

Report of the investigation into a
complaint made by the family of Mark
Duggan about contact with them
immediately after his death

Independent investigation
Final report

IPCC reference: 2011/016449

Contents

Foreword	3
Introduction	7
Terms of reference	7
Complaint	7
Subjects of the investigation.....	8
Chronological summary of events	8
MPS officer accounts	9
IPCC staff accounts.....	13
Family accounts	15
Policies and procedures	17
Conclusions.....	19
Recommendations and learning.....	21

FOREWORD

On Thursday 4 August 2011 at 6.13pm, Mark Duggan was shot and killed by Metropolitan Police officers in Tottenham. An Independent Police Complaints Commission (IPCC) investigation into the full circumstances of this shooting, including the planning of the operation, is still ongoing.

In the immediate aftermath of the incident both the police and the IPCC were subject to much criticism in the media and the local community for what was perceived to be the lack of adequate contact with and support to Mr Duggan's family. Such was the extent of the criticism that the local MP, David Lammy, stated in the House of Commons on 16 November 2011 that Mark Duggan's family 'had been forced to learn of the death of their son from watching television'.

On 5 September 2011, solicitors acting for Mr Duggan's family made a formal complaint that his relatives had not been informed of his death either by an officer from the Metropolitan Police Service (MPS) or by the IPCC. This complaint was referred to the IPCC and I decided that a separate independent investigation would be undertaken to consider the issues it raised.

I determined that the focus of the investigation would be on:

- the contact between MPS officers and members of Mr Duggan's family on 4 August
- the handover of family liaison responsibility from the MPS to the IPCC on 5 August and
- the contact between the IPCC and members of Mr Duggan's family over the weekend of 6 and 7 August.

The investigation does not include events that took place on Saturday 6 August at Tottenham Police Station, nor does it consider the causes of the subsequent riots. These matters are the subject of other reports, including the Home Affairs Select Committee's report (*Policing large-scale disorder: lessons from the disturbances of August 2011*), a review of police tactics and training by Her Majesty's Inspectorate of Constabulary, and the Riots, Communities and Victims Panel interim report (*5 Days in August*).

As the most critical concern widely expressed was the failure of either the MPS or the IPCC to inform Mr Duggan's parents in person of his death, I also asked that the investigation clarify the respective roles and responsibilities of MPS Family Liaison Officers (FLOs) and IPCC Family Liaison Managers (FLMs) in informing relatives of the death of a family member.

The full investigation report has been published and is available on the IPCC website. In summary, the investigation found that Mr Duggan's parents were not informed of their son's death by either the MPS or the IPCC.

Mr Duggan's sister Ms Hall, and Ms Wilson, who introduced herself as Mr Duggan's partner, attended the scene on the evening of the shooting and had discussions with MPS FLOs. Whilst this is not disputed by these family members, their accounts of discussions with the FLOs at the scene differ significantly from the accounts provided by the FLOs.

In essence, the FLOs have stated that they informed both family members at the scene of Mr Duggan's death and although they proposed visiting the family home to inform Mr Duggan's parents, Ms Wilson and Ms Hall said that they themselves would inform Mr Duggan's parents of his death. According to the FLOs, both family members made strong representations to be allowed to do this as they felt that the parents were fragile and should be given the news by family members, not the police.

By contrast, Ms Wilson is categorical that neither she nor Ms Hall told the FLOs that the police should not visit Mr Duggan's parents to tell them the news of his death, nor did they say that they would inform his parents themselves. Indeed, neither Ms Wilson nor Ms Hall believed that the FLOs had confirmed to them with certainty that the dead man was Mark Duggan, so in their view, they would not have been in a position to deliver such news to his parents. They both expected that the police would visit the family home to confirm Mr Duggan's death to family members formally when it had been verified by them.

Ms Wilson says that one of the FLOs told her that someone from the MPS would visit her later that evening – however, no one came. According to the FLO's account, he explained that the IPCC would take over the family liaison role the following day, but that he could be contacted in the meantime if further assistance was needed.

There are no independent witnesses to confirm either the family members' or police accounts. Undoubtedly it was an extremely traumatic and stressful time for Ms Wilson and Ms Hall – they would have been in shock, disbelief and very distressed. They had already been to the Royal London Hospital in Whitechapel with Marlon Duggan, Mr Duggan's brother, having been told by a police officer at the scene that someone had been airlifted there, but were unable to obtain any information.

Whilst from the police perspective, they did not visit Mr Duggan's parents to inform them of their son's death out of respect for the expressed wishes of Ms Wilson and Ms Hall, this decision resulted in Mr Duggan's parents being left in a state of torment and confusion for the entire night.

Mrs. Duggan has described how she was receiving conflicting messages from various people in the community and whilst she was extremely frightened about what had happened to her son, the lack of any formal notification from the police allowed her to hold on to hope. As she put it to me, 'A mother's worst nightmare is the police coming to the door to tell you your child is dead. Because this did not happen, I believed the worst had not happened'.

The police did not make further contact with any family members, although Ms Wilson left a message for one of the FLOs the following morning, and he called her to inform her that the IPCC would be in touch shortly. This was passed on to the IPCC FLM.

In all these circumstances, the family complaint is upheld.

On Monday 8 August the MPS issued a press release, which included the following:

'We are very sorry for the distress that has been caused to the family of Mark Duggan, especially because of the way in which his parents became aware of his death.'

The police have also apologised directly to Mr Duggan's parents during a visit by Commander Chishty to the family home on 2 September 2011.

Both the police and the IPCC have policies and guidance in relation to family liaison when a death has occurred. The responsibility for delivering news of a death lies clearly with the police, and the guidance is that the news should be delivered promptly, to close family members.

