

Long-term needs, long-term access? Major Crime recordkeeping and the information needs of individuals bereaved by homicide

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Abstract

Purpose

The article presents research on the long-term information needs of homicide bereaved individuals in the context of record-keeping practice within Major Crime Units (MCU) in England. The research objectives were to: (1) Identify the long-term information needs of individuals bereaved by homicide; (2) Establish MCU officer perceptions on the provision of information to individuals bereaved by homicide; (3) Establish the current practice of MCU officers in managing and providing access to homicide records; and (4) Explore the capability of current recordkeeping practice to move beyond the use of homicide records for their primary 'policing' purpose.

Design/methodology/approach

The first objective was met through a literature review across policing, bereavement, death, victimology, criminology, records management and archival studies. The remaining objectives were met through a singular interview-based study with officers at the Bedfordshire, Hertfordshire and Cambridgeshire MCU.

Findings

The findings indicate that the long-term information needs of homicide bereaved individuals are ill-served by the current police recordkeeping framework which provides them with little involvement in record-keeping decision-making and limited long-term access to the information required for sensemaking/adaption in a post-homicide world. In this context, the research demonstrates a long term need for: (1) information access; (2) support for access; (3) a direct and personalised information access service and (4) trauma-informed and victim/survivor centred practice in police recordkeeping contexts.

Originality

The research addresses a major gap across disciplinary research literature in its focus on the ways investigative information is disclosed by the police to the bereaved following case closure.

Keywords: Homicide, Bereavement, Records, Archives, Information, Access

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Introduction

In the year ending March 2022, a total of 696 homicides[1] were recorded in England and Wales (ONS, 2023). For family members and relatives left in the wake of violent loss, the trauma of losing a loved one so suddenly, in such profound circumstances, will often combine with an additional loss of agency and control as criminal justice agencies step in to locate, charge and prosecute the perpetrator of an offence (Casey, 2011).

The complex experience of navigating a world post-homicide, alongside the additional trauma of an active homicide investigation, can give way to a unique and complex bereavement process for the homicide bereaved[2]; one that requires full recognition of the lasting impact of violent death and the long-term support needs that follow (Casey, 2011; Dunn *et al*, 2006). The long-term provision of information may be seen as one of the most essential of these needs, helping to provide a fuller understanding of what has happened and why (Malone, 2007). This need is unlikely to fade with the closure of a criminal case or successful outcome at court as the attempt to adapt to life post-homicide becomes a life-long struggle (Gekoski and Adler, 2013).

In the last 20 years, several initiatives have been introduced across the criminal justice system in an attempt to improve the delivery of information and support services for victims of crime[3]. Most notably, a dedicated Code of Practice for Victims of Crime (VCOP) was established by the Domestic Violence, Crime and Victims Act 2004, with its most substantial revision occurring in April 2021 (Ministry of Justice 2024). The Code sets out a minimum set of entitlements for victims of crime and bereaved individuals, including a minimum standard of information provision throughout criminal justice processes from key agencies. Under VCOP, matters relating to the criminal justice system and the on-going police investigation will be disseminated to bereaved families via a dedicated police Family Liaison Officer (FLO), a role intended to provide information and support to direct family members, though the primary function of this post remains investigative in nature (NPCC, 2020). Following the closure of a criminal case, FLOs will be required to 'exit' from bereaved families as part of a pre-planned strategy. Victims and bereaved families may then choose to receive additional information relating to sentencing arrangements and parole via a National Probation Service assigned Victim Liaison Officer through the optional Victim Contact Scheme (Ministry of Justice, 2024). While these provisions have often been lauded as part of wider 'victim-focused' agenda, the entitlements afforded to bereaved individuals under this guidance are not enforceable by law and are required as part of criminal justice processes only (APCC, 2019).

The frustration with the extent and duration of information access provided under VCOP has been well noted across victimology literature, particularly around the required 'exit' of a FLO from a bereaved family shortly after sentencing (Casey, 2011; Dunn *et al*, 2006; Bradford, 2019). For some individuals, the disengagement of the police service following a case outcome may occur at a time of intense need as emotional responses previously put 'on hold' throughout an investigation begin to emerge post-trial (Malone 2007, p388). For others, the absence of a direct link to the police service and a legal right to dedicated information provision may not emerge as an issue until much later in life as events continue to be reflected upon (Armour, 2002; Casey, 2011; Dunn *et al*, 2006; Bradford, 2019). In these times of need, bereaved individuals may have little choice but to return to the police due to their initial evidence gathering role and their long-term obligation to retain information for a 'policing purpose'[4]. As the police obligation to provide this information under VCOP ceases to exist post-case closure, the right to receive this information is left to be assured by information rights legislation only.

Major Crime Unit (MCU) officers continue to perform a critical role in the provision of information for the homicide bereaved as they continue to mediate access to investigative information long after a homicide case has been closed and familial support withdrawn. However, the continuing role of the police service has been left unacknowledged in the research literature.

While the long-term information and support needs of the bereaved have been widely acknowledged in both victimology and bereavement literature, little attention has been paid to how these needs may be fulfilled by the police service through time (Stretesky *et al*, 2010). Where research has alluded to the provision of information beyond the narrow scope of the criminal justice system, this has typically focussed on the optional sentencing information available to the bereaved under the Victim Contact Scheme (Bradford, 2019; Malone, 2007; Casey, 2011). However, with this information being disseminated independently of the police by the National Probation Service, there has been little research into the ways investigative information may be disclosed to the bereaved following case closure.

The central aim of the research presented here is to provide a clear understanding of current MCU record-keeping practice and how this may inhibit, or support, the information access needs of the homicide bereaved in the long-term. The objectives are to (1) Identify the long-term information needs of individuals bereaved by homicide (2) Establish MCU officer perceptions on the provision of information to individuals bereaved by homicide; (3) Establish the current practice of MCU officers in managing and providing access to homicide

records; and (4) Explore the capability of current recordkeeping practice to move beyond the use of homicide records for their primary 'policing' purpose.

