ANGLIA RUSKIN UNIVERSITY

FACULTY OF ARTS, HUMANITIES AND SOCIAL SCIENCES

AN EXAMINATION OF EXPLICIT AND TACIT KNOWLEDGE IN THE DECISION MAKING OF SENIOR INVESTIGATING OFFICERS IN STRANGER HOMICIDE

DECLAN DONNELLY

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ABSTRACT

FACULTY OF ARTS, HUMANITIES AND SOCIAL SCIENCES

DOCTOR OF PHILOSOPHY

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Abstract

Within the career of a homicide detective, the investigation of a stranger murder, where there is no known previous relationship between the perpetrator and victim, is a low frequency occurrence. While such crimes are rare, when they occur, they typically engender an inordinate public and media interest. It is against this backdrop that the Senior Investigating Officer (SIO) must lead, what is typically, a complex investigation and make crucial investigative decisions in the search for a perpetrator. In an attempt to investigate the domains of knowledge underlying SIO decision making in this complex problem-solving task, this thesis explores the explicit and tacit influences on their training and performance as SIOs in the context of stranger murder investigation. Specifically, the study sought to establish 1) whether there is a particular type of decision model that equates to how SIOs decide; 2) what evidence there is for a craft style of decision-making in the decisions of an SIO; 3) how is both tacit and explicit knowledge utilised within the decision-making of the SIO and 4) whether SIOs use hypothesis generation and hypotheses testing to avoid bias in their decisions. In order to explore these areas of enquiry, a qualitative research design was employed encapsulating three phases of data collection. The first phase was observation of the four-week National SIO course held at the Police College, Ryton. The second phase involved in-depth interviews with 11 SIOs from various forces in England and Wales focusing on their decision-making in a case of stranger murder that they had investigated. The third phase involved the content analysis of the same SIOs decision-logs for the murder that they focused on in the interview phase.

Observation of the SIO training course amplified the enormity of the pressure that the SIO has to absorb during a 'stranger murder'. As well as too much information, partial or even incorrect information exacerbates those pressures. It was noticeable that when dealing with a situation with which they were unfamiliar the SIOs adopted a 'routinised' approach to their investigative decision-making. It also became clear that the majority of SIO decisions are taken within the first 24-72 hours of an investigation. The decisions then begin to decline as the investigation progresses. The initial surge in decision making at the commencement of an investigation and then the rapid fall off and decline in decisions, although occurring in a simulated environment appeared to mirror what occurs in real world investigations.

Thematic analysis of the eleven SIO interviews revealed four supra ordinate decision-making themes: 1) the course of an investigation, 2) mission, 3) knowledge work and 4) human factors. The course of an investigation theme was made up of five decision-making stages from the initial decisions regarding whether a murder had occurred, to organizing the response, identifying an offender, engagement with the crown prosecution service and finally post-charge decision-making. In the second theme, the pressures and problems encountered by SIOs in 'doing the job' of investigating a stranger murder are explored. The reality is that SIOs have human weaknesses and these frailties are exposed by the nature of the duty they undertake. The SIOs reflected on how they perceive their experience as murder investigators and the difficulties presented by that task. This included their interaction with others both within and outside the organisational structure and the balance of power that exists between these competing factions. Permeating this is the culture of the detective, a sense of mission, stoicism in the face of difficulty, and commitment to that undertaking which underpinned their attitudes and behaviour. In the third theme, SIOs commonly referred to the National Decision Model as the basis upon which they made their decisions. The final theme concerned what the SIOs said about themselves as investigators and solvers of murder. In this context, it included their views on the value of experience and the personal qualities they believed underpin a successful SIO. Overall, the findings reveal that, as few SIOs have investigated a stranger murder, they draw on their accumulated investigative experience, dealing with the familiar type of murder. Their values and beliefs as to both how and who committed the murder influence the

decisions they take.

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Copyright Declaration

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Glossary of terms used

ACPO – Association of Chief Police Officers (now the NPCC)

ACC- Assistant Chief Constable (equivalent rank in the MPS is Commander)

APP -Authorised Professional Practice

CC – Chief Constable

CID - Criminal Investigation Department

CPD – Continuous Professional Development

CJS – Criminal Justice System

CSEW – Crime Survey for England and Wales

CPS – Crown Prosecution Service

CPIA – Criminal Procedure and Investigations Act 1996

DAC – Deputy Assistant Commissioner (a rank specific to the MPS equivalent to Deputy Chief Constable)

DCC Deputy Chief Constable

DCS – Detective Chief Superintendent

DPP – Director of Public Prosecutions

DSIO – Deputy Senior Investigating Officer (may assist an SIO in complex cases)

FLO – Family Liaison Officer

FLC – Family Liaison Co-ordinator

FOIA - Freedom of Information Act, 1996

GT – Grounded Theory

H2H – House to House

HMIC – Her Majesty's Inspector of Constabulary

HOLMES – Home Office Large Major Enquiry System

IDMM – Idealised Decision-Making Model

IPCC – Independent Police Complaints Commission

IPA – Interpretive Phenomenological Analysis

IOPC – Independent Office for Police Conduct (formerly the IPCC)

MIT – Major Investigation Team

MIR – Major Investigation Room

MIM – Murder Investigation Manual

MIRSAP – Major Incident Room Standardised Administrative Procedures

MPS – Metropolitan Police Service

NDM – National Decision Model

NPCC – National Police Chiefs Council

NHWG – National Homicide Working Group

OET – Outside Enquiry Team

OM – Office Manager (within the MIR)

ONS – Office for National Statistics

PACE – Police and Criminal Evidence Act 1984

PIP – Professionalising Investigation Programme

PIP 4 – A reference to an officer, providing advice to, or overseeing the role of a PIP 3, particularly in difficult or protracted investigations

RIPA – Regulation of Investigatory Powers Act 2000

TA – Thematic Analysis

SCIMITAR – Serious Crime Investigation Management, Intelligence, Training and Resources

SIO – Senior Investigating Officer

Chapter 1

Introduction

This dissertation is set against the author's former experience as a Senior Investigating Officer (SIO) and 'insider' within a metropolitan police force and his more recent position as a social science researcher to broadly reflect on that experience and question the competencies and skills required by those who carry the responsibility of that role. Consequently, this research, using a qualitative methodology (See Chapter five), investigates the decision making performed by a sample of SIOs leading stranger homicide investigations within the recent investigative landscape (See Chapters ten to twelve and the four super ordinate themes arising from interviews undertaken with SIO's). To assist in understanding the decision making of the SIO the decision logs and 'daybooks' kept by an SIO during their enquiry have been analysed (See Chapter nine). The researcher attended the 4-week SIO training course to observe both the instruction an SIO receives and the practical application of that knowledge through simulation-based training (SBT) (Alison, et al. 2012). See Chapter eight for details of SIO training.

Within the career of a homicide detective, the investigation of a stranger murder, that is a homicide where there is no known previous relationship between a perpetrator and a victim, is a low frequency occurrence. To put this into perspective in the year ending March 2018 police recorded 5.8 million crimes in England and Wales (Office for National Statistics (ONS), 2019a).[1] The police statistics, for example show that in the period April 2017 to March 2018, 726 homicides were recorded. If that statistic is narrowed further, of those recorded murders 29% or 209 were classed as stranger homicides. That equates to 0.000036 of the overall police recorded crime of 5.8 million recorded crimes for that period. If the statistical picture is broadened to include the period from April 2007 to March 2018 the percentage of stranger murder during that time averages 24% of all recorded murders. This is reflective of the low frequency occurrence of stranger murder across time.

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[1] These are the most recent statistics at the time of writing.

The use of the word homicide encapsulates a specific set of offences, they are murder, manslaughter, infanticide and corporate manslaughter (ONS, 2019b)[2]. Murder and manslaughter are offences at common law, they have not been defined by statute as opposed to infanticide and corporate manslaughter which are defined by statute (Ormerod, 2011). The focus of this thesis is upon murder, and in particular that which is referred to as stranger murder, albeit the terms murder and homicide may be used interchangeably throughout the study. Within the criminal law there is no offence, for example, referred to as stranger murder, or domestic murder. A person who is arrested and charged, is charged simply with murder. These and other terms, that will be discussed later in this thesis, have been constructed by those who investigate murder. The use of labels such as these contributes to an investigator's understanding and sensemaking in identifying a particular type of death. The terms act as signifiers of the type of person who might commit such a crime, their motive, and act amongst other things, as a sign of the difficulty that may be involved investigating different types of murder (Innes, 2003[3]: Brookman, 2005). For the purpose of this study the investigation of murder is confined to the 43 police forces in England and Wales and the British Transport Police. The reasoning behind this stance is detailed in the Methodology, at Chapter five.

Instances of stranger homicide are infrequent, less than 25%, and like all murders, they are not evenly distributed throughout the police forces of England and Wales (Innes, 2003)[4]. When a stranger murder occurs, it raises public anxiety and expectation significantly. Such cases engender an inordinate public and media interest in comparison to other crimes or even other types of murder because they usually involve significant features of victim vulnerability as well as sexual and physical violation within the offence. The victim is typically a child, a lone adolescent, a sex worker, a lone female or an elderly person. It is these crimes that are complex, usually emotionally charged and different from most murders where victim and perpetrator are in some way known to each other. Alongside the importance of determining crucial investigative decisions, the SIO must take into consideration the needs of the victim's

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[2] Infanticide Act 1922 refined by the Infanticide Act 1938 section 1. The Corporate Manslaughter Act 2007 was introduced on (on 6th April 2008), (Source: ONS, 2019)

[3] Innes, 2003, p.45 identifies seven types of murder labels that investigators attribute in identifying victims of murder, but omits terrorist related murder

[4] This thesis does not encapsulate those murders classed as terrorist investigations.

family and the impact upon the community (Innes, 2002b). The expectation of the public is that because of the gravity of the offence these crimes will be solved. This expectation in turn may create a situation where according to Simon[5] in his ethnographic study of the Baltimore Police Homicide Unit (Simon, 2008, p.20) "everyone wants to know" including "the Mayor and Commissioner." When such a case becomes high-profile, more investigative personnel may be seconded. In these instances, as opposed to say volume crime, the reputation of a police force and its investigative credibility hinges on the ability to solve the case.

The author's experience spans over twenty years of involvement in major incident rooms, beginning in the 1990s during a period when a shortage of experienced SIO's was also accompanied by appeals to ACPO to support detective selection, training and career progression to develop the SIO's of the future (Irving and Dunnighan, 1993: Irving and McKenzie, 1993: Adhami and Browne, 1996: Smith and Flanagan, 2000). Those hoped for SIO's are now in place and as this dissertation examines, have faced the complex challenge of stranger homicide investigations. In an attempt to investigate the domains of knowledge underlying their decision making in this complex problem-solving task, the explicit and tacit influences on their training and performance as SIOs have been explored.

Explicit knowledge is that which has been taught or can be derived from policies and doctrine. For example, the purpose of the SIO training course, which the author attended and observed, is to provide the student SIO with that 'hard' 'declarative' knowledge, that becomes part of the 'knowing what' (Ryle, 1949) and the "knowing how" (Carson, 2013). In contrast, tacit knowledge cannot be taught, it is knowledge that has accrued unconsciously, and which is difficult to articulate, *"we know more than we can tell"* said Polyani, (1966, p 4).

Using the frames of explicit and tacit knowledge, this thesis has attempted to examine the type of decision-making process SIO use and under what conditions:
What evidence is there of a craft style of decision-making in the decisions of an SIO?

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[5] These high-profile investigations are referred to by Simon (2008) as "red balls".

How do SIOs use their tacit and explicit knowledge within their decision-making?

How do SIOs uses hypothesis generation and hypotheses testing to avoid bias in their decisions?

How is detective culture, influenced by tacit and explicit knowledge?

During the course of the four and half years of this research, there has also been a developing awareness that any attempt, however objective it sets out to be, to explore decision making within stranger homicide investigations cannot be accessed without consideration of two factors that provide a context and backcloth to this thesis. The first is a brief history the of the evolvement of policing. Contained within that history is the evolution of the 'craft' style of policing. The craft of the detective and its importance is evident throughout the development of investigation as its evolution incorporates the acquisition and passing on of tacit knowledge (See Chapter two). The author argues that the tacit precedes the acquisition of explicit knowledge and therein lies the importance of detective culture in the passing on of tacit knowledge (See Chapter three). Chapters two and three lay the foundations for the proposition that tacit knowledge and detective culture are inextricably linked. The author suggests these components underpin the thinking and decision making of an SIO (Theories of decision making are discussed in Chapter seven).

1.1 Current investigative guidance provided to the SIO

The governance of investigative training within England and Wales lies with the College of Policing (COP). SIO training is referred to as Professionalising Investigations Programme (PIP) (College of Policing 2017). The PIP represents the pinnacle of the current explicit guidance provided to detectives of various ranks and investigative experience involved in the investigation of crime (See Chapter eight - The training of an SIO).

In undertaking a homicide investigation, a SIO will have access to various police documents that provide guidance in undertaking a murder investigation. The main documents to which an SIO can refer are set out below:

- The Murder Investigation Manual (MIM) (ACPO, 2006).
- The Major Incident Room Standardised Administrative Procedures (MIRSAP) (ACPO, 2005b).
- The Practice advice on Core Investigative Doctrine (ACPO, 2005a).
- The police National Decision-Making Model (NDM) (College of Policing, 2012).

There are other documents that the SIO may be referred to when reading any of those main four documents, for example, the ACPO (2005) Guidance on the management, recording and Investigation of Missing Persons. An examination of these types of documents has not been taken further because they do not deal directly with homicide.

1.2 The murder investigation manual – An historical perspective

Prior to the introduction of the MIM in 1998 no composite national police manual existed that provided comprehensive details of what was expected of an SIO. The MIM drew on the experience of Senior Investigating Officers and other experts and those working in the criminal justice system. The stated purpose of the latest 2006 edition is to identify good practice in homicide investigation. Since the last publication in 2000 there have been procedural developments that have occurred through the lessons learnt from public inquiries, coroners' inquests, trials and internal reviews

(Byford, 1981: Macpherson, 1999: Sentamu et al. 2002: Smith, 2003: Laming, 2003: Flanagan, 2004). It is possible therefore, to view the MIM as a compendium of the lessons learnt from the previous thirty years of flawed investigations.

1.2 Doctrine, manuals, policies and books as sources of knowledge

There are three specific documents that an SIO may have recourse to or should be familiar with when conducting a murder investigation. They are the MIM (ACPO, 2006), MIRSAP (ACPO and the Core Investigative Doctrine (ACPO, 2005). These documents, in addition to the National Decision Model (NDM) form the base of the explicit knowledge that the SIO will draw upon and that will inform their decision making.

The MIM specifically addresses all aspects of a murder investigation including decision-making. It is within the MIM, for example, that the 'building blocks' of the investigation are laid out, along with many of the procedural components that make up the stages and investigative order. These form the basis of an investigative structure that the SIO adheres to. This is discussed in Chapter ten under the theme of, The Course of an Investigation (The 5 stages).

Accompanying the MIM is the document that is referred to as the MIRSAP. This document addresses how the MIR should be run; it covers the roles and responsibilities of individuals, resourcing, how documents are to be handled, how information is collated and organised, to the issues of disclosure and the management of finance and resources. The Core Investigative Doctrine is a document that in many respects is not dissimilar to the MIM. Indeed, many of the items discussed such as investigative strategies, investigative decision-making and hypotheses are also dealt with in the MIM, there is a distinct overlap between the two documents.

1.3 The Professionalising Investigations Programme (PIP)

The College of Policing (2017) states the aim of the PIP is to provide;

> "A structured and consistent development and maintenance programme for investigative skills. It delivers the capability to conduct professional investigations at all levels in the police service and in other sectors of law enforcement".

The College of Policing, through their Crime and Criminal Justice Faculty have overall responsibility with the National Police Chief's Council (NPCC)[6] PIP lead for maintenance of the programme. The levels referred to by the College of Policing are set out in a Table adapted from Stelfox (2007). The PIP 3 level SIO is designated within that framework to deal with murder and other serious and complex crimes and is underpinned by the NDM.

1.4 The National Decision Model (NDM)

The NDM is a theoretical model of decision making endorsed by the College of Policing and 'is suitable for all decisions and should be used by everyone in policing to structure a rationale for what they did during an incident and why (COP, 2014a). It has six elements that entail a cyclical course of thinking. The NDM is supported by a Code of Ethics (COP, 2014b) that recommends consideration by the decision maker to ensure an ethically sound and clearly reasoned decision. Purportedly, the NDM should be used within all investigative decision making, including those who undertake murder enquiries.

According to some researchers who have investigated the cognitive processes underlying investigative expertise, the NDM model is prescriptive and rigid in application. For example, Dando and Ormerod (2017, p. 4) suggest that the procedural nature of the NDM is formulaic, presenting a requirement to *"follow expected practice"*. They observe that this rigid adherence precludes, for example, the development of hypotheses. This stringent adherence to a precise formula could constrain the SIO from developing multiple hypotheses in order

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[6] Formerly Association of Chief Police Officers (ACPO)

to evaluate the feasibility of one hypothesis against other possibilities. The ability of an SIO to carry this out in murder investigations, is a vital part of the investigative process to both generate and test hypotheses.

1.5 The Idealised Decision-Making Model (IDMM)

A further feature of the decision process although not referred to in the Code of Ethics (COP, 2014b) is the IDMM. The IDMM is taught on the SIO training course as a systematic and logical way, according to a facilitator of *"making sense out of chaos"*. In terms of structure it differs from the NDM because the SIO is required to consider four discrete questions, for example, when considering the 'golden hour' principles and the 'building blocks' of their investigation, an SIO may ask:

1) What do I know?
2) What do I think has happened?
3) What do I need to know?
4) Where will I find that information?[7]

In attempting to answer these questions an SIO will first determine the information they have. The information an SIO receives however, may only be partial, ambiguous or even misleading. The SIO in considering question two faces the prospect of dealing with the same problems they encountered when attempting to answer question one. The complexity of the data has not diminished. The SIO still seeks to understand what has occurred and why. This piecing together of disparate pieces of information to form a "picture" of how events may have unfolded is a continuance by the SIO of trying to understand what has occurred and is a form of sense-making: *"what is alien and what is normal"* is how one SIO described the question they asked themselves when viewing a crime scene.

There then occurs further analysis by the SIO, as question three seeks to highlight the information gaps that exist, in theory this then acts as a stimulus for further action.

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[7] The questions used on the SIO course are an amalgam of material from a diagram entitled Model of Idealised Investigative Decision-Making Process produced by Dick Oldfield, Police Research Group, in the first edition of the ACPO Crime Committee Murder Investigation Manual (ACPO, 1998, Murder Investigation Manual: p. 27. A copy of the document is at Appendix Q.

The final question is a determination by the SIO to establish what type of information is missing, and where the missing information might be found. A common feature of all four questions is arguably that there are gaps in the decision-makers knowledge, and it is these gaps that the SIO attempts to fill by the use of these police decision models.

Both the NDM and IDMM can be utilised at any stage of the investigation as they are iterative processes. There is no guarantee however, that these processes will yield the information sought by the SIO or provide the leads that will solve a murder. Like the 'golden hour' and "building blocks' they are models that simplify the ordering of possibly what otherwise might be an overwhelming amount of information; essentially, they are the 'glue' or framework upon which an SIO might rely to aid their understanding in disentangling the array of data with which they have been presented. The use of the models are extant representations of the SIOs explicit knowledge in action. They enable the SIO to formulate their decisions and the rationale for them based upon what they have been taught and how they apply that knowledge in practice.

1.6 Conclusion

The introductory chapter has provided an overview of the uniqueness of stranger murder. It is a rare crime which many SIOs, as this research indicates will not have dealt with before. The idea of tacit and explicit knowledge is explained against the background of the questions this research is trying to answer. There is a brief history of investigative guidance and the development of explicit knowledge through manuals such as the MIM and Core Investigative Doctrine. There appears to be a reliance by SIOs upon the publication by Cook and Tattersall (2016). That is not to suggest that SIOs do not refer to other sources of knowledge. Indeed, there were SIOs who mentioned that they do refer to other sources to gain information. Albeit they did not specifically reference them. The development of explicit knowledge has been enhanced by the introduction of the PIP and forms the basis of the SIO training course (Discussed in detail in Chapter eight).

Chapter two traces the development of implicit knowledge, through four 'periods' of policing. The unconscious or implicit acquisition of knowledge, skills and expertise conclude with an 'end state' the product of which is tacit knowledge (Patterson, et al. 2010). The 'end state' is the unconsciously acquired experiential knowledge conforms that with the concept proposed by Polyani (1961) that "*we know more than we can tell*". It is this idea, that underpins the craft style of experiential 'on the job' learning discussed in the next chapter. The chapter also considers explicit knowledge in the context of detective training, manuals of investigative guidance and latterly the 21st detective training programme referred to as the PIP (Discussed in Chapter eight, the training of an SIO). Both tacit and explicit knowledge the researcher argues is closely aligned with the culture of the detective which is discussed in Chapter three.

Chapter 2

An historical overview of the development of investigative guidance

This Chapter presents an overview of the development in investigative policing. From first the development of the common law office of constable, and its feudal origins to its latter-day position. To omit such observations would possibly undermine the part that the slow evolution of investigative guidance has played both within the culture (See Chapter three) and the decision making of the SIO. To provide a more in-depth examination of the evolution of the office of constable would entail far greater explanation than these pages allow. For greater detail of the evolution of the office of constable the reader is referred to Ascoli, 1979; Critchley, 1967; Elmsley, 2006 and 2009 Beattie, 2012; Chesney, 1970.

The purpose is to focus on the narrower aspect of how guidance developed from the first instructions provided under Statute to that guidance specifically developed for the role of the detective officer. This progression is explained by four phases namely; a) a brief overview of historical development of investigative guidance that covers, the 'old police' and the feudal origins of the common law role of constable; b) the period covered by the Bow Street runners leading to Robert Peels Metropolitan Police Act of 1829, and the 'New Police' c) the Victorian era and introduction of a detective department and d) finally the use of science in professionalising detection during the 20th and 21st centuries.

2.1 The 'old Police'

The concept of 'policing', although not referred to by that term until the latter part of the 18th century (Critchley, 1967, p. 35), had existed in England and Wales since Saxon times, and originated as a form of a 'social contract' between the King and his citizens. Referred to as "The Kings Peace" the notion was founded on the ideal that in return for the allegiance of his subjects the King ensured that a system of policing existed to enforce the law and maintain public order. In various forms up until the 18th century the role of those invested with the duty of maintaining and enforcing the law and the "Kings Peace" had been held by a series of different title holders, most latterly

being that of the office of constable (Ascoli, 1979). In his review of the development of policing, however Critchley (1967) adds the role of night watchman alongside that of the constable, as important in preventing crime and keeping the peace. The night watchman's role was subordinate to and controlled by the constable. The main thread linking both roles was that they formed a unit of local policing responsible for a district or parish.

The constable occupied the more senior position, albeit, like the night watchman, he was part-time, unpaid and the rank was renewable on an annual basis through the feudal manor or parish that he was responsible for. Ostensibly the constable's role was based upon a principle of collective responsibility. The constable was responsible, under the Statute of Winchester 1285, for ensuring that the local community met their social obligations where necessary for pursuing felons, preventing crime and keeping the peace (Critchley, 1967). By the 18th century however, both the role of the constable and night watchman had diminished in the public view to such an extent that their positions attracted scorn and derision (Beattie, 2012: Critchley, 1967: Ascoli, 1979). The function of the office of constable had been allowed to erode by the 18th century to the extent that the rise in crime and the effects, socially, economically and politically were perceived as a threat to a democratic way of life (Ascoli, 1979, p.31; Beattie, 2012).

Albeit, Beattie (2012, p. 16) however, suggests that by the close of the 17th and early 18th century it could be discerned that the rising crime rate and disorder in cities particularly, London, had led those in government and the magistracy to question the efficacy of the current state of policing. Secondly and independently of the question of the fitness for purpose of current law enforcement measures, two other forms of social control began to emerge. The Fielding brothers (Henry and on his death John), were Westminster magistrates based at Bow Street, who with government approval, employed a dedicated body of men, or "thief-takers" to begin to address the task of dealing with footpads and highwaymen. Their duties were organised and controlled from a central point, namely the Bow Street Magistrates office. Unlike the 'old police' they may have been paid for this work, albeit they were still able to earn their living by receiving "blood money" for successful prosecutions and from the rewards offered by victims of crime (Ascoli, 1979, p.38-39). The primary aim of this body was to

detect, arrest and bring offenders before the Bow Street court for examination and trial. In this undertaking the foundations of reformation from a fragmentary and unorganised model of social control and move toward a centralised model of policing compatible with constitutional and democratic ideology had been laid.

In tandem with Fielding's initiative to tackle the social blight of crime and disorder parliament too considered that the seriousness of the "crime wave" merited revision of the criminal law. New legislation to assist in quelling the rising crime rate was introduced. As several commentators have suggested, however, introducing legislation is one thing, enforcing it requires a functioning system of law enforcement that did not then exist (Howgrave-Graham, 1947, p.124; Colquhoun 1806/2018, p.529-531; Critchley, 1967). It is arguable that a combination of these differing factors, recognised that reform of the institution of policing was overdue. The 'old police' model of tackling the problem of rising crime and public disorder had largely failed, by the 18th century, to keep abreast of the challenges. The social, economic and political landscape no longer resembled the feudal society from which it had emerged some 800 years previously.

Another view is provided by Colquhoun (1806/2018) in his treatise on the causes of crime and disorder. He proposed a unique solution to the breakdown in law and order in London. This comprised a consolidated model of policing based upon a novel theory of the 'science of police". This "new science" asserted that policing was not too be preoccupied with punishment, that domain was the sole preserve of the judiciary. This comment by Colquhoun is important for two reasons. First, it recognises explicitly the role of the judiciary and the police. In doing so it pre-empts by nearly 215 years the comment and reminder of Lord MacDonald QC (2015 and 2016) to the police of the relationship in the 21st century between the function of their investigative role, and with it their implicit relationship with the prosecution and judiciary. Lord MacDonald QC described the police function in terms that Colquhoun had proposed. The duty of police investigating crime was the impartial gathering and presentation of evidence, it was not concerned with prosecution or the outcome of proceedings. Secondly, Colquhoun explicitly added a new dimension to the duties of the police. The "new science" of policing was not only founded upon the centuries old principle of

prevention but should also be focussed upon the "DETECTION of crimes".[8] Dilnot (1929, p.15) in his assessment of Colquhoun's proposed social reforms and quoting from Cesare Beccaria, *"the certainty of detection is a greater factor in the prevention of crime than vindictive punishment"*.

Primarily Colquhoun's proposals were focussed on the reformation of policing in the Metropolis, but these aims in principle were equally transferable to the disparate system of parish and district policing encountered in the shires. His proposals in the main were not adopted. The importance though of both Fielding's innovations and Colquhoun's suggested reforms laid the basis for a transition between the 'old police' and the introduction of the new. The transitional period reflects the introduction of the Bow Street runners.

In assessing the history of investigative guidance, it has been necessary to dwell on the activity of the 'old police' if only to show how their descendancy from a pinnacle of respect and high status had markedly changed by the 18th century. The review of period of the 'old police' has uncovered no totally explicit guidance given to the holders of constable or night watchman. Chiefly their powers were derived from the Statute of Winchester 1285. The Statute instructed the constable to arouse their community in a 'hue and cry' with the object of pursuing and bringing to justice an offender. In addition, an act of Edward III in 1361 created the role of Justice of the Peace. The Justice of the Peace was responsible for the supervision of the constable who in turn was responsible for the duties of the night watchman. Ascoli (1979) reminds us that the role of Justice of the Peace combined both a judicial and executive function. If an absence of investigative guidance could be considered a hallmark of the 'old police' then by the time of the first Bow Street runners an embryonic structure at least into the relationship between that of constable and the public had been introduced.

Admittedly, the founding principles of that relationship do not equate to investigative guidance. They do, however, provide an insight as to the thinking in that early period of reformation as to the purpose of the police within a democratic society and the

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[8] This quotation is from the unnumbered preface of Colquhoun's Treatise.

practical effects of that ideology on policing the public. The principles of policing are contained in a pamphlet entitled, "Observations on the Office of Constable" written in 1754 by Bow Street magistrate Saunders Welch. Those principles are specifically aimed at parish constables within the Metropolis as opposed to those within the Shires (Ascoli, 1979, p.40). The instructions contain perhaps the first indication of an attempt at a reformed policing model that is based upon the idea of policing by consent, a partnership, similar to the old feudal principles of the constable and the community acting together.

2.2 The Bow Street runners

The formation of the Bow Street runners occurred in 1748 or 1749 (Elmsley, 2009) as they became known by the turn of the 18th century provide a link between the 'old police' activity and the "New Police' of Peels era. The term police, as Elmsley (2009) observes was not a widely used term at the time in England. The word had connotations with the arbitrary and oppressive use of power exercised under the French system of government. This was in contrast to the liberty and freedoms that existed within what Beattie (2012, p.29) refers to as British constitution of Church and State. Hence the introduction of a style of law enforcement that appeared to be based upon a form of military administration was viewed with suspicion by the populace (Critchley, 1967, p.35). It is against this background of doubt that the runners were introduced.

Their duties were directed primarily at offences connected with theft, robbery and disorder, particularly those crimes regarded as felonies that were triable on indictment and heard before a court such as the Old Bailey[9], as opposed to minor offences such as begging, gambling and prostitution that could be dealt with at a Magistrates court (Beattie, 2012). They were regarded by Fielding primarily as 'thief-takers' and their work was directly under the supervision of the magistrates of the Bow Street office from where they could be called upon at any time of the day or night to pursue those who had committed a serious crime. Their description as thief- takers aptly describes their purpose although the derivation of the term has more odious connotations. The

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[9] Subsequently known as the Central Criminal Court (CCC).

description arose from the nefarious activities of Jonathan Wild regarded as the first thief-taker. Wild planned the crimes that he then claimed to have solved (Ascoli, 1979). The idea of a thief-taker albeit having its origins in dubious circumstances is important in this context in the culture of the detective (See Chapter three for more details). Over the next 100 years the term entered the lexicon of characteristics associated with the ideal traits required of a detective officer.

The Bow-Street-runners according to Beattie (2012, p.5), can be seen as carrying on the tradition of thief-taker. Arising from this concept Beattie also suggests that independently of the concept of preventive policing, the idea of the runners as a form of "detective policing" arose. Although they were not referred to as detectives, they provided an investigative function that presaged Colquhoun's (1796/2018) own thoughts in his treatise on how prevention and detection should be entwined as a response to maintain law and order. No training was provided for their investigative role. Instead they relied upon their own tenacity and cunning in undertaking what might be regarded as the origins of the craft of detection (Cox, 2012).

The practical nature of their policing duties or craft entailed a reliance upon receiving information as to who might be responsible for having committed a crime. This information or intelligence was obtained through the cultivation of informants, more commonly referred to at the time as "snitches or "noses" (Beattie, 2012, P.68). Indeed, the reliance upon informants was such that this led the runners to frequently attend "flash houses"[10] (Chesney, 1970, p. 379). These were disreputable establishments primarily being public houses frequented by criminals. Here stolen property might be exchanged, and plans laid for the burgling of premises or robbery. By attending these types of places, a runner might overhear evidence of criminality or source information from informants, and other dishonest persons.

When one detective officer was asked why it was necessary for a law enforcement official to frequent or associate with criminals or be involved in criminal activity, the officer responded that *"although he had got valuable information in a four-ale bar he had never got any in a vicarage"* (Williams, 1972, p.136). A reliance on the cultivation

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[10] The term 'Flash house' referred to a public house that was the resort of criminals.

of informants, fraternising with criminals in public houses or other establishments was considered an important quality of the requirement to be a good detective. Indeed, this trait or ability to cultivate informants was still being favourably commented upon over one hundred years later by senior detectives in their memoirs as being the hallmark of a good detective, *"an experienced senior detective has to know how to build a chain of informants and be capable of matching his cunning with that of the crooks"* (du Rose, 1971, p. 109: Forbes, 1973: Vanstone, 1961: Rawlings, 1961: Colquhoun, 1962).

The point underlying the development of the runners in relation to developing investigative guidance is that there was no written form of guidance or manual from which the knowledge or experience of a runner could be transposed. As the Committee on the Police of the Metropolis 1816 (Beattie, 2012) acknowledged the runners detective duties were influenced heavily by a system of reward that could be corrupted by turning a blind eye to the commission of offences. Also, the nature of rewards for certain arrests and thereby prosecuting only those offences that they deemed to be worthwhile, tended to undermine the judicial process. In addition, the methods that the runners used to obtain their information by, attending "flash houses" and the use of informants were regarded by the Committee as a weakness in policing (Critchley, 1967).

In giving evidence before the Committee one witness, a Bow Street Magistrate named Conant described the policing techniques of the runners as *" a part of the mystery, or of the art, or of the policy of being a police officer "* (Beattie, 2012, p.230). The implications in the comment by Conant is that the policing activities adopted by the runners did not lend themselves to scrutiny. He could not point to any written or extant representation that described how the runners should go about their work, or indeed the manner or methods that should be used by them in their day to day duties, it is a "mystery" he said. This is not to suggest that some form of written or standing instructions did not exist. Critchley (1967) points out that instructions existed forbidding officers to enter licenced premises whilst on duty. The fact that the runners operated in plain clothes did not prevent them from flouting those instructions, otherwise they argued, how were they to obtain information *"other than in a four-ale bar"* (Williams, 1972, p. 136). Indeed, by the end of the 18th century Fielding had

been responsible for the introduction, nationally, of a publication naming wanted criminals who had fled the Metropolis. He had also commenced a register of known criminals, a form of intelligence gathering that anticipated the formation of the criminal record office in 1869 Ascoli (1979, pp 42-46).

These innovative developments pioneered by Fielding did not produce a methodology of how to investigate crime. They did, however, provide the steps acknowledged by Colquhoun (1796/2018) in his treatise, as forming a basis for the introduction of what he described as the "new science of policing". Colquhoun's detailed analysis of the causes and effects of crime as Critchley (1967, p.38) had argued *"broke new ground"*. The use of statistical evidence[11] to support his arguments was arguably visionary. Colquhoun adopted a systemised approach in using statistics to support his argument for reform. The basis of that argument was that a-well-regulated police force, working within a compatible legal framework could both prevent and *detect* crime. His treatise anticipated by over 200 years the ideas put forward by Sherman (2015) in his ten principles on evidence-based policing.

A feature missing from those embryonic beginnings was a system of organisation in the detection of crime (Dilnot, 1929). In other words, there should be an overarching stratagem as to the purpose, deployment and methods that a professional detective body should utilise as a component of an investigative function. An absence of explicit guidance to describe the investigative methods employed by the runners only contributed as Conant observed to the *"mystery*" of what they did and how they did it. To those out-with that investigative circle, such as Conant (Ascoli, 2012, p.230) the investigative function remained unfathomable. The runners were at liberty to devise their own methods as to how to the work of detection should be undertaken. There was no investigative template or extant instruction upon which they referred to base their investigative action.

Indeed, as Beattie (2012, p. 76) suggests the knowledge of the runner was gained from dealing not only with the most serious of criminal offences but also lesser offences.

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[11] The accuracy of some of the statistical evidence that Colquhoun cited has been challenged by other writers and researchers (Howgrave-Graham, 1947: Ascoli, 1979, p.53)

This he argues provided them with a wide-ranging knowledge of criminal offences and types of offender. Through decades immersed in the investigative milieu the runner developed, their own investigative formula. Beattie (2012) argues this can be adduced from their examination of crime scenes and documenting evidence that would assist a prosecution. The interviewing of witnesses and the most likely places to find suspects contributed to their growing expertise. The art of giving evidence in court increased their knowledge of the law and what was required to prove a case. The runners brought a systemised approach to investigation that hitherto had been unknown in policing practice. The significance of this is in the tacit acquisition of knowledge, as one Bow Street Magistrate explained, *"New recruits, Sampson Wright observed, learned on the job by acting and conversing with those [runners] of long practice "* (Beattie, 2012 p.76).

It is on this basis that the idea of the craft like nature of the detective officer arises, 'learning on the job' as opposed to explicit knowledge. The nature of the detective's skill in tracking down, arresting and then giving evidence before a court are essential factors in the skill of the detective. This feature of detective practice, the presentation of evidence, is illustrative of the skill and knowledge passed on from the time of the runners. The building of a case to put before a court, and the presentation of evidence acknowledges the detective's "performance" as one that is imperturbable. The historical precedence of giving evidence recalls the accomplishments of the runners (Beattie, 2012). The continuance of that detective skill in understanding the ways of the criminal justice system continues in the "ceremony" and "dramaturgy" of the 20th century court process (Hobbs, 1989, p.189).[12] It is the idea of knowing, of knowledge accumulated, tacitly, that is discussed in this research (See Chapters 7-9 for more details). The words of Sampson Wright arguably describe the exact process as to how in the absence, at that time, knowledge was passed. Knowledge was passed on from runner to runner, because as Beattie (2012) states, they were untrained. Without the benefit of explicit guidance or training the skill of the runner it could be argued was based upon the accumulation of knowledge.

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[12] In 1985 for example, CID officers ceased to present cases for committal under section 6(2) of the Criminal Justice Act1968. The responsibility for that and other court functions that CID officers had become accomplished at became the responsibility of the CPS.

This would have entailed the raw knowledge gained in tracing and detecting perpetrators of crime, and then gathering and presenting that evidence at court. These are the skills, or the craft that Conant (Beattie, 2012) is unable to define when he refers to the "mystery" or "art" of the detective. The term "art" is described as an aptitude, knack or craftmanship (Collins, 1992). Taking Conant's response further, one interpretation of the work of a detective, is that because it is a craft, it is shrouded in mystery and cannot be explained to those who are out-with, or not a part of the investigative milieu. The idea of policing as a craft is one that continues to be debated up to the present day (Tong and Bowling, 2006; Donnelly & West, 2019). As Elmsley (2009, p. 10) suggests, for the next 100 years the police officer *"largely learnt their skills on the beat"*. This is also true of the detective as they too were drawn from the ranks of the beat constable.

2.3 The 'New Police'

The introduction of the "New Police" in London in 1829 through Sir Robert Peel's Metropolitan Police Act 1829 (the act) formed a watershed between the previous policing activities of Sir John Fielding's Bow Street Runners. It is not the intention to explore here the intricate nature of the various committees and debates that confronted Robert Peel at the Home Office between the period 1822–1829 as he attempted to reform and introduce a professional police force in the Metropolis. The emphasis on the Metropolitan police is due solely to its origins as the first recognised police institution in England and Wales (Critchley, 1967: Ascoli, 1979).

Peel's New Police and his appointment of the two Metropolitan Police Commissioners, Sir Charles Rowan and Sir Richard Mayne heralded a model based upon centralised unit of policing that disavowed the fragmentary and disparate regimes of their predecessors. By centralising the police function the two commissioners were accountable for the efficiency and effectiveness of the Metropolitan Police to the Home Secretary. In addition, the 'New' style of policing reflected a break away from the traditional dual role that had been the domain of the Magistracy, namely a combination of their judicial function and responsibility as supervisors of the police function. Instead, the 'New Police' were to be independent of the Magistracy (Reith, 1943: Ascoli, 1979).

Although the act unified and consolidated control of the police of the Metropolis under the government, it did not say anything about the methods to be employed by those selected to undertake the task of policing, other than their duty was to prevent crime, a function that had always existed (Howgrave-Graham, 1947, p.122-3). In contrast to the lack of specific instruction provided by Fielding to his runners and police patrols Rowan and Mayne ensured that prior to the formal commencement of the Metropolitan police force on 29th September 1829 all officers received instructions *"regarding their street and court duties and the behaviour expected of them"*; a copy of that Instruction Book (IB) describing the police purpose and expectation was given to each officer (Reith, 1943, p.47-48: Ascoli, 1979, p. 84-88).

The focus of the police officers' duties at that time according to the instruction book (IB) was the primary object of the prevention of crime. Conversely, the IB castigated the idea of detection by stating that *"all the other objects of a police establishment will thus be better than by the detection and punishment of the offender after he has committed the crime"* Reith (1943, p.47). Ascoli suggests that the idea of detection is contained implicitly within the IB, but more as an afterthought than an explicit design. The importance of the IB is that it provided an explicit reference for conduct and behaviour and set out the principles of policing. Part 1 dealt with and organisation and duties; and Part 2 set out the legal powers of a constable. The IB was essentially *"a bible of police organisation and procedure"* (Ascoli, p.85-87).

Contained within the IB are the theories and ideas of the duties and functions of the New Police (Reith, 1943). The principles encapsulate a duty of respect to the citizen, and obedience under the law in discharging their duties impartially. Interestingly, Howgrave-Graham (1947, p.122) overlooks the instruction booklet cited by Reith (1943) in his discussion of how the principles arose. He suggests that they were never laid down, instead they evolved during the 19th century. Included in his analysis are the additional observations that New Police were essentially paid citizens in contrast to the financial opportunism that engendered much criticism of the Bow Street runners. The New Police Howgrave-Graham (1947) observed had no judicial function. The guilt or innocence of a person, and punishment of offenders are not part of the police function. The concluding comment by Howgrave-Graham is significant as it foreshadows some of the later controversies in policing methods that led to

miscarriages of justice in the latter part of the 20th century (Savage and Milne, 2007: Poyser and Milne, 2011).

Missing from the primary objects of the theory of policing cited by Rowan and Mayne is the principle of detection and by implication the investigation of offences. Although, Ascoli (1979) argues that detection was implicitly recognised within their instructions, but only as an afterthought. Rowan and Mayne however, explicitly excluded investigation on the basis that prevention alone and the absence of crime would be the benchmark for measuring the effectiveness of the New Police. Indeed, Beattie (2012) suggests that both Commissioners eschewed the necessity for any system of detection. Their reluctance to positively embrace detection as a primary aim alongside that of prevention may in part have stemmed from the continual controversy surrounding the Bow Street runners. That they were motivated more by the private rewards of their office, a feature that reflected the more capricious aspects of the era of Jonathan Wilding, than a willingness to serve the interests of justice (Critchley, 1967: Beattie, 2012). Adherence to the old style of policing was not in keeping with Rowan and Mayne's theories of the image of how a modern, reformed and professional police force should look. The distribution of the IB is evidence of their commitment to reformation. Their theories acknowledge the ideas advocated by Colquhoun (1792/2018) in his treatise some thirty years previously, that a new "science" of policing was required.

Despite the commissioner's disdain for the runner's methods and their desire to make a break from the past practices by focussing on prevention of crime the contribution of the runners to a nascent form of criminal investigation cannot be ignored. The credibility of the runners had evinced criticism from opinion formers during the Victorian period. Opinions differ as to whether they deserve the legendary status that had been accorded to them. Critics such as the novelist Charles Dickens viewed with disdain the myth surrounding the runner's abilities as superstition and was scathing in his summation of their qualities, *"as a preventive police they were ineffective, and as a detective police they were very loose and uncertain in their operations"* (Moylan, 1929, p.159). The criticism evinced by Dickens may have had validity. Researchers are still divided as to the runner's overall contribution to the maintenance of law and order (Ascoli, 1979: Critchley, 1967: Beattie, 2012: Cox, 2012). They do agree

however, as to the importance of their contribution to the development of a nascent criminal investigative practice. That practice however rudimentary, contained the germ of an organised methodology in interpreting the modus operandi of crime and those responsible. As Dilnot (1929) suggests it is only by having in place those who are qualified through experience that detection can take place. The detective function or indeed detection was not viewed by either Rowan or Mayne as essential criteria for the New Police (Beattie, 2012). The absence of detection as a primary aim may have been due to their willingness to please the government and to avoid the anger of a populace that still regarded men in plain clothes as resonant of continental methods of inhibiting liberty and freedom (Beattie, 2012, p. 260). This short-sighted view Dilnot (1929, p.15) argues overlooks the principle stated by Cesare Beccaria that, *"the certainty of detection is a greater factor in the prevention of crime than vindictive punishment"*.

The duties of the New Police were focussed upon preventing crimes against property, maintaining order on the streets and effective surveillance of the public (Ascoli, 1979: Beattie, 2012). They had both assured a Committee on the Police of the Metropolis, in 1834, that a detective department similar to the Bow Street Runners was not a requirement of the New Police. Instead their own Metropolitan Police officers they opined, albeit untrained, were, *"as fully competent ... as the old police officers"*. There was no need they said for a detective department as those skills could be learnt. Rowan and Mayne had to sought disassociate the 'New Police' from the unsavoury and questionable motives and methods that had tainted the reputation of the runners. In bringing about this change the commissioners squandered the chance to absorb the more positive aspect of their investigative methods. As Beattie (2012) records, the runners were adept at the fundamental aspects of investigation. Attending crime scenes, recording and documenting evidence, interviewing witnesses, tracing and arresting suspects and giving evidence in court had become an innate part of their role. That experience and know-how was passed on through interaction and discourse with their colleagues.

The thief-taking craft of the runners had been lost in the desire to reform the police (Moylan, 1929). By implication Moylan's observation that the loss of the craft of thief-taking implies a loss of knowledge can also be interpreted as a loss of tacit knowledge.

In advocating a break between the old and new styles of policing Rowan and Mayne stymied the transfer of knowledge (tacit), that underpins how an action is to be undertaken, in this context, the investigation of crime. Hence, it is arguable in the absence of explicit instructions, teaching or guidance that so much of the learning of the policeman has been thought of as a craft. As Elmsley (2009) suggests the craft style of policing is particularly evident during the one hundred years since the formation of the Metropolitan Police. Other researchers such as Tong and Bowling (2006) suggest that the craft style of policing is still evident within 21st century policing. Those recruited to the ranks of constable in the Metropolitan Police were not in the main acquainted with the idea of investigation. Albeit, there was a period between the New Police's formation in 1829 and the disbandment of the runners in 1839 when some runners did transfer to the New Police. To what extent they were able to pass on their knowledge, tacitly or otherwise is not known. Researchers of that period do not provide any evidence that such transference occurred between the runners and the New Police. Since the primary police aim for some years was considered to be prevention this perhaps may not be unusual.

The Bow Street runners had no training for their investigative role. Likewise, no formal training existed in the early years of the Metropolitan Police for the police recruit. The formal instructions that existed at the time was limited to the IB. The IB placed an emphasis only on organisation and police procedures and was supplemented by police orders, and the police gazette. Police orders were precisely that, orders and instructions to be complied with, not how a function was to be carried out (Ascoli, 1979,138). The 'gazette' can be considered as one of the first sources of intelligence dissemination. The formulation of a written publication detailing information necessary to the function of detection complemented the register of known criminals that had already been inaugurated by Fielding in in1758 on a national basis (Ascoli, 1979, p.139).

The 'gazette' expanded the principle of providing timely information of those involved or wanted for crimes and anticipated Colquhoun's (1792/2018) own ideas of how the *"science of policing"* could be developed (Critchley, 1967, p.205). The 'gazette (or Hue and Cry its original title) originated with Sampson Wright, one of Sir John Fielding assistant justices. The twice weekly publication consisted of brief

accounts of the examination of suspects at all police courts, the accounts of crimes committed, description of goods stolen and of suspected thieves (Armitage, 1930, p.102).

The optimism held by Rowan and Mayne in the investigative skill of their "new Police" proved misplaced when a series of high-profile murders in 1842 exposed the investigative naivety of those attending the scenes of crime. Failure to immediately apprehend the suspect, the loss of vital evidence and the failure to interview relevant witnesses compounded the failure of the investigating officers. The press and popular periodicals of the period readily upbraided the shortcomings of untrained investigators (Moylan, 1929: Beattie, 2012, p. 260: Ascoli, 1979, p.117-118). The Commissioners of the Metropolitan Police acknowledged the lack of investigative prowess of their officers. In doing so they readily admitted that detection required both experience and skill. As a solution Mayne proposed a detective force that consisted of a small group of superintendents (two) and six sergeants (Beattie, 2012: Ascoli, 1979, p.119). From the time of the detective force's conception in 1842 until the addition of a further eight detective officers at Scotland Yard in 1867 criticism of detectives and their inefficiency in solving crime continued unabated.

Differing views existed as to the perception of the ability of the detective of that period. In popular fiction he was portrayed as an all-knowing sleuth, wise in the ways of the criminal and adept at the use of guile in tracking his quarry (Chesney, 1970). A contrary view is to be found in press articles of the time that ridiculed the ineptitude of the *"defective force"* (Ascoli, 1979). Similarly, the novels of Conan-Doyle and his erudite sleuth Sherlock Holmes act as a foil in exposing the ineptitude of the "ignorant bunglers" of Scotland Yard (Critchley, 1967). Such credence was gained from notable case failures of the period that included the Road Hill House murder in 1860 (Dilnot, 1929, p. 224-225: Summerscale, 2009). As opposed to this boundless criticism it should be borne in mind that the detective force was untrained and under resourced. The science that existed, to help them in their task was comprised only of photography and plaster of Paris for taking footprints (Ascoli, 1979).

The reformation of the detective force due to their inefficiency had already been under discussion within government. Reform of the detective force regarded as the

'Cinderella" of the police force was required. The development of a professional approach to detection was slow to emerge. The fact that several members of the detective force had been indicted for corruption in 1877 only increased a public perception of the inability of the detective force to solve crime. Peels primary directive had been to prevent crime. Public hostility and prejudice still existed toward a detective system based upon police officers working in plain clothes *"for espionage or to trap people"* (Critchley, 1979, p. 160).

As Moylan (1929, p.156) observes in contrast to the latitude given to the Bow Street runner in their method of investigation, the detective of the mid-Victorian period was hampered in their investigative endeavour. The effect of Rowan and Mayne's stricture that the New Police be a different entity from that of their predecessors can be found in the instructions of that period to the detective force. The 'New' detective was ordered to refrain from close association with those involved in crime. He was directed to remain detached and gain information only by observation. By adopting this method, the instruction declared, a detective would increase their knowledge of those involved in crime. By implication this method would reduce the chance of temptation and obviate the chance of notoriety and corruption that had surrounded the runners during their era. The failure of that edict to prevent corruption indicates the hollowness of the instruction (Browne, 1956).[13]

2.4 The development of investigative practice in the 20th and 21st centuries

Reform of the detective force did take place. In 1878 the reformed department became known as the Criminal Investigation Department (CID). It was placed under a Director of Criminal Investigation, Howard Vincent, a barrister. It was during his period of tenure that Vincent in 1881 developed a *Police Code.* It was a manual of criminal law running to 454 pages summarising the criminal law. Albeit Ascoli, (1979; p.148-149) evinces his doubts as to whether it was ever consulted, other than by those in pursuit of promotion. Ascoli (1979) and other social researchers of the period (Dilnot, 1929:

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[13] Referred to as the Turf Frauds the case involved several senior detectives at Scotland Yard standing trial for corruption (See Ascoli, 1979, pp. 143-45: Browne, 1956, p. 194)

Reith, 1943: Howgrave-Graham, 1947: Elmsley, 2009) whilst acknowledging the existence of the code, overlook the significance of Vincent's contribution in setting down the explicit knowledge of the time regarding a nascent criminal investigative methodology. Only scant details of the *Police Code* are contained, if at all, in those texts. The investigation of murder is referred to on numerous occasions within their texts but there is no reference to the code as a basic methodology A helpful example of the extent of the *Code,* particularly in relation to murder investigation is to be found within the research into the Police of Adam (1910, Volume 5, pp.63-68). [14] The *code* establishes a procedure, perhaps for the first time in writing, as to the steps to be taken by those responding to a murder. Vincent's *code* foreshadows by one hundred and twenty years the development and publication in 1998 of the first Murder Investigation Manual (ACPO, 1998).

The first entry referred to by Adam (1910) sets out what would be referred to today in the MIM as the first steps at a scene of murder, albeit, the principles are broadly applicable to most types of crime. Examples include, not touching or moving the body or contaminating the scene. The first officer attending is directed to request the attendance of a senior officer, in modern times this might equate to requesting attendance of an SIO. The instructions which are relative to the period require the attendance of a "surgeon", photographing the body *in situ,* and the taking of footprint impressions. The term forensic was a feature of the future and pathology was in its infancy (Ascoli, 1979) these basic measures can be equated with modern day forensic procedures as laid out in the MIM (ACPO, 2006). They are recognisable as the first steps by the officer attending a crime scene and include references to the responsibilities to be taken by senior officers at a murder scene. The code then alludes to eight points that comprise the duties and responsibilities of the senior police officer at the scene, of which the following part 6 says, *"It is impossible to pay too much attention to details, or to make too careful memoranda, in cases of murder* (Adam, 1910, Vol. V, p. 67). The code also includes a reference to dealing with the press and the considerations to be borne in mind before information may be divulged.

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[14] Extracts from Book V of Adam's Police Encyclopaedia are contained at Appendix P. The excerpts from pages 63-68 provide the earliest details of the first steps at the scene of a crime.

Vincent's *code* succinctly lays out the steps to taken in cases of murder. They are instructive rather than providing guidance as the characteristics of a murder and how the investigation should be undertaken once the preliminary investigations have been completed. For example, there is guidance on officers taking photographs of the crime scene and practical guidance for taking the cast of a footprint. The *code* helpfully lists for the investigating officer that in cases of "supposed murder" the five points to prove. The explicit guidance provided by Vincent is a significant example of a comprehensive attempt to define the powers and responsibilities of police officers, particularly the methodology surrounding investigation. Ascoli (1979) cynically pondered the question that the *code* would only be read by those seeking promotion. In that observation he may be right. Vincent's *code*, which went through several iterations, as Browne (1956) observed it was still in use at the time of his writing. The impression left is that without guidance on the characteristics of how to investigate murder the detective investigator is left to use their own intuition or common-sense wisdom. Within this realm of investigation however, there should be an emphasis on training to impart the knowledge of the code and how murder investigation should be undertaken.

Social historians focussing on the police in the Victorian era make only a passing reference to training for CID officers. They do not provide a description of what that training comprised or where and how it was undertaken (Ascoli, 1979, p.151). There were seven officers within the detective force at its inception in 1842 and latterly in 1864 it was increased to fifteen officers. At the time of Vincent's appointment in 1878 the detective department numbered 250 officers (Ascoli, 1979; Critchley, 1967). It is not unreasonable to assume that, in a similar fashion to the runners, training may have comprised a preponderance of learning on job. The 'craft style' of policing referred to by Elmsley (2009) entails tutelage under an experienced police guide or mentor. It is supplemented by the reiteration of the mentoring officers' own experiences of how they accomplished or dealt with particular situations. These accounts which may be embellished, partial or prejudiced depending upon the view of the teller contain the folklore of what it means to be a police officer. They are the 'war stories', that become part of the culture of both the uniformed and detective officer (See Chapter 3 for details of the police culture).

In his reference to the training of the new detective Browne (1956: 193) for example, refers to Vincent's improvement in the standard of training and education of recruits to the CID. He does not expand on the type of training or education they received. Neither does he mention where they were trained from or if a specific establishment housed those novitiates. A possible inference that can be drawn from his observations is that Vincent required the newly recruited CID officer of the later Victorian period to possess a better standard of education than hitherto. Indeed, this inference as to the lack of detective training in the Victorian period is supported by Ascoli's (1979, p.184)) reference to the establishment of a fingerprint bureau at New Scotland Yard in 1902. As part of that development "a small-training school for detectives" began. Hitherto, as Elmsley (2009, p.167) suggests the training of a new detective was undertaken by a more experienced detective He also mentions that for nearly 70 years no formal recruit training existed until 1907 with the opening of Peel House in Westminster, thus enabling a minimum standard of education to be met (Ascoli, 1979, p.184. The two systems were complementary in that recruits to the CID were chosen from the uniform ranks. This entailed that the knowledge within the IB for example, would be transferable on a posting to the CID.

Outside of the Metropolis many but not all provincial police forces were beginning to develop their own CID units, albeit they usually consisted of only two officers (Critchley, 1967: Emsley, 2009: and Shpayer-Makov, 2006)[15]. Like their counterparts at Scotland yard they received no formal training. Instead, they relied upon their local knowledge gleaned from their time as a uniform constable walking their beat. The detectives that rose through the ranks to become senior detectives wrote their memoirs or accounts of their own detective career. Social historians such as (Elmsley, 2009: and Shpayer-Makov, 2006) regard these accounts as one-sided. Elmsley (2009, p.139 argues, they follow a pattern not a chronology, their memoirs are formulaic.

Missing from the accounts of the social historians of the period Beattie (2012), Elmsley (2009) and Shpayer-Makov (2006) and the memoirs of the detectives (Carlin, 1920/2018: Higgins, 1958: Du Rose (1971, Forbes 1973: Greeno, 1960: Colquhoun, 1961: Rawlings, 1961) are specific references to the material or written instructions

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[15] As late as 1928 the Cambridgeshire force had no detectives (Elmsley, 2009, p.229)

that guided investigative practice. Greeno (1960), for example refers to the "famous murder bag"[16] . The *"bag"* he referred to is the innovation of Sir Bernard Spilsbury (1951) a renowned forensic pathologist of the period. He devised the specialist items of forensic equipment required by senior investigating officers at murder scenes. The practice of taking the murder "bag" to scenes of crime accentuates the craft like nature of the investigator. No instruction existed for its use, but over time it came to be an integral part of the investigating officers' equipment, particularly in difficult cases of murder (Rawlings,1961).

The Chief Constable of a provincial force could before the formation of their own CID or homicide units request the assistance of Scotland Yard with their investigation (Scott, 1954, p.110; Greeno, 1960; Adamson, 1966). [17] The "murder bag" as it later developed contained not only the equipment recommended by Spilsbury (1951) but was adapted to meet the demands of investigators. It included, "their laboratory, stationary store, equipment centre" (McKnight, 1967, p.22). The 'bag' came to represent the forensic and importantly the administrative function of the enquiry. Containing as it did the necessary card indexes upon which the investigator relied to collate, index and cross-reference their data. The indexing system as it then was can be viewed as a basic forerunner of the SIO's modern day Major Incident Room (MIR), but without the associated procedures and guidance contained within the MIRSAP (ACPO, 2005).[18] The craft like adherence to traditional investigative methods based upon the characters of a few detectives still resonated strongly at that early period in development of an investigative practice suitable to the rapidly developing economic, and sociological and political developments of the 20th century.

Support for this view can be found in the findings of the Home Secretary's Committee of Inquiry, referred to as the Detective Committee was established in 1933 to review the *"whole field of detective work"* (Critchley, 1967, p. 210). By the time that

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[16] The 'murder bag' is referred to at page 206 of Spilsbury, 1951.

[17] The 'calling in' of senior detectives from Scotland Yard, actually meant the Metropolitan Police as Scotland Yard was the Headquarters of the Metropolitan Police. Unsurprisingly, over the years this has caused some confusion in the mind of the public and other organisations as they have been viewed as two different entities. Perhaps unknowingly, "the men from the Yard" maintained the legacy of the Bow Street Runners. Beattie (2012, p.10) writes that the runners had often been called in to assist provincial forces by taking the lead in serious offences.

[18] The MIRSAP was first introduced in 1982 (See Roycroft, 2009)

Committee had been established the 'science' of policing had developed to the extent that a Fingerprint Bureau had been established in 1902, a novel aid to detection at a scene of a crime. A register of habitual criminals, that had been established in Fielding's time as a central record of those involved in crime came to be designated as the Criminal Record Office (CRO). There was though still a glaring omission in all forces as to how these new methods could be applied by the investigator in the detection of crime (Critchley, 1967).

On the administrative side the training of police officers for over 70 years had merely amounted to a form of *"elementary drill"*. There were few qualified instructors and even fewer men with adequate standards of education (Ascoli, pp. 182-184: Carlin, 1920/2018). The science of policing was assisted in the Metropolitan Police by the opening of the first police training centre at Peel House. Other training units were established later in the provinces. The importance of Peel House in both the training and development of the police recruit is the imparting of knowledge. Prior to this there was only the basic elements of policing contained within the IB. Fundamentally there existed a gap between the scientific aids to detection and training as to how those methods could be applied. This gap existed due to the nature of how the detective of the Victorian and 20th century learnt their 'trade'.

Since the time of the runners and the use of the word detective to describe those investigating crime (Beattie, 2012) there had been a presumption that like the constable learning his calling on the beat, the same methodology was applicable to that of the detective. Their 'trade' it was assumed could not be taught, it could only be learnt by engagement and immersion in the mystery of doing investigation, underpinned by the detective's instinct and common-sense wisdom borne of experience. Indeed, this was the view of the Desborough Committee in 1919 (Critchley, 1967, p.214). This questionable attitude to the realm of investigation was laid bare by the 1933 Detective Committee of Inquiry. The Detective Committee, having examined the investigative practices of other countries recorded that *"England lagged behind other countries in their use of scientific aids in crime detection"*.

The outcome of that inquiry was a transition from the insularity and redundant investigative methodology of the Victorian era. Instead, the emphasis was on greater

use of science in detection. This included the introduction of a systematic training course for detectives beginning with the establishment of a detective training school at Hendon Police College and Wakefield in the 1930's, followed by Birmingham and Lancaster. In 1937 the detective curriculum was extended to both sergeants and higher ranks (Critchley, 1967, p. 214). Tate and Wyre (1992, p.22) argue that these early reforms were an essential element in removing the CID officer's reliance *"on inspired guesswork"*. Despite these early attempts at reformation the enduring nature of the craft element persisted in the culture of the detective. Evidence of this can be found in the memoirs of senior police officers (du Rose 1971: Forbes 1973:[19] Higgins, 1958: Greeno 1960: Rawlings, 1961: Colquhoun, 1961) [20].

