

June 2014



**Safer Somerset
Partnership**

Feel Safe, Be Safe

Domestic Homicide Review Overview Report

into the death of Miss A
12th September 2012

The Review Panel send their condolences
to the family of Miss A

B Higgs

Independent Panel Chair and Author

Preface

This Domestic Homicide Review (DHR) was conducted to explore the circumstances surrounding the death of Miss A

The Independent panel chair would like to thank all those that gave their time to contribute to the report

The contribution of family members is central to this report and we acknowledge their support of the review process at a difficult and sensitive time

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1.0 Introduction

This Domestic Homicide Review was commissioned by the Safer Somerset Partnership following the tragic death of Miss A on 12th September 2012.

The Review has been carried out in accordance with the Home Office guidance and section 9 (3) of the Domestic Violence Crime and Victims Act 2004 and the expectations of the Multi Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews (revised August 2013). The overview report has been prepared in accordance with Home Office Guidelines (January 2012).

The terms of reference required that the overview report should:

- Summarise concisely the relevant chronology of events including the actions of all the involved agencies;
- Analyse and comment on the appropriateness of actions taken;
- Make recommendations, which if implemented, will better safeguard people experiencing domestic abuse, particularly those who are older and anyone who may also experience mental health problems, or a disability or other chronic ill health

1. Introduction

1.1 Case Summary

Miss A was murdered at home by her partner Mr X on the 12th September 2012. His ex/current girlfriend Miss Y and her uncle Mr XY then removed the body from the scene and created a car fire in a secluded location. This was done to provide 'evidence' for a cover story for the murder that had been pre-meditated and planned in meticulous detail by the three perpetrators for months in advance. The motive was financial gain, namely a half share in the property the couple had purchased together and a claim on her life insurance policy.

There were no known instances of domestic abuse or violence in this relationship prior to this event.

1.2 Review Panel Members

Review Panel Chair and Author	B Higgs
Senior Commissioning Officer (Interpersonal Violence) Adult & Health Commissioning Somerset County Council	S Harris
Avon & Somerset Constabulary Public Protection Unit Child Death Review Manager	Insp. C Howard
Somerset Clinical Commissioning Group ¹	K Gates

The panel met on:

18th November 2013

14th January 2014

28th April 2014

E-mail and telephone contacts were made between meetings.

¹ The SCCG attended one meeting. The panel chair liaised with the GP practice direct.

1.3 Agencies Contacted

The following agencies were asked by the advisory group to search their files but found either *no contact* or *minor contact* with either the victim or perpetrators

Avon & Somerset Constabulary
Avon & Somerset Probation Trust
IDVA/Bournemouth Churches Housing Association
Midwest European Community Association
Somerset Partnership Trust
South Somerset District Council²
Somerset Safeguarding Adults Board
Turning Point Drug and Alcohol Partnership
Victim Support
Yeovil District Hospital
Taunton & Somerset NHS Foundation Trust Musgrove Hospital³
Somerset Clinical Commissioning Group
Citizens Advice Bureau⁴

1.4 Review Panel Chair and Overview Report Author

B Higgs is not and has never been an employee of any of the agencies taking part in the review. B Higgs' knowledge of a wide range of social issues was gained from seven years tenure as a Citizens Advice Bureau Manager. The Bureau served a large rural community that included five market towns. Advice services were also delivered to a women's DVA refuge and a Category 'C' HMP. B Higgs holds an MA in Criminology and Criminal Justice and is currently undertaking doctoral research at the Institute of Criminal Justice Studies, Portsmouth University.

1.5 IMR Author

The IMR author manages the Southern Investigation Team of the Public Protection Unit (PPU). She has over twenty five years police service and has specialised in public protection work involving the investigation of domestic abuse, child protection and vulnerable adult abuse since 2006. She has held the post of Detective Inspector on this unit for over three years.

Prior to her appointment to conduct the IMR she had no involvement in the incidents referred to in this report or their investigation. She has had no interaction with the victim. She is not however independent of the Somerset East or West Policing areas where the matters subject to this review were investigated.

² Minor contact; waste collection and noise disturbance

³ One A&E record; 'fell over falling onto hand' for Miss A in February 2012. No further information available

⁴ Will not share data unless instructed by Court Order

1.6 Parallel Reviews

No reviews ran parallel to this DHR.

The criminal investigation and trial took place in 2012.

1.7 Timescale

This review has been conducted later than would normally have been expected under timescales outlined in the Home Office Multi Agency Statutory Guidelines into the Conduct of Domestic Homicide Reviews. The history of the review is as follows:-

The case was referred to the Safer Somerset Partnership by the Avon & Somerset Constabulary's Public Protection Unit in April 2013 six months after the murder took place. The review panel chair enquired why this delay occurred. The chair was advised by Avon & Somerset Police that there was nothing formally recorded to support the delay in notification and that it was an "oversight in the period of getting to grips with DHR processes". The A&S Police PPU and Review Panel member wrote:

"As I recall, the murder occurred and a full and immediate investigation started, and although the offenders were arrested quite soon afterwards, the Major Crime Investigation Team (MCIT) conducting the investigation were not aware of DHR processes or requirement to notify. It would also appear that the initial notification process had not been recognised within the Somerset East policing district as they too would have initially attended the scene.

This is something that has now been addressed, particularly as demand has significantly increased along with our learning."

In May 2013 the advisory group to the Safer Somerset Partnership comprising of MARAC (Multi Agency Risk Assessment Committee) members met to advise the then Partnership Chair on whether or not a DHR process should be commissioned.

The Safer Somerset Partnership considered the facts and decided not to commission a DHR process because:

1. At the time of the decision the case presented as a murder for financial gain
2. There was no evidence of domestic abuse and or violence in the relationship
3. There had been no known contact with any relevant specialist agencies

4. Data sharing issues raised by the Medical Legal Union with the Somerset Clinical Commissioning Group regarding access to both the victim and perpetrator's GP's considerably hampered initial enquiries
5. The SSP said the resources saved would be used to continue the programme of raising awareness of local specialist services available to victims of domestic abuse

This decision was notified to the Home Office by the Chair of the Safer Somerset Partnership on the 4th June 2013.

On the 26th July the Home Office requested that the SSP re-consider its decision and offered suggestions for questions that might be addressed.

The Safer Somerset Partnership advisory group re-convened to:

1. consider the response of the Home Office
2. re-examine the information gathered by the original advisory panel
3. take into account the revised guidelines that introduced the new cross-government definition of domestic violence and abuse published in March 2013
4. consider new information emerging from the criminal investigation

It was agreed that the Partnership Chair would be advised to commission a DHR in accordance with the relevant legislation and guidance.

Consideration was given to the revised Home Office Multi Agency Statutory Guidance for the Conduct of DHRs in determining who should be appointed as the Independent Panel Chair. The impartiality, skills and expertise of the individual was prioritised. The SSP appointed Beverley Higgs as Independent Panel Review Chair and report author in October 2013.

1.8 Circumstances Leading to the Review

The SSP advisory group agreed that the murder of Miss A fell within the definition included in the Multi-Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews criteria as set out below:

A review of the circumstances in which the death of a person aged 16 or over has or appears to have, resulted from violence, abuse or neglect by –

(a) a person to whom he/she was related or with whom he/she was or had been in an intimate personal relationship

(b) a member of the same household as himself, held with a view to identifying the reasons to be learnt from the death

The advisory group also gave consideration to the revised guidance of August 2013 that confirmed the new cross government definition of domestic violence and abuse that was introduced in March 2013:

“any incident or pattern or incident of controlling coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- *psychological*
- *physical*
- *sexual*
- *financial*
- *emotional*

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.”⁵

1.9 Scope

This case did not present the characteristics of a death attributable to sustained domestic violence or abuse (DVA). There was not, for example, any evidence of chaotic life-style, substance abuse or contact with health or other agencies. There were no police records relating to incidents between the couple. There was one relevant matter relating to Mr X’s previous relationship with the co-perpetrator Miss Y.

The relationship between Miss A and Mr X had commenced in 2010 so there was relatively little relationship history to consider. It was agreed that to understand more, most would be learned by speaking to family and friends.

The known facts about Mr X and Miss Y would be considered to see if this

⁵ Multi Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews. Revised – applicable to all notifications made from and including 1 August 2013 Paragraph 12

provided evidence of predictive behaviour. The review panel felt that it was the relationship dynamic of these two individuals that may provide some answers as to whether and to what extent Miss A's death was either predictable or preventable.

The emphasis on information gathering was determined to be from April 2009 up to and including the date of death in 2012 in UK records which is when Mr X first met Miss Y. It was agreed to consider information up to 10 years prior to ensure information about Mr X's past relationships would be captured.

1.10 Terms of Reference

The purpose of the Domestic Homicide Review is to:

Ensure the review is conducted according to best practice, with effective analysis and conclusions of the information related to the case.