In providing a comprehensive understanding of the way homicide records are managed and perceived by police practitioners, this research contributes to growing discussions and debates on traumatic records in archival scholarship (Sexton *et al*, 2023; Wright and Laurent, 2021). In focusing specifically on the use of records by homicide bereaved individuals, the research has relevance for the conceptualisation of records work as grief work (Douglas *et al*, 2019) and the call for records managers and archivists to consider the ethical responsibilities to the deceased and their archival traces, as well as the living who interact with them (Douglas *et al*, 2019). The research also contributes to the police commitment to evidence-based practice in seeking to highlight the need to improve information access services for homicide bereaved individuals through time.

Methodology

The first research objective to identify the long-term information needs of individuals bereaved by homicide was met through an in-depth literature review across policing, bereavement, death, victimology, criminology, records management and archival studies. The remaining objectives were met through a singular interview-based study with officers at the Bedfordshire, Hertfordshire and Cambridgeshire Major Crime Unit (BCHMCU)[5] conducted by the first author with ethical approval from [redacted] and the BCHMCU.

BCHMCU is made up of two main teams, one based in Hertfordshire and the other in Cambridgeshire. The unit itself comprises a number of specialist teams, including the Outside Enquiry Team (live investigation team), Cold Case Unit (unsolved investigation team), Investigation Review Team, and Archiving Team. During the course of business, each of these teams will generate and manage documents and exhibits relating to the investigation of crime. Upon case closure, an officer will be responsible for archiving this material with the MCU Archiving Team.

The study consisted of four one-to-one semi-structured interviews, of 30-70 minutes, conducted on police premises in August 2023. This was a purposive sample (Pickard, 2013), capturing individuals responsible for recordkeeping duties across all four key areas of business within the unit -(Outside Enquiries, Cold Case, Investigation Review and Archiving). Participants were selected using the first author's 'insider' knowledge of departmental roles and responsibilities. This enabled individuals with in-depth knowledge and experience of long-term information provision to be identified for inclusion.

The interview data was coded and analysed according to Braun and Clarke's (2016) six stage approach to thematic analysis. Interviewee names were pseudonymised using the codes CR1-4. These are used in the article to differentiate between interviewee responses.

It is important to draw attention to the 'insider' status of the first author as a current member of the police service and the former archivist at BCHCMU. As an 'insider' seeking to challenge the operational culture of the police service, the positioning for the first author may be accurately summed up by Meyerson and Scully's (1995) notion of 'tempered radicalism', describing an individual at odds with the organisational status quo, who is actively pursuing change and transformation.

The research is based on a limited sample size within a singular case context. Whilst this does not lend itself to generalizable results, the findings are directly useful for BCHMCU and are likely to be of use to other UK based MCUs in providing greater insight into victim needs and current approaches to recordkeeping practice. The findings also support the authors' advocacy for an overhaul of current police recordkeeping practice.

To provide a broader contextual backdrop for the findings of the research, a brief overview on the management of police information in England and Wales is provided ahead of presenting the research results under the four research objectives.

Management of Police Information: A Brief Overview

Following the information sharing failures of the Soham murders in 2002, a new framework for managing police information, APP MOPI (Authorised Policing Practice, Management of Police Information)[6], was introduced in 2005 (Gill, 2004). This guidance set out authorised professional practice in relation to information recording, collection, evaluation and processes, as well as information sharing and assurance (College of Policing, 2023). While APP MOPI helped to establish an overall framework for the management of police information across forces in England and Wales, it predominately captured pre-existing requirements around the handling of investigative material already legislated for under the Criminal Procedure and Investigations Act (CPIA) 1996 and Police and Criminal Evidence Act (PACE) 1984, alongside information rights established by the Data Protection Act (DPA) 1998 and Freedom Of Information Act (FOIA) 2000 (College of Policing, 2023).

APP MOPI's main contribution to change came in the form of a mandated process for Review, Retention and Destruction of records, with a review schedule based on the severity of an offence committed by an offender. For homicide related material, this schedule extended the obligation to retain for up to 100 years, with a

requirement to manually review material every 10 years. In adopting an offender-centric approach to retention, APP MOPI did not move beyond the evidential view of records established under law, rather the process of appraising records for an investigative purpose was merely extended and newly articulated as retention for a 'policing purpose'[4].

To assist officers and staff in the review process, the National Retention Assessment Criteria (NRAC) was established and mandated for use in reviewing material, providing a closed set of questions relating to the risk of harm posed by an offender (College of Policing, 2023). In limiting retention decision-making to a strict set of questions, the new NRAC automatically displaced the well-established National Decision Model as the main framework for police decision-making, decentring the Policing Code of Ethics in the process. As a result, any consideration of victim and community impact, which may have been captured under consideration of the Code, was essentially rejected in favour of offender-management. This is reflected in the framing of the 'risk of harm' within the NRAC template, where risk is considered to result from offender's actions only, rather than any police related retention decision-making. In failing to acknowledge a purpose for records beyond policing, the needs of victims and witnesses are noticeably absent from all Review, Retention and Destruction related guidance. Where noted, the need for victim consideration is situated in the context of health and safety, with only passing mention given to victim impact under record disposal following an offender's death (College of Policing, 2023). By only acknowledging the needs of victims of crime in review processes once a policing purpose has ceased, a traditional life-cycle approach to record-keeping is upheld.

Identifying the Long-Term Information Needs of the Homicide Bereaved: A Literature Review

Within bereavement literature, homicide is typically regarded as a form of traumatic loss: a sudden and violent mode of death characterised by a traumatic event (Currier *et al*, 2006). This 'synergy' of grief and trauma is widely considered a catalyst for a protracted and complicated grieving process that does not conform to the traditional stage model of grief - typically: disbelief, anger, yearning, depression-mourning and acceptance (Rynearson and McCreery, 1993). In early studies, these complications were linked to higher rates of post-traumatic stress disorder, depression and anxiety disorders amongst homicide bereaved individuals (Black *et al*, 1992; Thompson *et al*, 1998).