2.5 Conclusion

The latter part of the 20th century in policing history was notable for a series of high-profile miscarriages of justice and flawed investigations and a call for a reformation of the investigative process (Poyser and Milne, 2011). The Royal Commission on Criminal Justice (1991) chaired by Viscount Runciman cited lack skills by investigating officers in the critical area of decision making. The Royal Commission was equally critical of the lack of existing training for senior investigating officers. Several publications undertaken at the behest of the Commission reported that despite the modernisation of policing through advances in science and technology there were still deficiencies in both the training and skills of investigators (Irving and Dunnighan, 1993: Irving and McKenzie, 1993: Maguire and Norris 1992: Smith and Flanagan, 2000).[21]

As a remedy the police service introduced a series of improvements. This included written or explicit guidance to the SIO, rather than an ad hoc reliance on the individual

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[19] John Du Rose a Scotland Yard detective earnt the sobriquet "four-day Johnny" through his ability to solve murders in four days. He retired from the Metropolitan Police at the rank of DAC.
[20] It is noTable that from the 19th into the mid 20th century the focus was on the person leading the investigation. Hence the press and public image was of a lone sleuth, detecting the most serious crime. This image was reinforced by the proliferation of detective memoirs covering the period of the 1950's to the 1970's.
[21] The report by Mike Maguire and Clive Norris ((1992) entitled "the conduct and supervision of criminal investigations" formed part of Viscount Runciman's inquiry into the Royal Commission on Criminal Justice. The report had been embargoed until 2026 and was obtained by the researcher under a Freedom of Information Act application (FOIA) 1996.

experience of SIOs. The guidelines represented an amalgamation of all the hitherto, positive aspects of investigation. Rather than the focus being on the alleged prowess of a single, sometimes autocratic investigator the transition would be to a formalised and methodological team-based approach to investigating murder. The origins of which began with the establishment of a National SIO Development Programme in 1998. This body was tasked with revising and introducing a new course programme for SIO's. This was later to be the foundation for the Professionalising the Investigative Programme (PIP). Accompanying this change was the introduction, also in 1998, of the first edition of the MIM (ACPO, 1998). This document was the first composite reference manual, for the investigation of murder, in the 20th century since Vincent's *code of policing* of the Victorian era. The document heralded the transition from the traditional way of passing on knowledge tacitly, to the explicit acknowledgement that there were processes and procedures to be followed in a murder investigation.

A more recent example of an attempt to enhance detective training and education by a fusion of academia and police working in partnership is provided in the study by Tong and O'Neill (2019, p.2). The programme referred to as Advanced Detective Training (ADT) introduced in Kent Constabulary between 2001-2006 sought to professionalise detective training by implementing an undergraduate policing programme, at a time when such programmes were "few". The programme eventually lapsed due to, amongst other things, abstraction of officers from operational duty and a perception that their work was left to others to deal with. Tong and O'Neill (2019, p.10) regard the programme overall as a success as the innovative approach in fusing *accredited police learning, increased in house police delivery and added a higher education undergraduate degree.*

The following Chapter links the idea of learning 'on the job' through experience with the craft and art of policing. The focus initially is on the police recruit and from there to the constable on the beat. A senior investigator would also have been a beat constable, before progressing on their chosen pathway to becoming an SIO[22]. This

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[22] Tong and O'Neill (2019, p. 2) point out that the demands on modern day detectives, and a shortage nationally of detectives have led various forces to introduce detectives as direct entrants or provided fast track detective training to overcome this problem.

research suggests that within their group they too will have assimilated a detective culture. Culture is not monolithic, each group, whether constables, middle management or detectives will have acquired their own culture, rules and codes of operation (Reuss-Ianni and Ianni, 1983: Chan, 1997: Reiner, 2010). It is the purpose of Chapter three to chart the stages of evolvement of culture within the detective milieu and determine, if possible, the influence culture has on SIO decision making (Theories of decision making is discussed in detail in Chapter seven).

Chapter 3

Police culture: the role of the detective

The objectives of this Chapter are first, to examine the idea of police culture and what it is and how aspects of police culture are acquired; secondly to address the effect of training and socialisation on the development of police culture; and third, to explore the body of ethnographic research that has focused on the detective. This is to demonstrate that cultural habits, comprising a system of beliefs and values are formed from the time a police officer enters training as a recruit, to the time they commence 'working the streets' as a patrol officer. That process of acculturation is reinforced, as this research suggests, when an officer transfers to other specialisms or attains promotion. The focus is on the SIO and how culture may affect their decision making.

3.1 What is police culture?

The focus of past research into the culture of the police has primarily centered on the role of the constable or patrol officer (Banton, 1964: Skolnick, 1966; Cain, 1973: Manning and Van Maanen, 1978). The "rank and file" have been described as being at the base of the hierarchical structure that is the police service and are "the primary determinant of policing" (Reiner, 2010, p116). In undertaking the role of constable, the police officer in uniform is a visible representative of the State upon whose behalf they undertake to maintain law and order (Rawlings, 2002). Paradoxically, it is the description of the visibility of policing that has led some researchers to suggest that some aspects of policing are invisible (Rowe, 2007). This is a reference to how the law is applied as opposed to what the law prescribes (McBarnett, 1979).

It is also a cogent description of the latitude or discretion exercised by the junior officer or constable as they perform their public function and occurs due to the 'low visibility' of supervision that they encounter when performing their role (Rowe, 2007). In other words, the discretion exercised by the police at a tactical street level dictates the laws that are enforced. The importance of that assertion to this dissertation is in an observation by Reiner (1983, p. 145) who suggests that the traditional view that the

police are there to enforce the laws enacted by Parliament does not occur in practice, due to the organisational and occupational culture of the police.

3.2 The organisational and occupational culture of the police

Organisational culture has been described as a rule based "system of power" and products vested within those who are required to provide leadership and direction. Manning (1982, p.122) argues that attempts to define precisely what or who comprises the organisation upon those tenets alone is to miss the relationship between the internal dimension of the organisation and the external world. That internal and external world paradigm is composed of the following features:

1) Organisations are representations of membership through which externalised problems are routinised;
2) They help mould the environment and utilise strategies to address relevant aspects;
3) The environment is encoded both tacitly and formally to enable the tiers of the organisation to be able to engage and make sense of what has occurred, which forms the basis of the principles, working rules and practices, the common-sense knowledge of the occupation.
4) They are a political entity using as they do their resources to "protect, expand or consolidate a mandate or political domain."

Manning (1982, p. 124) then attempts to define how the organisation is distinguished from the environment. The external environment he argues cannot be explained solely by pressures from the environment onto the organisation. Organisations by their nature can determine how they will operationalise their resources in terms of strategic choices and the markets they choose to operate in. This does not explain, however, what occurs when the "*environment changes or the magnitude of the problem decreases*". Manning (1982) suggests that the environment is both created and enacted.

The description refers to the manner in which the notion of environment is perceived through the attitudes, perception and rationalisation of those within the organisation.

It is these features that unconsciously or tacitly are absorbed and form the occupational culture; these are the "commonsense reality". Manning, (1982, p. 125) describes occupational culture as the "*mode of adaption to the vicissitudes of collective life*". This includes the *"manners, rituals, ethics and ideology, the strategies, tactics, the notions of good and bad work, various bodies of folklore and legend and a set of principles that organize work"*. The three elements that comprise the occupational culture are the principles, the working rules and the work practices. From these can be distilled the characteristics or themes of occupational culture.

3.3 The image of policing

Media preoccupation attests to the supposed glamour of policing that is shared by both public and police alike. This attraction is reported daily through media reports dealing with various aspects of crime; television programmes place an emphasis on crime and criminals, the police pursue suspects in exciting car chases. There are 'fly on the wall' documentaries capturing essential and exciting elements of police work, particularly murder cases. However, this partial focus is not representative of police work; police work is intrinsically mundane, bureaucratic and interspersed by long hours of boredom (Van Maanan, 1978a: Reiner, 2010: Loftus 2010). That however does not hinder the police officer from seeing their world as one of action and excitement. In their analysis of those officers within the inspecting ranks (officers at inspector or chief inspector level) Turnbull and Wass (2015) in their survey between 2011-2014 found that in an age of 'austerity' imposed by the economic downturn, the embedded nature of cultural adherence had not diminished. Instead, there was renewed emphasis on commitment to the 'job'. This was manifested amongst other in commitment to long hours at work, self-sacrifice and a sense of mission.

Reiner (2010) has previously referred to the everyday venality of police work, punctuated by rare moments of excitement. Those rare moments of excitement act as a form of 'escapism'; they become the talking points, the subjects of discussion shared between colleagues and the stories that are passed on and embellished (Loftus, 2010). They form an essential element of the image, the beliefs and values that police officers reveal to each other in the stories they share. There is also a public image, the much-vaunted image of the police as solvers of crime and custodians of the law. This is in

keeping with research that identified the widely held view of the constable or beat officer as an occupation that is one of mission, where crime-fighting plays a significant role (Maguire and Norris, 1992: Reiner, 2010: Silvestri, 2018: Turnbull and Wass, 2015).

In contrast, Kelling, (1983) had previously suggested that there was little evidence to support the much-vaunted image of the police as effective crime fighters. This is patently so with volume crime investigations, such as burglary, motor vehicle and other lower level crime, where the majority of reported crimes are unsolved (Burrows and Tarling,1987). The majority of crimes are not solved by the police investigator, but by witnesses, forensic techniques or technology (Chessyre, 1990: Morgan, 1990: Innes, 2003). As Innes (2003) points out this also includes the solving of murder where there is a greater reliance placed upon scientific, technological and digital services to solve the crime. Embedded within the investigative process is the role of the public and the media. The process of investigation depends upon the public for leads. The more serious the crime, the greater the reliance placed upon the media, and through that medium appeals to engage and enlist the support of the public occur.

3.4 A belief in 'them' or 'us'

Data gathering for the purposes of this dissertation in conjunction with immersion in the literature about police culture has allowed for a reasoned judgment that the current culture and practice of police investigative work is still influenced by conduct and attitudes that emanated from a time when the notion of 'professional expertise' relied on the dominance of practical situational experience over any other basis for investigative decision making. That dominance of practical situational experience could be generalised and encapsulated in an attitude that declared, 'nothing can be taught, it can only be understood if it has been witnessed.' In police investigative practice, this was mostly enshrined in the notion of apprenticeship to an experienced guide (Irving & Dunnighan, 1993, p. 23). Numerous accounts attest that for some, that journey often appeared to incorporate a drinking culture as much as the courtroom (Adamson, 1966: Forbes, 1973; Hobbs, 1988).

The members of the public with whom the police officer comes into contact form a small sample of the population and are, in the main, comprised of victims of crime, witnesses and suspects. In their dealings with this 'group' the police officer views him or herself as having an expertise, namely, an ability to distinguish between those who are lying and those who are telling the truth and knowledge to discern or make judgments about how the law should be applied and not least, who it should be applied to (Skolnick, 1966). The interaction by the police with this social grouping can engender a wariness and a sense of caution. Simon (2008) in his research into homicides suggests that wariness or suspicion is the natural trait of the police officer. It evolves, he argues, because in their encounters with this section of the populace they believe that everybody tells lies.

This idea becomes part of the moral philosophy and occupational belief system of the police officer. A '*them' and 'us'* (Waddington, 1999, p. 287) attitude is forged that underscores the sanctity of police knowledge and expertise and engenders mistrust and the questioning of the motives of those whom they encounter. Van Maanen (1978a, pp. 221-223) has referred to this as a form of *"commonsense wisdom"* enabling the police to establish who they are dealing with;

1) Suspicious persons, those who may have committed a serious offence
2) 'Assholes', those who do not accept how police view the situation
3) The 'know nothings', those not within the first two categories and therefore cannot know what the police are about.

Whilst Van Maanen's (1978a) example appears extreme in comparison to the view expressed by Waddington (1999) of a 'them and 'us' attitude, the description encapsulates the idea of suspicion and cynicism exhibited by the police that other researchers have also identified (Cain, 1973; Banton, 1964; Reiner, 2010; Loftus, 2010). In trying to establish why the police should adopt this stance it is arguable that it serves the purpose of a 'shield', a form of 'protection' or 'coping mechanism'. The attitude they describe can also be viewed as a form of heuristic that permits an instant categorisation of both the person and the situation they have encountered. Through this summation they identify the knowledge that is required to conform to any legalities, whether an arrest is required, and if so, what powers exist or alternatively

are there specific policies or internal police regulations that must be followed. These are the internal or *"normative frameworks'* that the police will use to evaluate what has to be done or as Rowe (2007, p. 287) suggests what the police can avoid or not conform with.

3.5 Talking the talk

In his analysis of whether there is a police culture or sub-cultures, Waddington (1999) claims that contrary to what other research suggests, police sub-culture cannot be explained by the lack of a link between what the police talk about in private and their actual behaviour on the street. He suggests that there is a divergence between the views or exaggerated talk that the police express about their work in the privacy of the "car" or "canteen", and their behaviour on the streets. Goffman's (1959) concept of dramaturgy may be helpful in explaining the chasm between the exaggerated stories and views held by police in private and what they actually do in encounters with the public. Goffman likened the process to a theatre, where the persona displayed "backstage" is different to that seen when visible to an audience "front of stage".

This construct, Goffman explains, is how we present our different faces or selves to those we encounter. Waddington (1999, p. 295) argues that if there is such a gap between what the police say they do and how they then actually behave, what is the purpose of such "backstage" talk? He reasons that this is because it allows police officers to express confidence about their ability amongst their peers. This rhetoric becomes part of their performance, where the "*canteen is the 'repair shop"* of policing and *"jokes, banter and anecdotes the tools"*. The 'talk' used in conversation with other officers serves as a strategy, the purpose of which is to admire the interventions that have been deployed to deal with perceived risk, threats to their authority and understanding how to do policing when dealing with real world situations. These 'backstage' conversations allow the police officer to pass down to others the beliefs and values they attribute to the maintenance of law and order.

3.6 The cops 'working personality' and the effect of isolation and solidarity

Goffman's theoretical framework approach can be contrasted with Skolnick's (1966, p. 42) concept of the "policeman's working personality." This incorporates three elements; the first is authority, intervening in the lives of others; the second that of danger, the perception of what the job of policing entails; the third, is the assumption of effectiveness, this takes place overtly though social control under the guise of law enforcement. The working personality of the police varies with the assignments they are given; there is a difference between the administrative task of recording a crime as opposed to arrest.

The primary focus of Skolnick's (1966, p. 42-43) account is the *"patrol officer"* whose beliefs are expressed though the danger of doing the job which in turn makes them suspicious of the motives of others. Arising out of these themes Skolnick identified two constructs that underpin and influence the occupational environment in which the police officer works. They are isolation and solidarity. Isolation represents the exterior or outward facing behaviour of the police officer, this facet mirrors Goffman's concept of being 'front of stage' how the police present themselves in public is different to their behaviour when not in public view. This encapsulates the ideas expressed by Skolnick (1966) of the police suspicion and cynicism of the motives of the public. The latter envisages an *"occupational solidarity"* in which the police officer finds *"his social identity within his occupational milieu"*. The jokes and banter, for example identified by Waddington (1999) serve to reinforce their values and norms, about who they are and what they do. Solidarity also envisages closeness, and a bond of secrecy, and informal rules between police officers sharing a similar working environment (Ianni and Reuss-Ianni, 1983).

Punch (1983, p. 228) challenges Skolnick's idea of solidarity, arguing that solidarity does not exist within specialist units. This is because these entities are already divided because of the presence of *"lying, corruption, collusion and power struggles."* On that basis, there is no cohesion or uniformity of purpose that can create the conditions for solidarity as envisaged by Skolnick (1966). A weakness in Punch's analysis, however, is that his example only extended to one police CID unit. His study was not as wide ranging as the study conducted by Skolnick that covered a police force. In contrast to

their views, Campeau (2015) argues that solidarity exists within ranks but not across ranks, for example, a specialist unit versus patrol or between the rank and file and managers. This finding is consistent with the prior research (Reuss-Ianni and Ianni, 1983). The second theme of isolation suggested by Skolnick is reflected in the collective belief shared by police that the community does not understand policing, or how it should be carried out effectively, only the police can know this. Added to this is the tenet that the public cannot know what it is like to be a police officer (Maguire and Norris, 1992).

3.7 Stratification of police culture

Underpinning this social sense-making are the "core characteristics" of the police officer that Waddington (1999, p. 287) reminds us, consist of a *"social world with its in-group isolation and solidarity on the one hand, and racist components on the other; its authoritarian conservatism; and its suspicion and cynicism, especially towards the law and legal procedures"*. The police service is replete with "sacred meanings" in terms of the power exchanges or differences in knowledge that exist at differing levels within the organization (Chan, 1997). These facets are manifested in the "informal norms, exchanges and traditions" that occur within the social strata of the police force (Manning, 1979) and according to Westmarland (2008) these aspects are to be found both in various police specialisms and within police forces (Westmarland, 2008).

In focusing on the Senior Investigating Officer role, which typically involves a senior police rank, it is equally important to consider that police culture is not constrained to the 'rank and file' and that there are layers of management that have their own sense of culture. In their earlier analysis, Reuss-Ianni and Ianni (1983, p. 254) differentiated between that of street cop culture and management culture. The street cop culture comprises being valued, being worthy of respect and being seen as efficient, by their hierarchy and the public. In turn, they view the managerial hierarchy as bureaucrats, whose loyalty is not to the those doing the job but to other *"social and political networks"*. In contrast, management view their role as ensuring the organisation functions, they balance elements of resourcing, priorities against competing social, political and economic constraints. This creates a conflict between the 'rank and file'

and those who manage. Reuss-Ianni and Ianni (1983) argue this hierarchical tension results in disaffection, isolation, stress and integrity issues.

3.8 The socialisation of the police

Sociological research has focused primarily on the officer in uniform, the police constable in UK studies or the patrol officer in US research. It is at the basic level of policing that the acculturation of the police officer begins. In their analysis Bayley and Bittner (1984) suggest this is because "patrol work" is the basic function of policing, absorbing as it does the majority of resources and accounting for the majority of interaction with the public. In her analysis, Westmarland (2008) emphasises that this is the area that researchers know most about. It is the area of policing which is most visible (Reiss, 1983) and the ethnographic literature has primarily been focused on that aspect (Banton, 1964; Cain, 1973: Skolnick, 1966). A central theme of that research has been directed at the difficulties in changing police practice (Reiner, 2010) and the apparent reluctance of police organisations to embrace change (Chan, 1996, 1997). This has led to the idea that there is a "police culture" that is resistant to change, whether from external law reforms or attempts at internal reform initiated from the top tier of the police organisation (Holdaway, 2013: Silvestri 2018: Hoggett et al. 2018: Redford, Toher and White, 2018).

Chan (1996) and Paoline, iii (2003, p. 200) put forward an alternative view. They suggest that police culture is not entirely negative. They assert that occupations other than the police also rely upon a sense of "collectivity". It is the idea of collectivity that enables individuals, whatever occupation they are in, whether public or private sectors, to cope with the stresses that they are faced with on daily basis. However, the critical question is how this sense of collectivity is then internalised by police officers forming the basis for their attitudes, beliefs and values. This may be helpful in understanding whether there is a culture that exists only at the level of constable or whether, as some researchers have suggested, that police culture is not monolithic (Westmarland, 2003; Reiner, 2010). Namely, there is not a singular culture but rather 'cultures' within policing (Waddington, 1999; Westmarland, 2003) that may, for example, incorporate a "detective culture" (Maguire and Norris, 1992). The significance of identifying whether a detective culture assists in our understanding as

to whether this has an influence on how the task of investigation is undertaken. The training of the police officer and subsequent detective training plays a significant role in that acculturation process.

3.9 Training the police recruit

The initiation into policing and what it means to be a police officer commences from the time the recruit begins training. McNulty (1994, p. 283) observes that culture is mediated through recruit training, both in the classroom and in practical instruction. Although recruits may enter training with their own pre-conceived ideas as to what policing constitutes, it is within the training environment that their instructors can dismiss that knowledge in favour of passing on the informal commonsense learning of the street. This acquisition of street lore continues throughout their training, and is continually reinforced through "*instructional presentations, interactive scenarios, and the telling of jokes and 'war stories*" (McNulty, 1994). Other social scientists have observed similar phenomena in their own studies of the police (Van Maanan, 1978c: Waddington, 1999: Cockcroft, 2005: Loftus, 2009: Van Hulst, 2013).

Although the recruit's values and beliefs on entrance may encapsulate high ideals and a positive desire to make a difference to policing, any romantic notions of saving life and the nobility of crime fighting are dispelled as other attitudes are shaped through their training as a police officer. Ford (2003) claims that over the period of training these ideals are moulded and become congruent with the thinking espoused by those who train them. The supplanting of their ideals occurs because the trainers 'have seen everything'. Their cynicism and suspicion of the public, the criminal justice system and organisational hierarchy is communicated to the recruit by passing on the rituals and rules of the organisation. The unwritten rules suggest that only their 'group' will look after them whether this be on the 'street' or from their supervisors. This guidance emphasises solidarity and reinforces their commitment and loyalty to each other (Van Maanen, 1978c, p. 301).

The process of socialisation continues when a recruit joins their policing unit (Ford, 2003). In England and Wales the police recruit will serve a probationary period of two years. Periods of training will alternate with the practicalities of being posting to a

police station. There they will be tutored on patrol during their first few months, by a senior police constable. This induction enables the probationer constable to *"learn the ropes"*, or as Bayley and Bittner (1984) describe it, the *"craft of policing"*. The 'craft style' of policing is the accumulation of common-sense wisdom by doing the job of policing and gaining experience through repeatedly dealing with unique situations (Manning, 1978). Common-sense wisdom is the art of learning from others, a form of apprenticeship, where the emphasis for the novice is to listen and observe how their experienced colleagues deal with policing. In this induction tales are told about policing, what works and what is to be avoided.

3.10 The stories they tell about themselves

The principle medium of transference of culture from that of being a recruit to actually working the streets, Ford (2003) argues, is through the telling of "war stories". They are said to convey the physical side of policing with its heroics and action-oriented aspect. The accounts involve the telling of the extreme and the mundane, the do's and don'ts of how to deal with circumstances and situations that include the familiar and unexpected. Shearing and Ericson (1991, p. 488) argue that police value experience as their *"source of knowledge."* This is underpinned by storytelling that glosses over their *"inability to identify and articulate the rules that generate their action."* Essentially, the police officer when asked to articulate for example what the craft of policing entails cannot describe it, instead they rely upon anecdotes.

3.11 Experience means everything

This *"way of thinking"* as Crank (1998) aptly describes can be applied to the view held by police that experience is crucial to being seen as an efficient and competent police officer. Indeed, Bayley and Bittner (1984, p. 35) in their study understood those police officers they observed to espouse a view that policing is unique. That it cannot be learnt scientifically or be reduced to simple rules, because it is multi-faceted and complicated. The police officers they observed during their study espoused a view that the skills required skills 'to do' policing are not learnt from books but by repeatedly being involved in the same situations. Bayley and Bittner (1984) argue that this perception by police officers suggests that policing is not *"amenable to rational*

analysis", therefore it cannot be subject to formal learning and instead there is reliance upon the maxim, *'there is no substitute for experience.'* The study by Bayley and Bittner (1984) was restricted to the uniform constable and was conducted many decades ago. More recent studies, however, indicate that this feature of police culture and indeed detective culture still exists and is embedded in how police officers perceive their ability to 'do policing' (Silvestri, 2018: Redford, Toher and White, 2018: Hoggett et al. 2018).

3.12 The 'craft' of the detective

The process of socialisation applies equally to the police officer who wishes to be a detective. The apparent mystery of detective work is enshrined with its own code of rules, rituals and secrecy (Tong and Bowling, 2006). A detective apprenticeship may begin with secondment to the CID and perhaps to a crime squad to learn the art and custom of the detective as it is practiced (Hobbs, 1989: Innes, 2003). Secondment to a specialist squad or squads has been seen traditionally as part of the appeal and allure of being a detective (Hobbs, 1989: Tong and Bowling, 2006). The elevation to a "squad' away from mainstream detective work is regarded as an increase in status and capability. Aligned with these rites of progression are the associated rituals and knowledge that accompany entry into a specific investigative domain.

The absorption of the unwritten rules and rituals of how to act, what to do, and in what circumstances, are passed between those who have the information, and those who seek to become a part of that investigative culture. This is the passing on of tradition, the "way things are done around here" said one SIO in interview. Since none of the "way things are done around here" are written down, their acquisition is therefore presumed to involve tacit inculcation in the culture of that particular squad. These exchanges of information are a heuristic device that enable the passage of knowledge and the experience of others to be passed on. Essentially, through this process "you learn how to be a detective". The issue of whether senior command is ever fully aware of the level of penetration and influence of that culture on a group's attitude has remained a perennial problem recognised by both occupational, organisational and social scientists alike.

Manning and Van Maanen (1978, p. 267) suggest *"cultures arise, as a way of coping with, and making sense of, a given environment"*. This is true of criminal investigation, and within this milieu, an esprit de corps evolves between detectives engaged in the detection of the criminal. It is envisaged that the practices and specific "knowledge" both tacit and explicit that experienced detectives have acquired and apply in their daily tasks will remain with them as they attain senior positions of authority and will influence their own decision-making. A few ethnographic studies carried out in the latter part of the 20th century focused specifically on the work of the detective in the UK and USA.

3.13 The detective as an 'entrepreneur'

The first undertaken by Hobbs (1988, p. 8) explored the role of detectives in the East End of London. This analysis of detectives suggested that their behaviour was shaped by the practices of East End entrepreneurial traditions, where everyone Hobbs argues, *"was at it, some more than most"*. The practices Hobbs refers to are those of the local populace, rooted in history and tradition by a process of barter and exchange. The suggestion here is that the process of barter and exchange entailed a trade in illegality, or bordered on illegality, whether in commodities or favours that could be traded at a future date.

The illicit nature of these transactions Hobbs (1988, p. 84) suggests are mirrored by detectives who adopt that entrepreneurial persona in their interactions with the local populace, thereby entering and condoning a *"non-conformist deviant culture"* . The reality of these practices may be manifested through mixing with the criminal 'underworld' in pubs and clubs for the purpose of exchanging information. Examples of this type of bartering are; not arresting a person for an offence in exchange for information, not opposing bail at court, taking no action or turning a 'blind eye' to the commission of a crime. Through this process of immersion, the detective, Hobbs (1988, p. 196) argues, gradually adopts the culture of the environment in which they operate. He describes this as one of *"independence, tough masculinity and a traditional deviant identity"*.

In his dissection of the working and social practices of CID officers, Hobbs (1988) suggests that it is the fusion of east-end entrepreneurship that acts upon and influences the behaviour of the detective's he has observed. He appears to suggest that this feature is unique to his study. This view can be challenged by reference to the investigation by *Times*[23] journalists Cox, Shirley and Short (1977) into the corrupt practices of detectives assigned to specialist Metropolitan Police units that operated in other parts of the Metropolitan Police District (MPD). Corruption for example was not the sole preserve of an East End CID and local populace relationship.

The cultivation of informants is an integral part of the work of the detective, regardless of rank. Like their predecessors over one hundred years before, cultivation of informants, seeking information or intelligence did not occur at a *"vicarage"* meeting (Williams, 1972). Instead, this process involved visiting public houses to seek information and meet with informants. To put this in perspective a report by Smith (1983, p. 175) dealing with the Metropolitan Police estimated that 17% of a divisional CID officers time was spent "*contacting or interviewing informants and witnesses outside police premises*" some of which is "*spent in the pub*". These accounts challenge the view taken by Hobbs that CID officers are a product shaped by the environment in which they find themselves. There is a detective culture that shapes how the detective acts within the milieu in which they work. The following ethnographies provide a basis for that proposition.

The cultural descriptions put forward by Banton (1964) and Skolnick (1966) tend to undermine Hobbs (1988) conceptualisation that the detective persona is shaped by the external environment. There is an occupational culture, this may be seen in their relationship with citizens (Paoline iii, 2003) or different cultures existing within different strata of the policing organization, depending upon which unit of policing is being examined (Westmarland, 2008). This culture arises out of the norms, beliefs and shared experiences of police officers regardless of which unit of policing they are attached to. It is defined further as the officer progresses from being on probation to learning from others. This reinforcement continues for example, when the officer becomes a detective, which is a *"highly desirable specialism"* Hobbs (1988, p. 184).

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[23] Their investigation came to be known as the "The Times" inquiry

3.14 The invisibility of police discretion

Discretion is widely used at all levels of policing; it is a case though of how and in what circumstances it is used. The ability, for example, to use discretion at the lowest level of police functionality, the constable, allows "low visibility" to arise where decisions cannot be overseen by senior officers (Banton, 1964:130: Rowe, 2007). This low visibility encourages what Banton (1964, p. 130) refers to as *"trade pardons"*. In return for better relations within the community some offenders will be let off, hopefully in the expectation that they may provide useful information to police at a later date.

There are parallels here with Hobbs (1988) study. Whether considering Hobb's detective in the east-end or the patrol officer, both work within Banton's arena of *"low visibility"*. They lack the scrutiny of a supervisor to oversee the effectiveness and legality of their work. This observation by Banton (1964) is borne out by the research of Smith (1983, p. 127) who found that there was "*little direct supervision of junior ranks*" by senior officers "or "*of constables by sergeants or inspectors*". The importance of this aspect on culture is that the absence or perceived absence of supervision whether at the level of patrol or criminal investigation may be conducive to encouraging unwonted practices or short-cuts (Rowe, 2007: HMIC, 2017). Until recently, all officers, regardless of potential, commence their career at the rank of Constable (Hogget et al, 2018: Silvestri, 2018) [24]. The premise here is that having determined how to avoid or interpret rules or guidance that they have learnt whilst being a constable, they cannot then "unlearn" them. Their values, attitudes and norms are internalized and continue to influence their behaviour as they continue within the police service.

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[24] Until recently, 2015, all police officers in England and Wales had been required to undergo two years probationer training – there are now direct entrants at Inspector and Superintendent (Hoggett et al. 2018).

3.15 The novice as detective

This argument can be taken further by considering the novice who wishes to become a detective. The term novice is used here only in a relative sense. In order to prove they have the attributes and skills to be a detective, the novice has to pass through stages where they are required to prove their diligence and proven record as "a thief taker", a tradition discussed in Chapter one that originated in the 18th century with the first thief-takers and has withstood the passage of time continuing as it has up to the 21st century. It is an indication of how ingrained this feature is as a reflection of the craft of the detective. The skill of thief-taking is enhanced by secondments or periods on a divisional crime squad or attachments to specialist units. The emphasis, amongst other duties, is on making arrests and learning the skills to be a CID officer. The mechanisms through which this is accomplished are informal and communicated and reinforced through on the job learning.

The novitiate learns how the job is done by means of shared storytelling, and the passing on of 'craft skills'. These 'craft skills' emphasise experience, a practical or commonsense approach to investigation based upon what 'real world' policing requires. The "art" of investigation suggests Tong and Bowling (2006) can be distinguished from craft, as this relies upon the insights and intuitive nature of the detective, a process that can only be discovered by doing. The emphasis and reliance upon on this purely practical approach to investigation is allied to an almost implicit denial by those involved in investigation that either science or any other form of knowledge might be of value to the investigator. Tong and Bowling (2006: p.4) argue that reliance upon an art or artistry, that purportedly solves crime through *"brilliant insights and intuition"* for example, does not assist trainee detectives. A process of detection that cannot be explained by external observation but only internalised by detectives then becomes mechanistic and routinised; relying as it does upon procedural formats, such as witnesses, physical or forensic evidence. This approach Tong and Bowling (200: p.4) suggest does not lead to professionalism but *"deskilling"*.

3.16 A detective culture – Getting the job done

Innes (2003, p. 15) suggests a CID culture actually exists. This he argues is manifested by an ethos of getting the job done "expediently", and contains values that are *"conservative, machoistic, and action oriented"*. These beliefs, he suggests, are *"reinforced by suspicion of outsiders and pessimism about human nature and a heightened awareness of potential dangers and social isolation"*. Innes (2002b) refers to the investigation of murder as "symbolic". From the point of view of the detective murder represents the pinnacle of detective investigation. The detective perceives the investigative function here as a worthy moral cause, as the *"good guys"* in pursuit of the *"bad guys"*. Thus, the investigators act in a "*protective role on behalf of society*" and their role is reified (p.73).

The significance of Innes study in this context is that this emphasises how the investigators view themselves. Their internalised world view, as protectors or *"agents for the moral good"* in cases of murder heightens their own expectation of their abilities as investigators. In turn, this increases the pressure upon the investigator to solve a murder as opposed to other more prevalent types of crime. Support for Innes (2003) suggestion is provided for in the memoirs of retired detectives (Higgins, 1958: Greeno, 1960: Vanstone, 1961: Rawlings, 1961: Colquhoun, 1962: du Rose, 1971: Forbes, 1973) and in the biography of Reginald Spooner (Adamson, 1966). These reflections encapsulate, the long hours, dedication and perspicacity that was required by a senior investigating officer if they were to be successful.

3.17 Supervision of detectives

Maguire and Norris (1992, p. 17) in their study of the conduct and supervision of criminal investigations argue that *"organizational"* and *"external pressure"* to achieve results, by either making arrests or clearing up reported crimes may contribute to taking short-cuts that are against force policy or may border on the illegal. Chatterton (1983, p. 203) claims that an example of this could be seen in what he described as the police practice of 'cuffing'. This comprised reported crimes for example a burglary being downgraded to theft so as to reduce the numbers of burglaries for example.

A question that arises in this context is how do these practices emerge? One example may be the lack of supervision or oversight of detectives by their detective supervisors. This is a theme identified by HMIC (2017), the body responsible for ensuring the efficiency and effectiveness of the Police Service:

> *"For some time, the HMIC has been concerned about the supervision of criminal investigations. Poor or inconsistent supervision means that too many cases do not make the progress that they should and too many of those investigating crimes do not develop their skills sufficiently. Good supervision is also vital for staff welfare…"*

That comment by HMIC reflects a position that has been the subject of frequent comment in reports and research over forty years (Cain, 1973; Smith, 1983: Maguire and Norris, 1992: Irving and Dunnighan, 1993: Irving and McKenzie, 1993). In his research, Smith (1983, p. 143) is critical of the supervision extended to the divisional detective constable. This he argues is *"particularly rare"* and he concludes by adding, "*altogether these findings show that in the CID there has been an avoidable failure to establish an adequate pattern of supervision"*.

The susceptibility to error is the "craft" like nature of supervision that protects the 'craft' autonomy of the detectives. Irving and Dunnighan (1993, p. 67)) in their report for The Royal Commission on Criminal Justice reported that investigative errors occur through the reasoning and decision-making processes of the investigator. They argue this is due to the fact that whilst CID officers are *"generally aware"* of why investigations go wrong they are "*almost wholly unaware of human factors phenomena"* and their own vulnerability to error. The importance of their argument is in identifying the lack of supervisory intervention as a factor that allows unchecked and inappropriate practices to flourish. The essence of the social historian's argument is that once a style of practice or thinking is learnt then it may become difficult to "unlearn", it becomes an embedded manner of thinking and doing. These types of attitudes or values may then influence the detective officer as they progress through the ranks into senior supervisory or leadership positions.

3.18 Changing the occupational culture

The focus of the literature reviewed has outlined what are thought to be some of the distinctive features to be found within the police occupational culture. This has been based upon an assumption that there is such an idea as the existence of a police culture. In contrast to these views Chan (1996, p. 110) challenges the notion of the term *'police culture'*, and secondly questions why reform and reformers of the police have found it difficult to change police practice and attitudes. She suggests that part of this difficulty is because the idea of a police culture has been poorly described. The words, *'police culture'*, Chan (1996) argues has become a *"convenient label"*, used by researchers to describe an array of negative, "values, attitudes, and practice norms among police officers" that have proved resistant to police reform and change.

Instead, Chan proposes that a different theoretical framework be adopted when discussing police culture. She refers to Pierre Bourdieu's theoretical concept of the "field" and "habitus". [25]The field represents the organisation or entity that wields the power, the social, political, economic and legal context of policing. The habitus is the cultural knowledge or in the case of the police their occupational culture.

In order to understand the existence of culture or cultures within policing, Chan (1996) proposes that Bourdieu's' field and habitus framework could be merged with the concept of Sackman's (1991) model of how organisations share knowledge. Sackman (1991) suggests that knowledge is organised into four areas. These are;

- Dictionary knowledge; providing labels and definitions of things in an organisation,
- Directory knowledge; contains descriptions of how things are done,
- Recipe knowledge, which prescribes what should or should not be done in particular instances,

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[25] Bourdieu's concept of 'field' and 'habitus' is used by the researcher to explore the tensions between various levels of power exchanges in police organisational and occupational culture. See Chapter five, methodology.

- Axiomatic knowledge, that is knowledge about assumptions as to why things are done the way they are in an organisation.

Chan proposes that by integrating the ideas of Bourdieu and Sackman a theoretical framework emerges that allows for a better understanding of how and why police might act as they do. This appreciation Chan argues can overcome the resistance to change by a better understanding of the factors that impact upon police occupational culture. In contrast Holdaway (2013) argues that changes in the 'field' as described by Chan (1996) are not automatically reflected by a change in the 'habitus'. For example, a change in law through the legislature, and policy changes within the organisation, may not then be reflected so as to change the attitudes and beliefs of those who are empowered to enact them, namely the rank and file.

The argument advanced by Holdaway (2013) receives support from an 18-month study by Loftus (2010, p. 4), albeit it is confined to one provincial force, her discussion is relevant to this debate. Loftus' overall finding was the police occupational culture amongst the rank and file is enduring and not amenable to change. Attitudes and behavior identified by researchers such as isolation and solidarity (Skolnick, 1966); coping and managing with the realities of policing (van Maanen, 1978c); masculinity underpinned by 'backstage' bravado (Waddington, 1999; Brown and Heidensohn, 2000); having an "exaggerated sense of mission" and underlying world view of others that is founded upon suspicion and cynicism (Reiner, 2010; Cain, 1973; Van Maanen, 1978d), are behavioural attitudes that continue to feature in how police see their role.

As Loftus (2009) suggests suspicion and cynicism are a recurrent feature of policing, this pessimism is in turn directed toward senior officers, the criminal justice system and the public. In practical terms in interactions with the public this attitude produces a conflict, a them and us world view, (Loftus, 2009, p. 10: Holdaway, 2013), which is outwardly manifested as to who decides what policing priorities are. The police view themselves as the experts, and this is reflected in their attitudes towards senior officers, and the perception they have that there is a "slavish" acceptance adherence to government proposals, that in turn interferes with their idea of "practical policing" (Holdaway 2013, p. 219).

The aims of the organisation then produce conflict with how these goals are interpreted by those who have to implement the strategies, namely the rank and file. An example of this would be the introduction of community policing which is directed at developing and improving links with communities and understanding the causes of crime an, it is an organisational goal. This goal will be in conflict with performance targets, as performance indicators are indicative of a results-based ethos. The conflict between the two may serve to reinforce the traditional approach, of a mind-set focused on crime to the detriment of the other. The organisation in trying to change behaviour and thinking has instead achieved the opposite aim (Loftus, 2010). These occupational characteristics still exist despite the move from a traditional emphasis on white, male, heterosexual officers, and towards a more gradual representation from *"female, minority ethnic and gay and lesbian backgrounds"* (Loftus, 2010). There has been a suggestion by Foster (2003) that the introduction of those from diverse backgrounds would assist in diluting the occupational culture. Loftus (2010) disagrees and suggests that occupational culture because of the changing police landscape has not diminished but is embedded.

3.19 Direct entrants to the police

Prior to the introduction by the Home Office and the National Police College of the Direct Entry Scheme in 2015 all police recruits had to undertake the same basic training and two-year period of probation. This included those who were undertaking what had been previously referred to as the Home Office "fast track" graduate entry scheme. Since 2015 in the police forces of England and Wales direct entry has been permitted at Inspector and Superintendent level. Therefore, the traditional route and initiation into the culture of the police through training and a probation period is now avoided by direct entrants. This is a radical break with the traditionalist linear approach to internal recruitment within the police service. It is too early to say what effect this may have in terms of acculturation, over time, on those who have been selected for these positions. The research that has been conducted to date has not dealt with this new concept. This may be the subject for future research, to distinguish any apparent differences between those who have been the subject of the traditional recruitment procedures and that of the direct entrant who has bypassed those initial stages.

In contrast however, a more recent study of police officers from the rank of Constable to Chief Inspector (Hoggett et al. 2018) examined the attitudes of 12,549 respondents from 43 police forces in England and Wales to the direct entry scheme. This amounts to responses from only 1 in ten serving police personnel. It is included here as an example of the resistance to change from the rank and file that is directed at the leadership of the police service. The majority of respondents, over 80%, cited experience as a vital component in policing. Promotion through the ranks, having served time in each rank as part of the traditional policing system, is seen as vital to having learnt the job of policing. To have experienced time on the 'frontline' of policing in the view of respondents added to the credibility and legitimacy of understanding policing. The possession of these attributes in a senior officer was seen as important by the 'rank and file' in terms of the, respect and trust, or lack of it, that those senior officers engender within their subordinates. An important aspect for this research is the emphasis placed by the respondents on the decision-making ability of senior officers, those surveyed questioned how those without prior policing experience would be able make qualitative decisions where the lives of those they are responsible for, or the public may be at risk.

Silvestri (2018, p. 12-13) in contrast argues that in relation to gender and leadership, the 'time served' traditional attitude to policing is outmoded. She suggests that the introduction of the direct entrant scheme means that those who have been selected will not bring with them the "cultural baggage" that those who have had to go through the ranks carry. In particular she refers here to the "cult of masculinity", the "heroic" concept that dominates the idea of policing as male led, action oriented and focused on crime fighting. Instead direct entrants will bring with them other talents that are not biased or influenced by traditional ways of thinking or acting. As Silvestri (2018) observes however the idea of introducing 'outsiders' into roles that have traditionally been progressed by internal selection has not been solely limited to senior ranks.

In her argument Silvestri (2018) does not specifically address how decision-making will be improved by being an 'outsider' when dealing with an incident that they have never before encountered. She does not address what knowledge either tacit or explicit that they will draw upon. For example, Silvestri (2018) argues that they will not be susceptible to "group think". This is a concept developed by Janis and Mann (1977)

that stipulates when dealing with a problem within a group the dominant idea gains traction to the detriment of other plausible solutions. This phenomenon occurs particularly in hierarchical organisations. It is marked by deference towards others in position of power, because of their rank, experience or expertise. The arguments put forward by those in powerful decision-making positions, are unchallenged or do receive the critical judgment that their arguments merit. The group become bound by a sole decision maker.

3.20 Conclusion

This Chapter has reviewed the literature on the occupational culture of the police and explored the idea as to whether detectives have their own occupational culture. The literature suggests that culture within organisations is not monolithic (Chan, 1997). There are sub-cultures that exist within various aspects of an organisation, (Waddington, 1999) especially the police, where different strata's and specialisms can be identified. Examples of differing aspects of culture can be found in the informal rules and norms that the constable applies in their daily routines, and their sense of mission. These norms and influences are not exclusively the domain of the constable but extend to all aspects and the different layers of management and specialisms within the police organisation. Each unit of policing has their own unwritten rules, rituals and rites of passage. This is a consistent theme that researchers have identified over many decades (Reuss-Ianni and Ianni, 1983: Hobbs, 1989: Waddington 1999: Innes, 2003: Loftus, 2009 and 2010: Turnbull and Wass, 2015: Granter, McCann and Boyle, 2015: Hoggett et al., 2018: Silvestri, 2018: Redford, Toher and White, 2018).

It is arguable from the evidence presented that there is a detective culture. Detectives have been traditionally drawn from the ranks of the constable 'on the beat'. They will have been inducted into a way of thinking, a style of policing that reflects the unit of policing they identify with (Van Maanen, 1978d). The enduring and transferable nature of these aspects of culture become embedded and are modified by cultural transference. Cultural transference in this sense refers to their progression to other units of policing. Within their 'new' unit of policing the novitiate learns the norms, rules and rituals of their 'new' career. As they progress within the ranks of policing, they remain under the influence of those traditional cultural attachments. SIO decision

making is influenced by the background culture of the detective, and this includes the links to the past practices of detectives and the development of tacit and explicit knowledge (Discussed in Chapter 2, a historical overview of the development of investigative guidance).

The next chapter deals with the procedural narrative of a murder investigation, the context or background as to the factors that may influence an SIO in their decision making. The suggested stages of an investigation are explored in relation to both familiar and stranger type murders from the perspective of other social scientists (Innes, 2003 and 2007: Stelfox, 2009).

Chapter 4

The procedural narrative of murder investigation

This Chapter deals with the context in which decision making in stranger homicide investigations is undertaken by an SIO. Decisions occur across a continuum, referred to by Innes (2007, p.255)) as having *"three movements"* comprising "*an identifying and acquiring stage*" where the relevant is winnowed from the irrelevant. The second stage incorporates, "*interpreting and understanding*". Innes (2007) suggests that at this point information becomes "*intelligence or knowledge*". The, third stage, then forms the basis upon which inferences and hypotheses will be made and represents the ordering and representation of material. The last category reflects the extant and accumulated knowledge of the SIO as to what has occurred and why.

In contrast, Stelfox (2009) in his analysis of the ACPO Core Investigative Doctrine refers to a sequential model of knowledge acquisition as to the stages in a criminal investigation. The model is comprised of eight stages. The first stage commences with the reporting of a crime and the question has a crime been committed? Incorporated in the model are a series of 'feedback' loops that can be considered at various points in the sequence. [26] Broadly, the categories referred to by Innes (2007) and Stelfox (2009) can be synthesised into four areas:

> 4.1 The finding of a body.
>
> 4.2 The influence of the 'golden hour' on procedure.
>
> 4.3 Developing the investigative narrative- Dealing with the familiar.
>
> 4.4 Developing the investigative narrative in stranger murder – The unfamiliar.

 A fifth area has been added by the researcher which considers a stranger murder investigation as complex problem solving. This task should be approached by the SIO with a "prepared mind" and include the use of both hypothesis generation and testing of hypotheses as a vital part of the solving process.

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[26] The stages of a criminal investigation as per the ACPO Core Investigation Doctrine, is cited by Stelfox, 2009, p. 149.

4.1 The finding of a body

The current investigative paradigm is based upon the SIOs familiarity with the more frequent cases of murder they encounter. Stranger murder is a "rare" event with which not all SIOs will have dealt with. Determining whether a person has been the subject of a murder is not always apparent. In reality, the scene and the body can present conflicting, complex and ambiguous information that has to be interpreted, distilled and made sense of in order to disentangle the events that led to the death of the decedent. Those who attend the scene initially whether as a uniform or Borough CID response may not possess the experience to make that determination. This is illustrated by the case of Stephen Port[27].

Port was responsible for the murder of four men in Barking, East London, between June 2014 and September 2015. Senior CID officers on Borough have a 'gatekeeping' responsibility to communicate and consult suspicious or unexplained deaths to their MIT (MIM, 2006). In the case of the murders committed by Port that action did not occur. The failure by the police to recognise that an incident has "*a criminal cause when in fact it did have this*" is referred to by Innes as a *"false negative"* (Innes, 2007, p.259). The failure by police to identify incidents of this type he argues is a feature of investigative practice that has received little attention. On the other hand Innes (2007) identifies miscarriages of justice as *"false positives"*. These involve investigations where a person has been prosecuted and convicted, and only later has "*key evidence*" later been discredited.

4.2 The influence of the 'golden hour' on procedure

The first person to arrive at the scene, other than perhaps the person or witness to the finding, will be a uniform patrol officer. That officer apart from securing the details of the witness to the finding of the body, or witnesses to the murder, will ensure the scene is kept secure. The period from the finding of a body to determining how the investigation will proceed is referred to as "the golden hour". The principle aims

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[27] Stephen Port was convicted in November 2016 of the murders of 4 men in Barking, East London. The investigation of those deaths by local Borough CID officers has been the subject of a referral to the IPCC (now the IOPC) by the MPS. At the time of writing the IOPC report has not been published

underpinning the term 'golden hour' are referred to in the MIM (ACPO, 2006) as 'building blocks'. The 'building blocks' is a conceptual structure used by an SIO to ensure a coordinated approach to their investigation. This entails ensuring that the body and surrounding area, depending upon the location where the body is found, remains undisturbed so forensic opportunities and evidence are not lost. There is an emphasis on preservation of evidence, identifying witnesses and if possible, arresting the offender.

At this early stage dependent upon the circumstances of death it is not unusual for local CID officers to be involved in the investigation, prior to involvement of their Major Investigation Team (MIT). The local senior CID officer who is also referred to as the 'on-call' senior CID officer will decide whether the circumstances warrant informing their own force Major Investigation Team (MIT). It is a decision for the SIO from the MIT as to whether the case is one of murder. Although the validity of this decision may only be confirmed by a forensic post-mortem. At the crime scene the SIO will actively engage in a cognitive search for patterns and themes from what they witness. This may comprise the manner of the decedent's death, and the presence or absence of a weapon, are but a few of the aspects they will consider and contrast with other cases they have dealt with. The SIO's decision making will be influenced by the familiarity of previous cases they have observed.

4.3 Developing the investigative narrative – Dealing with the familiar

The early stages of a 'familiar' investigation are tempered with the desire on the part of the SIO to understand not only what has occurred, but to look for certainty. The idea of certainty encapsulates reasoning and decision-making based upon their past experience of cases. This denotes a form similar to a narrative, consisting of three phases, a 'beginning', a 'middle' and an 'end'. The beginning, illustrates the first stage of investigation, setting up the MIR and investigative resources. It is here that the SIOs decision making abilities and skills are evident (See Chapter 9, Figure 9.1).

Using their knowledge gleaned from prior investigations, this is the *"knowing how"*, As Gilbert Ryle (1949, p.27-32) suggested this marks the transition from "knowing that to knowing how". An SIO will decide the basis on which the enquiry is structured.

The SIO will determine how their murder enquiry is categorised. The categories are abbreviated as Cat A*, Cat A, Cat B and Cat C.[28] The first publication of the MIM (1998) addressed the resource requirement for each type of category. The initial stages of investigative effort are, amongst other things, directed at identifying the suspect, identifying and interviewing witnesses, retrieving forensic, scientific and technical material.

The second stage, the middle part of the narrative, is where the SIO overlays their experience of practical investigative 'murder work' with their knowledge of the law. This entails understanding what material may be used as evidence, thus distinguishing the admissible, from the inadmissible, and the relevant from irrelevant. A person arrested under the provisions of the Police and Criminal Evidence Act 1984 (PACE) is subject to detention and custody time limits. During their detention they may be required to provide intimate and non-intimate samples, they may also be subject to identification procedures and interviews. The detained person is entitled to a legal representative to advise them of their rights and to be present at their interview. The interview is still deemed as a crucial part of the investigative strategy, as it is here that the SIO in their decision making decides what is released in interview to a suspect and the defence solicitor.

The 'end' or third stage of the narrative includes consideration by the CPS, as part of the wider aspect of the criminal justice system, as to whether a charge is appropriate. A decision to charge a suspect with murder is a decision for the CPS. Once a charge is brought, this signals the commencement of the Court process and subsequent trial.

For the SIO, the fact that a defendant has been charged and court proceedings initiated does not indicate that the investigative process or decision making has concluded. There may still be investigative actions to be followed up, witnesses to be managed and forensic, scientific and technical evidence to be analysed and adduced in evidence before a date is set for trial. Up to the trial date, there may be requests from the defence for the release of material they consider relevant to their case. Disclosure of

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[28] From interviews with the SIO's, see Chapters ten to eleven, some suggest that the resource allocation for each type of enquiry is no longer adhered to.

information gathered during an enquiry is an ongoing requirement placed upon an SIO for which they have a duty under the Criminal Procedures Investigation Act, 1996, to comply with.

4.4 Developing the Investigative narrative in stranger murder – The unfamiliar

Using the synthesis of the investigative models described by Innes (2003) and Stelfox (2009) the investigation of a stranger murder broadly follows the same structure as the stages detailed at (3). There are, however, possibly two additional phases that the SIO will encounter solely because of the nature of dealing with the unknown elements of a stranger murder. The first additional phase that an SIO encounters is understanding and identifying that they are dealing with a stranger murder. Having identified the case as a stranger murder, the next part of that same question is establishing the investigative procedure to be adopted. At this stage there is an overall reliance on established investigative methods.

In his analysis of dealing with situations that are commonly or infrequently encountered Simon (1971, p.194) distinguishes between programmed or repetitive and routine tasks, as opposed to that which is nonprogrammed or novel. In situations that are more frequently encountered he argues there are definitive procedures to be followed. A new course of action does not have to be developed every time that a programme is used that involves routine or repetitive tasks. This aspect may, for example, be similar to the 'building blocks' approach used by the SIO to structure their investigation. In that sense the SIO's approach is routinised, the practical difficulty are cases such as stranger with which the SIO may be unfamiliar and require a novel approach that may incorporate but is not entirely reliant upon a routinised mechanism.

The latter approach which he describes as nonprogrammed, involves considering and undertaking novel or unfamiliar tasks. The SIO may not have a method or stratagem to deal with this occurrence. The SIO is confronted with the 'problem space when dealing with a stranger murder (Described in Chapter eleven). The SIO attempts to understand and make sense of what has occurred. An SIO, using their experience of other murder investigations may implement strategies and tactics that have previously

proved successful, this can be construed as a 'tried and trusted' method of tackling a serious crime. In his analysis of how SIOs perceive the types of murder cases they deal Innes (2002(a) and 2003) suggests that investigations are labelled according to the degree of difficulty that they may present to the SIO. Innes (2003, p. 45) labels seven types of murder that detectives refer to as domestic, argument related, child death, criminal cause murders, where the victim or offender was engaged in unlawful activity, sexually motivated murder, stranger and serial murder. The use of labels provides the SIO with a "common sense view" of how particular types of murder should be dealt with (Innes, p. 44).

4.5 Murder investigation as complex problem solving

Each murder presents a degree of difficulty that an SIO should carefully examine with a "prepared mind" in the search for clues (Perkins, 1992). That is, a willingness to entertain possibilities, to develop alternative explanations for an event where required, and to weigh the evidence for or against a particular proposition (Carson, 2012).

"*An explanation that merely completes a coherent picture and that simply appears "likely" to the casual observer may not be the best explanation when all of the available signs are considered*" (Nordby, 2000, p.176).

This type of mental exercise should be practised even at those scenes of doubtful or suspicious death (Jones, 2016). The investigators attitude should be holistic, unburdened by descriptions that invoke the impression of an easy or hard to solve case. That disposition has the potential to cloud investigative thinking. The MIM (2006) states that if in doubt then treat the case as one of murder until proved otherwise. This advice should permeate all investigative thinking when attending a scene of unexplained death. Rather than create artificial barriers within the investigators mind as to the "type" of murder they might be dealing with, the investigative approach should be un-blinkered by preconceived notions (Home Office Report, 2015).

A limited review on behalf of the Home Office (2015, p.12) into 32 cases of unexplained death found that 10 cases (31%) should have been treated as homicide from the outset. A further 5 cases were treated by the review as suspicious deaths. Added together this brings the total to 15 cases (47%) or nearly half the total of cases

examined. Further analysis of the data revealed that initial police decision making was "questionable" in 10 of the cases (31%). The reviewers state that once the attending officer had made their decision as to what had occurred this view in 9 cases (56%) was unlikely to be changed by supervisors. In 8 cases (25%) the SIO made a "questionable" decision as to whether to treat a death as suspicious. The data also reveals that in 11 cases the coroner on advice and information from the police did not treat the case as suspicious. The review noted that drugs and or alcohol were factors in 13 of the cases, 6 of which were either homicide or suspicious deaths. There was a presumption that officers appeared to assume that death was caused as a result of alcohol consumption that led to injury through falling.

The importance of the Home Office report, albeit limited in scope, indicates that the first steps at the scene of a crime (MIM, 2006) are not followed by the officer initially attending. Criticism included a lack of or poor inspection of the body at the scene. A possible explanation for this frame of mind by the attending officer may be explained by the training they have received. Instructions not to interfere or contaminate the crime scene may have been narrowly interpreted. The reviewers comment further comments, however, appear to undermine that proposition. Even in "many of the cases" where there were marks indicating possible violence had occurred to the victim "*decisions were made not to treat the deaths as suspicious*". The report refers to the initial decision-making by the first officer at scene not to treat a death as suspicious, perhaps believing the first account they are given. This frame of mind is then adopted by the SIO without any critical evaluation of the information that was being passed on to them (Smith, 2003: Laminxg, 2003). In eight cases involving an SIO that initial decision by the first officer at the crime scene became "concatenated".

Innes & Brookman (2013) describe concatenation in this context as an initial decision that then affects all other decisions in the sequence. The SIO did not seek to challenge the initial crime scene assessment by referring the death for examination to a Home Office Registered Pathologist. Instead the SIO relied upon non-forensic pathologists who "may be ill-quipped to identify a homicide" (p.22). Another salient aspect of this research is evidence that once an investigator had adopted the decision of the initial attending officer they were not then dissuaded by any new evidence to the contrary. The report (p.14) refers to this as a "cognitive bias" and cites Kahneman (2011). The

actual bias that is referred to is a "belief " or "confirmation bias". Having received information or accepted a theory of how an event has occurred research has shown that new information is either explained away, rationalised or dismissed where it does not accord with the original view (Nisbett and Ross, 1980: Tversky and Kahneman, 1980: O'Brien, 2009).

Perkins' (1992) analysis of human search strategies utilising a "prepared mind" suggests a greater level of willingness to understand how the human mind can be subject to cognitive bias. As opposed to what Tattersall and Cook (2016) refer to as the SIO keeping an "open mind," Wright (2009) in her study questions the vagueness of this term and asks what does it actually mean when the police refer to keeping an "open mind" during an investigation? A study by Jennifer Rudolph, a PhD student, found that medical professionals, who focussed on one hypothesis became fixated with that single event. In her analysis Rudolph writes that this fixation led to underperformance. Other participants in her study suggested that they had kept "an open mind", in tackling the task thy were given. However, they did not speculate, or seek further explanations for the event they were faced, they performed mediocrely.

The best performers Rudolph suggests were the participants who not only speculated as to what they believed had occurred, but in addition, deliberately tested their hypothesis(es) in order to seek better data. The claim that Rudolph makes is that simply stating you have an "open mind" is not a failsafe means to ensure you have considered different possibilities as to why an event occurred. Stating you have an *"open mind"* is *"basically a passive mode of receiving data without thinking hard about them"* (Rudolph, 2003, cited in Klein, Moon and Hoffman, 2006, p.72)[29].

4.6 Conclusion

Therefore, the generation and importantly, the testing of a hypothesis is required. Testing a hypothesis or theory Popper (1963, p.35-36) argued, is not seeking confirmatory evidence as *"nearly every theory"* can be confirmed if confirmation is

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[29] The researcher attempted to obtain a copy of the original PhD thesis from Boston University. It is only held on microfiche and not available. Attempts were also made to contact the author without success.

looked for, disconfirmation or refutation of a theory should be sought. Popper (1963) suggested that *"every genuine test of a theory is an attempt to falsify it, refute it, testability is falsifiability"*. The testing of a hypothesis is crucial, when seeking a plausible explanation for an event. The testing of hypotheses is an instrumental factor that will assist the SIO in their decision making. This entails the SIO basing their decision upon information that may corroborate the phenomenon they observe, such as the circumstances of how a murder occurred (Nordby, 1991). In addition to that which supports a theory the SIO must not ignore, indeed they must actively consider those features that do not contribute to or support what they have observed (Popper, 1963: Rudolph, 2003, cited in Klein, Moon and Hoffman, 2006, p. 72: Schum, 2011)

Chapter 5

Methodology

5.1 Study design and rationale

The purpose of this research is to understand the influences that underpin the decision making of Senior investigating Officers (SIOs) investigating a stranger murder[30] The SIO, may not as this study bears out, have investigated a stranger murder. They will therefore be reliant on the skills, knowledge and experience they have developed in dealing with other types of murder. They are cases where the victim and their assailant are known to each other (Innes, 2003: ONS, 2019). It is these types of murder that the SIO is predominantly occupied with. The design of this research uses a qualitative methodology. In depth interviews have been conducted with eleven SIOs. Their decision-making logs (also referred to as policy files) and daybooks have been analysed to ascertain the type and frequency of the decisions the SIO has made. The researcher has also attended the four-week SIO course to establish the training undertaken by SIOs.

5.1.1 Ontological and epistemological considerations

The choice between various research strategies and methodologies is not value free. Instead, decisions as to which methodology or strategy (ies) that are used in a research project is encapsulated in our own personal beliefs and possible biases as to how we believe as an "inquirer" what can be known (Silverman, 2006: Cresswell and Poth, 2018: Punch, 2014: 15: Maxwell, 2012). Underpinning the philosophical nature of our approach are ontological and epistemological assumptions: Ontology deals with the form and nature of social reality and what can be known about it (Hesse-Biber, 2017) ; whilst epistemology considers the relationship between the knower and what can be known, in essence a theory of knowledge (Sears and Cairns, 2010).

Thus, quantitative research methods are based upon the rigour of the deductive scientific method, "a corpus of established procedures that if applied with appropriate scruple and commitment are sure to produce knowledge of the world

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[30] A stranger murder is defined at Chapter 1 at page 19.

(Hughes and Sharrock, 1997). Deductive inquiry commences with a theory or theoretical explanations. Progression occurs through application of the theory in practice and the testing through hypothesis generation of the validity of observations (Hesse-Biber, 2017). This involves a positivist application and inquiry based upon empirical scrutiny. The purpose is to objectively inquire about systems or objects that "exist independent of our activity, and encapsulate a realist ontology (Sears and Cairns , 2010, p. 13).