Establish what lessons are to be learned from the case about the way in which local professionals and organisation work individually and together to safeguard and support victims of domestic violence including their dependent children.

Identify clearly what those lessons are, both within and between agencies, how and within what timescales they will be acted on and what is expected to change as a result.

Apply these lessons to service responses including changes to policies and procedures as appropriate; and prevent domestic homicide and improve service responses for all domestic abuse victims and their children through improved intra and inter-agency working.⁶

Specific aims of this review were to:

- summarise concisely the relevant chronology of events including the actions of all the involved agencies;
- analyse and comment on the appropriateness of actions taken;
- make recommendations which, if implemented, will better safeguard people experiencing domestic abuse, particularly those who are older and anyone who may also experience mental health problems or a disability or other chronic ill-health

⁶ Paragraph 3.3 Home Office Multi Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews

The review considered the following questions:

- Whether the perpetrator had any previous history of abusive behaviour towards this victim, or any previous partner and whether this was known to any agencies.
- Whether Miss A or any of the perpetrators had any known contact with any specialist domestic abuse agency or service in the County. The review considered if there were any warning signs which were not acted upon
- Whether family, friends, colleagues, employer, wanted to participate in the review. If so, find out if they were aware of any abusive behaviour by the perpetrator prior to the homicide.
- Whether in relation to family members or colleagues, were there any barriers to reporting suspected abuse.
- Could improvement of the following have led to a different outcome for Miss A;-
- Communication to the general public and non-specialist services about available specialist services related to domestic abuse or violence.
- Whether any organisational policy training or awareness raising requirements are identified to ensure a greater knowledge and understanding of domestic abuse processes and/or services.
- Whether the work undertaken by the service in this case is consistent with its own:
 - professional standards
 - compliant with its own protocols, guidelines, policies and procedures
- Whether the agency was sensitive to the Equality Act 2010, including age, disability, gender reassignment, marriage/civil partnership, pregnancy and maternity, race, sex, sexual orientation, religious belief and specialist needs on behalf of the subjects were properly considered and appropriate actions taken and recorded
- Any other information that becomes relevant during the conduct of the review

1.11 Methodology

Avon & Somerset Police

The review panel chair was briefed by the DCI who was the Senior Investigating Officer in the murder enquiry.

The Police were tasked to undertake an IMR. The purpose of the IMR was to:

- Provide a chronology of their involvement with Miss A, Mr X, Miss Y and Mr XY during the time period specified
- Search all of their records outside the identified time periods to ensure no relevant information was omitted
- Provide an IMR: identifying the facts of their involvement with those identified, critically analysing the service they provided in line with the specific terms of reference; identifying any recommendations for practice or policy in relation to their agency.
- It was also specifically requested that good practice was highlighted

The overriding purpose of the IMR is to give an as accurate as possible account of what originally transpired within the police response, to evaluate it fairly, and if necessary to identify any improvements for future practice. The IMR should also propose agency specific solutions which are likely to provide a more effective response to a similar situation in the future.

The specific purpose of the Individual Management Review (IMR) contained in this report is to provide accurate information concerning previous police contact with the three perpetrators, the victim and her family. This information provides important timeline information and insight into the relationship dynamics between the individuals leading up to the homicide itself.

The IMR Report received was of good quality and questions arising were answered promptly and in full. The IMR has been signed off by a responsible officer in the organisation who will also maintain the strategic ownership of the individual agency action plan.

Avon & Somerset Probation Trust

As Mr X had been to HM Magistrates' Court in 2012 for an offence of Common Assault, a DVA incident involving Miss Y the A&S Probation Trust was asked to confirm whether it had any involvement with him as part of his sentence. It was confirmed in writing that that this was not the case and the Trust were excused from any further involvement from the review.

IDVA Services

The IDVA service have no records as to whether Miss Y sought the assistance of the on-duty IDVA present at the specialist domestic violence court.

Health

When this DHR was originally considered in April/May 2013, the Somerset Clinical Commissioning Group, the GP Practice and the Medical Defence Union (MDU) had reached what appeared to be a difference of opinion concerning access to medical records for the victim, the decision being not to release them without consent from Miss A's next of kin. This significantly informed the first SSP advisory group decision not to hold a DHR review as it was mistakenly believed that no GP information would be forthcoming.

Unwilling to re-open this situation and to avoid further delay the review panel chair took the decision to ask the family for executor permission to access the victim's medical records and visit the GP practice directly. This consent was given and the records obtained.⁷ Both the Practice Manager and the victim's GP provided valuable information.

Mr X and Miss Y were advised that a DHR process was taking place and asked in writing for their consent to access medical records but no replies were received. It is not likely that the production of medical records would add significant information to the review so this matter was not pursued further.

Family & Friends

Contact was made with Miss A's family via the Police Family Liaison Officers. After an initial visit explaining the DHR process further visits were made by the Panel Chair. The extended family of Mr A were also interviewed. The contribution of the family is central to this report. It was agreed with the family that the employer should be approached to establish if work colleagues wanted to contribute to the report.

Employer & Colleagues

Miss A first met her partner Mr X while working at a local manufacturing company during her university summer vacation in 2010. The company is a significant employer of approximately 900 people in a rural town (population 13,800. 2010). Also employed by the same company are her mother, father, grandmother, sister, aunt and cousin.

The employer was extremely cooperative with the DHR process and took an on-going and active role in facilitating contact with family members and workers. Two people were specifically invited to take part as they worked in

⁷ On visiting the GP practice the review panel chair learned that there had never been a problem with providing access to the victim's medical records. A misunderstanding had been perpetuated in communications between them and the CCG and MDU.

the closest proximity with Miss A and Mr X.

An open call was then made to all factory staff. Everyone that came forward was interviewed by the review panel chair. The interviews were semi structured and transcribed by the chair for content analysis.

Voluntary Sector

There is no indication that the victim approached the voluntary sector for information. She was proficient in the use of IT and it is likely that information she required would be accessed via the internet.

It is known that the CAB will not issue any information without the production of a court order so this avenue was not pursued.

Miss Y visited the Polish Community Association in January 2012 to discuss monies owed by Mr X.

Other

The review panel chair had conversations with two organisations Escaping Victimhood and Advocacy After Fatal Domestic Abuse (AAFDA). The chair was enquiring if there was specific guidance for employers in these circumstances. The chair was also concerned for a number of the interviewees who clearly needed support but who had had either no access to counselling or counselling that was not effective.

Publications

The review panel chair referred to the following publications:

Homicide: The Hidden Victims: A Guide for Professionals (Spungen, D., 1998 Sage Publications)

Tackling Domestic Violence: theories, policies and practice (Harne, L., & Radford, J., 2008 OUP)

Policing Domestic Violence (Richards, L., Letchford, S., Stratton, S., 2008, OUP)

Coercive Control: How Men Entrap Women in Personal Life (Stark, E., 2009 OUP)

Why Does He Do That? (Bancroft, L., 2002, The Berkley Publishing Group Penguin, London)

1.12 Publication and Dissemination

The content of the Overview Report and Executive Summary have been anonymised in order to protect the identity of the victims, perpetrator, relevant family members, staff and others, and in order to comply with the Data Protection Act 1998. An executive summary has been produced in a form suitable for publication with any redaction before publication with the agreement of the review panel and the Safer Somerset Partnership.

The report has been shared with the contributing organisations and family. In order to secure agreement, pre-publication drafts of this overview report were seen by the membership of the review panel, commissioning officers and the Chair of the Safer Somerset Partnership.

The report has also been shared with the Home Office Quality Assurance Group⁸. Prior to publication of the overview report and executive summary the family of Miss A will be offered the opportunity to give their views to the panel review chair and the Chair of the Safer Somerset Partnership.

This overview report and/or executive summary will be made public and the recommendations will be acted upon by all agencies, in order to ensure that the lessons of the review are learned.

2.0 Organisational Context

2.1 Context

This section contextualises events alongside relevant local and national data, policy procedures and guidance.

2.2 Statistics

The Avon & Somerset Constabulary force area encompasses the cities of Bristol and Bath as well as the rural areas of North Somerset, South Gloucestershire and the county of Somerset. Population 1,308,608.

⁸ Home Office quality Assurance Letter Appendix A. SSP response Appendix B

Overall crime in the Avon & Somerset force area is falling, reflecting trends broadly in line with the national average⁹.

Year	Crimes per 1,000 population
2010-11	71.44
2011-12	65.31
2012-13	59.94

The repeat victimisation rate for domestic abuse remains below the target set by the Home Office. Levels of domestic abuse related incidents reported to the police have remained relatively stable. The annual rise may be accounted for by increased awareness and reporting to police.