Following a constructivist turn in bereavement research in the early 2000s, focus shifted from these symptomology-based investigations towards studies that explored narrative-based perspectives and theories of meaning re-construction (Neimeyer and Anderson, 2002). This placed a new emphasis on the self-narratives

constructed by the bereaved post-loss and their role in helping an individual restore a meaningful personal reality (Neimeyer *et al*, 2002).

To account for these differences, homicidal loss is frequently linked to atypical grief theories and the concept of 'complicated grief', a form of bereavement marked by ongoing distress, severe and long-lasting emotions, and difficulties adjusting to life following loss (Neimeyer, 2006a,b; Gillies and Neimeyer, 2006; Prigerson *et al*, 1995, 1996).

Neimeyer (2004a,b, 2006a,b) suggests that in the case of homicide, violent loss poses a direct challenge to an individual's basic assumptions about the world as meaningful and positive. In examining the mechanisms employed by the bereaved to address this traumatic disruption, bereavement academics frame sense-making as a central activity for meaning re-construction. In examining the mechanisms employed by the homicide bereaved in adapting to life following violent loss, academics with a focus on bereavement frame sense-making as a central activity for meaning re-construction (Armour, 2002a, 2002b; Neimeyer, 2002). According to Gilles and Neimeyer (2006), sense-making is a means of restoring a sense of order, security and predictability following violent loss. From a narrative standpoint, sensemaking is crucial to assimilating loss into a cohesive self-narrative, offering bereaved individuals a sense of continuity in a post-homicide world (Neimeyer 2004a,b). In this view, the self-narrative is an overarching cognitive-affective-behavioural subject (Currier and Neimeyer, 2007) which homicide individuals must revise to facilitate adaption into a dramatically altered world (Currier and Neimeyer, 2007).

The importance of receiving information and support to help piece together this narrative has been highlighted across studies focused on traumatic loss (Amour 2002a,b; Dyregrov and Kristenson, 2020; Matthews *et al.*, 2019; Ngo *et a,l* 2020). In cases of homicide, Armour (2002b) notes that individuals will often seek access to a range of investigative information to assist them, including details on post-mortems, crime scenes and suspects. Mowll *et al* (2017) and de Monnink (2019) also draw attention to the significance of police information, specifically scene photography and CCTV, which can act as an effective visual aid in helping to build a fuller picture of events. The right to self-determination in viewing this material can restore a sense of agency to the bereaved, while the act of seeing has been shown to alleviate long-term distress in some individuals (Mowell *et al*, 2017; de Monnink, 2019). However, the traumatic nature of this material is more likely to result in a denial of access by homicide detectives as they seek to avoid further traumatisation, inadvertently infantilising the homicide bereaved as a result (Dunn *et al*, 2006 Bradford, 2019).

These access issues draw attention to the interpersonal/interactive nature of the grieving process put forward by Neimeyer *et al* (2014) in their social constructionist model of grief, demonstrating the way that bonds with the deceased continue under the scrutiny of others, becoming contingent on their understanding and support. Recent research from Bellet *et al* (2019) also indicates that social validation leads to more adaptive loss responses. This view stands in stark contrast to the dominant Western conception of bereavement as a primarily internal process, suggesting that meaning is constructed within a broader community of people concerned with a loss (Neimeyer, 2005; Neimeyer *et al*, 2014). Therefore, the active role of the police service in helping to shape post-loss responses must be more clearly recognised, alongside the significance of police decision-making in recordkeeping processes.

Where adequate information is obtained, and where there is capacity to assimilate the information into an acceptable self-narrative, Matthews *et al* (2019) argue that individuals coping with traumatic death may adjust more positively to loss. HoweverIn contrast, Davies *et al* (2000) and Currier *et al* (2006) suggest that homicide bereaved individuals are far more likely to suffer from an unsuccessful sense-making process due to the violence of homicide as a mode of death. Field *et al* (2013) examines unsuccessful sense-making in continuing bonds with the deceased, linking the inability to sense-make to maladaptive outcomes, such as distressing illusions and hallucinations, in contrast to the ongoing comforting social presence that continuing bonds usually perform for bereaved individuals.

Despite these difficulties, research has indicated that homicide bereaved individuals need to continue to engage in meaning-making activities until some sense of coherence is established (Stretesky *et al*, 2010; Gilles and Neimeyer, 2006). Crucially, the time elapsed since the initial loss of life is unlikely to be significant: if sense cannot be made of the loss suffered, individuals will continue to display signs of grief and distress as they continue their search for meaning and connection (Holland and Neimeyer, 2010; Neimeyer, 2006). The experience of homicide bereavement may therefore be seen as a protracted and agonising search for meaning, underpinned by a critical need for information through time (Armour, 2002b). As the sense-making process is likely to be recursive and intensely distressing, there is a clear need to ensure that police information remains accessible and available long-term to support the ongoing pursuit of meaning reconstruction, whether this leads to a successful outcome or not (Neimeyer, 2006).

For the homicide bereaved, the trauma that follows violent death is unlikely to be limited to the nature of loss itself as the deliberate taking of life necessitates a long-lasting engagement with the criminal justice system and

a grieving process that takes place in full view of the public (Armour, 2002b; Malone, 2013 Casey, 2011). With the commencement of an investigation, the overwhelming impact of the criminal justice system may be felt immediately by bereaved individuals as the body of the victim is appropriated as evidence and personal items and records are seized and re-contextualised as police exhibits. These actions mark the beginning of an imposed sequence of events in which the needs of the homicide bereaved will ultimately become subordinate to the process of criminal justice (Casey, 2011; Dunn *et al.*, 2006).

Despite the emergence of victimology as a discipline in the 1950s, it was not until the late 1990s that focus shifted towards the distinct experiences of homicide bereaved individuals (Rock, 1998; Riches and Dawson, 1998). These developments shed new light on the impact of the criminal justice system on the grieving process of the homicide bereaved and opened up wider debates around the construction of victimhood (Riches and Dawson, 1998; Kenney, 2004; Rock, 1998).

