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Investigative Decision Making: Missing People and Sexual Offences, Crossroads to an Uncertain Future

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Abstract

In recent years, detective competence and particularly investigative decision making have been subject to serious criticism and a number of high-profile reviews. Concerns around investigative competence do not just focus around decisions made on the ground but police attitudes to certain crimes. This paper examines police decision making in the context of missing people and sexual violence and identifies challenges in the development of investigative competence in the context of police budget cuts and substantial reform.

Key words: Investigation; missing people; sexual offences; decision-making; policing

INTRODUCTION

Investigative decision making takes the form of strategic decisions in terms of resourcing or training policies through to more tactical issues such as decisions to arrest suspects, conducting searches, or tasking informants. Often, mistakes or criticisms concerning tactical decisions made by police officers during high-profile investigations attract national media attention sometimes resulting in significant police reform. Miscarriages of justice and failed or delayed prosecutions have identified a range of criticisms including institutional racism, information management failure, the manipulation of evidence, and failure to uphold basic investigative principles. Cases illustrating concern around investigative performance and decision making including Peter Sutcliffe (serial killer), Michael Menson (victim of a racist murder), Victoria Climbie (child murder), Stephen Lawrence (racist murder), Harold Shipman (serial killer), and Ian Huntley (child killer) have all elicited criticism directed at investigations. Rarely is police decision making the subject of praise, but cases including the investigation into the murder of Anthony Walker have received acknowledgement from both the media and the victim's family and are held up as an example of effective police responses. Although the police are an integral part of the initial investigative response and preparation for submission to the submission of the case file to the Crown Prosecution Service and the courts, the influence of judges, juries, Crown Prosecution Service, the media, defence counsel, witnesses, victims, and forensic science services cannot be underestimated. They all play an important part in the criminal justice process but do not always experience the same intense scrutiny from the media. The Damilola Taylor murder investigation team experienced the frustrations of unreliable analysis of key evidence leading to a failed prosecution that prompted a police review of the investigation resulting in the second successful prosecution. The emphasis here is the importance of the police using its organisational memory to learn from past cases and having the capacity to review unsuccessful investigations particularly from previous reviews and inquiries (e.g. Byford and MacPherson).

Improvements to police decision making have arguably been hindered by perspectives of investigation as a craft, promoting perceptions that investigation is relatively simple

rather than a complex activity that draws upon a broad range of knowledge and experience. Concerns around how the police respond and prioritise particular crime in an investigative context still remain with sexual violence, domestic violence, child protection, and hate crimes located at the bottom of the 'hierarchy of relevance' (Reiner, 2010; Bowling, 1998). These concerns raise serious questions about the selection of police priorities at a strategic level, the tactical deployment of personnel and resources and the investigative effort applied in contrast to the high-status offences of murder or organised crime.

The Desborough Committee (1919) reported that detective work was a straightforward task and hence could be learned on the job without any higher education (Tong, Bryant, & Horvath, 2009; Morris, 2007). Although this may have been argued in 1919, investigators have since had to work with substantial increases in legislation, crime rates, scrutiny, workloads and administration, technological changes, greater mobility of the population, a greater number of investigations across different jurisdictions, and a population affected by a variety of illegal drugs (Stelfox, 2009). Despite these demands, the faith held in common sense rather than science, education, or learning within the police service still remains strong. It is in this context that the National Policing Improvement Agency (NPIA) has developed the Professionalising Investigation Programme (PIP), aimed at improving detective practice as opposed to transforming the role of detectives into a profession (Stelfox, 2009). Resistance to the type of learning and knowledge required in established professions remains a significant barrier within the police. This resistance to education has long been associated with police culture undermining formal training (Chan, 2003: p. 9). Chan (citing Van Maanen's work) quoted a veteran police officer 'There's only two things you gotta know around here "forget everything you've learned in the academy" cause the street's where you learn to be a cop' (Van Maanen, 1973: p. 415). These views give authority to the craft perspective of police work where learning is primarily 'on the job'.

