

# **NORTH WALES POLICE and NORTH WALES MOUNTAIN RESCUE ASSOCIATION**

## **Protocol concerning Fatalities and Difficult to Reach Crime Scenes.**

### **INTRODUCTION**

The geographical nature of North Wales and its prominence as a tourist area results in an influx of visitors throughout the year. Many of these visitors, and local people, pursue outdoor activities including walking and climbing in the mountains.

Sadly, a number of incidents occur each year where people lose their lives as a result of these activities. The Police, on behalf of Her Majesty's Coroner, investigate all such fatalities. It is the legal duty of the Coroner to hold an inquest to determine the cause of death based on the information gathered by the Police from witnesses. The families of casualties will look to the Coroner and Police to provide them with a detailed explanation of how their relatives met their deaths. In the majority of cases death has resulted from a tragic accident. However, in some instances the Police investigation may uncover evidence suggesting that a crime has been committed which may lead to court action (criminal or civil).

### **CRIME SCENE ACCESS**

It is imperative that information is gathered from the "scene" of the incident at the earliest opportunity in order to assist the investigation. This may be by way of eye witness testimony, photographs, video recording and the examination and recovery of equipment. The very nature of such a scene in, for instance, the mountains of Snowdonia may make scene examination difficult or impossible in the conventional sense of employing Police search and examination techniques. Police officers are not, as a matter of course, trained in mountaineering skills and the risk in employing an untrained officer on such a task may be unacceptable.

### **MOUNTAIN and CAVE SEARCH AND RESCUE (SAR) TEAMS**

North Wales is fortunate in having well established **voluntary** Mountain and Cave SAR Teams. The skills and training of individual team members are frequently called upon by the Police to assist in searches and body recovery. An excellent working relationship has been firmly established and this protocol seeks to develop the existing relationship to include crime scene training which will assist the Police in conducting an investigation.

### **JOINT WORKING**

This document acknowledges that the North Wales Police (NWP) and North Wales Mountain Rescue Association (NWMRA) (hereinafter referred to as the Participants), acting on behalf of its members, wish to develop and maintain liaison in order to adequately address the difficulty of recovering evidence from hard to reach potential crime scenes and provide a high quality of service as part of any subsequent investigation. All parties accept that this protocol is a statement of best intent.

## **The Participants :**

- Acknowledge that the rescue of the living and preservation of life (including that of the rescuers) is of paramount importance.
- Acknowledge the primacy of the Police in all aspects of any investigation.
- Acknowledge the primacy of the responsible rescue team member at the scene in assessing the risks involved in accessing the scene.
- Understand the principles of confidentiality associated with their involvement in any investigation.
- Recognise the benefits to the criminal justice system and the community which will result from their close co-operation.
- Wish to seek a greater mutual understanding of their respective organisations, techniques and legislation.
- Recognise the desirability of releasing team members as soon as practical but there may be occasions when team members may be requested to remain available at the scene or nearby until such time as the Senior Investigating Officer (SIO) feels able to release them. The SIO should consider that team members are volunteers and may have other pressing commitments.
- Acknowledge that Health and Safety will always be the final arbiter of any decision making process around deployment of Police personnel in hard to reach areas.

In order to achieve these aims the NWP and NWMRA have reached the following understanding.

### **TRAINING**

The Participants undertake to enter into a programme of training dealing with the techniques of scene searches, recovery of evidence, still and video photography and evidential matters. Such training to be repeated and reinforced at appropriate intervals.

### **DEPLOYMENT**

On any incident involving a fatality, the SAR Team will endeavour to ensure that adequately trained members are available. The SAR Teams agree to deliver certain minimum standards of service. The SAR Teams further agree to operate under the direction of the SIO in liaison with the responsible SAR Team member.

Designated contacts will be established between SIOs of NWP and the NWMRA and its members. This will serve to ensure mutual understanding and a means of rapidly resolving any issues of concern which may emerge.

**ANNUAL REVIEW**

In order to validate these proposals the Participants will nominate members to attend an annual meeting. The practical operation of elements within this protocol will be reviewed and guidance provided where necessary.

It is recognised that the common basis on which both Participants agree to co-operate may be subject to change over time and, thus, be subject to amendment. It is accepted that at the request of either of the Participants, both will meet to consider the existing arrangements and, if necessary, amend this protocol.

Both Participants will keep each other mutually informed of any changes regarding their own organisational structure and points of contact.

Guidance and advice on the practical application of this protocol is given in Appendix I.

**CANCELLATION**

This Protocol, which comes into force as from this day for an unlimited period, will continue to have effect until one Participant informs the other in writing that the understanding herein is no longer to have effect, in which case it shall terminate immediately.

Signed on behalf of North Wales Police:

.....

Date .....

Signed on behalf of North Wales Mountain Rescue Association:

.....

Date .....

## **OPERATIONAL PRACTICALITIES**

### **INTRODUCTION**

At all times the safety of all is of fundamental importance. Until otherwise established, every fatality in the caves and on the mountains must be treated as suspicious. This is particularly important where the fatality involves a minor or a person under instruction. The Criminal Justice system is a paramount consideration.

