)
- Investigation update (from SIO via the Strategic Investigator (PIP4))
- Family update
- Community update
- Multi - or cross-agency working
- Resources
- Critical issues
- Staff welfare

All Gold group meetings should be auditable and as such accurate minutes of the meeting should be recorded.

The review has sought to establish exactly who had oversight of this incident from a Gold perspective and at what time:

- 16th September 2019 - ACC Blatchly was duty Chief Officer and informed of Anne Sacoolas leaving the country
- 17th September 2019 - DCC Nickless was informed and was duty Chief Officer from the 18th September
- 26th September 2019 – CC Adderley was made aware and took the lead as Gold Commander
- 5th November 2019 – CC Adderley withdrew as Gold Commander and ACC Blatchly took over
- 30th December 2019 - ACC Sturman took the lead as Gold Commander
- Whilst at one point CC Adderley withdrew as Gold Commander during this operation, the view from Chief Officer team members is that he was in overarching control throughout

The above detail has been taken from email correspondence and interviews from the relevant persons. What has been made clear to the review is that from 26th September CC Adderley took control and was effectively the Gold Commander.

There are personnel assigned key areas of responsibility, but the review has not seen this clearly defined in any strategy document or terms of reference, and as such is inferred from the material made available to the review. Due to a lack of a defined strategy document, the review cannot ascertain if personnel were provided detail concerning what their span of command was, what they were directly accountable for, and lines of reporting.

The Ops Supt took on the Silver investigation lead role, and also took on a media role as a designated “talking head”. There was an appointed SIO. Corp Comms took on the media lead role.

The review has conducted a meeting with Exec Supp who assisted during this incident, they have provided the review with the details of nine meetings with internal and external stakeholders, they are listed below with dates:

- 8th October 2019 meeting titled “Croughton” – reference to some criticism of CC Adderley’s media coverage
- 10th October Croughton Incident – conference call with FCO. This conference call meeting was organised by the FCO
- 15th October Op Magnate (as titled) Update meeting – Purpose of the meeting detailed as reputational risk and that all involved in the investigation are clear on public facing information and next steps
- 20th January 2020 Gold group re incidents involving RAF Croughton. This is the only meeting which is titled “Gold group” and the only meeting which has a dedicated agenda documented
- 13th February Croughton Meeting. This meeting was held to discuss driving standards
- 3rd March – Panorama meet. Meeting held to discuss a documentary
- 12th May – Interpol call
- 13th May – Legal call (this meeting is in relation to misinformation around Anne Sacoolas being wanted internationally)
- 22nd July – Croughton Call w / FCO

The Exec Supp documented notes from these meetings, but they would not be considered formal meeting minutes. It is clear that CC Adderley recognised the gravity of the situation, and as such took ownership. There are numerous references to other high-level meetings within the notes provided by the Exec Supp. The review has seen email communications that document actions and key messages from CC Adderley. It is clear that there was significant work carried out, and this was largely coordinated by CC Adderley.

In addition, the Ops Supt has informed the review that there were Gold group meetings held on the following dates:

- 22nd October 2019 - Chaired by CC Adderley
- 11th November 2019 - Chaired by ACC Blatchly

There may have been more meetings, but the ones listed are meetings that have been clearly detailed in the material available to the review.

The review has approached Northamptonshire Police to request the minutes for any Gold group meetings to ascertain exactly what strategy was set and how any objectives were to be met. No formal minutes have been provided to the review. In addition, the review has not seen a dedicated Gold Commander strategy document detailing terms of reference, objectives, roles and responsibilities, and lines of reporting.

During the meeting dated the 22nd July, there is a direct reference to CC Adderley making a policy decision in relation to a specific matter. The review has not been provided with any working documents in relation to CC Adderley, such as a policy or decision log. Officers interviewed as part of this review have informed that there was a lack of documentation from CC Adderley around strategy and policy, and this was not unusual.

During interviews with key personnel the review has asked specific questions concerning Gold group structure in terms of agenda, strategy, terms of reference, defined roles and responsibilities, with clarity around lines of reporting. Staff have reported that meetings felt more like briefings, and at times it was confusing as to who was actually the Gold Commander with the position being assigned to an individual but with CC Adderley also acting in that capacity. One officer has described the position as chaotic.

As part of this review ACC Sturman has been interviewed. ACC Sturman has informed the review that on being assigned the position of Gold Commander, all of the initial work had been completed. She stated, as Gold the role felt like a caretaker role as CC Adderley was very much leading things throughout. This caretaker feeling was due to the control and direction of CC Adderley, rather than ACC Sturman's general perception of the Gold role. Items would be flagged for attention, but any media would be handled by CC Adderley. In reality, CC Adderley was very much leading things. This is consistent with information provided to the review by ACC Blatchly; CC Adderley effectively took over the Gold Commander role and took primacy, even if others had assigned roles such as Gold Commander. ACC Sturman has informed the review that she cannot recall any kind of strategy document and

there wouldn't be appropriate recording of meetings conducted by CC Adderley. This wasn't exclusive to the Harry Dunn case.

Generally, the position within the Chief Officer group at that time has been described as challenging.

Conclusion

It is clear there were significant efforts made to deal with the unique issues within this incident / investigation, but the lack of a clearly defined strategy within a dedicated Gold group structure has meant an absence of consistent coordination of both internal and external stakeholders from a police perspective. Officers in key positions have described meetings as a series of briefings rather than the recognised protocol of a Gold group command structure. At times they have been unclear as to who actually was the Gold Commander and the meetings were unlike other Gold group meetings they had been involved in. A number of officers interviewed have described this position as an incredibly challenging environment to work in.

Repeated Gold group meetings, in accordance with APP would have ensured that any strategy aimed at maintaining the confidence of the family and community was constantly reviewed and fit for purpose. It would also ensure clear and concise messaging to the family and general public with consistent monitoring of all aspects of the investigation, including Media and Family Liaison and avoided misinformation to the public. The specifics of this will be made clearer further in the review.

Whilst there were numerous meetings with external stakeholders, there would have been significant value in holding regular, multi-agency, Gold group meetings involving all of the key stakeholders around the table at the same time. This would have been of significant value at the very start of the escalation of the incident. The meetings would also have provided absolute clarity around important matters.

Within the lists of attendees at the meetings provided by the Exec Supp, the review has found only two meetings where there is an investigative representative present, either the SIO, or the Silver Commander for investigations. In the Croughton Incident Conference call on the 10th October 2019 titled "Croughton Incident – conference call

with the FCO”, representatives are present from the CPS, the FCO, and Media, but no investigative representative. Within this meeting the CPS referenced they needed information from the Police investigation team, who were fully engaged. An investigation team lead should have been present. This is an omission as the investigation team were directly responsible for contact with the family and needed to know what the position was with stakeholders, whilst in return updating stakeholders on any developments within the investigation and from the family that may have impacted decision making.

The SIO has informed the review that she provided briefings to Senior Officers, but they were not Gold group meetings and she was unaware if any actually took place. This is significant as it was never clear what the Gold Command structure and strategy was to the SIO, and this created vulnerabilities in the strategic management of the investigation.

Recommendation

Northamptonshire Police should ensure that all involved in complex investigations are clear of the Gold Command structure and the protocols associated with this structure in accordance with APP.

PIP4

The Professionalising Investigations Programme (PIP) carries levels of accreditation for investigators. PIP level 4 Strategic Investigators have successfully completed the SIO portfolio and have completed the PIP4 development program. They are ordinarily of Superintendent rank and above, or police staff equivalents, and are able to provide strategic investigative advice in support of the SIO and Gold Commanders strategies. They are typically used as part of the strategic management of complex investigations, where they may add value.

A significant part of their role is to provide advice and support to the SIO, acting as a critical friend to ensure that the SIO can test, check, and take advice on their decision making during the investigation.

There are two types of PIP4 deployment, formal and informal. A formal deployment would involve the drawing up of a terms of reference document by the Gold Commander in consultation with the PIP4, which would detail the PIP4's strategic areas of responsibility. Typically, they would be under the following headings:

- Strategic command and leadership
- Resource management
- Public confidence and consequence management
- Stakeholder and partnership engagement
- Management of information and communication

There wasn't a PIP4 deployment in relation to this incident.

After Anne Sacoolas left the United Kingdom, the SIO requested a peer review of the investigation. The review was completed by the DSupt PP and had the following terms of reference:

- Was the initial investigation managed effectively?
- Was the decision not to arrest Anne Sacoolas (named suspect) the correct one?
- Is there anything the force could have done to prevent the Sacoolas family from leaving the UK?

The DSupt PP is of a view that the decision to not arrest Anne Sacoolas was the correct one, but they do reference that an arrest could have been justified based on the potential for her to interfere with witnesses, special warnings under code C of PACE, and obtaining an immediate account to ensure a prompt and effective investigation. It is important to note that attending officers were not aware of her immunity status.

In relation to a formal decision not to interview the child witnesses, this was not documented. The decision was made not to interview the witnesses at the scene and the DSupt PP believes this was the correct decision.

The DSupt PP advised the SIO that they should approach the National Family Liaison coordinator to review the Family Liaison strategy.

The DSupt PP suggested that staging the waiver could have been considered, with only an interview requested in the first instance, as opposed to interview, charge, and court. This is a reasonable suggestion and should be explored with the Parliamentary and Diplomatic Protection Command to ascertain if this is a viable option for staff.

Conclusion

The SIO requested a peer review and then sought a review from the National Family Liaison Coordinator. The outcome of meetings with the National Family Liaison Coordinator will be reviewed within the Family Liaison area of this review, but these interactions are noteworthy from a PIP4 perspective. It is clear that the SIO had recognised a need to review the work completed. The SIO has informed the review that they would have welcomed the support of a PIP4 investigator as they felt isolated and unsupported by their immediate line manager.

The SIO is PIP3 qualified and has been employed on the Northamptonshire Police MIT. They have led numerous homicide investigations. The SIO has described this operation as the most challenging situation they have ever encountered as an SIO.

The appointment of a PIP4 would have been of significant value to this operation, particularly from a critical friend perspective for the SIO and the testing of decisions made. There would also have been specific focus on public confidence and consequence management.

Recommendation

Northamptonshire Police should ensure their senior managers are aware of the role of PIP4 Strategic Investigators and the added value they can provide in a range of operations.

Northamptonshire Police should assess their provision and access to PIP4 resources.

Northamptonshire Police should consider training and creating a cadre of in-force PIP4 qualified officers and record those accredited and available on a register available to all.

Northamptonshire Police should explore the possibility of staging the waiver of immunity with Parliamentary and Diplomatic Protection Command from a learning perspective to benefit others who may be in a similar position.

Communication

The media relations APP sets out guidelines for the management of media strategies in high-profile or sensitive investigations or operations.

Media strategies should be agreed at senior operational level and should include the appointment of a dedicated police spokesperson. This can provide the Gold Commander or SIO with assurance that other police officers or staff will not divulge information that goes beyond the agreed media strategy and could compromise the investigation or operation.

A high-profile investigation or operation should have a specific Communications Officer assigned to it in support of the media strategy. All media strategies and media-related decisions should be logged so that, in the event of a change of staff, the Communications Officer can be easily briefed. The media strategy should make clear who is designated as media spokesperson. All media statements in high-profile investigations should receive approval by the SIO or Gold Commander before release.