The craft of policing refers to informal experiential working practices that 'develop a range of heuristics' (Stelfox & Pease, 2005: p. 192). Heuristics in criminal investigative often refer to 'hunches', 'gut instincts', or 'common sense' (Tong & Bowling, 2006). The use of heuristics is in the context of the detective's attempts to rapidly make sense of complex situations as they evolve, on the basis of their experience and without the benefit of an 'accepted corpus of knowledge' (Stelfox & Pease, 2005: p. 192). Snook and Cullen (2009) argued that heuristics are not necessarily bad and can lead to 'good' and 'bad' decisions. They pointed to the discovery that decisions do not necessarily fit with 'laws of probability' or 'statistical principles'. The argument is that although research might be useful, the context in which it is to be applied can differ and requires interpretation, judgement, and skilful application. Snook and Cullen (2009) pointed to the tendency for over reliance and fallibility of heuristics. Although this point is relevant in the context of resistance to learning and the lack of an established corpus of knowledge in investigation, the importance of discretion in investigative decision making in a local context requires judgement and interpretation that is required in addition to evidence-based practices. The view being presented here is that detectives require a good knowledge base and understanding of the context in which they work and that being dependent on heuristics alone can bring disastrous results.

As the complexity of investigation increases, so does the capacity for error. The need for more training puts substantial pressure on an occupation that trains its employees in-house on a full-time salary. These pressures result in the need to reduce classroom-based training in favour of workplace learning that, owing to the pressures of workload, leaves little time for meaningful supervision and development. A situation that was unacceptable in the

1980s has deteriorated since with increasing pressure on detectives in terms of workload and performance requirements (Harvey, 1984). In the context of the growing complexities of detective work and investigative decisions (Stelfox, 2009), the police are facing severe cutbacks to funding and an increasingly competitive private sector seeking to provide investigative services to the tax payer that are cheaper with unwarranted staff (Ford, 2012). The police are also facing the challenge of a new strategic lead; whereas strategic direction is currently the remit of the Home Office and Chief Police Officers, the 'new' elected Police and Crime Commissioners (PCCs) will decide the priorities for individual police forces and direct the distribution of resources on the basis of the desires of the constituency. The police service and particularly its response to low-status crimes appear to be under siege from the public, media, and politicians. This criticism in the context of accelerated reform and the prospect of increasing privatisation with little review or consultation places the police and particularly their investigative function at a crossroads to an uncertain future.

This paper examines investigative decision making in the context of cases that would be considered lower in the 'hierarchy of relevance', namely missing people and sexual violence investigations. It is because the investigation into of these offence events does receive so little attention in contrast to high-status crimes such as murder and organised crime that we have examined investigative decision making in this context. The paper will then con- sider the contribution of education and research in enhancing investigative decision making in the context of the on-going debate around police professionalisation.

MISSING PERSONS

> 'Managing the risk involved in missing cases remains more of an art than science. . .' (DAC Richard Bryan, previous Association of Chief Police Officers (ACPO) lead for missing persons; ACPO, 2010)

Missing person investigations are an everyday experience for police officers, and therefore, it is often overlooked that these investigations require a considered and complex police response. Missing cases are sometimes viewed as less serious or less important than other policing responsibilities (Hedges, 2002); crime is not necessarily involved in missing person cases, and therefore, this 'safeguarding' duty does not fit neatly into 'Peel's mission [for the police] of preventing crime and disorder', the vision of the present Government for 'Policing in the 21st Century' (Home Office, 2010: p. 3). Moreover, in most cases, missing individuals will return or will be found unharmed within a short period (Tarling & Burrows, 2004), and therefore, Newiss (1999) suggested that some police officers view and treat missing person reports as 'an administrative exercise' (p. 7). As a result, investigations have not always received the attention they deserve (Hedges, 2002). Hedges (2002) argued that attitudes, lack of training, poor data collection, and poor case management were to be blamed for this state of affairs. Although efforts have been made to improve data collection and case management (many forces have dedicated missing person case management systems, and many share data with the UK Missing Persons Bureau to enable a UK-wide picture of the missing person issue), there is room for development with regard to changing attitudes towards missing persons and providing training for all police officers and staff likely to become involved in missing person enquiries, particularly with regard to investigative decision making.
Changing attitudes and providing effective training both require a robust evidence base of knowledge on missing person issues. Some research has focussed on the police investigations of missing persons. Newiss (1999) examined how the police manage and investigate enquiries, whereas Hedges (2002) produced a guide to effective investigation that focussed on decision