The IPCC took over family liaison on Friday 5 August and after a handover, one of the IPCC FLMs telephoned Ms Wilson. During the handover, the IPCC FLMs were told by the MPS that Mr Duggan's parents did not want direct contact. The conversation with Ms Wilson focused on arrangements for formal identification of Mr Duggan's body. The following morning, two IPCC FLMs accompanied approximately 14 members of Mr Duggan's family during the formal identification.

With the benefit of hindsight, the IPCC should have explored the family's wishes in more depth with Ms Wilson, following the handover from the police FLOs, and not made the assumption that any wishes that may have been expressed by the family in relation to the police would automatically extend to the IPCC.

In the aftermath of Mr Duggan's death, his family were very confused and wanted to know what had happened to him. They did not understand the role of the IPCC, nor that the organisation was separate from the police. It would have greatly assisted them if a senior representative of the IPCC had visited the family home to introduce the organisation and explain its role, prior to the contact from the FLM.

The IPCC responds to serious incidents using an on-call system, with a very small number of staff. As a result, the focus at the initial stages is on the investigation, particularly scene preservation, gathering forensic evidence and attending the police post-incident management meeting.

We have now recognised the need to provide strategic oversight of some cases from the outset and we have established a new process, where the IPCC Director of Investigations and the IPCC Commissioner allocated to the case will ensure that immediate attention is given to the needs of the family where a death or serious injury has occurred. The needs of a bereaved family in such circumstances should be paramount.

A community impact assessment will also be carried out within the first few hours and active engagement with community leaders will be sought. Family liaison and community engagement strategies will be approved by the IPCC Commissioner. These strategies will be reviewed regularly.

When an independent IPCC investigation commences, both the police and the IPCC are keen to demonstrate the separation of roles and responsibilities and provide public

assurance of the IPCC's independence from the police, for understandable and legitimate reasons.

However, it has become clear to me, as Commissioner for this case, that families and communities are less concerned, particularly in the early stages, about visible separation of roles and more concerned about 'the authorities' taking responsibility and actively seeking to meet the needs and address the concerns of the community.

This is a very sad case where a grieving family, suffering from shock, felt let down and badly treated by the police and IPCC. The MPS has apologised to the family and I have told the family how sorry I am that the IPCC did not provide more support or visit them the day after Mark Duggan's death.

Rachel Cerfontyne

IPCC Commissioner

27 February 2012

Introduction

1. Mr Mark Duggan was shot and killed by police at 6.13pm on Thursday 4 August 2011. That evening, some members of his family went to the scene to find out what had happened.
2. During that evening, some members of his family were spoken to by Metropolitan Police Service (MPS) Family Liaison Officers and informed that he had been killed.
3. The Independent Police Complaints Commission (IPCC) announced an Independent Investigation into the circumstances of the death at 7.20pm that day.
4. On Friday 5 August 2011, the IPCC took over responsibility for family liaison. Telephone contact was made initially with Ms Semone Wilson (who had told police that she was Mr Duggan's partner) by the IPCC Family Liaison Manager.
5. The IPCC Commissioner, Rachel Cerfontyne, spoke to Mr Duggan's mother – Mrs Pamela Duggan shortly after lunchtime on Sunday 7 August 2011.
6. The family has raised concerns about police and IPCC contact with them immediately following the shooting.

Terms of reference

7. To consider the MPS response, and investigate as appropriate:
 - a) the contact between the MPS and members of Mr Duggan's family on 4 August 2011
 - b) the handover of family liaison responsibility to the IPCC on 5 August 2011
 - c) the contact between the IPCC and members of Mr Duggan's family over the weekend of 6 and 7 August 2011
 - d) the public apology made by the MPS on 8 August 2011 and their meeting with the family on 2 September 2011.
8. In considering the above, the IPCC will clarify the respective roles and responsibilities of MPS Family Liaison Officers and IPCC Family Liaison Managers in informing relatives of the death of a family member.
9. To identify whether any police officer subject of the investigation may have breached their standards of professional behaviour. If such a breach may have occurred, to determine whether that breach amounts to misconduct or gross misconduct and whether there is a case to answer.

Complaint

10. The solicitors for Mr Duggan's family wrote to the IPCC on 5 September 2011 and stated that the family wished to make a formal complaint that there was a

failure to inform the family of his death.

11. The family members who spoke directly to the IPCC added that their complaint was specifically in relation to the police failure to inform Mr Duggan's parents of his death.
12. They were also unhappy with the way those who went to the scene were treated, stating that the police created uncertainty about the identity of the man who had been shot, as it was suggested to them that the man was Asian and he was not the brother of Marlon Duggan. Furthermore, an officer on the cordon suggested that they went to Whitechapel hospital, as someone had been airlifted there. This added to the family members' distress and confusion.
13. The IPCC investigation team offered to meet any members of the family who wished to provide any information in relation to this complaint. The following family members spoke to the IPCC – Mrs Pamela Duggan, Ms Carol Duggan, Ms Semone Wilson, Ms Paulette Hall, Mr Marlon Duggan, Ms Ruth McCarthy and Ms Taja Wilson.

Subjects of the investigation

14. Consideration was given to applying special requirements (Schedule 3 of the Police Reform Act 2002) at the start of the investigation. There was no indication that any crime or breach of the Professional Standards of Behaviour had occurred. Therefore, the investigation was deemed not to be subject to special requirements.
15. This decision was reviewed regularly during the course of the investigation as more information came to light. However, this decision remained unchanged and all personnel were treated as witnesses throughout.

