

**FAMILY ENGAGEMENT STRATEGY**

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**Legacy Investigation Branch**

Aim

The aim of this strategy is to clearly set out the Head of Branch’s expectations for all family engagement by Legacy Investigation Branch (LIB).

The Police Service of Northern Ireland (PSNI) is a unique Service, with unique challenges. Chief among these is dealing with the legacy of the past.

In line with Section 32(5) of thePolice (Northern Ireland) Act 2000 the PSNI Code of Ethics states at Article 1.2 Professional Duty that ‘Police officers shall, as far as is practicable, carry out their functions in cooperation with, and with the aim of securing the support of, the local community’.

We are committed to making the service we provide to families who have lost loved ones visible, accessible, responsive and focused on their needs. To demonstrate we care about the needs of families we will at every opportunity seek to engage with them, listen to their feedback, take action to ensure our policy and approach reflects them and in doing so work to secure and retain the assistance, confidence and support of families.

It is the practice of LIB, insofar as is reasonably practicable, to ensure that families have the same point of contact with the investigation and review teams. We recognise a ‘trauma informed approach’ to our work is vital and having officers who are trained in this arena will be the subject of ongoing review. Officers and staff have received bespoke Trauma Informed Training in order to assist them with engaging with families, to better understand their needs and provide the appropriate support.

Phases of Engagement

**Initial Contact at Commencement of Review**

Initial contact with families will occur prior to the commencement of a review. Engagement will usually be with the next of kin (NOK) and LIB will adopt the coroner’s rules, i.e. legal spouse, children, parents and any siblings. In some cases, due to specific circumstances, LIB may step outside the coroner’s rules and engage

with a relevant remaining relative. A Single Point of Contact (SPOC) should be identified within the team.

The SPOC will identify all family members[[1]](#footnote-1) and where there are different family needs, or issues within the family dynamics, the SPOC will identify points of contact within each family grouping.

It will be a decision for the Detective Chief Inspector, in consultation with the SPOC, as to who should be contacted at this initial stage.

This initial contact should be made by the SPOC with the NOK by way of letter informing them that a review is about to be commenced.

Further engagement will take place as follows:

**Commencement of Review**

First Family Engagement Meeting - A meeting with the family will be requested at this stage which will be chaired by the Detective Chief Inspector. Others at the meeting will include the Detective Sergeant responsible for the review and the SPOC. The purpose of this meeting will be as follows:

* To explain the role of LIB, the structure of the branch, outline the process of review, potential timeline and what may happen next, either investigative action, or if there are no investigative opportunities to progress the case to a criminal justice outcome, then a family report will be prepared and provided to the family. Family expectations around timelines and findings will be discussed and addressed during this meeting. The various stages of the review process will be explained to the family in order to give them an understanding of the length of time this process can take to complete; namely administrative compilation of inventory, allocation of sections, scene revisit, assessment of original investigation, completion of review report and consideration of recommendations.
* The steps that LIB take to identify conflicts of interest in order to address potential impartiality issues will also be explained during this meeting[[2]](#footnote-2). Concerns of the family relating to any potential conflicts they perceive will also be discussed. In dealing with concerns raised by families the aim will always be to take reasonable steps to secure and retain their assistance, confidence and support.[[3]](#footnote-3)
* LIB recognise that due to the particular circumstances of some cases, securing the confidence of families may be more difficult. In 2021, the United Kingdom Supreme Court[[4]](#footnote-4) found that in the particular circumstances of the Smyth case, PSNI had failed to explain to the family the nature of the measures that would be taken to enhance the prospect of achieving the practical independence of the investigation. LIB will therefore seek at the initial contact stage to address any such specific concerns by explaining relevant measures including the implementation of the Conflict of Interest Policy, the structure and composition of LIB teams and the previous experience of their staff and the oversight arrangements for reviews.
* The SPOC will agree the following with the family at the first engagement meeting:
* The identity of the appointed contact for the family in the event there are a number of family members or whether NOK wishes contact to be directed through another family member or a third party;[[5]](#footnote-5)
* How often do the family wish to be updated of progress;
* How do the family wish to receive updates (telephone, letter, email, in person);
* Ascertain if the family have any questions that they wish to raise or be considered during the course of the review and request that they submit these in writing and[[6]](#footnote-6)
* Establish whether the family have the support of other family members, non-governmental organisation (NGOs), or victim support organisations and advise families that should they consider it useful, the SPOC could contact the Victim and Survivors Service (VSS) in Belfast on their behalf for advice and signposting to appropriate support groups.
* A letter will then be forwarded to the appointed family point of contact outlining what has been agreed. This will include details discussed at the family meeting if this has taken place.
* The SPOC will contact the family at the relevant agreed times during the review process to ensure continued engagement with the family.
* Where the family choose not to attend a meeting, the above information will nevertheless be provided in writing.
* A record of all contact with family members or NGOs must be maintained in the family contact log, with details of the author included, dated and timed. The log will be saved on TRIM under Family Engagement and later, in the case of an investigation commencing, in the Reports Tab on Niche. The maintenance and completion of this log will be the responsibility of the SPOC.