making regarding risk. Risk assessment has received particular attention in the literature. This is not surprising as informed, evidence-based risk assessment is at the heart of any well-managed missing person investigation. It is the crucial decision that informs all subsequent decisions regarding resource allocation and deployment. Errors in risk assessment are a common feature of Independent Police Complaints Commission (IPCC) reviews of missing person cases (e.g. IPCC, 2008). Thus far however, research has largely focussed on runaways and missing children (e.g. Rees, 2011; Rees & Lee, 2005; Smeaton, 2005) and reasons for going missing (e.g. Biehal, Mitchell, & Wade, 2003). Such research and operational learning suggest that the 'missing persons' phenomenon is a multifaceted and complex issue. People may be missing because they are lost (e.g. a dementia sufferer) or are under the influence of a third party (e.g. homicide or abduction) or they may have gone missing unknowingly (e.g. forgetting to call home) or voluntarily (e.g. an adult leaving their family to start a new life elsewhere, a patient or child absconding from hospital or a children's home, or a trafficked individual running away from the authorities). There are potential risks involved for all these missing persons, even the latter. Trafficked individuals may return to their traffickers because they are unaware of the risks involved or they may feel that they have no other choice as they do not trust the authorities and/or they fear that the traffickers will harm their families. Going missing also has associations with child abuse, sexual and labour exploitation, domestic violence, forced marriage, and the so-called 'honour-based violence', either as a trigger for the missing episode or as a cause. The ACPO (2010) advised that going missing is not simply an incident in itself; it should be considered an indicator of other issues, a sign that something has gone wrong in that person's life. Police officers must be aware of the associations between missing persons and these criminal and social issues and must be trained to identify risk factors to inform their investigative decision making. If they are not, cases may not receive the attention they deserve, the missing person may come to harm, and police officers will have failed in their duty to safeguard. The police could even be inadvertently complicit in an offence if they return a victim of domestic violence, child abuse, or honour-based violence to the victimisers.

The NPIA (NPIA, 2011) reported that approximately 327,000 missing person incidents were recorded by the police in England, Wales and Scotland in 2010/2011. Of these incidents, between 0.11% and 0.49% may result in a fatal outcome. With such a low baseline, identifying which cases are likely to result in death (and which of these deaths could be averted by a swift police response) is challenging for the police (Tarling & Burrows, 2004). Given the high numbers of missing person cases that police forces must contend with on a daily basis, a system of prioritisation must be utilised. It is a difficult but necessary task to balance safeguarding with resource implications. The police therefore categorise cases as high, medium, or low risk (Tarling & Burrows, 2004). High risk cases are those in which the person is in immediate danger (as a victim of crime or through their own vulnerability) or may pose an immediate danger to the public (ACPO, 2010). In medium risk cases, the person is likely to be in danger or may be a threat to themselves or others, whereas in low risk cases, there is no apparent risk for the person or the public (ACPO, 2010). The risk level assigned will determine the level of police response; high risk cases should instigate immediate deployment of resources and involvement of senior officers, medium risk cases will have an 'active and measured response by police and other agencies', and lastly, low risk cases will be recorded, but following basic enquiries, the case will be 'deferred to a regular review' until any further evidence comes to light (ACPO, 2010: p. 24). The risk categorisation should be reviewed throughout the investigation (or in the case of a low risk case, periodically reviewed to ensure that the risk has not elevated). Risk assessment is a 'dynamic process' that should consider further evidence and should be challenged to ensure that it is still relevant (ACPO, 2005: p. 21). Risk is fluid, situationally determined, and accumulative; that is, the more risk

factors present, the greater the cause for concern (ACPO, 2010). It should be noted, however, that a single risk factor may be sufficiently serious to instigate an immediate police response.

ACPO (2005) argued that risk assessment is an 'objective' and 'professional' judgement (p. 20). Police officers use their operational knowledge and experience to decide whether the missing person is likely to come to harm or is likely to harm others. Current practice therefore involves a clinical approach to risk assessment (Newiss, 2004). In the risk assessment of offenders, the clinical approach has been subject to criticism on the grounds of its reliability (e.g. Monahan & Steadman, 1994). Research suggests that such an approach is open to judgemental heuristics and other sources of error (e.g. Dawes, Faust, & Meehl, 1989). Police decision making and heuristics in the context of missing person investigations have not yet been the subject of research, but anecdotal evidence suggests that some officers develop stereotypes of the missing persons that they encounter most often; for example, young people who run away from children's homes are viewed as 'streetwise' and unlikely to come to harm when in fact these children may be at particular risk of abuse. Research by the charity of Barnardo (2012) found that nearly half (44%) of the sexually exploited children in contact with their services had gone missing from home or care in the past and the recent Interim Report of the Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups (Berelowitz, Firmin, Edwards & Gulyurtlu, 2012) highlighted going missing as a potential sign of sexual exploitation. Newiss (1999) reported the following complaints from police officers regarding the 'thankless and pointless task' of responding to repeat missing persons—'they aren't really vulnerable; they're more likely to be the perpetrators rather than the victims of crime; what can we do with them if and when we find them?; and if we return them "home" they'll be gone again before we get back to the station' (p. 7). Such biassed thinking can result in errors of judgement and a poorly managed investigation. Some forces have attempted to counteract such attitudes through education; for example, one force has produced pop-up bulletins on their missing person case management system that debunk myths such as the idea that all runaways are 'streetwise'.