Chronological summary of events

16. What was said by MPS officers and IPCC staff and the family at the scene on the night of the shooting, and what happened in relation to telephone contact with the family the next day, are the subject of differing recollections by the family members and by officers from the MPS and IPCC staff.
17. Unfortunately, there is no independent evidence or other independent witness testimony available to the investigation.
18. Detective Constable (DC) Alex Manz, DC Katie Buchanan (Family Liaison Officers), Acting Detective Inspector Peter Suggett (Initial Senior Investigating Officer) and Acting Detective Superintendent Steve Williams from the MPS Directorate of Professional Standards provided accounts.
19. Commanders Mak Chishty, Peter Spindler and Martin Hewitt have also been spoken to about the MPS apology and family visit on 2 September 2011.
20. Richard Omotosho, Karen Roche (Family Liaison Managers), Colin Sparrow, Chris Mahaffey and David Kirkpartrick from the IPCC gave accounts. Ms Rachel Cerfontyne, Commissioner, also provided an account of her involvement with the

family over the first few days of the investigation.

21. Original contemporaneous notes (where they were taken), log books and decision logs have been provided to the investigation. Some of the key entries are disputed by the members of Mr Duggan's family who spoke to IPCC investigators.
22. The entries in the MPS Family Liaison Log are dated 5 August 2011. The IPCC requested this Log on 8 August 2011 and received it on 20 October 2011.

MPS officer accounts

23. DC Alex Manz and DC Katie Buchanan from the MPS Directorate of Professional Standards were allocated the roles of Family Liaison Officers by Acting DI Peter Suggett, who was the initial Senior Investigating Officer into the shooting before handing over to the IPCC.
24. DC Manz arrived at the scene at 8.45pm and DC Katie Buchanan arrived 45 minutes after that. They made some contemporaneous notes during the evening, but the main record of their contact with the family was subsequently written in the Family Liaison Log.
25. After receiving a short briefing from a Trident officer and the Borough Commander, DC Manz introduced himself to two females, Ms Semone Wilson (who told him she was Mr Duggan's partner) and Ms Paulette Hall (Mr Duggan's sister) who had identified themselves as members of Mr Duggan's family.
26. He brought them inside the cordon to avoid being overheard by press and other members of the public. DC Manz established that Marlon Duggan (Mr Duggan's brother) was also at the cordon and brought him through the cordon and engaged in conversation with all three. Within a short time Marlon Duggan became agitated and walked off, saying: 'I can't listen to this'. DC Manz consciously decided not to go after him and concentrated on talking to Ms Wilson and Ms Hall.
27. DC Manz explained that they could not see Mr Duggan's body as the investigation was ongoing at that time and that it was also likely that the investigation would be taken over by the IPCC. He explained the formal identification process. He then asked for a description of Mr Duggan and suggested that he (DC Manz) would go and try and view Mr Duggan's body himself. Ms Wilson and Ms Hall indicated that they were almost certain it was Mr Duggan as that was the 'word on the streets'.
28. DC Manz was advised by Detective Chief Superintendent (DCS) Stuart Cundy from Trident, in the presence of Acting Detective Inspector Peter Suggett, that he should not view the body and he was 100% certain that the deceased was Mr Duggan as he was a 'prominent Trident subject' (known to police). DC Manz accepted this and imparted that information to Ms Wilson and Ms Hall once they had moved to a private room in the nearby tube station. DC Buchanan had joined the group by then.
29. DC Manz recorded the following note in his log:

'a frank conversation with DCS Cundy I was able to tell them with certainty that it was Mark who had died.'

30. He went on to give information about what he knew had happened, which was very little – *'police had stopped the taxi, shots had been fired, a police officer had been injured, however, he had been released from hospital'*. He explained the process of scene preservation and the fact that it was likely to take a long time and gave advice about the likely press interest.
31. DC Manz then explained the family liaison role and how they would be kept up to date throughout the investigation. He also stated that he would provide truthful information and that he had no hidden agenda.
32. DC Manz then stated that the next priority was to inform the parents. He recorded the following in his log:

'both ladies were emphatic that they were going to inform them and that police would not be welcome at the address and they would not take it well. They said [redacted] and [redacted] and they felt that they were the best people to deliver the news with the support of family members.'
33. DC Buchanan's handwritten notes of the time includes a line stating: *'Does not want parents informed by police: [redacted], [redacted].'* DC Buchanan also recalled that one of the ladies said that if police turned up at their address, Mr Duggan's mother would probably have a heart attack.
34. DC Buchanan further recalled DC Manz offering to drive Ms Wilson and Ms Hall to Mr Duggan's parents' address to assist in informing them that Mr Duggan was dead. According to DC Buchanan *'both were adamant they did not want police involved'*.
35. DC Manz then moved on to ask whether anyone else needed to be informed. Ms Wilson and Ms Hall response was – no, not by the police.
36. When Ms Wilson and Ms Hall indicated that they wanted to go home, DC Manz re-emphasised the likelihood that the IPCC would take over the investigation and the family liaison role and explained that a handover between the MPS and the IPCC was likely to take place the next day. However, in the interim he was available if they wished to ask for any further assistance.
37. DC Manz further suggested that the handover between MPS Family Liaison Officers and IPCC Family Liaison Managers could take place via telephone calls rather than by visiting the home address. Ms Wilson and Ms Hall *'welcomed this suggestion'*. DC Manz recorded his rationale for this as one that was influenced by the volatile nature of the situation where police were not wanted at the parents' home address.
38. DC Manz and DC Buchanan accompanied Ms Wilson and Ms Hall to their car where other family members and friends were waiting for them. DC Manz informed Ms Wilson's mother of Mr Duggan's death.
39. Once the family had left, DC Manz was de-briefed by Acting DI Peter Suggett and learned that the IPCC would be conducting an independent investigation into the circumstances surrounding the shooting. Staff from the IPCC had arrived at the scene and DC Manz decided to brief them on his dealings with the

family.