It is arguable that by using our senses neutrally, positivism can be used to examine the objects surrounding us, and the scientific method is used to control against both subjectivity and bias (Sears and Cairns, 2010). This approach underpins the premise of positivism that an objective account of the world can be given; to do this the researcher must be able to "bracket" or disassociate them-self from any bias they may have that will interfere with the problem they are attempting to solve systematically (Robson, 2011). The function of science is therefore to develop descriptions and explanations in terms of universal laws; Punch (2014: 17) refers to this as the development of *"nomothetic knowledge"*. Holloway (1997) suggests this-favours a traditionalist approach to behavioural and social research. It is based upon a belief in universal laws and a doctrine that insists upon objectivity and neutrality by following a natural science pathway to testing theories and hypotheses (Glymour, 1980).

There are however social scientists who argue that it is not possible to remain neutral or objective when conducting research. Each researcher they argue approaches their study with their own view or perception of the phenomenon being studied (Holloway, 1997: Coffey and Atkinson, 1996: Punch, 2014). The qualitative research paradigm in contrast is deemed to be underpinned by an interpretivist or constructivist epistemology. It is a form of social enquiry focussed upon the manner in which people both interpret and make sense of their world (Holloway, 1997). The ontology of which is relativist, as opposed to the objectivity espoused by a quantitative approach, there are instead multiple truths and realities, the basis of which is subjective (Punch, 2014: Hesse-Biber, 2017). In contrast with a quantitative approach the focus is upon text rather the numbers, it is the social meaning, the subjective nature that people attribute to their lived experiences, their circumstances and situations. Qualitative research is essentially inductive, commencing with observation it moves toward the generation

of a theory that explains the phenomena that has been identified (Sears and Cairns, 2010: Hesse-Biber, 2017).

5.1.2 Ideological perspectives

My own beliefs, values, background and experience as a former police officer investigating serious crime, including murder, are inseparable from the larger social context in which I undertook this qualitative research. I acknowledge how my own axiology may reveal my potential biases (Bryman, 2016). Cresswell and Poth (2018: 21) suggest the researcher positions themselves in the context of what they are studying. This "positionality" is reflective of their "gender, race, experiences, political and professional beliefs". Being conscious of these influences and biases informed my coping strategy. That strategy encapsulated the following factors. First, in relation to my interviews with SIOs, I readily acknowledged my own investigative background. This I believe opened up a rapport between interviewer and the SIO, putting the interviewee at ease and facilitating a greater insight into the lived world and experience of the SIO through a semi-structured interview (See Section 5.2).

I adopted different tactics when observing SIOs in training. In contrast in the training scenario there are multiple participants to observe. This included the facilitators of the training course. To observe and remain objective proved difficult in a situation where your presence arouses curiosity and questions from those present. My purpose was to get as close to and observe my participants in the field as was possible without being intrusive or influencing the trainees. It was a difficult balance to achieve. In both activities, either interviewing the SIO or observing trainee SIOs there is a risk of "going native", by identifying too closely with those I am observing.

That risk entails a loss of objectivity and a loss of careful and critical reflection of what you ae being told or what you are hearing. (Spradley, 1979: Hesse-Biber, 2017). To overcome this possibility, I kept notes of my encounters with SIOs, from those interviewed to those in training. The notes formed the basis of a diary of reflection. The diary encapsulated my "positionality". Nowell et al. 2017 refer to the necessity to maintain reflexivity by keeping a "self-critical" account of your research process. I adopted this approach and found I was able to continually challenge my assumptions

as to what I heard or observed. I reinforced this approach by having regular discussions with my external supervisor as to the SIO interviews and training. These discussions enabled me to consider alternative perspectives and challenge my thinking (Creswell and Poth, 2018, p. 21: Hesse-Biber, 2017).

5.1.3 Qualitative study supported by quantitative data

I had considered various theoretical approaches to establish a basis for this study. This included ethnography, grounded theory and phenomenology. I, however, acknowledge that I am a novice researcher. Whilst I have read widely on the subject and attended numerous lectures and seminars, I do not believe I was qualified to use these different approaches. I also reflected upon using a mixed methods approach which is a recognition that utilising a combined quantitative and qualitative method within a single design is not mutually exclusive (Bryman, 2016). There have been differing views from researchers as to the merits of what appears to be opposing ontological and epistemological compatibility (Smith, 1983: Smith and Heshusius, 1986: Denzin and Lincoln, 2003). This view has altered in recent years as researchers rather than highlighting the differences and dichotomies between the two paradigms consider the similarities and advantages of a combination of the two methods.

Having reflected upon my own ontological and epistemological viewpoint I adopted the following pathway. My ontological approach is relativist, I considered that remaining neutral when undertaking research is not possible, it is subjective and open to multiple truths (Hesse-Biber, 2017). This study involves social enquiry, how people interpret and make sense of their lived world and how this data can be robustly transformed and interpreted in a "rigorous and scholarly way" (Coffey and Atkinson, 1996: p.3). My epistemological position is underpinned by "getting close" to the participants in my study, whether by interviewing or in the case of SIO trainees observing them in the "field", where they "live and work". It is through this subjective approach that "knowledge is known through the subjective experiences of people" (Creswell and Poth, 2018, p.15). My 'three pronged' design generated an abundance of required analysis. The question is how it should be analysed so as to provide a reader with clarity as to 'how' the analysis was undertaken and the robustness of the method? (Miles and Hubermann, 1994: Attride-Stirling, 2001). To answer this

question, I have utilised thematic analysis (TA) as a method to analyse large amounts of data that have been generated by my 'three pronged' study design. My rationale for this choice is that TA is a method for "identifying, analysing and reporting patterns (themes) with data" (Braun and Clarke, 2006). The method is discussed in detail at point 5.5 below.

5.2 The SIO narratives

There are three main strands to my strategy of data collection. The first is the interview of the SIOs and second the analysis of their "daybooks" and decision logs. The interviews provide a "thick" description of the real world that the SIO inhabits, replete with their subjective meanings of experience, complexity of views. I will rely upon the participants views of the situation particularly their interaction with others, the idea of social construction and how both historical and cultural norms feature in their lives (Cresswell and Poth, 2018). The third strand is related to my attendance at the SIO course. I was able to observe the SIOs in training over 4 weeks and interview four trainee SIOs. To do this, I adapted the Participant Information Guidance and the Consent Form (See appendices J and K).

5.3. Sampling

5.3.1. Sampling and recruitment strategies

This study relied inherently upon the good will of the National Homicide Working Group (NHWG). The NHWG is chaired by a Chief Officer, usually a Chief Constable. It is responsible for developing policy and practice in relation to the investigation of homicide. The membership is comprised of Heads of Major Crime Units from the 43 police forces in England and Wales and the British Transport Police, Police Scotland and the Police Service of Northern Ireland. Other outside agencies are also represented. To undertake this study, I wrote to the Chair of the NHWG setting out my intended research (Appendix B). This included a proposal submission as to why I regarded my research as important and of benefit to the Police Service (Appendix C). My background as a former SIO was no guarantee of access to the SIO's.

Gaining access to the police, especially those parts regarded as 'secretive' because of the sensitivity of the material that is dealt with should not be underestimated by the novice researcher, there is no automatic right of entry, because you are a researcher (Van Maanen, 1978: Tong and Bowling, 2006). My strategy to gain access to SIO's utilised a "research bargain". First described by Van Maanan (1978) as his strategy to gain access to the police, it is based upon not making assumptions that you will be helped. Instead the researcher must make clear the benefits to the police service. I adopted his approach during my first contact with a senior police officer from the NHWG. They became 'the gatekeeper". The person who could assist me to access to relevant units within the police service. Bearing in mind that my research was being conducted under a period of severe financial restraint upon the police service I undertook to meet all my own costs. To build a rapport with 'the gatekeeper' I set out my purpose and the aims of research and prepared all the necessary paperwork for potential participants.

The 'gatekeepers' role was to facilitate my letters of introduction to Heads of Major Crime in the 43 police forces in England and Wales (44 including the British Transport Police). The documents outlined my research and aims. This included information for SIOs (See Appendix E-F). The SIO had to meet the criteria for inclusion outlined in their letter. The documents for the SIO included a copy consent form and participant information sheet (See appendices G-H). The criteria for interview was that the SIO must be a volunteer. They must have dealt with a stranger murder, be accredited at PIP 3 and have more than 2 years as an SIO. There was no pre-determination on my part as to who responded. This was not a purposive study where the participants are selected by the researcher (Bachman and Schutt, 2011).

5.3.2 Sample size

Traditional research methods indicate that the goal of research is to achieve generalisability. Research involving small samples have been the subject of criticism, as being less rigorous (Marshall, 1996). Views on the nature of generalisability have been challenged. It is acknowledged that qualitative research involves small sample sizes. This does not mean the results are less meaningful. Instead, the emphasis is on

in-depth and nuanced interpretations of the data. It is the subjective experiences of the participants that informs the basis of the study (Hesse-Biber, 2017).

The context and meaning of having to use a small sample size became clearer as my own assumptions as to the willingness of SIOs to take part were challenged. I assumed, wrongly that the nature and relevance of my research to SIOs would attract a greater response than it did. My initial target was to interview up-to 40 SIOs. However, despite the support from the NHWG (Appendix D) I received limited interest from SIOs. For example, I had commenced my first interview in November 2017, by April 2018 only two SIOs had offered themselves for interview.

I considered that possible explanations for the low response may have been due to few SIOs having dealt with 'stranger murder' or alternatively, the distribution of my letters to Heads of Crime Management and subsequently to SIOs may not have occurred. Van Maanen (1978d, p.318) offers a practical and realistic insight into why a researcher may be faced with a lack of co-operation from those he wishes to observe. The reality of research he suggests is that just because you get through the "door" does not ensure you will be met with acceptance or overcome the suspicion and cynicism of the police towards those in academia.

5.3.4 Sampling and recruitment limitations

This unforeseen hurdle in recruiting SIOs for my research necessitated an approach to my "gatekeeper", who due to retirement had been replaced by another senior officer from a different force. With their assistance, I attended the NHWG conference accompanied by my external advisor, Dr. Adrian West. I was able to explain to the senior detectives present the purpose of my research.

From the 43 forces in England and Wales, and the British Transport Police (a total of 44) only nine further SIOs volunteered to be interviewed. In total eleven SIOs were interviewed by January 2019. The sample of interviewees represented only eight (18%), of the 44 police forces in England and Wales. The advantage, however, is that although this a low uptake between forces, the SIOs who did participate represented a cross section of Urban, Semi-Urban and Rural police forces.

I consulted my supervisory team as to the numbers of participants, now eleven in total. We agreed this was a reasonable sample size to base my research on and answer the research questions I had proposed (Marshall, 1996).

5.4 Ethical consideration – Contact with participants

I received confirmation of my ethical approval for my research study from the Departmental Research Ethics Panel (DREP) on the 26 June 2017 (See Appendix A) Part of the adherence to ethical principles entails that you "do no harm" to those who have agreed to participate in your study and that their consent is voluntary in that it is a basic fundamental Human Right (Hesse-Biber, 2017). This includes the confidentiality and anonymity of those who volunteer. Confidentiality and anonymity are the basis of this study. This can be seen in the letters prepared for potential participants, so they are fully cognisant of what they are volunteering for. For example, the consent form for the SIO explains issues such as confidentiality, anonymity and their right to withdraw at any time without prejudice from the research. The ethical importance of having informed consent in that the participants understand exactly what they are participating in. The fact no harm is caused to a participant is a crucial to the transparency and objectivity that must surround voluntary participation (Thomas, 2014).

At the commencement of each SIO interview I asked each participant whether they had received the letters and documents I had sent to them (Appendices G-H). Each assured me that they had. To ensure an ethical stance was maintained I went through both the Participant Information Guidance (Appendix G) and also the Consent form (Appendix H). I asked each participant if they were happy to proceed with the interview and sign the form signifying that they had volunteered and were willing to give their consent to be interview. All gave their written consent, and those consents were recorded digitally.[31] During the course of my research, as part of my 'research bargain' I gave regular updates to each participant as to my progress.

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[31] All SIOs interviewed gave written consent.

5.5 Method

5.5.1 Introduction

In section 2 above, the SIO narratives, I laid out the design of my study. It is a three-pronged approach using TA to interpret the data (Attride-Sirling, 2001: Braun and Clarke, 2006: Nowell et al. 2017).

The three strands are composed of:

1) interviews with SIOs about their lived experience, particularly with regard to their decisions and the factors that influence those decisions making (See Chapter 10, findings from Interviews of SIOs for details).

2) The second strand is allied with the SIO interviews. This comprised a detailed examination of each SIOs decision log. Every investigation requires a record to be kept of why and when key decisions were made during an enquiry. By evaluating the decisions using TA it can been seen that patterns and themes can be formed from the data (See Chapter 9, Findings from decision making logs for details)

3) The third strand is observation of the SIO training course during which I interviewed four trainee SIOs (See Chapter 8, training of an SIO for details).

Taking each of these strands in turn to discuss.

5.5.2. Interviews of SIOs strand 1

Interviews with each SIO was conducted at their place of work or on police premises. I did not seek to alter these arrangements as I did not want to unconsciously place pressure direct or indirect on the interviewee, I wanted them to feel at ease in their own environment (Hesse-Biber, 2017). I asked for the SIOs permission to digitally record and make my own notes of interview. I also explained that each interview would be transcribed. SIO anonymity and confidentiality would be assured by removing items that could identify the SIO or their case. Each interview took a minimum of one to two hours to complete and the SIO had their decision logs, and daybooks where completed, to refer to. The interviews were also semi-structured, as

Thomas (2014) argues that rather than a structured interview this allows flexibility in asking questions to probe or seek clarity.

It is appropriate that the questions asked by the researcher will utilise the how, why or what question (Hesse-Biber, 2017). At Appendix I, is set out the structure of my questions to the SIO. I began the interview by going over the consent form, and participation guidance information. This was to ensure each SIO understood the aim of the research and that they were under no obligation to participate. I then obtained background information from the SIO as to their education and career history, so as to put them at ease and lead into the main interview. During the interview I was mindful that the essence of the is to obtain their viewpoint and my role is to listen (Brinkman and Kvale, 2015). Having completed the introductory section of the interview my next question was open-ended;

> *Please take as much time as you want in describing your investigation of a stranger homicide. Please refer to your daybook and policy decision logs to help you recollect your investigation of a stranger homicide.*

Depending upon the answers I received I had a series of prompt questions to refer to (See Appendix I). In addition, I also referred to Hoffman, Crandall and Shadbolt (1998) and their article on which questions to use when seeking to elicit tacit knowledge during interviews. In concluding the interview, I asked the SIO if they had questions for me and also thanked them for their time. The next stage was the transcription of the interview. I informed each SIO that the transcripts would be anonymised as to names, dates and places. The document would then be held securely and confidentially within my ARU account. Once I had anonymised the interview, I forwarded the document to each SIO to check they were satisfied with their responses. All SIOs acknowledged they were content with their interview.

5.5.3. Strand 2 – Examination of the SIO decision logs

The examination of the SIO decision logs (and where completed their daybooks) took place immediately after each interview. The decision logs contain all the key decisions made by an SIO during the entire enquiry (See Chapter 9, findings from decision logs

for details). The number of decisions will vary with each enquiry, although there are a number of reoccurring themes and patterns that on analysis consistently occur in each case of 'stranger murder.

5.5.4. Strand 3 – Observation of the SIO training course.

I attended the SIO training course at differing intervals over a four-week period. There are twelve students per class, with the exception of one course where there fewer participants. Their ranks ranged from detective inspector to detective superintendent. The majority had previous experience of dealing with murder investigations. The training is classroom based with a mix of experts delivering lectures on salient aspects of the course module, for example, geographical profiling. There are intervals devoted to 'break out' sessions where groups of up-to four students discuss various aspects of a 'themed' scenario that has taken place and report back to the main group on the decisions that they have made.

My role during the course was to observe the SIOs. The SIOs were aware of who I was as I disclosed my police background during my introduction. So as to remain as unobtrusive as possible I placed myself at the rear of the classroom out of sight of the body of students. There is, however, a contrast between interviewing an individual and observing a group. I found the latter more challenging. Brown (1996) suggests there are four types of researcher;

- Inside/Insiders
- Outside/Insiders
- Inside/Outsiders
- Outside/Outsiders

I consider myself as part of the second category, an outside/insiders. That category relates to those who are former police officers or police staff who have become academics and research the police. This approach served as a reminder that when conducting my research, I must remain professionally objective (Gravelle, 2014).

Trying to maintain a distance that does not compromise objectivity, being professional, and at the same time not wishing to appear rude or brusque is a difficult balance. Particularly when you are aware that it is your presence that has aroused curiosity (Gravelle, 2014). To overcome this, I engaged with the students. As social scientists have pointed out, it is not possible to maintain a position of indifference or neutrality in qualitative research (Spradley, 1979: Ali, Bradley and James, 2004). To remain objective, I kept a book of my observations during each day of the course. In the evening I wrote up my notes and maintained this as a reflexive diary, as advocated by other researchers (Hesse-Biber, 2017: Holloway, 1997).The diary recorded my thoughts, the challenges I faced and how I dealt with them in a series of detailed notes. Discussions with my external supervisor assisted in maintaining my objectivity.

5.6 Using Thematic analysis – A six-stage process

To undertake this evaluation, I utilised TA which has a six-stage process (Attride-Stirling, 2001: Braun and Clarke, 2006). I have described in section 5 (above) the three areas relating to the method of data collection. These are the interviews of SIOs, analysis of SIO decision logs and SIO training that have contributed to this study. There is a voluminous amount of data that I have organised into a Table (See Table 5.1 below).

Number of transcribed pages of SIO interviews analysed	Number of SIO Decision log entries analysed	Number of pages of SIO Course training notes analysed
504	660	143

Table 5.1 Volume of material analysed using TA

The generation of so much data requires an approach to analysis that is in keeping with my own epistemological view as to the idea of what constitutes knowledge and what can be known. It is the flexibility of TA, unlike interpretive phenomenological analysis (IPA) or conversation analysis (CA), TA is not "tied" to a particular epistemological or theoretical position (Braun and Clarke, 2006: p.4). The flexibility

of the use of TA is aptly illustrated by its use within diverse fields of research for example, sports psychology (Cavallerio, Wadey and Wagstaff, 2016).

The decision to use TA in analysing the data I had captured was made easier by this flexible approach and the systematic manner of analysis described by Attride-Stirling (2001) and Braun and Clarke (2006 and 2013). The TA uses a six-stage analysis process. Attride-Stirling (2001; p. 391) and Braun and Clark (2006; pp. 16-23) differ in the terms they use to describe each stage of TA. Although the term to describe each stage may differ, the terms are broadly similar in eliciting information, through seeking patterns in the data. The patterns identified can be organised into I) lower order or basic themes ii) categories of themes grouped together that formulate "more abstract principles and iii) super-ordinate themes that cover the "principal metaphors" in the text. These features can then be depicted using the prominent themes at each level to show the relationships between them (Attride-Stirling, 2001, p.388).

 The six-stage approach advocated by Braun and Clarke (2006) is comprised of;

1) Familiarising yourself with your data
2) Generating initial codes
3) Searching for themes
4) Reviewing themes
5) Defining and naming themes
6) Producing the report

5.7 Using the six-stage process;

5.7.1 Stage 1 - Familiarising yourself with the data

One of the first decisions I made was to conduct my analysis to identify themes, in each of my 'three' areas of study as they occurred rather than wait until I had accumulated all the material relevant to a specific research area. As my data collection took place over fourteen months the practicality of doing almost immediate analysis was immeasurable given the enormity of the data (See Table 5.1 above). For example,

the interviews of the SIO, and attendance at the SIO course did not take place in a chronological manner.

As an interview occurred, I analysed the material usually within a day of conducting the interview whilst events were still fresh in my mind. This included analysis of the decision logs for the content of certain decision types and their frequency (See Chapters 9, Findings from decision making logs, and Chapter 10, findings from the Interviews of SIOs for more detailed explanations). The SIO training course presented a different logistical challenge. I undertook my analysis, having taken detailed notes each day of the course activities. At the conclusion of each of the three modules of the training course I then analysed the data I had recorded.

I immersed myself in the transcripts of each interview, making copious notes in the margins, using different coloured pens to highlight interesting features. From this began the process of looking for patterns and the meanings behind what had been said by the participants (Attride-Stirling, 2001: Braun and Clarke, 2006 and 2013: Nowell et al., 2017). The time-consuming nature of this task is one of immersion and interpretation of the data. Braun and Clarke (2006, p.16.) suggest that this is a reason why qualitative research uses "far smaller samples" than for example questionnaires. The underpinning idea is to thoroughly understand your material before moving to the next stage.

5.7.2 Stage 2 - Generating initial codes

Coding is part of the chain of analysis (Miles and Huberman, 1994). It is the transition of the data into worthwhile groups or the first stage that Attride-Stirling (2001) identified as the "lower order' themes. I decided that I would code my entire data sets; though not word by word as in the mode of grounded theory. Instead, I approached this task by looking at sentences, paragraphs or even a word to analyse the meaning behind the text. Working systematically through each page of data enabled me to identify the salient aspects.

I decided to use a software programme, NVivo 11 to help collate and organise the various lower order categories and from there build, inductively, to higher order

themes. Onto this programme I placed all my material in relation to the SIO interviews and the training course. The decision logs I analysed in a different manner using a software programme Microsoft excel (This analysis can be found in Chapter 9). The NVivo software proved useful in collating and organising the material, however, due to lack of training on NVivo, I could not develop my analysis further. Instead, I adopted a card indexing system. Based upon the features I had already identified on NVivo I transferred the data to a card filing system. This produced over 1000 card indices, each card representing a lower order category. Braun and Clarke (2006) do not differentiate on the merits of either using software or a manual system.

5.7.3 Stage 3 - Searching for themes

Having completed and collated the various codes my research now focussed on identifying broader themes (Braun and Clarke, 2006). By re-evaluating the lower categories using mind maps and thematic I was able to break down my codes and visualise broader themes. As Braun and Clarke (2006) argue, themes do not "emerge" from the data. The researcher has to be an active participant constantly looking for patterns or divergences or differences in the material that they have assembled. From the lower categories I assembled a visual chart of what the higher order themes would look like and their significance. At this stage all the material I had gathered was retained as nothing should be discarded at this stage.

5.7.4 Stage 4 - Reviewing themes

Permeating the whole concept of using TA is that the researcher should be clear about the analysis of their data so as to allow others to evaluate the trustworthiness of their research process. Nowell et al. 2017 (p. 4) in their critical appraisal of TA suggest establishing trustworthiness in a TA study is essential given there are few discussions in the literature as how to conduct a rigorous and relevant TA when compared to other qualitative approaches such as grounded theory, or ethnography.

At each stage of the six-stage process they argue that various principles should be applicable. For example, stage 4 should include i) researcher triangulation ii) themes and sub-themes to be vetted by members iii) test for referential accuracy by returning to raw data. At each stage of the process I applied their principles (Nowell et al. 2017).

Stage 4 in particular encapsulates a reappraisal of the themes and consideration whether they actually are themes. This involves reviewing and refining. Reviewing is to establish whether there is a coherent pattern, if not then there is a requirement to evaluate the 'fit' as to creating a new theme or discarding them from the analysis. The development of a thematic map is the next phase. During this stage I created a number of permutations of what I considered were the relevant themes and the narrative they tell about the data. There was the possibility that I could have gone on 'ad infinitum'. I closed this stage of the process when I had discussed my thematic maps with my supervisors and received their feedback (Braun and Clarke, 2006, p.21)

5.7.5 Stage 5 - Defining and naming themes

Each theme tells a story and this stage refers to the essence of capturing precisely what it is that you are describing. This may require the researcher to define and refine the themes further. The themes must be coherent and provide an internally consistent account. This must be apparent in the accompanying detailed narrative. There will be sub-themes, a theme within a theme. These present the opportunity to provide a structure for your analysis and arguments to support your claims to originality. The names of your themes need to be "concise and punchy" (Braun and Clarke, 2006, p. 23).

This is the process that I have followed, and which are incorporated in the training of an SIO, Chapter 8; findings from decision logs, Chapter, 9;findings from the interviews of the SIOs, Chapter10.

5.7.6 Stage 6 - Producing the report

Chapters 8-10 of this study reflect the story of my analysis and form the basis of the plausibility of my argument. The examples chosen are illustrative of these themes. They go beyond description of the data to provide a relevant argument in relation to my research questions (See Section 8 below). The transition is from the purely descriptive to a level of interpretation.

By using the pathway suggested by Attride-Stirling (2001) and Braun and Clarke (2006) I have developed an inductive model that comprises four super ordinate themes. Nowell et al. 2017 (p. 4) identified a trustworthiness-criteria when undertaking each stage of the TA. Their model underpins each stage of this six-phase process. An example of which I gave at Section 4 above.

By using TA, I identified four super ordinate themes, they are:

a) The unfolding of an investigation
b) Mission
c) Knowledge work
d) Human factors

Below these themes are various sub- themes. These themes and sub-themes are applicable to both the SIO interviews and my observations of the SIO course.

The analysis of the decision logs was undertaken using Microsoft excel. The analysis was rigorous, the difference being the data was amenable to being transposed into charts rather than a reliance upon text only. This provided a rich descriptive texture. It enabled a visible representation of the data, thus illustrating the diversity and relevance of the findings in this unique study.

In describing the 'how' of what I did, I believe I have met that condition referred to by Attride-Stirling who suggested that researchers pay little attention to how they undertook their research (2001, p. 386). This criticism, the lack of 'how' something was accomplished in a research project received similar criticism from Van Maanen (1978d) when he referred to 'how' he gained access to study the police. These he argues are just as important to discuss as the observations made of the police in action. A point that I have discussed at Section 3 above.

5.8 Theoretical framework

6.1.1. Unlike ethnography, IPA or grounded theory or TA does not require the "detailed theoretical and technological knowledge of other qualitative approaches"

(Nowell et al. 2017, p.2). They regard TA as having a theoretical freedom. A view that is supported by other social scientists (Boyatzis, 1998: Braun and Clarke, 2013).

To overcome this gap and create a conceptual framework that fitted with my research questions I adapted Bourdieu's concept of the "field" and the "habitus" Bourdieu (1981-1983/2018).

The inductive approach to theory building is articulated in the Figure 5.1 below. It attempts to show the links and relationships between the research questions. TA is used to identify the themes that provide a link with the questions. The theory then applies the tacit and explicit knowledge that has been discussed in Chapter two. Using this approach as a scaffold, the "bottom up" theory examines organisational culture and the rules, codes and procedures. Astride the summit of this hierarchical concept is the idea of the field and the habitus.

Within this structure the research questions can be framed against the literature reviews that have been set out in Chapter two, a historical overview of the development of investigative guidance; Chapter three, police culture: the role of the detective; and Chapter seven, theories of decision making. I have identified gaps in the literature in relation to understanding how tacit and explicit knowledge (Chapter two is related to a detective culture (See Chapter, 3). These two chapters then underpin the arguments that are laid out in Chapter seven. This approach, has not to my knowledge, been used before. My 'three-pronged' approach uses, i) SIO interviews ii) analysis of SIO decision logs and iii) SIO training to support my arguments. A number of researchers have used one or two of these methods of data analysis, but I am not aware that all three have been combined before (Innes, 1999 and 2003: Tong, 2004: Roycroft, 2009: Harris, 2008 and 2013: Wright, 2008 and 2013: Dando and Ormerod, 2017). The research questions are:

What evidence is there of a craft style of decision-making in the decisions of an SIO?

How do SIOs use their tacit and explicit knowledge within their decision-making?

How do SIOs uses hypothesis generation and hypotheses testing to avoid bias in their decisions?

How is detective culture, influenced by tacit and explicit knowledge?

It is intended to use Bourdieu's (1981-1983/2018) 'field' and 'habitus approach to establish the validity of the research questions. Bourdieu as a social scientist suggested that his research in the field of economics , is applicable within different domains where exchanges of power occur. The police service as a hierarchical entity would fit that criteria.

Power-exchanges occur between individual to individual and between different departments and specialist units. There is also the hierarchical interaction that occurs between various layers of an organisation. For example, between a constable, middle management, and senior management, or between ranks (Reuss-Ianni and Ianni, 1983). Each strata of the organisation when wielding power enacts their own cultural norms, rituals and codes of engagement. The effect of these actions can be described in a hierarchical as occurring across both vertical and horizontal planes. They are enacted each day can be seen in day to day activity as a form of power giving, sharing or denial. This can be found in the experiences of SIOs within Chapter 10.

The 'field' represents a vying for power, such as in a game where there are rules and codes, there exists relationships of power between participants. This could represent the situation within which the SIO operates (See Chapter 10 for details). The habitus is reflective of the cultural or social status that one has. Bourdieu suggests a person is affected by their preferences, differences, how they determine a course of action. This includes their background and their physical and tactical prowess. Such characteristics are applicable to the SIO.

Power

The 'Habitus'

Power
exchange

The 'Field' conflict

Organisational Culture

Rules, regulations and
procedures

The Tacit

Thematic
Analysis

The Explicit

Mission

Super Ordinate
Themes

Investigative stages

Human Factors

Knowledge
Work

Research Questions

After Pierre Bourdieu
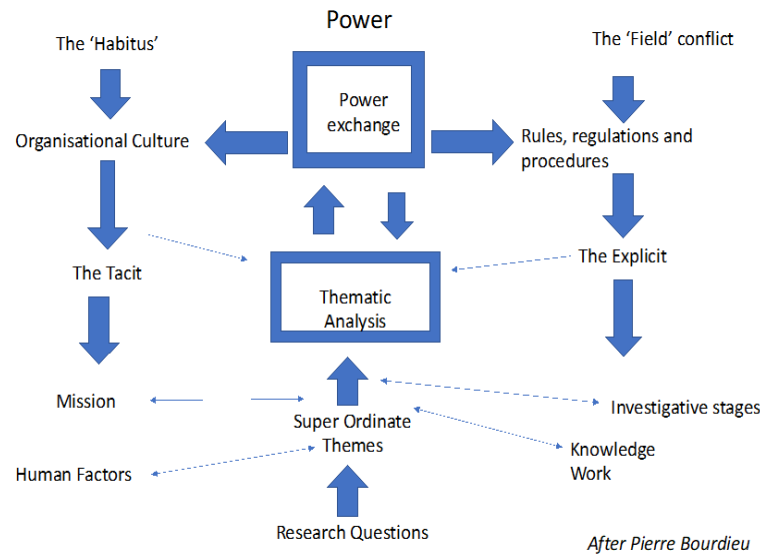
Figure 5.1 A theoretical model suggesting the dynamic power exchanges that occur in organisational decision making.

Beginning with the research questions the model utilises TA to develop Super ordinate and sub-themes from the data. To explore the data fully, use is made of the tacit and explicit knowledge explored within Chapter 2. When combined with the cultural literature explored in Chapter 3 these Chapters provide a rich insight into the influences upon SIO decision making. SIO decision-making takes place against the influences of peer to peer, between subordinate and senior officer and from senior officers (chief officers) to those under their command. Each interaction is different and requires an SIO to detail their response according to the rank of officer they are dealing with. As Goffman (1959) suggested there is a dramaturgy in our dealings with other people. We present different 'faces' to those we interact, depending upon what it is we are seeking to achieve. By analogy he describes this as our 'front of stage' disposition. When not required to adopt that dramaturgy, Goffman (1959) suggests we resort to our 'backstage' presence in which we can be ourselves. The SIO can be viewed in this manner as they utilise a 'front of stage' disposition when engaging with persons both within the police organisation and those outside.

5.9 Contribution to knowledge

7.1.1. I have outlined at 6.1 the uniqueness of this study. To my knowledge no study has combined a data collection method that includes SIO Interviews, analysis of SIO decision logs and observation of the four-week SIO course. The uniqueness of my contribution can also be seen in the comprehensive literature reviews that I have undertaken at Chapters two, three and seven. These Chapters have highlighted the gaps in the other studies. For example, although some researchers mention culture many have not carried out an in-depth analysis (Innes, 1999 and 2003: Roycroft, 2009: Harris, 2008 and 2013: Wright, 2008 and 2013: Dando and Ormerod, 2017. My examination of the historical nature of investigation and the in-depth exploration of tacit and explicit knowledge is I believe a unique addition to knowledge given my findings in Chapters eight to eleven.

Chapter 6

Investigative pressures, decision-making and the Senior Investigating Officer

This Chapter explores the investigative pressure that an SIO may encounter when investigating a stranger murder and how it might affect their decision making. Within this type of complex investigation, internal organisational factors, such as the ability of the investigator, time constraints, reputational issues, the uncertainty caused by too much or too little information, also compete with external pressures. These external pressures comprise the interaction with the deceased's family, friends of the deceased, and community issues raised by the circumstances of a death that might have aroused an inordinate amount of media interest (Simon, 1992: Innes, 2002a: Snook and Cullen, 2008). The Murder Incident Room with its infrastructure and associated personnel is intended to support the SIO against these pressures (Harland, 2019). The function of the MIR as a technical aid to SIO decision making is discussed.

6.1 The cognitive "framework" of the SIO

Within the career of a homicide detective, the investigation of a stranger murder, that is those homicides where there is no known previous relationship between a perpetrator and a victim, is a low frequency occurrence. Since their previous experience of murder investigation may not have prepared them for this unique type of enquiry, the SIO is confronted with the prospect of having to make difficult decisions in challenging circumstances. (Murder Investigation Manual (MIM), ACPO, 2006). In contrast, in the majority of murders that an SIO investigates, there is a working assumption that the suspect is known to the victim. The SIO will base their decisions upon that premise (Kind, 1987: Innes, 2003, ACPO, 2006, Simon, 2008).

From their experience, the SIO will have developed their own concepts or ideas as to how murder occurs, by whom, and in what circumstances. This is a situation with which they are familiar and from such learning they will develop their own internalised "laws" and working rules (Simon, 2008). It follows, that in situations with which they are not familiar, they may not be able to access in the same way relevant internalised laws and working rules. The laws referred to here are not legal, as in the

case of Statutes or Regulations, nor are they the same as the physical laws demonstrated in the empirical sciences. Instead they are the product of what Trusted (1987) refers to as the observed laws of social behaviour. They encompass the judgment, either implicit or explicit, that is made when observing or trying to understand the behaviour of another.

This may include uncertainty in terms of interpreting the manner of death of the decedent. The SIO will try to determine not only how and when the victim died but may also consider why the person was killed, the motive, and importantly who did it (Innes, 2002b: Adcock & Chancellor, 2013). In attempting to answer these questions the SIO seeks to use their prior knowledge to understand what has occurred. This search for an explanation becomes a search for *"knowledge and understanding"* (Trusted, 1987:2). That search will be conducted against a framework of what the SIO already knows. This will consist of their general detective experience, their explicit training as an SIO and the knowledge gained through investigating other types of murder.

The SIO, however, in a case of stranger homicide, makes the transition from investigative familiarity to the investigation of the unfamiliar. Their previously acquired knowledge of investigative method, and the framework upon which they have previously relied may only assist them so far. In seeking to establish objectively the truth of what has occurred questions must be asked by the SIO to determine the how and why of what has happened. These questions must be based upon some investigative assumptions. In her analysis of the cognitive transition from dealing with a familiar event to that which is unknown Trusted (1987:21) argues that certain assumptions do have to be relied upon because *"if nothing was accepted nothing could be understood and no questions could be asked"*.

This view contrasts with advice given in both the ACPO (2005a: p. 62) Core Investigative Doctrine and the SIO Handbook (Cook and Tattersall, 2016, p.33). In both documents, the SIO is instructed that the ABC approach to investigation is required, that states;

- **A**ssume nothing
- **B**elieve nothing
- **C**hallenge everything

That guidance underpins the "investigative mind-set" and is intended to reflect the idea of keeping an 'open mind'. That reflection purportedly signifies that an investigator will be alert to alternative arguments or explanations for the phenomenon that they observe. Thus, the SIO avoids becoming focussed on one theory or hypothesis to the detriment of another explanation (Nordby, 1992; ACPO, 2005a: Cook and Tattersall, 2016). The idea of an "investigative mind-set" that adopts the ABC approach is criticised by Carson (2009). He argues that to investigate a crime the ABC approach is not appropriate. The SIO has to believe and be able to act upon the information they have. The key issue is how the SIO interprets and evaluates the material they have gathered so as to generate options. Otherwise, the instruction to formulate an investigative approach using this model is tantamount to asking an SIO, or others using the model, to ignore everything that has taken place.

The intent behind the direction may be to avoid the SIO making assumptions and thus misdirecting the investigation. To avoid these errors in judgment and decision-making there should be clarity in both the SIO's reasoning and decision-making that assist them to avoid the mistakes that this direction envisages. Missing from both the ACPO guidance and that provided by Cook and Tattersall is any explicit contextual reasoning. The ACPO guidance does not provide any theoretical basis for the decision-making process, it is merely procedural (Tong, 2009). Similarly, Cook and Tattersall (2016) advocate that the SIO should be open to other alternatives, suggestions and hypotheses. But they provide no rationale or theoretical thinking to support their argument as to the cognitive factors that might influence the decisions for which an SIO will be accountable (See Chapter seven theories of decision making). A more suitable approach for an SIO to consider might be the "prepared mind" discussed in Chapter four.

6.2 A construct of flawed decision making

SIO decision-making has been the subject of comment and recommendations to improve decision-making over nearly 40 years. This has included public inquiries (Byford, 1981: Scarman, 1981: MacPherson, 1999: Sentamu et al., 2002: Smith, 2003: Flanagan, 2004: Laming, 2003). There have also been Home Office reports Adhami & Browne, 1996: Smith & Flanagan, 2000 and a Royal Commission on Criminal Justice (Runciman, 1991). Emanating from that Royal Commission, Irving and Dunnighan (1993) examined issues of police decision-making and concluded that investigation of complex crimes is dependent upon a detective's decision-making ability. The importance of SIO decision making was emphasised in a study by Nicol et.al, (2004, p.2) in their review of six police forces undertaking murder investigations. They found that the most frequently cited area of investigative weakness is "record keeping – procedure and content" which accounted for 15% of the total. They also pointed out the "drift" from agreed processes. These features are discussed in detail in Chapter nine findings from the decision logs and Chapter eleven, the sub-section entitled Human Factors.

A recent Home Office Report (2015) commented upon the deficiencies in SIO decision making at scenes of unexplained death. Her Majesty's Inspector of Constabulary (HMIC) (HMIC, 2017) and, the Independent Police Complaints Commission (IPCC) (IPCC, 2016, Operation Lavender) have published reports that are critical of the decision making of police. The "sudden and unexplained" death of a child, Poppi Worthington, has similarities with the Home Office (2015) report, in which a number of unexplained deaths were not recognised as murders by SIOs. Operation Lavender an investigation by the IPCC (IPCC 2016, p.210) into the unexplained death of Poppi Worthington criticised aspects of the police investigation including investigative leadership.

To that criticism can be added the Henriques (2016) report into Operation Midland. The investigation by the Metropolitan Police Service (MPS), albeit unrelated to murder, concerned allegations made by one person, of non-recent sexual offences against persons of public prominence. It is not the intention to focus on all the aspects of that case, but to highlight the broader aspect of decision making in a different field

of investigation. The link between all these inquiries and reports is a feature that has occurred throughout the previous forty years; the identification of failures in police decision making. Amongst these flaws for example, are failures to identify that a crime has been committed, a failure to challenge or critically evaluate information that may suggest alternative explanations for an event.

The investigative process identified in Chapter four laid out the stages of an investigation. Importantly in that process it could be identified how early decisions affected subsequent decisions and the possible detrimental effect that this could have on decision making later in an enquiry. An effect that Innes (2001a) describes as "concatenation". An example of the effect of concatenation can be found in the Laming inquiry (2003). The inquiry led by Lord Laming related to the handling by child protection agencies including the MPS into the responsibility for the care of eight-year-old Victoria Climbie. The child was murdered in February 2000 by her great aunt and her boyfriend. In his evidence given to the inquiry MPS Deputy Assistant Commissioner (DAC) William Griffiths (2003, p. 332) . said, that *," in the A-Z of investigation, that investigation never did get to B ...".*

DAC Griffiths remarks can be applied to other public enquiries or reports where a similar lack of attention and diligence at the scene have been highlighted (MacPherson, 1999: Home Office Report, 2015: IPCC, 2014, Operation Lavender, the Poppi Worthington report: IOPC, 2016, the Stephen Port inquiry). In the cases cited initial decisions were responsible for a flawed response that permeated the investigation. Having become prone to error, the error in judgment is not corrected or readjusted as an investigation continues and further information comes to light. The errors instead become compounded as each decision maker in the process either accepts or exacerbates a prior decision without considering the information the decision was based upon or challenging the method of decision making (Dixon, 1976: Tversky and Kahneman, 1982a: Nordby, 1992 and 2013: Garham and Oakhill 1994: Nickerson, 1998: Findlay and Scott, 2006: Baron, 2008: O'Brien, 2009: Hilbert, 2012).

Decision-making capabilities are referred to as a requirement for an SIO in the MIM. However, in a list of knowledge requirements and various subsets of skills, decision-

making ability is cited last. In the context of the importance stressed by various reports and publications as to the importance of decision-making, current MIM guidance does not reflect decision making as an essential skill of an SIO.

6.3 Investigative pressure – dealing with the unfamiliar

It is significant that the early stages of investigation have been referred to colloquially as the "golden hour" (ACPO, 2006:42: Stelfox, 2009: Cook & Tattersall, 2016). The imperative behind the term "golden hour" reflects the importance of investigative activity to preserve the scene of the crime, identify and interview witnesses and where possible identify and arrest the suspect, whilst at the same time retrieving available forensic and physical evidence. These actions are crucial to a successful investigation in the *"period immediately following commission of an offence when material is abundant and readily available to the police"* (Core Investigative Doctrine, ACPO, 2005).

The term 'golden hour'[32] as explained in the Core Investigative Doctrine (ACPO, 2005; p.47) is not a reflection of a period of time. It is a reference to the interval immediately following the commission of any offence when evidential "material is abundant and readily available to the police". The importance of the term 'golden hour' is reflected in all the SIO interviews (See Chapter 10, findings from the interviews of SIOs). It is ingrained in their system of belief as to how a murder unfolds. The question of what might be revealed, who might be responsible and why it took place. SIOs viewed the 'golden hour' as critical to their enquiry in establishing as quickly as possible the evidence available to them in order to establish their decision-making priorities. The first decisions taken by the SIO are encapsulated in the three following principles:

> a) Securing and preservation of evidence,
> b) To locate and identify, victims and witnesses,
> c) And to identify and where possible detain the offender. [33]

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[32] The term 'golden hour' is a figurative term that can be applied to any incident or investigation where it is imperative to secure or preserve evidence, witnesses, or in crime, the offender.
[33] Adapted from the "The Golden Hour", The Core Investigative Doctrine, (ACPO, 2005)

These are not linear stages but are concurrent, forming part of the "five principles" or building blocks of investigative strategy; preserve life, preserve scenes, secure evidence, identify victims, identify suspects.

The 'building blocks' provide a framework upon which decisions relating to investigative strategies and tactics can be aligned. Adherence to an information gathering process such as the MIR provides the SIO with a familiar anchor and one that is commonly adopted by the SIOs when deciding upon the organisation of information. At the core of each of these "blocks" is an information 'highway'. That 'highway' contains an abundance of information requiring decisions. The decision making that is required occurs when information has been identified, exploited, and refined so that actions are generated in accord with the premise of the 'building block' structure. SIOs view the framework of the building blocks as integral to how they address the question of decision making. To assist them in that task the framework is underpinned by the MIR and HOLMES. The MIR function with the aid of the electronic facility known as HOLMES is to collect the data, analyse, and evaluate. The melding of the conceptual framework with electronic data capture provides a structure and order upon which the SIO constructs their decisions.

The failure on the part of the SIO to successfully address basic investigative requirements is borne out by such failures in a number of public enquiries and reports (Sentamu et al. 1999: Smith, 2003: Laming, 2003: Flanagan, 2004: IPCC Op. Lavender, 2015: The Commissioner of Police of the Metropolis and DSB and NBV, 2015; Home Office Report, 2015). Simon (1992/2009:50) states the importance of maintaining the integrity of the crime scene is succinctly referenced by what he refers to as rule two in the lexicon of the investigator, *"the victim is killed once, the crime scene can be murdered a thousand times"*. From the outset of an investigation there exists the "temporal pressure" to arrest the suspect as soon as possible to preserve evidence in relation to the crime (Innes, 2002a: 685).

6.3 Pressures on the SIO

The SIO within the organisational hierarchy is effectively the most supervised of ranks. Examples of the visible aspect of the pressure on the SIO at the outset of a high-profile investigation have already been referred to. As the investigation progresses that investigative oversight does not diminish. Depending upon the type of murder this oversight, termed a review, can be carried out by the force concerned or the chief officer may request an independent SIO from another force. If the crime is undetected, this be undertaken at 28 days, although Nicol, et al. 2004 in their study found variations between forces. A review can take place earlier depending upon force policy and may take place even in cases of detected crime to disseminate 'good practice' force wide (Nicol et al. 2004, p.3: MIM, ACPO, 2006: 85).

Overall, the SIO is not only accountable to their chief officer to ensure that the investigation is well led and successful, but other outside agencies, not least the family and friends of the victim. Ultimately, the investigation of stranger homicide may place significant pressure, both emotional and psychological on the SIO. Under these circumstances where information may be ambiguous, uncertain or missing the SIO has the responsibility for decisions, they "*cannot be delegated*" (ACPO, 2006: p.47).

6.4 The development of the major incident room (MIR) as a feature in SIO decision-making

The 20th century major incident room (MIR) has been described as the "nerve centre" of murder investigation (Byford, 1981, Harland, 2019). The MIR contains all the information upon which the SIO will rely upon to make their decisions, it is an aid to decision-making not the decision-maker. The MIR is therefore a "warehouse" of information that has been systematised (Kind, 1987). The system can be interrogated by an SIO and be directed to the salient features of the investigation. It is here that all the information from the public, officer's reports, the interviews of witnesses and suspects are cross referenced and maintained. The MIR is not a panacea for solving murder. It is the SIO who will have to interpret the information held within the MIR, to draw their own hypotheses and inferences, and then decide.

6.5 Conclusion

The investigative guidance provided to the SIO has not always been so detailed. It is only in recent years following recommendations from several high-profile inquiries that written guidance in the form of the MIM, first produced in 1998, has been provided to the SIO. It is notable that it took seventeen years from Byford's (1981) recommendations, and the case of Steven Lawrence (Sentamu et al. 1999) to produce the first definitive corpus of investigative guidance. The lack of a genuine corpus of knowledge upon which the investigator can rely has been and is still the subject of criticism by researchers (West, 2001: West and Alison, 2005: Stelfox and Pease, 2005: Stelfox, 2007: O'Neill, 2018: Donnelly and West, 2019).

The next Chapter examines various decision-making models and attempts to demonstrate the model that underpins SIO thinking and decision-making.

Chapter 7
Theories of decision-making

This chapter examines the formal theories of decision-making and how those decision theories may be applied to the decision making of senior investigating officers. The decision theories will be examined using as a framework Cohen's (1993:40) suggestion that decision-making may be viewed through paradigms or "filters". He suggests that this has evolved through three stages. The first is the classical or normative approach that arose within the sciences and underpins mathematical and economic reasoning (Beach and Lipshitz, 1993; Chater and Oaksford, 2004)). Cohen refers to this as the formal-empiricist paradigm. The next dimension is that of the rationalist. This stage suggests a departure from the normative constraints of classical decision making. The focus is on the behaviour and psychological processes underpinning decision making (Kahneman and Tversky, 1972; Tversky, 1972; Nisbett and Ross, 1980; Tversky and Kahneman, 1982a). The third paradigm that Cohen describes is Naturalistic Decision Making. Decision making using this paradigm occurs in "real-world" situations (Orasanu and Collins, 1993). Zsambok (1997:4) describes Naturalistic decision making as the *"way people use their experience to make decisions in field settings"*. This framework centres on those persons with experience and expertise in their own domain. Using the framework described by Cohen (1993) these paradigms will be explored.

7.1 The formal empiricist or classical style decision-making paradigm

The formal empiricist style encompasses the classical or traditional form of decision-making. The idea of rational thought coupled with probabilistic reasoning was viewed as the cornerstone in applying scientific reasoning in the search for "objectively verifiable truths about nature". Therefore, two persons with the same knowledge, faced with the same data and using this form of reasoning should arrive at the same decision (Martignon and Laskey, 1999: 170). The theory is prescriptive and is concerned with how decisions should be made (Orasanu and Collins, 1993; Baron, 2008: Elqayam and Evan, 2011). It is a rule-based approach to decision-making measured against specific standards in relation to probability, utility and multi-attribute utility. By utilising these approaches to decision making the "rational actor"

(Beach and Lipshitz, 1993:21) will consider a range of options. From these choices, an optimal decision will be obtained (Orasanu and Collins, 1993). The theory assumes that a decision by the decision-maker is unencumbered by emotive influence, is focussed upon a single event and with all available information will lead to an optimal choice (Wason and Johnson-Laird, 1972). This optimality occurs through weighing up the various options or choices presented and then through a process of iteration selecting that option which provides the maximum utility. The essence of the theory is that "*computationally, omnipotent economic man*" will always seek to gain the maximum benefit from their decision (Beach and Lipshitz, 1993:21).

7.2 The idea of "rationality" in decision-making

Using classical decision theory von Neumann and Morgenstern (1947/2007) argue that the basis of the theory is one of social exchange; in which the aim is to secure the maximum economic gain. An organisation or entrepreneur in making their decision will have as their objective the maximisation of profit. Where, the goal is the direct or indirect exchange in goods between two or more people, as consumers, it is utility (para. 1.1.1), von Neumann and Morgenstern referred to this as subjective expected utility theory (SEUT). Yet as Hastie (2001) observes the theory has limitations as it says nothing about how the decision is comprehended by the decision maker, nor does it suggest where the information regarding options and choice emerge from and how these are used to construct values and utilities. Savage and Friedman (1948:287) provide a different view and state that in determining preferences the "consumer unit" in this case either a family or an individual does not act according to the tenets of classical decision-making.

The suggestion by Savage and Friedman (1948), following that of von Neumann and Morgenstern (1947/2007) does, however, illuminate a flaw in the argument of classical decision theory as to the fact that the rational person seeks the most optimal gain. The model is concerned with how people ought to behave as opposed to how they actually do behave when making decisions. The normative model is set against a background of standards that seek to test the 'coherence of expectations, values and preferences' to provide an optimal outcome (Hastie, 2001:658). The assumption is that economic actor is rational and that they are skilled within their working environment.

This skill is manifested in their choices that are at all times seeking to optimise their position (Simon, 1957).

7.3 Irrationality of the decision-maker

Decision-making occurs in social contexts and there may be constraints imposed by the environment or situation in which a decision has to be made. As Simon (1957) observes the classical approach cannot deal with situations that are equivocal or where uncertainty may be present. The actor is not omniscient and may be fallible, this does not mean they are irrational. Davis et al. (2005:77) suggest that the "retreat" from the rational choice theory of how decisions are made does not make the decision maker irrational simply because they do not abide by its norms. Instead they argue that Simons (1957) concept that the decision maker is bound by the constraints of time, resource and cognitive capacity is valid. These factors produced a simplified mental model of the world. This they suggest whilst not according with strict classical ideals of rationality nevertheless allows the decision-maker to act rationally within the model.

7.4 Bounded rationality and satisficing

The principle of "bounded rationality" first described by Simon (1957) is in contrast to the notion of the rational actor. Simon (1957:196) acknowledges the limitation of the human mind in computing and being able to solve complex problems. Therefore, the decision-maker does not act in accord with classical decision theory which lays down a rule that "*in most global models of rational choice all choices are assessed before a selection is made*" (Simon, 1957: 252). Due to both inherent psychological and physiological limitations Simon (1959) argues that such a process does not occur. He proposed that human decision-making options are considered sequentially and, in some instances, it is the first satisfactory alternative that is selected. Simon referred to this form of selection as *"satisficing"* or selecting an option that is *"good enough*", it is though not optimal (p.205). Schmidtz (2004, p.31) argues that satisficing and optimising are governed by what he refers to as *"stopping rules"*. Those optimising will continue their search for the best option until factors such as time, then constrains

further optimal searching. Those satisficing will stop their search when identifying what they deem to be good enough.

In the context of SIO decision-making the concept of bounded rationality and satisficing is relevant in terms of how decisions are actually made. The SIO does not computationally, according to the maxims and rules of classical decision-making sift every item of information and then weigh each piece to determine its value and relevance to an investigation. To deal with what has been described as a *"sea of information"* by Kind (1987, p.216) the SIO must reduce the cognitive effort placed upon them. Therefore, the concept of satisficing is of relevant factor in that cognitive process.

The term satisficing or "good enough" is not though without its critics. By satisficing or selecting that which is "good enough" the actor is acting in a sub-optimal fashion (Richardson, 2004:106). Richardson (2004) questions the standard by which *"good enough"* is measured, what he terms the *"metric"*. How, he argues does one measure the difference in value between a person's preferences, the ranking of alternatives and utility. Richardson suggests that the *"deliberator"* (p.110) instead of "good enough" standard uses a *"general preference satisfaction"*. The characteristics of time pressure, stress, complexity and uncertainty, apply in the real world of SIO decision-making as opposed to the single one- dimensional activity proposed by classical decision-making theory.

7.5 Limitations of the model

In his analysis Hastie (2001: 658) argues that the classical framework says nothing about how the *"decision situation"* is understood by the decision-maker. For example, what factors and information are considered and how are they evaluated by the actor in a situation that may be complex and fast moving? Classical theory assumes that there are principles or rules that the ideal decision-maker will always consider when considering a course of action or choice. Beach and Lipshitz (1993) argue that in every-day life situations classical decision making is limited by an emphasis on making decisions correctly and not with how decisions are actually made. Real world decision making is constrained by features in the environment such as time pressure

and the uncertainty of information; it is also complicated by the cognitive load placed upon the human mind and the limitations of working memory. How then under such constraints does the decision-maker actually behave in real world situations?

Orasanu and Collins (1993) suggest that real world decisions are not just focussed upon one single point in time as in classical decision making. In complex decision making there may be significant implications for the decision maker if the wrong decision is reached. In attempting to reach a decision in fast moving or uncertain situations the decision maker may not utilise or weigh up a series of options. Instead they may select only one course of action. Zsambok and Klein (1997:4) take issue with the traditional paradigm that compares the quality of decision-making against abstract rational standards. This they argue may be more appropriate for formal models of decision making within a laboratory. That aspect though does not allow for the "contextual factors" that confront the decision-maker when they are dealing with tasks in a real-world situation.

This is not to dismiss classical decision theory as having no basis in decision theory. Baron (2008) for example suggests that normative theory is important in searching for the evidence and inferences that help to achieve our goals. It is relevant to the SIO as the theory provides an account of why an SIO might favour one decision over another. The use of satisficing for example, where the SIO does not computationally assess each available option, but instead selects that which they deem is "good enough". Counter to this style of thinking Baron (2008) points out the limitations that are inherent in this approach. He maintains that we must not just seek evidence that favours our current thinking to the detriment of possible arguments to the contrary. There must be a willingness to reconsider options if the evidence points the other way.

7.6 The Rationalist Paradigm

Every day we make decisions, and the number of decisions we make are numerous. Many of those decisions will be taken with ease, there will be no strain on our cognitive thinking. These decisions may border on an automatic response based on our own prior experience. Something that has served us well may be repeated as we know or believe it will work. This reliance upon our memory, ideas and perception

provides us with confidence in our innate judgment and it can often be relied upon (Kahneman ,2011). Kahneman refers to this aspect of decision-making as System 1.[34] He describes this as the automatic mode. For example, those who are experienced drivers, no longer deliberate over the processes by which to start and drive a car, as compared to when they were learning to drive. In contrast, System 2, Kahneman (2011) suggests is more effortful with regard to the demands made upon it. Under System 2 concentration and diligence is required as there is a requirement to access memory and therefore attention must be paid to the activity being undertaken. The implications of both these systems is how they may affect the reasoning processes of the decision-maker and thereby the decisions that are reached.

A decision is therefore a choice of alternatives, to do or not to do something (Baron, 2008). Decisions may be based upon our beliefs values or expectations in a given situation. They are directed toward a goal which may be either personal or organisational. The decision-making, however, that is required in circumstances of complexity or unfamiliarity, such as the SIO investigating a stranger murder, is therefore different from that which is routine or automatic. Judgment and decision-making in these types of situations requires diligence and concentration in thinking. An SIO faced with a "sea of information" (Kind, 1987) may be subjected to a potential 'overload' of information that overwhelms the cognitive ability to process effectively the data they receive. In such instances the SIO may be susceptible using mental short-cuts or heuristics.

7.7 Decision-making under uncertainty

It is these behavioural aspects of human decision-making and the reliance on intuitive statistical reasoning that led researchers in this field of development to conclude that human decision-making was flawed (Watson and Johnson-Laird, 1972; Tversky and Kahneman, 1982a). Tversky and Kahneman (1982a) argued that when faced with uncertainty decision makers do not use classical reasoning with its emphasis on logic, rules and principles to guide the decision-maker. The decision-maker instead utilises

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[34] In using the terms System 1 and System 2 Kahneman uses descriptive labels as an idealised model of a mental process.

mental short-cuts or heuristics.[35] The use of the term heuristic was first described by Polya (1945). It is used in mathematics to encourage wider search parameters in adducing evidence, and to facilitate 'open mindedness' to solve mathematical problems. Tversky and Khaneman (1982a) used the term to describe the transition away from normative models.

The benefit of heuristics in making judgments is that they require less mental effort. They reduce the cognitive load and thereby the pressure upon the decision-maker. This economy of effort is useful when the actor is faced with an overwhelming amount of information to process, as in the case of an SIO dealing with an unfamiliar situation. Within a murder investigation, particularly one involving a stranger murder the SIO is inundated with a vast array of information (Kind, 1987: Innes 2002a, 2002b, 2003). The SIO in such a case works within a demanding and constantly changing environment. They must decide what information must be considered, what is relevant to the investigation and what should be discounted. There are always competing investigative priorities to be considered and evaluated. In using the cognitive processes of satisficing and heuristics the decision-maker may leave themselves open to bias. In their initial research Tversky and Kahneman (1972) identified three particular biases, Representative, Anchoring and Adjustment and Availability. These are of relevance to an SIO, as the SIO may not consciously be aware of these psychological factors and the effect on SIO decision making.

7.8 Biases occurring within decision-making

The Representativeness heuristic in which an object is believed to resemble a class or fits a stereotype. Or the event is believed to resemble a prior situation and the belief is that it will unfold in a similar fashion (Davis et al.,2005). In some circumstances, this might be applicable to an SIO. For example, the ease with which they recall another murder occurring in a similar manner. Instead of trying to distinguish the features of how the murder actually differs from previous cases they may have dealt with, they erroneously infer that the cause of death was attributable to some other factor or cause

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[35] The term "heuristic" derived from the Greek meaning, "serving to find out or discover". Gigerenzer and Brighton, 2011.

with which they are familiar. The failure here is in the investigator forgetting that although there may be a commonality that exists between murder, each murder is unique (Kind, 1987). This can also be applied to instances of unexpected death, where the circumstances of death are unclear (Home Office, 2015). In relation to a murder investigation as Simon (1992) observed the investigator does not get a second chance if they make the wrong decision at a scene of crime. Nordby (1992) suggests the investigator must look beyond their first impression and critically evaluate what is presented to them.

Kahneman (2011) suggests that Anchoring is caused by the priming effect on the mind of a value incorporated in a statement. Once the value has been suggested there is usually little revision by the actor away from the anchor in terms of Adjustment. A practical application of this pattern of thinking may be discerned in the parameters set by an SIO for what termed house-to-house enquiries is. This is a line of enquiry usually undertaken in the vicinity of a crime scene to establish whether there are witnesses to the crime or other useful information that can be obtained. Once a parameter has been determined, it is unlikely, even with information that suggests there may be little merit in revising the parameter that this will be adjusted. This has implications not only for the focus of an enquiry but also for resourcing in terms of personnel and expenditure.

The Availability heuristic is the perceived likelihood of an event and how easily the likelihood or frequency of the event occurs with imagining it. In this scenario the decision-maker underestimates or ignores the effect of base rates in arriving at their decision. Therefore, an investigator may rely on information already obtained rather than seek further information or re-consider their decisions (Carson, 2009). An example of this is provided by Foster (2008:106) who states that murder detectives *"recipe knowledge"* fails to take into account their tendency to *"over-emphasise the involvement of minority ethnic groups in crime and under emphasise their increased risk of victimisation"*. There are then a number of identifiable biases that may potentially affect the decision-making of an SIO. It is not the intention to discuss them all here other than to focus on confirmation bias.

7.9 Confirmation bias

Baron (2008:54) suggests there are many types of bias not just the three identified above. He lists fifty-three (p.56-57) biases and argues that they actually have *"no unifying concepts other than the methods used to discover them"*. In that analysis, he distinguishes between what he refers as the role of heuristics and the explanations of other kinds of biases. Baron explains that people do not follow normative or prescriptive models of behaviour. Rather they are subject for example to, *"naïve theories"*. In searching for a solution people have a tendency to look for evidence or goals and make inferences that accord with what they already have thought about. This search pattern prematurely closes off consideration of alternatives or possibilities.