Year	
2009-10	10,209
2010-11	10,425
2011-12	10,865

Avon & Somerset Police – Domestic Violence ‘Flagged’ Statistics 2011-12¹⁰

Somerset (only) Crimes & Incidences (All ages)	5,737
Somerset Police Domestic Violence incidents	9,476 ¹¹
DV Incidents recorded as crime	8,041 ¹²

MARAC data (rolling 12 months to 31st December 2011)¹³

⁹ <http://www.police.uk/avon-and-somerset/FC002/performance/force-performance/>

¹⁰ <http://www.somersetintelligence.org.uk/domestic-violence-cyp.html>

¹¹ <http://www.avonandsomersetpolice.net/information/documents>

¹² <http://www.avonandsomersetpolice.net/information/documents>

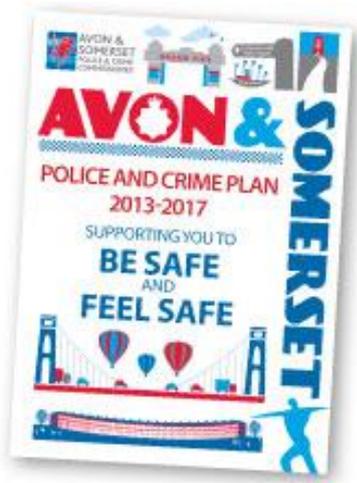
¹³ <http://www.somersetintelligence.org.uk/domestic-violence-cyp.html>

Somerset Total

Number of cases	513
Number of repeats	123
% repeat referrals	23.15%

2.3 Police and Crime Commissioner

The Police & Crime Commissioner for Avon & Somerset has prioritised domestic abuse in the Police and Crime Plan 2014-2017



“Domestic abuse is an inexcusable form of cruelty and will not be tolerated in Avon and Somerset. Tackling violence against women and children is one of my priorities and domestic abuse is taken very seriously across Avon and Somerset. I want all victims to know that there is help available - from the Police and other agencies - and that no one deserves to suffer in silence.”

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The PCC actively supports initiatives such as the *This is Not an Excuse* campaign and works to raise awareness and encourage reporting to the police.

2.4 Safer Somerset Partnership

In September 2013 the Avon & Somerset Police and Crime Commissioner approved that the four former community safety partnerships of Somerset County should formally merge to create a single Community Safety Partnership known as the Safer Somerset Partnership (SSP). The membership of the SSP contains a number of organisations who are required under statute to work together to formulate strategies for tackling crime, disorder, antisocial behaviour and reduce re-offending in Somerset.

The SSP identified its priorities in its Partnership plan September 2013- March 2015.

¹⁴ <http://www.avonandsomerset-pcc.gov.uk/Your-PCC/Police-and-Crime-Plan.aspx>

A stated priority within the Safer Somerset Partnership Plan for 2013-15 is:

***Protecting Vulnerable People against violence, Harm and Victimisation
Lead Agency : Somerset County Council***

Action:

- *Work with Avon and Somerset Violence against Women and Girls Strategic group to improve strategic accountability/oversight of the Specialist Domestic Violence Courts to help them continue to operate effectively and improve victim confidence/safety.*

On the 1st August 2013 the SSP re-visited and approved the Somerset Interpersonal Violence Strategy 2011-14.

“We aim to lead a co-ordinated effort to both prevent and reduce incidences of gender-based interpersonal violence in Somerset. Everyone can contribute to raise awareness of not just the effects that this has, but to challenge those who condone it and help protect those affected”¹⁵

¹⁵ <http://www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=41390>

3.0 The Facts

3.1 Miss A – Victim Profile

At the time of her death in September 2012 Miss A was 23. A hard working and determined student she had attained a first class honours degree in Business Management from Bath Spa University in 2011. She was actively head hunted by international companies having come to their attention by performing well on an elite business marketing course sponsored by the Law Society at Imperial College London. From 7th November 2011 she was working in her first post-graduate role as a Business Analyst for the large international manufacturing company in her local town where she had previously worked in university vacations. Miss A's mother, father, sister, grandmother, aunt and cousin all work at the same company.

Miss A is from a close knit family who were very proud of her achievements. Although her parents had recently divorced relations were and remain amicable. Although there is a rift between Mrs A and Mr A's family, the immediate family interact well on a day to day basis and come together for special events such as birthdays. Miss A maintained good relations with all parts of the family. She was known to be good natured, fun, loving, independently minded and loyal.

Miss A first met Mr X who was to become her partner working her university vacation on the production lines of the manufacturing company in the summer break of 2010. On her return to university the relationship continued and they were considered a couple by Christmas 2010. In January 2011 Miss A returned to university to complete her final semester. On her return she split her time living between Mr X's flat and the family home. This could be described as Miss A's first serious relationship. There had been only one other relationship that had lasted approximately 6 months.

3.2 Mr X Profile

Mr X is a Polish National aged 31. Mr X has no recorded Polish criminal convictions. However it is known from paperwork found at his residence that Mr X was involved in a Road Traffic Collision on the 25.08.06 in Poland. He was convicted of drink-driving and fined this was confirmed to British police via statement by his ex-wife. It is believed the substantial fine imposed placed an additional financial burden on the family and may have contributed to his move abroad to earn more money.

Mr X has an ex-wife and child aged 13 in Poland. She describes him as a caring and responsible family man. However she also confirmed that his drinking and subsequent aggressive behaviour was a problem. The end of the marriage came when he left Poland without consulting her. She received little or no financial support once he left. She recalls he was physically violent on

just one occasion slapping her across the face causing her to fall over. He was not drunk at the time. He mistakenly believed she had hidden his passport to stop him going abroad. This incident was not reported to the authorities.

Initially Mr X went to Ireland but then left for England. It is believed he went to London to work in a car washing business. By 2009 he had met Miss Y via the internet and moved to the South West to be near her. He maintained a separate residence. By December 2009 he was working at the manufacturing company employed via an agency.

His work history was as a factory worker. He was given a permanent employment contract on 14th February 2011. He has one disciplinary matter on record. In November 2011 he received a stage 1 verbal warning for the use of offensive language towards a work colleague that led to a confrontation that could have been avoided.

He has no known significant substance abuse issues.

Mr X has a UK criminal conviction for common assault against Miss Y. This attracted a sentence including a one year restraining order in January 2012. There is also a 2009 Conditional Caution for Criminal Damage.

3.3 Miss Y Profile

Miss Y (32) is a Polish National with no recorded Polish criminal convictions. She came to the UK in 2003 with a partner. Miss Y suffers significant health problems. She is registered disabled due to a condition of her muscles that induces breathing difficulties she also has a speech impediment. She did not work. Mr X's wife confirmed that Miss Y accompanied Mr X when he returned to Poland to bring a Christmas gift to their son. She says that she received text messages from Miss Y suggesting that Mr X was going to abduct their son. Mr X denied that this was his intention and said that the suggestion was a fabrication by Miss Y. The impression given is that Miss Y was trying to cause trouble between husband and wife. This behaviour is consistent with Miss Y's behaviour toward Miss A during her relationship with Mr X.

Miss Y has no UK criminal convictions.

3.4 Mr XY Profile

Mr XY (38) is a Polish National with no recorded Polish criminal convictions. He is the uncle of Miss Y. The age difference is just six years. They lived less than a minutes travelling time apart and spent a lot of time together. Mr XY had a close relationship with Miss Y. Her command of English was better than his and she was often with him during altercations or when he was dealing with the police. There is some suggestion that this relationship was 'odd' and not in accordance with that expected of an uncle/niece. Certainly it was a strong enough relationship that she was able to convince him to take part in the

conspiracy to murder and then carry out the plan with her and Mr X.

Mr XY has points on his UK driving licence (2009).

3.5 Synopsis of Events

During the trial the prosecution asserted that in the early hours of Wednesday 12th September Miss A was murdered in her bed as she slept by her partner Mr X with whom she shared a home in Somerset. Mr X unbeknownst to Miss A had resumed his relationship with a former girlfriend, Miss Y five months before. Mr X and Miss Y conspired secretly together to murder Miss A and claim a life insurance policy as well as her half of the property they had purchased in February. They were assisted by the uncle of Miss Y, Mr XY.

At 06:22 hours on the 12th of September Fire Services responded to a 999 call reporting a vehicle fire at a semi secluded location off the A358. Found within the vehicle seated in the driver's seat was the badly burnt body of an adult female later identified as Miss A. A subsequent home office forensic post mortem concluded that Miss A had died sometime before the fire had started. The prosecution asserted that Miss A was suffocated in her sleep before her body was moved to the lane where it was later discovered. At some time in advance of setting the fire. Miss A suffered an injury to the rear of her head resulting in a skull fracture. The opinion of the forensic anthropologist was that the skull fracture had been inflicted before the fire started. Only the defendants know whether the head injury was inflicted as part of her murder; or inflicted subsequently in an attempt to add credibility to the suggestion that she had been killed by a mystery lover.