40. DC Manz briefed his colleagues in the MPS that Ms Wilson and Ms Hall wanted to break the news to the family and he was not going to persuade them otherwise. He advised that he had more or less 'exited' from the family, but offered to remain the Family Liaison Officer until a Family Liaison Manager from the IPCC had been appointed. He understood that this would happen the next day.
41. Acting DI Suggett was aware that DC Manz had offered to inform Mr Duggan's parents of his death, but had been told unequivocally by Ms Wilson and Ms Hall that they would take responsibility for notifying his parents and that police would not be welcome at the home address under any circumstances. Given that it was his understanding that Mr Duggan's partner and sister had been notified of his death, Acting DI Suggett stated that he was happy with the level of engagement the Family Liaison Officers were having with the family.
42. Detective Chief Inspector Steve Williams was consulted on this decision and endorsed it. He discussed it with Colin Sparrow from the IPCC, Chief Superintendent Alistair Sutherland, Superintendent Glenn Tunstall and Detective Superintendent Tony Evans.
43. The next morning at around 10.15am, DC Manz received a telephone message from Ms Wilson asking for an update. DC Manz telephoned Richard Omotosho at the IPCC ten minutes later as he had received information that Richard Omotosho had been appointed as IPCC Family Liaison Manager. He advised Richard Omotosho that Ms Wilson had left a message requesting contact.
44. Richard Omotosho initially asked for a face-to-face handover meeting, but DC Manz reminded him of the discussion with the IPCC the night before and he felt that the family would be happy with a telephone handover and were aware of the IPCC involvement. It was agreed that DC Manz would telephone Ms Wilson to let her know that Mr Duggan's body had been transferred to a north London mortuary and that Richard Omotosho would telephone her shortly to introduce himself and take over the family liaison role.
45. DC Manz made that call a further ten minutes later. He recorded the following in this log:

'I spoke with Semone and she appeared very calm and collected. I enquired how she slept – not very well. I asked how the death message went with Mark's Mum and Dad. She said they took it badly as expected'.
46. DC Manz went on to discuss the formal identification process and checked with Ms Wilson that she was content with the IPCC taking over family liaison by way of a telephone call. She responded that she was. He advised her that Richard Omotosho would call her within 30 minutes. DC Manz then called Richard Omotosho back to update him.
47. That was the end of the MPS direct contact with family until early September.
48. On Monday 8 August at 6.30pm the MPS issued the following press release:

'We are very sorry for the distress that has been caused to the family of Mark Duggan, especially because of the way in which his parents

became aware of his death. It is always challenging when the police service has to ensure that an investigation is totally independent of them in order to sustain public confidence, and on occasion errors then occur in the hand over. Although immediate members of his family were told of Mr Duggan's death, we accept that we did not inform his parents and it is clear that there are lessons that can be learned both by the MPS and the IPCC in this case.

On the night of Mr Duggan's death the MPS sent specially trained Family Liaison Officers to the scene to meet with two members of Mr Duggan's family. These FLOs agreed to the family members' request that they tell Mr Duggan's parents the news of his death themselves. The family liaison was then handed over to the IPCC Family Liaison Managers, who were fully briefed on what action had taken place. As is usual, from this point the MPS had no further on-going family liaison role and so were unaware of the concerns of Mr Duggan's parents that they had not been formally notified by police of his death. Having become aware of these concerns we are contacting Mr Duggan's parents via their lawyers and offering to meet with them'.

49. The IPCC investigation team approached senior officers of the MPS to ask for an explanation of the decision-making process in relation to the press release and subsequent family meeting.
50. Commander Martin Hewitt was appointed 'Gold Commander' for the Mark Duggan Shooting incident and convened meetings with MPS personnel and partner agencies in the days that followed the shooting.
51. The decision to issue a press release was made by senior officers from the MPS who consulted the IPCC.
52. Commander Peter Spindler took over as Gold Commander for the shooting from Commander Hewitt after his meeting on 16 August 2011. He held Gold Group Meetings on 24 August 2011 and on 8 September 2011. There were daily emails and contact between Gold Group members over a range of issues. Separate meetings were being held across the MPS, including a community Gold Group at Haringey, funeral planning meetings locally and more strategic groups at Assistant Commissioner level.
53. One of the key issues that led to the family meeting on 2 September 2011 was the request from the family solicitors that the MPS pay for the costs of the funeral. The MPS wanted to re-build relations with the family and maintain community confidence to ensure the smooth running of the funeral.
54. Commander Spindler assisted in planning the family meeting and agreed to supply staff (DC Manz and DC Buchanan) to accompany Commander Mak Chishty.
55. Commander Mak Chishty is the Cluster Commander responsible for North of London, including Tottenham. He was newly appointed to the MPS and was sent by senior officers to apologise on behalf of the MPS and build bridges with the family. The meeting took place on 2 September 2011 and was attended by

several members of the family, their solicitors and some close friends of the family. Notes were taken by DC Buchanan.

56. A number of issues were discussed at the meeting, including the funeral arrangements. In relation to the police failure to visit the family prior to this time, the notes reflect that on three occasions Mak Chishty apologised for police not informing the parents of their son's death at the time.
57. At no time did any of the police officers in attendance mention that their reason for not visiting the family home to inform Mr. Duggan's parents of their son's death was due to the expressed wishes of family members at the scene.