In high profile cases, engaging with the media will often be led by a Gold Commander and or a Strategic Investigator (PIP4). The objective of a major crime investigation is to ensure there is effective governance over the content and timing of media releases and that the police maintain ownership and control of media issues.

Specific consideration should be given to how the media strategy links into the victim and, where relevant, the family liaison strategy.

Initially the request for information from the media was almost non-existent. Media releases were made that were in keeping with an investigation of this nature, such as a witness appeal, the naming of Harry Dunn, and then a tribute from the family. This position changed significantly when Anne Sacoolas left the country.

As would be expected in a case which has garnered this much media attention, there were numerous interactions with both national and international media platforms. The review has been provided with a document that details statements made by Northamptonshire Police to the media. There are 17 media statements documented. This does not contain details of all interviews conducted. From a review perspective there is value in detailing the escalation of media interest. There is also value in analysing any key media interactions and potential impact of them from a family liaison perspective. There is no doubt that certain activity in the media has contributed to a loss in confidence in Northamptonshire Police from Harry Dunn's family.

The initial media strategies are documented in the Lead Investigator review document dated 29th August 2019 and SIO policy log entry 11:

16/09/2019 19:05 hours – 'Brief Ops Supt on the case and discuss how we manage the media going forwards.'

On 20th September the SIO reviewed the media strategy in the 2nd Lead Investigator review document. The SIO detailed they had met with the Force Communications Team to discuss the media strategy and briefed them on the current state of the investigation. The SIO detailed what the objectives of the current strategy were with a rationale for the decisions. The strategy adopted an "if asked" position.

The strategy detailed that the SIO would ensure the CPS and the FCO were sighted on any media release before it was made.

A media statement was prepared and signed off by SIO1 and the Ops Supt. The intention was to share the statement with the family the following week. It is unclear if this strategy had any Gold Commander oversight. There would clearly be issues if

Northamptonshire Police had needed to update the media around the suspect leaving before the arranged meeting with the family.

Following a meeting with the family on 26th September a further “if asked” press release was prepared. This was in relation to the family informing the police that they planned to go to the press that afternoon. There were a number of key points in relation to the media, but the key message was that the family wanted justice for Harry, and they would do all they could to publicise his case.

The media strategy did not change from the Lead Investigator review document dated 20th September to the review dated 30th September but by that time CC Adderley had effectively taken up the role of Gold Commander.

There are two other references to media strategy in the SIO’s policy log. Policy entry 13 concerned a brief to the Force Communications Team to consider if Northamptonshire Police could assist in preparing the family for a media campaign, and Policy entry 16 refers to misinformation passed to the press from the PFCC’s office concerning CPS timescales. It is important to note that these are the media strategies drawn up by the SIO, and not others.

On 23rd September an email was sent to DCC Nickless by the Ops Supt. The email was in relation to the family being aware that Anne Sacoolas had left the country. Within the email was a small piece concerning the current media strategy. The Ops Supt stated that there was a current media strategy which would be refreshed with the Force Communications Team again based on any additional issues as they arose, but it is currently fit for purpose.

CC Adderley returned from annual leave on the 26th September and was made aware of the case and the diplomatic immunity position. A media meeting was held with the PFCC Stephen Mold to discuss the case. Although not documented in terms of who was actually Gold Commander at this time, ACC Blatchly has informed the review that CC Adderley had effectively taken over at this point.

Returning to the question of a critical incident, this position does not appear to have been reviewed. At this point there would still have been significant added value in declaring the operation as a critical incident.

During the afternoon of the 26th September the head of Corp Comms spoke to Timothy Dunn in relation to the family seeking advice on media support. The family were intending to approach a local news outlet.

On 29th September the family held a meeting in a local village hall. The police have documented that one of the purposes of the meeting was for the family to decide if they would take the case to the media.

On 30th September Timothy Dunn sent a statement to the head of Corp Comms with a draft press release. This was the start of the Justice for Harry campaign. Timothy Dunn asked if the police felt anything needed rewording. Some advice was passed around rewording certain areas.

On 2nd October CC Adderley set out a plan for a meeting the following week. The intention of the meeting from the Chief Constable's perspective was to ensure:

1. *We maintain the confidence and support of the family of Harry*
2. *We maintain the trust and confidence of the community*
3. *We have explored and covered all options available to Northamptonshire Police both in terms of our legal options and investigative opportunities (It may be of value to have legal services sighted on this case please – Ops Supt – are they aware?)*
4. *That we provide the PFCC with the information and detail he will require to support the political issues here*

There was an acknowledgement that the matter was likely to gain considerable traction. Media leads would be discussed as part of the meeting planned for the following week.

Mr Radd Seiger was appointed as the family spokesperson, and on the 2nd October Sky News made contact with Northamptonshire Police. CC Adderley requested that the Ops Supt field any interviews with Sky News.

On 7th October CC Adderley was interviewed by BBC Radio 4, BBC Breakfast and Sky News. This caused the FCO to contact Northamptonshire Police and advise that it would be helpful if Northamptonshire Police didn't repeat erroneous statements.

At 08:40 hours on Tuesday 8th October a meeting was held at Northamptonshire Police Headquarters. Within this meeting it was decided that all media requests for interviews would go to the Ops Supt. It is noteworthy that this meeting was held after CC Adderley had been interviewed the previous day. It would have been of benefit if this meeting had been held prior to any media interviews. A media sweep was conducted by the Force Communications Team and at that point a list of 86 local, national, and international articles had been generated.

On 10th October the SIO produced a specific media strategy. The objectives were:

- *To ensure the media coverage remains factual and accurate*
- *To ensure the media coverage doesn't impact the right to a fair trial*
- *To ensure the media coverage doesn't touch on evidential matters and remains focused on the wider objective to secure justice for Harry Dunn.*

The strategy detailed the lead for operational matters as the Ops Supt and the lead for political matters as CC Adderley and the PFCC Stephen Mold. There are a number of key points within the strategy that are particularly relevant.

- *The Family Liaison Officer will update the family about significant developments in the investigation ahead of any media release. The rationale for this is to ensure that they maintain the trust and confidence of the family and that information passed to them has been verified.*
- *The SIO will confirm what information can be released to the family and when it can be released. At all times the victims code will be adhered to.*

- *Any officers or staff who are giving interviews will be asked to share the content ahead of doing a media interview if it deviates from the strategy already agreed. The rationale for this is to ensure that there is a consistent and clear message from the Police and that information released to the press is accurate and doesn't prejudice any future legal proceedings.*
- *The Force will provide guidance to the Dunn family about how media can affect a fair trial. The rationale for this is so that Harry's family can consider what they wish to release to the media and the wider implications of speculating about evidence.*

The review has not seen any documentation which demonstrated Gold Commander oversight of this strategy by CC Adderley. The review has not seen a dedicated media strategy drawn up in consultation with a Gold Commander. The review sought to establish if there were meetings or conversations concerning such a strategy. The head of Corp Comms informed the review that they hadn't seen a dedicated media strategy from the Gold Commander and didn't believe that there was one.

On 13th October, in response to a report by Sky News and what CC Adderley described as a change of status regarding diplomatic immunity, a number of actions were requested by CC Adderley. Within the email were references to the media increasing their interest in the case again, and it questioned who would take the lead. From an investigation perspective the lead would be the Ops Supt, from a reputational perspective the lead would be CC Adderley, from a political perspective CC Adderley would look to the PFCC.

On 15th October a meeting was chaired by CC Adderley. The CPS were represented at the meeting. One of the purposes of the meeting was listed as:

- *CC wants to clarify that all involved in the investigation are clear on public facing information being shared and next steps*

Within the bullet points recorded there is a section on media. There was concern that some of the facts reported from the United States were not accurate. Northamptonshire had adopted a position of keeping things tight to ensure no

compromise to the investigation. The SIO was reported to have asked the FLO to discuss with the family about the potential to prejudice a trial by releasing too much information (note the SIO was not at this meeting, the update was provided by the Ops Supt). CC Adderley was noted as saying the family need to be careful as there was the potential to compromise this. ACC Blatchly requested all police media releases be captured to ensure clarity on what was said across all statements.

Chief Constable Adderley's press conference 22nd October 2019:

The press conference was called by CC Adderley. Media guidance states that the rationale for a media briefing must be recorded. The review has not seen a rationale for the media briefing. The head of Corp Comms has informed the review that CC Adderley called the briefing as he was tired of inquiries coming into the force in piecemeal and he wanted to get all media in the room at the same time. Prior to this the Ops Supt had handled the media responsibilities in close liaison with the head of Corp Comms to ensure the correct information was provided. ACC Blatchly has informed the review that he advised CC Adderley against holding a press briefing. He didn't see the value in it, there wasn't a need for it, and at that time the key issues were a matter for the FCO. The police were effectively putting themselves front and centre for issues that they had little control over.

In the preceding days there was correspondence exchanged between the police and the family, this was largely concerning a meeting between CC Adderley and the family which had been planned for 23rd October. From a review perspective there is significant value in looking at the proposed meeting, and the build up to it.

On 21st October an email was sent to CC Adderley from Mr Seiger. The email concerned the meeting planned for the 23rd October. There were some questions raised that the family would like answers to:

- 1. The family are now aware that the FCO asked your team to delay telling the family about Mrs Sacoolas' departure. Your comments on this would be appreciated. You will understand how disturbing this is for the family*

2. *The family are hearing rumours that officers from Northants Police are travelling to the United States. Is that true? If so, what is the purpose of that trip?*
3. *The family are calling for Mrs Sacoolas to be charged and extradited back to the UK.*
4. *It would be helpful to have an update on progress towards that end. It is the least the family deserve. The ongoing lack of follow up information to them is compounding their misery. I am aware that the flo has been in touch with Dad Tim but a comprehensive briefing on where we are going and how we are going to get there would now be welcome for the benefit of us all. If necessary, could you please loop in the Crown Prosecutor so that I may liaise with them too.*
5. *Is there anything your team need from us?*

Exec Supp replied as directed by CC Adderley stating the intentions of the meeting were for a private and personal visit to express condolences to the family.

Mr Seiger replied stating there was clearly a misunderstanding. The family felt the time for condolences had passed and were expecting answers in the meeting, also they had not been kept well informed as victims of crime in accordance with best practice.

As a result, CC Adderley respected the family's wishes to decline the meeting, and the family would continue to be updated and supported by the SIO and the FLO.

Mr Seiger replied that it's a great shame. An opportunity missed but so be it.

Later that day an email was sent to the Ops Supt from Exec Supp. The email outlined a press conference set for the following day; CC Adderley would not name the suspect but would state that the suspect was cooperating with the Police and CPS and that officers would go to the United States to interview her at her request. CC Adderley specifically requested the FLO inform the family that officers would travel to the United States. This is due to this being a specific question raised by the family.

In the build up to the press conference there were concerns from the police that information was being passed to the media by Mr Seiger and some of it may be incorrect. Information was passed to the Police by one media outlet suggesting that Mr Seiger had informed them that Anne Sacoolas was on her phone at the time of the collision. It is important to note this was suggested by a media outlet but not confirmed.