To overcome the issues associated with clinical judgement, there have been attempts to develop actuarial measures to assess the risk level of missing persons (Newiss, 2004). Hedges (2002) described an initiative by the Metropolitan Police Service to bring together experts in the field to discuss and identify risk factors and develop a numerically scored matrix that would guide the user in deciding whether a case was high, medium, or low risk. This matrix was used in the Metropolitan Police Service and a number of other forces for some years; however, it resulted in a high number of false positives (cases unnecessarily scored as high risk). An evaluation of the matrix concluded that it was not a reliable, evidence-based method of risk assessment. This evaluation along with concerns that false negatives could result in a fatal outcome led ACPO (2002; as cited in ACPO (2005)) to recommend that the system should not be used. Hedges (2002) and ACPO (2005) introduced a decision making guide in its place. The guide (which is still a feature of the 2010 guidance) suggests a number of possible risk factors that should be considered when assessing the risk associated with a missing person but is not prescriptive, acknowledging that the individual circumstances of each case should be considered. Newiss (2004) advocated this approach, suggesting the need for a combination of clinical and actuarial approaches. To provide the empirical (actuarial) evidence, Newiss has examined risk factors for homicide, long-term/outstanding missing persons, and fatal outcomes (2004, 2005, 2006). As yet, however, factors have not been identified that clearly differentiate between types of missing person (Tarling & Burrows, 2004). More research is therefore required, and police officers and staff require training on how to recognise biases in their thinking and identify, evaluate, and apply relevant

literature to support their decision making and risk assessment.

Police officers receive some basic instruction on missing person investigations in their Initial Police Learning and Development Programme. Officers are provided with a scenario (such as a child missing from care) and guided through risk assessment, decision making, and investigative procedures. Because police training has been devolved to individual forces, it is unknown how similar and consistent this training is across England and Wales. Good practice dictates that the training should reflect the ACPO (2010) guidance. Some forces provide additional training on 'mispers' or aspects of missing person investigation (e.g. search strategies and how to use missing person case management systems such as
COMPACT–Misper). There are examples of e-learning programmes and Hydra immersive simulations. Central agencies such as the UK Missing Persons Bureau and the Child Exploitation and Online Protection (CEOP) centre also offer bespoke training on risk assessment and other issues to police forces, but not all forces have taken advantage of this service. A police officer may undergo further training on or relating to other missing persons depending on their career progression. Missing person investigations lend themselves to scenario-based exercises that encourage the articulation and discussion of decision making processes and judgements made. 'Missing scenarios' may therefore also be included in training packages without a missing person specific focus; for example, the NPIA offers a Senior Investigating Officers Development Programme that includes a missing person scenario. The focus of this exercise is on leadership and other skills as opposed to educating the delegates on missing person issues.

In some forces, training is given to communication staff on the initial assessment of missing person cases to ensure that they make sound decisions with regard to the timely allocation of resources. In 1999, Newiss reported that some forces questioned whether the training provided was sufficient to allow staff to make informed decisions regarding case priority. It is unknown whether this view is still held, but there may soon be a move to make the initial assessment of cases more consistent across forces in England and Wales. An ACPO–Home Office Missing Persons Pilot was recently undertaken to evaluate whether the current definition of missing persons is useful and whether a system of classifying cases as 'missing' or 'absent' (as introduced by Sussex Police) ensures the appropriate allocation of resources to cases requiring police intervention. This involves call handlers asking a series of questions to assess each missing person report. The pilot forces differ with regard to who makes the decision regarding classification based on the answers, the call handlers, or Duty Inspectors. At the time of writing, the pilot evaluation and report have not been published; however, should the classification system be recommended for implementation by ACPO, it would be pertinent to evaluate and compare the decision making practices of call handlers and Duty Inspectors to examine whether one group performs more consistently than the other and to identify good practice regarding follow-up questions and considerations within particular scenarios (i.e. the considerations in the case of a child suspected of running away may be different to those in the case of an adult woman who has not contacted family members for a week or a young man missing after a night on the town, despite the fact that similar fates may have befallen them). Such an evaluation would also allow an examination of the influence of actual policing experience on the decisions made (e.g. are the Duty Inspectors' judgements more accurate because of their experience or do stereotypes and attitudes based on experience result in biassed and incorrect judgements about who is at risk of harm?)