As wider social expectations typically equate victimisation with direct harm, tThe homicide bereaved occupy a reduced position as their indirect experience of crime is considered to invalidate their status as a victim (Gekoski and Adler, 2013; Bradford, 2019). This 'lesser' status may be seen in common labels used to categorise the bereaved, such as 'secondary victim', suggesting a level of inferiority to 'primary' victims of crime (Bradford, 2019; Gekoski and Adler, 2013). According to Armour (2003; 2006), this 'secondary' status may be reinforced by the state's designation of itself as a surrogate victim in lieu of the deceased, shifting the narrative of injury away from the bereaved. The 'colonisation' of an individual's life story by the all-consuming narrative of the state reduces the homicide bereaved to a 'hidden' population (Currier and Neimeyer, 2007; Armour, 2002a).

Over the last decade, these issues have continued to receive attention with the development of narrative victimology and the concept of narrative ownership (Hourigan, 2019, Pemberton *et al*, 2018, 2019). This has seen greater emphasis placed on the personal accounts of victims of crime and the tensions that develop as these self-narratives are forced into submission by the legal narrative of the criminal justice system (Pemberton *et al*, 2019). This loss of narrative ownership and control is argued by victimologists to compound the original trauma of violent loss, resulting in the occurrence of 'secondary victimisation' (Gekoski and Adler, 2013; Stretesky *et al*, 2010; Pemberton *et al*, 2019).

Although secondary victimisation may take many forms, insufficient information access is considered to a key enabler for this phenomenon across victimological research (Dannemiller, 2002; Stretesky et al., 2010, Dunn et al, 2006). For the homicide bereaved, the provision of information and support from the police service has been routinely singled out as an area of intense dissatisfaction among bereaved individuals (Malone, 2007; Gekoski and Adler, 2013; Dunn et al, 2006; Casey, 2011). These frustrations have often revolved around the type and extent of information provided by the police service, and the manner in which this information is delivered (Gekoski and Adler, 2013; Malone, 2007; Casey, 2011). In exploring these issues, Bradford (2019) has drawn attention to the tensions that arise from the desire of the bereaved to know as much as possible about their loved one - what Bradford terms 'human and relational information' - and the police need to protect evidential details and case integrity (p228). Within victimology literature, this incongruity has often been evidenced in criminal justice processes that are considered highly emotive for the bereaved, but standard protocol for the police e.g. procedures concerning a victim's body or the retention of personal belongings (Dunn et al, 2006; Casey, 2011; Bradford, 2019). In these cases, research has consistently shown the familial need for connection with the deceased (e.g. through access or touch) to be subordinate to the police need to prevent forensic contamination and ensure case integrity. This is argued by Casey (2011) to impede a basic psychological function in the bereavement process that enables an individual to begin to make sense of loss and assert control over their situation.

These conflicts in access and use have been linked to the conceptualisation of the victim and their personal belongings as criminal evidence, owned and controlled by the Crown, rather than of any personal significance to the bereaved (Dunn *et al*, 2006; Casey, 2011; Bradford, 2019). Kenney (2004) and Riches and Dawson (1998), draw attention to the way that grief may be conditioned by the institutional conventions of the criminal justice system, denying victims participation in key processes, and thwarting their ability to negotiate the meaning of information beyond its legal significance. For Armour (2002b), these interactions highlight the way sensemaking may become dependent on the support and validation of legal institutions and social milieu as the significance of loss is able to be affirmed and upheld, or contested and denied, in encounters with others. This underscores the importance of a supportive and understanding police service in the aftermath of loss as competing ideas around the meaning of loss have the capacity to displace the personal narratives of individuals (Aldrich and Kallivayalli, 2016, Pemberton *et al*, 2019).

Hammond *et al* (2023) suggest the impact of homicidal loss is both extensive and ongoing for the bereaved, describing this as a 'life sentence' for those suffering with its aftereffects. A report by the National Homicide Service in 2019 also reached the same conclusion, noting the long-lasting and relational impact of grief across bereaved families, as well as the need for individuals to re-engage support services through time (Moroz, 2019). Armour (2002a) notes that the 'closure' expected in a linear understanding of grief is unlikely to occur for the homicide bereaved as personal circumstances and events combine to extend the grieving process, particularly where the pursuit of criminal justice persists through time i.e. undetected cases.

In Brown and Crego's (2019) study with 32 homicide bereaved families, a desire for extended emotional support from FLOs was expressed by participants. However, this extension of support is noted to require a balancing of individual needs, officer well-being and operational demand, a situation likely to prevent most FLOs from acting in this capacity long-term (Roach *et al*, 2018). This presents a need to understand the current police recordkeeping landscape in order to determine how information access is currently provided and whether the police service are capable of meeting the needs of the bereaved through time.

Where research has given mention to police records management, this has often focused on failure as an investigative weakness impeding timely detection, rather than as a failure in access and care (Atkin and Roach, 2015). The evolution of police information management is commonly framed in the context of crime reduction and prevention as opposed to information access for the general public and victims of crime (Collier, 2006). However, a growing sub-set of literature around victim-focused disclosure schemes in other contexts does provide some insight into police decision-making culture, suggesting a cautious and inconsistent approach to information sharing because of inadequate guidance and the need to balance access with statutory obligations (Hadjimatheou and Grace, 2021; McCartan, 2013).

Sturges and Cooke (2008) noted that the changes brought in under APP MOPI challenged the police service to move from a culture of information storage to one of information management and sharing. This would appear to be still in progress as the most recent report into police culture by Casey (2023) found significant failings across the Metropolitan Police Service in the management of records and exhibits. Changes to police recordkeeping procedures are framed as reactive as problems are recognised in real time and audits (Byford, 1981; Bichard, 2004). This is perhaps most clear in the poor management of exhibits prior to the introduction of the 2004 Human Tissue Act, where a 2012 audit found UK police forces retained whole organs and limbs from homicide victims where burial or cremation had already occurred (ACPO, 2012). More recently, audits by the

Information Commissioners Office (2020) have highlighted the inconsistent practice of the police service in responding to information requests, with backlogs of Subject Access Requests and poor response times for FOIA requests noted across multiple police forces.

