




<b>Case 1   Issue 36 – Missing people</b>		
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## Search for a missing person in their home

*A man's friends and neighbours became concerned when they had not seen or heard from him, raising issues about:*

- *When a 'concern for welfare' becomes a 'missing person'*
- *Vulnerability caused by serious medical conditions*
- *'Open-door' searches and what they involve*
- *When to consider the use of specialist search teams*

This case is relevant to the following areas:

**Public protection**



## Overview of incident

Mr A had delivered milk to Mr B for 18 years. One morning, Mr A noticed milk delivered three days previously was still outside Mr B's property. Mr A thought this was out of character, as Mr B would normally take it inside the house. Mr A returned home but, by the afternoon, still had concerns and decided to return to the property to see if Mr B was home. He knocked on the door, but there was no answer and he returned home. Later that day, Mr A was still not satisfied Mr B was safe and well and returned to the property. On closer inspection, he noticed the door was locked, and the keys were on the inside of the front door. He tried to gain access around the back of the property, but this was also locked.

Mr A phoned the police and relayed his concerns to the operator. The operator created an incident log, noted Mr A's account of events, and recorded it as a concern for safety. Shortly after the call, a supervisor viewed the log and requested the dispatcher check with the local hospital and, if Mr B was not admitted, send an officer to his address. The dispatcher checked with the hospital, but Mr B had not been admitted. Within 11 minutes from Mr A's call, the dispatcher tasked PC C to go to Mr B's address to perform a welfare check.

PC C arrived at Mr B's property where Mr A was waiting for police to arrive. In a statement to the IOPC, Mr A said police arrived "within five to ten minutes" of his call. Mr A explained about

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the door being locked and the keys in the lock. He also told PC C Mr B was diabetic and had collapsed in the past. Additional officers arrived and together they forced entry into the rear of property. According to PC C, this was to “protect life and limb”. Officers found the rear door secured via a spade propped between the door and the floor. Upon entering through the rear door, officers encountered a second, glass internal door. This was locked with the keys in the lock on the inside of the property.

PC C knocked and shouted for Mr B, but heard no response. He decided to break one of the glass panels on the door to access the lock. Upon entering the house, he saw the kitchen and hallway were stacked with magazines and correspondence. In his statement to the IOPC, he described this as “tunnels” through the house. PC C also explained the bath was full of books, as was the bedroom where they were stacked to chest height. This left only a small area of floor space in front of the bed. Mr B did not appear to be in either the bathroom or the bedroom.

PC C tried to look under the bed, which he described as being “full of rubbish”. He had to push it down to get a better look, but saw no sign of Mr B under the bed. PC C explained there were two mattresses on the bed which he tried to lift but could not due to their weight. Photographs from the scene showed the house was extremely cluttered.

### College of Policing - Authorised Professional Practice - Searches

*“The minimum standard for a search of premises is an open door search. This entails opening all doors and searching all rooms, outhouses, sheds, lofts, cupboards, wardrobes and drawers”.*

#### For more information visit:

<https://www.app.college.police.uk/app-content/investigations/investigative-strategies/search-2/#open-door-searches>

Local force policy expands on APP guidance and includes any *“void or space, which contain the whole body of a missing person. Typically, this would include wardrobes, lofts, cellars, under beds...”*

After leaving the bedroom, PC C contacted the force control room (FCR) on his police radio. He advised he had forced entry, describing it as a “hoarder’s house”. PC D contacted him via the radio and asked if he needed assistance. PC C said he did.

PC D and PS E arrived at the property and PC D helped with the search. PC C explained in an interview by the IOPC that, due to neighbours telling him Mr B was diabetic and had previously collapsed, they were looking for someone who had fallen.

In his interview with the IOPC, PC D states he assisted PC C with the search for approximately two hours, but he did not personally search the bedroom. He explained how the clutter required them to climb over things and he wasn’t “built” for that, so PC C was *“looking in crevices, bits between piles of books and climbing over things”*.

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When interviewed by the IOPC, PS E explained he was at Mr B's property in a supervisory capacity. He assessed what was required and made sure his officers knew what was required of them before he left. He did not take part in the search or set a search strategy.

A friend of Mr B, Mr F, explained in a statement to the IOPC he had a key to Mr B's home for use in emergencies. Mr A contacted Mr F during the police search and told him officers were in the house but were unable to find Mr B. Mr F explained Mr B would normally tell him if he was going away but he had not mentioned any plans to do so on this occasion.