IPCC staff accounts

58. IPCC staff arrived at the scene from about 9pm. Deputy Senior Investigator Chris Mahaffey was the most senior staff member present and he was accompanied by three Investigators – Richard Omotosho, David Kirkpatrick and Alan Wright.
59. Deputy Senior Investigator Colin Sparrow was appointed the Lead Investigator once the IPCC had declared it would commence an independent investigation. He initially based himself at Leman Street Police station, where he oversaw the post-incident management process. He was kept updated by IPCC colleagues at the scene and by MPS officers.
60. David Kirkpatrick acted as a note taker at the scene. His original notes, which were made at the time, state that at 10.30pm the Family Liaison Officers DC Manz and DC Buchanan briefed the IPCC – setting out that names of family members they had met and explaining what they had told them about Mr Duggan being identified by his tattoos, which a Trident officer had confirmed. The notes record that the family members were '99% sure' that it was Mr Duggan. The family was aware of IPCC involvement and was aware that the MPS Family Liaison Officers would help to establish contact with the IPCC Family Liaison Managers.
61. It was further recorded in his notes that:

'Paulette and Semone want to break the news to family – don't want Family Liaison Officers to do it'
62. Chris Mahaffey recalled that DC Manz and DC Buchanan attended and briefed Richard Omotosho and David Kirkpatrick. Chris Mahaffey was present for part of the briefing and sought and received verbal agreement that the MPS Family Liaison Officer team would retain control until such time that there could be an effective handover to the IPCC.
63. Colin Sparrow noted in his log that at around 11pm he received an update from Chris Mahaffey concerning the family members of Mr Duggan. His notes contain the following line – *'mother not wishing to speak to police'*. Colin Sparrow made four entries in his policy book in relation to the family over the first four days of the investigation. The first confirmed that police Family Liaison Officers would stay in place until the morning; the second confirmed the appointment of IPCC

Family Liaison Managers and set out the initial strategy. The third confirmed that family members had agreed at the mortuary that Ms Wilson would be the single point of contact on behalf of the family with the IPCC. The fourth then changed this to Birnberg Peirce solicitors.

64. At 10.55am the next morning, Colin Sparrow, in consultation with other IPCC colleagues, appointed Richard Omotosho and Karen Roche as Family Liaison Managers to the Duggan family.
65. Richard Omotosho made contact with DC Manz by telephone, received a handover and then on his second attempt made direct telephone contact with Ms Wilson at 2pm. He introduced himself and explained his role. The conversation covered a range of issues, but centred mainly on arrangements for the formal identification process.
66. Richard Omotosho recalled that Ms Wilson told him Mr Duggan's parents were not up to attending the mortuary to see Mr Duggan's body.
67. On Saturday 6 August 2011 at 11.45am, Richard Omotosho and Karen Roche met Ms Wilson, Ms Hall, Micah, Jason, Shaquille, Kay, Michelle and Ibesha, as recorded in the Family Liaison Log at Haringey Mortuary, where formal identification took place. As the visit progressed a further six members of the family (although not Mr Duggan's parents) arrived at the mortuary. Ms Wilson signed a statement identifying herself as Mr Duggan's partner and formally identifying the body of Mr Duggan. Both Family Liaison Managers asked Ms Wilson how Mr Duggan's parents were coping – Ms Wilson responded '*not good*' and that they were '*finding it hard*'.
68. Richard Omotosho asked whether Mr Duggan's parents would be coming to the opening of the inquest scheduled for the following Tuesday. Ms Wilson indicated that she did not think they would be up to it. The family agreed that Ms Wilson would be the single point of contact with the IPCC for the family.
69. Later that evening at 9.30pm Karen Roche telephoned Ms Wilson as the IPCC had received information a short while earlier that she had been to Tottenham police station and was asking questions about the investigation. Karen Roche asked whether she could assist with any questions the family may have and Semone asked two questions – firstly, when was the incident referred to the IPCC and secondly, why hadn't the IPCC seen Mr Duggan's parents yet?
70. Karen Roche explained to Ms Wilson that she was under the impression that she (Ms Wilson) had told Richard Omotosho that Mr Duggan's' parents '*weren't up to it*'. She asked Ms Wilson to confirm that was the position. Ms Wilson did not respond to that question, but said Mr Duggan's' parents '*were in denial and wanted someone in authority to speak to them and until that happened they would not accept he was dead*'. Karen Roche asked Ms Wilson to confirm that Mr Duggan's siblings, who had been at the mortuary earlier that day, had spoken to their parents. Ms Wilson said that '*they had done so, but that it was wrong that no one in authority had told Mr Duggan's parents what had happened.*'
71. Karen Roche responded by stating she would make arrangements for the IPCC Commissioner, Ms Rachel Cerfontyne, to meet Mr Duggan's parents as soon as

possible. Arrangements were tentatively made for this meeting to take place the following day (Sunday), but when Karen Roche telephoned Ms Wilson to finalise the details, Ms Wilson told Karen Roche that she would meet the Commissioner, but that Mr Duggan's parents were *'not up to it'*.

72. In the event, Ms Cerfontyne spoke with Mr Duggan's mother, Mrs Pamela Duggan, early on Sunday afternoon. She had attended a meeting with police and community leaders. Nims Obunge, who had been in the meeting, offered to call Mrs Duggan, explain who Ms Cerfontyne was and then, if she agreed, pass over his phone in order for her to speak to Mrs Duggan herself. Mrs Duggan agreed and Ms Cerfontyne then introduced herself, explained her role and offered her condolences following Mr Duggan's death.
73. Mrs Duggan indicated that she did not want any direct contact with the IPCC at this stage and requested that contact continue through Ms Wilson. Ms Cerfontyne made it clear that she was willing to meet with Mrs Duggan whenever she did feel ready, either at her home or another location. They agreed that Mrs Duggan would communicate with Ms Cerfontyne to make such arrangements either through Ms. Wilson or through the family solicitor. Mrs Duggan then confirmed her wishes to Nims Obunge.
74. Later that afternoon Ms Cerfontyne met other members of the family, including Ms Wilson and Ms Hall, at the offices of their solicitors. Ms Cerfontyne told the meeting that she had spoken with Mrs Duggan.