This pattern of thinking has been described as the *"inappropriate bolstering of hypotheses or beliefs whose truth is in question"*, it is confirmation bias (Nickerson, 1998:175). That form of thinking is present within criminal investigations with regard to focussing solely on one suspect rather than considering other possible suspects (O'Brien, 2009). This has led on many occasions to miscarriages of justice (Leo, 1996, Simon, 2012). It is also to be found within judicial settings (Cunliffe, 2014). Ask and Granhag's (2005) research into confirmation bias used a sample of Norwegian students and police investigators. The investigators had between 2-30 years investigative experience of serious and violent crime. The study supported the idea that at the outset of *"most"* investigations the presumption is that the suspect is guilty, and evidence is sought to confirm that belief rather to disconfirm. A limitation of the study is first the inexperience of some of the investigators as they will have less domain knowledge and secondly the study does not reveal if any of the Norwegian police investigators are of equivalent rank to an SIO.

Not all commentators are of the opinion that heuristics lead to poor decision making. Gigerenzer and Todd (1999:18) argue that people in deal with the "disorder" in their environment adopt what they refer to as an ecological rationality. That is, they adapt to the challenges that their environment produces, and in doing so they act upon presumptions that are "fast, frugal and accurate". Gigerenzer (2001) has referred to this feature of the mind as an adaptive toolbox containing a repertoire of straightforward mental tools that can be used to make judgments and decisions.

Snook and Cullen (2008) argue that within criminal investigations time pressures, missing information, ill-defined goals, stress and other factors are characteristic of what is found within a real time event. Police investigators Snook and Cullum (2008) suggest do not have unlimited time to continually search for the best choice or option in order to arrive at an optimal decision. Their resources to act may be limited. The premise of their argument is that "tunnel vision" which has often been cited as a biasing factor by other researchers (Cook and Tattersall, 2016), is actually beneficial to the investigator and serves as a useful cognitive strategy. These cognitive strategies they suggest are a blend of heuristics that include satisficing, elimination by aspects and confirmation bias. Findlay and Scott (2006) on the other hand argue that heuristics can lead to the wrong decisions and that investigators should think more critically when making investigative decisions.

There are two schools of thought discussed in this analysis. The behavioural aspect discussed notably by Tversky and Kahneman (1982a) is dismissive of the human mind to be able to think logically when faced with decisions. However, their methodology has been criticised on account that their research has taken place in the sterile experimental confines of the laboratory and their participants have been described as naïve students. Importantly the problems the cohort of students have faced are one dimensional and the outcomes have no consequences for the decision-maker (Zsambok and Klein, 1997: Klein, 1998). This is unlike the type of decisions that confront an SIO in a real-world situation where there are acknowledged risks to evaluate in their decisions. In contrast, the school of thought espoused by Gigerenzer (2014) acknowledges the cognitive limitations of the human mind. People do not act according to normative or prescriptive principles when making decisions, instead they act with "bounded rationality" (Simon, 1957).

In real world situations where decisions are possibly concatenated and have consequences for the decision-maker Gigerenzer and Brighton (2011) argue that the use of heuristics aids the decision maker. This is not to dismiss the research of Tversky and Kahneman (1972) or indeed Kahneman's (2011) own recent contributions to understanding how heuristics may influence a decision of the decision maker. Their ideas have relevance to understanding the nature of the conflict a decision-maker, such

as an SIO, may face when making decisions. The next section explores decision-making in real world contexts.

7.10 The Naturalistic Paradigm

In contrast to the discussion of the previous two paradigms, the naturalistic paradigm is concerned with decision making in real world circumstances. It is distinguished from both the formal-empiricist and rationalist paradigms in that it is focussed on decision-making in dynamic and complex environments, as opposed to being static or conducted under laboratory conditions (Cohen, 1993). The argument put forward by Cannon-Bowers et al. (1996) is that a paradigm shift has occurred within the framework of decision-making. They argue that the narrow view of decision making espoused by classical theory with its emphasis on contrived decision-making situations is of limited consequence within real world situations.

Criticism has also extended to both the behavioural and rationalist research methodologies. This criticism has focussed on, for example, single event decisions using naïve students in laboratory-based experiments such as those carried out by Tversky and Kahneman, (1982a, and 1982b). In their analysis of the methods employed in those studies, Beach and Lipshitz, (1993) and Davis, Kulick and Egner, (2005) write that the findings from those studies may be limited. Examination by them of the data from the studies found that they were of small magnitude, may not be statistically significant, and therefore may not be reliable.

Zsambok and Klein (1997, p. 5) suggest that it in dealing with complex real-world decision-making Naturalistic Decision-Making (NDM) provides an alternative to the traditionally held views of how decisions are made. The NDM approach to decision-making as opposed to the traditional classical paradigm consists of the following key factors:

1) Ill- structured problems (not artificial, well structured-problems).
2) Uncertain dynamic environments (not static, simulated situations).
3) Shifting, ill-defined, or competing goals (not clear stable goals).
4) Action/feedback loops (not one-shot decisions).

5) Time stress (as opposed to ample time for tasks).

6) Multiple players (as opposed to individual decision-making).

7) Organisational goals and norms (as opposed to decision-making in a vacuum).

They suggest that this construct reflects the real-world decision maker who will be experienced, not a naïve laboratory subject. The purpose of NDM is to discover how experienced people actually do make their decisions in their own complex environments, as opposed to how they ought to decide in accord with the standards of traditional decision-making theory.

The Naturalistic or NDM paradigm therefore seeks to bridge the gap between the limitations of applying classical or traditional theory to real world decision-making. At the same time NDM also recognises that the research into heuristics and biases, discussed previously, can also be incorporated into the NDM. Thus, the NDM provides a holistic approach to discovering the process by which the decision maker arrives at their decision (Orasanu and Connolly, 1993). Where the NDM differs in its approach to decision-making is unlike traditional theory it does not just focus on the decision event. There is often not an array of options to either consider or evaluate. The decision makers aim, or goals may not remain the same over a period of time and they may not have access to all the information that enables them to arrive at an optimal solution. The practicalities of responding to a pressurised, fast moving and time bound event requires a different model of decision making. Lipshitz (1993) in his analysis reviews nine decision making models. These are chosen (p.104) to represent real world decision making. They are split into process models that describe the sequences in which decisions are made and typological models that classify decision processes as intuitive or analytic. Table 7.1 and 7.2 display the common themes between the two models.[36]

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[36] The Tables are adapted from Lipchitz's 1993 discussion of NDM models.

7.11 Naturalistic Decision Making

Process Models

Name of author(s)	Diversity of form	Situation assessment	Use of mental imagery	Context dependent	Dynamic processes	Description-based prescription
Noble	X	X	X		X	X
Klein	X	X	X	X	X	X
Pennington & Hastie	X	X	X		X	X
Montgomery	X	X	X		X	X
Beach	X	X	X		X	X

Table 7.1. Naturalistic Decision Making – Process Models

Typological Models

Rasmussen	X	X	X	X	X	X
Hammond	X	X	X		X	X
Connolly	X	X	X	X	X	X
Lipshitz	X	X	X	X	X	X

Table 7.2. Naturalistic Decision Making – Typological Models

The nine models deal with different methodologies and seek to answer different questions. The models suggest that real world decisions are made in differing ways and Lipshitz, (1993) has identified six common themes which he suggests may form the basis of a naturalistic decision theory. For example, Klein's Recognition Primed

Decision Making (RPD) focusses upon proficient decision makers dealing with decisions under stress and time pressure and their ability to recognise and deal with situations both familiar and novel. Similarly, Rasmussen (1983) distinguishes knowledgeable actors through three different cognitive mechanisms. The first is skill based, the ability to undertake a task without conscious attention. Then rule based behaviour, which is a function of expertise and familiarity with a situation. Finally, knowledge-based behaviour which requires a deeper understanding of a situation. In developing the themes further all the models incorporate an assessment of a situation. This analysis is in contrast with laboratory-based experiments favoured by Tversky and Kahneman (1982), in which the experimenter presents and defines the issues. Their approach to factors that influence decision making has been criticised on the grounds that laboratory-based experiments using novice participants does not reflect real-world situations (Klein, 1993).

In the real-world it is the decision maker who must define and acknowledge the problem. In using mental imagery Lipshitz (1993) suggests unlike traditional decision theory where options are weighed up using a "*calculative cognitive processes*" (p.133), the models here suggest that different cognitive processes are used. Images of an event are created using either categorisation, knowledge structures that include the creation of schema and construction in the form of storytelling or mental modelling. The fourth theme identified by Lipshitz recognised the context in which a decision took place in only four of the models. Context is dependent upon the decision makers knowledge and recognising a situation. Then being able to apply their prior experience to decide a course of action.

A limitation of all these models is that they rely upon the decision maker having knowledge of the specific domain in which they operate. They assume that the decision maker has either the experience or expertise that allows them to recognise a situation and thus be able to achieve a suitable goal. An SIO dealing with a stranger murder for the first time may not possess the proficiency for example that permits Klein's (1993) RPD model to be used appropriately. Moreover, Sherman (2015, p.17) a proponent of Evidence Based Policing (EBP) argues that Klein's naturalistic decision-making paradigm is false because it assumes the consequence of a decision will be immediately apparent to an officer and second there is an assumption that the

environment in the context of decision-making remains stable over time. This may be apparent in other occupations but does not occur in the continually changing sphere of differing police activities. Similarly, Rasmussen's (1983) concept of skills, rules and knowledge is reliant upon expertise. Albeit, Rasmussen (1983) does not, critically, define exactly the nature of the expertise he refers to.

In terms of expertise, Means et. al. (1993) suggest that the difference between experts and novices is the importance of the expert's knowledge base. It is not just a case that experts know more than novices it is about how that expertise increases and how people come to know things differently. For example, an expert and a novice seeing the same event do not necessarily see the same thing. Means et al. 1993 suggest that this is because "*much of the knowledge of the expert is tacit*" (p. 311) and they are not actually aware of this . As knowledge grows information becomes easier to *"chunk"* and the more important critical cues are attended to. This declarative knowledge is the first stage in the acquisition of expertise. The expert's knowledge then remains domain specific and is tailored to their speciality. Such expertise occurs through at least 10 years or 10000 hours of experience (Ericsson et al. 2006b) where the expert has built up a pattern of recognition to enable them to organise their internalised domain specific information. This cognitive capability reduces their mental workload. In doing so it allows the decision maker to act both quickly and efficiently when required (Klingberg, 2009).

7.12 Conclusion

The discussion has centred on the three paradigms suggested by Cohen (1993), all have implications for SIO decision making. Decision making by an SIO is not usually a static, unpressurised, single decision event as in traditional or classical theory. It is often complicated and involves a series of decisions that may be contained within a single goal. As Lipshitz (1993) referred to in his analysis, all the models analysed within the naturalistic paradigm reject the traditional or normative theory that a decision is a "*discrete isolated event*", (p.133). Rather the decision process can contain multiple goals or subordinate aims. Innes and Brookman (2013) have described this as "concatenated", or descriptive of situations within murder investigations in which decisions are linked. Equally the rationalist paradigm has a contribution to make

decision-making. The theory provides some support for the factors that a person may encounter. A knowledge of heuristics and the possible biases that might arise may allow the decision-maker to blend both the theoretical ideas of Tversky and Kahneman (1982a: 1982b), with the pragmatism envisioned by Gigerenzer and Brighton (2011).

The three paradigms that have been discussed in the review of the literature do not provide a simple answer to the question of which decision-making paradigm can be equated with the decision making of an SIO. Although, on the evidence available from this study, the influence of the Naturalistic paradigm is dominant but is blended with effects from both the Normative and the Rationalist paradigms. The SIO may not be aware of any of the paradigms that have been discussed or the influences that these might have upon their thinking and reasoning ability when deciding. For that reason, consideration should be given to ensuring that SIO's during their training (See Chapter eight) should be made aware both of the direct and unconscious influences upon their decision making. Consideration could also be given to providing substantive SIO's with similar training in the theories of decision making. This provision should also be extended to the deputy SIO, the Office Manager (OM) and the senior detective sergeant. All play pivotal roles in the investigative process and should also be made aware of the factors influencing decision making.

The following chapter encompasses the process by which an SIO is trained. This training is referred to as the Professionalising Investigation Programme (PIP). The process requires that an SIO undertake a four-week course, either at the College of Policing or at one of the licensed (through the College of Policing) police training Centre's. This is based upon concept of a rigorous and formalised approach to professional training that mirrored the processes contained within what is regarded as the "true" professions, such as, Medicine, the Law and Engineering (Stelfox, 2007).

Chapter 8

The Training of a Senior Investigating Officer

The following Chapter describes the content of the SIO training, and my attendance on the course. Details of the modular course structure is contained at Appendix N. The course represents the explicit aspect of knowledge that is required by the SIO who will undertake responsibility for leading a murder investigation.

8.1 Background requirements to be a PIP 3 SIO

The PIP was commissioned in 2004 by ACPO and the Home Office. The stated aim "was to improve the professional competence of all police officers and staff whose roles included the supervision and managing of investigations" (McGrory and Treacey, 2012). The SIOs attending this course have had to pass the PIP 2 managers course. There are three routes to attaining this accreditation. They are described as Preferred, Lateral and Direct entry. The preferred route for those seeking to be an SIO is a staged process that includes completing the Management of Serious and Complex Investigations Development Programme (MSCIDP). In addition to which they must also complete an assessment-based work portfolio. This is based upon the PIP 2 managers National Occupational Standards (NOS) (McGrory and Treacy, 2012). In conjunction with this they perform the role of temporary investigative manager. The, SIO is then required to register with the National Register held by the College of Policing. To retain this accreditation, they are also required to complete annually a portfolio of Continuous Professional Development (CPD) (College of Policing, 2017).

8.2 The PIP 3

To qualify as a PIP 3 senior investigator the detective has to have the support and be selected by their head of crime department who is usually a detective chief superintendent or detective superintendent. The prospective SIO is required to attend the two-week core foundation course. The next stage is dependent upon whether the SIO who seeks their PIP 3 accreditation is focussed upon investigating murder, in

which case they will undertake the major crime investigation part of the module. If their interest is in organised crime, then they will undertake the Serious and Organised Crime module. Both are of one week's duration. The focus of this research is on the major crime module dealing with murder. The fourth week is referred to as the Hydra. This is a simulated immersive learning environment and is designed to provide a realistic, time-based murder scenario. This artificial situation allows for the passing and exchange of knowledge between the SIO's, importantly the tacit (Alison et al. 2012). To facilitate an equilibrium and distribution of knowledge the SIO's are split into three teams. An SIO in each syndicate will each assume the the lead role as SIO at various stages as the murder enquiry unfolds. In dealing with their investigation each SIO in turn will be confronted with the challenges and difficulties of decision making in a highly pressurised milieu (Grieve, Crego and Griffiths, 2007).

The PIP 3 process chart, Figure 8.1 below, outlines the progression the SIO has to take to achieve accredited status. The chart highlights in *orange* the route to be taken by the SIO wishing to undertake the investigation of murder as opposed to dealing with serious and organised crime.[37] Between attendance at the SIO courses, the students are required to maintain an evidence-based portfolio of the type of cases they undertake whilst back in force. Part of the 'contract' they have with their head of crime is that within 6 to 12 months of attending the core foundation course they should have achieved the required assessment criteria to prove their competence. They are then required to go before a panel comprising their head of crime and an independent officer. Here the potential candidate will be assessed on their work- based portfolio. Approval by the panel requires the candidate to register their accreditation with the College of Policing (COP). As with all aspects of the PIP process to maintain annual accreditation there must be evidence of CPD.
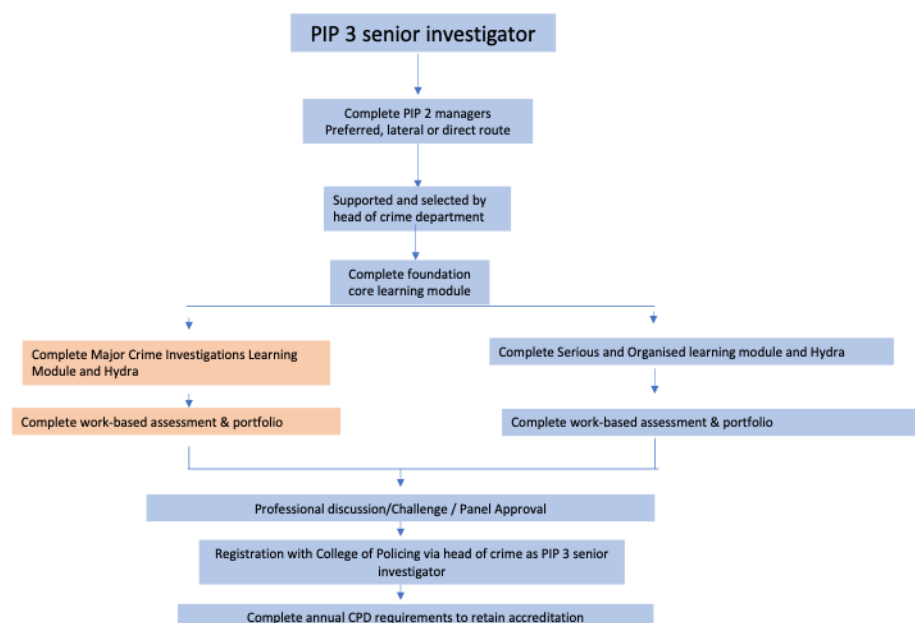
Figure 8.1. The PIP 3 process chart

8.3 The 'new' SIO course

Hitherto, the SIO course had solely focussed on meeting the demands of training the SIO as a murder investigator. The murder centric focus of the course meant that in practice, not all those who had been trained were actually able to return to their respective forces and assume the role of an SIO. The 'new' course is intended to overcome that deficiency and reflect the ability of the SIO to be able to contend with a greater diversity of specialist criminal investigation.

This diversity of investigative capability now encapsulates three domains;

1) Investigating murder.
2) Organised crime.
3) Matters of public protection. [38]

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[38] Figure 8.1 outlines the PIP process required for those seeking status 1) to investigate murder or 2) serious and organised crime. There is currently no separate process for those SIOs dealing with public protection.

8.4 The 'course' students

The SIO course is four weeks duration, split into three modules, the first module being two-weeks. For ease of reference I shall refer to the course weeks as modules 1-3. Each module is attended by up-to 12 students. The idea behind a modular rather than adopting a linear approach to training is that between courses the student returns to force and puts into practice what they have learnt. This period of embedding their knowledge allows the student to add to their workplace portfolio. The 'back in force approach', also permits the student to prepare for the next stage of their SIO development. Due to the exigencies of each student however, it does not follow that the same bloc of students will attend each course. A total of 35 students attended the three modules that I observed. That figure does not represent 35 different individuals, instead it reflects the fact that the same student may have attended one or more modules. The number of individual students attending the modules was 22, of these only three students were present on all of the modules.

The next section anticipates the themes identified from the SIO interviews and will be overlaid on the findings from the SIO course. The main super ordinate themes identified are;

- 8.5 Human Factors
- 8.6 The unfolding of an investigation (5 stages)
- 8.7 Mission
- 8.8 Knowledge

8.5 Human factors

Early detective work as outlined in Chapters two and three is dominated by a male oriented environment. This can be seen in the appointment of the detective through to the most senior ranks (Carlin, 1920/2018: Rawlings, 1961: Elmsley, 2009).[39] The earliest women detectives are recorded by Elmsley (2009) as entering the CID in 1928.

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[39] The CID formed in the Metropolis in 1878 was dominated for decades after by a male culture; this can be seen in references to the 'big four' and 'big five', senior male detectives of the 19th and 20th centuries whose prominence in the public image, and amongst their own staff was due to their apparent ability to solve the most complex cases (Rawlings, 1961; Greeno,1960)

There duties at the time were restricted to the taking of statements of women and children involved in cases of sexual assault. Since that early period the involvement of women in detective work and occupying senior positions in the 21st century would be unrecognisable to the male detective of the 19th and 20th century.

The author attended SIO course between 2017 and 2018 and recorded the ranks, gender, ethnic background and force of the participants. Table 8.1 shows details of rank and gender, and the number of students attending each of the three modules. There were no students from a Black or Minority Ethnic background. The students represented seventeen of the forty-four police forces in England and Wales (this includes the British Transport Police). There was also a representative from an investigative branch of the armed services. To comply with the ethical approach set out in the methodology at Chapter five and to ensure anonymity of the students I have not identified the forces, or unit, they are from.

Table 8.1 shows the breakdown of officer by module, rank and gender. Taking each module in turn it can be seen that module 1 indicates that 42% or nearly half of the course attendees were female. Female officers at detective chief inspector are equivalent in number to their male counterparts. There are only eleven students in attendance at module 2. These numbers are comprised of are five female and six male officers, the percentage of female officers in attendance equates to 45% of the total. The number of female detective chief inspectors is three compared to two male officers, comprising a DCI and a detective superintendent. The figures can then be compared to module 3 when the female and male students are equal in number. In comparison with modules 1 and 2 female officers of the rank of detective chief inspector are in the majority by 5:1 or 83%. The figures differ when comparing female detective inspectors. The data in Table 8.1 shows that within modules 1 and 2 female detective inspectors comprise 33% of the total or two out of four. Module 3 in comparison to that for female detective chief inspectors is the reverse for female detective inspectors who number only one or 17%.

Course	Female	DCI	DI	Male	DCI	DI
Module 1	5	3*[40]	2	7	3	4
Module 2	5	3	2	6	2**	4
Module 3	6	5	1	6	1	5
Total	**16**			**19**		

Table 8.1 Breakdown by gender and rank (n==11)

The figures for several reasons may not be an accurate reflection of female representation and should be treated with caution. The modules observed by the researcher reflect a small sample or partial representation of all the modules that may take place within a training year. Therefore, what has been observed may not be representative of the entire population of female SIOs. Secondly, the figures cited in Table 8.1 indicate that sixteen female officers were present on modules 1-3. When these figures are reduced to compensate for multiple attendances by the same student the actual Figure is nine female students, (See Table 8.2 for the adjusted figure). If the same computation, is carried out with male officers, the Figure of nineteen shown in Table 8.1, is reduced to thirteen attendees. Overall the percentage of female SIOs is 41% (n=9) compared to 59% (n=13) male SIOs. The same caution in using low samples to explain a phenomenon is applicable to the data relating to officers from a BME background. The absence of officers from a BME background on the courses attended by the researcher may not be representative of the overall numbers of SIO's in the SIO population.

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[40] * This includes a senior ranking officer from the armed services
** This includes a detective superintendent

	Female	Male	DCI (F)	DCI (M)	DI (F)	DI (M)
	N=9	**N=13**	7	4**	**2**	9
%			63%	37%	18%	82%

Table 8.2 Adjusted to reflect individual attendances

The figures shown in Table 8.2 have been adjusted to indicate the true number of individual attendances om modules 1-3. The total of twenty-two attendances can be broken down to show the number of female senior officers at DCI is 63% (n= 7) when compared with that shown for the rank of male DCI at 37% (n=4). The comparison of gender at DI rank indicate 18% (n=2) are female and that of male DI's at 82% (n=9). A clearer picture begins to emerge when Table 8.2 is contrasted with Table 8.1. Taken at face value Table 8.2 however, indicates that the number of women officers at detective chief inspector is nearly double that of the male officers who attended. As already described the data collected from observations of the SIO modules attended by the researcher may not be representative of the total population of female and male SIO due to the low sample numbers.

It has not been possible to establish from the COP the representativeness of male and female SIOs, or the proportion of SIO's from BME backgrounds within the police forces in England and Wales, as these figures are not kept by the COP.[41] The partial data from this brief interaction with SIO's suggests that the proportion of male to female SIO's has improved. Albeit, further research would be required to establish the veracity of that assumption. The training of the SIO is therefore relevant to examining that aspect of investigative culture and whether the behaviour, beliefs and attitudes reported in earlier studies still exists (Banton, 1964: Cain, 1973: Hobbs, 1989: Neyroud and Disley, 2003: Loftus, 2009 and 2010: Hoggett et al. 2018: Silvestri, 2018: Redford, Toher and White, 2018).

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[41] The researcher asked whether this data is kept. At the time of writing up no data as to these Figures is kept by the COP.

Another human factor that presents a real issue for the SIO is the fear of getting a decision wrong, and the possible consequences that flow from such an error. This reinforces the view held by some SIOs that decision logs are 'insurance policies', they are there to catch you out. On the basis that if a decision is not recorded it did not happen; and that a wrong decision will result in sanctions. The ultimate sanction being a public enquiry. The idea of blame, and the fear of making a mistake, is acute in the minds of the SIOs. This sense of isolation is added to by what they perceive as the remoteness of their hierarchy in understanding the pressure of homicide investigation. Punch (1983) has claimed in his analysis of detectives that detective occupational culture operates in an aura of mistrust and suspicion. The organisational hierarchy is viewed with suspicion. In that context it is arguable that SIOs consider their allegiance is not to the organisation but is comprised of commitment to 'doing the job' of murder investigation. The 'doing' consists primarily of solving the case.

This argument can also be applied to external groups or individuals. In dealing with groups outside the policing organisation labelling is not limited to the facilitator. The guest speakers are as keen to share their partial view on others who are part of the Criminal Justice System (CJS). In the collegiate atmosphere of the classroom their view on how solicitors behave is accepted by the nodding of heads and expressions of approval. The guest speaker provides a cynical generalisation of the attitude of defence solicitors;

> *they will construct a story, which we then need to disprove. They all strive to protect the rights of their client…we get bent solicitors (Guest speaker – SIO course)*

In a similar fashion to the view expressed earlier by the facilitator, this statement encapsulates a world-weary cynicism. The suggestion is investigators apart from having to manage the internal politics of the organisation (Reuss-Ianni and Ianni, 1983) on a daily basis, are required to negotiate and overcome the difficulties presented by solicitors whose sole duty is to represent the interests of their clients. This classification, the distribution of power is indicative of Bourdieu's 'field' and 'habitus' discussed in Chapter five. There is a tension exhibited between the requirements of the investigation and those of the solicitor and their client. The

classification of defence solicitors constructing *" a story"* forms part of investigative folklore, they are viewed as the enemy, and because of this antagonism the investigator is involved in a constant battle of wills. This endeavour is reflected in the requirement that ensures the case is proved and the defendant found guilty, despite having to overcome what may be viewed by investigators as the dubious practices of the defence. Through these suggestions the facilitators and guest speakers add to the socialisation and cohesion of the group, as Van Maanen (1978c, p.296) argues they want to hear these 'stories' as "*it actively promotes solidarity*". It also engenders a sense of suspicion and mistrust of others, whether those within the hierarchy of the organisation or externally, as a part of the CJS. The trainee SIO may already have their own misgivings or formed their views as to who can be trusted.

An example of this related to SIO concerns as to their investigating murders whilst not having attained a PIP 3 qualification. The students attending the course are of the rank of detective inspector or detective chief inspector. Apart from two officers they are all based on murder squads and actively assigned to murder investigation. Some voiced their concern that under the PIP 3 programme they were not yet fully qualified PIP 3 accredited. In accordance with the guidance issued by the College of Policing to all Police Forces in England and Wales (College of Policing, 2017) SIOs should only undertake murder investigations under the auspices and guidance of a qualified PIP 3 or PIP 4 mentor.

It was evident both from the students on module 1 and those attending module two that this practice was not followed. A concern raised by students on both modules was whilst unqualified they were dealing with category C and Cat B murders without a mentor or oversight. In conversation with one syndicate on module 2, I was informed that not only do they deal with both A and B murders whilst unaccredited, but also Cat A. The significance of these categories of murder investigation has been explained in Chapter one. I considered that when I had been given this information that it may be mischievous or misleading. This I was able to counter as I had heard the same claims stated many times within the classroom as I had either in a group or singularly. This points to other aspects of detective culture. First, an overriding commitment to getting the 'job done'; and a sense of mission that other researchers have recorded (Cain, 1973; Chan, 1997; Campeau, 2015 Silvestri, 2018).

8.6 The Unfolding of an investigation in SIO training

The course takes place over four weeks and is split in-to three modules. The daily hours of the course are usually from 8.30 to 4.30pm.[42] There is an introductory process that is common to all three modules and each module entails a different investigation. Albeit, the underlying investigative approach follows the familiar routinised pathways that are discussed in Chapters six and ten. The investigative process is interspersed with lectures from experts in their various fields whose purpose is to widen the SIO's knowledge of the resources available to them during an investigation.

A module is composed of 12 students, they are split into three groups and referred to as a syndicate. The standard training takes place in a classroom where the syndicates are aligned together and form a 'horseshoe'. The exceptions to this are when 'breakouts' occur, and the syndicates retire from the classroom to separate rooms to discuss different aspects of their case study.

Each course opens with an introduction from the two course facilitators. This will include details of their background. During the introductions I observed the facilitators make three central claims about the course objectives;

1) They stressed the importance of decision-making in the cases that will be encountered by the students.

2) Underpinning the student decision-making will be the National Decision Model.

3) That the course is not about telling 'war stories'

8.7 The modular format to facilitate an investigative structure

The investigative pathway that is prevalent in all three modules, are the golden hour principles and the 'building blocks'. These investigative frameworks form an integral part upon which the trainee SIO commences their investigation. For example, module

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[42] On Fridays the course concluded at Midday.

one the 'core foundation' course is of two weeks duration. The case study theme centres on a missing 12 year- old female. The scenario actually takes place over a 2-day period, for the purpose of the case study a week represents a day. The study encapsulates consideration by the SIOs of situations that range from a missing person, abduction, and child sexual exploitation. The second module deals with the circumstances surrounding a suspicious death that may eventually turn out to be a murder. In the third module, the predominantly classroom-based exercises are replaced by the HYDRA exercise. This is an immersive based experience designed to reflect a real time murder investigation with an emphasis on the SIO's decision making and the recording of what they decided and why. A general overview of the process, applicable to all the modules can be gleaned from examining the case exercise from module one.

The SIOs are "paper fed" information at specific intervals by the facilitator. The paper flow replicates how information might reach them in a 'real world' situation. Being classroom based, it is however, divorced from the real pressure and frenetic activity that usually accompanies 'real world' investigation (Innes, 2003; Donnelly and West, 2019). The facilitator suggests it is for the SIO "to make sense out of chaos", and it is upon this basis that they will make their early decisions as to what they think has occurred and what they intend to do. The immediate response from those present was not to consider investigation priorities or decisions. Instead they countered with comparisons to actual cases they had dealt with, for example one SIO referred to a high-profile investigation involving the murder of a young child and the difficulties they encountered. By citing the murder of 'the young child', there is already a reference to tacit knowledge (Discussed in Chapter two) which may be used to explore the case that they have been presented with. One of the interesting aspects of their response was how quickly as a group they had become unified and displayed a solidarity of purpose or mission.

8.8 Mission

The SIO's displayed a number of traits that other researchers have identified in their studies of police groups. For example, it was noticeable that the bonding process between the SIO's became quickly established. They have a common background, in

dealing with the investigation of murder. That background unites the SIO's and distinguishes them from other detectives and provides a sense of purpose or solidarity (Skolnick, 1966). This purpose can be viewed as a mission, the discovery of who committed the murder is an extant example of a successful investigation. An example of the display of solidarity or shared purpose that enjoins SIO's can be found in the least expected aspects of murder investigation.

There is a popular image, that endures through media coverage and in the public eye, that SIOs will have immediate recourse to all the resources required for a successful resolution of their murder enquiry. The comments by SIO's appear at variance with that publicly held view. The students acknowledged that there appeared to be a great variation between forces as to the resources they had available. These variations and differences became apparent as the course progressed, leading the students to agree at one stage that resourcing, depending upon the force you were in was a *"postcode lottery"*. The idea that one force may have better resourcing than other formed a continuing theme through the time of my observation.

I could not judge if these differences had any effect on the cases those SIOs were investigating. What the researcher noticed was a sense of isolation; the SIOs perceived their own vulnerability as being responsible and accountable if the case was not solved. This feature was reinforced continually by the instructors in their own admonitions regarding the importance of students recording their decision-making.

8.9 Knowledge

Decision making as outlined in the three opening points by a facilitator is a vital aspect of the SIO course it is mentioned at every opportunity. It underlies the facilitators approach to how the SIO's must consider every decision and the rationale for making their decision. This critical approach by the facilitators to recording decisions aroused in some SIO's a view of 'blame culture' where a wrong decision would result in losing a case, and the possible threat of a public enquiry. Associated with the idea of a 'blame culture' there is also a sense of disconnect'. This is a belief on the part of the SIO, that despite their knowledge and experience if they get a decision wrong, there will be a lack of hierarchical support. These aspects of the investigative process formed intense

discussion in the classroom. I noted the similarities between the ideas of isolation and the 'solidarity' or bond between the SIO and that expressed by Sklolnick (1966) in his observation of patrol officers.

Another aspect of the SIO learning process was expressed by the facilitators that the SIO course was not concerned with the telling of 'war stories'. The facilitators should act as guides to direct the classroom discussions by utilising their own experience and that of their students to contextualise the learning that arises. This process, however, was usually undertaken by reference to previous cases a facilitator had been involved in. Having established at the outset that one of the aims was not to tell 'war stories', this appeared incongruent. To supplement their experiential knowledge the facilitators then referenced high-profile cases that have influenced police investigative procedures. In referencing these cases, however, there was no in-depth discussion of the learning to from each case, they were mentioned only in passing. More importantly, the basis of the SIO course is decision making. There was no discussion of the decision-making flaws in the cases referred that were referred to. Also omitted were several noteworthy cases and perhaps more impactive several recent cases that have a direct impact upon decision making and which should form the basis of the repertory of knowledge of the SIO (Byford, 1981: Scarman, 1981: Viscount Runciman 1991: Irving and Dunnighan, 1993: Macpherson, 1999: Sentamu et al., 2002: Smith, 2003: Flanagan, 2004: Laming, 2003: IPCC, 2014: Home Office, 2015: Commissioner of Police of the Metropolis v DSD, 2015:Henriques, 2016).

The researcher also carried out interviews with four SIO's on the core two-week foundation course. The four interviews took over the two weeks of module one. The interviews took place in accord with the ethical principles set out in the methodology at Chapter five. Interviews were not digitally recorded, but notes were made by the researcher, due to the short time available to the SIO's for discussion. The pattern of questions remained the same. The focus was on their knowledge and theories of decision-making. My questions revealed that although the SIO's had heard about some aspects of decision-making theory they were unable to articulate or provide cogent examples. I was also able at various times to interact with students in their break-out sessions. Those students I spoke with were in a similar position to those interviewed.

They had heard of various decision theories and a few cited the book by Cook and Tattersall (2016) as evidence of their knowledge.

As an observer, I gained an impression that the facilitators assumed those present had either read or were aware of the principle recommendations arising from the cases they had cited, for example, 'the Yorkshire Ripper' (Byford Report, 1981) or Steven Lawrence (McPherson, 1999). An alternative explanation might be that the facilitators were not in position to cite the relevant facts and recommendations as they were not fully acquainted with them. The outcome was those cases were not linked or discussed in relation to how they might apply to SIO thinking or their decision-making. There was only one session specifically related to the discussion of decision making throughout the four- week course. This was focussed on the decision-making research undertaken by Jones (2016).

During the SIO training course many references are by the facilitators as to the importance of decision making. Yet, decision making is dealt with in the abstract. The amount of time assigned to explaining decision making amounted to little over an hour and did not encapsulate any reference to the theories underpinning decision making. Greater emphasis on the theoretical aspects of decision making that is then applied to practical situations may help the SIO to understand why they reach, or fail to consider, aspects of their decision making. The facilitators emphasise investigative knowledge in dealing with the practicalities of making decisions;

> *"The twists and turns of investigation will get developed in your policy book – you need to control it, don't let your experts go 'rogue'. Your policy book will remind you of your priority and when it shifted. So, when you have a review, they are able to see you have a grip of it and people are delivering those aims and objectives"*

This statement is reflective of the comments made by the facilitators throughout the three modules. If knowledge is not passed on through explicit learning, then how it is attained by the student? (See Chapter two for tacit and explicit learning). This type of remark may operate on a number of levels both consciously and unconsciously. First, the remark can ultimately be viewed in the manner in which it is intended; it is made

in good faith, it is intended to pass on experience and the wisdom of the teller. There is also an assumption that the person telling or giving the message can be relied upon because they have knowledge and experience through previous similar type encounters or domain knowledge. The conscious message conveyed in this rejoinder is for the students is to be wary, to exercise caution and diligence when recording their decisions. This aspect emphasises the craft-like approach to passing on tacit knowledge and experience (Innes, 2003:Tong and Bowling, 2006: Rhodes and Fleming, 2018).

The challenge in understanding real world investigation is to be able to evaluate the effect of explicit knowledge and tacit knowledge on SIO decision making. Explicit knowledge is that which has been taught or can be derived from policies and doctrine. That is the purpose of the SIO course to provide the student SIO with that 'hard' or declarative knowledge, that becomes part of the 'knowing what' (Ryle, 1949). Tacit knowledge cannot be taught, it is knowledge that is accrued unconsciously, and that is difficult to articulate, " *we know more than we can tell*" (Polyani, 1966: 4). However, Patterson et.al 2010, (p.295)) suggest that the acquisition of knowledge, skills and expertise begins with implicit learning, whereas the tacit knowledge referred to by Polyani (1966) is an end state. The difficulty Patterson et. al. (2010) envisage is how do experts, who typically 'know more than they can tell" pass on their tacit knowledge? They suggest this can be done by "tacit scaffolding". This entails using immersive environments to simulate "the enhancement, acquisition, retention and transfer of expertise.

8.10 Conclusion

The course modules emphasise the importance of the SIO's ability to make a decision and to be able to explain the rationale for arriving at their decision. Many of the decisions that an SIO makes follow a prescribed format, either the 'golden hour' principles or the 'five building blocks' approach. This is the formulaic approach to decision making described by Dando and Ormerod (2017) in their analysis of SIO decision logs. That formulaic decision making can be viewed, however, as a necessary factor in the development of the SIO's expertise. It should not be discounted but be viewed as a form of learning.

In his analysis O'Neill (2018) is critical of the lack of regard paid by the police service to decision making in miscarriages of justice (MOJ's) and case failures. Consideration of a combinatorial approach that blends the theories of decision making with a practically based scenario adapting one or more of the failed cases or MOJ's may assist the SIO, and address the issue raised by O'Neill (2018). This feature may also be developed through building a corpus of knowledge that is to be found in other recognised professions such as the legal , medical and nursing professions (Stelfox, 2007: Schonn, 2008: McGrory and Treacey, 2012: Donnelly and West, 2019)

A blending of both types of learning, the presentation and discussion of real-world cases where decision making has been found to be flawed may be of practical benefit in assisting the SIO in their understanding of why some investigations fail (Roycroft, Brown and Innes, 2007). Failed investigations are not solely the preserve of murder investigations they can be found in other spheres of investigation, such as sexual offences (Commissioner of the Metropolis v DSD, 2016) and serious case investigation (Henriques, 2017). Despite the PIP these cases continue to occur, albeit on an irregular basis (IPCC, 2014 Operation Lavender: Home Office Report 2015: Jones, 2016: IOPC, 2017, Stephen Port Report). The continuing occurrence of such profile cases, even with the advent of the PIP, has implications not just for the police service investigating the case but has wider reputational issues with regard to the efficiency and effectiveness of serious crime investigation.

The four themes identified in Chapter five (Methodology), have been discussed in relation to SIO training. The themes, Mission, Human Factors, Stages of an Investigation and Knowledge are all present as factors that are embedded within the culture of the SIO (See Chapter two for details). These themes will be expanded upon in Chapters ten and eleven which detail interviews with SIO's. The next Chapter, Chapter nine is an analysis of the SIO's decision logs and 'daybooks'.

Chapter 9

Findings from the analysis of the Senior Investigating Officer decision logs and 'daybooks'

This chapter has two aims. The first is to provide a context as to the origins of the decision logs and why they are kept. Reference will be made to the SIOs 'daybooks' which are an informal mechanism for recording the brief outline of an SIOs decisions prior to a more detailed decision being placed within the mandatory decision log.[43] Various aspects of SIO decision making will be analysed to contextualise the setting and the temporal order of the SIOs investigative strategies. Included in this is the rationale for their decision making, and references are made to different SIO decision logs, the SIO reference number, however, has been removed.

The second aim is to demonstrate the nature of SIO decision, making reference to the coding of SIO decisions as referred to in Chapter 5 (Methodology). Using this method, the coding captures both the temporal aspect and frequency of SIO decisions. This approach illustrates the prevalence of certain decisions and uncovers routines and patterns in SIO decisions and is exemplified by using visual representation to highlight the effect that coding has upon the data.

9.1 The decision log or 'policy file' process

The requirement to record specific decisions that occur during a murder investigation" can be traced to errors that occurred during the Peter Sutcliffe inquiry, dubbed sensationally by the media of the period as the 'Ripper inquiry'. The Byford (1981) report into the errors that occurred during that investigation included recommendations to improve the management, training and leadership of those leading this type of enquiry. A key recommendation related to the recording of decisions during a murder investigation. The Byford (1981) report commented on the lack of record keeping in relation to decision making. The enquiry noted the lack of transparency as to when key decisions were made, who they were made by and

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[43] The 'daybook' is an informal means of capturing key decisions during the initial stages of an enquiry. Unlike the 'decision log' it is not mandatory. There is no requirement on an SIO to maintain a daybook. Only a few of the SIOs in this study used a daybook.

crucially what the rationale was for a decision. To correct this investigative lacuna the ACPO Crime Committee (1999) introduced a document entitled, "Revised Guidelines for the Use of Policy Files. [44] This document (which can be seen at Appendix O) replaced earlier guidance on the use of policy files issued by ACPO in 1990.

A review of the 1990 guidance found that adherence to the guidelines identified "considerable variation in working practices" amongst forces. Some forces had complied with the guidelines in their entirety others had either not adopted the guidelines or were found to have "departed from those recommendations". The revised 1999 guidelines sought to rectify these inconsistent approaches by clarifying the purpose of the 'policy file'. The original use of the term 'policy file' has been superseded, over the years, by 'decision log': The latter term is frequently used by SIOs and recorded in this research.

The guidance is applicable to "any major crime investigation" not just murder. Laid out within the guidance is the structure of how 'policy files' are to be maintained. These are labelled at appendices A-C of the ACPO Crime Committee guidance. The format includes for example, each decision should be entered on a separate page. It is of vital importance that "the SIO systematically records all relevant policy decisions". Appendix C illustrates the "Investigation Plan" an "aide memoire" for the SIO to consider. The "plan' incorporates a chronology of decision making that the SIO can refer to and is supplemented by the MIM. Decision recording is placed under five headings;

1) Investigation set up.
2) Enquiry management.
3) Lines of enquiry.
4) Finance and administration.
5) Sensitive issues.

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[44] A copy of the ACPO (1999) Crime Committee document is contained at Appendix O

Each heading contains a number of sub-headings. This is similar to the approach adopted in this research which identified seven super ordinate themes, comprised of forty-three sub-themes developed from interviews with the SIOs.

9.2 Recording decisions

The ACPO (1999) guidance contains references to the importance of maintaining records of all strategic and tactical decisions (See Appendix S). It is significant that the guidance is silent on one important issue, the timing as to when a decision should be recorded. This research has shown that there is considerable variation between SIOs at to when they would enter a decision in their decision log. The majority of SIOs did not enter their decisions contemporaneously in the decision log. In one extreme example the researcher noted that some decisions were not recorded by the SIO until three days had elapsed. These delays may call into question the quality of the SIOs decisions.

For example, a gap of a few hours from deciding to writing up a decision and rationale may not be of consequence to the investigative transparency. However, delay comprising a day or several days may be influenced by intervening factors to the detriment of the investigation. There may also be adverse consequences that could affect the later processes of an investigation. Particularly the stage that involves the court process. It is here that possible challenges to the transparency surrounding the time when a decision was made and recorded in the authorised decision log may be the subject of dispute at trial.

The investigative pressure on the SIO may be one explanation as to why, in some cases, there is a time delay between the making of a decision and the time when it is actually entered in the decision log. In their analysis of decision logs Dando and Ormerod (2017) do not make reference to the part that the daybook may play in the decision-making process of the SIO. There is no requirement in the MIM for a daybook to be kept. The daybook is also referred to by Cook and Tattersall (2016: p. 61) in their compendium of the do's and don'ts of SIO investigation. The daybook, they suggest is for recording decisions which can later be transferred without "undue delay" into the decision log, and their advice to the SIO therefore carries no formal

organisational recognition: This research indicates that not all SIOs keep a daybook. It is helpful though to examine a case where an SIO kept a daybook as it reflects the immediacy of the pressure they faced, and their sense making approach to establishing what has occurred. Importantly the analysis refers to as the "complex, chaotic, and confused nature that is typically part of the phenomenological reality of homicide" (Innes, 2003: p.41). The examination of these type of entries in the 'daybook' may explain the immediate pressure placed upon an SIO and may also assist in explaining why in some cases, delay occurs.

9.3 Examining a daybook

Table 9.1 below is an extract from an SIOs daybook relating to events on day one of a murder enquiry. It exemplifies the pressure faced by an SIO in the early investigative stages. This is the 'initial response' that Innes (2002a, p.674) refers to in his conceptual framing of the stages of an investigation.

There are forty entries made by an SIO in their daybook. The first entry occurs at 03.10 when the SIO is called and informed of a missing person. The last entry, on the first day is timed at 21.50. The period from the time the SIO is called at 03.10 until 21.50 is 17 hours on duty. Albeit, the last entry at 21.50 may not mean the enquiry concluded at that time of the day. The culture of long hours is embedded within police culture (See Chapters 3, and 10) at the inspecting ranks,[45] and within specialist squads (Turnbull and Wass, 2015: Granter, McCann and Boyle, 2015).

The frequency of entries indicates the multitude of differing tasks that face an SIO in a fast moving and changing environment. The first five entries can be categorised as amongst the initial response. The SIO attends the scene to familiarise themselves with what has occurred, it is a direct form of sense making (Discussed in detail in Chapter 10). The SIO having attended the scene begins the external processing of liaison with other elements of the organisation. Part of the process encompasses 'briefing up' to senior command. In this case briefings are given by the SIO to the local or divisional

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[45] The inspecting ranks include personnel at Inspector or Chief Inspector; the officers may be within the Uniform or CID. SIOs are usually of Detective Chief Inspector rank although this study has found that SIO's may also be of Detective Inspector or Detective Superintendent rank.

chief superintendent in whose borough the murder occurred (Entry 6 below). This is an extant example of the conceptual model of relationships described in Chapter 5 using Bourdieu's concept of the 'field' and the 'habitus' to explain the operation of power in the police hierarchy (See Figure 5.1 in Chapter 5, Methodology).

From the example cited specialist advice is sought from Crime Scene Managers (CSM's), a Home Office pathologist early in the investigative strategy. Included this process of consultation and seeking advice is H.M Coroner who must be informed of this type of death. Interestingly, the case is referred to the Independent Police Complaints Commission (IPCC). This research does not speculate on why such a referral has occurred, but it is another example of the external pressure that an SIO has to contend with. In a similar fashion the setting up a Gold group, entries 30-31, although meant to support the SIO can also place an additional burden on the SIO. The SIOs interviewed had mixed views at to the merits and value of a Gold group (See Chapter 10, findings from the interviews of SIOs).

Entry number	Time	Event described	Decision
1	03.10	SIO describes being called regarding a possible missing person. Assembles background details of missing person	
2		Initial actions given for H2H, canvassing of possible witnesses in area last seen – scene preservation	
3	04.20	Contacted en-route to scene to co-ordinate resources	
4	04.25	Arrives at scene and cordon - initial actions includes sketches of scene – updates to CSI and CSM who are en-route – updates to immediate family	
5	05.00	Liaison re use of stepping plates	
6	05.30	Local Ch. Supt (CS) updated – Press updated	
7	05.45	Inner cordons set up – further sketch of scene	
8	06.15	Further officers required	
	06.35	Liaison with CSM and H.O. Pathologist	
9	06.45	Divisional Superintendent updated	
10	06.55	Update to H.O. Pathologist	
11	07.00	Family updated	
12	07.05	FLO appointed	

13	07.50	Update to H.M. Coroner
14	08.00	Press office updated
15	08.10	Briefing to CSM to arrange imaging
16	08.24	Contacted DI (name deleted) to arrange POLSA, H2H and a Tier 5 interviewer
17	08.36	FLO updated
18	08.43	Specialist unit contacted to organise CCTV trawl for access, egress routes
19	09.40	Scene assessment, CSM as per strategy agreed and to be documented
20	10.10	Liaison with dog handler re POLSA
21	10.15	Possible items of victims clothing found
22	10.45	Briefing to team
23	11.00	Liaison with local superintendent (Gold)
24	12.00	Update re press appeal
25	12.25	Press release
26	12.40	Press interviews
27	13.20	Referral by Police force to IPCC due to initial response
28	13.30	Confirm scene secured
29	13.40	Priorities established – Victims last movements; family liaison; forensic strategy; crime scenes; victim telecoms strategy; TIE subjects; Wi-Fi routes to and from scene; H2H; CCTV trawl; media release; FLO update.
30	14.00	Victims property found
31	14.15	Gold group meeting – chaired by divisional Supt
32	15.35	Gold meeting concludes
33	16.40	FLO policy established – FLO to put matters of interest that arise into the MIR
34	17.10	Debrief of MIR staff and FLO's
35	18.10	CSM consulted re murder weapon
36	19.55	Briefing to H.O. Pathologist re post- mortem
37	20.10	Update from family meeting – family aware of IPCC referral
38	20.15	Update from CSM
39	21.00	Fingerprints confirmed as female
40	21.50	Forensic strategy – establish time of death

Table 9.1 Day One of a Stranger Murder Investigation

The entries at 1-40 are a mixture of actions, observations and meetings, and are not all decisions. The SIO in organising their response to the events they are confronted with follow a familiar pattern or routine that is common to all murder investigations. This organisational pathway or the initial response, for example see Chapter 10 (The stages of an investigation), ensures crime scenes have been secured and are ready for analysis and search. This response commences with the victimology: The research into the background of the deceased, how they lived, their lifestyle choices. To assist with that avenue of investigation a structure, comprised of a Family Liaison Officer (FLO) is used to support and maintain links with the deceased's family.

This connectivity between the different parts of the investigative model ensures a cross flow of information into the MIR regarding the decedent's lifestyle. Such links may also be helpful in identifying motives and a possible suspect for the murder. The SIO will at some stage decide which material they will use from their daybooks to form the basis of their decision log entries. It is not clear from this analysis of the daybook selected for examination exactly which entries are decisions, which are observations and those that are to serve as an aide memoire.

9.4 Transfer of entries from the daybook to the decision log

The SIO made forty entries on day one of their investigation. Only eleven of those entries were later recorded as decisions in SIO's decision log. The eleven decision log entries are dated, but only the first entry where the SIO appointed them-self as the SIO is timed. This omission can also be found in the decision log of the other SIOs in this research. There, are inconsistencies in the approach to ensure decision log entries are timed and dated.

Another observation by the researcher in cases where SIOs use daybooks is that the decision log entries which are completed subsequently do not follow the chronology of the entries in the daybook. Instead, they appear to form an idealised pattern as to how the SIO, if not under pressure, would expect, the form of their decision making to follow. They indicate a pattern of routinisation and appear formulaic;

The eleven decisions on the first day comprise:

1) The SIO assumes control.
2) The appointment of 2 FLO's.
3) Media strategy.
4) Appointment of Crime Scene Manager.
5) TIER 5 for advice and witness strategy.
6) CCTV strategy.
7) H2H.
8) Scene searching and use of POLSA.
9) Intelligence dissemination and operation name.
10) Further scene to be reviewed by the CSM.
11) System management - The use of a simple action management system or "a full HOLMES".

The formalised approach underpins the majority of the SIO decision making in this research. SIO decisions follow a sequence regardless of whether they use a daybook or rely solely upon their decision log. This response, in comparison to the daybook, can be seen in the decision logs of an another SIO. To examine this, reference will be made to some of the that SIO's first decision considerations. It will be seen that the decision log entries accord with familiar themes that have already been illustrated in the daybook. The first example from the decision log of an SIO highlights the salient issues that the SIO considers in the first stages of their investigative decision-making. The SIO focusses on the management of the investigation, investigative strategy, and interaction with the community.

9.5 Management of an investigation

Table 9.2 illustrates the importance the SIO places upon the structuring of their enquiry. The management of the enquiry is considered first, and this approach does not vary between the SIOs who have been interviewed. This can be described as a top down approach, establishing first who has responsibility for the investigation. It is followed by the construction of the team, and despite what the MIRSAP states there

are distinct variations between forces as to the numbers of staff, investigative and within the MIR who may be employed on 'stranger murder' enquiry.

The cause of this variation may be attributable to the divergence in murder squad workloads that occur in different forces. For example, the SIOs within metropolitan force areas had less staff and a greater case load of ongoing enquiries, cases being prepared for court and attendance at crown court. Their focus ranged over multiple facets of numerous enquiries, and these for example can be attributed to workload pressures and the doubling up of roles, where an officer in the MIR could form part of the outside enquiry team (OET), and then undertake the role of office manager or receiver.

In contrast, investigators in a rural police force, for example, had access to greater resources in terms of personnel to undertake discrete parts of the investigation. This may be an over-simplification of a complex process of resource allocation, but there are definite variations between forces as to the resourcing required within a stranger murder (See Chapter Interviews of SIO's and resourcing an enquiry). The findings in Chapter ten, pertaining to the interviews with SIOs, provide a palpable illustration of the pressures placed upon an SIO and how their decision making is affected by lack of resources, particularly during the economic downturn of the last decade. Several social scientists describe the deleterious effects, for example of a long hour culture, on the morale of those occupying middle management positions, such as SIOs (Granter, McCann and Boyle, 2015: Turnbull and Wass, 2015).

9.6 Investigative strategy

The initial investigative strategy adopted follows the familiar pathway referred to as the 'golden hour' (See Chapter 4, sub-section 2). This action is undertaken by all the SIOs and there is no variance in this overall approach. Any differences that occur between SIOs at this early stage may be explained by each SIO holding a differing view as to the tactics or Lines of Enquiry (LOE) used to achieve their aims.

Decision no.	Decision	Rationale
2	Briefing and situation representation [conducted at xxx] Roles assigned	I conducted my first briefing with team at 0800 on [date]. I provided details as I knew them recorded in daybook and roles were assigned. Myself as SIO and DI [xxx] as Deputy SIO. DS [xxx] as case officer. Exhibits officer. A number of fast track actions were set. Primary focus was CCTV/forensic/H2H/witness trawl @ this stage media//FLO/ Victim intel/ CIA. My initial strategy followed the 'golden hour' principles re scene and surrounding area. CCTV from the available cameras

Table 9.2 Extract from the decision log of an SIO

For example, obtaining CCTV images in an urban area may be a 'golden hour' priority. As opposed to a murder in a rural or remote location where that technology might not be available or is limited. Similarly, use of a house to house (H2H) strategy may be of limited use regarding a murder in a rural location as opposed to an urban location. SIO decisions as to their priorities or 'fast track' actions are influenced by the environment in which the crime scene is enacted.

As already discussed above the SIO places an emphasis on the lifestyle of the decedent. The SIO believes this will reveal a motive as to why the victim was murdered (See Chapters 6 Investigative pressures, decisions and the SIO; and Chapter 10, findings from the interviews of SIO's for details). The decedents background will be the subject of actions, an 'action' is part of a documented process of tasks that are derived from the analysis of information received within the MIR. The actions when raised are allocated to specific member of the investigating team for completion. Part of the process of uncovering this background information and understanding the why of what occurred is connected to the establishment of a family liaison officer (Referred to in Table 9.2 as a FLO).

9.7 Interaction with the community

The references to the media and the Community Impact Assessment (CIA) reflect the atypical nature of the crime that the SIO may be dealing with. The SIO is aware that the potentially high-profile nature of a stranger murder will encourage a great deal of media interest and speculation. Indeed, due to media intervention and possible public anxiety the crime will usually entail the creation of a police 'gold group'. The purpose of the 'gold group' is to manage risks to the community, formulate strategies where required with stakeholders and other agencies, to consider reputational issues that may affect the investigating police force (See Chapter 6 for an explanation of the 'Gold group').

The extract in Table 9.2 above, reflects a myriad of potentially complex decisions that an SIO makes during the early stages of an investigation. The intensity of decision making occurs within the first few days of an investigation. This is regardless of how long the investigation took overall. In this case, the investigation took five days to identify the suspect who was charged on day eight. Not all cases are solved as quickly as this.

9.8 Investigative order

The ordering of the SIOs investigative strategies should be captured in their decision or policy logs (ACPO, 2006). This can be illustrated by reference to the decision log of another SIO.

Decision No.	Time	Summary of decision
1	0900	SIO takes over investigation from previous SIO who will take role of the PIP 4– states they are a qualified and experienced PIP 3
2	0900	Adopts the strategic decisions made by previous SIO
3	0900	Outlines the management set up and key roles of PIP 4 and Deputy SIO
4	0930	Draws up initial TIE category and witness parameters
5	0930	Management of enquiry on HOLMES because designated a CAT A murder enquiry
6	0930	Defines the relevant investigative period as 0600-2100
7	No time	Seven crime scenes designated by SIO
8	1140	Early forensic agreement for Fast Track Analysis
9	1230	Meeting with POLSA – sets out scope of search and use of cadaver dogs
10	1345	Male arrested, but released, not related to the enquiry
11	1415	Briefing of officers at crime scene if asked questions by media or members of public
12	1445	FLO's briefed – the SIO will be the FLC – SIO says , " *at this time I remain open minded as to who the suspect may be and if/what the motive is for the murder of xxx. I am cognisant of/and will reflect in my hypotheses the possibility that a suspect may be within the family and continue to review the suitability of deployment as the investigation progresses*
13	2100	Risk assessment for officers conducting enquiries
14	2100	Formally designated two persons [names redacted] as significant witnesses as both give information about the suspect

Table 9.3 Day 1 of a murder investigation

The example demonstrates the rapidity of decision-making that occurs within the first day of an investigation. For example, between 0900 and 1445 the SIO records twelve different decisions.

There are four decisions made under identifying suspects. Apart from the decisions under management, these are double the decisions in the other nearest categories. The surprising factor in this decision is the comment made by the SIO as to their early

hypothesis. Decision 12 is recorded at 1445 on Day 1, albeit that the SIO has taken over the case from another SIO and adopted their strategies. The SIO states:

> *At this time, I remain open minded as to who the suspect may be and if/what the motive is for the murder of xxx. I am cognisant of/and will reflect in my hypotheses the possibility that a suspect may be within the family and continue to review the suitability of deployment as the investigation progresses.*

The assertion by the SIO that they remain "open minded" as to who might be responsible for the murder appears to be contradicted by their comment that *"a suspect may be within the family"*. The SIO has made a decision relatively early on in their investigation (Day 1, decision 12, at 1445) that a possible suspect might be a member of the deceased's family. This determination by the SIO, apart from stating that it will be one of their hypotheses, does not explain why a family member has aroused suspicion to be placed in this category.

The manner of recording decisions does not capture the continually changing environment brought about by the volume of information that the SIO has to process. This is not unusual and reflects the normality and pressure placed upon an SIO. In another example, analysis of the SIOs decision logs indicates that the majority of their decisions were made within the first 24-72 hours of an investigation. This pattern is reflected across all the SIO decision making domains as will be demonstrated later in the coded themes.

In another example, the SIO decision process is comprised of 93 decisions. By breaking down the decisions into a temporal order, 70 decisions (75%) were made by the SIO up to the point of charging the suspect. On the first day of the investigation 14 decisions, 15% out of a total of 93 were recorded by the SIO. The decision entries recorded by the SIO follow the concept of an ordering, or phasing, of the investigative procedure as described by Innes (2002b and 2003) and Stelfox (2009). Their concept of investigative ordering is described in Chapter 4 at sub-sections 3 dealing with the familiar and sub-section 4, dealing with the unfamiliar. Innes (2002b, p.673) describes the familiar or "self-solver", where the suspect is known, as having three phases;

9.9 The familiar or 'self-solver' murder enquiry

1) Initial response: The analysis of the crime scene.

2) Information collection: This includes developing lines of enquiry; expanding knowledge of the incident and those involved; identifying the relationship between the victim and the suspect.

3) Case construction: The information obtained is selected and organised to provide an account of what occurred. This must meet the criteria for legal admissibility in evidence.

Innes (2002a, p.674) does not use the term unfamiliar to describe a stranger murder. He suggests they are "whodunits" because this type of murder involves complexity. This additional complexity is attested to by the entries in all the SIO decision logs and daybooks. In his description of the investigative process Innes (2002b) describes five phases.

9.10 The unfamiliar or 'whodunit' murder enquiry

The five phases are;

1) The initial response (similar to that described in Section 9.9; point 1above)

2) The 'information burst'. This relates to the volumes of information that are created within this unique type of enquiry;

3) Suspect development;

4) Suspect targeting;

5) Case construction.

The analysis of the SIO decision logs follows a broadly similar pattern of investigative activity that is suggested by Innes (2002a) model. This activity will be explored in the following section.

9.11 Reconstructing the investigative process – A visual description of the decision processes of the SIO

In Chapter five, Methodology the methods through which the data generated during this research was described. Microsoft excel was used to input the data into the form of spreadsheets. Forty-three decision categories were identified from the analysis of the SIO decision logs (See Appendix R for the decision categories identified). These categories were then collapsed to form seven themed decision categories.

The seven 'themed' categories;

1) Management: This includes day to day issues such as resourcing, finance, personnel, community liaison, media liaison, gold group.

2) Lines of enquiry: This includes (LOE) to establish witnesses; POLSA, TIE, vehicles, victimology.

3) Decision issues, that includes hypothesis generation.

4) Identifying and prioritising suspects.