At 07:39 hours on 22nd October an email was sent by the head of Corp Comms suggesting a meeting ahead of the press conference to run through some points which Northamptonshire Police were able to address, with a view to setting the record straight on a few matters and drawing a line under those that could not be addressed.

The press conference held by CC Adderley has been reviewed, and the review has also been provided with a transcript of the press conference. CC Adderley outlined that this was a live investigation and then referred directly to the family spokesperson Mr Seiger:

'I urge the family spokesperson to exercise constraint in his commentary as this case moves forward. I understand the emotion and the anxiety. And I understand the will and the want for answers to the questions that the family are asking, but I urge him to exercise constraint in his commentary because it is not helpful.'

CC Adderley then ran through the timeline that he stated he had verified through the various agencies. There were two inaccuracies within the timeline provided to the media:

1. Regarding the meeting with the suspect at her home address on the 28th August 2019, CC Adderley stated she cooperated with the police and gave an account regarding the circumstances of that collision.
2. It was at that point that diplomatic immunity was mentioned.

Anne Sacoolas never provided an account regarding the circumstances of the collision. She was never asked by any of the officer's present for an account. It

would be unusual if she had as this would amount to an interview under the Police and Criminal Evidence Act 1984.

Diplomatic immunity was not mentioned at this meeting at all. The SIO made specific mention of this in her Lead Investigator review dated 20th September 2019:

'At no time during this meeting did anyone notify me or the OIC that Mrs Sacoolas and the rest of the family had diplomatic immunity.'

'I was informed by a DCI in Thames Valley Police later that day that the Sacoolas family had diplomatic immunity, and they provided a contact at the US Embassy in order that liaison could commence at an early stage.'

Whilst relaying the timeline CC Adderley provided detail around the FCO's request for a delay in informing the family that Anne Sacoolas had left the country. He confirmed Northamptonshire Police were asked to delay for a couple of days so that the FCO could understand what the next steps were. This was a decision that CC Adderley supported. CC Adderley provided detail on the family finding out that Anne Sacoolas had left the country, and arrangements made for a meeting afterwards.

CC Adderley then moved on to the next steps and he stated he had offered to go and see the family on two occasions and on both occasions that had not been able to happen. The reason given for the visit on Wednesday not taking place was because the information being asked for by the spokesperson, who was not their lawyer, CC Adderley was unable to provide due to legal constraints. He then reiterated the questions asked of him he could not legally provide the answers to. CC Adderley was then available for questions after the initial briefing. A question was raised around the victims code. CC Adderley stated that the victims code had been complied with, above and beyond:

'That is a wholly inaccurate statement that has been put out by that family spokesperson.'

After the press conference, CC Adderley and the Ops Supt made themselves available for one-to-one interviews with the media. The review has been informed that CC Adderley conducted 14 one-to-one interviews after the press conference.

Conclusion

There is no doubt that from a media and communications perspective this was an incredibly challenging period for Northamptonshire Police. This is highlighted by the media sweep conducted on the 8th October by the Force Communications Team which revealed the list of 86 local, national, and international articles, and the weekly media summary dated 11th October which detailed 49 national and international news platforms.

As the media escalation continued, there was no further review of the status of the incident from a critical incident perspective. As highlighted, there would still have been value in implementing the structure and governance associated with a critical incident.

A media strategy was prepared on the 10th October by the SIO in consultation with the Ops Supt. Whilst areas could have been elaborated on, and additional detail added, had the strategy been followed, some of the issues highlighted would most likely have been avoided.

The review has not seen any detail from meetings where a dedicated media strategy was discussed by CC Adderley.

The press conference offered some clarity concerning the timeline of activity, but the content and tone of the press conference had numerous issues from a Family Liaison perspective.

Recalling the police meeting that was planned on the 2nd October 2019, and held on the 8th October, with the objective of ensuring that “We maintain the confidence and support of the family of Harry” it is difficult to see how the approach adopted within the press conference was delivering toward that aim.

On the morning of the press conference the head of Corp Comms sent an email to internal personnel saying it may be worth having a meeting. Preplanned meetings ahead of significant media events such as this are of significant value.

The review has specifically asked the SIO if they were present at any pre meeting or briefed ahead of the press conference to fact check information, they weren't. This would have been of significant value when considering the inaccuracies of the timeline presented. Quoting point 3 of the media strategy directly:

'Any officers or staff who are giving interviews will be asked to share the content ahead of doing a media interview if it deviates from the strategy already agreed. The rationale for this is to ensure that there is a consistent and clear message from the Police and that information released to the press is accurate and doesn't prejudice any future legal proceedings.'

Within the press conference there was criticism of the family spokesperson whose commentary was described as unhelpful. This criticism was subsequently highlighted nationally in the Daily Mail amongst other media outlets. The review doesn't find any added value to such statements, and they seem to create an adversarial position with the family spokesperson. If there were concerns regarding erroneous statements made to the media, this should have been taken up privately with the family and spokesperson with a discussion concerning a way forward. Quoting point 6 of the media strategy directly:

The force will provide guidance to the Dunn family about how media can affect a fair trial. This will allow Harry's family to consider what they wish to release to the media and the wider implications of speculating about evidence.

Returning to the questions that were posed by the family, ahead of the proposed meeting on the 23rd October (that was cancelled). Two of them were effectively answered in the press conference:

CC Adderley confirmed that the FCO requested a delay, and he supported the delay decision. He also confirmed officers would travel to the United States to interview Anne Sacoolas.

From a family perspective a reasonable question might be why they couldn't meet CC Adderley to discuss the case, yet CC Adderley was available to journalists for one-to-one interviews and some answers to their questions were provided within the press conference? The cancelled meeting will be referred to again within this review under the Twitter (X) statement made by CC Adderley.

Within CC Adderley's commentary there was emphasis on Anne Sacoolas, how she was cooperating, and how she wanted Northamptonshire Police to see the devastation that this had caused her and her family. This element of the conference was almost certain to be upsetting for the family and it is difficult to see the value in such statements. Consideration should have been given to the family liaison implications and the impact on the family.

Work was carried out to try and ensure that communications were managed by the SIO in liaison with the Ops Supt. This is evidenced by the SIO reviews, the dedicated policy entries and the specific media strategy that was prepared on the 10th October. However, the lack of a joined-up approach and appropriate structure and governance from CC Adderley as Gold Commander in particular, has meant that both internal and external stakeholders were at times acting independently of one another. This is highlighted by the FCO contacting Northamptonshire Police in relation to an erroneous statement made on the immunity status of Anne Sacoolas, an incorrect media statement made by the CPS around timelines, and the misinformation provided at the press conference. All of which were avoidable.

This placed the SIO, and investigation team in an incredibly difficult position in terms of family liaison, with little thought given to any kind of consequence management by the Gold Commander.

Whilst the Northamptonshire Communications Team were up to managing this case, it can be of benefit to consider the use of external media specialists for additional assistance in these circumstances.

Recommendation

Northamptonshire Police should consider the use of external media specialists recommended by the NCA for high profile operations.

Northamptonshire Police should review their media training provisions for senior officers who are likely to be responsible for media engagement in serious and complex cases.

Twitter (X) statement made by Chief Constable Adderley:

Within the Engagement and Communications APP, principles of online engagement are detailed. They include being the following:

- Credible
- Consistent
- Responsive
- An ambassador
- Inclusive
- Ethical
- Personable

Under the Ethical section advice is further given - generally, you should not post any information or messages on the internet that you would be unwilling to release to the press or say at a public meeting. Information posted online should not:

- contain protectively marked or otherwise sensitive information
- discriminate on any grounds, or appear to support discriminatory attitudes
- be libellous
- breach copyright
- undermine operational activities

- damage the reputation of the police service

On 29th October 2019 Sky News reported via Twitter (X) the family had instructed lawyers in the US that they would sue Anne Sacoolas for civil damages AND the @realDonaldTrump administration for misconduct and cover up.

CC Adderley replied to the tweet from Twitter (X) account @NorthantsChief – *'How sad but how predictable!!'*

The tweet was deleted within minutes but as is often the case the response was captured. Harry Dunn's parents responded calling the tweet outrageous and then called for CC Adderley's resignation.

On 30th October CC Adderley explained in an email to the PFCC Stephen Mold that he felt the tweet had been misconstrued and misunderstood. He deleted the tweet with a view to putting more context around it but was called to deal with something else.

On 31st October CC Adderley sent a further email to the PFCC. In it he explained he had tried to meet the family on two occasions to explain what was going on, and why, and to provide context to the comments made at the press conference and now the tweet which had clearly caused great offence.

CC Adderley said:

'As previously mentioned, I had arranged to meet the family to express my condolences and to outline the process and next steps from my perspective and to work with them to provide what reassurance I could. I had planned at that meeting, to discuss with the family spokesperson, Radd, some of the comments he had made which, in my view, could prejudice the case in relation to article 6, a fair trial. This was never going to be done in a way which showed contempt for Radd or the family, quite the contrary, I was intending to do this to support the family and their campaign to see justice done.'

This detail is of relevance when returning to the press conference, and the cancellation of the family meeting that had been planned around the same time. In the reply sent to Mr Seiger by Exec Supp, it was stated the intentions of the meeting were for a private and personal visit to express condolences to the family, there was no mention of outlining a process and next steps or addressing any comments made by Mr Seiger.

CC Adderley went on to state that he was devastated by the impact his tweet had had on the family, and this was not intended.

As a result of the tweet the PFCC released a statement saying that he was sorry that this tweet has distracted from the important work taking place to resolve this tragic situation and that he had spoken to CC Adderley about the need for force communication to remain professional and sensitive at all times.

Conclusion

It is clear from the response of the family that the tweet had a significant impact on them, and at a time when Northamptonshire Police were seeking to maintain the confidence of the family and community. Whatever the intentions, the tweet was not in line with approved guidance and was unnecessary.

The email from CC Adderley to PFCC Stephen Mold on 31st October is relevant, particularly concerning cancelled family meetings and outlining the process and next steps. It is clear that outlining the process, and the next steps were never mentioned in replies sent to Mr Seiger by Exec Supp (directed by CC Adderley). The intentions of the meeting from a Northamptonshire Police perspective were solely for a private and personal visit to express condolences to the family.

This is significant. If the family thought that within the meeting there would be an outlining of the process and what the next steps were, the meeting would most likely have gone ahead, given that this is effectively what was requested by Mr Seiger within question 4 of his email.

Recommendation

Northamptonshire Police should ensure that all online engagement is conducted in line with the Engagement and Communications APP principles.