Police employees with dedicated responsibility for missing person cases, such as Missing

Persons Coordinators, may receive additional training. This training may be provided in-force or specialists from central agencies such as the UK Missing Persons Bureau may be asked to provide bespoke training. Such training raises awareness of support agencies (such as the Bureau, CEOP, and charities such as Missing People) and also discusses risk assessment and how to encourage multi-agency collaboration and agree protocols between the police and other agencies (National Health Service establishments, children's homes, and local and national charities). Police officers who choose to apply to become Police Search Advisers will also undergo specific training on searching for missing persons. The Police National Search Centre, currently part of the NPIA but destined for the new College of Policing, includes missing person search within its Police Search Adviser training course and also provides a week-long Missing Person Search Course.

It therefore appears that there have been developments since Hedges (2002) called for a review of training on missing persons. This may be attributed to the influence of central agencies such as the UK Missing Persons Bureau and charities such as Missing People raising awareness of the importance of an appropriate response to missing cases and the highlighting of cases with a negative outcome by the media and/or the IPCC. However, an official, published review was never undertaken, and given the devolution of training to forces, it would be a challenge to identify what is occurring in individual forces and to assess whether this is consistent across the UK. One thing has not changed drastically however; it is still possible that a police officer will only receive the 'relatively small training input given to Probationary Constables in a busy training programme' (Hedges, 2002: p. 24). This initial introduction may be the only training received on missing person investigations during an officer's policing career. The rest they will learn 'on the street' and from colleagues in the force. If those colleagues have formed stereotyped and negative perceptions of missing person investigations, this attitude will be transferred to each successive generation of police officers. There are still improvements to be made therefore. Police officers require more input on missing investigations as their careers progress, particularly when they assume supervisory roles (Hedges, 2002). As proposed by Hedges (2002), 'low emphasis on training lowers the expectations of it being a subject of any significance or importance in the workplace' (p. 24). Training should highlight the importance of the issue and the need for multi-agency work to tackle 'repeat' missing persons from National Health Service and local authority care. Risk assessment should be a key component as well as the debunking of 'myths' and stereotypes surrounding missing cases and missing individuals. First, responders and communication staff should also receive further instruction in asking the necessary questions to assign a level of priority and recognising the importance or potential implications of the information received. With the advent of the new College of Policing, there are likely to be developments in police training across the board, and there may be opportunities to ensure the inclusion of uniform training on missing persons and risk assessment. However, it is currently unknown how this Body will work with other agencies (such as the Bureau) that provide training.

For training to be effective however, it should be based on robust research. In addition to further research on missing persons and their characteristics (the knowledge that will inform decision making), a focus is required on police decision making at all stages of the missing person enquiry and how this may be improved. Very little is known about how police officers make decisions with regard to missing person enquiries, for example, whether they consider the veracity of the reporter or identify possible scenarios (reasons for the missing episode) and how they decide on risk level (and continuously re-evaluate it as the investigation progresses), where to search, which investigative lines to take, whether and when to notify the media and whether to launch a Child Rescue Alert, how they decide on risk category, where to search, who to talk to, and which investigative lines to take. The ACPO guidance (ACPO, 2010) sets out what to consider at each stage and how

to undertake an effective assessment of risk, but whether this is reflected in practice across forces is unknown. Similarly, the National Decision Model advocated for use across the police service by ACPO (see ACPO, 2011) should be utilised in all decisions made, but it is unknown whether this is the case. An exploration is therefore required of decision making in missing enquiries with the aim of modelling the decision making processes involved, identifying common elements, and highlighting good practice and areas for possible intervention. Eyre, Crego and Alison (2008) described methodologies and models in decision making research, recommending Hydra and 10,000 V (10 kV, a method involving an electronic focus group). These methods have advantages over interviewing one officer at a time and asking them to recall cases that they have investigated. The Hydra method has a degree of ecological validity as the officer takes part in a simulation and must respond to incoming information and competing demands, thus mimicking a 'real' enquiry. The electronic focus group allows the gathering of information from a number of officers, and their interaction may lead to greater discussion, reflection, and evaluation as officers question or challenge one another. In the anonymity of a virtual focus group, officers may also feel more comfortable admitting and discussing failures.

