



Police Investigations &
Review Commissioner

Family Liaison Officer

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Role of the Family Liaison Officer

The role of the Family Liaison Officer (FLO) involves the day-to-day management of the partnership with the family in the investigation and close liaison with the lead investigator to ensure families are treated appropriately, professionally and with respect to their needs.

Deployment of a PIRC FLO

The PIRC will normally deploy a FLO in circumstances where there has been a death following police contact and where there is an identifiable family. The PIRC may also deploy a FLO in other circumstances not involving a fatality, where the involvement of a FLO may enhance the effectiveness of the investigation.

There may be rare occasions when the deployment of FLOs will not be possible due to the availability of suitably trained and experienced FLOs, for example due to a road traffic incident resulting in multiple fatalities and consequently multiple deployments. There may also be circumstances in which the PIRC considers it too risky to deploy FLOs.

Number of FLOs deployed

The PIRC will normally deploy two FLOs to a family where resources allow. This ensures continuity where one FLO is unavailable and provides flexibility should there be conflict within the family dynamics.

Respective roles of Police Scotland and the PIRC.

As it is of the utmost importance that the delivery of the death message to the next of kin is not delayed, Police Scotland will always assume responsibility for delivering this message.

Thereafter, Police Scotland would normally deploy a FLO to the family should the death have occurred following police contact. However, immediately it is known that the PIRC will be carrying out an independent investigation, Police Scotland will liaise with the PIRC and arrange a handover of FLO responsibilities.

The handover from Police Scotland's FLO (where one is already deployed) to the PIRC FLO should involve a face to face meeting between the FLOs. There may be occasions when a hand over has to be carried out over the telephone but these should be very rare occasions and only take place with very good reason when all other alternatives have been exhausted.

The PIRC FLO should explain to the police FLO the reason for the deployment of a PIRC FLO so that the rationale is understood. This is to avoid any perception that the replacement is for personal reasons.

During the meeting the following should be passed by the police FLO to the PIRC FLOs:

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- Details of the family identified;
- Known contact numbers;
- Details and contact numbers for the family single point of contact if relevant;
- Information already given to the family;
- Details of any evidence or information obtained from the family;
- Issues/complaints raised by the family;
- Media public interest;
- Any logistical matters, such as property held by the police, accommodation/travel problems;
- Any identified medical issues;
- Details of any body tissue removed after a special post mortem;
- Details of leaflets handed out and support facilitated;
- A copy of the police Risk Assessment including relevant supporting information relating to previous convictions and intelligence;
- The police SIO's FLO strategy;
- Copies of the police FLO log.

It is important to manage the introduction of the PIRC FLO to the family. It is also imperative that a structured exit strategy is in place to facilitate the exit of the police FLO from the family. This must be recorded in the relevant log. To achieve a smooth transition it is recommended that the police and the PIRC FLOs meet the family together for the introductions to take place. It is accepted that there may be occasions where this is totally inappropriate. For example the family may wish to have no contact with the police. This decision will be respected and details recorded in the relevant log.

Parallel deployments

There may be circumstances in which Police Scotland concurrently deploys a FLO in respect of a related crime investigation, for example of police shoot a suspect during the commission of a crime for which others have been charged.. In such circumstances, the lead investigators for the PIRC and Police Scotland will liaise to agree the roles of the respective FLOs and to agree a strategy.

This will include:

- determining the main family point of contact for each officer/investigator. The contact may be the same or different persons for both organisations depending on the nature of the investigations and the dynamics of the family.
- determining a process for informing each organisation of the information they wish their respective FLOs to pass to the family. This is to ensure the 'harm test' criteria can be accurately assessed and reduce the risk of conflicting messages. Generally speaking information passed to families in parallel investigations will be limited to matters of process and not detail of evidence, preventing the risk of premature or inappropriate disclosure of information relevant to criminal proceedings.

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- liaising regarding respective media releases and checking these in advance with the family.
- Liaising to ensure each organisation is aware of the support each is offering families to avoid duplication of effort.

Record Keeping

Once the PIRC decides to deploy a FLO, the lead investigator must record a structured strategy in the appropriate log. This is to ensure the FLO fully understands the role which he/she is being asked to perform.

At the outset of every deployment the FLO will commence a Family Liaison Log. This log will be where all records of contact will be documented with the family/next of kin, representatives of the family and any other parties connected with the family. The log should be the only method of recording this contact.

Entries to the log should be made timeously, accurately and should be examined at regular intervals by the lead investigator (the SI/DSI). The log contains numbered self-carbonated pages, which allows the log entries to be submitted to the staff member responsible for the administration of the enquiry.

Record keeping is an essential part of a FLO deployment. It provides the facility for the SI/DSI to manage the liaison effectively.

Investigators completing the FLO log should be aware that the document is subject to disclosure under the Criminal Justice and Licensing (Scotland) Bill. It is therefore important that where any other means of recording contact has been made prior to entry into the log, such as notebooks/journals etc then, to ensure evidential integrity, these notes should also be retained.

