

Secretariat

Royal Ulster Constabulary

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Part I

SCENES OF CRIME PRESERVATION AND EXAMINATION

INTRODUCTION

- (1) Sophisticated scientific and fingerprint examination and comparison techniques are available to investigators to realise maximum evidential value from forensic examinations of scenes of crime. However, the value of any forensic connection of a suspect to the scene of an offence can be lost in the absence of basic scene preservation procedures. Scene preservation is a significant factor in any criminal investigation. All members must recognise their responsibility to acknowledge, adhere to and implement the ethos of scene preservation.
- (2) Terrorists and criminals have learnt how best to avoid being made amenable to the courts. Defence scientific examinations are increasingly prevalent in investigations and arising from these examinations defence counsel explore and challenge all aspects of scene preservation, contamination, notes, continuity of possession of exhibits in the case and general evidential integrity.
- (3) Expert scene examiners and support services staff may have to give evidence of their findings. If good scene preservation is demonstrated then the evidence of findings reinforces the Crown case. If bad scene preservation is disclosed the case can be considerably weakened.
- (4) It is essential therefore that the basic principles of preservation and examination are strictly adhered to. This should be the case at all crime scenes and not solely at serious outrages such as bombings, shootings and murders.

2. PRESERVATION OF A SCENE

- (1) The objectives of preserving a crime scene are:
 - (a) to enable interpretation of events within that scene and to allow examination in their original state of all items which can provide evidence;
 - (b) to have the scene photographed in its original state;
 - (c) to have the scene mapped in its original state.
- (2) Failure to adequately preserve a scene can result in:
 - (a) incorrect interpretation of events;
 - (b) loss of material;
 - (c) movement of items from their original position;

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- (d) transfer of material to and from the scene;
 - (e) the loss of the integrity of potential evidence to connect a suspect with the scene;
 - (f) contamination of potential evidence.
- (3) A scene only remains in its original state until it is disturbed or interfered with by any means whatsoever. Although unavoidable interference with a scene is often caused by the attendance of Police, Fire Brigade, Ambulance Service, ATO, Doctors, etc. The more people who enter a scene the greater the extent of contamination, or removal, of evidence from it. Lack of scene control leads to loss of preservation.
 - (4) EXCEPT FOR THE PURPOSES OF PRESERVING LIFE OR PREVENTING FURTHER INJURY, SCENES MUST ONLY BE ENTERED BY PERSONS UNDER THE DIRECT CONTROL OF THE (SENIOR) INVESTIGATING OFFICER [(S)IO]. THESE PERSONS WILL ALWAYS HAVE A FUNCTION TO FULFIL FOR THE (S)IO. NO UNAUTHORISED PERSONS MAY BE ALLOWED TO ENTER.

3. DUTIES AT A SCENE

- (1) One set of instructions cannot cover duties and procedures for all scenes of crime. The following paragraphs outline the general procedures to be followed and can be augmented by officers using initiative and common sense to suit prevailing circumstances.
- (2) The primary duty of the first police officer on arrival at a scene involving casualties must be directed towards the preservation of life. This duty must be immediately followed by the necessity to 'preserve the scene' to enable correct scene interpretation and identification and collection of all available evidence.
- (3) When the primary duty referred to above has been attended to, police should withdraw from, 'seal off' and preserve the scene. ALL UNNECESSARY PERSONNEL INCLUDING POLICE, MILITARY, PUBLIC OR THE NEWS MEDIA MUST BE EXCLUDED UNTIL OTHERWISE DIRECTED BY THE (S)IO.
- (4) In respect of serious incidents preservation of a scene will invariably mean taping off the immediate scene area (incident scene) and if considered necessary under the circumstances taping off another wider area (holding area). The incident scene should, where appropriate, include:
 - (a) the obvious or apparent path of entry of the culprit or vehicle, or missile; or
 - (b) the point of entry, or point of impact; or
 - (c) the point of exit; or
 - (d) the path of exit.
- (5) In serious incidents there may be multiple incident scenes, ie a firing point, the target, houses, vehicles, suspects etc. Each must be preserved for examination and prevention of cross contamination.
- (6) When the extent of the incident scene has been identified and taped off, the first officer will act as Scene Log Officer (SLO). When several police officers arrive at a scene the senior member will appoint the SLO and take charge pending the prompt arrival of the (S)IO.
- (7) The SLO will be positioned at a suitably identified Incident Control Point (ICP) within the holding area adjacent to the entry path to the incident scene. Consistent with security the ICP should be clearly marked by an appropriate sign or other means of identification. On arrival at the scene all support and other agency personnel should report to the holding area for briefing by the (S)IO and subsequent controlled access to and exit from the incident scene past the ICP.