Police attitudes towards missing persons and their investigation should also be revisited. Much has changed since Newiss (1999) study, and the 'missing issue' has received more attention in policing and public circles. Although anecdotal evidence suggests that stereo- types, biases, and negative attitudes are still prevalent, this requires confirmation through empirical research. This would determine whether forces require a strategy to deal with such attitudes and would identify which particular myths or attitudes need to be targeted. This would also be strategically useful as identifying areas where police decision making may be misguided and intervening may avert a fatal outcome and the resulting IPCC enquiry.

POLICE DECISION MAKING ON SEXUAL VIOLENCE

Certain crimes require decisions and reactions from the police to be distinctive, more considered, and more complex than the majority of police investigation. The most obvious examples of such crimes are sexual and domestic violence offences. These crimes are qualitatively different from other offences and are uniquely complex because of the intimate nature of the crime, the severely traumatic effects of the crime (Kilpatrick et al., 1992), the relationship between the perpetrator and the victim, and most markedly, the conflicted feelings the victim can have about reporting the crime (Hoyle & Sanders, 2000). Added to this, there is an exceptional legal irregularity in rape cases as 'Rape is unique as it is inherently lawful activity made illegal because of lack of consent' (Stern Review, 2010).

Investigating and understanding such crimes are contra-intuitive as despite the physical and emotional damage caused, victims can often feel very strongly against any action being taken beyond the initial short-term removal of the perpetrator in the case of domestic violence and a strong desire to try to forget or pretend the sexual violence ever happened in the case of rape. Over the past three decades, attempts have been made to improve the legal treatment of sexually assaulted women, and the inception of specialist teams is one example of this (Hovath, Tong & Williams, 2011). The recent Stern Review (2010) emphasised the importance of understanding how the police react to reports of sexual violence in an attempt to encourage more victims of sexual violence to report such crimes to the police. This review explored police decision making about such crimes, the subsequent treatment of victims by the police, and the investigation, or not, of allegations in cases such as that of Worboys. The findings in this review were that victims often express the

personal importance to them, as individuals, of the reaction of the police when they report sexual violence. Fears about being believed are still a contributing factor to reporting sexual violence with victims 3.5 times more likely to report rape if they are were visibly injured (Du Mont, Miller & Myhr, 2003) and a belief by both the police and the victim that being visibly injured legitimises their allegations and is a demonstration that they did not consent to sex. It seems little has changed over the past 20 years with the findings of Du Mont et al. being consistent with those of Bachman (1993) 10 years earlier. The idea of: 'real rape' and 'real rape victims' is still strong in the minds of the public, and the police alike and newly qualified police officers are subject to the stereotypes and attitudes of the general public, attitudes that do not seem to have advanced since the early work of rape myth acceptance in the 1980s. These studies demonstrated that attitudes such as 'what did she expect going out dressed like that?' were pivotal in both sympathy for the victim and belief that an offence had taken place (Burt, 1980; Costin and Schwarz, 1987; Pollard, 1992).

Stereotypes are a social phenomenon; their content, organisation, and extremity are influenced by social factors. They arise and are maintained by our interactions with others, our social settings, and our exposure to other individuals that hold the stereotype (Mackie, Hamilton, Susskind and Rosselli, 1996). Traditional or stereotypical views of women, women's role in society, and acceptable behaviours for women continue to be widespread in society and are long established in literature (Lippman, 1922; Hartley, 1946; Tajfel, 1981). Stereotypes are formed throughout life and are reinforced by the media, society, social pressure, and social groups. These stereotypes are held across society including both rapists and police officers, although there is little research into police officer rape myth acceptance (Lonsway, Welch & Fitzerald, 2001). However, there is evidence to suggest that male police officers hold higher rates of rape myth acceptance than women (Brown & King, 1998). Rapists are more likely to hold these traditional attitudes towards women than other violent offenders and more than the general population (Scott & Tetreault, 1987). Permissive attitudes towards rape are correlated with stereotypical or traditional attitudes towards women (Fischer, 1987). Women that do not adhere to traditional notions of chastity and respectability—the traditional stereotypes—are seen as effectively disqualifying women from being seen as 'real' rape victims (Chandler & Torney, 1981; Clark & Lewis, 1977; Hinch, 1988; Holmstrom & Burgess, 1978; LaFree, 1989; Lees, 1993; Martin & Powell, 1995; McCahill, Meyer, & Fischman, 1979; McIntyre et al., 2000; Nightingale, 1991; Russell, 1980; Sheehy, 2000; Stewart et al., 1996).