Family accounts

75. At about 5pm on 4 August 2011 Marlon Duggan received a call from Mark Duggan, who was travelling in a taxi, arranging to meet him at Broadwater Farm in the next ten minutes. Marlon Duggan walked to the agreed meeting point, but his brother did not arrive. Marlon Duggan received calls from friends telling him about a shooting in Ferry Lane. He decided to make his way to Ferry Lane and rang Ms Wilson, telling her that he thought his brother had been shot by police and to come to Ferry Lane as soon as possible.
76. Ms Wilson drove with two of her sisters and Paulette Hall to Ferry Lane, stopping at Mark's parents' house on the way to pick up his birth certificate, which Marlon had suggested she bring to assist with identifying themselves as relatives.
77. When she arrived, Ms Wilson spoke to a uniformed officer who thought that Mr Duggan had been airlifted to hospital, but did not know which one. Ms Wilson, Ms Hall and other family members drove straight to Whitechapel hospital where staff were unable to assist.
78. The family returned to the scene and again engaged with officers on the cordon. They were introduced to a more senior officer to whom they showed Mr Duggan's birth certificate.
79. DC Manz immediately introduced himself and invited Ms Wilson and Ms Hall to come inside the cordon to have a more private conversation.

80. There then followed a discussion during which DC Manz attempted to verify Mr Duggan's identity by looking at a photograph on Ms Wilson's phone and asking about tattoos and distinguishing marks. He attempted to look at the body himself, but was unable to do so. However, a senior officer from Operation Trident confirmed that the body was that of Mark Duggan.
81. A room was found in the nearby tube station where DC Manz, with his colleague DC Buchanan, explained what they knew at that stage, which was not very much, and advised that to the best of their understanding it was Mr Duggan who had been shot and formal identification would take place in due course.
82. Contact details were exchanged and Ms Wilson provided Mr Duggan's parents' details to the officers. DC Manz explained that someone from the MPS would come to Ms Wilson's home address later that evening. Ms Wilson was escorted to her car and she went home. Nobody from the MPS came to see her that night and the next morning she telephoned DC Manz to ask what was happening.
83. DC Manz told Ms Wilson that the IPCC would be taking over family liaison and would contact her by telephone later in the day. Richard Omotosho from the IPCC telephoned and introduced himself as her Family Liaison Manager.
84. Ms Wilson emphasised that at no time did either she or Ms Hall tell DC Manz and/or DC Buchanan (or indeed any other officer) that Mr Duggan's parents would be upset and on no account should they be contacted by the police as that would not be welcomed. At no time did they agree to tell Mr Duggan's parents about his death.
85. Ms Hall told the investigation that they were in a state of shock at the news and it is understandable that their recollections may have been affected by the emotion of the situation.
86. Ms Hall felt that the fact they were not allowed to see the body, the initial rumours that the victim was in hospital and then that he might be Asian, gave her hope that it was not Mr Duggan who had been killed. For her, it was only when she went to the mortuary two days later that she fully accepted that Mr Duggan was dead.
87. She had no memory of any conversation with the MPS Family Liaison Officers about how further members of the family were to be informed. She did not remember any reference to either her or Ms Wilson stating that the parents should not be told at this time.
88. Ms Hall described police officers driving in vans past the home of Mr Duggan's parents, slowing down as they passed the house on the night of the incident. She could not understand why they did not come in and formally inform them that Mr Duggan had been shot by the police.
89. None of the family members who provided this investigation with an account had any specific recollection of conversations over the Saturday and Sunday with IPCC staff about Mr Duggan's parents. They are sure that no one from the family told the IPCC that Mr Duggan's parents should not be visited by the IPCC. Ms Wilson did not recall her telephone conversation with Karen Roche on the Saturday evening.

90. Mrs Pamela Duggan told the IPCC that she was at home during the evening of the 4 August 2011 with one member of the extended family keeping her company. She had the television news on and heard that it was rumoured that the man shot was Mark Duggan. She remembers lots of members of the family making telephone calls and coming to the house, but she was not told directly by anyone that night that her son had definitely been killed.
91. She went on to say that Mark's address was her home and she fully expected someone from the police to come and inform her of his death. The uncertainty at the scene, the rumour that the dead man was Asian and that Mark may have been taken to hospital kept hope alive for her. She stated:
- "A mother's worst nightmare is the police coming to the door to tell you your child is dead. Because this did not happen, I believed the worst had not happened."*
92. Ms Carol Duggan told the IPCC that it was left to her to tell her sister that Mark had died by telephoning her from Manchester. There were so many conflicting stories that her sister had not known who to believe. Whilst family members do not accept the police accounts of what Ms Wilson and Ms Hall said at the scene, Mrs Pamela Duggan is clear that even if they had made a request for the police not to attend the family home, this should have been ignored. She feels that Ms Wilson and Ms Hall were in shock, they were unsure that it was Mark and not in a position to make such a decision.
93. All the family members spoken to by the IPCC investigation expressed concern that in the aftermath of the shooting there was a great deal of confusion about whether the IPCC or the police should have visited the parents and that this was not clarified by either organisation.

Policies and procedures

94. The National Policing Improvement Agency (NPIA) has produced, on behalf of the Association of Chief Police Officers (ACPO), a 113-page guidance document on family liaison. It sets out best practice and procedures that should be followed in relation to dealing with families where a death has occurred. The guidance was issued in 2008.
95. Chapter 4 has a short section on identifying the family and states that family should include partner, parents, siblings, children, grandchildren, guardians and others who have had a direct and close relationship with the victim.
96. Appendix 2 of the guidance document is titled *Independent Police Complaints Commission guidance on family liaison in police complaint investigations*. In relation to initial deployment the guidance states:
- It is of the utmost importance that the delivery of the death message to the next of kin is not delayed. This will invariably mean the prompt deployment of a police officer, probably a Family Liaison Officer, to the family to deliver that message.*

It is anticipated that the police may wish to delay notification to the family...in such case the police Senior Investigation Officer should discuss the reasons with the IPCC Senior Investigator and agree a way forward.

