

# Categories for unexpected death investigations

#### March 2023

An unexpected death may be due to natural causes, an accident, suicide or homicide. Initially, the circumstances and/or the cause of the death may be unclear or unknown. The police must investigate all unexpected deaths effectively, applying professional curiosity to test the obvious explanation. Investigations are conducted on behalf of HM Coroner and, where homicide is identified, will continue to bring the offender(s) to justice.

Death investigations can be categorised as:

- Expected death
- Unexpected death under investigation
- Unexpected death investigated, no suspicious circumstances
- Homicide

Applying these categories will support effective allocation and investigation of unexpected death. Where the cause of death is unexpected, the death must be reported to HM Coroner and the police must submit a sudden-death report setting out:

- the identity of the deceased
- when and where death occurred
- the cause of death
- the circumstances in which death occurred

In addition, it is important that every report of an unexpected death is properly classified on force crime recording systems. See <u>Crime recording</u>.

## **Expected death**

Where the death was expected due to a pre-existing medical diagnosis and a medical practitioner can sign a <u>Medical Certificate of the Cause of Death</u> (MCCD or 'death certificate'), an investigation is usually not required.

Where a doctor has not attended the deceased, the certifying doctor has not seen the deceased within 28 days prior to their death or the deceased was not seen in person after death by the certifying doctor, the death must be treated as unexpected.

# Unexpected death – under investigation

Where the death was unexpected and a MCCD cannot be issued, the following police action should commence.

### Initial response

- An initial investigation should be conducted. For further information, see:
  - College of Policing. (2013). Initial investigation.
  - College of Policing. (2016). Guidance on first actions at the scene of a sudden and unexpected death (aide-memoire).
  - o College of Policing. (2016). Suicide and Bereavement response.
  - College of Policing. (2019). Practice advice: Dealing with sudden unexpected death.
  - National Police Chiefs' Council. (2021). '1.4.2: Instigation and initial response'.
    In: Major Crime Investigation Manual, p 24.
- Where the unexpected death involves an aviation, marine or rail incident, it must be referred to a Professionalising Investigation Programme (PIP) 3 senior investigating officer (SIO) immediately (see 'Air, Marine and Rail Accident Investigation', in: Major Crime Investigation Manual, p 57).
- Where it is not possible to confirm the circumstances and/or cause of death immediately and further investigation is required, cases should be escalated to a crime investigation department (CID) and a PIP 2 investigator.

## Further investigation

- Refer to the on-call PIP 3 SIO for advice and/or attendance to scene. There is the option for transfer to major crime resources to support the investigation where appropriate.
- Where material indicates suspicious circumstances or third-party involvement in the death, the case should be formally escalated to major crime resources, on agreement of the Head of Crime and Head of Major Crime.

 The rationale for escalation to major crime or retention by CID and PIP 2 should be recorded appropriately, including handover information and major crime and/or local policing resource responsibilities.

### Oversight and governance

- A PIP 3 SIO (minimum detective inspector or police staff equivalent) should be appointed to provide oversight of all unexpected death investigations.
- Overall responsibility should be retained by the Head of Crime.
- Where on-call PIP 3 SIO advice or major crime resource are provided to support the investigation, the Head of Crime will retain responsibility for oversight of actions and outcomes.
- Where no agreement can be reached on resourcing and allocation, the chief officer responsible for crime should make the final decision.
- Regular case reviews should be undertaken by the nominated PIP 3 SIO for action management and progress oversight.
- The nominated PIP 3 SIO should report to Head of Crime on review process and outcomes.

# Unexpected – investigated, no suspicious circumstances

Where the death was sudden and unexpected and a MCCD cannot be issued, the following police action should be undertaken.

### Initial response

- Following an initial and potentially further investigation (see the <u>unexpected death –</u>
  <u>under investigation</u> section), and where cause and circumstances of death are known,
  and evidence indicates no suspicious circumstances or third-party involvement.
- Uniform attendance, supported by CID and PIP 2, should complete a sudden-death report for HM Coroner.

## Oversight and governance

- The sudden-death report must be signed off by an officer of inspector rank (or police staff equivalent).
- Overall responsibility for oversight should be retained by the Head of Crime.

#### Homicide

Where the death was sudden and unexpected and evidence indicates suspicious circumstances, evidence of homicide, and/or third-party involvement in the death, the following police action should be undertaken:

- Where evidence of homicide is obvious during initial attendance, an on-call PIP 3 SIO should take primacy at the earliest opportunity.
- Following initial and potentially further investigation (see the <u>Unexpected death under investigation</u> section), if the evidence indicates that there was likely to have been third-party involvement and/or suspicious circumstances involved in the death, an on-call PIP 3 SIO should be allocated and should assume primacy as soon as practicable.

### Oversight and governance

- A PIP 3 SIO should be allocated the role of lead investigator.
- Overall responsibility will be retained by a chief officer with responsibility for homicide and major crime investigations.
- For further information on the management and oversight of homicide investigations,
  see: National Police Chiefs' Council. (2021). Major Crime Investigation Manual.

# Crime recording

All reports of unexpected death should be recorded on the force crime recording systems in line with the following provisions and, for forces that are live on the Home Office Data Hub, using the codes listed:

- N300/01 Reported incident of death
- N300/02 Suicide
- N300/03 Drugs related death
- N300/04 Road death
- N300/05 Sudden unexplained death in infancy (SUDI)
- N300/06 Accidental death
- N300/07 Death by natural causes

The incident should only be re-classified, and the correct code selected, once a cause of death has been confirmed.

An unexpected death should only be recorded as a crime (notifiable offence) if both of the following points are immediately apparent:

- the circumstances of the incident amount to a crime as defined by law
- there is no credible evidence to the contrary immediately available

Where it is not immediately apparent that a crime has been committed, the incident should be registered as N300/01.

### Oversight and governance

- Any record not including a confirmed crime should be reviewed by the force crime registrar to ensure that the appropriate classification code has been applied.
- Each force needs to have a defined decision-making and assurance process in place, whether that is the Head of Crime or equivalent, who ensures that classification N300 is only used where it is clear, at the time the crime recording decision is made, that a homicide has not taken place. This extends from initial recording through investigation and up to finalisation.