Upon leaving the property, PC C states he spoke with Mr B's neighbours and asked them to contact police should Mr B return.

Approximately two hours after the initial call from Mr A, the incident log was updated to show the property had been secured, officers had left, and Mr B had not been found. Force incident manager (FIM) inspector, Inspector G, made an entry on the incident log. He commented the concern had been Mr B was unwell or dead inside the house and this had been negated by the police search of the house. It was therefore likely Mr B had gone away for the weekend and forgot to cancel his milk. He then stated *"happy for the log to be finalised"*.

The log was closed by an operative in the FCR. In a statement to the IOPC, Inspector G said he based this decision on the assumption a thorough search of the property had been made and claims he was unaware of the keys being inside the locks of the front and back doors. This claim appears to be supported by the incident log which made no mention of this before Inspector G's review and decision to close the log.

Inspector G's response to the IOPC's assertion Mr B should have been treated as a missing person was that Mr B was an adult with capacity who had a long-standing medical condition, but there was no evidence to suggest he was at risk of harm. Inspector G stated for the police to make further enquiries would have invaded Mr B's private life. He felt there was no justification to do that based on the information available to him. This is despite the information available to police that he suffered from a medical condition which made him vulnerable to collapsing, the doors to the house were locked from the inside (and one was propped closed from the inside with a spade), there were no other visible entry or exit points, his close friend was not aware of his whereabouts, and his milk man of 18 years was not aware he had any plans of going away and felt this was out of character.

The FCR opened a separate incident log shortly afterwards, with a view to documenting ongoing enquiries into Mr B's whereabouts.

Mr F went to the police station the following day where he said he was unaware of Mr B's whereabouts and had a key for the house if required. The desk officer asked Mr F to keep the key and to check the house in case Mr B returned home. The entry on the log shows Mr B was recorded as a concern for safety, Mr F had searched the property and was asked to keep checking, and to contact police if he still had not heard from Mr B after a few days. There is no evidence on the incident log to suggest any further enquiries were made to find Mr B over the next three days.

PC H was made aware Mr B was 'missing' while on leave. Upon her return three days after the initial report, she reviewed the log and wrote a summary of the incident. While in the process of

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doing so, she realised Mr B had not formally been declared missing. She contacted Mr F to let him know and recommend he formally report Mr B as missing.

Later that day, Mr F went to the police station for a second time and provided a photograph of Mr B. He also informed the desk officer he had spoken to Mr B's cousin, Ms I, who had not spoken to Mr B for some time and was concerned for his safety.

Ms I and Mr B communicated regularly by letter and she had very recently sent him a card and letter for his birthday. An hour after Mr F went to the station, Ms I contacted the force using the number given to her by Mr F. She reported Mr B as a missing person, stating she knew he had not gone away and he had not mentioned any plans to do so. She provided his medical history and said it was out of character for him to not be at home. An incident log was created following Ms I's call, which shows Mr B had not been seen by his neighbours for a week before Mr A's original call.

Entries made on the log shortly afterwards show police had placed weight on the potential that the man was away at an event, based on a letter found at the property. This is followed by an entry where Mr B was graded a low-risk missing person by a control room inspector, Inspector J. Local force policy says a missing person should be classified as low-risk where *"there is no apparent threat of danger to either the subject or the public"*. This conflicts with the College of Policing APP guidance which states low-risk classifications are appropriate for missing persons where *"the risk of harm to the subject or public is assessed as possible but minimal"*. The log shows when Ms I reported Mr B as missing, she mentioned Mr B was diabetic and had the tendency to slip into an unconscious state.

Inspector J set a number of actions, which included a further search of Mr B's property.

A couple of hours later, Ms I emailed the force explaining when she last saw her cousin. She recounted an incident where, due to his diabetes, he had become unconscious and woke up under his bed. Ms I asked police to check under his bed.

The incident log shows that approximately 40 minutes after Ms I's email, Mr B was circulated as missing on the system.

According to Mr F, PC C went to his property that evening. Mr F could not be sure of the exact time but he estimates it was about the same time Mr B was circulated as missing. PC C asked Mr F if Mr B was suicidal and told him officers were going to search Mr B's loft. During the search, Mr F received a phone call from Ms I who relayed the information in her email about Mr B potentially being under the bed and asked he pass this information onto officers. Mr F explained he had previously asked the police if they had searched under the bed, to which they told him they had.