While the failure to receive timely information access may be significant to the public, who expect transparency and fairness in police interactions, this is likely to be even more significant for the homicide bereaved who are forced to use FOIA to gain access to information. Following the exit of the FLO, there is no official replacement service to meet information needs through time other than the legislative route also available to the general public. When an investigation is still live, standard police practice dictates that a single point of contact should be established during an investigation, resulting in all contact information being imparted to immediate family members only (NPCC 2020). This approach fails to take account of the complexity of family dynamics and the differing information and emotional needs of individuals through time, which may present differently for and across immediate family members, estranged relatives, siblings and younger children (Malone, 2007; Bradford, 2019; Dunn *et al*, 2006; Casey, 2011). This disparity extends through time meaning that differing family members have distinct long-term information needs not easily met by FOIA.

McDonagh and Paterson (2010) draw attention to the way information requests are treated as requestor and purpose blind, with FOI disclosure considered to be to the world at large. This adherence to the principle of neutrality and the broader interests of the public leaves the status of a bereaved individual incapable of being acknowledged by the service (McDonagh and Paterson, 2010). Furthermore, this effectively establishes a legal duty of confidence to the deceased after death as requests that are personal in nature are unlikely to meet the high threshold for disclosure in the public interest (Donnelly and McDonagh, 2011). These issues are further complicated by the need of FOIA requests to fall within a specified 18-hour limit to account for cost implications (Johnson and Hampson, 2015; Kingston *et al*, 2019). This suggests that any homicide bereaved individual utilising FOIA may require a tailored 'strategy' to obtain information. In considering the above, the approach of the police service to recordkeeping and information access appears to be the antithesis of what bereaved individuals require in the aftermath of violent loss. There is therefore a pressing need for a long-term, tailored service for bereaved individuals that is currently not mandated in law or outlined in police practice.

Despite recent shifts in the police information management landscape, a somewhat myopic approach to recordkeeping has remained firmly embedded in current police practice through an emphasis on records as evidence and retention for a 'policing purpose' (College of Policing, 2023). This approach reflects traditional archival thinking that foregrounds evidential value, positioning the role of the record-keeper as objective and detached (Jenkinson, 1922). This may be seen to reflect the objective stance of the MCU detective and the overall tendency to prioritise the evidential integrity of records above all else during the investigatory period (Brown and Crego 2019, p248). In this narrow conceptualisation, the use and activation of records as part of an individual grieving process cannot be fully understood or accounted for (Douglas *et al*, 2022, p7). However, where police recordkeeping has remained firmly in line within traditional theory and praxis, archival scholarship has not.

Across archival studies, issues around access and control have been widely explored as academics have adopted critical approaches to recordkeeping (Evans et al, 2017). Understandings have shifted from records as static sources of information, singularly created and owned, towards a pluralistic view that acknowledges their dynamic and multi-dimensional nature (McKemmish, 2001). Recent theory challenges traditional understandings of provenance and record creatorship, bringing the concepts of co-creation and multiple / parallel provenance to the forefront of archival practice (Rolan et a,1 2018; Hurley, 2005). In these new understandings, subjects of records are equal co-creators, paving the way for participatory approaches to recordkeeping that aim to increase the agency and autonomy of those previously marginalised (Gilliland and McKemmish, 2014). In advocating for this approach in a human rights/social justice context, Gilliland and McKemmish (2014) reframe the archive as a negotiated space in which multiple communities have rights, responsibility and agency, no matter the location of record holdings. These ideas are expanded by Evans et al (2015) to argue that co-creators should be afforded the voice and agency necessary to become participatory agents in records. As the impact of traditional recordkeeping practice has been explored in archival research, the need for alternate models and approaches has been increasingly recognised by archival scholars, resulting in calls for 'survivor-centred' approaches and shared stewardship, as well as information systems design that can adequately support lifelong information needs (Caswell, 2014; Golding et al, 2012).

These shifts in perspective help to demonstrate the limitations of current police recordkeeping practice, highlighting the way traditional approaches may strip victims of their agency and autonomy by allowing control to remain exclusively with the police service. The issue of narrative control shares parallels with the research

undertaken in the context of Australian out-of-home Care leavers by Evans *et al* (2015) and Wilson and Golding (2016), where the institutional denial of agency in the personal case files of care leavers results in records having a long-lasting impact as 'weapons of affect' (p103).

Archival scholarship has challenged the binary mindset adopted in institutional recordkeeping practice, which typically views the 'personal' and the 'organisational' as distinct and separate categories creating a power disparity for those seeking personal information from organisational records. Recent archival scholarship recognises that personal archives may be located wherever an individual is captured in records, including organisational recordkeeping systems (McKemmish and Piggot, 2013; Mills and Douglas, 2018). Douglas and Mills (2018) define personal records based on their use, rather than their contents, utilising Eric Ketelaar's concept of record 'activation' to describe this process (p260). In police record-keeping, a clear disparity in power is seen in the limited participation afforded to bereaved individuals in matters relating to review, retention and destruction of records, where decision-making powers for victims are extended only to personal property no longer required for a policing purpose [76].

In acknowledging the above, all police held records have the potential to be personal if 'activated' for use by victims of crime. In this view, the bereaved have an equal claim to an operational police record. However, as the victimology literature has highlighted, access to this information is frequently denied due to its traumatic nature, or in the interest of case integrity (Casey, 2011). Where records are unavailable to requestors, Gilliland and Caswell have argued that individuals may experience a range of emotions in response to the 'imagined-but-unavailable' record (Gilliland and Caswell, 2016). In the case of investigative material, the emotional response of bereaved individuals may be extremely distressing as the lack of information around the circumstances of violent loss can trigger the vivid and recurrent imagining of the loss event itself (Neimeyer, 2014a). This may be eased through the granting of access and the increased capacity for sense-making this permits, though such use cases have yet to be acknowledged in police recordkeeping and information access processes (Mowll, 2011).

The affective dimensions of records have been explored extensively in recent archival literature with attending to affect linked to addressing dominant power imbalances in recordkeeping processes (Cifor, 2016). Within affective framings, the role of the archivist is framed as that of a caregiver with mutual affective responsibilities to records creators, subjects, users and communities based on radical empathy (Caswell and Cifor, 2016). In light of these responsibilities, Caswell and Cifor (2016) argue for the adoption of a feminist ethics of care as a

means of addressing the limitations of rights-based approaches, challenging oppressive structures of power, and centring the needs of those most affected by the record.