10. Family Liaison

Role of the Family Liaison Officer

APP guidance for working with victims and witnesses provides requirements of FLO's. Family liaison can be used across a broad spectrum of investigations, including:

- murder and manslaughter
- fatal road traffic collisions
- mass fatality incidents
- rail fatalities
- critical incidents where family liaison might enhance the effectiveness of the police response

The key aims of family liaison are:

- Secure the confidence and trust of the family, thereby enhancing their contribution to the investigation (this can positively impact the wider issues of community trust and confidence, as well as bringing positive benefits to the investigation)
- Gather material from the family in a manner that contributes to the investigation and preserves its integrity
- Work with the family in order to comply with their rights to receive all relevant information connected with the enquiry, subject to the needs of the investigation, in a way that is proportionate to their fundamental right to respect for their privacy and family life
- Ensure that the family are given information about support agencies and that appropriate referrals are made

The primary purpose of an FLO is that of an investigator. Their role is to gather evidence and information from the family to contribute to the investigation and preserve its integrity. The FLO also provides support and information, in a sensitive and compassionate manner, securing confidence and trust of families of victims of crime (primarily homicide), road fatality, mass disaster or other critical incidents, ensuring family members are given timely information in accordance with the needs of the investigation.

As part of this review a subject matter expert has been appointed, who is the regional lead for family liaison in the East Midlands (Reg FLA Lead). The Reg FLA Lead has extensive experience in this area as a qualified FLA and is also a PIP3 qualified SIO. The Reg FLA Lead's present position is the homicide lead for Lincolnshire Police, where they have led numerous homicide investigations.

FLO's are regularly deployed on two types of investigation, namely serious collision investigations and homicide investigations. There are differences in the two deployments and there are mandatory requirements for both. For the purposes of the review, it is of value to analyse the differences between the two.

All FLOs must complete the five-day Family Liaison Officer Course accredited by the College of Policing. This covers homicide deployments, fatal road death collision deployments and mass fatality / disaster victim identification deployments.

There are a number of training courses offered by external companies, predominantly solicitor's firms, which offer FLO and Family Liaison Coordinator (FLC) / FLA training for free, these can be role specific, for example a course just for fatal road collisions or only for homicide, the majority if not all of these will not be accredited by the College of Policing.

FLO's that are deployed on SCIU investigations must be PIP1 accredited and have experience of conducting PIP1 investigations. FLO's deployed on homicide investigations must be PIP2 accredited and have experience of conducting PIP2 serious and complex investigations.

All deployments should be dual deployed. However, on SCIU investigations in many Police Forces, FLO's are single deployed because there are more fatal road collisions than homicide enquiries and limited FLO resources. This is common practice in many Police Forces. Many (not all) SCIU deployments are straight forward as the offending driver has not driven with intent to kill or seriously harm the other individual (this would be a homicide investigation).

Generally, FLO's are there to update the family on the investigation, provide support regarding a trial or inquest and sign-post families to support agencies. Homicide investigations are usually more complex, for example if a murder occurs within a family environment, the suspect is known within the family, multiple defendants or an investigation where the suspect is unknown then more investigative work is generally required. In the majority of homicide cases offender(s) are charged and remanded. With SCIU deployments suspects are often bailed for further enquiries and then are either charged, summonsed to court or it becomes a coronial investigation.

Initial deployment

The FLO was initially deployed on the night of the collision. A second FLO was appointed on 24th September 2019. The SIO and the FLC identified that the initial FLO would need a deputy as the suspect had left the UK, with diplomatic immunity, and there was a great deal of media interest.

Conclusion

The initial deployment and activities of the appointed Family Liaison Officer's are in line with what would be expected of a deployment of this nature.

Documented family contact

The review has been provided with an FLO deployment contact record document which details and dates interaction with the family. Some of the interactions are captured on the Niche system with family liaison log records. The deployment contact record does not contain all of the interactions with the family and only runs to the 9th November 2019. As a result, the review has sought to examine the Niche record and associated emails to build as full a picture as possible of contact with the

family. This has enabled a broad picture of contact, but it is known there has been other undocumented contact with the family.

134 interactions have been captured as a result of this process. It is noteworthy that from the time the OIC was appointed as the contact officer, family liaison logs were comprehensively added to the Niche record. It is also noteworthy that there was a significant gap between the dates of 25th September 2020 and 15th July 2021 where no contact is recorded. This period coincides with the OIC going on a period of extended leave.

Conclusion

Not all interactions with the family have been captured. Some of these undocumented interactions have been detailed within other sections of the review such as CC Adderley's contact via the Twitter (X) messaging platform. It is imperative that all family contact is recorded in line with APP.

Recommendation

Northamptonshire Police should ensure that all interactions with families is captured and documented in line with APP.

Initial family liaison strategy

National standardised strategies for family liaison deployments have been used since 2021. This investigation was commenced in 2019 and as such FLC's / SIO's wrote their own strategies. There are policy decisions recorded by the SIO that a family liaison deployment was required and who was appointed. The family liaison deployment is also reviewed in the Lead Investigator review documents.

There is a family liaison strategy written by the FLC. It appears to have been written after the suspect left the UK (there is no date on the strategy) but there is mention that the investigation team had been informed the defendant, and her family left the UK on 16th September 2019.

A risk assessment document was completed, albeit on 16th October 2019 and it was agreed by the SIO. A risk assessment should be completed prior to a FLO being

deployed. There was mention in the initial Lead Investigator review documents and policy logs that the risk was low but there is no independent document showing how this risk assessment had been made.

Conclusion

The Reg FLA Lead has reviewed the policy documents and makes the following observations:

Within policy decisions clear aims and objectives are detailed for the FLO deployment. The FLC strategy document also lays out clear aims and objectives.

Although a risk assessment had been completed there would be an expectancy to see what police systems had been checked regarding the family members the FLOs are being deployed to. These boxes had been left empty. There were no subsequent reviews of the risk assessment completed. There should be regular reviews of the risk assessment throughout the investigation and ideally should accompany the live strategy rather than being included in other documents so that it is easily accessible to FLOs, the SIO and anyone else

Recommendation

Northamptonshire Police should ensure that strategies and risk assessments are completed at the earliest opportunity on any FLO deployment (This is in accordance with NPCC 2020 guidance. It is acknowledged that this case commenced in 2019. The national strategies now used dictate that this should happen).

Decision not to inform the family that Anne Sacoolas had left the country

The SIO was ultimately responsible for the decisions made within this investigation, a point the SIO has made to the review. Whilst this is the case there is some important context concerning the decisions made within this investigation that are noteworthy from a review perspective.

At 16:39 hours on 16th September 2019 the SIO received a telephone call from the FCO. The US Embassy had denied the request for a waiver of immunity. The investigation team clearly had no idea that Anne Sacoolas was going to leave the

country, and there had been no indication that this could be the case when they attended Anne Sacoolas address the day after the collision. The SIO notified personnel internally the same day. The SIO requested email confirmation and wanted to establish what the next steps would be from a FCO perspective.

At 20:01 hours on 16th September 2019 the FCO sent an email to the SIO. Within that email the FCO asked if it would be possible to delay conveying the US decision to Harry Dunn's family? The FCO appreciated that the SIO would want to update them quickly, but it would help "if we could get our ducks in a row" beforehand.

On 17th September the SIO contacted the CPS in order to clarify the legal position. There were no answers and as a result messages were left.

At 11:54 hours on 17th September the SIO replied to the FCO stating that they did not intend to meet the family that week (week commencing 16th September), and they were happy to delay whilst initial steps were taken.

At 08:21 hours on 18th September the SIO spoke with the FCO. It was explained that the intention was to talk with Harry's family the following week. The FCO confirmed that this fitted in with their request for time to consider next steps.

At 15:30 hours on 20th September the FCO sent an email to the SIO asking if there was a reason why a decision has been made not to update the family until Thursday 26th September. The SIO replied that the reason for the delay was Harry's burial that week and their duties / availability the following week, they also wanted time to get a media release agreed and the CPS updated on next steps.

At 18:10 hours on 16th September the SIO made policy decisions in relation to informing the family that Anne Sacoolas had left the country.

Policy entry 9

'I have been informed today that Mrs SACOOLAS has left the country and the US authorities have denied my request for a waiver of her diplomatic immunity.'

I will tell the family face to face and have asked the FLO to agree a time for me to meet them next week.'

Rationale

'It is Harry's funeral on Wednesday and as such I don't expect the family will want to meet me this week. I could ask the FLO to tell them over the phone but this is such catastrophic news I don't want to do that to them, I feel this should be done face to face and when I've had time to speak to the CPS to understand what our options are as it will inevitably raise many questions for the family that I would like to be able to answer for them when I meet them. I will also continue to speak to the FCO who are looking at what next steps they can take.'

At 18:57 hours on 16th September the SIO made a further policy decision concerning contact with the CPS.

Policy entry 10

'To make early contact with CPS to seek their advice on the evidence obtained in this case, the offence likely to be charged and the options around extradition.'

Rationale

'It is my intention to meet Harry's family next week to update them personally about the developments in the case. I want to provide them with the facts and also the options as we move forward with this investigation.

By speaking to the CPS at an early stage I will be able to explore the options to progress this case as a criminal matter.

I will also talk to the CPS about civil litigation and consider if it is prudent to advise Harry's family to instruct a solicitor to commence a civil action to run concurrently with the criminal investigation /prosecution.

I want to ensure that Harry's family have timely updates about important developments in this case and sufficient information to make decisions that are right for them as a family.'

There is further relevant rationale contained in the SIO review document dated 20th September 2019, under the family liaison section:

'Harry's funeral took place on Wednesday 18th September, and it was my intention not to provide any more information this week as the family have enough to deal with.

I plan to update the family about the current position of the investigation and to be candid and open with them in explaining the facts around the suspect status. The proposed update is on Niche and details all the information I am proposing to share with Harry's family. This has been shared with the CPS, the FCO and the News team ahead of the meeting in order that they get an opportunity to comment.

Harry's family will be provided with a letter confirming all this information as there is a lot for them to take in and I expect them to be highly distressed and to miss some parts of this.

The family will be offered support from the Police Communications team to engage with the press should they wish to do so.'

Rationale

'I want to ensure the family are kept up to date with the current situation around the suspect, but to share this information with them at a time that is not too close to Harry's funeral without introducing any undue delay.

I also want to allow the FCO to consider their next steps and provide an update to me that I can share with Harry's family so they can see that some action has been taken.

I also want to get an update from the CPS so that I can manage their expectations of what may be possible going forwards on this investigation.'

The SIO wanted an update on the next steps prior to updating the family. This is understandable. Others within Northamptonshire Police were aware of the decision

not to inform the family and did not question such a decision. This included her line manager SIO1, the Ops Supt, and DCC Nickless. DCC Nickless informed the review that any decision not to inform the family was a difficult decision that considered time for the family to grieve, and to establish the next steps to be able to answer questions that the family would undoubtedly have following Anne Sacoolas leaving the country. This would be balanced against any risk of the family finding out from another source. DCC Nickless made the point that whilst Harry's family had wanted to be informed, another family may not, and this could equally lead to criticism of Northamptonshire Police.

A document was prepared by the SIO which detailed an update which was to be given to the family on the 26th September. Within the original update, there was a section on the decision not to inform the family about Anne Sacoolas leaving, and why the SIO had made it. Within the rationale was a reference to the FCO requesting a delay.

This document was sent to the FCO ahead of the meeting to seek agreement over the updates. On 24th September 2019 an email was sent to the SIO by the FCO. The FCO returned the document and requested that the area detailing their request for a delay was removed:

'Although we did ask on the 16th September for some time to get our ducks in a row, it wouldn't have been a problem from our perspective for them to have been notified at an earlier point.'

