



# Cross-matching unidentified bodies and missing person reports

*“There was no initiative on the part of the police at all. I myself contacted coroners... I found toiletries and just approached the police myself... and they took a full DNA profile... so it was all done on my part.”*

-Sister of a missing man (APPG, 2011)

Every year approximately 250,000 people go missing across the United Kingdom. Whilst most disappearances are resolved relatively quickly, an estimated 25,000 remain open for more than a week each year, and approximately 3,500 for longer than a year. Some remain open for much longer, creating a cumulative number of ‘long term’ cases.

Unfortunately some disappearances end in a fatality and, because not all bodies discovered are immediately identifiable, there can sometimes be a delay before a family is formally notified. Whilst this scenario accounts for less than one percent of all missing person cases, a significant proportion of these bodies will relate to people reported as missing to the police or other agencies.

Cross-matching reports of people who remain missing with unidentified bodies or body parts is therefore a vital process that helps bring closure in tragic cases. Successful matching can also assist criminal investigations, allow civil procedures to be completed, and let those left behind mourn their loved one.

This briefing outlines the systems in place for cross-matching and the difficulties with them, *as understood by Missing People*.<sup>1</sup> It also highlights the impact that delays in matching have on families left behind, and explores how cross-matching processes should be improved to ensure that no members of society lay unnecessarily nameless in morgues or graves.

## Background

### What is the scale of the problem?

Figures collated by the National Policing Improvement Agency’s (NPIA) UK Missing Persons Bureau (the ‘Bureau’) give an indication of the number of unidentified bodies in the UK (NPIA, 2011):

- There are approximately 1,000 unidentified bodies and body parts at any one point in time in the UK.
- Last year, 62 newly discovered unidentified bodies and body parts were referred to the Bureau; an average of more than one a week.

<sup>1</sup> There is little information in the public domain on cross-matching. The information in this briefing stems from interviews with representatives of agencies involved, desk research (including a review of police guidance and related legislation) and discussions with families affected by cross matching.



Limitations in data collection acknowledged by the Bureau suggest these figures are likely to be an underestimate of the true number of unidentified bodies in the UK, as discussed below.

## What are the impacts on families?

As time progresses, families of longer term missing people may consider the possibility that their relative has died. At this point, some may have questions about the search for their loved one, and whether this includes checking registers of the deceased. Families may also have questions about how the police carry out this search in practice.

Many believe DNA matching is a common tool in cross-matching,<sup>2</sup> and have particular questions around this. They may seek to have their missing loved one's DNA profiled if this has not already been done. If a sample is not available for their relative, they might try to have their own DNA analysed so that a familial profile can be inferred for the missing person and matched against unidentified bodies. Because rules and regulations around the use and storage of DNA are complex, families can be unclear of their legal position.<sup>3</sup>

The emotional toll of not knowing whether a relative is alive or dead can be significant. Families often speak of being 'in limbo'; unable to move on without answers as to their loved one's whereabouts or condition, or to grieve without certainty and the rituals of death and burial. Poignantly, whilst families desperately want to find their missing loved one safe and well, they often report that the discovery of a body would be a better outcome than never finding out the fate of their relative:

*"Ok, if you lose somebody, they die and it's devastating, but there is time when you can move from that. Maybe not move on but accept it. I think when somebody's just missing it's just hanging there. You don't really know. It's a little bit like a torture."*

- Sister of a missing woman (Holmes, 2008)

*"[His] body turning up is just not the worst thing anymore. [His] body turning up would be a relief."*

- Mother of a missing man (Ibid)

Any delays in cross-matching leave families in this fraught state. It is therefore very important that processes are completed expediently, accurately, and at regular intervals.

## The present system

### Whose responsibility is it to identify the deceased?

It is important to distinguish between the legal duty to identify the deceased and the operational responsibility to cross-match, as these are not held by the same authorities.

<sup>2</sup> Whilst seeking to remedy this, the Bureau states DNA is currently only present in a small percentage of cases (NPIA, 2011).

<sup>3</sup> Missing People understands the Bureau is currently preparing guidance for families around DNA which should clarify this.



The legal duty to identify rests with the coroner as stipulated by the Coroners Act 1988,<sup>4</sup> yet there is no guidance outlining how these independent judicial office holders should fulfil this obligation. Whilst the police acknowledge they have a duty to support coroners in this function, this is not a legal duty.