As the dialogue around affect has expanded, archival scholarship has taken greater account of the emotional impact of records, resulting in an increased awareness of trauma in records and recordkeeping practice (Wright and Laurent, 2021). The concept of 'traumatic potentiality' recognises the traumatic potential of records and their contents alongside the recordkeeping systems and practice that negatively impact their access and use (Sexton et al, 2021, pp11-12). These issues are echoed in the work of Wright and Laurent (2021), who have called for the adoption of trauma-informed practice across the archival sector to better serve the emotional support needs of individuals activating potentially traumatic records. Trauma-informed archiving principles centre the people most affected by the record, challenging the overwhelming bureaucracy of institutional recordkeeping practice through a commitment to care-based and participative practice. This approach reflects a wider shift towards participatory models of recordkeeping and care-based practice across archival scholarship. In the context of homicide, the application of a trauma-informed approach has been explored by Regeher et al (2023), where a model of shared stewardship has been proposed for use with violent records to help address issues of agency, privacy and public access. Building from the findings of a homicide case study and Michelle Caswell's (2016) 'survivor-centred' approach, the authors put forward a number of tailored considerations intended to centre the needs of survivors, including control of decision-making processes and facilitating the right to be forgotten i.e. record destruction. Vitally, this model affords the homicide bereaved the autonomy and agency they lack in police recordkeeping regimes. However, the needs and experiences of victims of crime are multifaceted, particularly in the case of the homicide bereaved. With complex family dynamics and individualised criminal justice system interactions producing different experiences of information disclosure, it is likely that archivists/recordkeepers will face competing but perhaps equally valid claims for retention and access on the one hand, and destruction and erasure on the other, from different family members (Bradford, 2019). These nuances demonstrate the need for an increased awareness around traumatic loss when working with homicide related records, including the way historic denials of access may lead to differing information needs. These considerations require nuanced balancing in any approach that seeks to centre the people most affected by the record as noted in Caswell's original conception of shared stewardship and recent research on

traumatic records (Laurent and Wright, 2021; Sexton et al, 2021).

The complexities that surround information access and traumatic grief demonstrate the relevancy of recent scholarship on records work as grief work (Douglas *et a*₇l 2022). This research recognises grief as a primarily affective response and draws on bereavement theory to highlight the valuing of records and records work by bereaved individuals as part of the expression of grief and mourning (Douglas *et al*, 2019). Douglas *et al* (2019) highlight the importance of enabling the bereaved to (1) create records, (2) work with / through records and (3) co-create records to enable meaning to be constructed and loss to be assimilated into an acceptable self-narrative. However, for the homicide bereaved, the acts present in working with and through records such as weeding, annotation and preservation of records are likely to be denied by police recordkeeping practice (College of Policing, 2023). The trauma associated with the denial of this autonomy may therefore compound an inability to adapt to loss (Malone, 2007; Casey, 2011; Stretesky *et al*, 2010).

The adoption of a grief work perspective highlights the increased affective and ethical responsibilities that police archivists and record-keepers have to individuals bereaved by homicide in mediating access to records that represent the deceased (Douglas *et a*,1 2019). The relational work this entails demonstrates the need for a trauma-informed approach that recognises the therapeutic value of information access for the bereaved, with increased training and education for record-keepers to better support the emotional needs of the bereaved through time (Sexton at al, 2021). This echoes earlier calls of victimologists for increased awareness around homicidal bereavement and increased trauma training for police officers (Stretesky *et al*, 2010; Dannemiller, 2002; Brown and Crego, 2019; Riches and Dawson, 1998). This may not only improve outcomes for victims of crime, but also aid police practitioners to avoid secondary trauma as the emotional impact of traumatic records work becomes more fully addressed in police practice (Laurent and Wright, 2021; Brown and Crego, 2019).

This review highlights the limitations of current police recordkeeping as expressed in APP MOPI and demonstrates the need for care-based practice and a trauma-informed approach when interacting with homicide records and bereaved individuals. However, it remains to be seen what perceptions and role MCU officers and staff hold and play in records management and mediating access to records long-term. This article now turns to these issues, drawing from insights from the interview-based study with officers at BCHMCU.

MCU officer perceptions on the provision of information to individuals bereaved by homicide

Within the study with officers at BCHMCU, interviewees placed particular emphasis on the intergenerational impact of homicidal bereavement and the complexity of family dynamics, with reports of access requests from distant relatives, younger siblings and children of homicide victims. These individuals were seen to have an

increased need for information due to inadequate information provision during the investigative period and the passage of time, particularly through the loss of key information sources, e.g. parents or guardians.

One interviewee expressed the perception that following the exit of the FLO, the family need to move on to grieve, and "have had enough of" [CR1] police intervention, implying that information needs commonly cease once investigations close. The remaining interviewees were more explicit about the need for information existing beyond the investigative period due to the idiosyncratic nature of bereavement. Interviewees noted the "different needs" [CR3] that may arise for individuals outside of an investigation as a result of personal circumstances and life events:

"... there's a lot of things that can affect it so.. people will go through counselling, and it might be that following a period of counselling they're ready to receive more information "[CR2]

These views suggest a majority consensus around the complex and enduring nature of homicidal bereavement. Within this, officers appeared to acknowledge the unique role they occupy and perform through time in regard to information provision for bereaved individuals.

When asked about the information generally requested by bereaved individuals, all interviewees noted a need for information in relation to the particulars of the case and the loss event itself, highlighting how this may require providing further context and minute details around the circumstances of death:

"... it's important to understand, to provide context for that crime, it could be what an individual might need ten years down the line when they come back. They could ask for the most obscure bit of information, but you don't know if what you hold is gonna give them that context" [CR4].