The killing was meticulously planned by the three offenders who bought and used covert clean mobile phones in order to carry out their plan. They created false online profiles of the victim designed to leave a fabricated impression of Miss A as a promiscuous woman who was murdered by a mystery lover she had gone to meet in the lane where her car was found. Events were timed to ensure the body would be found after Mr X clocked in at the factory where he and Miss A worked. Miss A's body was moved by Miss Y and her uncle Mr XY from her home to the lane where it was later found.

3.6 The Trial

Mr X, Miss Y and Mr XY were convicted of Miss A's murder and were sentenced on 10 June 2013 by Mrs Justice Sharp. Mandatory life sentences with a minimum term of 32 years before being eligible for parole were imposed. Mrs Justice Sharp in her case summary remarked that the murder of Miss A "was motivated by money, selfishness and greed and, in the case of Miss Y by a twisted jealousy and a desire for revenge". Sentencing them Mrs Justice Sharp said "this was a dreadful, pitiless crime committed in cold blood in grotesque breach of trust in which each of you played your full part".¹⁶

¹⁶ <http://www.judiciary.gov.uk/Resources/JCO/Documents/Judgments> - 10062013.pdf

All three perpetrators have applied to serve their sentences in Poland where their sentences could be cut to 25 years. The family are 'devastated' and are campaigning to prevent this from happening.

3.7 Narrative Chronology

Introduction

This chronology is constructed from information provided by the A&S Police IMR, transcribed interviews with family and friends and primary medical record data. The chronology only includes information that will aid the analysis of whether or not this crime was either predictable or preventable.

There were 23 entries on Avon and Somerset police databases between April 2009 and September 2012 although some duplicate and relate to the same event. There is no trace of any of the four named parties before this date on police systems; this includes checks on the Police National Computer (PNC) and the Police National Database (PND). This suggests that none of the parties have come to the attention of any other UK police force outside Avon and Somerset. Excerpts from the police chronology and IMR have been anonymised and used throughout the narrative chronology.

3.8 2009

18th April 2009 – Criminal Damage – Mr X

This incident involves an altercation between Mr X and the seller of a bicycle. The seller was the flatmate of Mr XY. The argument escalated and Mr X hit the vendor's door with a metal pole he found in a skip breaking glass on the door. Miss Y was present. The matter was referred to the CPS by police who authorised a conditional caution. The condition placed upon the offender was that he was to pay the victim for the cost of the repairs by the end of July; a sum of £86.25.

IMR – The IMR documents this incident in full and records that this incident and the counter-allegation logged were both dealt with appropriately and in line with National Crime Recording Standards. Although all procedures were followed in an appropriate and timely manner according to the seriousness of the incident one omission was made. There is no record of a check being made by the police with The Central Authority for the Exchange of Criminal Records (ACRO) to establish what convictions Mr X had in Poland. This facility has been available to UK forces for several years and publicity campaigns about how to request a check have been run in Avon and Somerset in 2008 and 2012 by the Criminal Justice department and has since been repeated in March 2014. Failure to run this check can result in an inappropriate disposal decision. However, it was also noted that waiting for these checks can delay the speedy conclusion of investigations. This incident, the procedures followed, including the omitted ACRO check would have made no material difference to the

homicide of Miss A but it gives rise to **Recommendation A**.

Review Panel Analysis

This incident demonstrates Mr X's propensity to resort to violent actions during arguments. It also demonstrates the relationship forming between the three perpetrators.

5th – 10th July 2009

Mr X, Miss Y and Mr XY are engaged in an on-going feud with the male seller of the bicycle that results in five police reports. Of these the most serious is that of ABH where Mr XY is the *victim*. The incident of 6th July detailed below gives rise to the second police recommendation of this report.

6th July 2009

At 16:55 hours on 6th July 2009 the same Polish male contacted police to say that eight people lived at his address and that the tenants have been having problems with a male called Mr XY. He says Mr XY also lives at the address but is now staying with his sister. He goes on to say Mr XY has stolen post and cheques before. He now thinks the male has put some sort of poison into the kettles at the house and on several occasions when the informant and others have made tea or coffee it tastes strange and the milk has gone funny when poured in. The informant said strange things had happened to his tongue when he tasted it. He says people don't get on with Mr XY and asks to see a police officer. The informant is questioned about the poisoning allegation and it is confirmed to be suspicion only with no threats being made. He does say that the male attended the address on Saturday and was shouting, abusive and swearing at everyone. The 5th July in 2009 was a Sunday; it is likely that the informant was referring to the assault incident the day before which was reported in the early hours of Sunday although it may well be referred to as having happened on a Saturday.

The log is delayed as the informant agrees to see a PCSO the following day. The log is updated the next day by a PCSO who had been to visit the informant. It says the informant has kept samples of the "poisoned" coffee and kettle and was given words of advice by the PCSO who also emailed the PC dealing with the assault at the location on the 5th. The PCSO also e-mails the beat manager for further enquiries and advice regarding whether an offence has occurred. The conclusion of which is that this log is brought to the attention of the officer dealing with the on-going incident at the address. The log is then closed.

IMR - Analysis

Based on what was being reported a PCSO was not the correct police resource to send to investigate the allegation being made. The log contains little information although the allegation if true is serious and should have warranted the attendance of a police officer. The rationale for closing the log and not opening a Guardian report for further investigation is not recorded. If a

decision was made that there was no crime to record and investigate there should be some level of recorded rationale rather than the log being closed down for the attention of the PC dealing with the assault. The PCSO is clearly aware of the assault incident but it is unclear whether the PCSO realised the informant for this incident was the suspect for the assault and yet to be arrested for that offence (please note PCSO's have no power to arrest in these circumstances). Reviewing the matter now one can only conclude that the call taker and subsequent PCSO attending did not believe the information credible or worthy of further investigation or analysis. The log does not expand on the theft allegation against Mr XY it would appear that after being assaulted Mr XY was staying with his niece whom the informant thought was his sister. It is possible this complaint was made by the informant to "muddy the waters" knowing that Mr XY had reported him to the police for assault.

It is unlikely there was any substance to the poisoning allegation or direct evidence attributing anything to Mr XY. Whilst the police response to this report is poorly documented it has no relevance or impact on the subsequent murder of Miss A. In some aspects, the recording of these incidents fell short of expected standards. **Recommendation B.**

Review Panel Analysis

These incidents give an indication of the close relationship forming between the three perpetrators. It demonstrates their regular engagement in low level crime and disturbances involving violence.

3.9 2010

Summer 2010

Miss A joins the manufacturing company for summer vacation work. Mr X is working on the production lines and asks her aunt who she is. Mr X was considered by colleagues to be friendly, a good worker who had a good standard of English. Mr X and Miss A struck up a friendship. He was known by colleagues to be in a relationship with Miss Y at that time so this was considered by colleagues to be nothing more than friendship.

Winter 2010

By Christmas Mr X and Miss A were in a relationship. Mr X showed pictures of her to colleagues at work on his phone calling her 'his angel'. He was also aware of Miss A's relations working at the factory and was cheery and intimate with them calling her aunt 'mischka' for example. After the Christmas break Miss A returned to University to complete her final semester.

While Miss A was away Mr X was sometimes seen in the local area by Miss A's family members with his former girlfriend Miss Y. When Miss A asked him about this he had plausible explanations e.g. picking her up from the airport as a favour.

3.10 January to June 2011

Miss A's medical record shows she attended a number of routine medical appointments.

Spring 2011

Miss A completed her University course and returned home. In July 2011 she resumed work at the manufacturing company. The relationship with Mr X continued. It became routine that he would drop her home after work and spend 10 minutes in the car. This car was subsequently identified as Miss Y's car providing clear evidence that he remained in contact and on good terms with her.

(Mr X using this car due to the damage to his car in an RTC on 30/05/2011 where Miss Y was the likely passenger).

Mrs A remarked that the couple weren't going out on proper dates and she would like to meet him but Miss A said Mr X was shy and didn't want to come in. Once Mrs A met him he gave the impression of being a quiet person who didn't say a lot. She and Miss A discussed the 8 year age gap and Mrs A said it wasn't a problem.

19th July 2011

By this time Miss A was living at her partner's flat. She spent occasional nights at home the addresses being approximately sixteen miles apart.

On the 19th July the couple attend the police station. They reported that on the 14th July 2011 and a couple of times in the previous few months Mr X has received a Facebook message and then on the 18th July ten text messages in Polish from a Tesco Mobile number; 07546 XXXXXX saying that he should stop seeing Miss A. This number is checked on police systems and the user is unknown. The intelligence report says there is no known offender and no reason to suspect anyone of sending the messages. The matter is reported for information only at this time. Advice is given to the complainant and a message is left by police on the offending mobile requesting the owner to desist from contacting Mr X.

IMR – Such reports to the police are common. The messages are not menacing in nature and would not amount to an offence of malicious communication. Repeated unwanted contact would amount to an offence of harassment. However, to qualify as an offence of harassment there needs to be an adverse effect on the life of the victim; which the suspect should or ought to have realised. That isn't the case here.