- (8) The SLO will record the extent of the incident scene and record the names, times of entry and departure of all persons directed by the (S)IO to enter the incident scene and their purpose for entering. A 'Serious Crime Log Sheet' (Form 38/15) should be used for this purpose. Form 38/15 is to be completed at the scene of any crime where, because of the nature of the crime, the extent of the investigation necessary and/or the number of persons or agencies visiting a scene, a record is desirable. The completed scene log must be carefully preserved and a copy attached to the investigation file.
- (9) Summoning of **ALL** agencies by the first officer at a scene can result in waste of resources through personnel having to wait until their services are required by the (S)IO. The first police officer to arrive at the scene will therefore summon only such assistance as is **IMMEDIATELY** required.
- (10) It is the duty of the (S)IO to summon support service assistance. The advantages of calling each service should be carefully considered and they must not be called as a matter of routine. As determined by the nature and extent of a scene the following personnel will assist the (S)IO with scene and resource management: scientific support manager, Inspector in charge SOCO, area SOCOs, NIFSL police liaison staff.
- (11) At serious crime scenes, if the exigencies of duty permit, it is preferable to appoint an inspector to act as SLO. The inspector can assert his authority and must control the movement of personnel into the scene as required by the (S)IO.
- (12) When an (S)IO has to leave the holding area to attend to other operational matters the co-ordination of support services at the scene must be delegated to another officer with scene examination experience and who is involved in the investigation.

4. SCENE EXAMINATION

- (1) **THE (S)IO HAS RESPONSIBILITY FOR HAVING THE SCENE PROPERLY EXAMINED.** In liaison with support personnel and other relevant agency personnel thorough and systematic examination of scenes must be carried out to obtain as much evidence and information as possible.
- (2) **ONLY PERSONNEL ESSENTIAL TO THE EXAMINATION OF THE SCENE SHOULD ENTER THE SCENE, IRRESPECTIVE OF RANK OR PROFESSIONAL STATUS.**
- (3) The majority of scene examinations will be conducted by SOCOs who will take possession of all relevant physical evidence. SOCOs have been fully trained in this aspect and in documentation, packaging and labelling procedures. In many instances SOCO will have more experience in scene examination than the investigating officer and this expertise must be acknowledged. Comprehensive briefing, co-operation and debriefing between the investigating officer and the SOCO will achieve maximum benefit from scene examinations.
- (4) The investigation of terrorist incidents, by the nature of the crime, dictates the necessity for detailed forensic examination, both to advance the investigation and to satisfy potential Crown requirements. However, in many instances of non-terrorist incidents it will not be necessary to submit for further forensic examination all items identified as potential evidence during scene examination.
- (5) Detailed at Appendix 'A' are criteria for submission of items from non-terrorist crime scenes for examination at the Northern Ireland Forensic Science Laboratory (NIFSL), (S)IOs should have regard to the guidance to assist in maximising NIFSL resources.
- (6) Personnel entering a scene may become contaminated with materials present there, eg glass, paint, fibres, explosives residues. At major incidents where the outcome of the investigation is likely to depend on the scientific examination it is essential to avoid personal contamination. This may be achieved by wearing disposable protective overalls, gloves or overshoes. The (S)IO will determine policy for use of protective clothing at a scene. The policy will be followed by all personnel directed by the (S)IO to enter and examine the sterile area.
- (7) All personnel involved with scene examination must be conscious of and address the potential for cross contamination between areas of a scene (intra scene) or between different scenes (inter scene) either connected with an incident or arising from different incidents.

- (8) On occasions SOCO may have to work with ATO, forensic experts or other members when a joint collection of evidence may be necessary. Whichever person takes possession of potential evidence must treat it as HIS and package, label and document accordingly.
- (9) Items seized, packed and labelled at scenes may be of crucial importance to an investigation. Documentation must prove continuity of possession throughout the item's retention by the police and examining agency. Under no circumstances will items be interfered with or unnecessarily handled at scenes or be removed from packaging prior to receipt by the examining agency. This instruction will be complied with without exception.
- (10) To cater for scenes where SOCO is not present investigating officers must be familiar with current instructions re integrity of evidence, cross contamination, collection of exhibits, packaging and labelling, and those forensic guidelines which have been issued by the NIFSL police liaison unit.
- (11) For assistance, detailed at Appendix 'B' is an aide memoire of scene examination actions.