As a result, the piece concerning the FCO forming part of the rationale was removed. The original decision rationale which was to be provided to the family is detailed below. The text that was removed at the request of the FCO is underlined.

I took the decision not to update Harry's family this week for a number of reasons:

- a. It was Harry's funeral and I didn't want to make this week any more difficult for them*

- b. The FCO want to consider next steps and consider how to express the UK dissatisfaction at this decision to the US authorities
- c. The FCO had asked that they be given some time to consider this before the family were notified.
- d. *Telling Harry's family would not change the situation*
- e. *I wanted to contact the CPS to ask for early legal guidance on what options there may be, and to be able to update the family about any options identified when we met.*

And

The Police won't proactively put anything out to the press because we want the diplomatic process to run as smoothly as possible.

Conclusion

The review has spoken to the SIO in relation to this matter. It is clear that the SIO made the decision for the right reasons in that Harry's family were allowed the time to grieve. The SIO also wanted to explore what options were available so that when they met the family, they had a clear understanding of what the next steps would look like. This is entirely normal, and in circumstances that are uncommon, an SIO would always seek to be clear on what the next steps are. It is also important to note that others were aware of the decision from a police perspective and did not counsel against it, after careful consideration.

However, the review has found that whilst the position adopted is understandable, it was the incorrect decision in these circumstances. The time from Northamptonshire Police learning of Anne Sacoolas departure and the planned meeting with the family was 10 days. In view of the family's connection to the community, and the Sacoolas family having children of school age, there was a very real possibility of this information becoming public knowledge, and that's exactly what happened.

It is clear that this had a serious impact on the families trust in the police. From a confidence perspective, it is imperative that updates such as these are provided by

the investigation team as soon as is practicable and the information is not gained from third parties.

The FCO requested a delay in informing the family, this is clear. It appears that the SIO had already decided that they were not going to meet the family until the following week to inform them, but the FCO were not aware of this when they made their request. The SIO has informed the review that the FCO request had an impact on their decision making as they wanted answers for the family in terms of a way forward, prior to meeting them. Although the request from the FCO was made after their initial decision had been made, it solidified their decision in that further information was required prior to informing the family. The review has approached the FCO, they will not comment on this case.

The document prepared by the SIO was sent to stakeholders ahead of the meeting scheduled with the family. The FCO requested the removal of points relating to them in any decision-making rationale. This is disappointing as it appears that the FCO were distancing themselves from any impact / influence they may have had.

Even if a delay in informing the family could be justified, which it cannot, the period of 10 days was too long to wait to for such an update.

Recommendation

The East Midlands Special Operations Unit - MIT and the five forces of the East Midlands, including Northamptonshire Police should ensure that all SIO's, FLO's and FLA's are aware of the importance of prompt updates to bereaved families.

Victims code adherence – 2015 version

The Victims Code sets out the services that must be provided to victims of crime by organisations in England and Wales. This Code sets a minimum standard for these services. Service providers can choose to offer additional services and victims can choose to receive services tailored to their individual needs that fall below the minimum standard. For the purposes of the Code, a “victim” is:

- a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence
- a close relative of a person whose death was directly caused by a criminal offence

There are a number of sections within the code that are of relevance in this case - Introduction paragraphs 24 and 25 – Nomination of a family spokesperson for families bereaved by crime:

“If a family is bereaved as a direct result of a criminal offence, the deceased’s close relatives are entitled to nominate a family spokesperson to act as the single point of contact to receive services under this Code. If the close relatives cannot choose a family spokesperson, the Senior Investigating Officer working on the case must choose the family spokesperson.

If a family is bereaved following a road traffic collision where the police are investigating whether a criminal offence has been committed, a family spokesperson may be nominated as set out above.”

Requirement to disclose information - introduction paragraph 32:

Nothing in this Code requires a service provider to provide information where disclosure of that information:

- a) could result in harm to any person;
- b) could affect the proper handling of any criminal investigation or prosecution, or could otherwise prejudice any civil or criminal case;
- c) would, in the service provider’s view, be contrary to the interests of national security

Enhanced entitlements are provided to victims of the most serious crime – Enhanced rights 1.8:

“You are eligible for enhanced entitlements under this Code as a victim of the most serious crime if you are a close relative bereaved by a criminal offence, a victim of domestic violence, hate crime, terrorism, sexual offences, human trafficking, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent. Additional enhanced entitlements that are available for bereaved close relatives are identified separately at various stages of this Code.”

Adult victims Part A: Victims Entitlements. Section 1: police investigation paragraphs 1.5 and 1.6:

“You are entitled to be informed by the police of the following information and to have the reasons explained to you within 5 working days of a suspect being:

- *arrested;*
- *interviewed under caution;*
- *released without charge;*
- *released on police bail, or if police bail conditions are changed or cancelled.*

If you are a victim of the most serious crimes, persistently targeted or vulnerable or intimidated, you are entitled to receive this information within 1 working day.”

Additional entitlements for a bereaved close relative of a victim who died as a result of a criminal offence – police investigation paragraph 1.11. you are entitled to:

Have a Family Liaison Officer assigned to you by the police, where the Senior Investigating Officer considers this to be appropriate. This will happen in the majority of cases.

Be offered accessible advice on bereavement and information on available victim support services by the police.”

Under the code Harry’s family would qualify as victims with enhanced entitlements as they are a close relative of a person whose death was directly caused by a

criminal offence. As such they would be entitled to be informed within one working day of the following, concerning the suspect:

- arrested;
- interviewed under caution;
- released without charge;
- released on police bail, or if police bail conditions are changed or cancelled.

The code does not specifically refer to suspects who have left the country with immunity status, and it would be unlikely that it would. A code such as this could not cater for every such scenario involving suspect activity.

Conclusion

Given that the code caters for arrest, interview, release without charge, and released on bail, it is hard to see how a suspect leaving the country wouldn't fit within the spirit of the code around the requirement to update victims within a day under enhanced rights.

Clearly, any agency could point to the specifics of the code and highlight that a particular scenario isn't catered for, but the code is clear in that information is provided around the position of a suspect within an investigation. A suspect leaving the country and potentially rendering themselves free from investigation would / should fit into that category, and as such under the code, the review finds that the family were entitled to be updated within one working day of Anne Sacoolas leaving the United Kingdom.

Recommendation

Consideration should be given to an amendment in the National Victims Code for scenarios whereby the suspect is sought or otherwise at large.

Family being informed that a prosecution was unlikely

The SIO was in early contact with the CPS. Ahead of the family meeting scheduled for the 26th September 2019 a document was prepared covering a number of points.

Point number 1:

'Due to circumstances beyond our control it is unlikely that anyone will be prosecuted for Harry's death.'

Rationale

'I want to start with this as it will form the basis for the discussion that follows and it will raise a number of questions. If I leave it until the end of the conversation I risk building up hopes only to dash them which is not the right approach.'

Point number 10

'I'm working closely with colleagues in the FCO and CPS to establish what next steps may be available but I am not hopeful that we will be able to proceed with any legal proceedings.'

Point number 13

'We will continue to provide updates to you as this develops but I want to manage your expectations now as we move forward.'

This document was sent to a number of stakeholders, including the CPS and the FCO. The SIO invited comments from the CPS and there appeared to be a shared belief that a prosecution was unlikely. It is important to note that a formal advice request wasn't made to the CPS at this stage. The FCO replied that they thought the document managed expectations well.

The SIO informed the review that they didn't want to raise the families hopes around a prosecution when at that time it seemed unlikely that they would be able to proceed with one. This was not a view that they formed in isolation, and they sought the views of others prior to updating the family. The SIO wanted to be as transparent as possible so that the family knew exactly what the position was.

Conclusion

It is important to note that in these unique circumstances an SIO would place value in the expertise of others, and this would contribute to their decision making. It is also important to note that an SIO will seek to offer as much information as possible to the family and not provide assurances that can't be met.

However, it is the case that at the time of the drafting of the family update document, Anne Sacoolas had only left the United Kingdom for a number of days and liaison was still taking place. There was still the potential for significant developments. It was only a matter of weeks after the family update that agreement was made to interview Anne Sacoolas. The review finds that informing the family that there was unlikely to be a prosecution for Harry's death wasn't advisable as there were still avenues being explored. Nevertheless, it would be wrong for the review not to acknowledge the other significant factors involved in that decision making, and a clear desire for the SIO to display transparency.

Updates provided by the FLO on behalf of the Foreign and Commonwealth Office

On 21st October 2019 the SIO emailed the FCO raising some concerns that they had with the FLO providing FCO updates to the family. The SIO advised when the FLO had provided updates around the FCO position, they had on occasion received an adverse reaction, with the family not satisfied with what they were being informed by the FLO. The SIO was concerned this could have a detrimental effect on the relationship between the police and the family.

The FCO replied that they were looking at the question of future engagement with the family, and they intended to get back to the SIO soon. They hoped that the updates weren't too burdensome.

Prior to the SIO raising concerns an email was sent on the 30th September by the FLO to the family detailing immunity status in respect of a special agreement in place for US personnel and their families based at RAF Croughton. This was in addition to the normal rules of diplomatic immunity.

Mr Seiger replied, and a large part of the reply concerned the diplomatic immunity status arrangements. Within the reply there was a particular piece of relevance:

'The statements coming from you and your colleagues at the moment are not accepted by the family as I am sure you and the powers that be will understand.'

This reply from Mr Seiger highlighted the concerns that the SIO had. The situation was such that the FLO was passing FCO updates to the family. By doing this the FLO became the first recipient for any issue the family had with the FCO. This clearly had the potential of having a detrimental effect on the relationship between the Northamptonshire Police and the family.

Conclusion

The review has not seen any further detail concerning whether the subject of updates from the FCO was ever dealt with, even though the FCO informed the SIO that they are looking at the question of future engagement with the family.

The reality of the position is that the family were deeply sceptical about the FCO. The FLO was tasked with providing updates to the family, which the family considered were unacceptable in terms of the information, or lack of it provided. This had the result of placing the FLO and Northamptonshire Police in a position where they were the first point of contact for FCO matters, and at times borne the brunt of dissatisfaction with the FCO. The review finds that this caused significant issues from a police perspective in terms of engagement and trying to maintain the confidence of the family. A strategy regarding this should have been formulated and considered at Gold level involving the stakeholders concerned. Any agreement for updates should be the subject of an agreed policy between agencies and the updates provided in writing.

Recommendation

Northamptonshire Police should ensure that careful consideration is given to updates provided to families from partner agencies. If required, any agreement should be incorporated into the Family Liaison Strategy. Consideration of taking this forward within the National Family Liaison Officer strategic body.

Withdrawal of the Family Liaison Officer

The initial family liaison strategy that was set is what would be expected with an incident of this nature. As is the case with other elements of this case, the position changed significantly on the 16th September. The interactions between Northamptonshire Police and the family increased significantly as would be expected as answers are sought regarding case progression.

The review has seen a series of screen shots of text messages sent between Timothy Dunn and the FLO. At 20:38 hours on 23rd October 2019 the FLO received a text message from Timothy Dunn in relation to family contact:

'We have as a family decided that all communications from Northants Police including you is to now go via our police spokesperson Radd Seiger.'