The raising of an intelligence report in these circumstances complies with

National Crime Recording Standards which just require the police to record the contact which they have done by raising the intelligence report. The report is searchable against those named within it and the offending mobile phone number and would have been located had any further problems been reported. In the absence of anything menacing or the victim's life being adversely affected the course of action taken was appropriate. It is likely that the sender was either Miss Y or her uncle. It is interesting that the informant either didn't suspect that or if he did he didn't tell the police.

The officer submitting this report has been contacted and says that he had been asked to speak with a couple in the enquiry office of the police station at a moment's notice. There is no connected STORM log and the officer thinks they had just called into the station. The officer spent about 20 minutes or so speaking with Miss A and Mr X. He established that the messages were sent in the Polish language. The officer reports that the couple appeared happy, well suited and in a good relationship. Miss A mentioned finding some underpants under a sofa at Mr X's flat which she said weren't his. She was concerned that there may have been a burglary but there was no evidence to support this theory. The underpants were not recorded in the intelligence report as it appeared more likely that they had been left after a party or by someone staying over.

After Miss A's death her mother made a statement. In it she refers to Miss A finding these underpants in Mr X's flat. Mrs A says that Miss Y's flat and Mr X's flat were owned by the same landlord and they wondered whether someone had been able to access the keys to Mr X's flat. Mrs A says Mr X received a text message saying Miss A was cheating on him and to look in the sofa. This was where the boxer shorts were located. Mrs A didn't see this text message but says Miss A did. On another occasion she says Miss A received a text stating that Mr X was cheating on her and she came home to find a female pair of knickers in an envelope with her name on the front. Mrs A was shown this text message. A pair of Miss A's yellow duck slippers also went missing. This upset Miss A as "duckie" was her family nickname and the slippers had been bought for her by her father. Mrs A also says she helped Miss A set up a covert webcam covering the main room as you entered the flat. Miss A, her sister, father and Mr X were aware of this. It did capture a figure but it wasn't clear enough to identify anyone and they didn't go back to the police.

Based on what is now known it is possible Miss Y was targeting the couple in an attempt to split them up. In their contact with the police for whatever reason neither Miss A nor Mr X disclosed the extent of their concerns.

Review Panel Analysis

This type of behaviour is consistent to that which Miss Y carried out towards Mr X's wife. At the time Miss A and Mr X reported malicious communications and the odd incident with the appearance of boxer shorts at the flat. Miss A had said she put the suspect items in a plastic bag without contaminating them and took them to the police and asked for them to be forensically tested. With hindsight it seemed to the family that this complaint was not taken seriously

enough. However it is recognised that in these circumstances the police would not carry out forensic testing as it would not support evidence of a commissionable crime.

23rd July 2011

The family had travelled to Miss A's University to celebrate her graduation ceremony. The family had booked accommodation overnight and had planned to spend time together. However Mr A decided he would not stay and in the event they all decided to leave and head for home.

On the way home Miss A received texts from Miss Y saying that Mr X was in her bed. The family agreed to go and see what was going on. On arrival Miss A saw Miss Y flagging her down in the street. Mr X was in Miss Y's bedroom, drunk but fully clothed.

On her arrival at the flat Miss A shook Mr X to rouse him Miss A said the relationship was over. Mr X accused Miss Y and Miss A of 'playing games'. Miss A replied that her family hated him and never wanted to see him again. Mr X then became aggressive and threatened to kill both women.

The police report that at 03.23 hours Miss A contacts police. She says her boyfriend was cheating on her, she went to challenge him and the boyfriend started to strangle the other female (Miss Y). Miss A says the incident is in progress and that there are no weapons involved. Miss A says Miss Y is now outside with her and her boyfriend is still inside the building. The first police unit is on scene within eight minutes Mr X is arrested for the offence of common assault. When the police took Mr X away Miss A mentioned to her father that he had given her a 'really evil look'.

Mr X's statement confirms he had been Miss Y's boyfriend for about a year and a half and they had broken up at around Christmas 2010 as he started a new relationship with witness Miss A. The relationship with Miss Y had been good and he trusted her. The relationship with Miss A he described as very good and he trusted her a lot. He denied continuing a sexual relationship with Miss Y whilst being with Miss A. Although he would occasionally on an infrequent basis bump into her. He said Miss A was fully aware of this.

He said he visited Miss Y's flat at 9.00pm on the 22/07/11 in response to a conversation they had on the phone where she told him she had received some threatening texts and she was scared.

He attended and Miss Y showed him the phone numbers the texts had come from. She made him a coffee and she agreed he could do his washing at her flat as he didn't have the facility himself.

She then made him a couple of whisky and cokes with ice and the next thing he recalls is waking up on Miss Y's bed. He is unsure how this happened or what was in the drinks.

In her statement Miss Y contends that she and Mr X have been sleeping together 4-5 times a week for the previous 3 months or so.

24th July 2011 (2)

In the early hours of the morning Mr X contacted Miss A to say he was going to kill himself with drink and pills. Mrs and Miss A and her sister went to Mr X's flat where he was drunk. Mrs A reports Mr X as being very apologetic, he appeared remorseful and genuine saying that Miss Y had drugged him, he looked honest. Nonetheless Miss A considered the relationship over and moved back to the family home and resumed work at the factory.

Mr X was aware of his bail conditions as he reported to Employee Relations at the manufacturing company that he should not have contact with Miss A.

25th July 2011

Mr X calls the police to say that Miss Y has called him to say not to worry and that everything will be ok as she has spoken to the police. Mr X is worried as he had been told there should be no contact between them.

Review Panel Analysis

This incident is another example of Miss Y interfering in Mr X's relationships by social media such as Facebook and text. It demonstrates her propensity for conniving behaviour and willingness to act out complex plans to manipulate people and situations to her advantage. In this instance it worked and the couple broke up.

IMR - This is probably the most relevant entry in the police IMR. It reports Miss Y was correctly treated as a victim of Common Assault. All procedures and processes were conducted appropriately and in a timely manner. Victim and witness statements were taken from Miss Y and Miss A. In line with an incident of domestic violence a DASH risk assessment was completed. Miss Y provides 11 yes answers indicating medium risk.

This crime is correctly identified as a domestic incident the report is copied to the Domestic Violence Unit of the Public Protection Unit. This incident predates the creation of the current Safeguarding Coordination Unit. Background checks are completed on the victim and suspect and no previous domestic incidents between the parties are found. The report is referred to the Probation Service by the Domestic Violence unit. At the time it was standard practice to do this in all domestic abuse cases where a suspect was charged. The referral was achieved by faxing a summary of the Guardian incident to Probation.

A Treat as Urgent Marker (TAU) is placed on the victim's home address so that a priority response would be given to any calls from that address alerting the attending officers to the domestic history.

Both women subsequently retracted their statements the officer correctly

identified that the matter should proceed to court in line with force policy as the victim and witness were not saying they had lied in their original statement. Miss Y said she didn't want to pursue the matter because she didn't want to get Mr X into trouble, he hadn't hurt her before and she didn't think he would hurt her again, she wasn't afraid of him, wasn't injured and she wasn't the one who had called the police in the first place.

Miss A said she wanted to retract her statement because on reflection she thought the whole thing has been set up by Miss Y. Her retraction statement said she would not attend court. Both women confirmed that they had had no contact with Mr X and had come to their respective decisions alone without influence from Mr X.

Despite this the case was pursued and at court a restraining order was secured. This was a positive outcome given that both women withdrew their support for the prosecution.

There is nothing unusual about this incident which stands out or suggests the risk was higher than assessed. The most concerning aspect of the assault were Mr X's actions in grabbing Miss Y around the throat; due to the ease with which such an assault can quickly result in a more serious outcome. Miss Y however had no lasting injury and in the circumstances the prosecution did well to secure a conviction for common assault and a restraining order. The police response was entirely appropriate and no failing on the part of the police has been identified that would have changed the outcome at court or future events. No ACRO check was made but as we now know it would have made no difference to the outcome.

August 2011

In August Mr A and a neighbour helped Mr X move to a new flat nearer to work and Miss A's family home suggesting the relationship had resumed. However, this flat was very small and Mr A suggested that once he had his new flat in January 2012 the couple should move in with him, save money and get something better. The couple agreed.

22nd September 2011

Miss A visited her GP with her sister. She complained of low mood. She explained she had been under a lot of pressure at University. She was currently looking for graduate work. She also mentioned the effect of the incident with her boyfriend and impending court case.

26th September 2011

Miss A returned to the GP with her mother and saying she was not willing to take anti-depressants. Her GP recalls that on both occasions Miss A was reluctant to engage in the conversation with him and seemed to be attending to appease family members.

November 2011

Miss A was successful in securing a position at the manufacturing company as a Business Analyst she began on the 7th November.