The operational responsibility to cross-match however is held by the Bureau, which works diligently to reconcile as many reports and unidentified bodies as possible. Its system relies on data submissions made by the police and coroners as stipulated by the Code of Practice on the Collection of Missing Persons Data (the 'Code of Practice'), yet there are no apparent ramifications for failing to provide data which can hamper the Bureau's work.

This division of the legal duty to identify from the operational responsibility to cross-match, creates an unclear picture as to where overarching leadership, coordination and accountability for cross-matching sits.

## How does cross-matching work?

Cross-matching relies on two data sets: outstanding missing person reports and unidentified bodies. How complete these sets are will impact on the number of positive matches made.

Furthermore, cross-matching is undertaken at both a local and national level. Locally, this relies on a multi-agency response involving the police and coroners. Nationally, cross-matching is completed by the Bureau.

### Local level cross-matching

Whilst cross-matching requires the joint working of various agencies – and sometimes several branches of those agencies when dealing with cross border cases – there is no legislation or standard guidance in place to direct how this should work in practice. Instead, it is anticipated that appropriate agreements will be made between agencies at a local level.

The two key agencies involved in local level cross-matching are the police and coroners, yet depending on where a body is found (e.g. in public space or a hospital), the police may not be involved. Medical practitioners and local authorities also play a part in either officially declaring the death, or burying or cremating a body on the coroner's direction.

Without national guidance as to how matching should work at a local level, there is the risk that this process will not be coordinated and that matching opportunities may be missed as a consequence.

### Cross-matching at a national level

Every police force is expected to maintain full records on the unidentified bodies it comes into contact with, along with complete data on missing person reports, and to pass both sets of data to the Bureau so that central records can be maintained.

<sup>4</sup> Section 11(5)(b)(i) states that the coroner must '...set out, so far as the particulars have been proved... who the deceased was.'



Forces in England and Wales are mandated to do this by the Code of Practice. Coroners are also *asked* to submit data on unidentified bodies to the Bureau.

The Bureau is responsible for cross-matching at a national level. It does this by cross-referencing the databases of current missing persons with unidentified bodies and body parts, for matches on a number of descriptive and circumstantial variables. Furthermore the Bureau can call upon additional forensic information such as DNA profiles, dental records and fingerprints to assist in the cross-matching process.

Whilst the Bureau works hard to ensure its data sets are as complete as possible, it acknowledges that there are limitations in its data collection.<sup>5</sup>

This stems from a number of reasons outside of the agency's control. To date, not all forces in England and Wales have complied with the Code of Practice. Furthermore, forces in Scotland and Northern Ireland do not have a legal obligation to do so. The Bureau also relies on data submitted from other local agencies in instances where there has been no police involvement, such as coroners, which are not legally compelled to do so.

Without complete databases, the Bureau is limited in its ability to cross-match. Therefore, despite its efforts, there may be avoidable delays:

#### **Case study**

Mr F went missing whilst hitchhiking across the UK. A police investigation was unable to establish his whereabouts.

The following year, an unidentified body was found in Cumbria. The coroner returned an open verdict on the death, and the body was not identified.

Fifteen years after his disappearance, the investigating police force made a fresh appeal for information on Mr F. This was responded to by the coroner, who recalled the case after noticing the height of the missing man – 6ft 10in. A positive cross-match was then made between the missing person report and the unidentified body after DNA from the latter was matched to a familial sample, and clothing found on the body was traced to Mr F. This match was made in cooperation between the police force, the coroner and the Bureau.

The following year, a fresh inquest was held into the case and Mr F's parents were provided with a Death Certificate for their son.

<sup>5</sup> As commented by the Bureau in the APPG inquiry evidence session on cross-matching: "We cannot always guarantee we receive every single case, it is very difficult for us to know if we do...." (APPG 2011)



## How accurate is cross-matching?

Missing People understands that coroners work to identify the deceased – where needed – on the balance of probability. Here, whilst good practice, scientific testing (like DNA profiling) is not used as standard and there is a lack of clarity as to whose responsibility it is to fund this:

*“It is good practice to take samples for DNA analysis from unidentified bodies and this should be funded by the Police.”*

-The Coroner’s Society of England and Wales<sup>6</sup>

As a result of the balance of probability approach, there have been instances whereby mistakes have been made and led to false positives and the deceased has been incorrectly named. Such errors can have significant and sometimes irreparable consequences (such as when falsely identified bodies are cremated, as demonstrated by the case study below), especially for the families involved. This suggests the threshold for establishing identity requires review by way of ascertaining whether it is fit for purpose, and whether scientific testing should be considered when doubt exists.