Completion of Review

**No Recommendations Identified**

* The SPOC will inform the family when a full review has been completed and request a further meeting with the family.
* This Family Engagement Meeting will be attended by the Detective Chief Inspector, Detective Sergeant and SPOC. At this meeting it will be explained to the family the findings of the review and that no investigative opportunities have been identified.
* The family will be informed that a family report will now be prepared. Again the expectations on length of time should be explained.
* If the family have raised questions previously they should be provided with a response at this stage, if not already addressed.[[7]](#footnote-7) Where possible this should be in writing.
* The family will be asked if they have any further questions they would like answered and to submit same in writing. Answers to these questions will be provided in an appendix to the family report.
* It will be confirmed how the family would like to receive the family report i.e. in person/by post and the number of copies requested.
* It will be further explained that on completion of the family report there will be an opportunity for a further meeting with LIB officers to discuss the contents and/or raise any questions once the family have had an opportunity to consider the document.
* The family report will be delivered at the earliest opportunity with a covering letter.
* The case will be marked as complete on the Case Sequencing Model on delivery of the family report. As with any murder case, should any new evidence become known at a future date, this will be fully considered by an SIO at the relevant time.
* If the family request a meeting to discuss the contents of the family report or raise further questions after receipt of the report this will be facilitated and a written response to questions will be provided if necessary.

**Investigative Opportunities Identified**

* The SPOC will inform the family that a review has been completed and request a further family meeting.
* It will be outlined to the family that investigative opportunities have been identified and the Detective Chief Inspector will outline the investigative processes to be undertaken and manage expectations regarding timeframes relating to completion of investigations. A brief outline will be provided regarding likely outcomes, either Criminal Justice outcome or family report. The SPOC will confirm how often the family wish to be updated of progress.

Investigation Complete

**No Criminal Justice Outcome**

* The SPOC will inform the family that the investigation has now been completed and request a further family meeting.
* This Family Engagement Meeting will be attended by the Detective Chief Inspector, Detective Sergeant and SPOC. At this meeting the result of the investigative recommendations pursued will be discussed with the family explaining that no further evidence has been identified to pursue a Criminal Justice outcome.
* The family will be informed that a family report will now be prepared. Again the expectations on length of time to prepare this document will be discussed.
* If the family have raised questions previously they will be provided with a response at this stage, if not already addressed previously. Where possible this should be in writing.
* The family will be asked if they have any further questions they would like answered and requested to submit same in writing. Answers to these questions will be provided in an appendix to the family report.
* It will be confirmed how the family would like to receive the family report i.e. in person/by post and number of copies requested.
* It will be further explained that on completion of the family report there will be an opportunity for a further meeting with LIB officers to discuss the contents and/or raise any questions once the family have had an opportunity to consider the document.
* The family report will be delivered at the earliest opportunity with a covering letter.
* The case will be closed on the Case Sequencing Model on delivery of the family report.
* If the family request a meeting to discuss the contents of the report or raise further questions after receipt of the report this will be facilitated and a written response to questions will be provided if necessary.

**Criminal Justice Outcome**

* The SPOC will inform the family that the investigation has been completed and that a file is being prepared for the Public Prosecution Service (PPS).
* The file will be submitted to the PPS along with contact details for the family.
* The SPOC will advise the family when the file has been submitted to the PPS and explain that the PPS will now take responsibility for updating the family.
* This will be kept under review and if there is no update from the PPS within six months, LIB will endeavour to contact the PPS on behalf of the family to obtain such an update.

Additional Notes

Legacy Investigation Branch will, if family members wish, assist them to contact the Victims and Survivors Service (VSS) which can give them advice and signpost them to a suitable organisation for their needs.

VSS are based at Millennium House, 25 Great Victoria Street, Belfast, BT2 7AQ (02890 279100).

There will be occasions when families do not wish to have a meeting, but are happy to discuss issues on the telephone or by email. While this is not the preferred option, LIB will comply with the family’s wishes.

LIB will ensure that families are notified of any changes to the family engagement strategy, e.g. staff changes and the reasons why. These changes will be updated in the policy log.

The family will be informed that after the Review/Investigation has been concluded or the family report has been delivered and family questions answered, the papers will be filed and further contact with the family concluded. It should be explained that this does not mean that the case is closed and that should new information be received the family will be informed.

In effort to continually improve, LIB will examine and measure the quality of service provided to families and seek feedback on an ongoing basis.

1. Within the guidance of the Coroners Rules – Legal Spouse, children, parents and siblings [↑](#footnote-ref-1)
2. See LIB Family Guidance Document and Conflict of Interest Policy [↑](#footnote-ref-2)
3. PSNI Code of ethics Art 1.2 Police officers shall, as far as is practicable, carry out their functions in cooperation with, and with the aim of securing the support of, the local community. Sourced from: Section 32(5) Police (Northern Ireland) Act 2000. [↑](#footnote-ref-3)
4. UK Supreme Court 2021 in the application of Margaret McQuillan for Judicial Review [↑](#footnote-ref-4)
5. If families wish the LIB to deal directly with their representatives on their behalf, they will be requested to sign a written authority that will be sent to them when they receive the LIB first contact letter. [↑](#footnote-ref-5)
6. LIB may not be able to commit to answering every question that may be asked, however LIB will seek to provide the fullest answers possible to questions that are reasonable, lawful, justifiable and proportionate. [↑](#footnote-ref-6)
7. LIB will seek to provide the fullest answers possible to questions that are reasonable, lawful, justifiable and proportionate. [↑](#footnote-ref-7)