5) Using technology; including CCTV, mobile data analysis.

6) Case progression: Including assembling a case file, disclosure, CPS, court attendance, and witness attendance.

7) Sensitive LOE, includes use of covert tactics, CHIS.

9.12 The temporal ordering of themes

The themes were then arranged into a temporal order, for example from day one up-to day 365. The wide range of days reflects the overall time taken to complete some enquiries (See Chapter 10, for the time taken to solve a stranger murder). Figure 9.1 is a frequency chart that represents the dominant themes that occur throughout the life cycle of an investigation.

9.13 General observations

Within detective tradition there is a generally held view that the first 48-72 hours of an investigation is the key determinant as to how quickly a murder will be solved. This can be seen practically from the view of former retired SIO's who have written about

their experiences of murder investigation. Their experience has taught them, the early stages of a murder enquiry generates a great deal of information gathering. Secondly, those cases not solved within a notional period of 48-72 hours, may prove difficult to solve (Higgins, 1958: Greeno, 1960: Rawlings, 1961: du Rose, 1971: Forbes, 1973). This view is supported by biographers of SIO's (Adamson, 1966: Reddy, 1991) and those who have undertaken research into how murder is investigated (Innes, 2002a and 2003: McKnight, 1967: Tate and Wyre, 1992: Bruhns, 1982). The experiential viewpoint of former SIO's is not supported by any empirical data as to the amount of information generated during the early part of an enquiry. Neither is their perception that a case not solved within 48-72 may prove difficult to solve. Instead, these beliefs form the foundation of unwritten rules, or scripts, as to how a murder unfolds and the likely solvability of that murder (See Chapter 10, the stages of an investigation).

Researchers have identified that the beliefs of detectives are not entirely without some credibility. Innes (2002a and 2003) identified the stages of an investigation (as mentioned above). One stage of his investigative model refers to the "information explosion". This is akin to the vast amount of data that SIO's encounter in the early stages of an investigation. Innes (2002a and 2003) also explored the differences between those cases, he referred to as 'self-solvers' and 'whodunits'. The terms he uses convey a sense of melodrama, but also tend to trivialise the seriousness of what has occurred. In contrast to Innes (2002a and 2003), Feist and Newiss 1999 (cited in Roycroft, 2009: p.126) examined the number of HOLMES actions generated during six "hard to solve murder cases". Their study found that the number of actions, documented enquiries allocated from the MIR to individual investigators, was at its highest in the first day of investigation. The actions accounted for 84% or 173 out of the 205 actions raised.

The findings of Feist and Newiss (1999) in relation to actions raised during the first day of an enquiry broadly mirrors the decision making of an SIO. This research found that the decision making of an SIO centred around seven themes (See Figure 9.1 below). The percentage of decisions is reflected on the Y axis. As a visual representation the frequency of each type of decision theme can viewed on a continuum. The X axis, decisions taken on day one through to day three hundred and sixty-five represent an amalgam of days taken to solve a stranger murder. The shortest

time taken to solve this type of enquiry, based upon the charging of a suspect for murder, is four days. The longest enquiry is three hundred and twenty days. In between these two points however, 63% of the cases referred to in this study are solved in less than ten days. Four cases 37% took between fifty-three and three hundred and twenty days to conclude.

Hidden, however by these bare statistics, in the latter four cases are the nuances of the investigative challenges faced by an SIO. For example, in the case that took longest to complete, three hundred and twenty days, the SIO faced particular difficulties in relation to the presentation of evidence. This required discussions with the CPS as to the evidence and the nature of the proposed charges. These aspects extended the time until a charging decision was reached by the CPS. In another case the suspect, had mental health issues that had to be resolved with the appropriate Health Authority before a decision to charge could be made by the CPS.

9.14 The seven themes

The seven themes are visually represented in Figure 9.1 below.
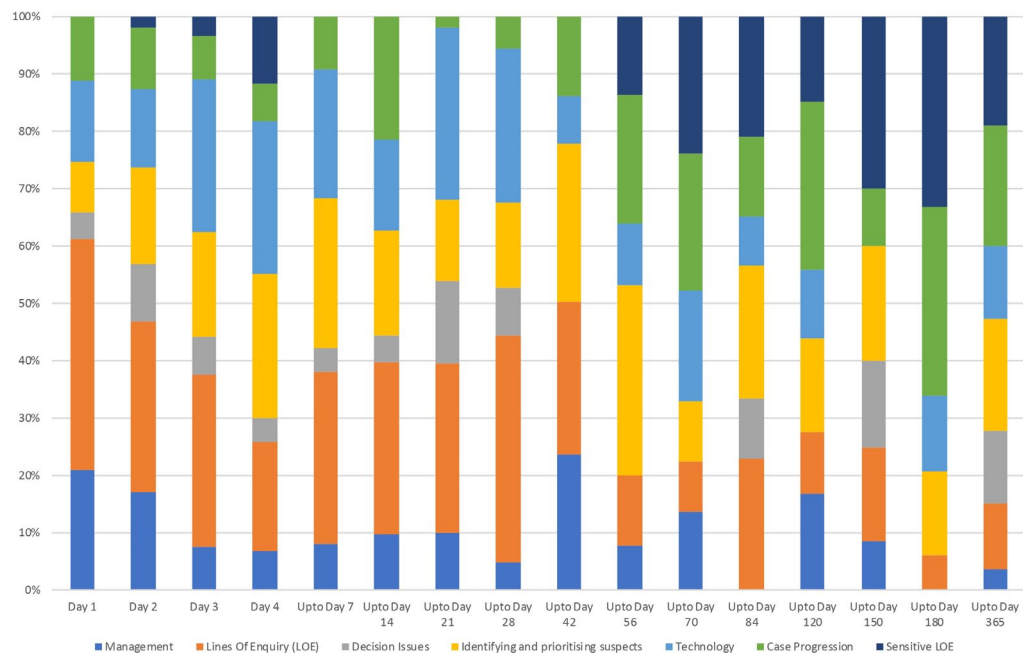
Figure 9.1. Frequency of decisions

9.14.1 Lines of Enquiry

From the commencement of an enquiry at day one the greater part of SIO decision making is aligned to the instigation of lines of enquiry (LOE), approximately 40%. The LOEs include the 'golden hour' principles and 'fast track' actions to identify and retain forensic evidence, including CCTV, and to find witnesses. The early stages of an investigation are reliant upon the SIOs familiarity in dealing with previous cases, so they adopt a routinised approach in their decision making. The imperative behind these SIO decisions is to uncover as quickly as possible who is responsible.

Over the course of an investigation it is noticeable that as the days progress the percentage of LOE's as a proportion of the total of decision percentages begins to decrease. An explanation for this is attributable to the number of stranger murder enquiries that are resolved within a relatively short period of time, in this study 72% are solved in less than ten days.[46] Therefore, a decrease in LOE decision making is expected as the suspect will have been identified and arrested. An interesting feature of the data is the spike in LOE activity that occurs at the "up-to 28 day" point. At this waymark LOE activity proportions are equivalent to activity on day one; despite the fact that there are only four cases (28%). This surge in LOE may be explained by the formal review process that takes place in cases that have not been resolved by 'set' periods, of which the 28-day period is one (ACPO, 2006). At set stages an enquiry may be reviewed by an independent officer, either from within the investigating force, or appointed from an outside force. The purpose is to provide support to the investigating SIO, to review the investigative strategy and determine new lines of enquiry (Jones, Grieve and Milne, 2008).

9.14.2 Management

This term encapsulates the formation of the investigative team, the structure, and the staffing of the MIR (See Chapter 10 for details of investigative structure and resourcing). This activity will include the response to community issues such as Gold groups and includes both enquiry and forensic reviews.

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[46] The data for solving stranger murder is only a reflection of this research. With a greater amount of data, a different picture may emerge as to the period taken to solve this type of crime.

The chart suggests that most decisions related to management considerations occur on the first day of an enquiry. Thereafter, these decisions decrease to a point whereby the third day, they form less than half of the management decisions taken by the SIO. This may not be unexpected, as the majority of decisions in the category relate to the investigative structure, particularly issues to do with staffing and the MIR function.

At day 42 there is a spike in the data, this is attributable solely to one SIO. The SIO encountered a challenging aspect in their investigation that required a reappraisal of their resources including conducting a forensic review. Similar to a case review, the forensic reviews purpose is to discover whether any forensic leads have been overlooked or whether or other forensic opportunities exist.

The visual pattern indicates that between day 84 to day 120 in the longest running cases no management decisions are made. More decisions are made between 120 to 150 days in connection with staffing of the enquiry and a forensic review. Concluding with the last management decision which is made within the interval of 180 to 365 days post incident.

9.14.3 Decision Issues

This theme comprises the SIOs use of decision models, for example, the NDM and the IDMM are the most frequently models used by the SIO's in their decision making (See Chapter 10, for details from the interviews of SIO's). The theme also includes references to the use of hypotheses used by SIO's and hypothesis testing. This study found a variation in SIO's attitude and understanding of the purpose in using hypotheses. This became more acute when the SIO's were asked to explain their understanding of the validity and purpose of testing of hypotheses. Testing of a hypothesis seeks to provide alternative viewpoints and explanations of the phenomenon observed. (Popper, 1963: Glymour, 1990: Nordby, 1991 and 2000). Furthermore, only a few SIO's could articulate this proposition.

This apparent lack of understanding has implications for an SIO. The SIO must be able to approach an enquiry without any preconceived ideas or judgment as to the

'how' and 'why' of what occurred. That attempt at neutrality is the process of hypothecation, but importantly it must be accompanied by hypothesis testing. This is the manner in which other explanations are sought, corroboration of a theory is required, but equally data that does not support or tends to refute a suggestion must not be ignored or overlooked.

The temporal ordering shown on the X axis is comprised of sixteen time periods over the course of the twelve investigations: Only eleven of those time points contain data in relation to decision issues. For example, the decision issues are relatively small and are less than 5% of the total on days 1, 4, 7, and 14. These instances may be a reflection of the diminishing importance to the enquiries that have been solved within ten days (72%). Where a crime has been solved it is apparent that few SIO's revisit their original hypotheses, the SIO may see no reason to do so. However, in cases where conflict exists between various theories, as to what has occurred, then the appropriate course may be to re-examine the decision-making process and the use played by hypotheses. This examination should include 'refutation', the active undermining of a hypothesis as described by Popper (1963). The SIO should actively seek to articulate the points that prove or equally point away from supporting a theory (Jones, Grieve and Milne, 2008, p.474)

9.14.4 Identifying and prioritising suspects

In this code the term identifying, and prioritising of suspects is used collectively, to describe those persons who are classed as suspects; persons who come within the TIE category; and the informal reference used by some SIO's in this study describe some as a 'person of interest'. The usage and relevance of these terms to the investigative process are outlined in Chapter ten and will not be dealt with in detail here. This category also includes the decisions to arrest a particular person, the interview strategy and decisions as to the nature of a charge.

Unlike some themes that have already been referred to, identifying and prioritising suspects is consistent across all the temporal domains. From day one the decisions of the SIO, as would be expected, reflect the investigative emphasis to determine who is responsible. Between day four to seven there is a noticeable increase in decision

activity. This increased activity may indicate that SIO's having determined who their suspect is, then begin the decision process of arrest, interview and consideration as to charge. Most of the cases studied (63%) are solved within ten days. The increase in decision making between day four and day seven would appear to support that proposition.

This aspect of the SIO decision making process is captured by the idealised model referred to as the 'Concentric circles of Suspicion' (See Chapter eleven; Figure 11.3 for an explanation of this idealised model). Some features of the model overlap, but it is helpful, in outlining the thinking process of the SIO to establish who is responsible. The initial consideration or pathway constructed by the SIO focusses on the persons closest to the victim. When this aspect has been fully explored or discounted, there is a shift to encapsulate those persons who may be associates or close to the victim. The final consideration by the SIO, particularly in those few cases that go beyond ten days is the shift in emphasis or recognition by the SIO that the enquiry that they are dealing with is 'unfamiliar'. The normal strategies, those that form the routinised base the SIO would adopt in a 'familiar' type murder enquiry, become of limited value. The SIO in dealing with the 'unfamiliar' has to adopt different strategies and ways of thinking (Perkins,1992: Nordby, 2000: Carson, 2007 and 2009b).

By day 42, SIO decision making in this theme continues to be evident. Only four cases go beyond this period and one case can be discounted, as it had technically been solved by day three of the investigation. In this case the issues involving the mental health of the suspect and referral to the CPS meant that the suspect was not charged until 82 days had elapsed. The remaining three cases continue to require SIO decisions as to the nature of how the suspect will be identified. Of the remaining three cases, two were solved (One at 53 days and the other at day 300 by being linked to other murders). The final enquiry lasted 320 days, due to a combination of factors. In this enquiry, the SIO was confronted with a challenging enquiry and adopted a range of methods to identify the suspect, that necessitated a resort to covert tactics and the use of RIPA.

9.14.5 Sensitive Lines of Enquiry

The use of covert tactics is part of the preliminary deliberations that an SIO considers. It is noticeable from Figure 1 that no decision-making takes place in this category on day one. This may in part be due to the pressures on the SIO but may also be explained by the SIO's reliance upon tried and trusted investigative methods such as seeking witnesses, house to house enquiries or CCTV.

The importance of the use of covert methods can be visualised from Figure 9.1. At the outset of an investigation there are a few decisions between day 2-4 in this category. Thereafter, between days 7-42 there are no decisions in this category, which may be explained by the speed with which the majority of these cases, in this research, are solved. Therefore, there may not be a need to employ covert tactics in the early days of an investigation, albeit different cases will require differing investigative tactics.

At the 56-day waypoint, in some cases a case review will already have taken place. This is to identify forensic or other lines of enquiry that may have been overlooked. Included in the review consideration may be given to the use of covert tactics to provide and develop another avenue of enquiry and is highlighted in Figure 9.1. From day 56 to day 365 there is an increase in decisions in relation to this theme. As explained under the heading *identifying and prioritising suspects* it must be borne in mind that these decisions relate to only three cases, which is a low sample for analysis. However, the data indicates that the longer a case continues, the SIO seeks to find a solution using an 'unfamiliar' pathway, in one of the three cases the SIO used a combination of covert and traditional tactics to resolve the case. Nordby (2000) refers to this as 'dead reckoning', using unfamiliar pathways and signs to navigate uncharted terrain.

9.14.6 Technology

The SIO relies strongly upon this facet during the first 28 days of an enquiry. This theme encapsulates a number of discrete areas; Vehicle data; ANPR; CCTV; Telecommunications data; Financial data; and DNA/fingerprints. The importance of these investigative strands begins to wane after day 42. This is reflected in the

transition, already commented upon under *sensitive lines of enquiry.* Within an investigation a stage may be reached where sole reliance upon traditional investigative methods may not be sufficient. The graph indicates the transition between the two methods.

The importance to the SIO of decisions in relation using technology to assist the enquiry cannot be overstated. Determining for example whether CCTV exists is a prime example. All the SIO's interviewed relied upon this investigative avenue as a potential means to shorten the length of an enquiry. In some cases, no CCTV was evident, leading the SIO's to seek other avenues of opportunity. In two of the longest running cases there was no forensic, CCTV or other data that could identify the suspect. The suspects in those two different murders were caught by being linked to other murders. This is detailed in Chapter 10 where the solving factors that lead to concluding a successful case are highlighted.

9.14.7 Case progression

This theme entails liaison with the CPS as to possible charges, issues of disclosure of information (CPIA), using experts and post charge considerations by the SIO. Case progression and the categories identified occur as early as day one in the decision making of the SIO. This is because SIO's consider that aspects such as contact with the CPS should take place as soon as possible in these types of case. The use of experts, for example in behavioural profiling, is considered by SIO's as important in cases of stranger murder. The unique skills of this expert can be of considerable benefit to the SIO in identifying features of the murder that may not have been considered or are viewed by the SIO as problematic.

The data in Figure 9.1 under the theme, case progression, indicates that from day 1 to day 14 decision making slowly reaches a peak and then declines up-to day 21. This may reflect the timely solving of the majority of the cases. There is however, from day 42, an increase in decisions that can perhaps only be partly explained by the remaining three cases that have been discussed above. The possible reasons as to why there appear to be more decisions taken may be due to the complexity of the cases the three

SIO's are dealing with. This could also entail greater contact with the CPS to discuss the nature of the evidence and issues of disclosure.

Similarly, another explanation could be that the other cases discussed continue to require liaison with the CPS. Discussions with the CPS would also include aspects of disclosure and enquiries raised by the defendant's solicitors. From the data available in the SIO's decision logs it is difficult to precisely evaluate the regularity of decisions in relation to the SIO interaction with the CPS. This would appear to be caused by charging the suspect. Once a charge is brought and the suspects status changes to that of a defendant, the number of decisions drops away rapidly.

9.14.8 The hierarchy of categories

The seven themes discussed above entail a number of categories that are pictorially represented in Figure 9.2 below. The hierarchy of categories provides a powerful image of the frequency and importance of the decisions taken by an SIO. Visually they form a 'patchwork quilt' of decisions that are linked and interwoven. The categories aligned to the left in Figure 9.2 include the most frequent decisions taken by the SIO such as crime scenes, forensic issues and witnesses. This finding is in keeping with the imperatives behind the 'golden hour' principles. These principles suggest that the retrieval of forensic evidence and securing witnesses are a vital component in solving a stranger murder. This study provides support for the proposition underlying the 'golden hour' principles that timely attendance and retrieval of vital evidence is a factor in solving this type of murder.
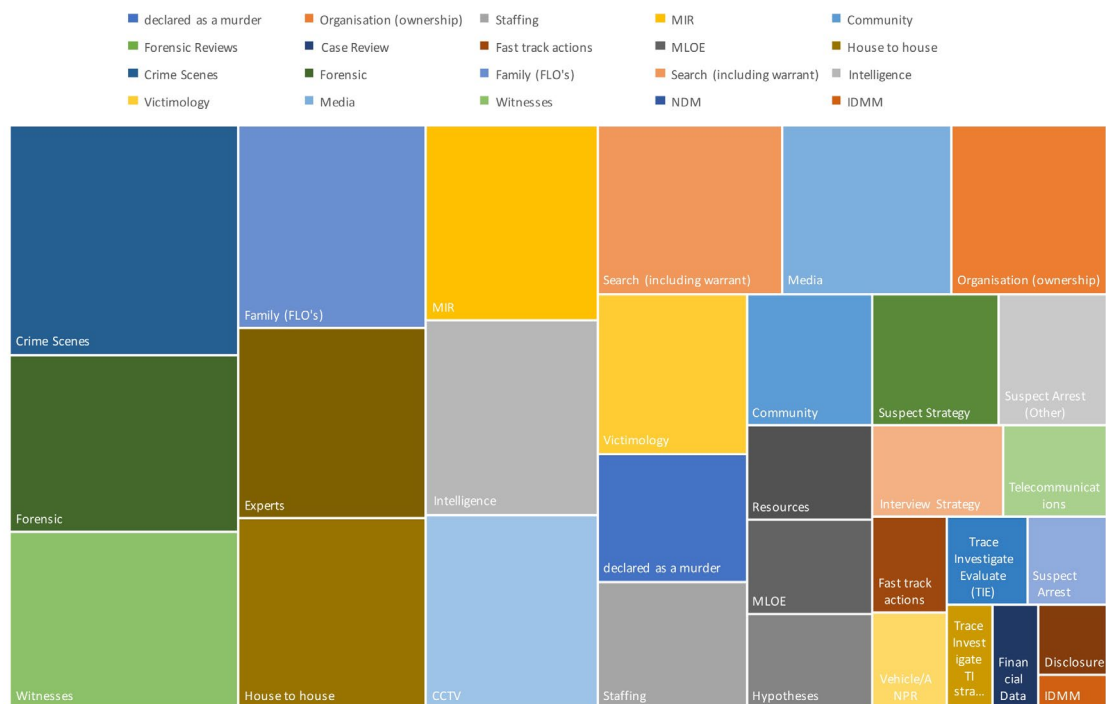
Figure 9.2 The hierarchy of categories

Equally, the use of FLO's, experts and house to house enquiries are a dominant feature in SIO thinking and their decision making. The FLO provides support to the family of the decedent, but also acts as 'bridge' to provide intelligence into the MIR and to the SIO as to the lifestyle of the victim. The use of experts, such as POLSA, behavioural or geographical experts feature in the SIO"s thinking as to how they can resolve their investigation. The use of house to house is also a consideration for most of the SIO's in this study. This investigative tool although featuring prominently in most SIO's decision making appeared to be of limited use. The instigation and intensive resources that are required to undertake this type of enquiry is perhaps an area that could be considered as in need of review.

The scale of categories can be seen to gradually reduce. The pictorial representation suggests that categories that include, for example, the community, TIE or fast track actions are the least important decisions. That is not the case, the categories indicate, a hierarchy of numbers of decisions encountered in the study in relation to a particular theme, it is not a hierarchical list of importance.

9.15 Conclusion

The study of SIO decision logs provides support for the traditionally held belief by SIO's that the focus of decision making is at its most intense during the first seventy-two hours of investigative activity. Thereafter, decision making in most cases in this study wanes. That factor can be explained by the timely solving of the majority of the murder investigations. Although, this feature may not be representative of all stranger murders due to the low sample size.

This study also found that most SIO's do not make their decisions contemporaneously. Even where a 'daybook' is used, examination has shown that decisions are not fully articulated nor is a rationale given. The daybook acts as an 'aide memoire' to prompt the later decision recording of the SIO. There is also a variation in the standard of decision recording by SIO's. In one example, the SIO made multiple decisions in one decision record. Other SIO's made one decision entry for each decision made. The quality of the entries made also varied between SIO's. Some decision entries were more detailed than other similar decision entries made by SIO's.

From examination of the SIO's decision logs it is not clear why these discrepancies in recording occur. One reason may be the cynicism expressed by a few SIO's as to the purpose of this form of record keeping. They viewed the decision log as an 'insurance policy' the aim of which is to ensure that decisions as to why an action was taken is equally as important as to why a particular course of action was not taken. There are perhaps other explanations for the inconsistencies in the standards applicable to recording decisions and the rationale for them. The purpose behind decision logs and their maintenance needs to be revisited. This approach might be helpful in assisting SIO's understanding as to why decision logs were first introduced following the 'ripper enquiry' (Byford, 1981). A number of high-profile cases since Byford indicate that the lessons have still not been learnt (Macpherson, 1999: Sentamu et al. 2002: Smith, 2003: Laming, 2003: Flanagan, 2004: IPCC, 2014: IOPC, 2017: Henriques, 2016: Commissioner of Police of the Metropolis (appellant) v DSD and another (respondents), 2018.

The next three chapters contain the findings from the interviews of the SIO's. The findings are divided into four themes, The Unfolding of an Investigation (5 stages), Mission, Knowledge Work and Human Factors.

<center>**Chapter 10**</center>

<center>**Findings from the interviews of Senior Investigating Officers**</center>

This Chapter sets out the findings from an analysis of a series of recorded interviews with eleven SIOs who had led stranger homicide investigations. Four super ordinate themes were identified (See Chapter 5 for details of Methodology);

- **10.1 The unfolding of an Investigation (comprised of 5 stages)**
- **10.2 Mission**
- **10.3 Knowledge work**
- **10.4 Human Factors**

Each of these themes with corresponding sub themes are set out below:

10.1 The unfolding of an Investigation

10.1.1 Stage 1 - Is it a murder?

"Nothing ever beats visiting a scene" - the imperative of attendance at the scene

A component of the decision as to whether a murder has occurred was attendance (and typically urgent attendance) by the SIO at the crime scene. Independence of decision making at that stage was emphasised by a number of SIOs who made reference to the importance of attending the crime scene to draw their own conclusions without the influence of others:

> *But it's when you're led by (pause) effectively, you're subliminally, and even more overtly, sort of led by the fact that somebody's put something in your mind frame, and then it prevents you know from thinking, perhaps as freely….*

The example by this SIO is illustrative of the SIOs awareness of the need for objectivity in the face of complexity in understanding what they are being told. An

SIO has ultimate responsibility for deciding how the investigation will be organised but foremost he or she has the initial burden of assimilating and interpreting the narrative they have been given when they are first notified of a suspicious event.

The SIOs variously commented how attendance at the scene means that they will encounter the situation of a grotesque death, but that encounter is necessary in order to 'take in everything the scene is telling you' :

> *And when I go to a scene of a murder…I always stand and look, and that's for two reasons, one to adjust to the savagery if you like, that's unfolded before you, and two, just to take some time to take in everything the scene's telling you. Because once you step in you lose that, because then you're absorbed in what you're looking at……*

Attendance at a crime scene to witness, in situ, what has happened is regarded by SIOs as foremost in aiding their comprehension and providing them with a mental representation of what happened, and the circumstances in which it occurred. The ability to be able to picture a scene adds to an SIOs repertoire of knowledge by acknowledging as this SIO did the 'savagery' that was meted out to a victim. Through this mental imagery the SIO begins a process of developing their own view of the type of person who might have committed the murder.

By taking this action however, the SIO emphasises their own vulnerability and awareness of compromises to their own objectivity, because by 'stepping in' they become immersed in the unfolding sequence of events.

This notion of immersion in the investigation and consequent loss of objectivity by making assumptions based upon limited knowledge is a reality of murder investigation. This is illustrated by the next example:

> *it was highly likely it was going to be suspicious... back of my mind, new boyfriend, had been involved in search, most crimes of this nature it's somebody usually close to the victim and experience teaches me that as well….It's so rare this type of crime….*

This SIO provided his reasons for attending the scene: to ensure that available evidence is secured and preserved, and to deal with the victim's family. In developing their thinking, the SIO in this case focussed upon a "new boyfriend" and inferred they may be involved, because that is what their experience led them to believe. That assumption and focus on the "new boyfriend" proved to be incorrect. As the SIO then went on to say, the person later arrested and convicted was a "stranger with a sexual motive".

Another SIO recorded that they always attend a scene of a murder to understand the case and to construct a forensic strategy to resolve the crime as soon as possible;

> *…one of the things I do on every murder that I attend is I always go to the scene…Because I think it gives you a real feel for that case. It allows you to put things into context; for me…I can prioritise what I want, and most importantly I would always meet our forensic co-ordinator at the scene …*

In this example the SIO places an emphasis on being able to gain a 'feel' for the case so as to be able to set their forensic strategy and priorities. The SIO emphasises that forensic examination is a primary factor that will quickly resolve the case. This example illustrates the emphasis that SIOs place on ensuring that the 'building blocks' are adhered by securing the scene and protecting potential evidence. The comment that "*nothing ever beats visiting the scene"* was a view held by all SIOs in this study.

10.1.1.2 Investigative delay

After citing the primacy of their own attendance at the crime scene, the causes of subsequent investigative delay then emerged. Delay due to 'flawed' crime scene

assessment, including the initial opinion of other inexperienced attending staff was cited:

> *The initial assessment…was a flawed assessment, so it wasn't established for another 24 hours that this was, in fact, a murder. So 24 hours of investigative opportunity had been missed ….*

In this homicide, death was later determined as being caused by strangulation. The officer attending the crime scene, a senior detective, but not a specialist in murder investigation, had not understood what had caused the marks on the body. The forensic post-mortem established the cause of death as strangulation, and the presence of stab wounds. As the SIO who took over the case explained;

> *…he should've picked it up straight away, this is a suspicious death, and then investigated from the get-go as that…*

That investigation incurred a delay of 24 hours. The post-mortem was the determining factor as to whether the case was one of murder. SIO 6 was adamant that had he been the initial determining SIO, he would, through his own tacit experience, have known he was dealing with a murder. Although in the cases illustrated lost time was a factor at the outset, none of the SIOs attributed this as being to the detriment of the overall success of the investigation.

Delay also came about due to **Misinterpretation**. The next examples demonstrate how the cause of a death may not be clear; and how the true circumstances of death can be comprised by misinterpretation. The case involved the finding of a person burnt to death in a parked vehicle. The local CID detective inspector handled the initial investigation before handing it over to the SIO from the murder investigation team:

> *…the local DI that weekend ran the…so they found the car and with all intents and purposes was actually quite close to calling it non-suspicious, believe it or not….*

The deliberations over whether this was actually a case that should be dealt with as a murder meant the loss of, according to the SIO of "26-27" hours. Because the crime

scene had been retained the SIO did not believe anything, other than time, had been lost. Although, despite then having declared the case, a category A murder, the SIO still had his own doubts about whether it was a homicide. The scenario as presented to the SIO did not fit with their expectations and experience of what a homicide entailed:

> *There wasn't anything hugely obvious that it was a homicide in this particular case, because other cases, you know, someone found with a knife in their back...*

The next example contrasts with the previous two cases that exposed the inexperience of those officers in understanding the nature of what confronted them. The following case study also shows the effects of the misinterpretation of information and how that can then form the basis of an erroneous theory.

The example involved the discovery of a body with visible injuries to the face and throat. From the time of reporting of the body as a 'murder', through to the police emergency call handling system, and the response of investigative personnel at the scene, the information originally given changed from a possible report of murder, to the injuries being caused by an "animal attack". This interpretation was reinforced to the 'on call' SIO,[47] and later to the 'gold group' [48] (Grieve, Crego and Griffiths, 2007) where those who had attended the scene declared:

> *...it's not the only hypothesis, but it is the preferred hypothesis, that it is an animal attack*

As the SIO who took over this investigation said:

> *So it starts off then - that's the catalyst for then, it goes to CID as a potential animal attack. So CID and our senior crime manager, go to the scene already with the mind-set, or having been in their mind their thought processes, it could be an animal attack....*

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[47] 'On call' is the term used to denote the senior officer who will provide advice or attend incidents initially during designated periods.
[48] The 'gold group', is chaired, usually, by an officer of NPCC rank, it is convened when a critical incident is declared, as in this case. It may comprise community members and other stakeholders.

This presented several issues for the SIO. The first was the scene which though it had been unsealed and so had to be resealed, the SIO was emphatic that nothing of evidential use had been lost. Secondly, the SIO referred to the "consensus bias" that occurred between the reporting of finding the body and the later acknowledgement that the cause of death was murder. The SIO refers to consensus bias, but probably means confirmation bias, where the initial theory, death by animal attack, becomes the preferred theory. Finally, details of the case had been given to the media as a "animal attack". This presented problems for the SIO:

> *...it went out into the media as an animal attack, and we had to do a huge amount of rowing to the shore, you know etc., when we announced it was a murder, and all the rest of it, we did get some stick over it, which is fair enough. But that's what it is, and that's what it was – human error, I suppose, but based on bias.....*

These cases demonstrate how unfamiliarity with crime scene expectations and misinterpretation of information can set in motion factors that impact upon how others within that investigative process interpret the same information and make their decisions.

10.1.2 Stage 2 Organising the response

10.1.2.1 The Information 'explosion'

Interviews revealed that the decisions made by the SIO in the early stages of an investigation followed a pattern determined by their adherence to the 'building blocks' in response to the huge volume of information that was generated and continued throughout the investigations. The early phases of investigation and decision activity focussed on managing the disparate sources of information. This was a phase of investigative action described by SIOs as replete with frenetic activity: As one SIO succinctly said:

> *The first few days are carnage…*

That comment is not an indication of the lack of investigative structure but reflects the pressures and demands upon an SIO. From the start, the nature of the SIOs most frequently made decisions are connected to the management of the investigation and concern the command structure, investigative strategies, resourcing and communication. Nevertheless, alongside the requirements of the investigative structure, the SIO also has to be able to absorb, sort, distil and disseminate the vast amount of information generated during the enquiry into a coherent form that can be relayed to other investigative personnel and acted upon. Participants frequently referred to the continual flow of information that is passed to the investigation team or generated by investigators in the early stages of an investigation as immense and relentless. They also referred to the idea of trying to 'slow down' the investigative pace to enable them to understand what has happened and reflect on the decisions they need to take.

A metaphor used by two SIOs to describe this cognitive task was *"putting your foot on the ball"*. The aim is to gain time to assimilate what they have before them, to disentangle misleading, partial, and disingenuous information. Despite the idea of being able to "slow" down an investigation and create an atmosphere of reflection to assimilate what they are being told, the reality of a stranger murder investigation does not allow for such an event, as an SIO suggested *"there are no pause buttons"*. The investigation cannot be stopped, even metaphorically, there is an abundance of information and material that has to be sifted, organised and acted upon.

It is the responsibility of the SIO to decide what information is prioritised and acted upon. Participants recognised that this involved synthesis of information generation, controlled through a combination of manual (MIR) and electronic (HOLMES) but overlaid by them – in a manner which one SIO referred to as 'grip'[49]. This provision of focus and direction was also directly linked to their reliance upon the 'building blocks'.

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[49] Grip is defined as "take and keep a firm hold of: grasp tightly; effective control (Concise Oxford English Dictionary, 2002, Oxford University Press, 10th edition).

In the example below, the SIO remarks that using the concept of the 'building block' commences from the outset of their investigation and is followed throughout:

> *So I got there, and I always start using those five building blocks, really, because I think if you start there you won't go far wrong, you know; preservation of life, well obviously, that was of no hope; how long had [name] been there, it was difficult to say…*

The example given by the SIO emphasises the importance placed upon having an organised structure from which to make their decisions. They referred to how the 'blocks' represent the various aspects of investigation phases. Importantly, the SIO underscored the point that these phases are not sequential but occur simultaneously. Decision making is not therefore about dealing with one 'block' at a time. The SIO is faced with a possible multitude of decisions points dealing requiring different decisions. Inherent in their response is a reliance upon conventional procedures, the routinisation that the SIO is familiar with, as evidenced by the comment from another SIO:

> *When you think it's a real whodunnit I do have this initial, oh God, what am I going to do with this, where do I start with this? But I think if you just go back to your building blocks, and start with your house to house strategies, CCTV strategies, and things like that….*

The SIO again reinforced the purpose of the building blocks as an essential part of the investigative structure. This reliance upon a routinised approach commenced in their example with house to house and CCTV enquiries. The appeal of this approach is contained in the SIOs belief that if the building blocks are adhered to "*it all starts to unravel*" and once the layers of information are peeled back, they will "*tell a story*".

10.1.2.2 Routinisation compared

The resourcing of a murder enquiry, particularly a Cat A, was of significant concern to the SIOs in this research. They consider that to resolve an enquiry of this magnitude requisite numbers of personnel should be deployed in accordance with procedures laid

out in the MIRSAP and the MIM. It is apparent however from their interviews, that there are differences between the resourcing capabilities of a metropolitan force and provincial or rural police forces. Resourcing pressures affect how the SIO decides to focus their investigation.

The two examples presented here represent those views from the perspective of a both a metropolitan force and a rural force. The cases illustrate how the element of resourcing affects SIO decision making. In the first example there is a divergence from established 'routinised' procedures due to limited resourcing. That premise then becomes the basis for the SIOs critical view of the purpose of decision making. The second example, in contrast highlights adherence to established investigative norms unhindered by resource constraints.

Example 1

In this example from a Metropolitan force the SIO describes the resources available to deal with a Cat A murder. Their investigative team comprise eighteen detectives. That, however, is not the complete picture, the SIO states that there are competing demands from other murder enquiries they have been allocated that are ongoing. In addition to which there are also court hearings and trials. Resourcing numbers do not change to take account of these factors. The SIO is asked by the interviewer to expand on their comment:

> ***SIO***: *Well MIR's fluid because I can have one receiver in there, I can have two receivers in there. So out of those 18 I will… I tell you, when this starts nobody works in the MIR because I need detectives and I need them out there and I need them to deal with things. So, I've got two out of that 18 to put in the MIR usually…*

The command and control depicted by the SIO in this example is in contrast with some of the other cases in this research where resources were not in issue and in several cases involved the deployment of over 150 staff.

The SIO whilst acknowledging the dearth of investigative resources had differing views on (1) how those resources if they were available should actually be utilised within the investigative milieu and (2) voiced their criticism of the need for how decisions are actually recorded and the need for decision logs.

To illustrate point (1) they described the adherence to established investigative norms or 'routinisation as 'painting by numbers'. They voiced their criticism of adhering to a procedure where there were no grounds to do so, on the basis that it was advocated within either the MIM or the MIRSAP;

> *There was what I now call a paint by numbers where you would do things because, for no actual, logical thought to do them, like you'd habitually go out and put an appeal board out because, well, it was a dead end traffic and nobody would go there and who knows, and yet it had to be publicised widely, there was no reason to do that, be a waste of resources doing that. Waste of a massive amount of resources on house to house when actually house to house has its place in some jobs, and had its real place on this job, but we didn't have to go there...*

The basis of the SIOs argument was that there is an unnecessary adherence to procedural norms, a formulaic 'one size fits all' pattern of thinking. In other words, investigative thinking and action should be influenced by the case they are presented with. The methodology used to investigate the case should be adapted to suit the circumstances and not straightjacketed by a traditional, 'this is the way we have always done it' philosophy .

Their second argument concerned the use of decision logs and whether they served a worthwhile purpose. Most of the SIOs interviewed agreed that the decision log was a useful document because it provided an account of the, when and why, a decision was made. Some referred to notable cases such as Stephen Lawrence (Macpherson, 1999) as support for their claim as to why there was a need to accurately reflect their decisions. Other SIOs regarded the decision log as a way of self-preservation, being able to "get my excuses in early". Thus, being able to avoid blame for any later investigative failure.

To illustrate this, point the SIO in the first example dealt with two murder cases, which were later 'linked'. This means that they were committed by the same person. [50]In the first case the SIO made nineteen decisions over the 327 days of the investigation. In the second case the SIO's deputy, on their behalf recorded 51 decisions made over a period of 9 days of the investigation. The SIO's view is that;

> *I think a lot of decisions are written about, right, the decisions, but they're actually not decisions. For me a decision is a verb, it's an activity, it does something. So, I make a decision… I write very little, they're all to do this, do that, they are activity, they're decisions.*

They added to this statement by commenting that they had recently attended court and gave evidence in a case where they, "never wrote a decision on it". Their argument is that they defended their decision, at court, not to record a decision because a) they did not have the resources and b) on that occasion recording decisions served no purpose because it was a "fast moving job". Indeed, the SIO adds that you have to be *"brave"* if you adopt this position. Their confidence is bolstered by two further propositions.

The first proposition they suggest is that there are not the traditional resources that once existed for deployment in murder enquiries, nor they add is there a need for rigid adherence to traditional procedures. Dealing with the first limb of that argument: they argue that an investigation has to be conducted more effectively and efficiently through emphasis on "more focus'. This argument might be viewed as counterpoint against a routinised approach to investigation. The SIO suggests, that intensive resourcing of an enquiry and adherence to formulaic procedures should be consigned to the past. In other words, investigation, even of serious crime has to acknowledge that a traditional emphasis on enquiries that require staffing of every position, either within a MIR or the investigative field, are obviated because of competing organisational priorities. This suggestion by the SIO provides some support for the

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[50] At the time of the interview with the SIO their first case remained unsolved. It was only after an arrest in the second case that the cases were 'linked' in the first instance by method. Then later supported by physical evidence.

idealised investigative theory, based upon Bourdieu's (1981-1982/2018) 'field' and 'habitus' referred to in Chapter 5 at Figure, 5.2.

The second limb of the same point concerns procedural efficiency: the SIO questions the need for investigations to include every procedural activity because the MIM states it should be considered. An example might be the need for a House to House strategy. Why should this resource intensive procedure take place when patently there is no evidently no need? An SIO includes this strategy because it is mandated within the MIM. Should the SIO fail to undertake this enquiry then this may well invoke criticism should the investigation be the subject of later internal or external reviews. Importantly, such adherence is 'handed down' as part of the traditional culture of investigative cycle.

Their second argument is contained within the SIO's dismissal of decision logs as unnecessary because in their words, they are *"going to be beaten up'* about decisions they have made. The SIO suggests that " *we get ourselves too much in the theory of decision making than actually doing it".* The issues that emanate from these considerations of how SIOs approach their work is based in their culture, a feature that is developed in Chapter three. The aspects of culture that are evident in these passages are the SIOs own self-belief that it is their confidence borne out experience that allows them to step outside established procedures.

Example 2

The SIO in this case provides a more detailed, prescriptive approach, of their method in managing an enquiry;

> *So, the way I looked at setting this up was, there was me as an SIO; I had a deputy SIO sitting under me, and then under him , I had a manager for each of the work streams, and or coordinator, manager or coordinator. So, we had family liaison, so I had a family liaison coordinator; I had CCTV, again a CCTV manager; I had intelligence, with a manager; enquiries with an enquiry team leader….we had in excess of 42 crime scenes…*

The SIO refers to their structure as "*work streams*", each element of the investigation is coordinated by a team leader. Under the team leader are dedicated personnel that carry out each of the specific tasks assigned to them. The workstreams are shown in Figure 10.1 and illustrate how the process for arranging the command and control of the investigation was described by the SIO[51]. The SIO has focussed on the importance of there being discrete domains, each headed by a manager and appropriately staffed.
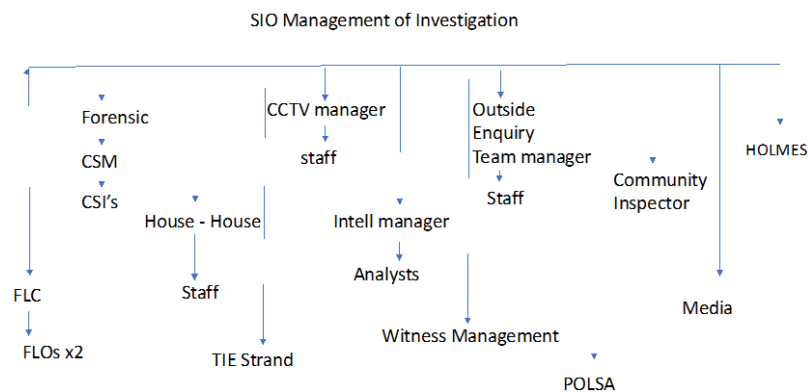
Figure 10.1 Schematic diagram of a SIOs management of an investigation

The SIO explained in interview why they placed so much emphasis on the command and control of an investigation;

> *...I think the one thing I've learnt over the years is just not to rush into things. There's a hell of a lot of pressure that is brought down to bear, but actually, the most important thing is to put your foot on the ball...*

The comments by the SIO reflect their own experience of murder investigations. They emphasise that there must be the '*right set up*', which is a reference to the structure and essentially the 'who does what' aspect of an investigation. The structuralised layout depicted in Figure 10.1 is a formulation from the SIOs own experience of the features that constitute the '*right set up*'. Beginning at the left of the diagram the structure incorporates:

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[51] During the interview with the SIO the researcher took notes as to how the SIO described their command and control model – this is reproduced in Figure 10.1.

1) Family Liaison Co-ordinator (FLC) and Family Liaison Officer (FLO).
2) Forensic – Crime Scene Manager (CSM) and Crime Scene Investigators (CSI).
3) House to House team.
4) Trace, Investigate, Evaluate (TIE strategy).
5) CCTV enquiry team.
6) Intelligence manager and staff.
7) Outside enquiry team and manager.
8) Police Search Advisors (POLSA).
9) Community Inspector.
10) Media liaison.
11) HOLMES (MIR) team.

Responsibility is shared between various team managers with the deputy SIO having specific responsibility for witness management, house to house, and the Home Office Large Major Enquiry System (HOLMES)[52] whilst the SIO has overall responsibility.

This division or layering of personnel is a recognition of the potential complexity and challenges this type of murder presents. To meet the demands of a Cat A, murder the SIO ensured their investigative structure is in accordance with the procedures designated in the MIRSAP and the MIM. The diagram in Figure 10.1 encapsulates the primary areas that the SIO considered as an essential element of the investigative narrative. Underlying this positioning of resources is the SIOs goal of identifying the offender.

That undertaking is included in the reference to Trace, Investigate, Evaluate or commonly referred to as the TIE strategy. The term suspect is not used until a person is designated as such by the SIO. Until that time the TIE designation covers individuals whose characteristics and background require that they be the subject of more detailed investigation. The TIE may encompass hundreds of persons as is the experience of the

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[52] The HOLMES is located in the Major Incident Room (MIR) and the two terms are used interchangeably in this thesis.

SIOs in this study. In other cases, the number of individuals who might be responsible is small. The SIOs though in attempting to determine responsibility for the murder follow a common pattern. That pattern commences with the idea that the person responsible may be within the family. If that possibility is discounted there may be a focus upon a close associate, or neighbour of the decedent.

Having decided that those aspects may be irrelevant to the enquiry, there is another position some SIOs gravitate toward, those who come within the realm of "the usual suspects". This category comprises those persons who may have had prior encounters with the criminal justice system or because they enter the investigation in manner in circumstances that are inexplicable to the SIO and for which an explanation is called for.

10.1.3 Stage 3 – Identifying an offender

> *"We see it as everybody in that car is guilty and all conspiring because that's how we traditionally think, I think"……*

The concentric circles of suspicion - an idealised view

The focus as to who committed the crime can be idealised as a concentric circle. The inner circle represents the composition of family, friends and possibly neighbours of the decedent. The semi-inner is comprised of known associates and 'the usual suspects'. The 'usual suspects' is a pejorative term to describe persons who because of their presence in proximity to the offence, their 'suspicious' behaviour, or prior criminal record and encounters with the criminal justice system, they become subject to scrutiny. The outer 'ring' of the circle contains the person responsible.

The process of determining who is responsible for the murder is part of the continuing process of constructing the narrative. Part of that sequence involves the SIO asking themselves, who did it and why. The SIO seeks to answer those questions in reverse order, namely by establishing first, the 'why' of their question. They undertake this aspect by attempting to establish the motive, as to why was the murder was committed.

To answer this question, they look to the background and antecedents of the victim, this is known as the victimology:

> *Some of my early policies were to find out a bit more about our victim , try and ascertain his lifestyle, his movements, his associates. I had concerns about xxx, just in terms of the unusual activity that, you know, in terms of her movements, not knowing the car, putting phone calls into us*

In this example a reference is made to the early policy decisions seeking to understand the lifestyle of the victim and those with whom they associated as this might prove useful in providing information as to 'who' might have a motive.

Secondly, however it also provides an extant representation of the early focus, in this case, on the former wife of the victim. Suspicion fell upon her because she reported him missing. Similarly, other SIOs were wary of persons, who either appeared too willing to be involved in the enquiry by asking questions. In one case initial suspicion was directed at a family member, as they may appeared to show no emotion at the death of their mother. In none of those cases did the belief of the SIOs, that those persons were involved materialise.

In another case the SIO explained the reason why they believed that the boyfriend of the victim might have been involved in her murder;

> *Back of my mind , new boyfriend, had been involved in search, most crimes of this nature it's usually somebody close to the victim and experience teaches me that as well. So, you know, clearly key consideration is a lot of focus around people close to her, boyfriend, other friends, has something gone on there. It's so rare this type of crime is that it turned out to be a stranger with a sexual motive, that those were the key considerations at that point*

In this example the SIO, made a decision log entry to focus on the victim's boyfriend as part of their hypotheses on day two of the investigation. Experience the SIO suggested is a reliable indicator of who might have committed this type of crime. Their

experience led them to believe that an offender would be someone close to the victim. This is despite their acknowledgement that they had no prior experience as an SIO in dealing with this *"rare"* type of murder.

In analysing the beliefs and values of the SIOs in this study, it is possible to construct a model that reflects the patterns in the data that they perceive to occur when attempting to formulate an understanding as to who did it. Despite their signifying the investigation as a Cat A, their initial focus is predominantly on those persons whom the SIOs regard as closest to the victim. Fahsing and Ask (2018, p.22) refer to the primary deliberation of detective decision making as focussed in the early stages of investigation *"on the most likely suspects… and then investigate against him"*. It is arguable that such "case theories" do assist investigators to establish what they consider to be their investigative priorities.

However, as Fahsing and Ask (2018) suggest it is not the reliance upon prior knowledge or suspicion that is the issue, but the limited options that an SIO may consider. There is another dimension to the example provided by Fahsing and Ask (2018, p.23). This aspect comprises the abductive reasoning used by an SIO in determining who 'fits' into their frame of potential suspects. Abductive reasoning commences with a set of incomplete observations and *"leads outwards"* to seek the most likely explanation for the set. "*The process of abduction is therefore a creative process of inferring the most probable hypothesis that explains the phenomenon"*. The idealised model referred to as the 'concentric circles of suspicion' is an example of the abductive process that leads from an inner to an outer core in seeking the best explanation as to who might have committed the murder (See Chapter 11, Figure 11.3).

In the twelve cases studied nine (75%) exhibited elements of the above process where the SIO considered that family or friends had been involved. These beliefs proved incorrect in all those cases. In contrast, of the three remaining cases one involved a double linked murder, a family and friend connection was not considered. In the second case the offender was arrested in less 24 hours and charged. Due to the crime being committed in a public place the SIO did not consider it other than a stranger murder. In the third case which related to a strangulation, the SIO said;

> *...it became clear to me early on that the likelihood, with what we knew about the victim, is that the offender would be close to home, somebody probably known to him...it's normally a very personal thing, normally someone very close...*

Their assessment proved correct; the person responsible was related to the victim by marriage. The SIO acknowledged however, that the next case of strangulation they dealt with was a stranger murder. Their belief or 'rule of thumb' that cases of that type are committed by those closest to the victim had been violated. This is a form of inductive reasoning which commences from observations. In this case the SIO's perception that cases of strangulation are "normally" committed by someone known to the victim "*is specific and limited in scope. This leads towards a generalised conclusion that is highly probable but not necessarily logically true in the light of the observed evidence. Inductive reasoning moves from the specific to the general*" (Fahsing and Ask, 2018, p. 23).

The second area involves associates and the 'usual suspects'. In this category persons were arrested because they fitted the description of a particular suspect, or the SIO deemed that their previous encounters with the police fitted the "profile";

> *So, we made some early arrest and we arrested three or four individuals, they were very local, were youths that had been in trouble with us and were always on bikes in the area....as I said they fit the profile...*

The "youths" arrested were able to provide alibis. In another example the SIO provided a detailed rationale in their decision log to account for why a person was considered a suspect. They "fitted the description" and their behaviour on arrest implied knowledge of the crime. Both, assumptions proved to be incorrect as forensic evidence exonerated them and instead identified the person who was charged and convicted of the murder.

The term suspect is not used lightly within the investigative sense and prior to any one person being designated a suspect the SIO will instigate a category referred to as

Trace, Investigate, Evaluate (TIE)[53]. This group may contain the offender, or persons within the group may have common characteristics shared by the offender. The importance of the TIE category is to stop unnecessary designation of persons as suspect. There are two purposes for this; designating a person as a suspect is a commitment of resources from the main investigation, secondly the arrest of too many persons described as a suspect may undermine a court case.

There are two aspects to the findings here. The first is that some SIOs were unsure as to the nature of the TIE as this was the first time, they had to deal with it.

> *So, we started this TIE process. Now, this is where having not dealt with a Cat A murders before, this is where the cases start to become challenging. Because TIE is something that we rarely use, you know, we rarely use TIE…who is a TIE nominal and who isn't a TIE nominal, and how do you decide those…how do you make those decisions?*

The process creates a dilemma for the SIO. They are concerned by their lack of knowledge of TIE and how to use it within a Category A murder. Their angst is compounded both by the unfamiliarity of having to deal with a category A murder and secondly having to use a process they had not encountered before. The relevance of the SIOs comments is contained in their remark as to how do they decide, "*how do you make those decisions*". This candid response was reflected by other SIOs who voiced similar concern as to the nature of TIE.

This pattern of reasoning is common to all of the SIOs in this study. When attempting to arrive at a solution as to who might be responsible, they begin with an assumption. That assumption is based upon their familiarity with previous cases. They commence with those closest to the victim, family or even neighbours are considered. The second category are those identified as close associates; by implication they have had contact with the victim either formally or informally. Also, within that category are the 'usual suspects' persons who may find themselves 'in the frame'. They 'fit' the profile of a

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[53] The term TIE or Trace, Investigate, Evaluate, was formerly referred to as Trace, Interview, Eliminate.

person who the SIO considers might commit a particular type of offence. The third category contains the suspect for the stranger murder. This category presents the most difficulty for the SIO. It is difficult because the SIO has to transition their thinking from dealing with the type of murder investigation they most frequently deal with, to dealing with the unfamiliar, a stranger murder.

Throughout the process of identifying who is responsible for the murder the SIOs are conscious that at a point in their investigation they will engage with the Crown Prosecution Service (CPS). They seek to anticipate that engagement by continuing to construct a narrative of how they perceive the events leading to the death of the decedent unfolded. This serves two purposes, first it provides a foundation upon which they can relate the story to the CPS to "convince" them of the solidity of the case they are presenting and the role of the offender. Secondly, the narrative acts as a construct which if accepted by the CPS becomes part of the evidential picture that will be put before a Judge and Jury. Hobbs (1989) described this process of as one of attempting to influence others in the adversarial process, he referred to it as the "dramaturgy" of the courtroom.

10.1.4 Stage 4 - Case management – Engagement with the CPS

The SIOs commonly considered that part of their role comprised establishing a "working relationship" with the CPS. They perceived this as a key factor in providing them with a positive outcome, namely that the CPS accepted the case they are presented with and agreed that the suspect be charged with murder. The desired outcome for the SIO was that the designation of suspect status changes too that of defendant.

> *The only thing I would say is that early CPS engagement, absolutely bloody critical, really, really critical, and we engaged with our local CPS on that Saturday when we first got him in…*

The SIO acknowledges the "critical" nature of their early engagement with their "local CPS". The nature of this contact means that the SIO has recourse to a single point of contact. In practice, the SIO now has a route by which they can seek to influence how

the case is presented. This reality of this is underpinned in the example given this SIO:

> *What I was trying to do there, I think it worked, was engage the CPS and say, look, we don't know whether this is going to be attempt murder but probably murder… we can't just pick up the phone to CPS Direct and say we've got a load of CCTV, you just have to believe us, it's really good. So, what I was trying to do was get the office manager to sort of start building a rapport with the CPS to say what is the best way of doing this…*

The SIO emphasises the importance they place on having a positive dialogue with the CPS. That dialogue is part of building a relationship, a "rapport" that seeks to influence the receiver of the information:

> *CPS were based in [name] at the time, so we were able to ring them, and we worked frequently with the lawyers, so reasonably good working relationship…*

This example highlights the connectivity that the SIO endeavours to build with the CPS. Through the use of prior engagement with the CPS the SIO seeks to establish common ground in familiarising the CPS with the content of the case against the suspect. The establishment of a "rapport" is to "convince" the recipient, as to the merits of their argument. That argument is built on the premise that the material they have gathered is both persuasive and admissible in evidence of the guilt of the defendant. Once a decision is given to charge a defendant by the CPS, SIOs consider that this is the point at which "the work really begins".

10.1.5 Stage 5 – Post charge

It is a shared belief amongst the SIOs that the "work" of investigation only commences after the suspect has been charged. Yet paradoxically, it is at this vital juncture between engaging with the CPS, at stage 4, and having charged the suspect, at stage 5, that the least number of decisions are made by the SIO (See Chapter 9 – Findings from the decision logs).

> *He was charged on the [date] and remanded. And then, as you know, the work starts…*

This belief arises because there is an investigative shift from an information-based activity to one focussed upon an evidential phase, the ordering and presentation of evidence. During the investigation, a vast amount of material will have been gathered (Innes, 2003). The greater part of that information will not be used either because it is deemed not to be relevant or it is considered inadmissible in evidence. Adducing what is relevant to the case requires the winnowing of that data into a concise, coherent and manageable format. It is also the selection phase as it is the SIO, subject to the rules of disclosure[54], who decides what material will used to present the case to the CPS.

It is at this juncture that the SIOs prior engagement and rapport building with the CPS is evident. In their initial engagement with the SIO the CPS lawyer may not have viewed or seen the totality of the evidence, documentary or physical that the SIO has access to, they will have relied upon what has been told to them by the SIO. The case against the defendant is subject to the rules of evidence. Those rules dictate what material will be allowed to be presented before a court. At this stage the SIO will rely upon their established rapport to "convince" the CPS lawyer of the validity of the case against a suspect:

> *To convince the CPS that [name] should be charged initially with murder because how could he not know what was going on when he saw what he saw. Which I accept was a decision not upheld by the court and actually one I subsequently do accept….*

As this example illustrates, convincing a CPS lawyer of the merit of a case can be detrimental to the defendant. In this case the defendant spent nine months in custody prior to being acquitted at trial. The SIO candidly admitted that there is a tendency to believe *"that everybody is guilty and conspiring, because that is how we traditionally think"*. Once however, that "mind-set" or decision has been made that persistence

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[54] Criminal Procedure and Investigations Act 1996

continues as part of the investigative narrative used to assure the CPS of the validity of the case.

It is this aspect of the investigative process that has been the subject of criticism as to both the impartiality and the role of the police. Lord Macdonald QC, a former Director of Public Prosecutions (DPP) observes that between the various actors in the CJS there is what he refers to as a separation of powers (Macdonald, 2015). The various functions are , 1) that police investigate, 2) the CPS decide if there is sufficient evidence to prosecute and the nature of a charge, 3) It is the jury as the who decide the innocence or guilt of the defendant 4) If the defendant is found guilty then the Judge passes sentence. It is not, Macdonald argues, for police investigators to influence other actors or functions in the judicial process. For police to ignore or "blur" their role he suggests may lead to miscarriages of justice (Macdonald, 2016).

10.2 Mission

A sense of Mission is the second super ordinate theme. This relates to the pressures and problems encountered by SIOs in 'doing the job' of investigating a stranger murder. The reality is that SIOs have human weaknesses and these frailties are exposed by the nature of the duty they undertake. The SIOs reflect on how they perceive their experience as murder investigators and the difficulties presented by that task. This includes their interaction with others both within and outside the organisational structure and the balance of power that exists between these competing factions (See Chapter five, Figure 5.1 for a theoretical model of the influences on the dynamic power exchanges within organisational decision making). Permeating this section is the culture of the detective, a sense of mission, stoicism in the face of difficulty, and commitment to that undertaking which underpins their attitudes and behaviour.

10.2.1 'You're dragged from pillar to post'

An investigation of the magnitude of a stranger murder does not unfold as a series of vignettes, that ultimately, by various dramatic ruses, unmasks the murderer. From the time the SIO is appointed to lead the enquiry they are required to co-ordinate and

direct investigative activity. SIOs view themselves as solvers of murder, no matter how difficult the task, and in this perception, there is a sense of mission. However, that mission is tempered by the knowledge that the investigation of difficult to solve murder places an additional burden upon them and their decision making.

The comment by an SIO "you're dragged from pillar to post" is reflective of the continual demands placed upon the SIO to make a decision. Part of that intensity emanates from members of their team and specialist units:

> *Being an SIO is a whirlwind, your phone never stops, your people are always wanting to talk to you, so people with the best will in the world and in the kindest way possible are stealing your time…*

The continual demand placed upon the SIO is adduced here first-hand. The SIOs description of likening the demands placed upon them as a 'whirlwind' is adroitly summed up by the SIO as, "your people" are "stealing your time". The idea that the SIOs time is being stolen infers that it cannot be retrieved. Inherent in that allusion of loss is the idea that the SIOs attention is distracted from their main mission, solving the crime. Attempting to meet the needs of others also has a debilitating effect on the SIO. This is not an isolated response to describing this type of situation:

> *I had people screaming for my attention at that moment in time, because everybody was going (pause) everyone you know was running around: it was a bit (pause) lots of pressure…..*

This remark illustrates the sense of urgency that occurs in an enquiry, particularly during the early stages. The SIOs description of "people screaming for my attention" reflects the urgent reality of the investigative pressures.

A common theme that has emerged from the interviews with the SIOs is the relentless pace of information generation. As the enquiry gains traction, the pace of information flowing into the MIR increases. Where the case attracts media attention this too leads to an information surge in addition to that already encountered. Huge volumes of

information must be sorted, disentangled, made sense of and actioned. Primarily this is the responsibility of the MIR (Harland, 2019).

From amongst realms of information that may be misleading, ambiguous or partial, however, it is the SIO who has to decide which pieces of information are relevant, and those which are irrelevant. Processing large volumes of information of varying complexity, and in circumstances of intense pressure can induce a cognitive overload. This can reduce vigilance in the encoding, storage and retrieval of information and affect decision making.

10.2.2 "your brain ditches stuff"

Mental fatigue caused by dealing with copious amounts of information is an element commonly acknowledged by the SIOs in this study. Indeed, the goal of solving a murder cannot be achieved, says an SIO, if you do not recognise your frailties as they apply to decision making:

> *And, you're doing that when you're tired, you're doing that during the course of several long days at work. So, for me, personally, I'm constantly trying to make sure I haven't missed anything because I know that during the course of getting tired, that's what happens, your brain ditches stuff...*

In comparison to other stranger murders in this research the case involving this SIO was solved quickly. Within three days the suspects were identified, and then arrested on the fourth day. An early resolution, as in this case, however, does not detract from the intensity of the investigation as described by the SIO. The SIO took over the investigation on the second day. They describe the enormity of the stress placed upon them by the welter of information they have to absorb. Their concern is that in doing so they do not want to miss vital information that will affect their decision-making. Yet they realise the reality is that they are "tired" and because of this they also candidly acknowledge *" your brain ditches stuff"*. Thus, information may be missed, misread or lead to errors in judgment or have other emotional consequences (Klingburg, 2009: Turnbull and Wass, 2015: Granter, McCann and Milne, 2015: Donnelly and West, 2019).