It is not good practice to wait for the deployment of an IPCC Family Liaison Manager before the death message is delivered...the IPCC do not have the resources to guarantee being able to deliver the message with the speed required and any delay may cause avoidable distress to the family, which could lead to unnecessary complaints.

There may be rare occasions when the family of the deceased is not identified until after it is known that the IPCC will independently conduct the investigation. In such cases, providing further delay will not be caused in delivering the death message, consideration should be given to deploying an IPCC Family Liaison Manager from the outset.

97. The IPCC has a Family Liaison Policy, which includes the same information as that set out in Appendix 2 of the NPIA guidance.
98. The MPS has provided the investigation with some training documentation in relation to death messages. It includes *A practical guide for delivering death messages to families* and a DVD, which interviews bereaved family members about their experiences of receiving death messages. The guide repeats the ACPO definition of who the family may be.
99. There is an important principle that runs through the ACPO guidance and MPS materials – this is that Family Liaison Officers should seek to build trust with the families and take account of their needs when carrying out their duties. It is particularly important to listen to their concerns and needs from the outset in order to gain and secure that trust.
100. In particular, the NPIA guidance states:

‘The first contact with the family is vital when laying the foundations for a successful relationship. Families must be treated appropriately and professionally, with respect and consideration for their needs.

The main point of regular contact for the Family Liaison Officer would normally be the deceased’s partner or closest family member, as long as they are in agreement with this. This is, however, a matter for the family to decide although they may require some guidance in making this decision.’
101. Appendix 2 of the NPIA Guidance, which is about the IPCC, sets out how cases should be handed over between forces and the IPCC. It states that it is of the utmost importance that the delivery of the death message to the next of kin is not delayed.
102. Where it is known that a matter will be independently investigated by the IPCC and the force involved has deployed an Family Liasion Officer, a structured

handover to the IPCC Family Liaison Manager should take place as soon as practicable. Ideally, the handover should take place face-to-face, but the guidance allows for the handover to be conducted over the telephone. There are a number of documents/points of information that the guidance states should be passed from the police Family Liaison Officer to the IPCC Family Liaison Manager at the handover. These include the Family Liaison Officer family liaison log and the police Senior Investigating Officer family liaison strategy document.

Conclusions

103. All the members of the family who spoke to the IPCC believe strongly that someone from authority – either the police or IPCC representatives – should have informed Mr Duggan’s parents in person that he had been shot by police officers.
104. Who should inform family members of a death, when and to whom has been the subject of much debate and opinion in relation to events that occurred on the 4 August 2011 and the days afterwards.
105. This investigation has carefully considered the accounts provided by the family, MPS officers and IPCC staff. There is no independent verification available to assist with who said what and when.
106. All contemporaneous notes have been studied and, in particular, the Family Liaison Logs, which are the formal record of all contact with the family.
107. All the actions have been assessed against the NPIA guidance, MPS documentation and IPCC Family Liaison Policy. The overriding principle in all the guidance and policy documentation is that family liaison staff should seek to build trust and take account of the needs expressed by families at this most difficult time.
108. Whilst it is not disputed that discussion took place at the scene between MPS officers and Ms Wilson, Ms Hall and Mr Marlon Duggan, those family members do not believe that they were given formal notification of Mark Duggan’s death. For them, confirmation of his death came only when they attended the mortuary two days later. Indeed, the hope that he was still alive was reinforced somewhat when no one from the authorities visited the home address.
109. It is unfortunate that DC Manz was refused access to the body of Mr Duggan that night – there does not appear to have been a good reason why he could not have viewed Mr Duggan’s body and provided that further reassurance to the family. The MPS should reflect on this issue and ensure that, in future, Family Liaison Officers do have personal access to the body of a deceased family member in order to assist families who deserve that certainty.
110. DC Manz had stressed that he wanted to ensure that all relevant family members and, in particular, Mr Duggan’s parents, were informed of the death as soon as practicable. He offered to assist Ms Wilson and Ms Hall with this, but this offer was declined. A record of this offer was made in the contemporaneous notes made by DC Buchanan and this information was imparted to senior MPS

officers and IPCC staff within minutes.

111. The family at the scene's recollection of this initial contact with the Family Liaison Officers differs from the accounts of MPS officers in relation to the issue of informing Mr Duggan's parents.
112. IPCC Family Liaison Managers were then appointed the next day and made contact by telephone with Ms Wilson. The handover between MPS Family Liaison Officers and IPCC Family Liaison Managers took place over the telephone shortly before this initial contact. DC Manz had suggested this to the family the night before and recorded that the family were in agreement with this course of action.
113. Whilst it is preferable that the handover takes place face-to-face with the family present, national policy and guidance allows for this process to take place over the telephone. However, given the nature of this critical incident it was a mis-judgement to conduct the handover solely over the telephone. While the police believed that they would not have been welcome at the home address of the family, the MPS Family Liaison Officers and IPCC Family Liaison Managers should have scheduled a face-to-face handover to fully cover all the information and actually pass over the Family Liaison Officer log.
114. What was also missing on the Thursday evening and Friday morning was a formal written risk assessment covering family issues. Steps were taken to assess potential risk to the MPS Family Liaison Officers and IPCC Family Liaison Managers if and when they visited the family, but no organisational reputational risk indicators were recorded. Although both Acting DI Peter Suggett and Colin Sparrow from the IPCC made policy decisions around family liaison, best practice would have been to set out a Family Liaison Strategy in writing and then seek to mitigate or manage any risks. Such a document is required under national guidance and is part of the handover package between forces and the IPCC. No such document was passed to the IPCC and the IPCC did not create one until a week later.
115. On the 5 August 2011, Richard Omotosho made arrangements for the formal identification process for the next day with the family. He asked Ms Wilson whether Mr Duggan's parents would be present at the mortuary and made a more general enquiry about their welfare. At that time he did not expressly ask whether Mr Duggan's parents wanted a visit from the IPCC, but the information he received was that Mr Duggan's parents had taken the news of his death badly and were not coping well. In hindsight, it could be argued that he could have asked the direct question, but in the context of the conversations he was having at the time, it was understandable that he did not.
116. On the 6 August 2011, Richard Omotosho and Karen Roche met 14 members of the family at the mortuary and again enquired about how Mr Duggan's parents were. During that contact, at no time did any of the family request a visit be made to Mr Duggan's parents.
117. Later that evening, after some family members had attended Tottenham Police Station, Karen Roche telephoned Ms Wilson to ask her if any of the family wanted the IPCC to address specific questions. As far as the IPCC was

