




Case 3 Issue 36 – Missing people		
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 learning@policeconduct.gov.uk	 www.policeconduct.gov.uk/learning-the-lessons	

Searching the home of a missing person

Missing man found dead in his home following several searches by police, raising issues about:

- *Health and safety concerns during search of a property*
- *Poor visibility during a search of a property*
- *When a person should be determined as missing*

This case is relevant to the following areas:

Neighbourhood policing 	Public protection 
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Overview of incident

Around 7pm a member of the public contacted the police to report Mr A had not answered his door for eight days. The caller reported Mr A had no gas or electricity at his house and was an elderly man who had “issues with alcohol”. She also said he had recently been suffering from headaches and falling over, and she was concerned he was at home, hurt or worse.

The call was given a priority grading with a target attendance of one hour.

Within 15 minutes it was confirmed Mr A was not at an address he had been found at previously. The call was upgraded to an emergency response.

The force has five different gradings for incidents: grade 1 (emergency), grade 2 (priority), grade 3 (non-priority), grade 4 (scheduled response), and grade 5 (resolution without deployment).

Local policy states grade 1 is appropriate where there is a danger to life, a genuine concern for somebody’s safety, where a person is suffering extreme distress or is otherwise deemed to be extremely vulnerable, and where a vulnerable person has gone missing (excluding known absconders). Officers will be sent to grade 1 incidents as soon as possible.

Grade 2 is appropriate if the incident involves a person who can be assessed as vulnerable or at risk of harm, and who requires a priority response from the police or support from partner agencies to prevent or reduce the harm or threat posed.

Acting Police Sergeant (A/PS) B and PCs C, D and E went to Mr A's house within an hour. There were no lights on in the property and no answer when PC E knocked. They knocked on neighbours' doors and spoke to Ms F. Ms F said she had not seen Mr A, but this was not unusual.

A/PS B said both the front and back gardens were overgrown with brambles and the back garden was inaccessible. He did not see anything relevant to finding Mr A in the gardens. A/PS B decided to use powers under Section 17 of the *Police and Criminal Evidence Act* (PACE) to force entry through the front door.

**The *Police and Criminal Evidence Act 1984* (PACE)
Section 17 - Entry for purpose of Arrest etc.**

S.17 of PACE confers powers on police officers to enter properties under various circumstances. S.17(1)(e) provides officers can enter a property for the purpose of "*saving life or limb...*"

Find out more online:

<https://www.legislation.gov.uk/ukpga/1984/60/section/17>

A/PS B searched the rear downstairs rooms and accessed the garden from the house. PC C stated the door to the front room was obstructed by a mattress lying flat on the floor. There was nothing on top of the mattress and he did not lift it. He stated the room smelled of urine and there was faeces on the floor and rubbish everywhere. He did not enter the room as he decided it would be a health and safety risk to do so. He did not find any trace of Mr A.

PC D went upstairs in the house but did not go into any of the rooms. She heard the two officers downstairs say "Negative".

PC E searched upstairs using his torch, as there was no electricity.

The officers carried out further enquiries by speaking to Mr A's brother and checking local pubs.

Around 10pm, three hours after the initial call, the log was updated with a note that it should be kept open: "he does this when drinking – he is not missing".

Police force policy defines a missing person as:

"Anyone whose whereabouts cannot be established and where the circumstances are out of character or the context suggests the person may be subject of crime or at risk of harm to themselves or another".

College of Policing Authorised Professional Practice defines a missing person as:

"Anyone whose whereabouts cannot be established will be considered as missing until located and their well-being or otherwise confirmed.

All reports of missing people sit within a continuum of risk from 'no apparent risk (absent)'

through to high-risk cases that require immediate, intensive action.”

Around 8.20am the following morning, 12 hours after the initial call, PCs G and H were sent to Mr A's home. They arrived around 10.20am, after being diverted to a grade 1 call en-route. PC G did not consider it necessary to enter the house because this was a concern for welfare, rather than a missing person, and officers had been in the house the night before.

Around 9pm a further officer, PC I, went to Mr A's home. The house was still in darkness and there was no answer at the door.

The following morning around 2am, two days after the initial report, another officer, PC J, was sent to Mr A's home. An entry on the log shows he obtained more information about places Mr A usually went. A missing person report was created shortly after this.

Checks were carried out at six hospitals in the area. Mr A was assessed as a medium-risk missing person. The rationale refers to his issues with alcohol. An action plan was set by an inspector.

Around 5am, A/PS B and PC E, who went to Mr A's house the night of the initial report, went back to the house and carried out a further search. Nothing seemed to have changed since the first search. PC E searched the living room. He saw there was rubbish everywhere, including bottles of urine. He saw a bed base raised off the floor. He lifted the bed base but could only see rubbish underneath it.

Around 8.30am, PC G, one of the officers involved in the second visit to Mr A's home, was sent back to the property. He entered and carried out a search by torchlight. He had no safety equipment to help him touch or move things. He recalled he secured the door and left the house.

Around 9am, four hours after the missing person report was created, DCs J and K were attached to the incident. DC J was the Misper (missing persons) co-ordinator for the relevant area. Various further checks were made, including going back to the person who made the initial report, checking with local transport authorities and adult services.

Around two hours after PC G's visit to Mr A's house, a neighbour saw Mr A's door open. He was aware the police had been looking for Mr A and assumed he had come home. He went into the house to look for him. He stated the living room was a complete mess with about 12 inches of rubbish covering the floor. He looked around but could not see Mr A.

About half an hour later, PCSOs L and M went to Mr A's house. PCSO M climbed through the brambles at the front of the house. He looked through the window and could see a mattress on the floor, along with a lot of rubbish, papers and empty bottles. He also saw a pair of dark coloured trainers facing toe up at the foot of the mattress. PCSO L and PCSO M entered the property via the front door. On entering the front room, PCSO M saw a pair of trainers and the bottom of a dark pair of trousers sticking out from under the mattress. When they moved the mattress, they found the body of a man who was not breathing and appeared to be dead. PCSO L said she found it difficult to see the shoes in the room. It was only because PCSO M had seen them through the window, that he was able to direct her.

The forensic medical examiner estimated the man had been dead between 36 and 72 hours.

Type of investigation

IOPC independent investigation

Questions to consider

Questions for policy makers and managers

1. What guidance or equipment does your force give to officers and staff to enable them to carry out searches where there are health and safety concerns?
2. How does your force define a missing person?

Questions for police officers and police staff

3. What would you do if you were unable to complete a search due to health and safety concerns?
4. Would you take any additional steps to make sure a thorough search was made in circumstances like this (lack of visibility with no electric light and physical obstructions)?
5. At what point would you have decided the man should be considered a missing person?
6. What would you have done next if you had used section 17 powers to gain entry to the property but had still been unable to find the man?