However, interviewee understandings of homicidal bereavement were somewhat mixed, with some individuals implying a linear stage model of grief, and others suggesting its dynamic nature. This demonstrates that the ongoing process of sense-making for bereaved individuals may be at risk of being overlooked by some officers due to an assumption of 'healing' through time. This provides further support for calls from victimologists for increased training in traumatic loss and grief management to ensure the needs of individuals are adequately understood and supported by officers through time (Dannemiller, 2002; Brown and Crego, 2019).

The current practice of MCU officers in managing and providing access to homicide records

Across all the interviews, the management and provision of access to homicide records for bereaved individuals was framed by the interviewees against a backdrop of historic recordkeeping failures. These failures were

thought to result from a lack of enforceable retention periods for police records prior to legislative changes. Interviewees particularly associated APP MOPI with more effective management of homicide records through time as seen through a policing lens, with improved retention framed as increasing the safety of convictions and the possibility of future detection in cold cases. However, all interviewees communicated an equal sense of dissatisfaction with the guidance and resources provided in support of the APP MOPI framework itself, considering these to be limited and unhelpful. Unfortunately, with APP MOPI being nationally mandated, officers currently have little choice but to work within the confines of this framework, regardless of whether its practice is perceived as harmful or unethical.

In considering the impact of these new ways of working on everyday policing practice, interviewees suggested that a new form of records mismanagement was now prevalent across the department, with reports of overretention and the avoidance of record retention and disposal as a whole. This was linked to the pervasiveness of evidentially focused recordkeeping and the perceived anxiety of officers around the disposal of forensically relevant material. The impact of this practice on bereaved individuals was highlighted specifically by one interviewee, who made reference to the over-retention of personal property of the deceased as a result of poor practice:

"...we've got whole rooms full of property that should be returned to people, and of course, the longer it goes on, the worse it is to go and give that property back [...] when we do audits, freezers and things like that, we're finding items of deceased jewellery, which is quite a personal thing" [CR2].

Across responses, interviewees referred to the intense operational demand experienced by homicide investigators due to the volume of investigations conducted by the department. This was considered to result in a tendency to leave archiving as "sitting on the back burner" [CR3], adding to the issues noted above.

The Duty to Protect

The obligation to protect individuals from harm by restricting or withholding information was one of the most prominent viewpoints to emerge from respondents in regard to information access. Although the right to self-determine information for disclosure was supported, responses were often punctuated by a perceived need to shield the bereaved from inappropriate and potentially traumatic information. This was expressed in relation to post-mortem photographs and injury details, as well as the personal property of victims:

"...we're not in the business of upsetting people, even if there is that thirst for knowledge, there's enough within what was reported without knowing the gruesome details sometimes, irrespective of what the individual may want' [CR1].

When referring to the accessing of traumatic material, interviewees appeared perplexed that this type of information may be requested by bereaved individuals, offering no reason as to why this might be required. With officers seemingly unaware of the therapeutic potential of police records, it appears that current practice may benefit from a greater understanding of the role of records in sense-making (Stretesky *et al*, 2010). This may help to support a more informed decision-making process, preventing bereaved individuals from being undermined, and ensuring the gatekeeping of traumatic records is minimised where it is deemed to be unnecessary by these individuals.

In relation to personal property, interviewee responses conveyed more of a willingness to involve the bereaved in recordkeeping decisions, recognising the sentimental value and enduring emotional significance of personal property:

"I said we were destroying some property because they were bloodstained[...]but they were his trainers and it was the last thing his dad has bought [...] so we just had to make sure and say 'look these are bloodstained. If you want that, you can have it, but you need to be prepared for it'" [CR2].

With the needs of the bereaved being generally acknowledged in cases of personal property and disregarded in cases of 'police information', interviewee responses suggest a traditional understanding of organisational and personal archives (McKemmish and Piggott, 2013). The development of a wider understanding of records, as developed in archival scholarship, may help to expand current perceptions of records and encourage the shift of archival autonomy beyond the narrow confines of personal property. This may help pave the way for a greater degree of agency and control for bereaved individuals in police recordkeeping decisions. Without this shift in approach, it is likely that current practice will continue to be defined by imbalances of power in decision-making and issues around self-determination.

A Rights-based Legislative Framework for Access

When asked around the main channels used by bereaved individuals for access, all interviewees made reference to information rights (DPA 2018/FOIA 2000) as a main entry route for information. Opinions of this framework were mixed across respondents, with CR4 expressing frustration with its impersonal approach, and CR1 drawing out potential benefits of this:

"There is always a danger, and this has happened to me repeatedly in my policing service, where people then get that personal attachment and they won't leave you alone, and you've told them all you can them [...] whereas going through FOI keeps that level of sterility" [CR1].

The detachment displayed by CR1 reflects a more traditional stance towards recordkeeping than that adopted by other interviewees, suggesting there may be a varying approach to service delivery across BCHMCU. As Armour (2002a) has demonstrated the neutrality of officers around information access may carry a risk of harm if a preference for objectivity is displayed over outward support and care. Irrespective of these differences, all interviewees stressed the limits of disclosure within the current legislative framework as a potential barrier to information. This was presented primarily in relation to the disclosure of personal details of victims and offenders. These considerations echo those noted by McDonagh *et al* (2010) who have pointed towards the duty of confidence established to the dead in the UK FOIA approach. The views of interviewees suggest that this outlook may be embedded in the mentality of the police service, as opposed to FOIA specifically.

Additional issues were also cited around the 18-hour time limit imposed by FOIA and the extent of information held for particular cases. This was reported by CR1 as producing a need for bereaved individuals to tailor requests in order to receive information. While the willingness of MCU officers to assist in this process may aid information disclosure in some cases, the reported lack of digitisation and back record conversion for the majority of MCU records suggests that requests were more likely to exceed the threshold.

In acknowledging the limitations of rights-based approaches, all interviewees expressed a willingness to provide information outside of FOIA and DPA. This was seen by respondents as enabling a more person-centred approach to information access.

"We do have to think, actually you know, can we tell them in some way, shape or form? How will that do towards healing their wounds as opposed to us just sitting behind the regulations. So there needs to be a bit of flexibility, a bit of fairness, a bit of reasonableness" [CR3].