The FLO log should include the following information:

- Details of all non-sensitive strategic and tactical decisions agreed with the SI/DSI affecting the Family Liaison Strategy;
- Date and time of all contacts made including the times of any meetings;
- Method of contact and venue where applicable e.g. by telephone, at home address;
- Details of the purpose of the contact and any information exchanged;
- Details of any complaint made by the family and action taken to appraise the SI/DSI;
- Details of any request made by the family not acceded to and action taken to appraise the SI/DSI;
- Details of who initiated the contact, e.g. PIRC, family or others;
- Details of non-family members present at meetings (care and discretion should be employed in establishing these details if they are not volunteered or already known);
- All attempts to contact the family or their representatives without success;
- All attempts to contact the family, which were refused or declined and any reasons given; and

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- Date and time of submission of the entry to the enquiry system (Clue 2, where applicable).

Where the FLO becomes aware of any sensitive issues that may require to be brought to the attention of the PIRC investigation team, they should be submitted to the SI/DSI at the earliest opportunity.

Under no circumstances should Intelligence be entered into the FLO log.

Normal PIRC procedures should apply in regard to intelligence submissions.

Working and Communicating with the Family

The conduct of the first contact with the family is vital in laying the foundations for a successful partnership.

At no time must a family be deliberately misled

Contact must be honest and as far as possible open. It is of paramount importance that families are treated appropriately, professionally, with respect and with consideration given to their needs. Investigators must never make assumptions as to the particular needs and expectations of a family.

FLOs must be aware that some of their actions and those of the PIRC generally may be misunderstood. FLOs must minimise these possibilities by ensuring that actions and decisions are explained fully and considerately, ensuring that adequate time is taken to do so.

One of the primary concerns of family members will be the need for information. The trauma of bereavement can be compounded by the frustration of not knowing the surrounding facts. The victim's family must be provided with the timely sharing of all possible information so far as the investigation permits. The FLO should have direct communication with the SI/DSI in connection with their role and issues concerning the family. Any information released to the family must first be authorised by the SI/DSI.

Intelligence

Where a PIRC FLO gains intelligence identifying a potential risk of harm or death to any individual, the intelligence must be brought to the attention of the Senior Investigator in the case as a matter of urgency. The intelligence must also be passed to the appropriate police contact (verbally in the first instance) without delay so that action to protect the individual(s) concerned can be instigated in accordance with force policies arising from the case of *Osman v UK* (2000) 29 EHRR 245. A duty of care is placed upon us all to protect life.

All intelligence must be discussed with the relevant senior Investigator. This process must not delay the passing of urgent intelligence to the police.

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Return of property

Issues concerning wills or when a person dies intestate should be borne in mind prior to returning property to the family. Legal advice may be required in any case, where there is a possibility that property may be subject to a dispute between family members. The PIRC legal advisor should in the first instance be consulted in respect of such matters.

When considering the return of property to the family, the following should be borne in mind:

- What property does the family wish to be returned;
- How do they want the property returned, e.g. cleaned; and
- Need there be a long delay in any return of property.

Property being returned should be inspected by the FLO to ensure that:

- All PIRC and court production tags have been removed;
- Any clothing has been cleaned and pressed when requested to do so; and
- Any jewellery or other personal effects have been cleaned and properly presented when requested.

The family must always be consulted before any cleaning of property takes place to establish their views. The FLO should liaise closely with the productions officer on all matters pertaining to productions. It is essential the property is returned rather than relatives asked to collect it from a location that may cause upset and trauma.

Health and safety issues must always be taken into account whenever property is searched and/or cleaned. Specialist companies may be used to provide logistical support, in respect of the issues set out in this section in any circumstances.

Welfare

Working with a bereaved family is one of the most demanding, and at times, stressful environments that any investigator will encounter. The welfare of any individual carrying out such work, often for protracted periods, is of paramount importance. PIRC has an obligation for the welfare of its employees and as such, SI/DSIs should be fully conversant with their responsibilities for any investigator(s) carrying out the role of a FLO.

The SI/DSI should hold regular welfare meetings with the FLO throughout the course of the deployment and complete the relevant welfare section at the rear of the FLO log.

FLOs should also be offered annual attendance at their Occupational Health Units.

Notwithstanding the responsibilities of the SI, FLOs also have a responsibility to inform the SI of any reason that may affect their ability to continue with their current

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or any future deployment e.g. a family bereavement or other significant event in their lives.

Exit Strategy

At the outset of their deployment, FLOs should make families aware that there will come a point when they will exit their role and that the Victim Information Agency (VIA) will undertake the liaison responsibility (where COPFS has instructed the investigation). This will avoid any confusion that the family might have regarding the responsibilities of the FLO.

Although the family liaison strategy will detail the exit strategy, the natural exit from the family will generally be at the conclusion of the investigation. The exit strategy must be well timed and implemented, possibly by a personal visit from the FLO and the SI/DSI indicating the procedure from that point on. Any such exit strategy must be caring and considerate.

It should be recognised that a successful interaction with a family will mean that the FLO's objectives have been achieved.