PC C, together with PC K and PC L, made a further search of Mr B's home. In his interview, PC C said they were looking for things such as travel timetables or event tickets that might indicate where he had gone. He also searched the loft. PC C said he did not check Mr B's bedroom again or look under the bed. In his interview by the IOPC, he admitted he was told about the incident where Mr B woke up under the bed following a diabetic episode, but no one had mentioned he may have gone under there of his own volition. He felt due to the clutter under the bed, there was no way he could have fallen and rolled under the bed, and therefore discounted Mr B would be under there. PC K told the IOPC the bed was a solid bedstead, not a wooden

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frame type that would allow someone to go underneath it. He claimed to get under the bed would require a person to fabricate a makeshift entrance. Photographic evidence does not support this view and shows a frame construction with books and papers at the side. It was accessible.

PC L recalls the floor around the bed was piled high with papers, making it difficult to get around the side of the bed. He recalls PC C told him he had checked under the mattresses.

### College of Policing - Authorised Professional Practice - Search

Any areas not searched, as a result of difficulties with access, must be identified and brought to the notice of the investigator and/or PolSA.

#### Find out more online:

<https://www.app.college.police.uk/app-content/investigations/investigative-strategies/search-2/>

PC C returned to Mr F's property later that evening. Mr F told him about Ms I's phone call and her request police check under the bed. In his statement to the IOPC, he stated PC C responded by telling him they had checked everywhere, before leaving.

About three hours after officers searched Mr B's home, a dispatch operator reviewed the log and forwarded it to a supervisor to add comments and actions to the log. He also forwarded the photo of Mr B to the CCTV department. The dispatch operator made an entry on the log which contained the text from Ms I's email, including her desire for police to check under his bed.

Approximately two hours later, PC C updated the incident log. He confirmed there was a production of the play two days prior to the initial report from Mr A, and he had checked with the hospital of the town it was in but there were no unidentified patients. He continued the entry, stating: there was no suggestion he was suicidal, that he does not usually go away without telling Mr F, there were keys inside both doors and no other way out of the property, and the loft had been checked. He also noted there was *"no smell of decay within the address"*. There was no mention of the information Mr F told him about checking under the bed. There is a further entry shortly afterwards by PC C where he confirmed he had arranged for checks of Mr B's bank accounts to look at recent transactions.

A couple of hours after PC C's entries, a review was carried out by Inspector M. This stated a further search should be made in daylight and set several other actions, including financial checks, requesting a specialist search team, re-visiting friends and neighbours, checking CCTV, and making enquiries with Mr B's book club. Local force policy shows these actions are in line with those that would normally be taken for a medium-risk missing person. The evidence suggests Inspector M did not formally alter the grading from "low" to "medium" on the system. Force policy states medium-risk missing people incidents require *"an active and measured response"*.

During her interview with the IOPC, Inspector M said she had several conversations with PC C and claims he told her he had searched under Mr B's bed twice. PC C claims he only ever looked under the bed once on his first visit to the property, and this is what he told Inspector M.

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She stated she felt a co-ordinated search was required, where items were removed from the property to facilitate access. She also said they were unable to do this straight away as there was not a search team on duty and Mr B was considered “a low-risk”. Inspector M also added she felt, based on what the officers had told her, it was unsafe for them to go in and perform the search at night. Force policy requires consideration of the risk to the safety of officers when deciding whether to conduct a search.

Inspector M finished her shift several hours later and an acting inspector, Inspector N, took over. By now it was the fourth day since Mr A’s original call to police. The police had made two searches of Mr B’s home and not managed to find him. Inspector N reviewed the log about one hour into his shift. In a statement he provided to the IOPC, he stated “*my immediate concern was that keys were on the inside of the door, which would indicate to me that the person was still inside the address*”.

Inspector N arranged for a specialist search team to search the address but tasked officers to attend first and check under the bed.

Approximately three hours after Inspector N began his shift, two officers went to Mr B’s address. One of the officers, PC O, tried to look under the bed from the side closest to the door. In his statement to the IOPC he recalls he “*could not see underneath due to their [sic] being newspapers, magazines and tissues piled up underneath it*”. He then leant on the bed to look underneath from the other side and describes seeing “*what appeared to be the upper body of a person*”. This was later found to be Mr B.

PC O described him as feeling “*extremely cold to the touch*”. He explained Mr B was surrounded by tissues, along with newspapers, crosswords, sandwich boxes and a small lamp. He explained this made Mr B “*very hard to see*”.