December 2011

By December the relationship between Miss A and Mr X had definitely resumed. From the outside the relationship looked loving, the couple referred to each other as 'gorgeous' and 'darling' and nothing appeared untoward.

3.11 2012

Mr A recalls that while the couple were living with him to save money for their own home they had an occasional disagreement. This usually resulted in Mr X going out, sometimes crying, sometimes not. Mr A describes Miss A as not standing for any nonsense and that Mr X would get frustrated and storm off.

14th January 2012

A police intelligence report says Miss Y is receiving text messages from an unknown number; 07508 XXXXX on the 13th of January 2012. The report identifies that the matter is likely to be connected to the assault on Miss Y by Mr X which is due in court on the 16th of January. The report says Miss Y does not recognise the number and is unsure who could be sending the messages. The texts are examined; below is a direct replica of what was recorded including grammar and spelling mistakes:

"If you do not say in Court the same what my girlfriend says you cannot get home after court" "If you destroy career of my girlfriend I will destroy you"

The report says Miss Y was very intimidated by these threats

A Polish PCSO documented the texts she then visited Miss Y later that day; She reassured Miss Y saying she would text every day to make sure she was ok and told her to dial 999 if anything happened. Miss Y speculated that Mr X and Miss A did not want her to go to court and give evidence.

The PCSO discussed the case with her Sergeant. He decided to put a TAU on Miss Y's address and brief local officers requesting additional patrols in the area of her address. Telecom enquiries could have been made to try and identify the subscriber. In the circumstances there was an obvious suspect. Had the messages been traced to Mr X there may have been a serious offence of witness intimidation. Although unlikely to have affected the outcome and outside of the National Crime Recording Standards this would have been an example of good practice.

16th January 2012 – The Court Case

On 16th January 2012 at Taunton Deane West Somerset Magistrates Court Mr X was fined £100 with £85 costs and a restraining order was imposed protecting Miss Y from harassment until 15/01/2013.

17th January 2012

A PCSO visited Miss Y. A further welfare visit was organised to take place in a few days.

End January

The GP describes a breakdown in the patient/doctor relationship with Miss A. She wrote a letter of complaint to the surgery and requested a change of GP. The matter concerned treatment of wisdom tooth pain. The GP also notes that there was an on-going issue of intermittent abdominal pain. The investigations into this carried on for too long without a satisfactory diagnosis.

19th January 2012

Miss A reports to the police that at 11.12 hours says she received a text from Miss Y requesting that Mr X pay her £1,365 she said he owed her giving full details of the account into which the money is to be paid. Miss A was worried that Miss Y will cause trouble for her and Mr X and then accuse him of breaching his restraining order.

Miss Y is told to cease contacting Miss A and that she should not contact Mr X directly either especially as she had supported the restraining order. She assured the officer she would do as asked.

Review Panel Analysis

In the lead up to the court case Miss A and Mr X were in a relationship. She had retracted her statement and given him the benefit of the doubt. She was in her mother words 'ordered' to give evidence against him in court which she did. Miss A's family were present throughout the court case supporting Mr X and their daughter. This insight suggests Miss A was very much in love with Mr X and her extended family were prepared to give him a second chance for the sake of their daughter.

17th February 2012

Miss A made a visit to hospital with an injured wrist. There are conflicting reports. The hospital record notes a left wrist injury due to a fall. However, family members refer to Repetitive Strain Injury probably as a result of working in the factory although by this time she was working in the offices. As Miss A's relationship with her GP had broken down her father said she should visit A&E. Miss A has a pattern of attending A&E and the local Minor Injuries Unit for

minor matters such as contraception and menstrual pain so this would not have been an unusual thing for her to do.

23rd February 2012

Mr X been seen on Monday 20th and appeared to be observing Miss Y's flat.

IMR Analysis

The PCSO visits Miss Y as time went on the visiting PCSO changed her opinion of Miss Y. At first she seemed to be a victim of domestic abuse who was hurt by Mr X and wanted no contact with him. However due to the frequency with which Miss Y talked about him and the information she seemed to know about him the PCSO formed the opinion that Miss Y still had feelings for Mr X and was not happy that he was still seeing Miss A.

On the 17th February Miss A and Mr X moved into their new home. The family had clubbed together and with savings the couple had enough money to put a deposit down on a new home. This property was close to the family home.

February/March

At this time Miss A's father recalled incidents where Mr X showed disproportionate temper or anger reactions when things weren't going his way with Miss A. For example throwing objects, clenching his fists and giving 'looks' over trivial matters. Mrs A recalls a time she bought Miss A a birthday gift on a family day out and Mr X lost his temper over it. This struck Mr A as surprising because Mr X was achieving a new home, a new car and yet didn't always appear to be that happy about it. Despite these tiffs Miss A and Mr X still appeared very much in love and happy.

The week before she died, Mr A took his daughter out for dinner and feels that Mr X was jealous. Mr X called multiple times throughout the evening from the workplace berating Miss A for not being at home and having something ready for him to eat. Despite her assurances she would organise something he kept calling.

Work colleagues recall seeing them together often in the stairwell at work, talking and appearing close. Although two colleagues felt at the time that the relationship looked possessive and possibly controlling. This was due to the strict routine that was followed by Miss A that appeared 'mandatory' and that Mr X seemed to check up on Miss A frequently.

Colleagues also noted that Miss A was a private person and rarely discussed her relationship. Conversation revolved around practical day to day things, such as staying in to wait for furniture deliveries or life before her relationship with Mr X. Miss A's family generally is not a family that broadcasts its business and so this may not have been an unusual pattern of behaviour for Miss A to adopt.

However, one colleague who Miss A had asked to retrieve her failed hard disc was amazed at the photos he saw of her during her younger life, and university days. He remarked that it was like a different person, bright, with pretty clothes and having fun with friends, a marked difference from the person that he now knew. Two colleagues also wondered why Miss A always dressed so conservatively and was always covered up even during the summer months.

12th March 2012

Mr X called police to Mrs A's address as she and her daughter were arguing. Miss A had become upset over photographs purporting to show her mother in the company of another man at a pub. Mrs A considered that Mr X was trying to break the close bond between her and her daughter by provoking arguments and showing her photographs of what had been a perfectly innocent gathering at a local pub.

The argument was also over the issue of Miss A and Mr X having a key to Mrs A's home and things going 'missing' or borrowed without permission. Mr and Mrs A felt it was unnecessary for the police to be called.

A few days later as Miss A and Mrs A were having a telephone conversation to resolve their differences. Mr X appeared agitated and wanted to interrupt saying that Miss A should talk to him but Mr A intervened and said mother and daughter should be left to sort their relationship out and that he should 'grow up'. It is assumed that Miss A and Mr X argued and he responded by driving off despite the fact that he had been drinking. Miss A called her father. By the time he got there Mr X had returned. Mr A found Mr X cowered in the corner of the bedroom with the lights off crying. Mr A wondered he if he was stable. Miss A said she wanted to return home with her father but Mr X came downstairs crying begging her not to leave him and saying he loved her. Mr A said his daughter looked like she'd had enough and that she'd seen it all before and rolled her eyes. Mr A said his door was always open if she wanted to leave.

IMR Analysis - The police call taker establishes the nature of the incident and is satisfied nobody is at immediate risk. The log is given an appropriate priority grading and an officer is in contact with Mr X and en route within the hour. Police correctly attend in accordance with force policy despite Mr X's second call trying to cancel police attendance.

The force incident log says that the daughter had attended her mother's address to collect belongings as she has moved house. Both mother and daughter work together and an argument had taken place over things that allegedly had been said by colleagues at work. The daughter had collected her belongings and left.

No offences were disclosed; this was a verbal argument only. On attending police speak with Miss A and Mr X. A DASH risk assessment was not completed as there was no previous history between Miss A and her mother, no offences were committed and the DASH was not considered appropriate.

The report was tagged as a domestic incident and forwarded to the Domestic Abuse Investigation Team who later updates the log of enquiries confirming there are no previous incidents between the two involved parties; mother and daughter. Miss A was an adult and was at liberty to live where and with whom she chose. The cautionary information field on the Guardian report reads, "all parties would prefer no further contact in reference to this incident". The attending officer has been spoken to during the completion of this report. He says that Miss A and Mr X appeared very happy together. They were polite and courteous to him but portrayed the incident as a one off family argument requiring no further police action.

Analysis

It was following this incident that Mrs A felt that the situation changed. She speculates that he knew he could not control Miss A or isolate her from her family so he got back in touch with Miss Y.

21st March 2012

First known telephone contact between Mr X and Miss Y since January. Company landline used

27th April 2012

Miss A starts to receive multiple messages inviting her to meet a mystery man. Later linked to Miss Y.

May 2012

Mr X and Miss Y visit a solicitor to establish how to transfer a half share of the home Mr X owned with Miss A to another person.