These views implied a sub-culture of care underneath the rights-based approach of APP MOPI, with officers inclining towards person centred practice over rights-based frameworks in general. However, the lack of a clearly publicised entry point was noted by all respondents as a potential barrier to offering a personalised service more widely, with officers unclear on how such an issue may be solved. Adopting participatory recordkeeping approaches from the archival field (Rolan, 2017; Evans *et al*, 2017) would enable a framework for records management and access that increases agency and autonomy for the homicide bereaved.

The need for care was also linked by the interviewees to the well-being of officers in providing a continuous service through time. This was considered necessary by interviewees due to the stress of exposure to potentially traumatic situations and operational demand, reflecting a general theme in policing literature around organisational and operational stressors (Roach *et al*, 2017, 2018). These issues highlight the relevancy of Wright and Laurent's (2021) call for trauma informed practice within archival scholarship in order to ensure both victims and record-keepers have adequate support. As a strengths-based approach that seeks to minimise negative exposure in a framework of safety, collaboration, trust, transparency and empowerment, the implementation of this practice has the potential to reduce the risk of secondary trauma for record-keepers, while also encouraging a more informed and participatory approach for requestors. While the implementation of such an approach is likely to require support on a national scale, the interview responses demonstrate a clear need to advocate for change at the highest possible level in the interest of all stakeholders in police records.

The capability of current recordkeeping practice to move beyond the use of homicide records for their primary 'policing' purpose

The interview data indicates an understanding amongst officers around the need for long-term access and the enduring nature of homicide, particularly in relation to its intergenerational impact. However, understandings around the complexities of homicidal bereavement and the role of information in sense-making were found to be less consistent, resulting in less supportive practice from officers in information disclosure. The narrow focus of APP MOPI and the evidential focus embedded in everyday police practice was found to curtail any consideration of victim impact in retention decisions. Overall, this was found to produce a form of inadvertent gatekeeping as the lack of officer knowledge, guidance and confidence in records retention and destruction processes was seen to prevent ethical decision-making, resulting in a tendency to over-retain and obstruct access.

The interview data confirms that access for the homicide bereaved is impeded by the enshrinement of a rights-based approach across police practice, which is particularly compounded by the exemptions and limitations of FOIA. The alternate unofficial service offered by officers which was surfaced through the interviews to remedy these issues indicates a willingness amongst officers to offer long-term support and care to the homicide bereaved. However, unclear access routes and limited capacity impede the reach and utility of such 'backdoor' services.

In considering the overall ability of police recordkeeping practice to support the long-term information needs of individuals bereaved by homicide, it is clear that officers are willing to provide more direct and supportive access services. However, this is bound by the narrowness of current recordkeeping frameworks and limited officer understandings around trauma and homicidal bereavement in general. These issues demonstrate a clear need to embed victim/survivor and trauma-informed approaches in police recordkeeping practice in order to fully support the long-term needs of both the homicide bereaved and police record-keepers through time.

Conclusion

This research identifies the information needs of homicide bereaved individuals in the context of a prolonged and agonising grieving process and a recursive search for meaning. The research highlights that the information needs of homicide bereaved individuals are ill-served by the current police recordkeeping framework, which provides little access and support due to its criminal justice-focused framing, which reinforces the subordination of wider stakeholder needs.

The research highlights that the use of FOIA as the main information gateway for the homicide bereaved is particularly limiting due to its cost exemptions and confidentiality clauses and its focus as a public gateway to information. Within the confines of this, officers are restricted in their want to provide a more personal, direct service to bereaved individuals. Whilst a sub-culture of care was uncovered in the willingness of officers to provide a direct alternate 'back door' service outside of FOIA, the lack of a direct entry point to the department and the unofficial nature of this route is a major barrier.

Key findings emerging from this research in relation to the information needs of individuals bereaved by homicide in the context of police recordkeeping can be summarised as a long term need for: (1) information access; (2) support for access; (3) a direct and personalised information access service and (4) trauma-informed and victim/survivor centred practice in police recordkeeping contexts.

The current inability of police recordkeeping to fully support the needs of homicide bereaved individuals through time is shown as a matter in desperate need of addressing by the police service. It is also clear that current authorised policing practice and the accompanying recordkeeping and information access framework requires a major overhaul to become victim/survivor centred. The authors advocate for the adoption of victim/survivor centred and trauma-informed approaches to recordkeeping and access within newly developed authorised police practice. Such an overhaul would serve the long-term information needs of the homicide bereaved, while also ensuring that officers are more fully supported in their recordkeeping role.

Notes

- [1] The term 'homicide' is applied to victims of murder and manslaughter (including corporate manslaughter and infanticide) as defined in the National Police Chiefs' Council (2021) Major Crime Investigations Manual. The term 'homicide' has been used interchangeably with 'violent loss' to describe the mode of death, while the term 'traumatic loss' has been used to describe the experience of bereavement.
- [2] The terms 'individual bereaved by homicide' and 'homicide bereaved' have been used interchangeably to refer to anyone with a familial relationship to a deceased victim from homicide in line with current criminal justice definitions.
- [3] Where the term 'victim' is employed, it should be taken to mean all victims of crime, including the homicide bereaved.
- [4] Under MOPI (see below), a 'policing purpose' is defined as police information that protects life and property, preserves order, prevents the commission of offences, brings offenders to justice, or any duty or responsibility of the police arising from common or statue law.
- [55] In England and Wales, homicide investigations are the responsibility of specialist units or teams within police constabularies. As this research focuses on Bedfordshire, Hertfordshire and Cambridgeshire police, the BCH designation of MCU has been adopted here. Where this term has been employed generally as "MCU" it should be taken to mean a specialist police department responsible for the investigation of homicide. Where this is prefixed by BCH, this is in specific reference to Bedfordshire, Hertfordshire, and Cambridgeshire Major Crime Unit (BCHMCU)
- [6] The APP MORI framework is available at https://www.college.police.uk/app/information-management/management-police-information
- [76] The return of personal property is required where retention cannot be justified for investigative purposes under PACE 1984 and Police (Property) Act 1897.

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