The FLO replied the following day that this would be passed to the SIO. The SIO made the decision to withdraw the FLO's. At 09:08 hours on 24th October a policy entry was made in which the SIO detailed the decision.

Policy entry 20:

'The family liaison officer will be withdrawn'

Rationale

'The Dunn family have asked for no further direct contact from Northamptonshire Police and requested that all further updates are provided through their spokesperson, Mr Seiger.'

We will of course respect their wishes and I have updated Mr Seiger with the OIC details and confirmed we will update at least every 28 days and sooner if we have investigative updates to pass to him.'

I have asked that the family are told that should they change their mind Northamptonshire Police will gladly provide them with a FLO and have reiterated the benefits this type of support can bring.'

On 24th October the SIO sent an email to Mr Seiger. Within the email the SIO stated that the FLO had informed them that all future communication from Northamptonshire Police was to go via Mr Seiger. All updates would now be provided by the OIC.

The email also stated that for now the FLO would be removed from the case, this is because their role had effectively been ended by the decision to cease direct contact. The SIO then requested that a message was passed to Timothy and Charlotte (Harry's mother) saying that if at any time they felt they would like a FLO to be reappointed, to let the police know, as the FLO plays an important role in the provision of support and guidance to a family and Northamptonshire Police would always keep that option open to Harry's family.

At 16:55 hours on 3rd November Mr Seiger sent an email to the SIO in relation to an investigative update. Within the email Mr Seiger referred directly to the FLO stepping away following his appointment as the family spokesperson. Mr Seiger highlighted the victims code, and that the appointment of a family spokesperson is specifically catered for within the code.

The SIO replied that the FLO had been removed following the request by Timothy Dunn to have no further direct contact, and that they (the police) wanted to fully respect the wishes of the family on this matter. This wouldn't affect the right of the family to be provided with updates as outlined within the victim's code.

Mr Seiger replied that the request from the family was intended to ensure that all further communication came via Mr Seiger as opposed to the family, not that they didn't want an FLO, as the message to the FLO clearly stated. Mr Seiger stated that there must have been a misunderstanding. The email also stated that they would leave the position as it was, and the OIC would be the families point of contact. The PFCC office explored the position of Mr Seiger as the family spokesperson with the SIO following a meeting with the family and the PFCC. The appointment of a family spokesperson was highlighted, and the police having an issue with Mr Seiger being appointed as the family spokesperson. The SIO replied that there were no issues from the investigation team. From the 23rd October the OIC provided all updates.

On the 4th November the SIO made initial contact with the National Family Liaison Advisor. On the 6th November the SIO contacted the National Family Liaison Advisor again via telephone. Within this conversation the SIO detailed that the FLO had been removed. Advice was provided that the SIO should seek a meeting with the family and spokesperson to try and understand exactly what the present picture looks like, and exactly what the family want from a family liaison perspective. The National Family Liaison Advisor explained that from a family liaison perspective the police still had a duty of care, and sensitive information would need to be passed. The immediate objective would be to build a relationship with the family, and to have a holding position until the NCA team would be able to attend Northamptonshire Police Headquarters and provide comprehensive advice.

On 6th November the SIO sent an email to Mr Seiger. In the email a meeting was suggested between the SIO, Mr Seiger, and Timothy Dunn to ensure there was no misunderstanding regarding what the family wanted going forward. The SIO explained the role of an FLO and then outlined some concerns they had with Mr Seiger. The SIO stated that they had some concerns around how Mr Seiger received and passed on information to the family and believed there was still a role for the FLO. The SIO then cited a specific example around the cause of death, stating that the FLO would have been better placed to do this as distressing information was being passed.

Mr Seiger replied, within that reply he said the following:

'One of the unfortunate features of the case is the team's collective lack of self-awareness around the issue that the family perceive you and your colleagues as part of the problem. The family have no wish to meet the force at the moment.'

Mr Seiger suggested that they aim to build bridges via the OIC as they had done to date, and they continue to be the main point of contact with Mr Seiger as the main point of contact on behalf of the family.

As a result of the initial contact with the National Family Liaison Advisor on the 4th November, a meeting took place on 12th November at Northamptonshire Police Headquarters with the following persons in attendance:

- SIO
- National FLO Adviser
- Crime Investigative Support Officer
- National SIO Adviser

The group listed are National Advisors within the NCA. They provide specialist advice in relation to cases. It is important to note that the experts assembled within this meeting are utilised on a regular basis and on a national level. Their knowledge and experience is extensive, and the guidance provided by them is of significant value.

After the meeting a more detailed family liaison strategy was prepared by the SIO. The revised strategy is of a high standard as would be expected with the guidance of national specialists. It is important to note that the refreshed strategy was predicated on a belief that the family had requested the withdrawal of the FLO.

In summary, the advice was not to reappoint a FLO, but Northamptonshire Police still had a duty of care to the family and the spokesperson, and as such contact should be maintained between the OIC and the spokesperson. This advice was based on the understanding that the family wanted to move forward with the OIC as the nominated point of contact. Further advice was given to share the updated strategy with the Gold group.

Conclusion

A decision was made to remove the FLO on the 24th October. The rationale stated the Dunn family had asked for no further direct contact from Northamptonshire Police and requested all further updates were provided through their spokesperson, Mr Seiger. The rationale also stated that if the family wanted an FLO, they would reappoint one.

The review has not seen any document whereby the family specifically asked for the removal of the FLO. On the contrary, once the FLO was removed questions were raised as to why this was now the position. The request was that updates were made via the spokesperson. There was clearly some confusion or misinterpretation from the police concerning exactly what the family wanted in these circumstances. Mr Seiger effectively stated in his email that they did want an FLO. Given the position in terms of trust and confidence in the police, even if the actual role of FLO was minimal in these circumstances, there was still added value in the appointment due to status and position of the role in an investigation and demonstrating to the family that they were being listened to.

In various strategies and emails, it is documented that the police wanted to ensure that they maintained the confidence of the family. The review finds that at the point when Mr Seiger explained that they didn't want the FLO to be removed, there was an opportunity to reinstate the FLO. Had this been the case, it would have demonstrated that the family were being listened to, and the police wanted to engage with the family and maintain their confidence at every opportunity.

The SIO attempted to explore the position further in their email dated the 6th November, but within the email they highlighted some concerns they had with Mr Seiger. This brought a rebuke from Mr Seiger concerning police self-awareness. The email most likely did more harm than good and actually put more distance between the investigation team and the family, it is clear this wasn't the intention of the SIO.

The review has sought the views of the National Family Liaison Advisor and highlighted the detail around what was actually requested from the family, that being that contact should be made to Mr Seiger rather than directly to the family. The advice provided by the national specialist was very much based on rebuilding relationships after the removal of the FLO, and it may not have been totally clear that the family had not specifically asked for the removal of the FLO.

The National Family Liaison Advisor has also informed the review that the advice provided would have been of significantly greater value had their counsel been sought at an earlier opportunity prior to the removal of the FLO, as it is very rare for a

FLO to be removed from an investigation after being deployed. The review is cognisant of the benefit of hindsight, and it can be difficult for SIO's and investigation teams to foresee potential issues, but this does highlight the benefit of SIO's and investigation teams being aware of the specialist support and advice that is available to them. The National Family Liaison Advisor has informed the review that the ideal time to have contacted the NCA in this scenario would have been as soon as it was known that Anne Sacoolas had left the country.

The Reg FLA Lead has reviewed the refreshed strategy and makes the following comments:

'I can see the rationale behind withdrawing the FLO if the family have expressly wished no direct contact from the police/FLO. In this case it may have been better if the FLO had been kept in role as a lot of the outstanding objectives are FLO related and FLOs are trained in these areas e.g. VPS, advice re external support agencies, updates re coronial matters etc. This could have repaired some of the breakdown in the relationship as the family may have felt better supported / still being provided with a service albeit being relayed through Mr Seiger. Ultimately it is a decision for the SIO.'

The review finds that the FLO shouldn't have been removed and there doesn't appear to be any benefit in the decision. There was also the challenging position of the OIC effectively undertaking two roles, which they did very well in the circumstances. The review acknowledges that although the FLO was removed, the OIC was well equipped to handle the family contact role as they were a trained FLO, and this was a significant factor in the SIO's decision making.

The review also finds that the SIO was somewhat let down by Northamptonshire Police in terms of support. It is noteworthy that the National Advisors recommended that the refreshed strategy is shared with the Gold group. They also note that there wasn't a PIP4 deployment. This is an example of how unsupported the SIO was, as there wasn't a proper Gold group structure in place or a PIP4 deployment.

Recommendation

Northamptonshire Police should ensure that FLA's are aware that Family Spokespersons can be appointed and ensure that their training and strategy caters for this. Consideration of taking this forward with the National Family Liaison Officer strategic body.

Northamptonshire Police should ensure that SIO's are aware of the specialist support that can be provided by the NCA.

Leadership impact on family liaison

The review has detailed the most relevant interactions between Northamptonshire Police and the media, in particular those involving CC Adderley. It is clear that these have had a significant negative impact on the family.

As part of this review, it has come to light that CC Adderley became involved in direct contact with Mr Seiger via the Twitter (X) messaging service. As a result, Mr Seiger has been approached and asked to provide any detail he has of these engagements. Mr Seiger has provided the review with screenshots of the conversations with CC Adderley. CC Adderley initiated the contact with a direct message to Mr Seiger in November 2019. It is important to note that the review has not seen the messages sent to Mr Seiger by CC Adderley, only the ones sent by Mr Seiger to CC Adderley. CC Adderley's messages have disappeared from the message thread held by Mr Seiger.

The messages detailed exchanges between CC Adderley and Mr Seiger. Whilst it is likely that CC Adderley's intentions were well meaning, there was no consideration to any wider family liaison strategy. Within the messages there were conversations and references to the FCO, the CPS, and media interviews. At times, CC Adderley appeared to be addressing concerns regarding other agencies on the Twitter (X) direct messaging platform. None of the messages appeared or were referenced in family liaison review documents or policy. The investigation team were unaware of the content or exactly what was being said or discussed. This sits outside of any family liaison strategy.

This direct contact placed the investigation team in an unenviable position as they sought to operate in a regulated structure of strategy and protocol. The review has been informed that at times they would provide an update to be told by Mr Seiger that CC Adderley and he were in contact. The SIO has informed the review that this made the trust and confidence element even more of a challenge as it may have appeared that they were withholding information that CC Adderley might have been willing to provide. This method of updates also sits outside of the designated family liaison strategy as detailed in one of the Lead Investigator review documents:

‘All updates to Mr Seiger will be in writing in order that there is a clear audit trail of information provided, and details of the time/date are recorded.’

During this period of message exchange, CC Adderley had placed himself in a position whereby he was directly receiving requests from Mr Seiger and became a point of contact.

From a position whereby CC Adderley criticises Mr Seiger, there was a period of reconciliation during the messaging period. Another deterioration of the relationship followed and there was never any further, meaningful reconciliation.

Around this time there was an initiative called DocBike. DocBike is a charity that combines a highly qualified consultant level critical care paramedic with a motorcycle to reduce death and serious injury on the road. The aspiration is to have a DocBike associated with every air ambulance in the country.