The SIO describe the effect of tiredness and the possible impact upon their decision-making:

> *Yes. I'd say so yeah. The decision about the gloves not going, having made the decision that they should go with the necessary expense that accompanies an urgent submission…*

The SIO s frustration is marked by the inaction, of others, regarding a decision by the SIO to submit as a priority, an exhibit. The important aspect of that decision is that in the prevailing economic climate, a decision to incur greater cost in forensic analysis is not taken lightly. The failure to comply with the SIOs decision was compounded the SIO says because he was only informed of the non-submission at the conclusion of a three-hour meeting dealing with forensic aspects. Had the SIO known, they would have cancelled the meeting and continued with prioritising the submission. The SIO admitted to feeling frustrated and angry. Frustrated because their decision had been ignored, and angry because they thought that *"other people were doing what I had thought had been asked of them"*. The impact upon their decision has been one of delay. The SIO does not suggest that this had any effect upon the overall enquiry.

10.2.3 Sacrifice and commitment

Long hours are an embodiment of the culture of the detective, as one SIO explained:

> *You want to be a detective, or you don't. You know you've got to accept that you've got to work the hours and put the effort in…*

This comment is resonant with the ideas of sacrifice and commitment and what it means to undertake the role of an SIO.

As one SIO remarked they were working "*one hundred hours a week*" and working 14-16 hours a day is not uncommon for an SIO, or indeed other members of the investigative team. Their commitment is to the task, the solving of the murder. In personal terms this approach may affect their physical health and their family life.

These factors are discounted though as part of the cost involved in achieving their overall aim:

> *You've got to accept as an SIO you just write off three days of your life off. You can't do anything, family wise or otherwise and with a job like this you've got to be (pause) you either want to be an SIO or you don't.*

The uniqueness of the role of the SIO is aptly conveyed by the SIO. All other endeavours, including their family, are placed to one side in the single-minded pursuit of identifying and solving the case.

The practicality of that requirement to work long hours is compounded when the SIO is isolated from their family:

> *I left home on the Friday evening with a couple of shirts and a couple of pairs of pants, I didn't come home for 11 days, right, and that brings about itself, stresses and strains, I guess, that you think you're not seeing anyone, there's no let up from this…*

The initial comment by the SIO indicates an expression of the effect of the dislocation caused by their being absent from home and family. This act in itself raises a concern within the SIO that they refer to as the "*stresses and strains*". The stress reflects the short-term absence. This is coupled with the strain of dealing with their first category A murder enquiry within the jurisdiction of another force, with which they are unfamiliar.

Overall there is a sense of sacrifice in terms of isolation from the SIO's family which provide stability and a place to retreat and recuperate away from the continual investigative pressure. Equally, this creates a tension between the sacrifice on the one hand and that described as the "*strain*". The latter idea captures the image of the SIO as portraying their commitment to get 'the job done' that is underpinned by there being "*no let up from this*".

The pressure on the SIO is intense, several SIOs remarked they have had to remove themselves from the investigative milieu so as to gain their own space and thinking time. It is demonstrated in this example, where the SIO refers to the amount of information coming into the MIR in the first few hours and days of an investigation as *"mammoth"*. To address this deluge of information and their response to managing investigative pressure they had to alleviate that stress, albeit, this entailed separation from their family:

> *I booked into a hotel local to here. I went home at 7 o'clock, or to the hotel at 8'o'clock, whatever time it was, and just said, please, I don't want you to ring me, you know, I just need a night here where, A, I'm not driving a hundred-mile round trip, and while you don't stop thinking about it, just trying to take a little gap was, really, really, important ....*

There is a sense of tiredness that permeates the words of the SIO. Their investigation is five days old. The SIO believes it could go on for another "10 days". The SIO reflects upon their immersion in a situation of unrelenting pressure where there is a need to process large volumes of complex information. The SIO though recognises the strain that they are under, which is implicit in the plea to their staff, *"I don't want you to ring me, you know, I just need a night here"*. That comment is not just a plea for relief from the pressure of constantly being available to deal with questions. It emphasises a need for respite, a period of isolation, *"just a little gap"* says the SIO. As the SIO acknowledges even that *"gap"* does not mean *" you don't stop thinking about it"*.

Aside from the pressure an SIO generates by thinking about their enquiry, pressure also emanates from sources within the enquiry as this example demonstrates:

> *...I know I am going from the point, but these were all things that were going through (pause) I took myself out of the Hotel that we were in and went and stayed on my own, a couple of days, and that helped. Because you'd get back at (pause) you work very long hours, as you well know, but you get back and have a beer in the bar and then everyone will be talking about it giving you ideas, and it's not helpful, actually, it's not helpful...*

This SIO emphasises the adherence to a long working hour culture (Turnbull and Wass, 2015: Granter, McCann and Boyle, 2015). Their fatigue is demonstrated in their reference to being continually bombarded with information, *"everyone will be talking about it giving you ideas"*. This comment highlights investigation does not take place within a nine to five environment, *"you work very long hours"* says the SIO. Investigation is not a nine to five event as examination of the daybooks and decision logs of the SIOs in Chapter 9 reveal.

The comments by this SIO indicates the continuing nature of investigation even when they are off duty. In the common parlance of detectives, the SIO gets *"their ear bent"* even during what they regard as a period of relaxation. Indeed, the investigative team will recount the stories of the day's events and comparisons may be drawn with other case investigation. Thus, the SIO is deluged with further theories and ideas as to the how the murder may have been committed. There is no respite from this bombardment of information unless the SIO removes themselves from that flux, as this SIO did.

In comparison another SIO describes the cumulative effect of working for many years investigating murder, the effect of that sacrifice and commitment is illustrated in their response. Because they are more experienced than their colleagues their senior supervisors, " *tend to leave a lot more jobs at your door instead of spreading it….yes, you get lumbered a bit"* . The SIO continues by saying that they are responsible for running a MIT with its associated murder enquiries, and separately a team investigating a long running high profile case. The SIO makes clear their own overall tiredness, not just arising out of one case, but the cumulative effect of many years:

> *And I'm just (pause) I've done it for a lot of years and, yes, I just want a break really. But I do two jobs, I'm the only SIO that runs two (pause) I mean I run the [name of] team, and that was run on its own. That's my fault because I came back to run the MITS and cut that down… .*

The SIO reflects on the burden of dealing with so many murders. They have dealt with one hundred murders in a period of eleven years as an SIO. As the most experienced SIO within their force MITs they consider they are delegated more complex cases. This leads to them describing this action by their hierarchy as *"leaving more jobs at*

your doorstep instead of spreading it". Implicit in this comment is the suggestion that no account is taken by those who delegate the case work of the cumulative impact upon the welfare of the SIO. Secondly, caseloads the SIO suggests are not evenly distributed, so, *"you get lumbered, a bit"*.

The idea of being "*lumbered*" or, put upon is then qualified by the SIOs additional use of the words, *"a bit"*. This tempering of any direct criticism of their hierarchy is an aspect of the stoicism and sacrifice that an SIO accepts as part of their commitment to accomplishing their cases. They do not wish to be seen as someone who "*rocks the boat*", instead they effect a can-do image. This aspect is pointedly made by the SIOs own commitment to the effectiveness of the organisational function. It is encapsulated in the comment that they had reduced the staff numbers allocated to their high-profile investigation. In hindsight they realise their error as this has increased pressure on them in addition to their caseload.

At the time of this research the SIO was handling ten other cases at various stages of investigation, not including the high- profile case. Their investigative team comprised eighteen investigators. Only when availability allowed would any be seconded to fill posts within the MIR, so as to supplement the two dedicated civilian staff in the MIR. This description of the pressure caused by dealing with multiple cases or, being given another murder case in the midst of a current investigation is not unusual as the SIOs in this research have remarked.

A SIO described decision-making under pressure, as a compression of many conversations where each conversation "is a decision-making conversation". The policy book in which their decisions are recorded, the SIO says, however, "probably don't even reflect the level of decision making" that an SIO undertakes (See Chapter 9– Findings from the SIO decision log analysis):

> *The policy book only reflects key decisions and only key decisions, really significant decisions, whereas the reality is that every one of those policy decisions will have been built on numerous conversations and numerous other decisions, you know, receiving information.*

This candid admission from an SIO reflects their view of the myriad of conversations and "phone calls" that take place behind just one decision. It is evidence though of the reality of decision making under pressure, and also involves in practical terms, sacrifice. This is because the SIO has made the conscious decision that not every decision will be recorded. The SIO in taking this route recognises this may pose a risk to the investigative process but has committed them-self to this decision-making pathway.

Other SIOs also reflected upon the variety of demands placed upon them and what this meant in terms of the maintenance of their reputation:

> *I think in some ways I am my own worst enemy. I'm frightened to death of getting it wrong. And what I would say is you spend many years building your reputation, don't you, you know, I think I have a good reputation and, sadly, once you've built yourself a good reputation you're frightened to death of losing it, having it knocked….*

The SIO reflects on their image from a personal viewpoint and how getting a decision wrong can undo the time they have invested in nurturing their image as a credible SIO. It aptly illustrates their personal sacrifice in attaining the role they have and their commitment in the face of sustained pressure, despite their expression of self-doubt in making the wrong decision.

They also reflect on how errors in their judgment may affect others, such as the family of the victim:

> *But even when you're stood over the body you know there's going to be a family you have to speak to and you don't want to get it wrong…*

The SIO emphasises their commitment to the family in the words, *"you don't want to get it wrong"*. Those words describe an unwritten pact with the family that the SIO will ensure their investigation is successful. This aspect translates to a desire by the SIO that they will seek justice on behalf of the family.

10.2.4 Seeking justice

To establish what occurred between the victim and suspect, the SIOs refer to a "search for the truth". This principle is the basis upon which they focus their decision making and investigative action. Implicit in the dictum a "search for the truth" is the idea that information that refutes a theory or proposition should receive equal attention to that which supports the proposition or theory of what has occurred. The SIO should then adopt a position of neutrality or impartiality when weighing up the factors that may influence how they perceive what has occurred, particularly when they begin the process of evaluating the roles of the various parties in the encounter.

The SIOs interviewed suggest their investigations are unhindered by a lack of impartiality. Their goal they maintain is to establish the truth; however, an apparent conflict arises when the "search for the truth" is identified with an internalised belief to seek justice. This is exemplified by their attachment not only to the apprehension of the person responsible but includes how they see their role in convicting the person responsible, *"you're not going to get away with this, do you know"*.

This attitude of mind is compounded if an emotional attachment is formed between investigator and those close to the victim. The quest for the truth is potentially compromised as the SIO consciously begins the process of labelling. Various qualities are attributed, for example, to a person (s) , whether they be the victim, the family or the suspect. The use of labelling may be positive or negative depending upon whom it is that is to be labelled. Labelling is part of the sense making routine of the SIO. It is a continuance of their attempt to understand what has occurred and an in doing so they construct a narrative as to how the victim died. Essentially that narrative is made up of the questions, how, and who did what to whom, and why.

The ideal investigation should begin and end with impartiality in a search for truth. This should be achieved, an SIO states, without being influenced by the desire to ensure that justice is attained on behalf of the family. To achieve that position the SIO adopts a non-partisan approach in which their decisions are not influenced by factors, such as who the victim was, or their lifestyle, those factors are immaterial in seeking the truth of what occurred:

So, when I got the job, the first job for me – it's what I always say, is to establish the truth, and genuinely never focussed on getting justice for a victim's family, which may seem a little cold….

In this example the SIO is forthright in stating that establishing the truth is the investigative aim. There is no sense of obligation or duty to the family contained in their words. The inference is that investing in such an obligation, or by allowing themselves to become emotionally involved, will affect the rationality of the decision process, and prejudice their judgment.

Other SIOs also professed that a search for the truth is at the core of their investigative decision making:

it doesn't matter who has died or why, they didn't deserve to die, and my job is to find the truth, so I am completely focussed on that…

The SIO attests that they are committed to finding out the truth. The noble intention behind these principles is reflective of the attitude of the SIOs interviewed.

However, more commonly, contained within the interviews of the SIOs are their judgments on the qualities and worthiness that appertain to the victim, the family and the suspect. The singling out of the victim, by labelling them, as reputable or possessing admirable traits is shown by remarks such as:

[he] was a nice guy and well liked….
[the victim] was an elderly male, gentleman….
[she] was a lovely young girl….

The adjectives used to describe the victims, "nice guy", a "gentleman" and lovely young girl" attribute qualities of respectability and virtue upon the recipient. They underpin the SIOs own belief and values as to their notion of the idealised victim.

Alternatively, the SIO may comment on the lifestyle of the victim as being instrumental or having some connection with their death. Despite this being only

speculation on the part of the SIO, it allows them to develop a picture as they continue to develop their narrative of understanding:

> *[name] was a very promiscuous gay man…he lived quite a dangerous lifestyle anyway …*
> *She was a bit of a deception merchant…not a great character, I don't want to speak badly of somebody, but she wasn't of great character…*

In using these words to describe the victim the SIO has formed a view as to the victim's character. The differences can be compared with those victims described as *"young"* or *"well liked"*. The SIOs through their experience of murder investigation identify what they consider constitutes the norm in a true victim. These beliefs are then challenged in instances where that internally held belief is violated. The circumstances of death, the background and habits of the decedent may not match the expectations of the SIO. In these examples, the victims background has put them in harm's way. The use of *"dangerous lifestyle"*, and "s*he was a bit of a deception merchant*" illustrate the variance in SIO thinking between those perceived as worthy and those whose lifestyle may have contributed to their death.

The merits of the family also form part of the SIOs understanding that influences their decisions:

> *You've got a lovely family, only child…*

In this example the SIO records their empathy with the family. They have made a judgment based upon their own values and beliefs about the respectability and decency of others. The, emotional attachment, or bond that they form between the victim and their family is conveyed in the words they use. Crucially, those words then act as a platform in the SIOs decision making as to how the investigation will be carried out:

> *it was just making sure everything was done to a gold standard…*

The SIO uses the phrase to a "gold standard", which is indicative of a high standard of investigation but implies that there are other investigative standards. The victim is

referred to as an "only child" thus accentuating the emotional loss to the family. The combination of these characteristics acts upon the consciousness of the SIO when they say:

> *Pressure to get it right for the family because it's so horrendous…*

The pressure from the family upon the SIO is a factor commonly described by other SIOs. This leads them to consider how they will act on behalf of the family in their determination to apprehend the suspect.

A practical example of how the SIO perceived they should act in their pursuit of the truth on behalf of the victim and their family is shown by this decision log entry:

> *To bring the responsible person to justice and allow family to come to terms with incident (extract from an SIO's decision log)*

The SIO adopts a position that acknowledges the influence of the family in their decision making. There is no attempt, unlike SIO, 6, at distancing themselves from the emotional ties that the family may exert on the decision making of the SIO. The victim's family cannot, however, be ignored.

> *And I think you feel it more, or I certainly feel it more , in some jobs more than others, and sadly, I felt the pressures, I suppose, from [victim's family] and friends for this one, even though I had not met them at that point…*

There is common recognition among the SIOs that the family must retain confidence in the ability of investigators to solve the murder. The maintenance of a positive relationship between the family and investigation team is viewed by the SIO as vital to a successful investigation. However, in the "search for the truth", the SIO commits them-self, consciously or unconsciously to acts of labelling. That labelling contributes toward forging an emotional attachment, to the family:

That alignment with the family is further reinforced by the manner in which the suspect is viewed by the SIO. The term *"bloody psychopath"*, used by an SIO fits with

their perception of the type of person who would commit this "horrendous" crime. These are emotive terms that bolster the SIOs commitment to the family, and potentially compromises the SIOs objectivity toward their search for the truth in identifying who committed the crime. This occurs as the investigative pathway narrows, and the focus of investigative effort is channelled toward attaining justice. Part of that process is defined by what the SIOs perceive as their role in being able to charge an offender and bring them to trial.

The SIO role should be limited to gathering the evidence and putting it before the prosecutors. This requires engagement with others in the criminal justice system, in this context the Crown Prosecution Service (CPS). It is the CPS who are the sole arbiter of the charge that should be brought on the available evidence. Nevertheless, a commonly held view is that SIOs are not limited to solely being gatherers and presenters of evidence. They believe that the process of investigation does not stop there but extends into the prosecutorial domain. This attitude is formed by their belief in the morality of their undertaking, a sense of mission and justice. In pursuing this objective, they cross the boundary between impartiality and restraint. They are convinced of the rectitude of their belief and reasoning as this example illustrates:

> *To convince the CPS that [name] should be charged initially with the murder because how could he not know what was going on when he saw what he saw….*

The SIO candidly admitted that, there was limited evidence in seeking to put the suspect before a court. A position that was reinforced by the suspects own interviews containing their explanation and denials. The SIO persistence beyond collector and presenter of evidence, is evident from the decision to "convince" the CPS of their belief that if a person was present at the scene of a crime, they must be culpable of "something":

> *I think we get so ingrained in thinking somebody must have done something, or whatever. Yes, he did it, he was the driver of the car, yes, he was there….*

The example is illustrative of the principle that the judgment and decision making of the SIO contracts as they focus on a particular suspect. The idea that *"somebody"* must have *"done something"* is underscored by what is a moral judgment, a duty to secure a conviction:

> *So, the end game for me is the truth, and for me the truth is somebody's committed this murder and it's about getting a conviction and whatever that looks like….*

The "end game" as the SIO comments is putting the suspect before a Court, and a Judge and Jury. It is the Jury, who decide the innocence or guilt of a defendant, not the SIO. Yet, this example illustrates the strength of the SIOs adherence to all stages of the investigative process and a belief that their duty is, *"about getting a conviction"*.

Less commonly articulated by the SIOs is the view that seeking a conviction is not their duty:

> *I've never focussed on getting somebody sentenced and convicted, they are simply consequences of me doing my job, which is getting to the truth, and that's how I approach every murder…*

That statement suggests the neutrality and dispassionate approach the SIO adopts, not just in relation to how they view their interaction with the family of the victim but is applicable to their overall investigative method. This impartial stance is later contradicted by the SIO later in their interview when they say:

> *Well, for example, where [suspect name] comes in and gets charged, then for me, we got to the truth. I know we've not convicted him yet – that's a consequence of getting to the truth….*

The "search for the truth" is determined by the suspect being charged, and their subsequent conviction. The Court process of trial by jury is omitted, as the SIO suggests their focus, similar to other SIOs, is based upon attaining conviction.

10.2.5 Not to show weakness

Not showing weakness is exemplified in the comments of one SIO and their investigation of a double murder. The first murder of a female occurred in a dwelling. The case perplexed the SIO, and their anxiety is evident in their interview as to both who and why had committed this crime:

> *So, you unravel in order to unravel a ball of string, you try and find the clues in all, you know, where's the string going, but I have none. So, everything I go, could be this, could be that, so it's all sitting in the middle, so very, very, difficult…*

This was compounded six weeks later when the SIO was allocated another murder enquiry of a female in a public space. The SIO later linked both cases. The second case was solved within seven days, the earlier case took a year to bring the same suspect to justice.

Both murders are also illustrative of the cumulative effect of fatigue on the SIO. In interview the SIO comments that their brain "*being like a sponge*" in which they can take in copious amounts of information. Their perception of how they believe they react to coping with large quantities of information in order to "unravel" what occurred is at variance with their later comment:

> *But yes, I'm tired. I think a lot of SIOs (pause) I mean there's been (pause) I think there was something where you're supposed to go and see somebody about welfare, because people have been saying that (pause) a lot of the SIOs are saying they're (pause) not burnt out but you know what I mean, workload is considerable and I've never been, I didn't go…..*

The SIO admits, perhaps reluctantly to their own tiredness. Almost as though this is an admission of weakness that an SIO should be able to rise above. Similarly, the idea that you might need help from other sources is vanquished from their thoughts. There is an apparent reluctance, a certain stoicism, by the SIO not to admit that they may need help in the form of personal support. This is encapsulated in their remark *"people have been saying that (pause) a lot of the SIOs are saying they're (pause) not burnt*

out". In that comment the SIO distances themselves from other SIOs by referring to them in the third person. It is other SIOs that need assistance. There is also an apparent reluctance by the SIO to use the term "burnt out".

The words *"burnt out"* are laden with ideas of weakness, shame, and not being able to cope. This does not form part of the lexicon or indeed the image of how SIOs see themselves. They perceive that they occupy a unique position, symbolic almost, in that as representatives of the organisation it is incumbent upon them to solve a crime that is at the top of the criminal calendar. It is also a prime example of detective culture in action (See Chapter 3). That culture endorses a belief in capability and fortitude in which weakness of character is not the hallmark of a true detective.

Commitment to investigation is seen as a *"battle"* in which the true attributes of the detective are on display and the benchmark of a successful SIO is measured by solving the crime. Expressions of weakness, or inability to cope are perceived as an admission of failure by the SIOs.

10.2.6 Focus – maintaining morale

The SIOs in this research were aware of the importance of maintaining a focus on the welfare and morale of their teams. This concern permeated their conscious thoughts as another aspect of their decision-making cycle. It is the ability to constantly strike a balance between having the requisite numbers of staff to fulfil vital roles as opposed to the risk of having to few staff undertaking or duplicating various roles. With all the other tasks the SIO is required to decide upon this adds to that pressure.

This example details how one SIO dealt with this situation when considering the welfare and morale of their team. They understand the importance of the team to the enquiry:

> *I give the other half the Monday off, because I know that this investigation is not going anywhere soon and if we don't look after our staff and their well-being we're all going to fall over…*

Although investigation and catching the offender is the goal of the enquiry, this comment acknowledges that an SIOs decision making must be effective. Without this management balance their mission cannot be accomplished. The point that is recognised by the SIO is that it is the management of the team their morale and their welfare that is a key factor in the success of an enquiry.

10.2.7 Attaining resources

This factor is also affected by how many staff the SIO has actually made available to them, which can be the cause of further stress in their decision-making, as this SIO explains:

> *One of my frustrations as a SIO is that this, everything we've talked about here is difficult enough, it's difficult stuff to do, and you're battling against, first of all, your suspects who don't want you to achieve your investigative aims, sometimes staff who don't want to be working unsocial hours and those issues securing individual resources such as search team, dogs, securing scenes, ...and what I often find is that that many of these things don't happen by way of one conversation, it'll be 10 phone calls, it'll be five conversations, and then it happens. It is quite draining...so you know there's a huge amount of frustration out there, and it's a long way of saying this stuff is hard enough to do, it's become incredibly more difficult to do....*

The pressure that the SIO experiences emanates equally from the frustration that they face in gathering resources as it does when faced with volumes of information. The SIO concludes by commenting upon what this means in reality:

> *I always use the football analogy as a, you know, Mr Maurine is having a difficult time at the moment, but what does he get at the start of every match is 11 players on the pitch, and very often we don't get that now. We're having the same challenge but we're starting with about five or six players, so we're already half a team down. And it probably does pile the pressure on you at a time when you've probably got enough to be doing anyway (SIO, 8).*

The longer the case takes to solve, however, the more the SIO has to tackle not only the onset of frustration and anxiety that they experience, but also the "despondency" that may begin to permeate the morale of their investigators, *" the longer these cases go on teams start to take a bit of a dip"…*

10.2.8 'the blame game'

The effects of shortage of staff or staff duplicating roles, especially within the MIR, are to be found within a number of these interviews. In some forces researched resourcing is not an issue. As discussed in theme (a) several forces in this research deployed 150 or more staff in their stranger murder enquiry. Predominantly these were rural forces. However, this is not to say that the more staff employed in an enquiry is a panacea for success.

Enquiries that are not solved within a short period of time but continue over many weeks and months may present problems, not only for the SIO in terms as to how it reflects upon their own morale and credibility, but also how they manage the morale and focus of their staff. In this example the investigation had been ongoing for eight weeks without any sign of being solved:

> *It went on for a long time. And because obviously , the pressure builds the longer it goes on…I remember having briefings with the teams… and I remember saying to them, I'm not going to be the one to identify this person, I can guarantee you the potential is you're going to knock on ….*

In the briefing to their team of sixty staff the SIO emphasises the collective responsibility to catch the murderer. There is, however, a sense of an underlying frustration in their comments; that it is the team who have not yet identified the offender, " I can guarantee you the potential is you're going to knock on someone's door and he's going to be the killer, and I'm relying upon you to identify that person". The SIO comments that *"we're in it together"*, is suggestive of a moral imperative in which they regard some members of the team as not being actively engaged.

Underlying the remarks is frustration, and a suggestion of blame. In that it is the team who are failing, and not the SIO whose strategies have failed to identify the murderer.

10.2.9 Lateral and hierarchical influences on the SIO

So far, this section has explored the personal effects of pressure and demand on the SIO within their investigative structure and the perception of their role. The burden experienced by an SIO is not constrained by the demand of managing the investigation or their team. There is a transactional element that underpins the SIOs relationship with those who are out-with the investigative structure. This relationship fundamentally comprises exchanges of power between the various actors involved. The basic premise is one of bargaining or a 'give and take' to ensure the investigation proceeds unhindered. This can be described as the lateral and hierarchical demands on their attention and decision making. Lateral demands include the actions of others upon whom the SIO relies to progress an investigation. Hierarchical demands reflect the nature and influence of senior officers, such as Gold groups (See Chapter five, Figure 5.1, Methodology for details of the idealised model of the dynamics of power exchange within an organisation such as the police)

10.2.10 "Your phone's ringing off the bloody hook"

As this SIO testifies to, investigation of the magnitude of a stranger murder will be the subject of intrusion at all levels of the organisation. Immediate pressures range from those wanting updates on investigative progress to those requiring decisions as to whether local divisional resources can be re-deployed from a crime scene:

> *There's a lot of pressure from the uniform because they're stopping you seeing some things and they just want you to shut it down as soon as you can, and you're constantly getting phone calls, how many resources do we need for this, when are you going to be shutting this down?*

Invariably the SIO has to assuage the concerns of local divisional commanders upon whose force area the murder has occurred. This involves mediation and decisions by the SIO as to how much or how little information can be released, so not to

compromise the investigation. This facet captures the idea of bargaining where in release for timely information the resources required are maintained, for example to staff crime scene cordons or for the purposes of searching.

> *you've got all these different bosses ringing you up asking for updates when you're trying to do your job….*

The SIO is constantly made aware of the limits of that bargaining process by other competing demands and priorities in the organisation.

10.2.11 The influence of senior command

The hierarchical intrusion of senior command is a factor that has an impact on the thinking and decision making of the SIO. The aim of senior command, through a Gold Group or as individual chief officers is to add value to an investigation by ensuring overall effectiveness and confidence in the ongoing police response is maintained. This is undertaken by bringing together stakeholders and other experts who can advise or guide upon the management of an investigation. The Gold Group is usually chaired by an officer of Chief Officer rank, an Assistant Chief Constable (ACC) rank. The Gold Group is intended to provide support and guidance to the SIO.

There are several aspects to this relationship that highlight the differentials in power between those performing an executive function ('the executive'), such as senior command, and the SIO in their investigative role. Intervening however, between the SIO and 'the executive' is the role played by the SIOs immediate supervisor, usually a superintendent or commonly referred to as a PIP 4. The PIP 4 acts in a support role to the SIO by providing an element of independence in reviewing the investigation or offering advice. Importantly however, in the balancing of power between 'the executive' and the SIO they act as an interlocutor. Acting as both broker and negotiator they present information and requests on behalf of the SIO to the 'executive', it is a form of appeasement.

The nature of bargaining within a hierarchical setting is underpinned by a differential in the power relationship that exists between the SIO, their immediate supervisor and

their Chief Officers. The SIO maintains control over the investigation, but there is a dependency upon having a positive relationship with their PIP 4. Acting as an intermediary or broker in the power relationship on behalf of the SIO the PIP 4 facilitates the exchange of information with their Chief Officers. The information exchange is the mechanism through which the SIO attains access to further resources either financial or personnel.

The SIOs interviewed have differing views on the relationship between their immediate supervisor and the function of the Gold Groups. In this example the SIO regards the influence of the PIP 4 as crucial to the balance of power in their role as a negotiator with the Gold Group:

> *You have to be incredibly focussed on and almost selfish…and you know people will demand things from you left, right and centre…it's easy to get distracted by people, especially senior command… I could not have done what I did without my PIP 4 support…*

Inherent in that comment is the reality of avoiding the distraction created by senior command seeking information and the part played by the PIP 4 in reducing the potential for friction between the investigative and executive function. Maintaining control over the investigation is viewed as essential by the SIO, and the part played by their PIP 4 as an intermediary between the investigative and 'the executive' is vital:

> *I would speak to [PIP 4] twice a day, this is where we are, this is what I am doing. Because he was actually articulating this back to the Gold Group… I don't often find them helpful; to be honest, as an SIO, because you spend most of your time preparing to brief people, and of course your briefing normally ACPO[55], so you don't want to sound like a complete buffoon, and it didn't half take a lot of time, it really does….*

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[55] Association of Chief Police Officers (ACPO) representing senior policing ranks of ACC (equivalent of Commander in the Metropolitan Police) and above. Since 2012 ACPO has been replaced by the National Police Chiefs Council (NPCC)

The role and value of the Gold Group is not without its critics as evidenced in this example. The criticism is directed at the competing demands in abstracting the SIO from their enquiry in order to prepare briefings for senior officers, this can occur "*sometimes three times a day*". The concludes their observation by adding, *"to an SIO I think they're a hindrance, to be honest"*. The frankness of the SIO is reflective of the power relationship in action where the role of the PIP 4 is viewed as crucial to absorbing the pressure created by what the SIO regards as an unnecessary distraction from the task of solving the murder.

10.3 Conclusion

The SIO's in this study acknowledge the pressure placed upon them in 'doing' the job of investigating a stranger murder. There is evidence to suggest that the pressures experienced by the SIO's causes fatigue by the adherence to a culture of working long hours. That culture entails sacrifice, on occasions being away from home and family or working overly long hours which deprives an SIO of contact with their family. The SIO's commitment to solving the crime is another facet which tends to isolate them and causes both anxiety and frustration.

Findings from the research of Turnbull and Wass (2015) and Granter, McCann and Milne (2015) describe the absorption of a culture of "extreme work". This entails working overly long hours, which is seen as being the "the new normal". As these authors argue the normalisation of "extreme work" has implications for health and well-being. The study by Turnbull and Wass (2015) is of relevance to this research as it focussed upon the inspecting ranks, those at Inspector and Chief Inspector, of which most SIO's are a part. The findings in this study mirror findings by Turnbull and Wass (2015) in relation to the long hour culture and the deleterious effect that this can have upon the well-being and health of an SIO.

Chapter 11

Behavioural aspects of the Senior Investigation Officer

Chapter eleven continues with an exploration of one of the two remaining super ordinate themes, Knowledge.

11.1 Knowledge

In their interviews, the SIOs commonly referred to the National Decision Model as the basis upon which they made their decisions. The model referred to as the Idealised Decision-Making Model (IDMM) is also considered but in practice it is used only by a few of the SIOs. A SIO will use one of these models as a basis for reasoning, although at least one SIO said they used a combination of both to make their decisions.

The procedure for ensuring that decisions are written down and accounted for was established by the ACPO (1990) guidelines.[56] The guidelines states that written decisions should be made in all serious cases as a means to ensure the accountability and integrity of the investigation. They are to be utilised in all cases where a MIR is set up, this includes a murder enquiry.

11.2 Training and explicit knowledge

When asked about their own views on the purpose of the SIO training course the SIOs were quite clear that it was about decision making;

> *... and it's about, isn't it, it's about X has happened, you need to make a decision, this is your decision and what's your rationale. So, it's being very, very clear, so arrest that person, you know, we can all make that decision, can't we, and you can use the national decision model to get to...*

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[56] Policy files or decision logs as they have become known were introduced by ACPO Crime Committee (1999) in their document 'Revised Guidelines for the Use of Policy Files'. A copy of this document is shown at Appendix O.

An example by one expressly referred to the NDM as part of their decision making, particularly the writing of the rationale as to why a decision was made. Another SIO regarded the NDM as sitting *"behind everything else"*, to the extent that they don't consciously think about it when gathering information. They argue that there is no need to refer to the relevant policy or legislation to confirm that they have taken the correct action, they are not *"going to misbehave"* . In these examples, the SIOs are talking in the abstract about how they approach what they have learnt about the NDM as part of their training.

The next example focusses on the practicality of the NDM;

> *You do it automatically when you've got experience. So, gathering your information. What are the, what does that tell you, what are the powers and policies available to you. Your decisions around it. Status for individuals. Implement those and then review the outcome and then reconsider. All within the code of ethics. But during this investigation I wasn't thinking about the NDM it came automatically with experience and watching experienced SIOs in the past and how they operated and things of that nature. And training is important as well...*

The SIO suggests they no longer have to actually think about the NDM as it has become a natural pathway when they have to consider ethical decision-making. They refer to their experience, or their tacit knowledge, and because of this the SIO remarks that they no longer need to consciously reflect upon the NDM, instead using the NDM has become an automated response.

This idea of an unconscious use of the NDM is also reflected by several SIOs;

> *I think I do, but I think it's unconsciously, you know, I don't think I consciously go…but I would think, you know, in some of my rationales you'd probably see that that's the kind of process that you go through, because I would say, you know, gather my facts, consider all the options, decide which is the best option…*

In another example the SIO was asked how they applied both the NDM and the IDMM in their decision making;

> *They helped me specify the first element of it, which was, what do I know. So, I'm able to set out in the rationale what I know. It helps me then identify what I need to know because in this case what I didn't know was what was the association between the people, what the connection was…*

The SIO sets out how they would follow the four-step process of the IDMM. Indeed, the prime purpose of addressing those four questions, in this example, is that the SIO seeks to "understand" what has occurred between the various actors. This knowledge then provides the SIO with a springboard for action to arrest. The idea of being able to use a simplified process or model to determine a course of action is exemplified in this statement:

> *I prefer that one [the IDMM] to the national decision model. Only because it is easier to understand, so I just find it more relevant to this line of work. When you break it down of course, the national decision model is very …*

In their interviews all the SIOs stated that they used one or other of the models, or a combination of the two when considering a decision. This decision-making extended to how they approached generating hypotheses as part of their investigative strategy utilising either of the models.

11.3 Using decision making models to generate hypotheses

The generation of hypotheses is referred to briefly in the MIM (ACPO, 2005: p.54) and is expanded on in the Core Investigative Doctrine, (ACPO, 2005a, p. 70-73). The SIOs specifically referred to these models as the means upon which they decided to generate hypotheses to establish an understanding of what they believe occurred between the parties and why:

Yes, … and then I think what you don't know is part of the NDM isn't it. It's what I am trying to achieve…It kind of fits with the hypotheses, which I think is all around the NDM, isn't it? And for me writing a hypothesis about… that can be long, can be drawn out.. so just before I wrote this I wrote the first of a number of hypotheses actually…

The SIO in this example states they are using the NDM, however the NDM is silent, unlike the IDMM, on the questions to be asked, it is left to the decision-maker to decide which question is relevant at any stage. The SIO instead has conflated the two models by considering an aspect from each. The SIO specifically refers to the NDM as the method through which they will develop their hypotheses. Neither the NDM nor, the IDMM specifically refer to hypothesis development as part of the decision-making process. This is perhaps an example of how the SIO interprets the purpose of the models and how they understand its practical use when developing hypotheses;

[1] XX was murdered by someone known to him due to his promiscuous lifestyle, so that he had lots of partners and ex-partners…; [2]He was murdered following the theft of items from his car…; [3]He was murdered in connection with his businesses…; [4] He died following an accident…my national decision-making model assisted with writing that hypotheses, because I've gathered all that information and I'm then deciding what one I want to give the most favour to…

It is arguable that the 'hypotheses' generated at 1-4 are not actually hypotheses but are predominantly motives or a list as to why an event occurred. An interesting aspect of the SIOs judgment in detailing their 'hypotheses' is the remark, *" I've gathered all that information and then I'm deciding what one I want to give most favour to".* The impression given from this conclusion is that, 1) the SIO has all the information they require and 2) they now need to *"favour"* one aspect. The SIO may have used a poor choice of words when using *"all"* and *"favour".* The issue is whether the SIO understands the forms of inferential reasoning that they are using and the means by which they will test their " hypotheses". (The use of hypotheses and forms of inferential reasoning is discussed in Chapter seven).

The approach toward hypothesis generation can be contrasted in using the NDM cited above and the example below using the IDMM as the basis upon which to formulate a hypothesis;

> *Yes, idealised decision-making model. So, what you look at is three things. Victim, location, offender. What do you know about them, the three strands there? It's from what you know about them, that helps you develop the hypotheses, so the next one, so 1) what do we know about them; 2) what does that tell you about what might have happened? So that's the way you build up your hypotheses, and then to either bring the hypotheses in or exclude it , your number 3) bit is, what do I need to know.....*

Each SIO, in the two examples approaches the same problem, the generation of hypotheses, but using a different decision-making model. Each has a different understanding of the purpose in generating a hypothesis.

The SIO's were also asked by the researcher to state why a hypothesis should then be subjected to testing. This is the action of weighing the various propositions to determine what features support or undermine a line of inferential inquiry. Twining (2011, p. 104) for example, excludes from consideration information that is based upon impressionistic experiences of similar cases and "intuition", by suggesting that these forms of thinking should not be treated as evidence. The research found few SIO's could articulate why the testing of a hypothesis should be undertaken with hypothesis generation. The importance of these features as a basis of inferential reasoning has been expressed by other researchers (Popper, 1963: Nordby, 2000 and 2013: Innes, 2003).

Carson, (2013: p.261) describes this form of inferential reasoning as one that detectives use, it is an abductive form of logic. This process Carson argues draws upon what is already known, albeit the information may be incomplete. Leading outwards to find the most likely explanation for the data, abduction involves a process of inferring what might explain the event. Inferences are used to create a possible explanation for an event or providing an alternative explanation. Critically this aspect of hypothesis development requires "imaginative skills" to explain what is already

known, and how it might be reorganised, re-interpreted or re-imagined (Carson, 2013). Cognitive flexibility, the capability to adapt to changes or differing situations and to consider a methodical approach to assessing competing options provides a basis upon which an SIO should actively seek to disprove (Fahsing and Ask, 2018, p. 22) or refute (Popper, 1963) each hypothesis. Fahsing and Ask (2018) comment that they are not aware of any study that has specifically examined that aspect involving experienced detectives. A study by O'Brien, (2009) however, although only based upon college students acting in the role of investigators, found that their information searches were less affected by erroneous influences if they undertook a methodical analysis of each hypothesis.

11.4 SIO views on the manuals of guidance

The SIOs expressed mixed views on the practicalities of using the MIM; one practical example being that it was 'too big' to carry around as an investigative guide. There was general support as indicated in theme (a) that the investigative structure cited within the MIM, referred to as the *'building blocks'* was an appropriate framework for dealing with the complexity of a stranger murder. Thereafter, views differ as to the significance of the document to investigation. One SIO described using it as a *"health check"* to ensure that they were not missing anything *"stupid"*; another commented that they did not *"blindly follow the MIM"*, as they did not *"investigate by numbers"*.

> *Yes, but not around that. I mean, I've got copies of the murder manual. But I tended to use it as a bit of a, you know, if I'm doing a bit of house to house or asking.. .because you just don't want to miss anything so you...yes, so I tend to use it as a bit of a reminder…*

Another SIO commented that they when they first dealt with a murder as an SIO they would often refer to the MIM and the MIRSAP for guidance as to how to undertake a particular procedure. As they gained more experience they said relied less upon a procedural format. Indeed this, stated form of gaining knowledge, moving from express formats to a reliance upon their own experience with only sporadic reference to established procedures was expressed by other SIOs. A common finding is that SIOs said that their experiences are complemented by vicarious learning. This occurs

through attendance at seminars, presentations and reading about other murder investigations. Several SIOs suggested that this form of shared experience, listening and learning from those who had experienced difficult cases, was their preferred method of learning.

The credibility of police investigative manuals is questioned by those interviewed as to their fitness for purpose in the context of 21st century policing, particularly in the field of telecommunications. An SIO commented:

> *You could take a broad view and say everything is contained on that phone , every line of enquiry on that phone just gets downloaded, produced as a document, and gets received and read. But nothing in the MIRSAP or any of the procedures we've currently got are going to tell you what that means. So, yes, I guess if you ask the question it's obsolete and probably needs review. [57]*

The SIOs interviewed suggest that they do not habitually refer to police procedural documents. Instead they only use the documents as a form of *"health check"* in their investigations. They rely upon their experience as a detective as opposed to a 'novice' SIO who they believe requires that additional support;

> *I think if you were coming in, if you'd not, you know, I've been a detective for 22 years or whatever, I think that if you were a young SIO having limited detective background, you would probably be referring to it a lot, I think. Because, you know, it's every case is different , isn't it, they've all got their nuances, they've all got different things that come to challenge you…*

Moreover, most of the SIOs when asked preferred to use the SIO handbook (Cook and Tattersall, 2016). [58]

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[57] Personnel communication with the researcher from the COP suggests that the MIM, MIRSAP and Core Investigative Doctrine are in the process of being updated at the time of writing.
[58] The authors of the SIO handbook were both former SIOs.

11.5 Tried and Trusted methods

The SIO at the commencement of the investigation focusses their attention on the structuring of their enquiry. This is a process driven function that comprises use of a procedural framework referred to as the investigative *'building blocks'*. Using the 'building blocks' approach the SIOs then populate the five domains with what they consider are the optimal considerations that will achieve their goals. These considerations are a composition of the SIOs own prior experience of murder deployed on the basis that what has proved successful in past cases may do so again. This may be construed as the tried and trusted method adopted by the SIOs. That systemised approach is applicable to all the SIOs interviewed. This includes the two SIOs, who whilst they departed from certain procedural aspects of investigation laid out in the MIM, nevertheless followed the core elements.

Having utilised their store of knowledge in assessing the situation before them the SIO attempts to construct or organise what they have seen as both comprehensible and capable of being understood. The interviews with the SIOs suggest that in dealing with the unfamiliar, a stranger murder, the SIOs explicit knowledge assists them with the initial investigative structuration. In attempting to relate that understanding to the practicalities of investigation the interviews indicate the difficulties faced by the SIOs.

11.6 Exploring the tacit knowledge of SIOs

Decisions undertaken by SIOs can be divided conceptually into; 1) those that are process driven in that they are undertaken as a matter of course during a murder enquiry, for example, to hold a post-mortem and 2) those that underlie their explicit knowledge and are referred to as 'tacit.' Tacit knowledge Polyani (1966:4) suggested is "knowing more than we can tell". It is personal knowledge acquired through doing, and interaction with others. It is acquired by the individual from their unconscious when they seek to find familiar elements in an unfamiliar situation (Klein, 1998: Baumard, 1999). In their discussion of tacit knowledge Patterson et al., (2010, p.294) suggest that the tacit as described by Polyani (1966) is an "end state".

Preceding the tacit is implicit learning, a process described by Patterson et al. (2010) as the "largely unconscious" manner in which the acquisition and evolvement of numerous skills, knowledge and expertise occurs. The difficulty is the transference of expertise, skills and knowledge to others; if as Polyani (1966) has argued it is accepted that "in knowing more than we can tell", the person with the desired "state" of knowledge is unable to articulate or fully explain what it is they know and how they know it then how is such knowledge acquired. A possibility is that the process occurs through acquisition of unconscious thought processes, derived from experiences that Patterson et al. (2010) refer to as the implicit acquisition of knowledge.

The 'end state' is this process is the attainment of tacit knowledge. This might help explain how the passing on of tacit knowledge in the absence of explicit or formalised knowledge occurred throughout generations (See Chapter two for the details of this transfer from the tacit to the explicit. However, Patterson et al. (2010) do not explain whether the acquisition of knowledge is viewed as having a discrete function or whether the 'end state' acts on a continuum that perpetually cycles back and forth between each state. This difficulty may be overcome they suggest by utilising implicit learning techniques in a training situation so as to "develop" tacit knowledge (Patterson et al. 2010, p. 294). This process would be assisted by an immersive learning system such as the Hydra exercise that occurs in module three of the SIO training course (referred to in Chapter 8). The following passages from interviews with SIOs illustrate the tacit, "that we know more than we can tell" (Polyani, 1966).

11.7 Analysis of the characteristics of stranger murder

Reference has been made to the idea of a rule of thumb or the use of heuristics by which the SIO reasons when thinking about murder.

> *So, you know, for example, through your own experience, you know, that 90% of murders are committed by people who are known to the them, who are known to the victim or 99%; it's a huge percentage….*

The percentage cited by the SIO in the context of stranger murder ignores the smaller percentages that contain those persons who are unknown to the victim. The SIO's

frame of reference is based upon their knowledge of the familiar. They apply the principles they have learnt from those cases about the types of person who commit murder and where particular types of murder occur.

11.8 "It was odd"

In contrast to those homicide situations more frequently encountered stranger homicides occur less frequently and therefore the context and investigative processes associated with them are often unfamiliar to SIOs. This perception of the unfamiliar was very soon evident as the SIOs found difficulty in expressing precisely what it was that perplexed them about the crime scene that they encountered. It is the strange and unusual nature of the encounter that baffles them, and in attempting to unravel what it is that concerns them they search for terms that convey that uncertainty. The terms they select to describe that uncertainty are signifiers of their doubt and unfamiliarity with the situation they face.

Numerous descriptive terms are used by the SIOs to describe this cognitive state of not knowing;

> *'It's contradictory, it seems to be a set up, it seems to be… it's not right. There's, so many things wrong with it, we don't understand, and we can't fathom…*

In attempting to explain the *"contradictory"* scene that they attended the SIO could not articulate further on what exactly they believed was concerning them. Another SIO in their attempt to explain the contradictions that confronted them at the crime scene could only describe what concerned them as a "niggle". The terms 'odd' and 'niggle' convey an abnormality and irritation. The SIOs from their repertoire of experience are unable to interpret their unconscious thoughts so as to provide a rational explanation for their concern. Instead, the words they use are nebulous and obscure, an indication of their own doubt and possible confusion as to contradictions they are faced with.

Six of the SIOs interviewed used the term *"odd"*. One of the SIO's commented that it was *"quite an odd crime scene, not your norm and not the usual state of affairs"*. The comment is illustrative of the apparent incongruency that existed between what the SIO expected a murder and a scene to look like as opposed to what they actually witnessed. Their expectation had been violated and the only way they could describe what they saw was by the word "odd".

In another case the chaotic state of the room in which the deceased was found and marks on the body led SIO to convey their doubt as, "*it could have been a suicide, you know, it was very odd"*. The sense of the unexpected was compounded the SIO said by other aspects of the scene that did not *'fit'* with their perception, such as the position of the body when found, and "*it was odd that the curtains were closed*". It is the incongruent nature of these small details that run counter to the previous experience of the SIO.

11.9 An SIO never forgets

The powerful emotional impact of investigating a murder on the memory of an individual SIO is immediately apparent in their opening comment, *"I don't think you ever forget any of the deaths you've been involved in*". This SIO then went on to describe how the interview had revived memories of another homicide that had occurred *"fifteen years ago"*:

> *You never… I don't think you ever forget any of the deaths you've been involved in, and it's, even now you talking to me now. I thought, right, what fires have I dealt with…So, there are key triggers really, key bits of information that gives you almost flashbacks to jobs you've dealt with that you haven't thought about for years…*

In being asked to explain what he meant by the term "comparison", the SIO stated that his recollection brought to mind cases involving fires and *" where people were found in cars…"*. The SIO had not investigated a case where the two factors coincided as in their present investigation.

That example is not unlike that described by an SIO, dealing with the sexual assault and murder of a young woman. The SIO comments upon the scene and that every opportunity, to a *"gold standard"* is taken to ensure available evidence is gathered as quickly as possible. The interviewer asked the SIO when they were reviewing the scene whether any other cases came to mind that they used as comparative mental models. The SIO responded by saying that the most similar case:

> *...was a young girl who was abducted and murdered when I was a night DC in 1995 [xxx] was found in a state of undress with severe head injuries behind a pub...*

That case had occurred nearly twenty-three years ago. The interviewer asked whether the SIO had been conscious of the older case when reviewing the current murder investigation:

> *Yeah, you have done. No again, I don't get traumatised by this sort of thing. People do nowadays. For me you deal with what's in front of you. It's evidence and everything. Obviously, you feel for the family but that's another thing....*

The SIO indicated that it was the researchers question that had brought the older example to mind. Immediately following that confirmation, they add, "*No, again, I don't get traumatised by that sort of thing. People do nowadays*". The conversation then moved abruptly from the recollection of the twenty-three-year-old case to the dispassionate collection of evidence in their current investigation. No further mention was made of that case during the interview despite the apparent effect on the SIOs narrative in producing a stilted and truncated affect.

11.10 Certainty

The SIO attended a crime scene in a flat and on surveying the scene are sure that they are faced with a murder. There is no hesitation or delay on their part, as opposed to some examples that have been cited:

Quite often people sit on the fence. It's a bit different with this particular case because it was obvious he'd been stabbed and that he'd bled to death. But those where there's a bit of a question mark I often find reticence that people call it a murder. Sometimes they like to refer to it as an unexplained death. I'm very clear about what it is….

The SIO said that the it was "*obvious*" the victim had been stabbed, due to the "*distribution of the blood was such that on the floor, the injury to the leg, the way he was, like defence wounds, and he was also very vulnerable*". The SIO also noted there were "*lots of needles*" in the unkempt flat. From these observations the SIO made the inference that the victim was a low-level drug user and hypothesised that the stab wounds represented a form of punishment for failing to repay a drug debt. The interviewer asked the SIO how they could be certain from the outset that their initial hypothesis was correct:

It was, I suppose…I don't know, it could have been a burglary that had gone wrong…was it a fight between two druggies who were friends….I don't know, it was just the way he was lying there very vulnerable and it just struck me straightaway that the type of injury in the leg is one that is usually inflicted as a sign of disrespect (pause) now you're asking me, I didn't think about it at the time like that, but I think, when I look back those sort of thoughts did go through my head …

The response from the SIO indicates that they cannot explain how they knew that the inference they had drawn was the correct one. They mentioned that they had thought of other options as to what might have occurred. Having mentally eliminated those options, they focussed on the idea that the victim had been killed because of a drug debt. Yet, they could explain why this was their optimal consideration. The SIO was asked to expand further on their thoughts as to why they settled on that particular hypothesis:

I don't know, that's just what it felt like to me at that time. Yes, it could easily have been something else, you know. It didn't appear to be a domestic incident because he was living on his own, with his mates in and out, I couldn't really consider at that particular time, to me that's what it was, all eggs in one basket, that's what you say, isn't it…

The interviewer asked the SIO to reflect further on what they meant by their comment, "*it felt like to me":*

Because when I stand there looking at the body lying in that sitting room in a blood bath with some injuries to his face, not substantial, you know like assault injuries, a couple of defence wounds, looking at the condition of the flat, not much food in the fridge, the bedroom was exceptionally untidy, as they often are, the needles all around. I don't know, I guess that goes back to the experiential learning, I've been in enough druggies flats over the years to know and understand their lifestyle, how they live, how they operate…..

The conversation with the SIO highlights the difficulty they have in articulating the knowledge that lies behind their conscious reasoning. On entering the victims premises and viewing the scene, *"you take in certain things";* the SIO *"knows"* that scene before them indicates the victim is a drug user and they believe the reason for the death is some form of punishment. Other reasons for what occurred to the victim are considered by the SIO but dismissed in favour of their preferred theory: *" all eggs in one basket, that's what you say isn't it".* There appears to be an acknowledgement that restricting investigative possibilities to one hypothesis as an interpretation of a crime scene might have been optimal. Ultimately, whilst the SIO had correctly identified the victim as a drug user, the reason for the murder was robbery, not to repay a drug debt, as was initially believed

11.11 Learning – Personal knowledge

During their interviews, the majority of SIOs commented on how they had learned to become a SIO. Foremost, they that considered that acquisition of knowledge during their formative development as a detective before becoming an SIO was important. The importance of this belief is discussed in detail in Chapter two, A historical overview of the development of investigative guidance and in Chapter three, Police Culture: the role of the detective. Both chapters underline the importance of the development of tacit and explicit knowledge (Chapter two) and how combined with a detective culture (Chapter three) they impact upon the decision making of the SIO. The comment from an SIO, cited below, is illustrative of the learning process, as it demonstrates the traditional craft like nature of detective work, underpinned by experience (Carlin, 1920/2018: Higgins, 1958: Greeno, 1960: Vanstone, 1961: Rawlings, 1961: Colquhoun, 1962: du Rose, 1971: Forbes, 1973: Hobbs, 1989: Innes, 2003: Tong and Bowling, 2006):

> *I think it starts from early doors as a detective, young detective, and some of the jobs you get given – it might seem bizarre this, but fraud jobs that I was given. I worked in the city, city centre, and some of the fraud jobs I was given really don't half train an investigation mind….*

The SIO emphasised that involvement in a particular type of investigation, in this example fraud, enabled them to acquire an eye for detail, that enables them to *"unpick"* the relevant from the irrelevant so as to establish the truth. The ability to work in a variety of roles was also seen as essential to the task of being a good investigator:

> *I did vice squad… I was working in xx and they had different units , like a burglary team: they had a robbery team; they had a volume crime team, domestic team, and I spent a lot of time in domestics actually, but then in other teams working through…*

An ability to have undertaken various investigative roles within the career structure of a detective and having dealt with a kaleidoscope of crime was viewed as adding

credibility and status as an investigator, here the SIO talks of what their role as a detective inspector encapsulated:

> *So just mad volume crime, daily sort of robberies, rapes, burglary, death*
> *and mayhem,....*

The descriptive comment by the SIO of their daily routine, replete with an abundance of criminality, from the mundane to the violent, displays an insouciance with which the detective views their occupational life. The importance of any particular aspect of criminality is downplayed. The mundane is linked with the most serious criminality and reflects aspects of the detective culture that are discussed in Chapter three. The essential idea captured here is one of image, of the all-round capable investigator who can turn their hand from investigation of the trivial to the most serious crime.

All the SIOs interviewed emphasised the importance of having begun their investigative careers dealing with the general flux of criminal investigation. One SIO described this as "doing all the necessary jobs", so as to enhance their ability to investigate a broad range of criminality. This broad range of investigative experience coupled with progression through a career pathway commencing at detective constable, through each rank to SIO is viewed as integral to being able to undertake the investigation of murder.

11.12 Sharing knowledge – Apprenticeship

The concept of personal learning through a process of "doing the job" is seen by SIOs as a crucial rite of passage. Initiation commences by serving a form of apprenticeship through the various stages of criminal investigation. Beginning a career as a detective constable and dealing with a range and variety of crime types is viewed as part of the progression in understanding how to do detective work.

In describing their own development from being a novice investigator to becoming an SIO they rely not only on their own knowledge but that which they have acquired through working with and listening to other more experienced investigators. This is another element of the tacit, the passing on of stored knowledge from one person to

another. In this example the interviewer asked the SIO about how they develop and test their hypotheses. The SIO has difficulty in articulating how they know what they know:

> *I can't remember if I… I mean there was a very experienced DI, when I first went acting as A DI in the city, these were my biggest fear, really worried about getting these wrong. And so, I would, kind of, pick everybody's brain and ask them to review and give me feedback on any that I'd done …But is it something I've picked up along the way, yes; but I can't say specifically where I got it from…*

These informal exchanges of information, in general, are viewed as positive form of learning by SIOs. There is another perspective of learning that the SIOs describe, and that is learning *"how not to investigate a murder"*, as this example demonstrates:

> *…just virtually out of my probation and I get, because I can use computers, I get seconded because there's a murder on the [division] that I work, as is the old ways then , they used to take them there. And I learnt more about how not to investigate a murder…*

Their recollection stems from what they observed as opposed to being personally instructed or advised by a mentor. In their role as an apprentice they judged that the mistakes made by the SIO resulted in a failure to charge and convict a suspect of murder. It is these types of cases that the SIO says has informed their thinking as how to murder should be investigated.

It is interesting to note here the observations of Nordby (1992: 2002) that a necessity for an investigator should be to learn from their involvement in the investigation of individual cases. To this can be added an observation that SIO's should take the time to learn from other cases. Particularly those cases where outcomes may not have been advantageous to the SIO. This aspect probably requires a holistic approach to the whole issue of maintaining a centralised corpus of knowledge. Donnelly and West (2019) suggest that individual learning from cases of stranger homicide, that are successful or fail, may occur. There is, however, no corpus of material, unlike in

Medicine, the Legal Profession or Nursing, that SIOs can refer to, to assist them in their investigative task. This is a criticism that has been raised by other researchers (Stelfox, 2007 and 2009: O'Neill, 2018).

11.13 Sharing knowledge – the Organisational exchange

The ability to investigate all types of crime is seen as a precursor to investigating murder and underlies the ethos of what the SIOs argued makes a good murder investigator. That ethos is underpinned by the circulation of tacit knowledge within the organisation. The uniqueness of some murder investigations then becomes the foundation for wider dissemination of the challenges and difficulties encountered by the SIO:

> *And I remember many, many years ago when I was a young…I think I was a DS, and I went on like on an in-force training, detective training. And we had speaking the SIO who did the Jamie Bulger murder…*

The SIO recalled the advice given to them of how to deal with the volume of information that is collected during an enquiry. That advice some years prior to their own advancement as an SIO continued to inform their decision making. The example illustrates the perpetuation of knowledge on the principles of knowing how to act, what to do and the circumstances in which that knowledge is applied.

Other SIOs spoke of ensuring that their own professional development was kept up-to date, by being aware of what was happening within other investigative disciplines such as child abuse, or forensic techniques. The act of "*vicariously hoovering up*" knowledge was an expression used by an SIO to describe how they absorbed the experiences of other SIOs who imparted their knowledge. The concept of listening to the experience of other SIOs through the formality of conferences where specific cases are discussed, either nationally or in-force are seen by the SIOs as an important part in the cycle of the organisational exchange of information.

In a grander sense these formal exchanges are similar to the 'war stories' that detectives tell each other (See Chapter three - Police Culture: the role of the detective).

The 'war stories' reflect celebrated cases, the difficult cases, where the purpose of the teller is to show to the listener their skill, aptitude and ability, it becomes a showcase through which they display their talent as an investigator. The story told by the teller may be partial, misremembered or embellished; its overall purpose is to maintain an oral tradition of passing on what the teller believed worked in solving that case. In a sense they are modern day parables, a morality tale that encapsulates right versus wrong and good versus bad.

11.14 The search for answers in the 'problem space'

A difficulty that the SIO first encounters when dealing with what has been referred to as the 'problem space' is actually recognising that the case presented to them, in this case a 'stranger murder', requires a radically different approach than that found in the setting of a conventional murder, where there is usually a prior association between suspect and victim. A conventional murder, without demeaning the seriousness of murder, is the type frequently encountered by the SIOs, and upon which their experience has been built. That type of murder may also be distinguished from 'hard to solve' investigations by the presence of significant evidential material, comprised of witnesses, forensic, or technical material, factors that may be absent in more difficult and complex cases.

11.15 Looking for a 'motive' in the problem space

A key determinant for the SIO in solving a murder is in establishing why something was done. This is belief held by the majority of SIOs that by determining and understanding the motive of the suspect, this will provide the causal connection to unravelling the question, why?

> *Like Cat B's and C's, whatever, it's like, you know, you pretty well know the motive straightaway, or if you don't it straightaway becomes apparent very quickly….*

In this example the SIO recollects previous categories of murder that they have investigated where motive has been aligned with domestic issues, debts, drugs, and

firearms. Their *a posteriori* experience is utilised as the basis upon which to construct an approach to dealing with the question of motive in the stranger murder they investigated.

This question is part of the early decision making encountered by the SIOs in murder investigation. The majority of SIOs in interview referred to the need to understand the motive as to why the suspect acted as they did. Some SIOs recorded this in their decision logs. Determining a motive, forming a view, or understanding why something was done by a suspect is part of the innate thinking undertaken by an SIO investigating, for example the more frequent familial murder. SIOs investigating stranger murder hold the belief that 'motive' is a transferable concept in that it also can be applied to that category of murder. Establishing a 'motive' as to why a suspect did what they did is the lodestone upon which the nexus between suspect and victim will be identified and help to solve the case:

> *Once you've got a motive, you know exactly where, I think, you're heading particularly, you know, if you were able to say, right, well, you know, this is, whatever, this is a burglary gone wrong, or it's a robbery, or it's a sexual attack, you know, it gives you some real pointers as to probably the individuals that you're likely to be looking at....*

One SIO described the establishing of a motive as part of their main line of enquiry (MLOE)[59]:

> *three, to identify motive, and/or understanding as to why this murder took place....*

The same SIO recorded this in their decision log as:

> *There is no current intelligence or information providing an understanding as to motive to seek to kill [named decedent], a motive may be identified through enquiries...*

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[59] An MLOE is designated by the SIO as a primary investigative task.

Analysis of the SIO interviews however indicates that seeking to find a motive did not assist the SIOs in solving their case. In some instances, the lack of an apparent motive appeared to induce frustration or dilemma within SIO thinking as the following examples reveal;

There were no witnesses. There was no CCTV. No apparent motive….

You've got 24 hours-time to cover between victim being seen and knowing they're dead. You've got no glaring apparent motive….

Everywhere you look, no motive, upsets everybody….

We were really clutching, you know, at all straws here…

And again, you know, because we were still in that process of, well, what is the motive? I had no idea. Can I tell you what the motive is now? No idea. I couldn't tell you what the motive is…

These extracts reflect a sense of anxiety by the SIOs that they had not previously encountered in murder enquiries. There is also an underlying frustration that identifying motives, something that had worked for them on previous occasions was absent in the case under investigation. One SIO dealt with two cases of murder, they later linked both as committed by the same person. The lack of an apparent motive affects not only the SIO but the investigative team. The comment by an SIO that they had *"no idea"* of a motive, can be compared to a previous remark in interview where they said that;

Once you've got a motive you know exactly where, I think, you're heading…

The corollary of this comment is perhaps unintentional, in that it suggests without a motive then the SIO does not know where to focus their investigative strategy. There is a counterpoint to these cases.