An additional difficulty in police decision making is the often contra-intuitive nature of sexual offences. The fight or flight response described by Canon (1929) has subsequently been shown to not be the only reaction to a high level of fear, and 'why were there no injuries if she was raped?' or 'why didn't she even try to fight back?' does not, therefore, hold up to scrutiny. Recent research has demonstrated that the third response of freezing is actually more common in high stress or trauma situations than 'fight or flight' and is a primal animalistic response to such situations, which is typically a precursor to attempts to escape (flight) and the last resort of fighting to escape (Bracha, 2004). The suggestion that a freeze response is biologically determined and part of a coherent sequence of fear reactions and as such, that a fight reaction is less likely to occur, should have changed the way non-injured victims of sexual violence are viewed and explain why so many victims of sexual violence are not physically injured despite having not consented to the sexual act. This tragedy is compounded by the fact that it is often previous victims of sexual violence that are most likely to freeze because of their internalised coping mechanisms of earlier childhood sexual abuse experiences, meaning that the victims that have been repeatedly abused are least likely to be believed by both

the police and society.

Police decision making in cases of domestic violence is slightly different than sexual violence as it is not usually determined by issues of belief and physical evidence (this is often abundantly clear) but by applying an approach from other crimes and missing the distinctiveness of domestic violence. Hoyle and Sanders (2000) discussed how the 'victim-led' approach that the police are encouraged to use when deciding whether or not to prosecute in a majority of cases does not fit for domestic violence. In many offences, such as theft of property, there is no relationship between the victim and the perpetrator, and in the unusual instance that there is, it would be unusually uncommon for there to be a romantic or intimate relationship. The means that the decision to pursue a prosecution, the giving of evidence, and the motivation for informing the police are more straightforward and emotion free in such cases. In a domestic violence situation, the victim will often need to have contact with the perpetrator in both the short-term and long-term, especially if there are children involved and will often live with and be linked to the perpetrator. As such, the dramatic difference with domestic violence is that the victim is often socially, financially, and practically impacted by the prosecution of the perpetrator, and most unusually for crime in general, the victim often loves the perpetrator (Hoyle & Sanders, 2000).

In addition to the aforementioned, police decision making in both sexual and domestic violence is unusual in that the victim can be held responsible for letting the crime happen; this is less likely to occur in cases such as murder or property crime (Reiner, 2010). This attitude has ramifications for the victim in the form of self-blame (Gunn & Minch, 1988), guilt (Binder, 1981), shame (Easteal, 1994), embarrassment (Bachman, 1998), fear and helplessness (Dukes & Mattley, 1977), and denial (Peretti & Cozzens, 1983). A police officer's decision regarding whether or not to pursue the investigation can be impacted by his or her belief that the victim 'asked for it' or would allow the situation to occur again even if action was taken; therefore, it would be a poor use of time to pursue a prosecution.

Police decision making in sexual and domestic violence investigation is distinct and unique because of both the nature of the offence and the complexity of the issues raised. It therefore requires specialist training and education to ensure it is handled in the most empathic, understanding, and supportive way possible; unfortunately, however, the emotional impact of such crimes is not emphasised in the current training and guidelines. The NPIA Guidance on Investigating Domestic Abuse (2008) talks at length about ensuring the scene is safe, and it includes checklists for officers such as 'whether any weapons are available to the suspect' (p. 23). These guidelines provide extensive direction on information gathering in general; however, guidance on how to approach questioning a victim who has experienced abuse from a loved one, difficulties that the cognitive dissonance in this situation would cause, and internal emotional conflicts that would arise from giving evidence against a person the victim may love is conspicuously absent. Even in the 'con- ducting the victim interview' section of these guidelines, there is no mention of any of the emotional difficulties of such cases. Apart from vague references in the document to 'trauma', the specific nature of being abused by a loved one is not included in these guide- lines. The new government definition of domestic violence goes some way to recognising that not all abuse is visible; however, it will take some time for this to translate into policing practices. The existing research shows that the police favour a 'victim-led' approach when deciding whether to prosecute in domestic violence cases (Hoyle & Sanders, 2000). Despite this, the focus on abuse in the new legislation and not violence is a far cry from the historical approach

that domestic violence was trivial and not 'real' police work (Times, 4 October 1983). The introduction of Serious Sexual Offences Teams, specialist training, use of female officers for some crimes and recent changes to both domestic violence and sexual violence laws, show a move away from the historical side-lining of these crimes to a more victim focused approach. The police were trained in the 1980s to presume that 60% of all rape claims were false (Stern, 2010), and the changes in public perception, police training, and the research have revised this considerably, although the situation is still not perfect as outlined in the cases included in the Stern Review (2010) and other research literature (Hoyle & Sanders, 2000; Du Mont, Miller & Myhr, 2003). The ACPO Rape Support Programme and the NPIA guidance of 2009 have both worked to improve the approach taken to understanding a victim's situation and respond to it appropriately.