On 10th January 2020 Exec Supp informed Mr Seiger that Northamptonshire Police were now in a position to launch the initiative, and CC Adderley would like to launch this in memory of Harry. The provisional date for the launch was the 31st January and Northamptonshire Police would like to organise some press coverage. The question was raised as to whether the family would be supportive of the initiative and would they join the force for the afternoon. Mr Seiger replied that this was great news, and they would all be there. Unfortunately, DocBike has never materialised in the Northamptonshire Police area.

Conclusion

There are a number of specific documents relating directly to family liaison strategy in relation to this case, of particular relevance are the following:

- SIO Policy Log which contains 10 policy entries relating to Family Liaison
- Three Lead Investigator review documents, each of which has a section on Family Liaison
- Initial Family Liaison Coordinator Strategy
- Media strategy produced by the SIO on 10th October
- Updated Family Liaison Coordinator Strategy on 13th November 2019

One of the key issues in relation to family liaison in this case is the lack of adherence to the strategies set by the SIO. All contact between an investigation team and the family should be documented and where necessary the detail reviewed to enable any strategy to be refreshed so that it remains current and fit for purpose.

Recognising some of the issues within this case, the SIO sought the assistance of the National Family Liaison Advisor. A refreshed strategy was prepared as a result of this meeting which was comprehensive and sought to rebuild trust and confidence with the family.

The family liaison strategies are undermined by the interactions of CC Adderley. From the press conference to the tweet, to the reconciliation with Mr Seiger on direct Twitter (X) messages and the deterioration of the relationship again. It is difficult to see how family liaison strategies could make any kind of provision for interactions of a senior officer with such prominence.

The Reg FLA Lead makes the following observations around senior officer engagement with families:

'If a Chief Constable or Senior officer wants to engage with a family or spokesperson, then there should be a meeting beforehand so that they and the SIO can be briefed with accurate information and information that the SIO is ultimately happy for that individual to share. Any meetings / conversations should be fully

documented. Best practice would be that the FLO accompanies the Chief Officer / Senior officer to any meetings so that they can be fully documented within the FLO logs similar to the recommended arrangements for a SIO visit to the family (NPIA, 2008).'

These unmanaged interactions have clearly led to frustrations within the investigation team and are demonstrated by the SIO's policy entry 25 which details how the investigation team are discovering force initiatives with the family via social media.

'Family Liaison Strategy. There are a number of decisions being taken associated with this case that don't form part of the investigation. This includes Doc Bike, training of USAF personnel. The OIC will not provide family updates around matters outside of the investigation.'

Rationale

'The investigation team are not involved in these wider matters and often find out through social media what is happening. Therefore, we have insufficient knowledge to provide meaningful updates to the family. These are initiatives being led by senior officers who are in direct contact with Radd Seiger (family representative) and are being communicated directly to Radd who will in turn update the Dunn family.'

There is also the issue of the investigation team, adhering to a strategy around updates to find that updates are being provided elsewhere, without their knowledge. Mr Seiger has reported that CC Adderley updated him that the CPS had authorised a charge.

The review finds that CC Adderley's leadership has had a direct impact on the trust and confidence of the family in Northamptonshire Police.

11. Human Tissue

Clothing recovery

The witness statement of an attending ambulance technician recorded that Harry's clothing and helmet had been removed from Harry by medical personnel at the scene in order to treat him before he was conveyed to hospital. This clothing was left at the scene whilst the FCI's carried out their work, photographing and surveying the scene before it was closed.

The scene was cleared by CMG. The clothing was recovered and placed into a single bag by the FCI and then taken to CMG premises. The clothing was placed in the single bag with other vehicle debris and material from the scene. This was not a forensic recovery process.

Conclusion

In some cases, the SCIU will be assisted in body recovery by officers trained in Disaster Victim Identification (DVI). In instances where there are obvious human remains; the SCIU may seek the assistance of DVI trained officers for the recovery of such remains. There would have been no requirement to initiate DVI processes at this scene. DVI would only become relevant if there were multiple casualties, and / or there was an issue over identification.

In this instance, attempts were being made by medical staff to save Harry's life. This was the main priority, and it is completely understandable that regard for clothing was secondary. However, Harry's clothing was recovered and placed in a single bag. This was not a forensic recovery process, and the integrity of the exhibits would be questioned should there have been a need for any further examination.

Recommendation

Northamptonshire Police should ensure that all exhibits recovered from road traffic collisions are seized and stored in line with exhibits management guidelines contained within the Managing Effective Investigations APP.

Exhibit management

There was then a period of time between the scene being closed, and Friday 6th September 2019 when the FCI attended the premises of CMG where the clothing was left in the open single bag. At no time during the investigation was there a suggestion that the clothing would be required for submission for forensic analysis.

On 5th September there was an entry made on the Niche Occurrence Enquiry Log by the FCI. This was in response to a question from the FLO about the location of Harry's clothing and helmet. The FCI detailed that they needed to check where it had been taken to, they believed that it may have been removed to CMG with the motorcycle, but they needed to confirm if that was the case. The FCI detailed that the helmet had been recovered and was within the SCIU. It had been examined and photographed by the FCI assistant. It would be retained as an exhibit and booked into the SCIU property store.

On 6th September the FCI attended CMG in order to photograph the clothing. The purpose of this was to aid their investigation by establishing what was being worn by the victim and to provide comment in their report. Within the report the FCI stated.

“At the time of the collision Mr Dunn was wearing a light coloured hooded top and black jeans. This clothing is not designed for motorcycle use and would sadly have offered little or no protection to Mr Dunn”.

The clothing was therefore evidence in the case, as it was referred to in the FCI's evidential report.

After photographing the clothing, the FCI placed each item separately into brown paper exhibit bags, sealed them, and attached an exhibit label identifying each item. The exhibits were correctly indicated as a biohazard by the use of biohazard tape. With the exception of the Motorcycle Helmet and Visor, the items were placed in a forensic freezer, where they remained until being opened on 30th January 2024.

- Motorcycle helmet (JH3)
- Green hooded top (JH4)

- Black jeans (JH5)
- Black trainer left (JH6)
- Black trainer right (JH7)
- Black T-Shirt (JH8)
- Black Glove (JH9)
- Black Boxer shorts (JH10)
- Motorcycle Helmet Visor- No exhibit reference on Niche
- Motorcycle – registration prefix AD19 (Very badly damaged) at recovery yard
- Vehicle components from Motorcycle (GET3) in police stores

As part of this review the FCI has had the opportunity to re-examine the photos they took at the time, and they agree that there was fatty tissue visible on the clothing. The FCI consulted their notes, and although they recalled a conversation about this with someone, they made no notes of the findings, other than the word “Biohazard”.

On 11th September 2019 an email was sent to the family by the FLO listing all of Harry’s clothing seized by the police. The review has found no record of anyone being informed these items had been destroyed.

On 30th January 2024 the OIC opened the exhibit packaging with a view to having some of the clothing made into a memento, as per the families wishes. The OIC discovered what appeared to be human tissue and made this fact known. They subsequently informed HM Coroner and made arrangements for the tissue to be repatriated and cremated in accordance with family wishes.

Conclusion

The clothing was initially, incorrectly treated in the same way as vehicle debris in that it was bundled together in a single bag along with the other crash debris. Clearly there would have been cross contamination along with everything else in the bag, so there is no way of knowing what its original state was. It was left in this condition for over a week prior to being separated and bagged individually.

It is noted from the Pathology report that “No external bleeding was apparent”, and that the deceased had, at the scene, undergone “rapid sequence induction with

bilateral thoracostomies and drain insertion.” As no one other than Harry Dunn was injured at the scene it is obvious the clothing had been contaminated whilst this invasive procedure was carried out, leaving it of no apparent forensic value, this may offer an explanation as to why it was not immediately recovered.

The clothing had been cut and removed from Harry at the scene whilst he was still alive and whilst attempts were being made to save his life. This was the main priority, and it is completely understandable that regard for clothing was secondary.

However, the placing of Harry’s clothing in a single bag was not a forensic recovery process, and the integrity of the exhibits would be questioned should there have been a need for any further examination.

It is likely that the clothing would have been contaminated by wet blood at the time. best practice for the storage of such items states that clothing should be dried in an accredited forensic drying cabinet, and that once dry the clothing, together with any sheeting used to catch any debris that falls from the clothing, should then be placed in brown paper exhibit bags, sealed and stored dry, with Biohazard tape attached to the bags. It has been identified however that Northamptonshire police do not have any forensic drying cabinets at any of their police premises.

The current NPCC guidelines for the retention, storage and destruction of materials and records relating to forensic examinations (Appendix 3 guidance for the packaging and storage of retained materials) states wet clothing should be packaged in a plastic bag and placed in a freezer, temp range -15 to -30 degrees Celsius.

If clothing is wet, then plastic rather than paper bags should be used before being stored in a freezer. If clothing is dry, then it should be packaged in brown paper bags, but it must be dry prior to storing.

Recommendation

Northamptonshire Police to consider gaining accreditation and make provision for the installation of forensic drying cabinets within their estate.

Northamptonshire Police to consider an intranet article, attaching guidance for the packaging and storage of retained materials, to reinforce officer training in this area.

Legislation and policy

Human tissue is referred to by the Human Tissue Act 2004 as “Relevant Material”. Relevant material is defined as material which consists of or includes human cells. It provides a legal framework for regulating the storage and use of human tissue from the living, and the removal, storage and use of tissue from the deceased. It has placed specific legal and moral requirements on HM Coroner, pathologists and the police, with Code B being of particular relevance to police investigators.

Whilst previously there was some guidance as to size of tissue samples, this no longer applies, and the Act applies to any relevant material. It is noted however that this does not directly cover the recovery or retention of human tissue separate to a human body.

The general principle set out within this procedure is that human tissue recovered separately to a human body such as swabs of blood at a scene, hair in a hair brush, clothing with blood staining should be destroyed as a bio hazard after the need to hold the item under policing powers has ceased. This practice is also in tune with Code B post-mortem examination code of practice and standards, which states:

“There are some exemptions in the Human Tissue Act in relation to criminal justice purposes. Consent is not required to retain material for the purposes of a criminal investigation, nor does material taken for this purpose need to be held on licensed premises. Such material is subject to the requirements of police legislation relating to the seizure and retention of evidence. Where material is held under the authority of the police, or joint authority of a coroner and the police, the section 39 exemptions of the Human Tissue Act apply.

Following a police investigation, the police will make a decision as to whether to continue retention of the tissue. If retention is no longer required, the tissue will be offered to the coroner as it may be relevant to the coronial inquiry. If the coroner

does not require the tissue, the police will dispose of it. If the coroner does require the material, it must then be held on licensed premises.”

Harry's clothing was recovered under Section 19 (3) of the Police and Criminal Evidence Act which states:

“The constable may seize anything which is on the premises if he has reasonable grounds for believing –

- (a) that it is evidence in relation to an offence which he is investigating or any other offence; and*
- (b) that it is necessary to seize it in order to prevent the evidence being concealed, lost, altered or destroyed.”*

Section 22(1) of PACE provides the police the power to retain the items seized and states;

Subject to subsection (4), anything which has been seized by a constable or taken away by a constable following a requirement made by virtue of section 19 or section 20 may be retained so long as is necessary in all the circumstances.