The incident log shows Mr B was found within ten minutes of PC O arriving at the property. Half an hour later, Inspector N made an entry on the log following a further review. He provided a retrospective assessment, stating he “*would have graded them (Mr B) as medium from this new information*”. It is not clear what information he refers to.

Later, Ms I sent further emails to the force, raising concerns she had received no contact from them. That afternoon, officers went to her address and told her of Mr B’s death.

Expert evidence gathered during the IOPC investigation suggests, in all likelihood, Mr B suffered an episode relating to his diabetes and fell into a coma. There was a high probability he was dead when officers first searched his home. In the less likely scenario he was still alive at that point, expert evidence suggests he would not have survived even if transferred to hospital for emergency treatment.

### Type of investigation

IOPC independent investigation

### Action taken by this force

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1. The learning from the incident was circulated across the force through their organisational learning bulletin. It has been included in the force's search training for officers and an input is included on the course for new officers.
2. The learning from this investigation was also shared with the NCA missing people lead, who met with the man's family. They listened to their experiences and concerns regarding risks posed to missing people with diabetes.

### Outcomes for officers and staff

#### PC C

1. PC C, who took part in the first two searches of Mr B's home, including searching the bedroom on the first occasion, was served with a notice of investigation. This was for allegedly failing to conduct adequate searches, incorrectly informing Mr F he had searched under the bed, and incorrectly informing Inspector M he had searched the area under the bed.
2. PC C was found to have a case to answer for misconduct and attended a misconduct meeting. The misconduct meeting found the allegation of misconduct was not proven and no further action was taken.

#### PC D

3. PC D, who took part in the first search, was served with a notice of investigation. This was for allegedly failing to adequately search the man's home. He was dealt with through stage one unsatisfactory performance procedures (UPP). This was in relation to searches and effective dynamic risk assessment, particularly missing persons and concern for safety/welfare incidents where diabetes is a known risk factor. PC D received words of advice about his performance.

#### PS E

4. PS E, who went to Mr B's home in a supervisory capacity during the first search, was served with a notice of investigation. This was for allegedly failing to effectively search the property. He was found to have no case to answer for misconduct, but it was felt he would benefit from further training around conducting risk assessments for concern for safety/missing from home reports and setting search strategies for his team.

#### Inspector G

5. Inspector G (who was acting as the force incident manager) and the duty inspector who, after the first search of Mr B's home requested the incident log be closed, was served with a notice of investigation. This was for failing to comply with local force policy for missing and absent persons. He was found to have no case to answer for misconduct, but was informed his performance was below the satisfactory standard expected.



## **PC K**

6. PC K, who took part in the second search, was served with a notice of investigation for allegedly failing to effectively search Mr B's home. He was dealt with through stage one UPP, in respect of adherence to force policy and training on effective searches. PC K received words of advice about his performance.

## **PC L**

7. PC L, the other police constable who took part in the second search, was served with a notice of investigation. This was for allegedly failing to effectively search Mr B's home and for incorrectly telling Mr F the whole property had been searched. He was dealt with through stage one UPP, in respect of adherence to force policy and training on effective searches. PC L received words of advice about his performance.

## **Inspector M**

8. Inspector M, who reviewed the incident log on the fourth day after concerns were first raised about Mr B, was served with a notice of investigation. This was for allegedly failing to initiate an effective search of Mr B's home, based on the information available. She was found to have no case to answer for misconduct.

## **Questions to consider**

### **Questions for policy makers and managers**

1. What training do you give to your officers to enable them to conduct effective searches?
2. How do you make sure officers are equipped to search in difficult areas, such as people's homes with lots of obstacles/items? How do you make sure your officers are safe when they carry out searches in such conditions?
3. How do you balance the need to search for a person while respecting their right to a private life, especially when searching for people who meet the definition of a missing person, but there are signs they may be away or keeping to themselves?

### **Questions for police officers and police staff**

4. When do you think the man should have been declared a missing person, considering national guidance for missing persons?
5. If you use your section 17 powers to force entry and do not find anyone inside, how does this affect your risk assessment about the person you are looking for?
6. If you were searching the man's house, would you have requested a specialist search team? If so, when would you have requested it?



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7. When searching a property with a fellow officer, do you discuss a strategy for the search beforehand? How do you make sure that all areas of the property are searched effectively?