Police decision making, police responses, and victim's experiences would all be positively impacted by further research into domestic and sexual violence. The improvements seen so far in police officers' understanding of such crimes have been in part because of the enhanced understanding gained by research to date that has been utilised in police training. An example of this is the reducing levels of rape myth acceptance measured in police officers, attributed to police training (Grubb, 2012). However, there is little empirical research into police myth acceptance (Lonsway et al., 2001: p. 2008). Additionally, there has been little research conducted into victims' experiences of reporting rape to the police (Jordan, 2004) and apart from the Stern Review (2010) little understanding of what could be done to encourage more victims to come forward after experiencing sexual violence. Only by better understanding these offences can we make further progress to reducing them.

CHALLENGES OF PROFESSIONALISATION AND THE DEVELOPMENT OF DECISION MAKING

Police reform is currently progressing without a comprehensive review, at a pace not seen since the 1960's Royal Commission. However, there have been specific reviews of police training and leadership (Neyroud, 2011) and police terms and conditions (Winsor, 2012) with the Stevens' Independent Commission and the Home Affairs Committee Inquiry into police leadership and standards in the police, opportunities for informed reform beckon. At the same time as concerns around recruitment and training, austerity measures have resulted in cutbacks in police budgets and inevitably police recruitment. Criticisms of policing have promoted discussions around professionalisation, and the College of Policing will succeed the NPIA (NPIA, 2012). More specifically for investigation, attempts have been made to professionalise detectives with the introduction of the Professionalising Investigation Process (PIP) in 2005. It is important to note that 'professionalising' in a policing context up until this point referred to attempts to bring about improvements in training and development rather than delivering training consistent with a professional body (Stelfox, 2009). PIP has not yet been independently evaluated (at least to the authors' knowledge) particularly in terms of the impact of training on the ability of detectives to make decisions effectively. It is a focus on not only investigative training but also training and education of police officers more generally that needs to be key. It is police constables and increasingly the private sector who are engaged with investigative tasks. Education and training of future detectives drawn from other policing roles will also impact on the quality of investigative practice in the UK. These future investigators will be expected to have developed knowledge, skills and experience relevant to the role of the detective serving as building blocks to developing their specialism. With the NPIA persisting with minimum training requirements for

pre-entry qualifications (currently set at level 3—equivalent to A level) for police constables, the push to improve standards would appear to be stumbling. In order to review or critique investigative decision making, it is important to examine not only what is happening in practice but also the delivery of education that contains a corpus of knowledge providing suitably qualified practitioners.

CONCLUSION

Missing persons and sexual and domestic violence are challenging and complex areas of policing that historically have not received the attention they deserve. In recent years, however, owing to active lobbying by charities such as Missing People and high-profile cases such as the disappearances of Madeleine McCann and Claudia Lawrence, the 'missing' issue is receiving wider acknowledgement as demonstrated by the previous government's Missing Persons Taskforce and the current Government's Missing Children and Adults Strategy (Home Office, 2010b, 2011). Similarly, the introduction of SAPPHIRE and changes in the law have provided more of a focus on responding to sexual offences and domestic violence, whereas awareness of police shortcomings is continually raised through inspectorate reports and more recently the Stern Review. Education and training (informed by applied research) are needed to change entrenched attitudes and stereotypes to guide officer decision making particularly in relation to risk assessment. However, it remains to be seen how the current changes in the police service will influence the investigation and management of these challenging cases. Valid concerns are raised as belts tighten; offences and responsibilities that do not command high status within the police hierarchy of relevance may become side-lined in favour of other policing priorities, priorities that will now be determined by the PCC- electing public. Policing but specifically investigation in the context of difficult-to-solve and low-status crime must be seen as a complex task and must not be perceived as simple processes that require minimum training. The development of aspiring and seasoned detectives must be more closely researched to better understand the contribution of training and education to practice. This is an undervalued and under researched area of policing. With the current focus on policing with reviews into practice and standards, an opportunity to prioritise the importance of investigation practice has presented itself.

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