### **EQUIPMENT**

Equipment specifically for dealing with fatalities should include:-

- Camera (A waterproof, 35 mm automatic camera is ideal)
- Adequate print film
- Video camera (waterproof with adequate battery capacity and tapes)
- Note paper, waterproof
- Waterproof pens
- Crime scene logs
- Cordon Tape
- Evidence bags
- Evidence tags
- Location pegs and tags
- Face masks
- Gloves
- Body bag

### **AT THE SCENE**

- 1 Team members must keep in mind that they do not have powers of a Police Constable. Team members can only request co-operation from the public which must be done with courtesy and respect.
- 2 On arrival at the scene it is vital to make sure that there are no other casualties and that no other persons are at risk. If there are other casualties, deal with the living first but ensure that a responsible team member remains with the one that is thought to be dead.
- 3 Examine the casualty as carefully as practical, with the minimum disturbance, to check for signs of life. Look for A) Injuries that are incompatible with life or B) injuries that are compatible with life but the casualty is cold to very cold. In this case assume that the casualty is still alive. In the event of serious injuries that may be judged to prove fatal, at the conclusion of the operation, keep notes and gather photographs in case a statement is required in the future.
- 4 Note the date and time of arrival of the party at the scene, list the members of the party and note who did what and where. Note times of departure from the scene. All persons at the scene must be logged in and out making use of a crime scene log.

- 5 Photograph and video the scene starting with general pictures of the scene, then narrowing down to details of the body, belays, fall line, damaged equipment etc. These photographs and video should be taken before the body is disturbed and equipment removed. Make notes of the location, orientation, time and detail of each photograph.
- 6 If no signs of life are found an enquiring and suspicious mind is a considerable asset.
  - A) Note the position of the body - how it was lying on the ground.
  - B) Note the clothing and footwear. Check for identification. Any items that have been removed for this purpose must be bagged, labelled and a note kept of from where on the body the item was removed. Take specific care of any personal items that may have fallen from the body. These also must be bagged, labelled, location noted and photographed and recorded on video.
  - C) Examine and make notes of equipment and other personal belongings. If practical, leave everything in place so that it can be examined subsequently by Crime Scene Investigators (CSI). If the scene is inaccessible for CSI ensure that everything is taken down having been fully documented and bagged for a formal hand over.
- 7 Gather members of the casualty's party and any bystanders at a safe location clear of the scene. Make notes of names, addresses and relationships with the casualty of all on the scene. Record what was said and by whom.
- 8 If there are any concerns or questions regarding anything at the scene, ask base to contact the Police with a request that the Police speak to the responsible team member at the scene by radio or mobile telephone. They may wish to attend at the scene.
- 9 Delimit the scene as best as possible and attempt to cordon it so as to isolate the scene from the surroundings. Do not compromise safety of any persons. Do so in such a way that no significant clues are lost. Be careful not to make the boundary too small.
- 10 Prevent, if possible, any unauthorised persons from entering the cordoned area or moving, touching or interfering with articles prior to the arrival of trained personnel.
- 11 If the scene is in a public thoroughfare, attempt to re-route traffic (pedestrian or otherwise) away from the scene. Public safety is of fundamental importance.
- 12 Take special care to avoid the contamination of clues such as fingerprints, foot-marks, blood, equipment, etc. When search dogs have been involved, secure the dog to a fixed point and note where in relation to the scene.
- 13 Take early action to protect items of possible evidential value that may be destroyed by weather or other causes before the scene is examined. A casualty shelter or similar may be used to cover impressions in the earth that are exposed to rain, wind, etc.
- 14 Persons authorised to enter the cordoned area should do so via the same route every time which should differ from existing entry or exit routes. Tape or rope may be used as route markers to the scene.

- 15 Once permission has been granted to evacuate the body (casualty), one person, a responsible team member, should stay with the body until:
- A) Declared dead.
  - and B) Formally identified to a Police Officer.
- In each case make notes that cover all the details of the hand over, by whom, to whom, where, date and time.

## **HAND OVER**

- 1 On return to base complete all notes relating to the incident. Indicate the roles played by the various team members and others present at the scene.
- 2 Any notes should record facts and observations and should not offer opinions on persons involved, skill levels, blame, etc.
- 3 Team members should not discuss the incident with third parties. Exercise particular caution about speaking to the media. If in any doubt, refer the media to the Police.
- 4 Hand over to the designated Police Officer all relevant documents - crime scene log, notes, films, video tapes and any other items brought down from the scene. Keep a record of all that is handed over.
- 5 The Base Co-ordinator should ensure the completion of all notes and reports before members depart from base.

## **STATEMENTS**

If involved in a fatal incident, it is almost certain that team members will be interviewed by the Police. Make sure that all notes and, if possible, photographs made at the scene are available for reference during any interview.

The dictation and/or writing of statements, format and contents will be covered during training sessions.