July 2012

Mr X went to great lengths to organise a birthday BBQ for Miss A at the home of a family member. This was organised for 1pm. However, when they didn't arrive phone calls were made and it was found that Mr X and Miss A were 20 miles away shopping and Miss A had no knowledge of the party. Family members now speculate that this was a concerted effort to cause trouble by Mr X.

Jan – August 2012

Miss A visited her GP practice on eight occasions. Four visits were made to the Minor Injuries Unit. One visit was made to A & E regarding wrist pain as previously discussed. These medical appointments are routine and not a cause for concern. However it is noted by the review panel that on the eight GP visits Miss A saw five different GPs. Although this would not have been a matter that would have changed the outcome it is not a situation conducive to forming a relationship with a GP.

August 2012

Mr X's behaviour noticeably changed. On previous occasions and at family events Mr X was known to have a healthy appetite and 'demolish' plates of food. The family took Mr X to a Polish restaurant for his birthday and Mr A noted that he was struggling to eat anything. On one such occasion Mr X failed to eat much at a family Sunday lunch, there was no affectionate behaviour between the couple and Mr X appeared quiet. Mr X suggested a walk at West Bay but remained quiet and had 'a stone cold face'.

With family help Mr X and Miss A also had got themselves a second hand car in very good condition but Mr X showed no interest in it.

Monday 10th September 2012

The weekend before the homicide Mr A had attended a pub function with family members. On the Monday Mr X asked Mr A's sister who also worked at the factory if Mr A had had a good time, he then asked the same question repeatedly which struck her as odd. She speculates this is because he knew what he was going to do.

Wednesday 12th September 2012 – The day of the murder

Mr X clocked into work at 05:39.00 and mistakenly uses the out clock instead of the in clock. He then goes to great lengths to have conversations with people and be noticed. He came up to one colleague on the production line and pretended trip them up, and was 'mucking about'. Another colleague notes he was unusually friendly with her, they didn't normally speak because she had dismissed some time ago him because she didn't much like him.

As the alarm was being raised about Miss A failing to arrive at work Mr X made calls, and had conversations with family members trying to trace her. Mr X also accompanied Mr & Mrs A and Miss A (sister) to his and Miss A's home to see if she was there clearly intending to see the deception through. He directed police to the texts and social networking sites saying she had been receiving messages from a 'mystery man'.

06:23:00 – A 999 call is made to the fire brigade to report a car fire at a semi secluded spot off the A358. On attendance the badly burnt body of an adult female was found in the driver's seat.

10:38:00 – A 999 call is made to the police by Mrs A to report Miss A missing. The IMR reports that this was immediately logged as a high risk missing person.

3.1.2 The Police Investigation

Later that morning the police connect the two reports and confirm the

deceased as Miss A.

A Major Crime Incident Team (MCIT) was assembled.

At the Trial

It became known at the trial that Mr X tried to coerce Miss A into believing that she was depressed. Mr X taped one conversation that was played in court that demonstrated him losing his temper with her when she would not give in to this suggestion.

4.0.0 Findings

The terms of reference required the following to be addressed:

- Establish what lessons are to be learned from the domestic homicide review regarding the way in which local professionals and organisations work individually and together to safeguard victims.
- Identify clearly what those lessons are both within and between agencies, how and what timescales they will be acted on, and what is expected to change as a result and as a consequence.
- To seek to fully involve the family of Miss A in the review.

The impact of this murder on the individuals, and organisations it touched at the time and since would be difficult to overstate. The author acknowledges the contribution that everyone has made to the report and has tried as far as possible to set aside hindsight in this analysis and focus on the decisions made with the knowledge that existed at the time. The general findings are as follows:

- It was found that Mr X did not have any history of abusive behaviour towards Miss A. There was one minor incident involving his ex-wife and another relatively minor incident with Miss Y.
- There was no known contact with any specialist DVA or other service in the county therefore no warning signs were noted or missed.
- The family and colleagues of Miss A participated fully in the production of this report. They were unaware of any abusive behaviour at the time. Although with hindsight 'tiffs' were remembered. Mr X set up surveillance equipment in the home and tried to coerce Miss A into believing she was depressed and arguably tried to isolate her from her family is defined as abusive behaviour. However this behaviour only took place once the conspiracy was underway.

- No DVA was understood to be taking place between the couple so the matter of barriers to reporting cannot be addressed specifically although general recommendations are made in the report.
- Whether better communication to the general public about DVA services would have made a difference to the outcome in this case is considered to be unlikely. However, a general recommendation is made in the report

4.1 Avon & Somerset Police

It could be argued that Miss Y's claim of malicious communication prior to the January 2012 court case for common assault against her was not given due weight nor investigated fully (page 31). If this had been done and Mr X was found to be the originator this would have constituted a serious offence of witness intimidation and was in breach of bail conditions.

The police also demonstrated good practice:

In the domestic incident of July 2011 the appropriate DASH model was used. In the argument between mother and daughter in March 2012 it was not considered necessary to use the DASH model. In both instances the decision made was appropriate indicating a good understanding of the application of the model.

Despite the retraction of statements and cooperation of both women to the July 2011 incident of Common Assault a well-managed domestic abuse investigation from the actions taken by the responding officers through to the investigation and conviction followed. This is a good example of following policy. The officer was right in these circumstances to pursue a victimless prosecution and secure a restraining order.

4.2 GP Practice

Miss A's GP noted that nothing in her record suggested that Miss A was in any way at risk. Although it was not ideal that one particular complaint had not been satisfactorily diagnosed for too long.

Miss A changed her named GP in January 2012 following a disagreement. Following this Miss A increased her use of the local Minor Injuries Unit making four visits for matters that could have been dealt with by a GP. She made seven visits to the GP practice between January and August seeing five different GPs. This may have not have mattered to her. None of the medical matters suggested domestic violence or abuse. The management of her medical care would not have had any impact on the final outcome in her case. The GP practice has a policy of patients having a nominated GP but it is

thought that Miss A particularly wanted to see a female GP. The practice also has a named DVA GP lead. Both policies are an example of good practice.

On a visit to the GP practice by the DHR chair it was noted that, as with many GP practices, there is an overwhelming amount of literature and posters in the three waiting areas. However, none could be found relating to local domestic violence or abuse services. On a further look with the Practice Manager one leaflet was found in an area that is generally used for people with children. The Practice Manager reported that literature came in from everywhere and she wouldn't know where to source specific literature about Domestic Abuse or Violence. It was unlikely available literature would have made a difference in this case. Literature that was subsequently found on the SCC website was difficult to download successfully.

4.3 Family, Friends and Colleagues

Mr X and Miss A seemed to be enjoying a close and loving relationship. They were not shy of outward displays of affection in front of others. They were tactile and used pet names for each other. They had professional photographs taken of themselves and enjoyed the normal life of a young couple. Apart from minor tiffs that any couple might have everything seemed well. The issue of the ex-girlfriend was behind them and they were planning a life together in their new home. They had a new car, secure jobs and looked set to continue in a happy relationship.

5.0 Equality & Diversity

5.1 Avon & Somerset Police

Throughout the IMR reference is made to appropriate translation services being used including on several occasions the deployment of a Polish speaking PCSO. This PCSO's multiple visits to Miss Y gave her the opportunity to get to know her well and form an opinion of her and her attitude to her relationship with Mr X.

5.2 The Manufacturing Company

Approximately 10% of the workforce of this International manufacturing company is made up of Eastern EU Nationals. Integration between the English and Polish communities was said to be good. The company's operating language is English and all workers are expected to have a sufficient grasp of the language to understand work instructions. In fact this relationship and others like it were held by the management to be examples of good integration indicating that there were no problems at the Company.

However, it emerged during this review that there is a degree of continuing

inter racial tension centred on the use of the Polish language in the workplace. English workers feel socially excluded when Polish workers use their own language on the production lines. This language issue is a particular problem because it was revealed at the trial that Mr X used to frequently use derogatory terms about Miss A and her family in his own language at work.

Interviewees said the two nationalities in the workforce are now more 'separate' than before the murder, 'it's not the same as it was before'. It is also felt that the management generally favour Polish workers 'so the race card doesn't get played'.

The company has expressed an interest in advice and recommendations as a result of the review.

5.3 Wider Community

In the wider community it was said in interview that once the news of the murder of an English girl by three Polish nationals emerged that the Polish community in the town kept a low profile for a while. Generally speaking the two nationalities live and work well alongside each other.

6.0 Predictable or Preventable?

6.1 Was this death predictable or preventable?

After considering all the information available the review panel does not believe that this homicide was either predictable or preventable, falling into the 'highly unlikely' category.

6.2 Family, Friends and Colleagues

At the time of the murder there was absolutely nothing that forewarned or prepared Miss A's intimate or wider circle of family and friends for what happened.