### Case study

In January 2003 the body of an unidentified male was found in Manchester. An investigation concluded through medical similarities that the deceased was a 67 year old male named John Delaney, who had gone missing from a nearby location in April 2000. No scientific testing was completed and the family, once informed, cremated the body.

Five years later, Missing Live (a BBC television programme) featured the case of an elderly man who had been found in Oldham in the spring of 2000. Disorientated, the man was unable to identify himself and was living under the name David Harrison in a care home. This programme was seen by the son of Mr Delaney, who contacted the show’s production team in the belief that the featured man was in fact his father.

DNA testing later confirmed that this was indeed the case, and that the man cremated was not Mr Delaney. To the knowledge of Missing People, the identity of the man who was cremated has not been established.

## Improving cross-matching processes

### What steps could improve cross-matching systems?

It is vital that the processes involved in cross-matching are as efficient as possible, to ensure that the maximum numbers of missing person cases are resolved and that families are given the closure they so urgently need.

<sup>6</sup> As stated in the Coroner’s Society of England and Wales’ written submission to the APPG for Runaway and Missing Children and Adults’ [inquiry](#) into support for families of missing people.



Yet whilst it is clear the Bureau strives to make as many positive cross-matches as possible, the absence of standard processes at a local level and the lack of strategic direction and coordination from Government at a national level, means that cross-matching can be left open to failure and delay:

*“There is no national strategy on cross-matching bodies, no clear leadership for it across Government departments, no one to police it and no one to sign the cheques.”*

-Missing People (APPG, 2011)

Missing People believes the Government must consider the following actions to ensure the UK’s cross-matching system is as robust as possible:

- Families must be supported whilst cross-matching is taking place both in terms of providing emotional support and information if they have questions around procedures.
- All cross-matching processes must be routine, standardised and frequently carried out across the UK to ensuring expedient and effective delivery.
- Leadership must be clearly allocated at a national level (e.g. within Government) to introduce clear coordination and responsibility within cross-matching.
- The ability to legally hold to account *any* agencies that do not comply with cross-matching requirements must come with overall leadership.
- Scottish and Northern Irish data submissions must be compulsory, to ensure the Bureau has complete records .
- Scientific tools must be used where any doubt exists as to an individual’s identity to avoid irreparable mistakes.
- It must be mandatory that DNA is taken from unidentified bodies ahead of them being buried or cremated.
- Working across borders is vital in view of growing international travel and must be prioritised.

## Exploring cross-matching in Westminster

Improving cross-matching processes is a key call of Missing People’s Missing Rights campaign. The charity’s exploration of this area stems from the questions families regularly ask around the processes and standards in place.

In June 2011, cross-matching was a focus of the [APPG](#) for Runaway and Missing Children and Adults’ [inquiry](#) into support for families of missing people. As Secretariat to the group, Missing People assisted the Chair in organising this.



Having heard evidence from a range of organisations and individuals, including families themselves, the cross-party panel of Parliamentarians co-chairing the inquiry made several recommendations with regard to cross matching and data in their final [report](#), leading to the following overarching recommendation:

*'The Inquiry recommends a review of national procedures in relation to cross-matching to ensure that comprehensive data on missing persons is collected and that there is national oversight in relation to bodies held by the police and coroners.'*

This inquiry led to the Home Office establishing Missing Children and Adults: A Cross Government [Strategy](#), which outlines how the Government will seek to ensure that missing people are safeguarded and that those they leave behind are supported (Home Office, 2011). This outlines the Government's commitment to the Bureau's cross-matching work, and recognises its role in providing resolution to families.

Missing People will continue to campaign for improvements to be made to cross-matching processes and governance on behalf of the families it serves.

## References

APPG for Runaway and Missing Children and Adults (2011) [Inquiry into support for families of missing people: Report with recommendations](#). London: Missing People. pp.16-20.

Holmes, L. (2008) [Living in Limbo: The experiences of, and impacts on, families of missing people](#) London: Missing People

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