22(2)(a) states, anything seized for the purpose of a criminal investigation may be retained, except as provided by subsection (4) below:

- (1) for use as evidence at a trial for an offence; or*
- (2) for forensic examination or for investigation in connection with an offence.*

Subsection (4) states:

“Nothing may be retained for either of the purposes mentioned in subsection (2)(a) above if a photograph or copy would be sufficient for that purpose.”

The above is an excerpt of the relevant subsections from Section 22 PACE, not a full reproduction of the section.

Conclusion

In this case there was compliance with the relevant legislation, in terms of evidence being seized and retained. The issues within this case relate to when the evidence was seized, how it is packaged, and human error in not recovering the tissue that was clearly visible on the photographs taken by the FCI.

Human tissue recovered separately to a human body (swabs of blood, clothing with blood staining etc.) is dealt with by reference to the evidential property management procedures. It would be neither practical, appropriate nor indeed logical to consider any changes to these processes.

It is clear from the photographs taken of the clothing that the visible tissue goes beyond blood staining as detailed above and as such should not be disposed of as a biohazard. The FCI consulted their notes, and they can find no documentation in relation to this although they do recall a conversation about it. There is every likelihood that they had such a conversation, but this emphasizes the importance of documenting what has occurred.

Northamptonshire Police has acted in line with Human Tissue legislation and Evidential Property policy. It may be argued however that Section 22(1)(4) of PACE could have applied, and photos of the clothing would have been sufficient evidentially rather than retaining the clothing itself.

Anne Sacoolas was sentenced on 8th December 2022 to eight months imprisonment for causing death by careless driving, wholly suspended for twelve months. Policy states that in the event of a conviction property must be retained at least until: the person is released from custody; otherwise, six months from the date of conviction, or in the case of an appeal; until the appeal is concluded or the appeal does not go ahead.

In this case circumstances are uncommon in that, despite there being an outcome in the criminal court of death by careless driving, coronial proceedings were still being held.

The review has found that the OIC has gone beyond what would normally be expected by seeking further permission from HM Coroner to release items. Regarding this piece, the review has found no unreasonable delays in dealing with this matter.

As has been previously stated, the tissue found on the clothing recovered from the scene would be dealt with under evidential property policies, not the Human Tissue Act. Unfortunately, the FCI recovered and exhibited the clothing recovered from the single bag on 6th September 2019 and either did not notice the presence of tissue, or did not record that they had noticed it, and the clothing was packaged and placed into a forensic freezer.

If Harry had died at the scene his body would have been recovered fully clothed for a forensic post-mortem, he would have been photographed, clothing would have been removed and examined, then packaged appropriately. In a pathological setting, there is a strong likelihood the tissue deposited would have been noticed and recovered accordingly.

Had this been the case, HM Coroner would have been informed, and the family of Harry Dunn would have been made aware. At this stage HM Coroner would have sent a letter, together with a form entitled Instructions for Retained Tissues.

The post-mortem conducted on Harry Dunn was by way of a post-mortem computed tomography (PMCT) scan assisted autopsy examination. This is a non-invasive procedure that meant there was no requirement for histological samples, therefore no requirement for a Retained Tissue consent form.

The review has established that HM Coroner for the Northamptonshire area will send out the Retained Tissue Consent form to a family when one is required. It is the practice of the EMSOU - MIT, that in homicide cases an action is raised for the FLO to be responsible for obtaining consent on behalf of HM Coroner, and a copy of the signed consent form is kept on the case file.

In the Harry Dunn case, as in all cases where a PMCT examination is conducted, there is no requirement for signed consent. However, in cases where it is required It would be good practice for this to be standardized for road deaths, so the wishes of the family are clear and are known at an early stage.

Recommendation

Northamptonshire police to consider adopting a policy of the FLO taking responsibility for obtaining retained tissue consent where applicable, and a copy kept with the case file.

The issue of recovering clothing that might carry human tissue, that is more significant than swabs of blood or clothing with blood staining on, should be highlighted to the NCB, in order that any national directive to officers recovering evidence in similar circumstances is considered.

Appendix A - Recommendations

A full list of numbered recommendations are contained within this section.

1. Northamptonshire Police should ensure that all responders consider criminal activity and ensure the preservation of scenes at road traffic collisions.
2. Northamptonshire Police should ensure that scene logs are a mandatory requirement at fatal and serious injury road traffic collisions in line with APP.
3. Northamptonshire Police should ensure their staff adopt an investigative mindset and carefully consider the arrest of suspects at serious road traffic collisions.
4. Northamptonshire Police should ensure that drugs wipe equipment is readily available and there is adequate provision of trained officers to administer screening. Driving under the influence of drugs is detailed as one of the “fatal four” causes of persons being killed or seriously injured in a road traffic collision.
5. Northamptonshire Police should ensure information around Parliamentary and Diplomatic Protection Command ranger control system, which operates 24/7 and can offer advice at any time on diplomatic issues, is available via the force intranet.
6. Northamptonshire Police should identify a training lead to enable the input from the Parliamentary and Diplomatic Protection Command.
7. Northamptonshire Police should ensure the reference guides drawn up by the subject matter expert are available via the force intranet.
8. The NCB should consider some analysis on arrest figures for fatal road traffic collisions and assess this against positive court outcomes.

9. Northamptonshire Police to assess what crime management systems they have in place and have a contingency for more complex investigations.
10. Northamptonshire Police should review how additional resources could be made available to SCIU during times of acute demand.
11. Northamptonshire Police should review how material is recovered from the scene of a collision and ensure that clothing and personal effects are seized at the earliest opportunity to ensure the integrity of the exhibits and evidence is preserved.
12. Northamptonshire Police should ensure that drugs wipe screening is a mandatory requirement for suspects at fatal and serious injury road collisions in line with APP.
13. Northamptonshire Police should consider the training of a designated Digital Media Investigator for exclusive use and strategy formulation within the SCIU. This could be explored on a regional basis, in collaboration with other forces and EMSOU.
14. Northamptonshire Police should carry out a skills assessment of personnel within the SCIU, and ensure their interviewers and supervisors attain Tier 3 Interviewer, and Tier 5 Interview advisor status respectively.
15. Northamptonshire Police should ensure standardised practice for policy recording in the SCIU, in line with APP.
16. The NCB should explore accreditation to PIP3 level for SIO's in senior SCIU positions.

17. Northamptonshire Police should assess the accessibility to trained analysts for officers conducting SCIU cases.
18. Northamptonshire Police should ensure that critical incident guidance is readily available to staff to assist with early identification and management of critical incidents.
19. Northamptonshire Police should ensure that all involved in complex investigations are clear of the Gold Command structure and the protocols associated with this structure in accordance with APP.
20. Northamptonshire Police should ensure their senior managers are aware of the role of PIP4 strategic investigators and the added value they can provide in a range of operations.
21. Northamptonshire Police should assess their provision and access to PIP4 resources.
22. Northamptonshire Police should consider training and creating a cadre of in-force PIP4 qualified officers and record those accredited and available on a register available to all.
23. Northamptonshire Police should explore the possibility of staging the waiver of immunity with Parliamentary and Diplomatic Protection Command from a learning perspective to benefit others who may be in a similar position.
24. Northamptonshire should consider the use of external media specialists recommended by the NCA for high profile operations.

25. Northamptonshire Police should review their media training provisions for senior officers who are likely to be responsible for media engagement in serious and complex cases.
26. Northamptonshire Police should ensure that all online engagement is conducted in line with the Engagement and Communications APP principles.
27. Northamptonshire Police should ensure that all interaction with families is captured and documented in line with APP.
28. Northamptonshire Police should ensure that strategies and risk assessments are completed at the earliest opportunity on any FLO deployment (This is in accordance with NPCC 2020 guidance. It is acknowledged that this case commenced in 2019. The national strategies now used dictate that this should happen).
29. The East Midlands Special Operations Unit - MIT and the five forces of the East Midlands, including Northamptonshire Police should ensure that all SIO's, FLO's and FLA's are aware of the importance of prompt updates to bereaved families.
30. Consideration should be given to an amendment in the National Victims Code for scenarios whereby the suspect is sought or otherwise at large.
31. Northamptonshire Police should ensure that careful consideration is given to updates provided to families from partner agencies and if necessary that it is undertaken, agreement is incorporated into the Family Liaison Strategy. Consideration of taking this forward within the National Family Liaison Officer strategic body.
32. Northamptonshire Police should ensure that FLA's are aware that Family Spokespersons can be appointed and ensure that their training and strategy

caters for this. Consideration of taking this forward with the National Family Liaison Officer strategic body.

33. Northamptonshire Police should ensure that SIO's are aware of the specialist support that can be provided by the NCA.
34. Northamptonshire Police should ensure that all exhibits recovered from road traffic collisions are seized and stored in line with exhibits management guidelines contained within the Managing Effective Investigations APP.
35. Northamptonshire Police to consider gaining accreditation and make provision for the installation of forensic drying cabinets within their estate.
36. Northamptonshire Police to consider an intranet article, attaching guidance for the packaging and storage of retained materials, to reinforce officer training in this area.
37. Northamptonshire police to consider adopting a policy of the FLO taking responsibility for obtaining retained tissue consent where applicable, and a copy kept with the case file.
38. The issue of recovering clothing that might carry human tissue, that is more significant than swabs of blood or clothing with blood staining on, should be highlighted to the NCB, in order that any national directive to officers recovering evidence in similar circumstances is considered.

Appendix B - Glossary

CC	Chief Constable
PFCC	Police, Fire and Crime Commissioner
DCC	Deputy Chief Constable
ACC	Assistant Chief Constable
DCS	Detective Chief Superintendent
DSupt	Detective Superintendent
Supt	Superintendent
DCI	Detective Chief Inspector
CI	Chief Inspector
DI	Detective Inspector
Insp	Inspector
DS	Detective Sergeant
PS	Police Sergeant
DC	Detective Constable
PC	Police Constable
SIO	Senior Investigating Officer
OIC	Officer In the Case
FLA	Family Liaison Advisor
FLC	Family Liaison Coordinator
FLO	Family Liaison Officer
Gold	Senior leadership structure.
Silver	" "
Bronze	" "
PolSA	Police Search Advisor
FCI	Forensic Collision Investigator
QC	Queens Counsel
CPS	Crown Prosecution Service
SCIU	Serious Collision Investigation Unit
NCB	National Collision Board

MIT	Major Investigation Team
NCA	National Crime Agency
EMSOU	East Midlands Special Operations Unit
EMAS	East Midlands Ambulance Service
FCO	Foreign and Commonwealth Office
NPCC	National Police Chiefs' Council
MOD	Ministry of Defence
DVI	Disaster Victim Identification
HOLMES	Home Office Large Major Enquiry System
NICHE	Police records management system
PIP3/4	Professionalising Investigation Programme accreditation.
APP	Authorised professional practice (College of Policing guidelines)
BWV	Body Worn Video
CMG	Cowan Motor Group

Karl Whiffen – Regional Review Unit Manager