This case example initially involved an attempted murder. Due to the nature of the injuries to the victim the SIO treated the case as one of murder, which it subsequently became. The suspect was arrested less than 24 hours later. In their decision log the SIO does not refer to motive. The only reference in interview to a motive is implicit, this occurs when the SIO attempts to fill in the gaps in their understanding, they begin to speculate on the reasons why an altercation took place between the suspect and victim. A possible explanation as to why there is no explicit reference to motive may lie first of all with the fact the victim was still alive when the investigation commenced and secondly the suspect was arrested less than twelve hours after the offence took place. Alternatively, the SIO as opposed to the other SIOs in this study may be the exception to considering motive as part of their thinking.

Motive is therefore a consideration even within the context of a stranger murder. There appears to be a validly held belief by the majority of SIOs that establishing a motive is important. That view is not dependent upon their own longevity either as a police officer or an investigator.

11.16 "Rules of thumb," and SIO beliefs within the problem space

SIO beliefs and experience of past cases lead them to rely upon a 'rule of thumb' or that the answer to solving a case lies "close to home" and that:

> *So, you know, for example, through your own experience, you know, that 90% of murders are committed by people who are known to the them, who are known to the victim or 99%; it's a huge percentage….*

This 'rule of thumb' or inductive reasoning cited by the SIO combines a statistical elegance and reasoning that lends cognitive credibility to their expressed belief that most victims know their killers. Without dealing in linguistic semantics the word 'know' can embrace any number of forms of knowing, perhaps even the briefest of encounters between victim and suspect might accord with that criteria. It is though the expression of the SIOs "experience" that leads them to make this broad statement.

It is an indication of how that belief leads an SIO to focus their attention on the larger Figure, a form of reasoning referred to as anchoring, and ignores a consideration of the smaller percentages of 10 or 1%. The latter, smaller percentages is comprised of the unknowns, in this context, stranger murder. What is missing from the SIOs thinking in this example is a consideration in numeric terms of exactly what those lower percentages are comprised of.

This form of reasoning is based upon how easily previous cases are brought to mind. In practical terms this translates to the SIO treating all cases in the same fashion; using the same or similar methods of thinking as their established 'mental' route through which a case may be solved. This behavioural style of thinking can lead to a reduced focus by the SIO in determining how this relatively small category should be investigated.

11.17 Possible solving factors in stranger murder

Table 11.1 below is a visual representation of the most frequent categories used by an SIO in determining how they will attempt to solve their stranger murder.

11.17.1 Categories against investigation time

Each category in Figure 11.1 below represents a temporal time span across the entirety of the cases studied. The categories indicate the importance in terms of the predominant methods used by SIO's to solve their case. For example, strategies to arrest a suspect form a considerable amount of investigative input across the entire temporal domain. The use of hypotheses generation is relevant up-to the 21 day mean. This picture of hypothesis generation fits with the fact that most of the SIO's cases (72%) are solved within ten days. In the remaining cases, hypotheses are tested, but it is not possible to say in which of the remaining four cases this was undertaken.

Strategies that the SIO relies upon to solve the murder also provide a consistent picture across the temporal life of the investigative enquiries. For example, the tracing of witnesses, the identification of vehicles through ANPR using financial data and telecommunications feature as strategies frequently used by the SIO's in their attempt

to solve their investigation. The unexpected result from the data is that the retrieval of CCTV, to identify witnesses or suspects is only sought up-to twenty -one days. Possible explanations as to why CCTV appears of limited investigative use after the twenty-one day mean period may be a combination of factors that include:

1) The majority of stranger murders in this study are solved quickly thereby negating the need for CCTV;

2) the CCTV has been retrieved quickly and identifies witnesses or a suspect;

3) beyond the twenty-one day mean period CCTV is of limited use to the investigator. Although it may have featured in their original 'trawl' other factors such as a remote or isolated murder scene may negate the effect of this strategy.
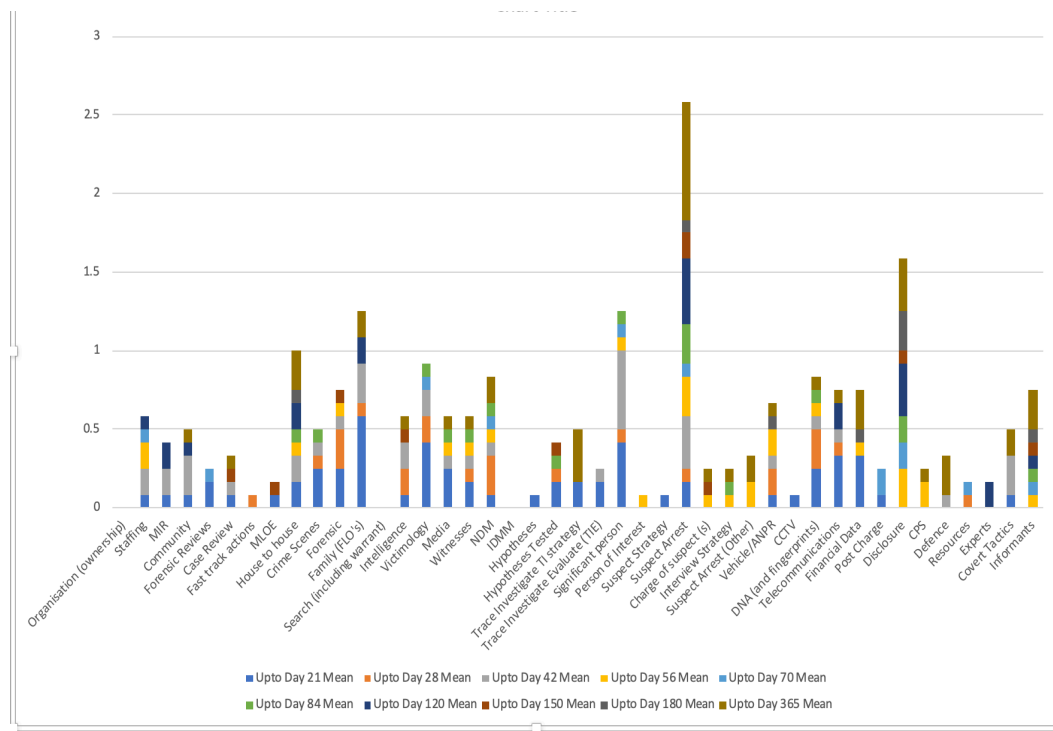
Figure 11.1 Categories against investigation time

The chart described in Figure 11.2 below visually represents the most important categories employed by an SIO in attempting to solve their case. The 'patchwork' quilt of investigative stratagems also highlights the time spent by an SIO on the developing what they believe will lead them to resolving a case. Figure 11.2 indicates that lines

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of enquiry (LOE) is used considerably by the SIO to advance their enquiry. This is not unexpected. LOE's are the actions derived from the MIR. They are the basis of all actions and enquiries undertaken by the OET.

The dominant use of LOE's is closely followed by Management and Technology. Management includes the structuring of the team, essentially at the outset of an enquiry. It might have been expected, however, that this methodology would not have been as dominant in the hierarchy as indicated. A possible explanation is that the term management encapsulates a variety resourcing issues. This varies from personnel and the financial aspects of running an enquiry that may last a few days or upwards of a year or more. These aspects all vie for the attention of the SIO, and their decision on what should be done.
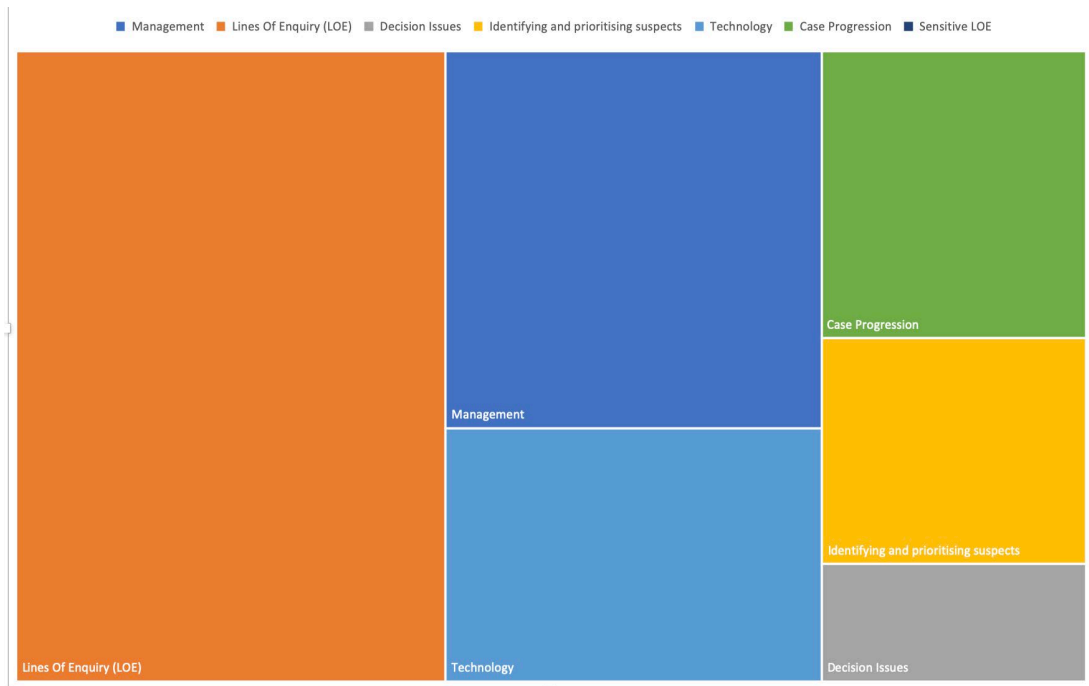
Figure 11.2 Hierarchy of predominant categories used by SIO's as part of their investigative strategy.

11.18 Identifying those "in the frame"

The majority of SIOs in this study commence thinking about who might be responsible for the murder by contemplating an established schema, focussing first upon those in closest proximity to the victim (The first category), and working outward from that

point. Collectively for the purpose of this study those persons in the different categories will be viewed as "in the frame". This idealised notion of being 'in the frame' negates the need to continually make a distinction between the term suspect or other descriptors used by those investigating murder, which have a distinct meaning and implications for the SIO.

Family, friends, neighbours

Associates and the usual suspects

The suspect?
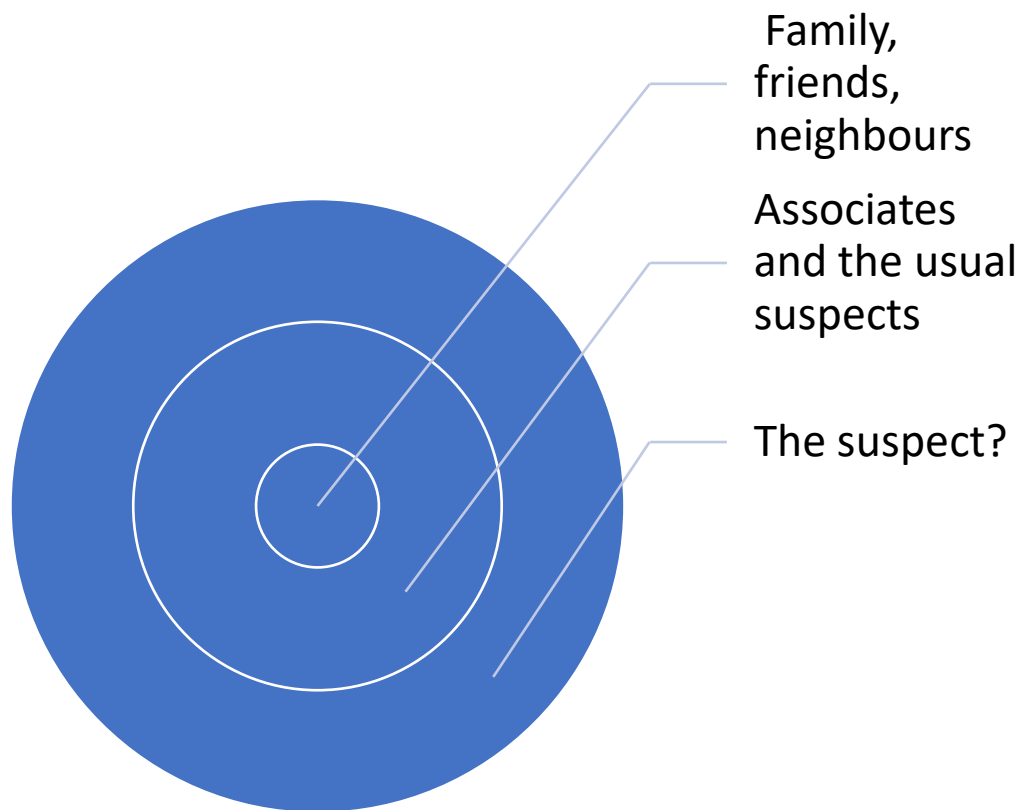
Figure 11.3 An idealised model of investigative thinking - the 'Concentric Circles of Suspicion'.

This schema or framework forms part of the findings where it has been described by the researcher as the 'concentric circle of suspicion' (Figure 11.3 above). The centre contains family friends and neighbours, the 'inner ring' contains associates of the victim and 'the usual suspects'. This category may contain business associates, or consideration of persons the decedent had been involved with. It also comprises 'the usual suspects', those who because of their background or lifestyle automatically arouse the suspicions of an investigator . The third category, the 'outer ring' denotes the domain in which the suspect, in cases of stranger murder may lie. It is this area

that is problematic or the 'problem space as described in Chapter six. It is referred to as the 'problem space, as the established schema and prior knowledge of investigating murder may not assist their thinking or reasoning in difficult and protracted cases of stranger murder. Those persons at the centre of Figure 11.3 described by some of the SIO's as "close to home" reflects SIO thinking as to whom they might initially consider as responsible for the murder.

11.19 Family, Friends and Neighbours - "Close to home"

With one exception, all the SIOs interviewed mentioned or indicated that they adopted this 'rule of thumb' or considered it as a part of their thinking as to who might be responsible. [60] This is not to suggest that other investigative avenues to identify the person responsible are not considered. The, evidence however, connotes that an SIO's initial aim comprises a pre-ordained trajectory that commences with those they view as, "close to home". Within this category are family, friends and even neighbours. They are persons in immediate proximity to the victim either because they are related or there is in the view of the SIO some form of connectivity.

The approach of this SIO is illustrative of how this occurs in practice. It also highlights the measures taken by some SIO's to avoid premature closure in their thinking. Premature closure may occur through a narrow cognitive focus, by focusing for example, on one person, when there may be other persons and information that indicate a different approach or tactic is required. Importantly, these two cases also demonstrate how the use of hypotheses and non-commitment to arrest the first person that might conceivably be 'in the frame' obviates the risk of what has been described as an implemental mindset (Gollwitzer, 1990: Fahsing and Ask 2013 and 2016).

The first case involved the death of a male victim in a dwelling. The circumstances of how they died were initially unclear to the SIO as suicide was a consideration. In considering who might be responsible the SIO recalled:

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[60] The exceptional case may be considered as an outlier based on the fact that the victim was still alive at the time the SIO decided to treat the case as a possible murder investigation, which it subsequently became.

but as well as his lifestyle, it was just really difficult. But, no, it was the first one where like I say, there's potentially the neighbour, there's potentially [name], the boyfriend, there's a number of people who he'd allegedly raped…

The SIO also mentioned that they considered three hypotheses as to how death occurred. In considering their hypotheses as to the who and the how they then faced pressure from within their own investigative team to commence arresting all those suspected of being involved. To counter this criticism the SIO asked them to consider not only material that might inculpate a person but also that which could be exculpatory. When asked why the SIO sought material that might refute the hypothesis, the SIO explained that they had developed this approach having dealt *"hundreds"* of suspicious deaths where there was always pressure on the SIO:

> *And I find when you get to the scene you're under quite a lot of pressure when you get to the scene to make a decision. So that's something I've just developed over years of going to special procedure deaths just to help focus my own mind no matter what the pressure is, you know….*

When asked why they adopted this approach the SIO could not explain how they had acquired their knowledge in relation to hypothesis development. They said:

> *But is it something I've picked up along the way, yes? But I can't say specifically where I got it from….Because a lot of pressures you're up against if you've got those hypotheses from the start then you can look at either proving or disproving them, and it helps to keep you focussed and gets rid of those external pressures….*

They did add that another reason for using hypotheses was to avoid "investigative bias" by focussing " down a certain line". The SIO discussed their thinking as to how to avoid bias in their decision making by starting with an initial set of hypotheses. They gave an example that detailed the material that supported a hypothesis and that which refuted the hypothesis. The hypothesis supported death by falling down a flight of stairs, as against a suspicious death. This was the verdict arrived at by the Coroner

at the decedent's inquest. The SIOs approach is a valuable insight into the systematic evaluation of each hypothesis and the evidence that either refutes or supports the same.

11.20 Associates and the usual suspects

This category encapsulates those persons who may be considered associates or the usual suspects. The latter term comprises those who through their background, proximity to an event, description or behaviour qualify them to be considered as "in the frame". Being 'in the frame' does not constitute being arrested although there are five instances in the cases studied where arrests either singular, or sometimes multiple arrests, were made (n=12, 42%). One case illustrates the focus on the 'usual suspect' because of their description, their proximity to the murder and behaviour prior to and on arrest.

It is also illustrative of the SIOs transition in their decision-making from a deliberative to an implemental mind-set, a tipping-point (Gollwitzer, 1990: Fahsing and Ask, 2013 and 2015). A 'tipping-point' suggests that the decision-making of the SIO, has moved from considering a range of possibilities or hypotheses, referred to by Gollwitzer (1990) as a deliberative mind-set. The deliberative mind-set narrows by focussing on only one aspect. This becomes a winnowing of options to possibly only one. The implemental mind-set now focusses up-on only one action or theory. This may be to the detriment of ignoring other possibilities or seeking further explanations for an event.

Following the concept of the "concentric circles" the SIOs attention is drawn to a suspect who fitted the description of the offender. Detailed decision log entries recorded why this person was believed to be responsible for the murder, of which the following is an extract:

> *Fits the description and has admitted being the male involved in unsolicited comments before his arrest (Decision log entry)*

The suspect in this case was also believed to have been involved in a previous incident related to two young females. On the basis of their description and admissions made

at the time of their arrest he was considered a suspect for the murder. This consideration by the SIO follows the proposed model, having dealt with the those closest to the victim and those described as associates, the next sequential development is that of deciding who else may be in the "frame" and includes the 'usual suspects'.

The background of the suspect, their knowledge and proximity to where the body was located provided an impetus for the SIO in declaring them a suspect and arresting them. It was later proved, by DNA analysis, that they did not commit the murder. Fast track analysis from objects at the crime scene established the DNA related to another person who was arrested, charged and convicted of murder. He was unknown to both the victim and the investigative team.

The case demonstrates the deliberative and implemental mind-sets, and how the transition between the two can affect the decision-making of the SIO. The decision making in the decision logs focusses on the wrong person, because he "*fits the description*" and the remarks they made upon arrest. The use of forensic analysis (DNA examination) was instrumental in identifying the correct person for the murder.

11.21 The Suspect

In attempting to understand and explain the nature of what they faced the majority of SIOs admitted being perplexed at the scenes that confronted them:

> *We really were clutching at all straws here… it wasn't a simple Cat C…*

This comment reflects the discomfort of the SIO that having attended the crime scene and commenced the initiation of routine procedures these actions were failing to produce "results' as quickly as those they encountered on previous occasions. Hence the reference by the SIO to, *"it wasn't a simple Cat C"*. That reference indicates how quickly in the opinion of the SIO Cat C cases are solved. Whether all Cat C murder investigations are "simple" may be an oversimplification. The comment though represents the idea of familiarity and the ease with which an SIO believes they can solve that type of murder, as opposed to the complexities presented by a Cat A murder.

11.22 It all starts to tell a story

When confronted with the unfamiliar SIOs adopt the 'building blocks' approach to constructing their investigative structure (ACPO, 2005a). This stratagem features in all the SIOs early decision making. It is part of their explicit knowledge and something they have learnt through their progression as a detective to an SIO dealing with murder. The subject has also been taught on their SIO course; it is what they know:

> *I think if you just go back to your building blocks and start with your house to house strategies, CCTV strategies, and things like that, and stick to your building blocks it all starts to unravel, doesn't it, once you get those things in place and the information starts coming back it all starts to tell a story and that, then gives you the next stage of enquiries and things….*

The SIO in this case had initially expressed doubts as to their ability to undertake their first stranger murder enquiry. Utilising the building blocks provided them with a familiar anchor upon which to launch their investigation. The SIOs forensic strategy identified CCTV footage taken at the last known sighting of the victim. Having placed the victim at a particular location the SIO then obtained information that led to identifying a suspect;

> *Where actually, you know, the old-fashioned knocking on doors, speaking to witnesses and things like that is what caught [name of suspect], yes, a bit of CCTV, a bit of luck….*

In this case the suspect was identified within two days of the murder and arrested on the third day. These are 'evidential tools' and are part of the investigative 'building block' referred to as 'securing evidence' (See page 13 for detail). In the absence of a witness, factors such as CCTV footage, forensic and technical evidence play a crucial part in the SIOs armoury to help solve the case they are investigating.

11.23 Reliance upon evidential tools

The opening decision making of all the SIOs includes the retrieval of forensic evidence. In particular there is a dependence upon the finding of DNA to identify a suspect or to link the victim with the suspect. It is a feature of this research that the apparent lack in finding these 'evidential tools' causes the SIO to become dispirited. There is a dependence upon these tried and trusted methods of investigation. The SIO applies what they know and have utilised successfully in previous investigations. They exhibit surprise and frustration when these methods do not appear to yield success:

> *So, as you imagine, you think to yourself, Oh, that is , you know, we're going to be rich with DNA in here: we'll identify this person, you know. And that was my initial thoughts when I went to the scene….*

In this example the SIO refers to their confidence that the scene and the body would provide a rich environment for forensic retrieval, thus enabling a suspect to be identified. Contrary to their prior expectation of similar events, the scene did not reveal DNA from any of the items initially sent for analysis. The enormity and scale of this type of investigation is revealed in the SIOs disbelief that out of 3,500 forensic exhibits, none apparently revealed a trace:

> *And you know, we were just getting nowhere and it was a real ,mm, it was a (pause) it wasn't a bone of contention it was a frustration of mine thinking, you know, we've got an environment there that's just rich for DNA and we're not getting (pause)…*

This sense of frustration at the inability to find evidence identifying a suspect is also taken up by other SIOs:

> *He had died at the scene. There were no witnesses. There was no CCTV…*

> *And so, I'm only six weeks into this and still waiting for the dreaded forensics to come back and hoping (pause) which I lose a bit of faith in them sometimes…*

In these examples the two SIOs reflects upon the lack of various evidential aids that will help them solve the murder they are investigating. In the first example, the murder of a male in a public place, the SIO emphasises that two key elements to successfully apprehending a suspect are missing. The first element is CCTV the presence of which either at crime scenes or to track the movements of a possible suspect is placed as a priority when SIOs consider their initial fast track actions; this technical aid is mentioned by the majority of the SIOs in this study and is seen as a vital factor in solving the crime. The same SIO also highlights the lack of witnesses to the murder. It is, however, unusual to find direct witnesses to these types of crime.

The second example, the murder of a female in a dwelling, highlights the reliance the SIO places upon their forensic strategy. The SIO comments that six weeks into the investigation the results of forensic analysis are still awaited. There is a subtle shift in the SIOs thinking to deflect potential criticism of their investigative ability they, question the effectiveness of the scientific process. There is an inference that lack of investigative success is due to a failure by the scientists not finding the evidence to identify the offender. The comment by the SIO also signals their own frustration that their investigative tactics after "six weeks" have not yet led to identifying the suspect. Both of these examples, irrespective of the location of the assault, point to the difficulty that the SIO encounters when the favoured means of solving a murder are absent. The lack of these solving factors perplexed the SIOs as it did other SIOs within this study.

An interesting feature of these examples is that one SIO was dealing with their first murder, and the other SIO had dealt with a hundred murders during their career as an SIO. Despite their decade or years-experience as an SIO, they struggled to develop a strategy to identify the person responsible. There is the shared sense of disappointment and inner turmoil that is common to the each of these SIOs. Indeed, such emotions are also experienced in various forms and at different stages by other SIOs in this research. Research suggests that an SIO with greater experience in handling one hundred murder cases should be able to access a richer repertoire of knowledge than an SIO who had only dealt with one (Ericson, 2006b).

11.24 Where murder occurs[61]

Of the twelve cases 50% (n=6) or half occurred within a dwelling, 25% (n=3) occurred in a public place, and the same percentage for murder in the open outdoors (n=3).

Venue	%	N =
Dwelling (includes, house, flat)	50%	N=6
Public Place (includes, street, car park)	25%	N=3
Open Outdoors (includes, parks, open land)	25%	N=3
Totals	**100%**	**N=12**

Table 11.1 Analysis of venues where murders occurred

An inference that can be drawn from these statistics, albeit from a low base rate, is that a stranger murder is as likely to occur within the confines of a dwelling i.e. a house or apartment; as in a public place or the open outdoors. The analysis suggests a 50/50 probability of that occurrence. A further interpretation of the data is that a stranger murder is twice as likely to occur within the confines of a dwelling when compared to either a public place or the open outdoors.

There is, however, an exception to the number of murders that took place within a dwelling. The investigation undertaken by one SIO in which the victim was strangled was initially thought to be a stranger murder. The person responsible was later identified as related to the victim through marriage and they were in dispute over a debt. If that case is removed from the data analysis, and for that purpose only, the analysis indicates that murder in a dwelling is equivalent to 46% or N=5 out of a total of eleven cases, N=11. All the other data has been adjusted accordingly to reflect the eleven cases (See Table 11.2).

Venue	%	N =
Dwelling (includes, house, flat)	*46%*	*N=5*
Public Place (includes, street, car park)	27%	N=3
Open Outdoors (includes, parks, open land)	27%	N=3
Totals	100%	N=11

Table 11.2 Data adjusted to reflect removal of one case of 'stranger murder'

The data can be broken down further to reflect both the venue where the murder took place and the gender of the victim. In all the cases researched there is no suggestion that the site of the attack is different, from where the body was found.

Venue	Male - %	N=	Female %	N=
Dwelling (includes, house, flat)	27%	N=3	18%	N=2
Public Place (includes, street, car park)	27%	N=3		
Open Outdoors (parks, open land	10%	N=1	18%	N=2
Totals	64%	N=7	36%	N=4

Table 11.3 Venue of murder overlaid with gender of decedent

Male victims are more likely to be the subject of a stranger murder within either a dwelling 27% (n=3) or a public place, 27% (n=3). There is only one case of a male being murdered in the in the open outdoors, 10% (n=1). Females comprise only 36% (n=4) of the eleven decedents in the research study. They are found in only two categories, murdered either in a dwelling 18% (n=2) or the open outdoor, 18% (n=2).

There are no cases in this study indicative of a female being murdered in a public place. When compared to a male decedent a female is twice as likely to be murdered in the open outdoors in a stranger attack. Similarly, cases of both stranger attacks on males, 27% (n=3) and on females, 18%, (n=2) are also likely to occur within the confines of a familial setting. When the two sets of data are combined, murder in a dwelling, accounts for, n=5, or 45% of stranger murder. Nearly half of the murders in this study are accounted for in this manner. Similarly, the open outdoors data when combined accounts for n=3 or, 27%. A similar figure is also produced for murder in a public place, n=3, or 27%. The site of the murder, and the gender of the decedent can also be overlaid with the method of how the murder was carried out. Comparisons between Table 11.1 and Table 11. 3 reveal that in the case of a male murdered in a dwelling the dominant methods of assault are stabbing, n=2 (18%), or blunt force, n=1 (10%). Female murder victims, n=2, (18%), are most likely to be the subject of attack by stabbing as opposed to the use of blunt force or strangulation.

Venue	Male - %	N=	Stabbed	Blunt force	Arson
Dwelling (includes, house, flat)	27%	N=3	18% N=2	10% N=1	
Public Place (includes, street, car park)	27%	N=3	18% N=2		10% N=1
Open Outdoors (parks, open land	10%	N=1	10% N=1		
Totals	**64%**	**N=7**	**46% N=5**	**10% N=1**	**10% N=1**

Table 11.4 Venue type, male victim and method of murder

As opposed to the blunt force used on the male victim (n=1), both female victims are the subject of a stabbing n=2 (18%). Neither of the female victims attacked in their dwelling showed evidence of having been sexually assaulted. Although in the case where the victim had been stabbed, in the opinion of the SIO the body had been posed, or "staged" in order to mislead the investigators as to the "motive" for the killing or true cause of death. There was also use of bindings and ligatures by the perpetrator. These were not given as the cause of death. The data for murders in a public place reveal that stabbing (n=2) is the dominant form of assault. There is only one case (n=1) where arson was the cause of death in a public place. There are no female victims in the category of public place.

Venue	Female - %	N=	Stabbed	Blunt force
Dwelling (includes, house, flat)	18%	N=2	18% N=2	
Public Place (includes, street, car park)				
Open Outdoors (parks, open land	18%	N=2		18% N=2
Totals	**36%**	**N=4**	**18% N=2**	**18% N=2**

Table 11.5 Venue type, female victim and method of murder

The category of open outdoors has only one male victim n=1, (10%), whose death was due to stabbing. In comparison female victims, n=2, (18%) are more likely to be the subject of blunt force; in only one of those cases was evidence of a sexual assault revealed. In the second case there was also use of bindings and ligatures by the

perpetrator. These were not given as the cause of death. This case was later linked with the murder in a dwelling of another female victim who had been stabbed.

Analysis of the totals in each of the method categories show that of the seven male victims (n=7), five (46%) were stabbed to death. This method occurs across all the venue categories. This suggests that male victims are more likely to be killed in a stranger attack by use of a knife. There are two female victims n= 2 (18%), stabbed in a dwelling. The data when combined reveals that cases of stranger murder where stabbing is the method of assault accounts for, n=7, or 64% of the eleven cases. The use of blunt force on a male victim, n=1, (10%) is recorded once and occurs within a dwelling. In comparison two female victims n=2, (18%) are the subject of blunt force, that occur in the open outdoors.

11.25 Conclusion

The above section on Knowledge has explored the different dimensions of knowledge that an SIO uses when undertaking a stranger murder enquiry. Although there are a number of sub-themes under the heading knowledge, the sub-themes can be organised into four broad categories,

1) The SIO's use of explicit knowledge, such as training and their use of police decision models to help them in their use of hypotheses.

2) The SIO's departure from accepted practices of investigation.

3) The exploration as to the use of an SIO's tacit knowledge encompasses a large volume of this section. It encapsulates what the author has termed the 'problem space'. This is the difficulty encountered by an SIO when they move from the familiar or routinised aspects of an enquiry to aspects that unfamiliar and more challenging.

4) The last part of this section encompasses the possible factors that assist an SIO to solve their murder. The features discussed here are those persons who might possibly be viewed as 'in the frame'. The author has described this idealised model as the 'concentric circles of suspicion'. Finally, in a series of figures and tables the author

attempts, for example to analyse the categories of investigative categories most employed by an SIO to solve a stranger murder. The analysis includes the location of stranger murder according to gender and the method used to murder the victim.

The concluding part of this Chapter relates to the Human Factors that may impact upon an investigation.

Chapter 12

Human Factors

12.1 Comparing and contrasting two investigations

This comparison between two SIO's approach to stranger murder articulates the human factors they rely upon by the use of explicit knowledge in their decision making. This is their knowledge gleaned through training and practice. This follows what has previously been described in this study as dealing with the 'familiar'. Procedurally both SIOs follow the same investigative route, utilising the 'building block' style approach (ACPO, 2005b). There does not appear to be any difference in their investigative approach. One SIO as part of their fast track process identifies relevant CCTV, and on examination yields a suspect. This initially leads to wrong person being identified, arrested, and then released when an alibi is adduced.

Thereafter, by piecing together CCTV from different locations the investigator is able to trace the movements of the suspect. This leads to their identification and arrest. That simple linear portrayal of the arrest of the suspect is a simplification of the investigative journey. As it masks the difficulties faced by the SIO both from a personal and organisational viewpoint. In interview the SIO candidly included their own personal misgivings as to their ability. They also identified several errors in their own investigative process. Some form of investigative error, as Innes (2003) argues occurs in the majority of enquiries. These errors include focus on the wrong suspects, arrest of the wrong suspects, overlooking evidence at scenes of crime. In two cases in this study evidential material that had been secured by the investigating team and implicated the suspect was initially overlooked.

The majority of SIOs in this study ascribe to the belief that "*most victims know their murderer*". However, the SIOs appear to persist in the belief that this is a general principle or law that extends to all cases they encounter. In applying this general principle, they rationalise that their routinised procedures may be sufficient to uncover who did it and thereby solve the murder. These norms are disrupted when these factors are found to be absent. The SIOs expectations are violated. They fail to take into account the smaller statistical subset that reflects cases where victim and offender are

not known to each other. There is, however, a caveat to the above statement as examination of the time taken to solve such murders predominantly takes less than ten days in 72% of the cases. It is only a few cases that take up a greater percentage of time.

12.2 Time taken to solve stranger murder

Table 11.6 details the cases dealt with by all the SIOs and shows the relative timeliness in which most stranger murders are resolved.[62] To undertake this analysis emphasis has been placed upon the arrest of the suspected person rather than the date to charge. This is because the date to charge may have been influenced by factors outside of the control of the investigating officer. These factors include awaiting advice from the CPS, as in case number 11 in Table 11.6. below, which prolonged the investigation. All those charged were convicted either of murder or manslaughter.

No	SIO	Days to identify suspect	Days to arrest[63]	Days to charging
1	8	1	2	4
2	4	2	3	5
3	5	2	3	82
4	10	3	4	6
5	2	4	6	8
6	7	5	6	8
7	9 b	6	7	8
8	3	7	7	9
9	9 a	42	42	365
10	11	45	45	49
11	1	137	137	320

Table 12. 1 Indicating days to arrest suspect

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[62] For statistical purposes one SIO's investigation is not counted. This is because after 2 days investigation the person responsible for the murder was found to be related to the victim.
[63] Highlighted in red are the eight cases referred to

Table 11.6 illustrates that eight of the eleven cases (n=8 : mean, 72%) are solved within seven-days of the offence (cases 1-8). Of the remainder two (n=2: mean, 18%) are solved in 60 days or less (cases, 9-10). The final case (n=1: mean, 10%) was solved in less than one hundred and eighty days.

The majority of stranger murder in this study 72% are resolved quickly through the application of routinised procedures described in this research. That goal is achieved through reliance predominantly upon 'evidential tools', technical and scientific evidence (See Figure 11.7) below that support the SIO in their breakthrough to identify the murderer.

In contrast cases 9-11 are indicative of the 'problem space" and reflect the routinised aspect of investigation. In these cases, the mechanism of routinisation does not provide the expected result. An example of this is the continuance of the case as a colloquially referred to by investigators as a 'runner". This type of investigation exceeds the usual time span of cases that have been dealt with previously. The longer an investigation continues it becomes not only a test of investigative prowess and innovation, it is also a test of endurance. Table 11.7 below lays out the primary methods through which these cases are solved.

No	SIO	Days to identify suspect	Days to arrest	Days to charging	Method of solving crime
1	8	1	2	4	CCTV
2	4	2	3	5	DNA
3	5	2	3	82	CCTV/DNA
4	10	3	4	6	CCTV/ANPR
5	2	4	6	8	Sig wit
6	7	5	6	8	Member of Public
7	9 b	6	7	8	CCTV
8	3	7	7	9	CCTV
9	9 a	42	42	365	DNA/Circ Evid
10	11	45	45	49	DNA
11	1	137	137	320	Member of Public

Table 12.2 Primary methods in solving stranger murder

The SIOs routinised strategies are the primary means through which three (n=3: mean, 27%) cases are solved in less than a week. This Figure increases to five cases (n=5: mean 45%) if DNA (case, 3) and ANPR (case 4) are added. In the remaining three cases, 2, 5 and 6, the SIO in case 5 decided that a suspect would be used as a significant witness. This assisted in identifying other witnesses. In case 6 a member of the public named the suspect. In case 4, case DNA identified the offender.

Investigations 9-11 presented difficulties for the SIOs, not least because of the length of time taken to . In cases 9 and 10 the SIO's expressed their dismay that the crime scenes, both of which were in dwellings, did not yield the wealth of forensic material they expected. There is no evidence that there was a reliance on tacit knowledge to assist them think creatively. Indeed, one SIO, believed that this cognitive action did not play any part in their decision making. That case was solved as the offender

committed a murder elsewhere. The case was 'linked' through similarities in offending. The offender's DNA was found at the first crime scene.

In the second case, the SIO undertook the familiar routinised, approach. Their procedures included examination of the available, CCTV, this tactic however failed to identify the suspect. There were a number of initial arrests, but those arrested were found not to be involved. Several months into the investigation an anonymous call was received that identified a possible suspect. The SIO then began a series of covert procedures to develop the information. This led to the identification of two suspects. Both were later charged with murder.

Routinised decision making in investigative practice works. It works effectively when the evidential factors upon which most stranger murders are solved, DNA, fingerprints, CCTV, and possibly circumstantial evidence or a combination of all these factors are available. This research suggests that there is a reliance upon these factors by an SIO, as each case is not without its own peculiar set of challenges. There is also some merit in the traditional viewpoint of the investigator that the longer a case continues the more challenges are presented in solving the case.

The theme Human Factors also includes what the SIOs say about themselves as investigators and solvers of murder. In this context, it includes their views on the value of experience. This includes the personal qualities they believe underpin a successful SIO.

12.3 Experience counts

A common theme is the value that SIOs place upon experience. That experience is essentially found only through doing the job of a detective. They regard their formative years spent as detectives under the guidance or mentoring of other knowledgeable "old sweats" as the foundation of being a good investigator.

> *"operational experience counts and you know if you're doing the hard miles you can get to a point where you can make sound decisions dealing with criticality that without experience, you can't…*

The SIO reinforces the belief that their "operational experience" is vital to the task of being an investigator of murder. That accomplishment is described as, *"doing the hard miles"* and reflects the value that they place upon being immersed in detective work. They view with pride that their process of learning has been inculcated from the beginning by "*working my way up through the ranks*" as it is only through that arduous process that "*you can make sound decisions*". This is a feature that is common to all those interviewed. They viewed progression through the detecting ranks as vital in attaining experience and knowledge of the various facets involved in the work of a detective so as to be able to make "*sound decisions*":

> *I've seen all the new SIOs come in, of which there have been several, and they all tend to be people with a similar career path to mine. So, it's, thankfully, what we haven't yet seen is people getting promoted and dropped into major crime because they've done the SIO course. It just so happens, A, they've been promoted, B, they done the SIO course, and the most important thing, C, they've got the right experience.*

In their account, the SIO endorsed the mode of learning on the job, an accomplishment that follows a career pathway from novice detective to SIO. The benchmark is that this undertaking requires the detective to have proven themselves. This entails earning the respect of other like-minded detectives by dealing with the generality of criminal conduct before progressing and undertaking more complex and challenging crime. As the SIO suggests they have *"earned their stripes"* at a *"divisional level"* before they earn the right to undertake the investigation of more serious crime.

The SIOs comments are an indication also of the value that they place upon having the requisite experience gained through handling all manner of different crime types. The perception of what it means to be a *"true"* detective is a generally shared view amongst the SIOs interviewed. They are critical of those persons who are perceived to have thwarted the system of learning on the job by sidestepping the traditional route to becoming a detective.

The criticism of those who espouse to be an SIO and have avoided the traditional detective route is encapsulated in the comment that they have been *"promoted and*

dropped into major crime because they have done the SIO course". The hidden meaning behind those words is that they are not deserving of being a detective just because they have completed the SIO course. They lack credibility is the nuance contained within those words. Thus, emphasising that it is only the experience attained by years of immersion in detective work that is a guarantee of the ability to undertake the investigation of serious crime.

This aspect is explicitly highlighted in the comment of another SIO who had responsibility for mentoring a senior officer who they described as having:

> *Just come across to the serious crime division as a detective superintendent, on, I think it was on promotion. [They] had a bit of a background in public protection and professional standards branch, but not really in good, reactive investigation, and certainly not in homicide. But you know, you've got to start somewhere; you've got to learn somewhere…*

The nuances contained within "*a bit of a background*" are a subtle reflection of the SIOs belief in the traditional view of the detective. The newly promoted superintendent does not possess this background because they have not worked in *"really good, reactive investigation, and certainly not in homicide"*. Despite the SIOs comment that everyone has to start somewhere, the superintendent is perceived as different, they are not of the same traditional culture, in effect they are an outsider lacking in credibility:

> *Because without experience how do you know what to challenge? …because if you don't have the grounding, you'll never have the experience to fall back upon….*

At the core of credibility is the ability to be able to make good decisions. This is a commonly held view articulated in this research.

As a person you are a makeup of your experiences, as well as your own personal values, beliefs etc. And the impact of your experiences and your previous investigations will all impact upon you. Like I've said about that [name] one – I mean, that's not the only one that I've (pause) I'm constantly relying on personal experience you know, and results from other jobs, and the way we've done things previously….

In this account the SIO indicates that their experience is comprised of having dealt with prior investigations, which they link to their own *"personal values, beliefs"*. The SIO relies upon the knowledge they have gleaned from previous cases. Their *"personal experience"* is important to them. Learning from prior cases acts as enabler in determining their decision making. This is encapsulated in their remark that they are constantly learning from previous cases that they have dealt, *" and the way we have done things previously "*. The latter comment by the SIO is suggestive of a routinised response to investigation that is influenced by *"the way we have done things previously"*. Adopting a posture that intimates a reliance upon 'this is the way we always do things', may cause the SIO to become close-minded in attempting to incorporate novel thinking into an unfamiliar situation of stranger murder.

12.4 Investigative bias – "how we traditionally think"

Understanding the influence that bias can have upon their decision making is commonly recognised by the SIOs. Although they have difficulty in articulating the bias, they believe might affect both their judgment and decision making:

And what we discussed and talked about in debrief is consensus bias….

The SIO refers in their example to "consensus bias" when they actually refer to confirmation bias. That bias arises as it did in this case, through the focus on a particular theory as to how the victim had met their death. Evidence is then sought to bolster that view whilst features that suggest otherwise are ignored or rationalised. The idea of rationalising is the attempt to explain away or find other reasons as to why something occurred. An example of a combination of confirmation bias and rationalising is implicit in the account given by this SIO;

So, police responded, police weren't really sure, and I think it's fair to say that it wasn't obvious that it was a murder. [name] suffered from [named]… there were questions around his general health…When the initial forensic guys turned up the general gist of it was that he might have died of natural causes and that was the on-call crime scene co-ordinator who is quite senior within our organisation…

As in the example provided by another there are similarities in both cases. The crime scenes were attended by experienced civilian forensic experts who formed a view, wrongly, as to how death occurred. Their views were the basis for the initial thinking as to how death had occurred. That trajectory of thinking was not maintained as their explanations were later challenged.

One SIO suggests that errors occur in decision-making because, there is a rush to judgment to seek an explanation as to how an event occurred. Bruhns (1982) argues this temptation needs to be resisted as it can critically affect later judgment and decisions. This view is encompassed by one SIO who explained, there is a focus on one theory that precludes examination or consideration of other explanations, *"we want to establish quite quickly what do we think has happened"*. The idea articulated here by the SIO is one of grooved thinking. Reliance is placed upon the premise that past explanations are valid indicators of future events. As the SIO explains, *"because that is the way we traditionally think"*. The reference to traditional ways of thinking is an aspect of detective culture. It is a pattern of inductive thinking that borne of the SIO's experience in dealing with previous cases of murder.

The forms of bias can be quite subtle, and the human mind may not be capable of recognising unconscious thoughts that can potentially influence the judgment of the decision maker. Few forms of bias, other than confirmation bias were mentioned or recognised by the SIOs. In attempting to remedy or mitigate the potential of succumbing to what they refer to as *" investigative bias"* one SIO stated that they sought only the "truth":

It's the truth – we've got to get the truth, and the truth is the truth. All the rest are consequences, and I've always done that because it stops investigative bias, in my opinion. It stops investigative bias…

By focusing solely on the truth, the SIO argues that bias can be avoided. More commonly, the SIOs referred to keeping an "open mind" as their strategy against bias. They described it as their way of absorbing information, attempting to make sense of what they have been told and from that deciding upon a course of action. They emphasised that being open minded ensured that they did not become focussed on one idea or theory as to what had occurred to the detriment of another. Being receptive to differing perspectives they suggested, would ensure their decision-making remained free from bias.

12.5 Procedural drift

There is an implicit view within the statements of the SIOs interviewed that their experience absolves them from having to frequently refer to established police investigative manuals. Their acquisition of knowledge occurs through 'on the job' learning supplemented and advanced through vicarious learning. This is because some SIO's view the manuals as outdated and "obsolete". In order to get the 'job' done they have to decide which approach is appropriate in the circumstances. This, trait can be described as one of commitment, it is illustrative of how detective culture influences the decision making of an SIO (See Chapter three for details). Harnessed with the idea of commitment is the SIOs sense of their own ability and a confidence that they can negotiate the deficiencies presented by the procedural norms they are faced with.

In interview with the SIOs several mentioned that resourcing pressures caused them to stray from compliance with established procedures, this has been referred to as "drift" (Baumard, 1999: Innes, 2003). An example given by one SIO was substituting less experienced personnel in roles that required specifically trained officers. The SIO defended their decision in their decision log by reference to the difficulty in obtaining trained personnel as the incident had occurred during a bank holiday weekend. This action may be a pragmatic solution to overcome a staff shortage in a crucial area, but nonetheless demonstrates the reality of making decisions in real-time situations.

The reality of how resourcing affects SIO decision-making is reflected in an interview with a SIO. The SIO commented that they were already managing "ten other jobs" (murder enquiries) and then assigned a category A murder; they refer to how they manage the resourcing of this new enquiry;

> *Well, MIR's fluid because I can have one receiver in there, I can have two receivers in there. So out of those 18 I will…I tell you, when this starts nobody works in the MIR because I need detectives and I need them out there and I need them to deal with things. So, I've got two out of that 18 to put in the MIR usually, two sitting there at the moment, but they'll do a role, they'll do other things, so they're not dedicated. There's no dedicated MIR except my indexers. The only dedicate (pause) two typist and two indexers. And my office manager does casework as well. So, he's not dedicated to office managing either (pause) so you tell me whether they've downgraded homicide in general. We're still doing it , we're still delivering the results, but it gets harder, and the things, creaks are showing, our detection rate has slumped massively…..*

The case highlights the practical difficulties faced by the SIO investigating a murder with eighteen staff. There are not the police staff to fill each role within the MIR, so procedural requirements laid out in the MIRSAP are not adhered to. Personnel from the MIR form part of the day to day investigative team, rather than an administrative function. The SIO perceives this divergence as a reflection that homicide investigation no longer has the status that it once had *"they've downgraded homicide in general"*: the practical effect of downgrading places demands on procedural compliance and their decision making.

12.6 The 'drift' from compliance – "I invented my own way"

The MIM stipulates how persons involved in an enquiry will be categorised. Part of that categorisation includes those who might be considered a suspect and those persons who might form a group within which the suspect might be present. Designating a person as a suspect has a considerable impact upon the resourcing requirements of an SIO. Similarly creating a group according to the six-point elimination criteria

prescribed in the MIM and entitled Trace, Investigate, Evaluate, (TIE) can as the MIM describes it, be resource intensive. It is these pressures that an SIO has to overcome, where their resources are limited the pressure to offset additional burdens are the subject of creative activity.

That creativity is manifested through the creation of a category referred to as "a person of interest". This class of person is not recognised within any of the procedural documents, nor is it taught in SIO training as it is not recognised as a formal category (See findings from the SIO training course, Chapter eight). Because the term is out-with either the suspect or TIE criteria it does not involve or create a burden in terms of allocation of personnel. An SIO describes how they "*invented*" their own way of dealing with the reality:

> *Well, I invented my own way of dealing with that because persons of interest has no legal status whatsoever, it's actually a made-up phrase and nobody can actually source where it comes from. I really started to look at because of [name] case.. I know other detectives across the country probably do it, but this person of interest…*

The SIO discussed how they came to know of the phrase and argues that it is used by other SIOs; the SIO then addressed how and why they adapted the 'person of interest' title for their own enquiries to become a *"person of significant interest"*. As the SIO explained if they designate their supposed "*20 sex offenders*" as suspects that presents a high risk and entails a commitment of resources. Their second point is encapsulated in her reference to alibis. An alibi forms part of the six-point TIE elimination criteria. As the SIO succinctly implied, if they are not in the suspect but TIE category how in the absence of an alibi can they be eliminated from the enquiry? The SIO emphasise their solution to these problems by using what they refer to as their "*sliding rule*" schema, a device that is not constrained by procedural rules. The SIO concluded by adding:

Does it make sense, though, because I think some people… because I have actually just made that up-to deal with the volumes, because what I have seen is that people get themselves in an awful pickle with working on one person , then they go off to work on another person, and off they go to work on another person…on bigger jobs you just have to have some kind of control mechanism, I think….

The SIO devised their own "control mechanism" that lies outside of procedural strictures. Their reasoning is that they do not have the resources to do otherwise. By adopting these measures, they can cope with the volume of information and resulting action that has to be processed in their enquiry. It is an example of how an SIO with over thirty years police service and a decade spent as an SIO, having investigated one hundred murders, has learnt to adapt;

We've got less resources, less time which has forced us into being, in my view, more efficient….

12.7 The 'drift' from compliance – "there's too much writing of policy logs"

This example of sidestepping recognised systems and procedures extended also to the SIOs views on decision-making and recording of decisions. They argued that there is too much emphasis on decision making and then having to record why those decisions were made;

There's too much writing of policy logs they used to use them, of endless meetings, endless irrelevancies, never cutting to the chase, huge amount of information gathered that was never needed…

There is a sense here of the SIOs frustration with the idea of record keeping that is not productive to managing an investigation. Indeed, one SIO suggested that:

The theory behind decision making has gone too far. It's not a theoretical thing, it's a practical thing….

The SIO declared that they now write very little in terms of their decision making in their decision logs; to the extent they say that had their first case at court in which they never wrote a policy decision. Their reasoning for not complying with procedure was a lack of resources and that it was a "fast moving job". They added that adept communication between the investigating team compensated for this procedural drift. The SIO summed up their thoughts by querying the purpose of writing decisions that appear on paper to be well thought through. However, when they are scrutinised, they are ostensibly without substance, and only written to satisfy a procedural norm, "*there's loads of writing but actually what did you do? What actually did you do?*

In contrast to the example by the SIO in that study, there are investigations where the SIO was not bounded by resourcing issues, these cases occurred in predominantly rural police forces. Staffing an enquiry for example with 150 plus officers or calling upon mutual aid from other forces to assist in an investigation was considered as the appropriate investigative response. This enabled the SIO to comply with procedural and structural norms. Thus, alleviating the necessity for them to find ways to circumvent established procedures. However, a pathway common in both situations is the SIOs reliance in their decision making on 'tried and trusted methods'. This is an amalgam of their explicit and tacit knowledge, their experience. It reflects the reality of "doing the job" and emphasises their reliance upon investigative methods that have worked for them in previous cases.

12.8 Specialists and experts – a multi-disciplinary approach

Within a setting of a murder investigation the SIO in structuring their investigative approach may use both experts and specialists to assist them. Broadly speaking specialists will be "in-house" police or civilian staff within domains such as search or forensic capabilities. Examples of experts include the pathologist or behavioural investigative advisor. Their goal is to contribute to the questions that the SIO attempts to answer, namely, what happened here and why, and what type of person might have committed this type of crime?

The interviews with the SIOs expressed a common preference to involve both specialists and experts at the earliest stage of an investigation. The common belief is

that their involvement will ensure that there is an early resolution to the investigation. The idea of an interdisciplinarity approach to investigation that combines a synthesis of knowledge with legal evidence is summed up in Twining's comment, " grammar and rhetoric; forensic psychology; the detailed exploration of probability; the interconnections between law and fact; and the basic concepts , doctrines, and policies of the law of evidence". This list will also include scientific evidence (Twining, 2011, p.83).

12.9 Conclusion

The final part of this Chapter dealt with Human Factors in investigation. This included a comparison of two cases where issues of error occurred during an investigation. As Innes (2003) commented, no investigation is without some form of error. The crucial factor is to what extent the error may have upon the investigation. Use is made of various Tables to visually represent the data that explains the time taken to solve a stranger murder and the primary methods by which a stranger murder is solved.

Reference is also made to the non-compliance with procedures either laid down in in MIRSAP (ACPO, 2005b) or in the recording of decisions as required by the ACPO Crime Committee 1999 guidance (See Appendix O). The issue of non-compliance or 'drift' away from standardised procedures can have significant repercussions for an organisation. The Challenger space shuttle disaster is an extreme example of what happens when procedures in relation to highly sophisticated operating systems are not adhered to (Baumard, 1999: Innes, 2003). It is no less significant in the context of stranger murder when certain procedures are not adhered to. Various reasons are given by the SIO's for those omissions. These reasons may not be acceptable at court or at a Public Inquiry. The scale of non-compliance with standardised procedures is not known. Consideration should be given by the police service to address issues of non-compliance and why it occurs.

Chapter 13

Discussion

This thesis originally focused on the decision making of an SIO and what had hitherto had only been a focus on interviewing SIO's and examining their decision logs, the initial 'framework'. The training of an SIO, was added later to provide a more complete picture of the training received in decision making.

Having established the tripartite 'framework', literature reviews were undertaken to explore various decision-making theories. Decision theories, however, do not account for or explain how cultural factors, organisational or occupational, might impact upon decision making (See Chapter seven). Neither, do decision theories explain the effects of tacit and explicit knowledge on an SIO. Research into police culture and tacit and explicit knowledge was undertaken to establish if a relationship existed between the two strands. This might help to explain and expand on current knowledge in relation to police culture and whether the hitherto unexplored domain of tacit and explicit knowledge has an effect or influence upon police culture.

The author argues that other researchers have not considered that the 'streams' of police culture and explicit and tacit knowledge are enmeshed, like strands of the genetic code they are embedded, and cannot be disentangled. The investigative history of the police (Chapter two) aptly demonstrates the development of tacit knowledge as a precursor to developing explicit knowledge. These features are then absorbed and underpin the thinking and police culture laid out in Chapter three. The impact of these factors on the SIO is considered in Chapter four, the procedural narrative of murder and Chapter six, investigative pressures, decision making and the SIO. The thesis narrative then moves from consideration of the literature and the abstract to examine in concrete terms the implications of 1) training undertaken by an SIO (Chapter eight) 2) the findings from the decision logs (Chapter nine) and 3) the findings from the interviews of the SIO's at Chapters ten to eleven.

The SIO's who volunteered to take part in this study were candid in their views as to the difficulties, challenges and mistakes that occurred whilst undertaking their

investigations. This thesis acknowledges their openness and does not seek to exploit divisions between how they deal with such difficult cases. Instead, the research has found a commonality in approach by the SIO's in all the cases that have been discussed.

It is acknowledged that experience and expertise are distinct and the more experience you have does not make you an expert (Ericcson, 2006a: Lehmann and Gruber, 2006), expertise is domain specific and (Chi, 2006: Feltovich et al.: 2006) suggest that this acquisition requires ten or more years of deliberate practice (Cianciolo et al. 2006: Ericcson, 2006b). In her analysis Chi (2006) suggests that even the expert within their own domain can be subject to biases. Ormerod et al. (2008) argues that different situations require different cognitive frames. This will include sense-making, the cognitive process through which the investigator brings their prior experience to bear in circumstances that may be both novel and complex. The investigator attempts to unravel a situation that may be ill-defined, complex and changeable.

The 'routinised' approach discussed in this thesis has validity, especially for the novice SIO who may configure their investigation on what one social scientist described as a rules-based approach (Zsambok, 1997), for example, by closely following the procedural activity advocated in the MIM. In his analysis of domain expertise Dreyfus (1997) argues that the novitiate (novice) progresses through a further four stages, 2) the advanced beginner, 3) competence, 4) proficiency 5) a state of expertise. Achieving the status of an expert, entails an ability, unlike a novice to access from memory a variety of cognitive structures (Schunn, McGregor and Saner, 2005).

Alison et al. (2013) in their study of a simulated rape investigation found experience alone does not ameliorate the weakening effects of time pressures on detective's decision making. A study by Sieck, Merkle and Van Zandt (2007) found that overconfidence and a fixation on what is familiar (the routinised approach) may lead to errors in decision making. This study may be applicable to the SIO however, it is limited, in that the participants are laboratory based and the design is not a 'real world' scenario. Moreover, Fahsing (2019) considers that true detective expertise is not evinced by years on the job, but the "type of experience" accumulated by an SIO is

crucial. To add to this blend of what qualities are desirable in a competent detective Kind (1987) makes an important distinction between the detective and the investigator. The investigator in this instance is equated with that of the SIO. Kind (1987, p. 9) suggests that "the detective may solve crimes purely on an intuitive basis, or by the employment of commonplace logic coupled with long experience and understanding of human nature. The investigator on the other hand requires the ability to marshal facts, resources, procedures, hypotheses, priorities, and information. He must of course include amongst his resources his detective staff". Over twenty years since Kind (1987) wrote that passage the police service has been affected by the global economic downturn of 2008.

The financial crisis that ensued has affected every public service in England and Wales (Neyroud, 2011). These affects have changed how policing is undertaken. Other factors affecting that picture include the changing criminal landscape, particularly the emergence of other challenging and complex crime and criminal activity. This has led to changing priorities and distribution of resources at all levels of policing, including the core police function (Neyroud, 2011). The overall effects on resourcing including reduction in personnel and budgets have been far reaching. These factors impact and extend to murder investigation, and on those who are responsible for leading and investigating murder. In assessing this impact, particularly upon those tasked with investigating murder the view of the HMIC is apposite.

"It is our view that the investigative capability of the Police Service generally and the art and science of homicide investigation specifically requires significant development and improvement". Almost two decades on from Smith and Flanagan (2000), the HMIC (2017:12) has stated, "… there is a national crisis in the severe shortage of investigators." Although the SIO is not referred to explicitly, the issue of poor supervision is emphasised: "For some time, HMIC has been concerned about the supervision of criminal investigations. Poor or inconsistent supervision means that too many cases do not make the progress that they should and too many of those investigating crimes do not develop their skills sufficiently (Neyroud and Disley, 2007) and that the morale and welfare of officers at inspecting ranks may (this includes SIO's) be affected to their detriment (Turnbull and Wass, 2015: Granter, McCann and Boyle, 2015: Redford, Toher and White, 2018).

As some forces struggle to recruit and develop detectives, the HMIC (HMIC, 2017:13) also appears increasingly aware that "*those who lack appropriate skills and experience*" may be leading complex investigations. As the author has attempted to show such observations have been repeated frequently across the years. It is anticipated that these criticisms are likely to continue until the training and development of the police investigator is radically improved and the role truly "professionalised" (Stelfox, 2007: McGrory and Treacy, 2012: Mills and James, 2012: O'Neill, 2018: Donnelly and West, 2019).

In this context 'professionalisation' should include a corpus of knowledge that has been repeatedly argued for over many years (Donnelly,1999: West, 2001). This could comprise knowledge relative to previous murder case histories and material on all aspects of investigation. (West 2001: West and Alison, 2005: Stelfox, 2007: Donnelly and West, 2019). There is an argument for expanding the "professionalisation" in terms of the knowledge captured in this thesis to the deputy SIO, the office manager (OM) and the senior detective sergeant in the investigating team. These officers have key roles and should be considered as a vital component of knowledge integration and dissemination to their colleagues. The concluding part of this discussion focusses on the research questions laid out in Chapter five, Methodology.

The four research questions

1) *What evidence is there of a craft style of decision-making in the decisions of an SIO?*

It is apparent from SIOs who have been interviewed in this study that few are aware of the theories that might help them to understand why they decide as they do. This caveat also applies to the those SIOs spoken to by the author whilst attending their SIO training course. The time allotted to assist their understanding on the SIO course is recorded by the author as between one to two hours. O'Neill (2018) suggests a figure of less than half a day is given to this subject. Decision making theories are discussed in Chapter seven. Overall, this study finds that SIOs predominantly utilise a Naturalistic form of decision making that is blended and influenced in certain circumstances by both the Normative and Rationalist paradigms. Underpinning these paradigms is a reliance by the SIO upon an inductive style of reasoning. This reasoning

because it is not fully understood by many of the SIO's in this study may exacerbate or be influenced by a "craft" style of thinking.

2) *How do SIOs use their tacit and explicit knowledge within their decision-making?*

Tacit and explicit knowledge influence the SIO as a decision maker. The SIO's in this study are unaware of how the idea of tacit knowledge being passed from generation to generation of detectives overlaid and intertwined within police organisational and occupational culture has the potential to influence how they think and decide as they do. Consideration as to providing SIO's with this knowledge may helpful to an SIO. For example, the SIO course utilises a simulated learning environment (Hydra). The simulated environment of a murder case entails, amongst other things, the passing on of tacit knowledge (Grieve, Crego and Griffiths, 2007: Alison et al. 2012). Having attended the SIO training course as an observer the importance and indeed the history, principles and purpose of a simulated learning environment are not fully described to the trainee SIO. A greater explanation may assist an SIO to understand the influence of tacit knowledge in their decision making.