5. ORDER OF PRIORITY OF SUPPORT SERVICES

- (1) The order of entry of support services personnel and experts to the sterile area will be directed by the (S)IO after briefing and consulting with those personnel.
- (2) Where a scene necessitates the services of ATO, he has priority and the scene will be under his control until declared safe and handed over to the RUC. It is essential for the (S)IO, or in the (S)IO's absence, the SLO, to liaise with the ATO prior to the ATO commencing his examination to identify the extent of the potential incident scene to be examined, this will assist in correctly siting the ICP.
- (3) When the ATO declares a scene to be safe and hands over to the RUC, control then passes to the (S)IO who will confer with support personnel to plan the scene examination and determine the order of entry to the incident scene.
- (4) In the absence of ATO, personnel from Incident Investigation Company (IIC) or Incident Investigation Section (IIS) (previously known as WIS) will be facilitated to attend at scenes involving weapons and/or explosives but they will only enter the sterile area under the direction of the (S)IO. In general, to prepare reports for HQNI, IIC or IIS personnel should be afforded access to scenes to liaise with (S)IOs and scene investigation staff at the conclusion of the incident scene examination.

6. STATEMENTS OF EVIDENCE

- (1) Current serious crime investigation procedures require **ALL** persons entering the incident scene and named on scene log sheets to submit statements of evidence detailing their duty at the scene. Failure to do so could jeopardise the admissibility of forensic evidence which could be crucial to the Crown's case.
- (2) Personnel acting only as observers and remaining within the holding area **SHOULD NOT** be included on the scene log by the SLO and will not be required to submit statements of evidence.

7. SUPERVISION OF PRISONERS/SUSPECTS

There will be occasions when examination of clothing or swabs from prisoners/suspects for firearm (cartridge discharge) or explosive residues is required. Selected operational units have been issued with evidence protection kits to preserve residues which may be present on suspects' hands or clothing pending examination. However the benefits of the evidence protection kit can be lost if the prisoners/suspects are left unsupervised or allowed to visit the toilet and wash evidence from their hands. These persons should be 'preserved' in the same manner as a physical scene to avoid contamination or loss of evidence. They should be overtly observed as opposed to mere supervision.

OTHER RELEVANT INSTRUCTIONS

This Force Order should be read in conjunction with the following:

- (a) Force Order Part I No. 3/87, File Box C(c) 'Control of Security Force Agencies at Scenes of Terrorist Incidents';
- (b) RUC Manual Chapter 4 paragraphs 2(1) and 21 'Duties of first police at scenes of crime';
- (c) Force Order Part I No. 105/91, File Box C(c) 'Major Investigation Incident Room Standardised Administrative Procedures'.

9. CANCELLATIONS

Force Order Part I No. 37/91, File Box C(c) is hereby cancelled. RUC Code Section 29 paragraphs 28-34 are cancelled pending revision in due course.

Distribution/

All chief officers, chief superintendents, superintendents, departments, stations and offices

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**CRITERIA FOR SUBMISSION OF ITEMS TO NORTHERN IRELAND
FORENSIC SCIENCE LABORATORY****NON-TERRORIST CRIME SCENES**

To enable the Forensic Science Laboratory to make a full and proper contribution to the investigation of crime, and the due process of law it is essential that those making use of its services appreciate the extent and the limitations of the facilities available.

The resources of the laboratory are not unlimited, and only necessary work can be undertaken. Requests for laboratory work should relate to a definite line of enquiry, and should be accompanied with sufficient information.

When deciding if a case warrants laboratory examination the following criteria should be applied:

- (a) is a scientific examination necessary to establish the basis of an offence eg, arson, rape, poisoning, drugs etc; or
- (b) will a successful laboratory examination significantly alter/advance the prosecution case; or
- (c) will the examination have intelligence value; or
- (d) is the case of a significantly serious nature?

The following additional criteria may frequently be considered but caution is advised because of the demands of the Northern Ireland Court practice.

- (e) is the scientific examination going to add to the evidence already available; or
- (f) has a guilty plea been indicated?

If it is not possible to decide on the value of a particular examination the decision should be made in conjunction with a laboratory scientist.

Once a decision has been made that a laboratory examination is necessary and will be of value in a particular case, consideration should be given as to which items should be submitted. Only items of relevance should be submitted, and care should be exercised to ensure that the examination is not prejudiced.

It is agreed that the police should decide that forensic work is necessary in a particular enquiry and that the laboratory should be in the position of only having to turn work away on scientific grounds. However, it must be recognised that there are factors within the laboratory, which will determine the type of work that can be accepted. It must also be recognised that the laboratory may pursue a line of investigation not initially indicated on submission.

AIDE MEMOIRE OF SCENE EXAMINATION ACTIONS

1. Preserve life if there are casualties.
2. Preserve incident scene, designate holding area.
3. Interpret incident scene.
4. Evaluate evidential potential.
5. Evaluate and address contamination risks.
6. Recover, package and document evidential items.
- Select relevant items for submission for further forensic examination.