concerned, this was the first time that the issue of no one in authority notifying Mr Duggan's parents of his death was raised with them.

118. Karen Roche told Ms Wilson that she was under the impression that Mr Duggan's parents were not well enough for a visit and that if that had changed she would make arrangements that were mutually convenient for all parties as soon as possible. Ms Wilson did not respond to this assertion directly. Discussions ensued and Ms Wilson provisionally agreed to a meeting the next day.
119. On 7 August 2011, the proposed family meeting, including Mr Duggan's parents, did not take place as Ms Wilson informed Karen Roche that Mr Duggan's parents were not well enough to attend. Ms Cerfontyne, IPCC Commissioner, spoke to Mr Duggan's mother, Mrs Pamela Duggan on the telephone. This conversation was witnessed by Nims Obunge, who has confirmed Ms Cerfontyne's recollection of events.
120. The investigation has not found any reason to criticise the actions of individual IPCC staff in relation to informing Mr Duggan's parents of his death. IPCC Family Liaison Managers made enquiries about the parents and were available to visit on 5 August 2011, had that been requested. They enquired about whether they would meet them at the formal identification on the Saturday and offered to meet them on the Sunday.
121. It is not possible to say definitively what was said by officers or by the family. The supporting evidence from MPS notes and from notes made by IPCC staff who were present shortly after the first contact with the family, is that the family expressly requested Mr Duggan's parents were not visited by police at this time and that they would tell them the news of Mr Duggan's death. However, Ms Wilson and Ms Hall strongly dispute this. Although there are different recollections on this point, there is no independent corroboration.
122. The MPS decision not to inform Mr Duggan's parents of his death was made at a senior level within the MPS. This was based on the discussions that the Family Liaison Officers reported having with family members at the scene. No further attempts were made by the police to contact any other family members or Ms Hall or Ms Wilson again, in order to revisit this decision and ensure with certainty that this was the right decision in all the circumstances. The family were adversely affected by the decision and the police have apologised for this failure. Given all these circumstances the complaint is upheld. There are learning points for both the police and the IPCC to consider in future cases.

Recommendations and learning

123. The investigation has sought the views of the family, their legal representatives, IPCC family liaison co-ordinators, the MPS Directorate of Professional Standards lead for family liaison and the NPIA family liaison lead.
124. The terms of reference of this investigation set out that the IPCC will clarify the respective roles and responsibilities of MPS Family Liaison Officers and IPCC Family Liaison Managers in informing relatives about the death of a family

member.

125. The existing NPIA guidance is currently the subject of a review and the revised guidance is due out later in 2012. Appendix 2, about the IPCC, is also subject to a review. It is recommended that following this investigation, feedback be given to the NPIA to ensure that handovers in critical incidents are carried out in person and that the express requests of immediate family members about how the death message is relayed to other family members is recognised in the guidance.
126. It is the view of this investigation and the NPIA lead that the question of who delivers the death message should not change. The overriding principle is that the message should not be delayed under any circumstances.
127. The IPCC does not have the resources to inform next of kin of the death of a family member in a timely fashion. In addition, the IPCC is frequently not involved until some hours after the incident. In the seven years of its existence there have only been two occasions where the circumstances allowed for a decision to be made about IPCC Family Liaison Managers becoming involved in telling a family about the death of a family member. These were unique occasions where IPCC attendance at the scene and declaration of an independent investigation occurred before family members were identified by the police. On all other occasions local police officers (not necessarily Family Liaison Officers) have delivered the death message to families.
128. In this case, the IPCC attended the scene at around the same time as the family appeared at the cordon and the MPS Directorate of Professional Standards officers were tasked with telling the family about Mr Duggan's death before they were aware that staff from the IPCC were potentially available. In hindsight, it may have been beneficial, had an opportunity arisen, for a senior IPCC staff member to be introduced to the family. This should not have been in a family liaison role, but it could have provided a general introduction to the organisation and an explanation about when family liaison would be passed from the MPS to the IPCC.
129. Both the MPS and the IPCC did not fully follow national guidance in that they failed to follow up the telephone handover with a timely face-to-face meeting to exchange documents as set out in Appendix 2 of the NPIA guidance. While this omission was not crucial, the fact that the MPS did not draft a specific written family liaison strategy and that the IPCC did not subsequently draft such a strategy in a timely fashion, is a learning point for both organisations.
130. A further learning point for national guidance is to consider whether Family Liaison Officers should make a contemporaneous note (if circumstances allow) when the question of who the death message should be relayed to is initially raised by family members who are first to be told of the death. Where there is an express request for the police/IPCC not to deliver that message to other family members, Family Liaison Officers should consider asking the family members present to countersign their notes, indicating agreement or otherwise with this course of action.

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27 February 2012