3) *How do SIOs uses hypothesis generation and hypotheses testing to avoid bias in their decisions?*

This study found that SIO's made frequent references in their decision logs to hypothesis generation. There was, however, mixed views, amongst the SIO's on the purpose or even value of generating hypotheses. Few SIOs understood the validity or thinking behind the testing of hypotheses. For example, the reasoning style of the investigator is largely abductive. Using that form of reasoning the SIO should identify "a) what hypotheses are best supported by the available information b) identify, secure, document and cross check information from sources of information with potential to discriminate between the competing hypotheses (Fahsing and Ask, 2018, p 23: Innes, 2003). That process should proceed until there is only one explanation left that provides the best solution. Although, as Nordby (2000) explains there is no easy

panacea to solving murder. Some cases may remain unsolved, no matter how capable the investigator.

4) How is detective culture, influenced by tacit and explicit knowledge?

The originality of this study lies in the authors consideration that other researchers have not considered that police culture originated before the seminal studies of the 1960's. These studies were largely confined to that era (Banton, 1964: Skolnick, 1966: Cain, 1973: McBarnett, 1979). Instead, this study has gone back further, centuries, to trace from the earliest periods the evolution of police culture amidst the development of an investigative practice. The findings from the research suggest that the tacit knowledge of a detective or investigator has evolved over time and during that period it has become entwined with the emerging explicit knowledge of policing, which in turn is underpinned by police culture. The two strands cannot be disentangled. SIO's should be taught these facets as they are fundamental pillars upon which, an SIO will have built, perhaps unknowingly their own foundation of knowledge. The SIO's interviewed in this study, in the main, were largely unaware of these factors that might influence their decision making.

Innes (2001) has argued that murder has a symbolic function. It has, he suggests, a resonance for those that investigate and for the public and other stakeholders. The investigator regards it as a reputational issue both for themselves and the police force they represent. At stake is the issue of maintaining their credibility as an SIO but also the abiding commitment by them that no murder should go unsolved. As has been discussed throughout this research the investigation of murder is not an easy task. The investigation of a stranger murder presents even the most capable SIO with a multitude of challenges. As Nordby (2000) suggests there are no general scientific laws applicable in murder investigation that will assist an investigator. Future research could consider the use of Artificial Intelligence (AI) and the development of an algorithm that might assist SIO's in their decision making. Until that stage is researched or disavowed, perhaps in terms of practical application, this research may be of benefit to an SIO in understanding the complexity and human dimension that shrouds the SIO when they undertake this most difficult of investigations.

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Appendix A. Ethical application approval from ARU departmental research ethics panel dated: 26th June 2017.

Anglia Ruskin University

26th June 2017

Dear Declan,

Principal Investigator: *Declan Donnelly (PhD candidate)*
Project Title: *An examination of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide*

I am pleased to inform you that your ethics application has been approved by the Departmental Research Ethics Panel (DREP) under the terms of Anglia Ruskin University's Research Ethics Policy (Dated 8 September 2016, Version 1.7).

Approval by DREP is subject to ratification by the FREP. Ethical approval is given for a period of 3 years from 31.5.17. If your research will extend beyond this period, it is your responsibility to apply for an extension before your approval expires.

It is your responsibility to ensure that you comply with Anglia Ruskin University's Research Ethics Policy and the Code of Practice for Applying for Ethical Approval at Anglia Ruskin University available at www.anglia.ac.uk/researchethics including the following.

- The procedure for submitting substantial amendments to the committee, should there be any changes to your research. You cannot implement these amendments until you have received approval from FREP/DREP for them.
- The procedure for reporting accidents, adverse events and incidents.
- The Data Protection Act (1998) and any other legislation relevant to your research. You must also ensure that you are aware of any emerging legislation relating to your research and make any changes to your study (which you will need to obtain ethical approval for) to comply with this.
- Obtaining any further ethical approval required from the organisation or country (if not carrying out research in the UK) where you will be carrying the research out. This includes other Higher Education Institutions if you intend to carry out any research involving their students, staff or premises. Please ensure that you send the FREP/DREP copies of this documentation if required, prior to starting your research.
- Any laws of the country where you are carrying the research and obtaining any other approvals or permissions that are required.
- Any professional codes of conduct relating to research or requirements from your funding body (please note that for externally funded research, where the funding has been obtained via Anglia Ruskin University, a Project Risk Assessment must have been carried out prior to starting the research).
- Completing a Risk Assessment (Health and Safety) if required and updating this annually or if any aspects of your study change which affect this.
- Notifying the FREP/DREP Secretary when your study has ended.

Please also note that your research may be subject to monitoring. Should you have any queries, please do not hesitate to contact me. May I wish you the best of luck with your research.

Yours sincerely,

Cambridge | Chelmsford | Peterborough   www.anglia.ac.uk

Appendix B. Letter dated 23rd June 2015 to Chair of National Homicide Working Group.

Re. <u>PhD research proposal – "senior officer decision making in the investigation of stranger homicide"</u>

I write to you in connection with a doctoral research proposal I have submitted to Anglia Ruskin University.
The proposed area of research is to focus on senior investigating officer (SIO) decision-making in stranger murder.

I have collaborated on this topic with ⬛⬛⬛⬛⬛ a Forensic Clinical Psychologist. I have known ⬛⬛⬛ for many years since he first assisted me during a murder investigation whilst I was a detective inspector in the Metropolitan Police.

The proposed method of research underpinning our proposal is to initially sample six to eight SIO decision-making books (policy logs). The intention here is to determine the type of decisions taken within the parameters of 1-24 hours, 72 hours, 1 week and at 28 days. This will provide a factual record to enable me to compare and contrast the decisions of the SIO and the perception of those decisions. It is proposed that the SIO and either the deputy SIO or the Office Manager would be interviewed as part of this process.

The proposed research does rely upon the SIO decision-making books as a primary source of material and supplementary interviews as outlined above. It is not the intention to require a significant time commitment from any officer.

This is a qualitative piece of research and it is envisaged that the examination of six to eight cases will allow us to refine the methodology and develop any related hypotheses. In tandem with this I will be conducting a literature review of recent studies in homicide and the application of decision-making models in this context.

Should you or a member of the Homicide Working Group wish to meet with myself or ⬛⬛⬛⬛ or you would allow us to present the proposal, as this would assist in providing clarification and understanding, then I am available at ⬛⬛⬛⬛⬛⬛⬛

<u>Declan Donnelly</u>

Appendix C. Research proposal submitted to National Homicide Working Group.

My Background

Declan Donnelly MSc., LLB (Hons.)

Retired Metropolitan Police Service Detective Superintendent.

The proposed research

Much has been written about theories of decision-making and academic research has been carried out to test or ascertain the validity of such theories when compared with real world situations. From my own brief review of the available literature there still appears to be a dearth of empirical evidence that assesses whether theories of decision-making can be applied to SIOs in time critical decision-making scenarios. In these situations information maybe limited and decisions are made in what has been termed Judgment under Uncertainty. A question to be considered is whether such theories actually do play a part in real time decision-making; if they do form part of the cognitive process that influences an SIO is this to the benefit of the decision maker? Or is the decision maker subjected to processes that could lead to flawed thinking. The potential hazards caused by possible errors in judgment during such an inquiry can have reputational impact for a force at both local and National level. There may also be political dimensions to consider.

Proposed analysis

To further this proposal it would necessary to identify those Police Forces that would be willing to participate. This is where I would seek the support of the Homicide Working Group to facilitate an introduction to those Police Forces that would be prepared to assist this course of study.

The research would focus on those cases that are considered closed, where a conviction has been obtained and the period for an appeal has passed. In discussing this aspect with Dr West it is proposed that six cases of "Stranger Homicides" be analysed in the first instance.

Access would be required to the policy decision logs, recording the decisions of an SIO. For the purpose of this research SIO decision making would be broken down into periods of; 0-72 hrs – 14 day – 28 day and possible reviews. The described periods would then sub-divided into headings according to category, e.g. forensic decisions. The proposed analysis identifies the category and stages of decision-making.

1

qualitative

Access would then be required to the SIO's who made those decisions and for them to be interviewed by myself. The interviews would be quantitative in nature. The purpose is to identify where possible the influences on decision making at the time a particular decision was taken. Allowing SIO's access to their policy logs also reduces the influence of hindsight bias. A further parameter identified by Dr West for consideration would be interviews with either the deputy SIO or the MIR Receiver. The purpose of those interviews would be to determine, by cross-reference to decisions recorded in the policy logs, their understanding of the decision(s) taken at the time.

Benefits

(a) To the Police Service

The benefit to the Police Service is that the results from this research can be fed back into training systems for those attending Senior Investigating Officer courses. Greater awareness and recognition of the cognitive impact of these types of theories can be discussed in a safe learning environment. From this their application in a real world setting can be used to develop strategies that could assist in reducing susceptibility to the risk when dealing with limited information in cases of Judgment under Uncertainty.

In addition, I do not see the research emanating from this proposal as limited to just the "detective" role. I believe this could be applied elsewhere within the Police Service.

(b) Academic research

Any type of empirical study such as that proposed here will add to the sum of knowledge that exists around decision making in general. I believe that this could be seen as a unique piece of research that would greatly enhance and contribute to the existing state of academic knowledge.

Confidentiality

The research proposal is not intended to embarrass either the Police Service or any individual. My primary aim is to discover whether the academic theories espoused have any place in real world SIO decision-making. And if so whether my research can contribute to assisting both the Police Service and SIO and whether there are strategies that can be utilised by an SIO to either recognise I would ask that all who participate in this intended process are volunteers. In terms of confidentiality it would not be my intention to identify any of those involved, unless of course they intended to be identified. The case studies used would be referred to for example as case studies A – F.

Financial cost
The cost of the research i.e. course fees would be met by myself. I am not seeking any financial input from the Police Service. Indirectly, there will be some cost to the service in terms of the time element to obtain the necessary paperwork and interviews of staff.

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Appendix D. Letter of support from National Homicide Working Group research proposal, dated: 2nd June 2016.

Declan Donnelly

Dear Declan

Homicide Working Group – Support for Research Proposal

As the chair of the Homicide Working group Professional Development Committee, one of the roles I have is to consider how the group can support serving officers, police staff and external bodies in research projects.

As a group we feel it is essential that that any research supported by the group is in line with the national strategic assessment for homicide and that learning and findings from such work is useful in the continued professional development of staff engaged in homicide investigation in the UK.

It is therefore pleasing to see work such as that you have proposed being put forward for consideration by the group.

Your work around the "the typology of Stranger Homicide in the sense that both victim and suspect are unknown to each other". Is an interesting subject which would in our view benefit the wider SIO community

As you have identified this type of murder is rare and statistically accounts for only a small percentage of all murders committed annually and recorded by the Home Office Homicide Index. The ACPO 2006 Murder Investigation Manual refers to less than ten per cent of all annually recorded murders falling in this category.

It must then as you allude to follow that, the exposure of SIO's and their knowledge and experience in dealing with this type of murder may be limited. Your research involving those SIO's who have dealt with this kind of murder, will explore the reasoning and rationale which leads them down a particular investigative path will in my view greatly assist those who we charge to investigate these types of offences for us in the future.

This research is a timely piece of work which given the rapidly changing picture of policing in the UK and moves to a more mixed workforce even at SIO level will undoubtedly bring value.

On behalf of the professional development committee, I would like to offer formal support to your work, and will provide assistance to you if you feel that is appropriate or needed.

As you are aware the Homicide Working Group is also the custodian of the Homicide Journal, which is published on behalf of our investigators and SIO's, the lifeblood of the journal is the articles and case studies provided by SIO's and research work such as yours.

I would ask that once your dissertation has been completed that consideration be given to publishing the findings from your work in a paper within the journal, this is a subject close to the heart of many of our investigators.

This just leaves me to wish you good luck in the work you are undertaking and I look forward to seeing the end result in the not too distant future.

Yours faithfully

Appendix E. Letter dated 24th January 2018 to Heads of Major Crime (homicide).

Anglia Ruskin University

24 January 2018

Dear Detective Chief Superintendent

Re PhD research

I am writing to you in connection with my doctoral research which has the support of the National Homicide Working Group (NHWG). You may already be aware of this through your attendance at that forum, or from an email sent by

has kindly agreed to give notice of my intention to contact you.

In the following paragraphs I have set out the purpose and aim of the research.

The title of my thesis is;

"An exploration of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide"

I intend to undertake the main body of my research by interviewing SIO's from various police forces in England and Wales who have dealt with a stranger murder. To facilitate this study the SIO's would need access to their "daybook", if one was used, and the policy/decision logs maintained by them in their investigation.

By stranger homicide I mean those cases where the victim and assailant are unknown to each other, and are categorised according to the 2006 version of the Murder Investigation Manual as either Category A or B investigations. The SIO must also be accredited at PIP Level 3 and have 2 or more years-experience investigating murder.

Version 2 January 2018

For the SIO I have prepared a letter and two documents entitled, Participant Information Guidance and Participant Consent Form. These documents detail the background to the research and importantly ensure that participation is voluntary and with the informed consent of the SIO. Can these documents please be forwarded to any SIO in your command who meets the selection criteria outlined in the preceding paragraph.

I realise that you may have questions arising from my writing to you. In anticipation of this, I have tried to envision what those questions might be and attempted to provide answers to them. These are contained within the document entitled appendix A that accompanies this letter. I suspect I may not have covered everything. If you do have any queries or would wish to speak to me further regarding anything contained within that appendix, please do contact me at, _____ or _____

I am sure that this study will be of benefit to the police service and particularly SIO's investigating homicide. Can I take this opportunity to thank you for your time in considering this research, it is very much appreciated.

Yours sincerely,

Declan Donnelly

Doctoral research student

Appendix A

Interview of the SIO

The interview of the SIO will be electronically recorded and I will open the interview by obtaining the SIO's informed consent as to participation and their permission to have the interview recorded. The interview will continue with the SIO giving an account of the murder they investigated. They will have access to their daybooks and decision logs. During the interview, I may for example ask questions to clarify particular points, otherwise I will leave questions regarding the aspects of decision-making until the interview is concluded. It is envisaged that the interview will last up-to 2 hours.

I will take notes during the interview but any references to the name of the officer, force or details of those involved in the murder enquiry will be anonymised. Any notes would simply refer to the officer for example as A1, and the police force for example as X1.

The interview will be transcribed as soon as possible and the SIO will be sent a copy to check the accuracy of my transcription and to amend if required. I will ask the SIO to undertake that part of the process within 21 days and to signify their agreement by email to myself.

Withdrawal

The SIO is a volunteer in this process and can withdraw at any time without giving a reason. This includes withdrawal of any data they provide. If they withdraw but agree to the data being used, the last date by which it will be possible to withdraw the data will be up to one month after interview.

Access to police documents

If the SIO agrees to take part in this study, then AFTER the interview with the SIO I will need to examine their daybook(s) and the policy decision log(s)

1

generated during the enquiry. This is to enable me to draw up a temporal order of the types of decisions and when they were made. I envisage that this process, depending upon the number of documents to examine may take several hours or even a few days. Your consideration as to access to these documents and the space to examine them on police premises would be appreciated.

I will not photo-copy or take away any of the material that I am furnished with.

Storage of data

Information, including analysis of written material will be securely stored on Anglia Ruskin University computers which are password protected. Any hard copy material retained at the researcher's home address will be redacted, to ensure confidentiality, and kept securely in a locked cabinet. The study is connected to the house alarm system. Documents, such as transcripts of interview that are made during the course of the research will be either deleted or destroyed as confidential waste at the conclusion of the research project.

Anonymity

There will be no identification of the name of the SIO, police force participating, or victim(s) or witness(es) in any transcript(s), as these will have been redacted by the researcher.

I might wish to use direct quotes from an SIO interview, when their words illustrate a point. The words will be presented so that an SIO is not identifiable.

Confidentiality

The data will be available to the research team. The recording of interview will be transcribed either by myself, or undertaken through a professional transcribing service.

Costs

There is no direct cost to the Police Service or the participating police force regarding my research. I will meet my own cost of travel, subsistence and accommodation where required.

Indirect or opportunity costs may arise where the SIO to be interviewed and

2

also the daybook and policy/decision logs are to be made be available for analysis. Any cost or potential cost arising from this I would politely request are met by the police force participating in the research.

Publication of research

The intention is that that the results and findings of this research will be submitted for the award of Doctor of Philosophy. It is also the intention that reference may be made to this research and findings at conferences, in academic journals or books. In any presentation or publication anonymity will be preserved, no identification will be made to the name of the SIO. This anonymity extends to the force concerned and any victim(s) or witness(es) that may be mentioned in documents or in interview.

At the conclusion of this study, and at the request of the National Police Homicide Working Group, the results will be published in the police Homicide Journal.

Results of the research - updates

As the research progresses it is my intention to keep the Homicide Working Group and the SIO participants, if they wish, updated on a four-monthly basis.

Appendix F. Letter to Senior Investigating Officers dated: 23rd January 2018.

Anglia Ruskin University

Dear Senior Investigating Officer

Re PhD Research

My purpose in writing to you is to ask whether you wish to take part in the research I am undertaking for my PhD? The title of my thesis is;

"An examination of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide".

This research has the support of the National Homicide Working Group (NHWG) chaired by

is assisting me with the dissemination of documents in connection with my research.

Part of that dissemination of documents has included a letter written by myself to your Detective Chief Superintendent as Head of CID/Head of Homicide Command. They may already be aware of my research through the NHWG. My letter, however, is to keep them apprised of the next phase of this research which is focused on interviewing SIOs who have investigated a stranger murder.

May I take this opportunity to thank you on behalf of myself and my PhD supervisory team, who are for considering taking part in my research. I have set out below some headings that provide an overview of what my study is about and the importance of the SIO in that process. These points may also assist with any immediate questions you may have about your role as a potential participant.

Why stranger homicide?

The investigation of stranger homicide has been chosen as this type of homicide may present the greatest challenge for an SIO. That challenge may arise due to the infrequency of this type of homicide when compared for example, with other types of murder.

Consent

A fundamental factor in any research is that those who participate must give their informed consent to take part. To assist you in considering whether this study is something you would wish to

Letter to Senior Investigating Officers (SIOs) V3 January 23 2018

volunteer to take part in, there are two documents enclosed with this letter that I would ask you to read through. If, having read those documents you decide you would like to participate would you please let me know by email at ▓▓▓▓▓▓▓▓▓▓▓▓▓▓▓▓▓

The first document is Participant Information Guidance. This sets out in a question and answer format the aim of this research, and deals with confidentiality and anonymity. That document also contains my contact details and you can contact me to discuss any aspect of this study. If you are still unsure, the contact details of my lead academic supervisor, Dr. Samantha Lundrigan are provided.

The second document is the participant consent form. If you agree to participate this can be completed by you on the day of your interview.

The process – the researchers interview with the SIO

My intention is to interview you regarding your investigation of a stranger murder. To enable this to take place you will need access to both your daybook, in which you may have written your decisions prior to entering them into the policy/decision log, and your policy/decision logs. This is to enable you to refer to those documents at any time during my interview with you.

The interview, with your consent, will be electronically recorded. I will open the interview by again obtaining your informed consent as to participation and your permission to digitally record the interview. It is envisaged that the interview will last a minimum of 1 ½ to 2 hours.

Access to daybooks and policy/decision logs

The process envisaged is that I will need access to your written decision logs i.e. daybook and policy logs kept by you during your investigation of a stranger homicide **AFTER** the interview with you has taken place. The purpose is for myself to analyse those books and detail the decision themes that emerge.

Depending upon how many books there are will dictate the need for myself to be able to have the time and space to analyse the documents on police premises. This may take up-to a few hours or perhaps a few days depending upon how many books there are. It is not intended that any documents be removed from police premises or photocopied by myself.

Storage of data

Information, including analysis of written material will be securely stored on Anglia Ruskin University computers which are password protected. Any hard copy material retained at the researcher's home address will be redacted, to ensure confidentiality, and kept securely in a locked metal cabinet. The study is connected to the house alarm system. Documents, such as transcripts of interview that are made during the course of the research will be either deleted or destroyed as confidential waste at the conclusion of the research project.

Anonymity

There will be no identification of the name of the SIO, police force participating, or victim(s) or witness(es) in any transcript(s) which will have been redacted by myself. This includes the completed thesis.

I might wish to use direct quotes from an SIO interview, when your words illustrate a point. The

Letter to Senior Investigating Officers (SIOs) V3 January 23 2018

words will be presented so that an SIO is not identifiable.

Confidentiality

The name of an SIO, force concerned or references to victims or witnesses will not be identified in transcripts of interview or in published findings. The redacted data will be available to my research supervisors who I have referred to in the opening paragraphs.

Transcription of interview

The interview will be transcribed by myself or a professional transcriber as soon as possible after interview. You will be sent a copy by email to check the accuracy of the transcription and to amend if required. Would you ensure that you complete this within 21 days of receipt and signify your agreement or amended version by email.

Publication of research

At the conclusion of this study, and at the request of the NHWG, the findings will be published in the police Homicide Journal. It is envisaged that publication of the results and findings of my research will also take place in other specialist journals, at conferences, and in books. No references will be made at conferences or in publications to the name of an SIO, their force or names of victims or witnesses.

Updates and personal contact

Should you wish to contact me to discuss the contents of the letter either prior to participation or afterwards please do not hesitate to contact me on ▓▓▓▓▓▓▓ or my email ▓▓▓▓▓▓▓▓▓▓▓▓▓ It is my intention to keep yourself, if you wish, and the NHWG updated on a four-monthly basis as to my research progress.

I appreciate you taking the time to read through this letter and the enclosures. If you have any queries please do not hesitate to contact me.

Yours sincerely,

Declan Donnelly
Doctoral Research Student
Anglia Ruskin University

Encls.

Letter to Senior Investigating Officers (SIOs) V3 January 23 2018

Appendix G. Participant information guidance to Senior Investigating Officers for interview.

Anglia Ruskin University

PARTICIPANT INFORMATION GUIDANCE

Project title: An examination of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide.

The aim of this research is to discern, in the absence of prior or limited experience in dealing with stranger murder, the relationship between tacit knowledge and the decision-making undertaken by a senior investigating officer

In pursuit of this aim, we are proposing three interrelated research questions:

1. What evidence is there of explicit or tacit knowledge in the decisions taken by SIO's?

2. How does experience or expertise assist the SIO in their decision-making?

3. What cognitive factors have influenced the SIO?

You have been asked to participate because you are accredited under level 3 of PIP as a Senior Investigating Officer (SIO). You will have investigated a stranger murder (either a category A or B as denoted within the Murder Investigation Manual (MIM)) and, have 2 or more years-experience investigating homicide. We would like to interview you about your experience in dealing with that category of murder. The results from the study will be written up in the form of a thesis and you will be provided with a copy. We will also publish the results, for example, in academic journals. For further information, please contact the lead researcher:

Your Participation in the Research Project

How much time will it take?

Each interview is likely to last approximately an hour and a half to two hours.

The researcher will also require access to your daybook(s) (if kept) and decision/policy log(s) to analyse the decision themes. This analysis will not require you to be present.

What will happen to the information I share?

I would like to record my conversation with you so that I have a true and accurate record of what you say. All the information, including analysis of the written material, that is collected from you will be securely stored, and destroyed at the conclusion of this research project. Your participation is confidential, and your contribution will be completely anonymised as far as is possible. We will ensure that you will not be identifiable from anything written in the final thesis, nor from any future publications. We would like to use direct quotes from you, when your words appropriately illustrate a point. We will present your words so that you are not identifiable.

What if I want to withdraw from the study?

You can refuse to take part or withdraw from the study without giving any reason at any point without providing an explanation. This includes withdrawal of any data you have provided. If you do withdraw but agree to your data being used, the last date by which it will be possible to withdraw the data is up to one month after your interview. You do not have to talk about anything that you would rather not discuss. Agreement to participate in the study will in no way affect your legal rights.

1

What if I want to complain?

If you have any complaints about the study, you can contact Anglia Ruskin's complaints department at:

Email address:

Postal address:

Appendix H. Participant consent form for Senior Investigating Officers.

Anglia Ruskin University

PARTICIPANT CONSENT FORM

NAME OF PARTICIPANT:

Title of the project: An examination of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide.

Main investigator and contact details:

Members of the research team:

1. I agree to take part in the above research. I have read the Participant Information Sheet for the study. I understand what my role will be in this research, and all my questions have been answered to my satisfaction.

2. I understand that I am free to withdraw from the research at any time, without giving a reason.

3. I am free to ask any questions at any time before and during the study.

4   I understand what will happen to the data collected from me for the research.

5. I have been provided with a copy of this form and the Participant Information Sheet.

6. I understand that quotes from me will be used in the dissemination of the research.

7. I understand that the interview will be recorded.

Data Protection: I agree to the University[1] processing personal data which I have supplied. I agree to the processing of such data for any purposes connected with the Research Project as outlined to me.

Name of participant (print)…………………………………… Signed……………..…………………………Date………………

**Name of person
witnessing consent (print)**……………………………………Signed…………………………………………Date………………

<div align="center">PARTICIPANTS MUST BE GIVEN A COPY OF THIS FORM TO KEEP
ADD DATE AND VERSION NUMBER OF CONSENT FORM.</div>

<div align="center">I WISH TO WITHDRAW FROM THIS STUDY.</div>

If you wish to withdraw from the research, please speak to the researcher or email them at   stating the title of the research. You do not have to give a reason for why you would like to withdraw. Please let the researcher know whether you are/are not happy for them to use any data from you collected to date in the write up and dissemination of the research.

_____

[1] "The University" includes Anglia Ruskin University and its Associate Colleges.

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<div align="right">*Date 24.10.16*
V1.2</div>

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Appendix I. Interviews with Senior Investigating Officers including prompts and questions to be asked.

Anglia Ruskin University logo here

Interview Schedule with SIO's

For the "Pilot" Study – Set out what it is intended to achieve; Explain to the participant the purpose of the pilot and the questions set out below.

Time : approximately 1-2 hours

To evaluate from the participant:

a) Was the format in which the participant received notice of the research understood?
b) Are the letter(s) / documents sent to the participants easily understood?
c) Has the participant brought the daybook/policy logs to the interview?
d) Do the questions asked cover the scope of what the research is asking?
e) In what way(s) could the research have been better presented?

For the researcher:

a) Did the documentation flow through the SPOC work?
b) Were the documents given to the Head of CID/Homicide understood?
c) Did the recording or procedure in relation to the interview give rise to any difficulty?
d) Did the analysis of the daybook or policy logs highlight any difficulties or throw up unintended consequences?
e) Were issues of anonymity and confidentiality civered/raised.

Commencement of the Interview with the SIO participant

Preamble: Thank you for kindly agreeing to talk to me about your experience as an SIO investigating stranger homicide (any names that are mentioned in interview will be will be removed at transcription - ANONYMITY).

Interview Schedule with SIO's V2 July 2017   1

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Then go through receipt by SIO of the documents:

1) The letter from the researcher – Was this understood? Do they have any Questions?
2) Their receipt of the Participant Information Guidance – Was this understood? Do they have any questions?
3) Go through the Participant Consent Form – Does the participant understand the procedure? Do they consent?

The Interview stage:

Remember to inform the participant the interview will be recorded and later transcribed.

I am here to listen. As well as the recording the interview I will also be taking notes as you speak. Is that okay with you? At the conclusion of the interview I may ask you some specific questions if they have not already been covered in the interview. Is that okay with you?

1) Some background information:

   a. What is your overall length of service?
   b. How long have you been in a detective role?
   c. What departments have you served in prior to secondment to homicide investigation?
   d. What other types of murder as an SIO have you been involved in?

Prompts: time spent as a detective; detective training received.

2) Please take as much time as you want in describing your investigation of a stranger homicide. Please refer to your daybook and policy decision logs to help you recollect your investigation of a stranger homicide?

Prompts: You have previously mentioned that you had not investigated a stranger homicide before? Did you find the case you investigated challenging, if so can you describe those challenges? How did you deal with those challenges in terms of your decision-making? Was there one decision which presented you with your greatest challenge? (The question will change slightly if the SIO has already investigated a stranger homicide)

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3) In the investigation of that stranger homicide and in the absence of prior experience what knowledge or experience did you draw on during the investigation. Can you describe this?

Prompts: What knowledge did you personally gain from the experience? In that investigation you have described are there any decisions that you took that you found challenging, and if so why? Can you describe any training you have received in relation to decision-making?

4) a) Can you describe your training to be an SIO?
   b) Are there any aspects of that training you believe should receive more emphasis?
   c) Is there any training not included that you believe might be of benefit to your role as an SIO?
   d) How do you as an SIO seek to keep up to date with your own continuous professional development?

5) Is there anything else you would like to add or to clarify with myself?

Points to bear in mind at Interviews

Is there evidence of hypothesis generation and evidence selection

Do the decisions made follow the NDM? The NDM does not specifically encourage the generation of hypotheses.

Likely that decisions will result in preponderance of procedural decisions which are formulaic decisions that follow expected practice.

The need to generate and test alternative hypotheses is also necessary

What hypotheses are generated early or dismissed, are they re-visited at any stage in the log?

Is there evidence of bias such as satisficing ie stopping short and not considering other factors.

Is there evidence of confirmation bias – a tendency to focus on just one aspect not looking to disconfirm?

The Interview –

Non-routine incidents such as stranger murder best for eliciting tacit knowledge. This will be a case based incident.

What are the cues or the perceptual meanings that need to be disentangled?

There will·be prior procedures to be followed, these are routinized and lead to formulaic decisions ?

What elements of the case most affected their decision-making?

Step 1 - It must go beyond their general knowledge and procedures that enable a competent individual to perform routine tasks.

What components distinguish the true expert?

The case should be challenging – stranger murder should be a challenge.

Step 2 – Ask the SIO to describe the incident from time of being called and set the context.

Not much interruption here, to enable the cooperation

This establishes;

- Context for understanding by interviewer
- Important to have a sense of the "individuals phenomenological perspective of the event as a bulwark against own biases and contamination of procedures
- Second it allows activation of officers memory and cooperation which is essential to knowledge elicitation

Step 3 - construct incident timeline

- After incident related need to construct the timeline in sequence
- Report their thoughts and perceptions
- What are the facts of the case from their perspective
- Are there inconsistencies

Step 4 – decision point identification;

- During time line decisions identified so ask here to clarify, there may be verbal cues, or was there courses of action considered

Step 5 decision point probing

- What prior knowledge might have influenced a decision?
- What cues were used?
- what goals were used not just to solve the murder, need SIO to be more specific?
- Probes about options for each decision were used? What choices were made or not made or even rejected?
- Did they use a rule?

Appendix J. Senior Investigating Officer training course participant information guidance.

Anglia Ruskin University

PARTICIPANT INFORMATION GUIDANCE

Project title: An examination of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide.

The aim of this research is to discern, in the absence of prior or limited experience in dealing with stranger murder, the relationship between tacit knowledge and the decision-making undertaken by a senior investigating officer

In pursuit of this aim, we are proposing three interrelated research questions:

1. What evidence is there of explicit or tacit knowledge in the decisions taken by SIO's?

2. How does experience or expertise assist the SIO in their decision-making?

3. What cognitive factors have influenced the SIO?

You have been asked to participate because you are accredited under level 3 of PIP as a Senior Investigating Officer (SIO). You will have investigated a stranger murder (either a category A or B as denoted within the Murder Investigation Manual (MIM)) and, have 2 or more years-experience investigating homicide. We would like to interview you about your experience in dealing with that category of murder. The results from the study will be written up in the form of a thesis and you will be provided with a copy. We will also publish the results, for example, in academic journals. For further information, please contact the lead researcher:

Your Participation in the Research Project

How much time will it take?

Each interview is likely to last approximately an hour and a half to two hours.

The researcher will also require access to your daybook(s) (if kept) and decision/policy log(s) to analyse the decision themes. This analysis will not require you to be present.

What will happen to the information I share?

I would like to record my conversation with you so that I have a true and accurate record of what you say. All the information, including analysis of the written material, that is collected from you will be securely stored, and destroyed at the conclusion of this research project. Your participation is confidential, and your contribution will be completely anonymised as far as is possible. We will ensure that you will not be identifiable from anything written in the final thesis, nor from any future publications. We would like to use direct quotes from you, when your words appropriately illustrate a point. We will present your words so that you are not identifiable.

What if I want to withdraw from the study?

You can refuse to take part or withdraw from the study without giving any reason at any point without providing an explanation. This includes withdrawal of any data you have provided. If you do withdraw but agree to your data being used, the last date by which it will be possible to withdraw the data is up to one month after your interview. You do not have to talk about anything that you would rather not discuss. Agreement to participate in the study will in no way affect your legal rights.

Appendix K. Senior Investigating Officers training course participant consent form to be interviewed.

Anglia Ruskin University

PARTICIPANT CONSENT FORM

NAME OF PARTICIPANT:

Title of the project: An examination of explicit and tacit knowledge in the decision-making of senior investigating officers in the investigation of stranger homicide.

Main investigator and contact details:

Members of the research team:

1. I agree to take part in the above research. I have read the Participant Information Sheet for the study. I understand what my role will be in this research, and all my questions have been answered to my satisfaction.

2. I understand that I am free to withdraw from the research at any time, without giving a reason.

3. I am free to ask any questions at any time before and during the study.

4. I understand what will happen to the data collected from me for the research.

5. I have been provided with a copy of this form and the Participant Information Sheet.

6. I understand that quotes from me will be used in the dissemination of the research.

7. I understand that the interview will be recorded.

Data Protection: I agree to the University[1] processing personal data which I have supplied. I agree to the processing of such data for any purposes connected with the Research Project as outlined to me.

Name of participant (print)……………………………………… Signed………………..…………………………….Date………………

**Name of person
witnessing consent (print)**…………………………………………Signed…………………………………………….Date………………

PARTICIPANTS MUST BE GIVEN A COPY OF THIS FORM TO KEEP
ADD DATE AND VERSION NUMBER OF CONSENT FORM.

I WISH TO WITHDRAW FROM THIS STUDY.
If you wish to withdraw from the research, please speak to the researcher or email them at stating the title of the research. You do not have to give a reason for why you would like to withdraw. Please let the researcher know whether you are/are not happy for them to use any data from you collected to date in the write up and dissemination of the research.

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[1] "The University" includes Anglia Ruskin University and its Associate Colleges.

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Date 24.10.16
V1.2

Appendix L. Template used by researcher when reviewing Senior Investigating Officers decision log.

A handwritten template form with the following fields and columns:

OFFICER NO: INTERVIEW DATE: CASE DATE: DEC NO:
                                  DECISION DATE: TIME: PAGE NO:

DECISION	RATIONALE

Appendix M. An overview of the participants' experience in murder investigation.

Table M.1 contains four categories relative to the experience of the SIO, they are total service, times as an investigator, time as an SIO and the number of murders they have investigated. In relation to their total service, SIOs have a mean of 26 years (n=11) as a police officer. The data is then broken down into time as an investigator, which will include time spent in different ranks other than that of an SIO (See theme (a), page 174 for details of this aspect). The mean time as an investigator is 19 years (n=11) and as an SIO 8 years (n=11).

The final column indicates the number of murders SIOs have investigated. The range here is greater, as the highest number of murders investigated is 100 as opposed to the lowest 1, giving a range of 99, and a mean of 26. That aspect of the data, the mean of 26, is not an accurate reflection of murders investigated in relation to the SIO shown as having investigated only one murder. The SIO in that study was investigating their first murder and regarded themselves as a "novice SIO". Albeit like other SIOs in this study they had attended numerous scenes classed as suspicious deaths. The point being made is that although the SIO is relatively junior having investigated only one murder, they too with the SIO investigating one hundred cases of murder and the majority of SIOs look for a motive as a form of confirmation or pathway that will lead to identification of the suspect.

Total Service	Time as Investigator	Time as SIO	Murders Investigated
31	27	11	100
31	23	14	30
30	27	7	50
29	20	9	15
29	17	6	10
27	15	9	19
25	15	8	20
23	19	6	15
23	13	2	1
21	19	4	20
20	13	2	10

	Total Service	Time as Investigator	Time as SIO	Murders Investigated
Totals	289	208	78	290
Mean	26	19	8	26

Table M.1 Characteristics of SIO experience

The majority of SIOs in this study had not previously dealt with a stranger murder. This ranges from an SIO investigating their first murder, a stranger murder, to the SIO who had dealt with one hundred murders, who was also investigating their first stranger murder.

As can be seen from Table M.2, the majority of SIOs are clustered between ten to nineteen murders investigated (n=5). The numbers of murders investigated by SIOs reduce between the range of twenty to twenty-nine to two SIOs (n=2). Thereafter, only one SIO is recorded between the range of fifty to fifty-nine , that SIO dealing with fifty murders (n=1). The outlier is the SIO who dealt with one hundred murders (n=1).

Numbers of murders investigated	1-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-89	90-100
SIOs	1	5	2	1	0	1	0	0	0	1

Table M.2 Number of murders dealt with by SIOs

This presents an extreme range of experience between the SIO who had dealt with only one murder and the SIO with experience of one hundred murders. The majority of experience in murder investigation is focussed within the ten to thirty-nine range (n=8). There is only one SIO, (n=1) in the range between forty to one hundred, at fifty-fifty-nine, they had dealt with fifty murders as an SIO.

The experience gleaned through dealing with so many murders should therefore assist the SIO to resolve what had happened. In a similar fashion, it might be expected that those SIOs with less experience in dealing with murder would have greater difficulty in their decision making in terms of the transition from the familiar to the unfamiliar. The term 'familiar' will be used to describe those cases that are within Cat B or C murder.

Appendix N. The SIO training course – The modules – 1-3

Day	Time	Schedule	Time	Schedule
Monday	0900	Introduction	1415	Discuss Case Study
	1100	Syndicates	1530	In syndicates
	1110	Discussion of SI role	16.30	Concludes
	1315	Discussion of SI role		
Tuesday	0830	Class discuss case	1500	Class discuss case
	0915	Syndicate discussion	1520	Syndicate discussion
	0950	Guest Speaker	1630	Concludes
	1310	Guest Speaker		
Wed'day	0830	Discuss case study	1340	Media discussion
	0915	Discuss case study	1440	Guest Speaker
	1055	Guest Speaker	1600	Syndicate discussion
	1305	Syndicate discussion	1645	Conclude
Thursday	0830	Discuss case study	1250	Guest Speaker (Cont.)
	0900	Syndicate Discussion	1530	Discuss case study
	1000	Discuss case study	1540	Syndicate Discussion
	1100	Guest Speaker	1640	Concludes
Friday	0830	Discuss case study		
	1110	Syndicate discussion		
	1145	Discuss case study		
	1200	Conclude		

Table N.1 Module 1 (Week 1) Monday to Friday

Day	Time	Schedule	Time	Schedule
Monday	0900	Discuss case study	1410	Discuss case reviews
	0940	Syndicate discussion	1545	Discuss case study
	1045	Guest Speaker	1550	Syndicate discussion
	1335	' Eye in the Sky'	1650	Concludes
Tuesday	0830	Discuss case study	1545	Syndicate discussion
	0920	Syndicate discussion	1630	Conclude
	0950	Guest Speaker		
	1300	Guest Speaker (Cont.)		
Wed'day	0830	Discuss case study	1500	Discuss case study
	0915	Overseas Enquiries	1505	Syndicate discussion
	0940	Overseas Enquiries	1630	Concludes
	1305	International policy		
Thursday	0940	CPS presentation	1450	Syndicate discussion
	1400	Discuss CPS issues	1535	Discuss case study
			1600	Concludes
Friday	0900	Guest speaker		
	1130	Personal Development		
	1200	Concludes		

Table N.2 Module 1 (Week 2)

Day	Time	Schedule	Time	Schedule
Monday	0900	Introductions	1320	Discuss case study
	0950	Syndicate discussion	1415	Syndicate discussion
	1030	Discuss murder Cats.	1435	Discuss case study
	1100	Syndicate discussion	1520	Discuss SIO role
	1240	Discuss case study	1545	Discuss case study
	1250	Syndicate discussion	1640	Concludes
Tuesday	0900	Guest Speaker	1435	Guest Speaker
	1050	Guest Speaker	1715	Concludes
	1255	Guest Speaker		
Wed'day	0900	Guest Speakers	1430	Discuss case study
	1300	Guest Speaker	1615	Conclude
Thursday	0900	Guest speaker	1525	Guest speaker
	1040	Guest speaker	1645	Concludes
	1300	Guest speaker		
Friday	0900	Discuss legislation	1130	Conclude
	1000	Discuss case study		

Table N.3 Module 2 (Week 3)

Syndicate No	Day and Time	Number of decisions
1	**Tuesday 6 February 0857**	36
2		29
3		52
1	**Tuesday 6 February 1200**	43
2		31
3		56
1	**Wed' 7 February 0931**	50
2		38
3		64
1	**Thursday 8 February 0900**	57
2		40
3		68
1	**Friday 9 February 1100**	63
2		49
3		73
1	**Friday 9 February 1447**	71
2		56
3		80
	Friday 9 February 2101	**Total of syndicate decisions**
1		**72**
2		**57**
3		**81**

Table N.4 Module 3 Week four – the Hydra exercise

Total of decisions by syndicates 1-3 during Hydra exercise

The Table records the total decisions made by each syndicate over the period of the exercise. For example, the case study began on Monday 6 February. By the following morning, Tuesday 6 February, the syndicates have recorded a number of decisions;

- Syndicate 1 – 36
- Syndicate 2 – 29
- Syndicate 3 – 52

It is noticeable that the majority of SIO decisions are taken within the first 24-48 hours of an investigation. The decisions then begin to decline as the investigation progresses. The initial surge in decision making at the commencement of an investigation and then the rapid fall off and decline in decision although occurring in a simulated environment appears to mirror what occurs in real world investigations.

Appendix O. ACPO Crime Committee 1999 – Revised Guidelines for the use of Policy Files

ACPO CRIME COMMITTEE Revised Guidelines for the Use of Policy Files

Introduction

It is widely recognised throughout the Police Service the important role the Policy File plays in any major crime investigation. The Policy File should accurately reflect the important strategic and tactical decisions made by senior investigating officers (SIOs) as they relate to the investigation.

Given the importance of this document, it is hardly surprising that over the years it has increasingly become the subject of the closest scrutiny by courts, inquests and reviews. If policy files are skilfully prepared by SIOs they should serve as a critical record of the management of any major crime investigation, which should include the rationale associated with each decision made.

ACPO Crime Committee last issued guidelines dealing with this subject in 1990. In the light of the most recent ACPO Crime Committee Review of Major Crime, Chief Officers are invited to consider the advice contained within these guidelines.

Review Findings

Against this background it is disappointing to report the Review identified considerable variation in working practices as they related to policy files. Some forces were found to strictly adhere to previous recommendations, whilst other forces appear to have either not adopted or to have departed from those recommendations. The Review concluded that whilst guidelines relating to policy files would benefit from revision, in general terms the previous recommendations still remained sound.

Format

Arguably the professionalism of any major crime investigation can be measured against the quality of the policy file. Underpinning this principle should be the integrity of the document itself. The policy file should therefore be a bound book, A4 in size, with numbered pages. Chief Offices are strongly advised to ensure the binding of the document will sustain challenges to integrity. Loose-leaf files and

methods of binding which can be easily interfered with should be avoided. It is considered that a glued back binding with the spine also stapled and bound with tape would conform to an acceptable standard.

The front cover of the policy file should clearly indicate the title, identify the incident, name(s) of the victim(s), offence, the identity of the SIO and Deputy, the date the inquiry commenced and concluded. It should also be acknowledged that in many instances the SIO will complete more than one policy book, therefore the number of books used for the incidents should also be included. A suggested format for the front cover can be found at Appendix A.

Each decision should be entered on a separate page and follow a format similar to that set out in Appendix B. Each page of the policy file should have a detachable carbon copy. This enables the copy to be detached and circulated for administrative purposes, for example, recording on the Holmes system. Every policy decision should also be signed and dated by the officer making the decision, although there should be provision to indicate the accrual policy entry was made by someone else on behalf of the SIO.

In the past, when printing policy files, many forces have adopted the practice of incorporating in the design fly sheets at the front of the policy file which contains details of national agreed headings which will assist the SIO to construct the policy file. These guidelines have been revised and can be found at Appendix C.

When the Holmes system is used force policy should direct SIOs whether or not entries from the policy file are recorded on the system. Policy should allow the SIO discretion as to whether to place sensitive policy decisions on the system. The practice of entering policy decisions directly onto the Holmes system is discouraged. The recommended practice is for the SIO to keep a written policy file from which Holmes records can be created.

The review established that the majority of forces favoured the practice of keeping all policy decisions in one or a consecutive series of books. A smaller number of forces favoured separating sensitive issues and non-investigative issues into separate policy books. Providing the format and contents conform to the national guidelines set out in this advice, ACPO Crime Committee are content to endorse either approach.

Policy File Maintenance

A policy file should be maintained on all enquiries where a major incident room is set up. In addition, Chief Officers are strongly urged to endorse within force policies the practice of keeping policy files in relation to other serious crime investigations, eg in cases of arson, appropriate fraud cases and complaints/discipline enquiries. As a minimum standard, it is suggested a policy file be maintained in all enquiries where an offence of murder or other serious crime such as kidnap, rape etc. has been committed.

The content of the policy file is, of course, quite rightly a matter which will ultimately be at the discretion of the SIO, set against national guidelines. It is of vital importance that the SIO systematically records all relevant policy decisions. The recording of why various lines of enquiry were pursued, or equally, why they were not pursued, is critical. In addition, the detailed recording of those decisions and the reasons for making them, is vital. The enlightened SIO will use the policy file mindful that it is a definitive record upon which he or she will ultimately rely when asked to account for policy decisions.

It is difficult to be prescriptive when providing policy guidelines and of course it is acknowledged that each investigation will identify issues which should be properly recorded which fall outside those guidelines. The aide memoire previously referred to in Appendix C certainly serves as a useful guide to the SIO. In the main policy files should be used to record strategic and important tactical decisions. It is not an action book. Individual actions are less likely to be controversial and should be left to the administration within the MIR.

The construction of a good policy file is a skill which SIOs should be encouraged to acquire. In this regard experienced SIOs can effectively be used to coach more junior investigators in the preparation of policy files. In addition, detailed guidance is provided to investigators in the ACPO Manual of Murder Investigation which encourages a strategies approach to preparing policy files. This approach is strongly recommended for adoption within force policy.

Investigating officers, other than senior investigating officers, should be encouraged to complete policy files in other cases such as Robbery, Rape, etc to foster their use in support of accountable investigations.

As a general rule all members of the enquiry team should be made aware of the policy decisions. This can be usefully achieved through regularly updating staff at briefings/de-briefings and displaying updated copies of policy decisions in prominent positions within the Major Incident Room. It is acknowledged that there will be occasions when the SIO withholds information from the investigation team on the basis of sensitive issues and in the interests of operational security.

At the conclusion of the enquiry the policy file should be retained and stored with the case papers.

Appendix P. Extract from Vincent's Police Murder Code – Circa 1910

all alike are superfluous when cast into the scale with the enormity of the crime of murder. In short, the fruits of most murders are of the Dead Sea harvest—bitter to the taste, and garnered in remorse and self-destruction.

Therefore one may state that the individual who is guilty of calculated and premeditated murder is possessed of somewhat different characteristics from those which embellish the wrongdoer who may be guilty of other and lesser crimes. Even the 'habitual' criminal has been known to be seized with overwhelming remorse when, in the pursuit of his 'business,' he has been unlucky enough to 'out' (kill) a fellow-creature.

In addition to that which I have already quoted, the 'Code' concerning the crime of Murder also says :—

'When a dead body, or part of a dead body, is found whereof the cause of death was evidently due to foul means, the constable whose attention is first called thereto *should on no account move it or anything surrounding it ; or allow any other person to do so ; or in any way confuse footmarks in its vicinity* until the arrival of an Inspector or other superior officer, for whom, and for a Surgeon, a message should be sent by the most rapid means, *always provided* that the murderer is not known, and that no immediate step can be taken to secure his arrest ; or that public decency is not offended, and that the station is within a reasonable distance.

'As soon as the Inspector arrives (or if delay is impossible, the Sergeant or Constable), he should first arrange for a photograph to be taken of the body exactly as it lies or was discovered, without its being washed or in any way covered over or arranged. A photograph must also be taken of the walls and other surroundings.'

' The police are encouraged to perfect themselves in the art of photography :—

'The utility of photography in all matters connected with police work cannot be over-estimated. The possession of a camera or kodak by a constable may be in many cases of the greatest advantage. At any rate, at nearly every country house now he can obtain the services of someone with a kodak. An immediate photograph should be taken wherever practicable before anything is moved.

'1. Of the scene of a murder or other serious crime.

'2. Of a body found dead.

'3. Of a collision between motor-cars or other vehicles.

'A photograph of a person suspected or wanted, or of some associate of his, as also of stolen property or goods similar thereto, may be very valuable, and it is essential of finger prints.

'The illustrated press may also be utilized for circulating information far more effectively than can be done by the police, and many papers may be disposed in cases exciting public attention to further the ends of justice in this way as a matter of news.'

Having taken photographs, the officer is next instructed to make a minute and careful examination, in conjunction with the Surgeon :—

'1. For any finger prints on the body or clothing of the deceased, or on any adjacent doors, windows, walls, or furniture. If discovered, they should be instantly photographed.

'2. For any footmarks about the body, which should be modelled, covered over, and fenced in, before fresh imprints are made by the Surgeon and police.

'3. Of the position of the body.

'4. Of the condition of its clothing.

'5. Of the position of the wound or wounds, and judging by the body and clothing, in what way, and from which quarter, and with what instrument, and under what circumstances they were probably inflicted.

'6. Whether the murderer has left his weapon or any trace of his identity in the vicinity of the body, or touched the deceased,

his clothing, or anything with blood, paint, or earth-covered fingers, showing the skin lines.

' 7. Whether there is in the pockets, or about the person or clothing of the deceased, any paper or article disclosing his identity, if unknown, or the name of his probable murderer, or if there are any circumstances pointing in any particular direction or to any condition of facts prior to the murder.'

The following instructions are given concerning footmarks :—

' 1. Where any offence has been committed and the delinquent has escaped, every effort must be made to find something by which his or her identity may be established.

' 2. They may often be done by footmarks.

' 3. A model may be taken of a footmark, by lightly coating it with oil, and then pouring plaster of Paris, or Spence's Patent Metal, into it, and allowing it to set.

' 4. In comparing footmarks with the boot of a person suspected, a separate impression must be made with the boot, by the side of the footprint, instead of the latter being placed in the original mark.

' 5. Great care must be taken that a footmark is not trampled in or obliterated by rain, and as soon as discovered it should be carefully covered over by wood or zinc, and fenced in either by wood or cardboard to a height of at least an inch.'

The following useful directions are also given as to how to take impressions of footprints :—

' DIRECTIONS FOR TAKING A CAST OF A FOOTPRINT, ETC.

' *By a Practical Moulder* (*Australian Edition of* ' *The Police Code* ').

' 1. The materials which it is necessary to keep in stock for the above purpose are :—

' (*a*) Plaster of Paris.

' (*b*) Soft soap.

' Plaster of Paris deteriorates if exposed to the atmosphere, and should therefore be kept in an airtight tin. (*See* Par. 7.)

' The soft soap is prepared for subsequent use as follows :—Dissolve the contents of one 1 pound tin of soft soap in two and one-

v.

5

half pints of boiling water ; when the soap is thoroughly dissolved, bottle and closely cork the solution for future use. Castor oil may be used as a substitute for the soap solution, but is less suitable.

' 2. Around the footprint to be reproduced construct a barrier at least one inch in height. This may be done either with clay, or with slips of wood or cardboard secured by small wooden pegs driven into the ground. If wood or cardboard is used, any interstices at corners must be closed with putty or clay to prevent the escape of the fluid plaster. The inside surface of the material used must be saturated with the soap solution, or well oiled, immediately before the plaster of Paris is poured into the mould which has thus been constructed.

' 3. Having estimated the quantity of plaster required to fill the mould, take water in the proportion of one and a quarter pints to each pint of plaster of Paris. Pour the dry plaster gently into the vessel containing the water, allowing it to run loosely, so that the powder may be thoroughly soaked.

' Allow the mixture to stand for about two minutes, then stir with the hand till it is thoroughly mixed. The mass should then be of the consistency of cream, and will be thickening every moment. Pour it steadily into the mould at first, in order to insure the filling of all interstices. If poured too quickly, air-bubbles will form, and the " cast " will be useless.

' 4. Allow the cast to stand for half an hour, then carefully remove it from the mould. If wood or cardboard has been used around the sides, and there is an inclination of the plaster to adhere to the wood, etc., tap it gently until the parts separate. Cleanse the cast from earth or clay adhering to the plaster.

' 5. To obtain from this cast a reproduction of the original footprint, make a tray of a sufficient size, and about one and one-half inches in depth. Coat the face of the cast liberally with the soap solution, or with oil. Fill the tray nearly full with liquid plaster prepared as in Par. 3, and press the cast into the wet plaster, allowing it to remain for about half an hour.

' 6. Gently tap round the cast until it becomes loose. On removal, if these instructions have been carefully followed, the tray should contain a reproduction of the original footprint.

' A tray such as is referred to may be readily constructed from a kerosene tin cut lengthways, and in it the reproduced footprint can be subsequently conveniently handled without danger of breakage.

' 7. If the plaster of Paris procured is likely to have been

injured by exposure to the atmosphere, put a little strong alum water with the water used in mixing, say a wineglass of alum water to each one and a half pints of water.'

The 'Code' further says concerning Murder :—

' The senior officer of police present must allow no person to approach the place where the crime was committed, or suffer any article about the deceased to be moved, until its exact position has been carefully noted in writing or by rough sketch. If a search is necessary, such as to find a similar bullet to that by which the fatal wound was inflicted, or an article corresponding to one left apparently by the murderer near his victim, it cannot be made too speedily or thoroughly.

' These are all points, information upon which may be of priceless value in the after-adjustment of evidence, but which can only be secured *immediately* on discovery.

' 5. If parts only of a body are found in some receptacle, they should on no account be taken therefrom, or disturbed in their position, save under the direction of the surgeons, when they should be taken out very carefully, and every point immediately committed to paper.

' 6. It is impossible to pay too much attention to details, or to make too careful memoranda, in cases of murder. In a celebrated case, the inquiry was much thwarted by the limbs having been shaken out of the receptacle containing them, and the consequent impossibility of subsequently ascertaining what relation a scrap of paper, with a date on it, bore to the body—whether it was so near it as to have been probably laid there by the murderer, or simply blown in by the wind.

' 7. In cases of supposed murder there are five things to prove:—

(a) ' That some definite person is dead (unless the act of killing was witnessed, when the murderer could be tried and executed, although the name of his victim was unknown).

' (b) That the death was otherwise than in the course of nature.
' (c) That death took place within a year and a day from the commission of the fatal act.
' (d) By whom the death was caused.
' (e) That it was caused by the felonious act of the prisoner, and of malice aforethought.

' 8. Everyone is guilty of felony who attempts to commit murder by any means whatever.'

Although the ' Code ' encourages constables to make certain communications to the Press, it also visits certain restrictions thereon :—

' 1. Police must not on any account give any information whatever to gentlemen connected with the Press relative to matters within police knowledge, or relative to duties to be performed or orders received, or communicate in any manner, either directly or indirectly, with editors or reporters of newspapers on any matter connected with the public service, *without express and special authority*.

' 2. The slightest deviation from this rule may completely frustrate the ends of justice, and defeat the endeavour of superior officers to advance the welfare of the public service. Individual merit will be invariably recognized in due course, but officers who without authority give publicity to discoveries, or the progress of a case, tending to produce sensation and alarm, show themselves wholly unworthy of their posts. At the same time the Press may be very useful in making public an important fact or caution, or the description, portrait, handwriting, and possible whereabouts of a person wanted.

' In a sensational case it may occasionally be good policy for a Chief Officer of Police to give such information as can safely be made public to all the reporters at a given hour, such as 5 p.m., *on condition* that they do not make inquiries themselves, or attempt to interview witnesses. No one newspaper should, however, be favoured.'

We must now give our attention to a number of typical cases of murder, considering them in all their bearings, and paying particular heed to the doings and motives of the central personality that moves through each one. Thus we shall obtain further enlightenment upon the subject on which we are bending our mental energies.

Appendix Q. Idealised Investigative Decision-Making Process (IDMM) 1998

MODEL OF 'IDEALISED' INVESTIGATIVE DECISION MAKING PROCESS

Notification of potential serious crime

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

What immediate detective response is required?
Initiate detective reaction (first-cut assessment, immediate information gathering, initial actions)

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

information volunteered from outside the investigation

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

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

no more info required

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

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

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

Post Charge Investigation identifies that more info is required

if no viable lines of enquiry are left

Investigative maintenance identifies new viable line of enquiry

Enter Post Charge Investigation process

Enter Investigative Maintenance process

DICK OLDFIELD
POLICE RESEARCH GROUP
APRIL 1998

Murder Investigation Manual 1998

Appendix R. Numbers of Decision Categories

Category of decision

1 declared as a murder

2 Fast track actions

3 Organisation (ownership)

4 House to house

5 Crime Scenes

6 Forensic

7 Family (FLO's)

8 Community

9 Intelligence

10 Victimology

11 Media

12 Staffing

13 MIR

14 Hypotheses

15 Hypotheses Tested

16 Suspect Strategy

17 Suspect Arrest

18 Interview Strategy

19 Search (including warrant)

20 Witnesses

21 MLOE

22 Experts

23 Disclosure

24 CPS

25 CCTV

26 DNA (and fingerprints)

27 Forensic Reviews

28 Post Charge

29 Financial Data

<u>**FOR**CE POLICY FIL**E**</u>

<u>**OFFENCE:**</u>
<u>**VICTIMS:**</u>
<u>**SENIOR INVESTIGATING OFFICER:**</u>
DATE ENQUIRY COMMENCED:
DATE ENQUIRY CONCLUDED:
BOOK NO.

                DATE FROM …………………………… DATE
                TO……………………………….

Policy
Reason

               Signature of officer making
        policy:………………………………………………….. Date:
              ……………………….
               <u>**APPENDIX "C"**</u>
<u>**INVESTIGATION SET UP**</u>

<u>**INVESTIGATION PLAN**</u>

1. Appointment of Senior Investigating Officer.
2. Appointment of Deputy Senior Investigating Officer.
3. Summary of incident.
4. Use of manual or HOLMES 2 system.

5. Location of Incident Rooms (s) and/or satellites
6. Identification and definition of scene(s).
7. Initial decisions at scene.
8. Management structure.
9. Identify key post, eg, Disclosure Officer, MIR positions.
10. Areas to be preserved/searched/fingerprinted/photographed.
11. Appointment of Analyst/Researchers.

<u>**ENQUIRY MANAGEMENT**</u>
9. Information which can be released or withheld from Press
10. Use of victim support schemes
11. Liaison with other agencies
12. Deployment of pods/caravans etc
13. Employment of experts, eg offender profile, etc
14. What sequence of events indexes are to be mentioned
15. Prioritisation of enquiries

16. Criteria for NIB searches (MO suspects)
17. Indexes – how many to be maintained/documents – extent of indexing
18. Liaison with CPS/Procurator Fiscal/appointment of legal advisers
19. Identifying relevant times
20. Officers Reports – parameters
21. Parameters for TI/TIE/suspect enquiries
22. Crime Scene Assessment
23. Review considerations
24. Liaison with NCF
25. Closing down policy

6. Elimination/implication factors, eg blood/fingerprints/footprints/DNA

8. Press conferences, frequency/by whom/delegated authority

5. Alternative H2H strategy, eg leaflet drop

4. H2H questionnaires – parameters

2. Personal description forms (PDFs) – age range/sex/IC codes

7. Alibis – verification

3. House to house perimeters – area/street names/numbers

1. Statements – when required/verification

LINES OF ENQUIRY

1. Major lines of enquiry indicating those with high priority and resource implications.
2. Variations of discontinued lines of enquiry, with reasons.
3. Profile of victims/suspects/associates – lines of enquiry.
4. Identify and prioritise MO suspects.
5. Research CCA/SCAS(NCF) for linked offences
6. Research for precursor, local linked offences.
7. Artists impressions/E-fits/video fit.
8. Media appeals/press releases.
9. Crimewatch/Crimestoppers
10. National circulations
11. Nomination of suspects.
12. Arrest strategy.
13. Search strategy.
14. Interview strategy.
15. Identification strategy.
16. Family Liaison strategy.
17. Forensic strategy.
18. Communications strategy.

19.   Response to review recommendations.

FINANCE AND ADMINISTRATION

1.   Funding applications – budget allocation – budget revision – budget constraints.
2.   Payment of overtime – hours of duty.
3.   Use of police vehicles, mileage allowance, rented vehicles.
4.   Briefings/debriefings; where and when.
5.   Additional equipment
6.   Office enquiry teams.
7.   Welfare issues for officers.
8.   Identification of personnel allocated to key positions in incident room/action teams/house to house teams.
9.   Increase/reduction staff.
10.   Typing services – documents to be typed.

SENSITIVE ISSUES

1.   Informant issue –tasking/management/participating status/rewards.
2.   Technical facilities – applications/installations/monitoring/equipment abstraction.
3.   Handling sensitive products, eg, tapes, transcription
4.   Use of undercover officers.
5.   IOCA applications.
6.   Witness protection.
7.   PII issues, eg, revelation of investigative techniques.

POLICY ISSUES FOR LINKED INVESTIGATOR (Additional)

1. Appointment of Officer in overall command

2. Appointment of Deputy Officer in overall command

3. Terms of Reference

4. Location, staffing, central research unit

5. Appointment of Management Team

6. Appointment of Advisory Team

7. Appointment of Byford Scientist

8. Mutual aid/liaison from other forces

9. Appointment of Data Protection officer

10.Management structure

11.Delegation of authority