Although the family had reservations about how long the relationship would last there were no real concerns. On reflection the victim's father thought that Miss A would outgrow the relationship sooner rather than later and the victim's mother thought that eventually Miss A would want to go to London and pursue her early career promise and ambition. But for the meantime all seemed well, this was a loving couple enjoying life. Miss A was very happy and the family supported the relationship.

It would be difficult to overstate the impact this murder had on those closest to Miss A and the wider communities of her workplace and town. Throughout the review process interviewees have used words such as 'betrayed', 'shocked', 'devastated' 'duped', 'tricked' and 'unbelievable', have been consistently used. Some people interviewed said it was only now that they felt able to talk about the experience. Many talked about experiencing flashbacks, anxiety and the feeling that their ability to trust others and form new relationships and friendships had been affected.

Over time it is understandable and natural that people re-examine memories of conversations, incidents and behaviours to try and make sense of circumstances that seem to make no sense at all. Once re-interpreted and re-assembled could these 'facts' if put together give an indication that this homicide was predictable or preventable? No-one believes this is the case. Close friends and colleagues continually question if they missed anything but universally the answer is 'no'; there were no clues, there was nothing to miss; this couple appeared happy and were clearly in love.

With hindsight one could point to Mr X's immature responses to confrontation such as running off, crying, or his displays of temper such as clenched fists or 'looks'. Then there were three incidents in a six year period where 'in the heat of the moment' he lashed out during arguments. None of these incidents resulted in injury. There was no evidence of violence in this relationship nor was excessive drinking a feature. Colleagues thought that Mr X was possibly a little over possessive and knew that Miss A presented a more muted persona since the pre Mr X days. But none of this information even if known at the time

would have led to suspicions of, or predicted pre-meditated murder. The family now believe that Mr X's failure to isolate Miss A from her family and to control her led to frustration and his own eventual loss of control.

The key to this murder is the relationship formed between Mr X and Miss Y. Nothing in the known history of either Mr X or Miss Y as individuals suggested they were a significant threat to anyone. However, in a phenomenon not unknown in criminological history, the combination of their personalities in an intimate personal relationship created a dynamic that together made them dangerous and capable of calculated, meticulous pre-meditated murder, in this case, for financial gain.

6.3 Avon & Somerset Police

There is nothing in the police records that suggests that this homicide was either predictable or preventable. Even analysis with the benefit of hindsight of the contacts police had with the perpetrators and victim do not indicate an outcome of extreme violence or murder. It is not the case that if the recommendations made in this document had been in operation at the time they would have made a difference to the final outcome.

6.4 The GP Practice

There was nothing in Miss A's medical attendances to suggest domestic violence or abuse. All her conditions could be described as routine. However, the review will result in recommendations.

7.0 Conclusions

The key learning of this review highlights the need for public services to accurately and regularly assess the appropriate responses to public requests for services.

Avon & Somerset Police

The police response to the incidents between 2009 and 2012 was appropriate and fell within the policies and procedures. However, on two occasions it could be argued that insufficient weight was given to the complaint made:

1. First when Miss A and Mr X visited the police station to complain of repeated intrusions into his flat and malicious communications. (p28)
2. Miss Y's complaint of malicious communications. (p32)

GP Practice

The GP Practice could improve its practices in terms of monitoring the

continuity of patient care with a named GP and ensuring DVA awareness is raised through availability of literature, posters etc. It is unlikely that these actions if in place at the time would have made a difference to the final outcome in this case.

Private Sector

The employer is conscious of inter-race issues and considers their workplace a good example of integration between British workers and EU Nationals. In fact this relationship and others like it were held up as a testament to that fact. However the employer accepts they can do more and are actively exploring options.

8.0 Recommendations

8.1 The Avon & Somerset Constabulary identified two recommendations:

1. It has been recommended that there should be increased requests by police officers for ACRO¹⁷ checks on foreign national suspects, witnesses and victims. Although these checks are currently available the recommendation includes measures to increase awareness and use by police officers and CPS lawyers such as awareness training, and internal publicity. This recommendation would not have had an impact on the outcome of this case
2. A recommendation that a system is put in place to ensure that STORM logs are closed with an appropriate supporting rationale if no Guardian crime or incident report is to be raised. Measures were already in place to implement this recommendation and have since been enacted. Logging and recording issues noted in this case are unlikely to arise in the future. Again this recommendation would not have had an impact on the outcome of this case

8.2 The Review Panel made these recommendations:

- Avon & Somerset Police

The Avon & Somerset Constabulary must ensure that all complaints of witness intimidation are thoroughly investigated. It is crucial that the police enforce this serious offence. First to protect witnesses and to ensure witness cooperation. Secondly to protect the integrity of judicial proceedings and the judicial system. It cannot be asserted that this recommendation if followed would have changed the outcome.

- Somerset Clinical Commissioning Group - GP Surgeries

On visiting the victim's surgery it was noted that although Miss A's GP surgery has a wealth of literature and posters information concerning access to local specialist services, those for DVA were largely absent in the three waiting areas. Although unlikely to have made a difference to the outcome of this case, this observation gives rise to the following general recommendations.

The panel recommends that the Somerset Clinical Commissioning Group writes to all GP practices urging them to regularly check waiting areas to ensure that DVA resources are available and given priority space. This communication should be addressed to the Senior Partner, Practice Manager and named DVA Lead if known.

¹⁷ Association of Chief Police Officers Criminal Records Office

That each GP practice adopts the policy of having a named DVA GP lead.

The panel recommends that the Somerset CCG recommends to GP Practices that they are familiar with both CAADA and the RCGP websites that have good guidance on responding to domestic violence and GP e-learning. NICE guidelines published February 2014.

- The Employer

The employer has engaged with the Panel Chair and is exploring a range of options that will better inform the staff of available specialist services available locally concerning a wide range of social issues. The SSP will evaluate whether liaising with other large companies in the area is a worthwhile route to disseminating information about local specialist services.

- The Family

The Panel Chair has spoken to members of the family and given information about other organisations that may assist them including AAFDA and Escaping Victimhood.

- Safer Somerset Partnership/Somerset County Council

Review the existing SCC website with a view to including either an easily accessible central direct point of information or links to DVA data in Somerset.

To include

- An overview of the DHR process and links to published DHR reports.
- Reviews, audits and inspections of services related to Somerset DVA services e.g. HMIC's review of Avon & Somerset Constabulary's approach to tackling domestic abuse (2014)
- current statistics and data captured by organisations such as the Avon & Somerset Police, Somerset Intelligence Network (SINE) and voluntary sector (eg BCHA), Somerset Survivors.
- Relevant SCC policies and reports e.g. Somerset Interpersonal violence strategy
- downloadable literature and resources relating to national and local specialist DVA services including leaflets and posters in English and other languages
- Links to relevant websites as below such as www.somerseturvivors.org.uk

8.3 The process of monitoring and evaluating the recommended actions that are identified is the responsibility of the Safer Somerset Partnership.

8.4 Please see Appendix A for the action plan.

Glossary

ACRO	Central Authority for the Exchange of Criminal Records
ABH	Actual Bodily Harm
A&E	Accident and Emergency
AAFDA	Advocacy After Fatal Domestic Abuse
CAADA	Co-ordinated Action Against Domestic Abuse
CCG	Somerset Clinical Commissioning Group
CJU	Criminal Justice Unit
CPS	Crown Prosecution Service
DASH	Domestic Abuse Stalking Harassment and Honour Based Violence
DCI	Detective Chief Inspector Avon & Somerset Constabulary
DHR	Domestic Homicide Review
DVA	Domestic Violence and Abuse
DI	Detective Inspector Avon & Somerset Constabulary
GP	General Practitioner
Guardian	Live time Crime & Management System –DASH log
IDVA	Independent Domestic Abuse Advocate
IMR	Individual Management Review
IRIS	Identification & Referral to Improve Safety

Glossary (continued)

MARAC	Multi Agency Risk Assessment Conference
MCIT	Major Crime Investigation Team Avon & Somerset Constabulary
MDU	Medical Defence Union
Miss A	Victim
Miss Y	Mr X's girlfriend and perpetrator
MIU	Minor Injuries Unit
Mr A	Victim's father
Mr XY	Miss Y's uncle and perpetrator
Mr X	Victims partner and perpetrator
Mrs A	Victim's mother
NCALT	National Centre Applied Learning Technologies
NHS	National Health Service
NSPIS	National Strategy Police Information System
PCC	Avon & Somerset Police & Crime Commissioner
PCSO	Police Community Support Officer
PNC	Police National Computer
PND	Police National Database
PPU	Public Protection Unit Avon & Somerset Constabulary
SINE	Somerset Intelligence Network
SSP	Safer Somerset Partnership
STORM	Police Command & Control system
TAU	Treat as Urgent

Appendices

Appendix A Action Plan

Appendix B Letter from the Home Office Quality Assurance Panel (TBA)