

given that the circumstances in which AW was found were clearly unusual and suspicious. There were, however, aspects of the scene that were not recognised as important. These include the missing mobile phone and the bruising to his torso and the body temperature.

35. In an investigation of this nature it is important for investigators to ensure they understand the scene as it presents itself, and then to question anything that evidentially contradicted what was presented. By preserving all the evidence this option is available at any point in the future.

36. The factors in my view that justified the assessment that the death of AW was suspicious are that he was located in the street outside a block of flats, he appeared to have some form of injury (the footmark that was subsequently identified as hypostasis and not an injury), his presence at that location was not understood and there was nothing initially to suggest that it was a drug overdose. It was not possible to determine whether there was any third party involvement. This assessment is supported in the response by the MPS of sending the duty officer¹¹ to the scene, the subsequent request for and attendance by HAT¹², and the oversight of the duty Superintendent Hamer. These actions ensured that all available evidence could be secured and then reviewed.

37. One of the contributory factors to those levels of suspicion was the marks on AW's body that the initial attending officers (PCs Benson & Middlemiss) stated looked like a footmark. This was in fact hypostasis and was dismissed by A/DI McCarthy in his CRIS recording at 1352hrs 19th June 2014¹³, prior to the post-mortem. In my view the hypostasis was an aspect of the scene that required further exploration. I am not a medically trained professional but have sufficient knowledge and experience to be able to provide a basic explanation in respect of hypostasis. Hypostasis occurs when a person has died and the internal fluids pool on the side which is absorbing the pressure. In the case of AW he was found in a sitting position but the presence of hypostasis indicates that he had in fact been lying on his right hand side at some point after he had died, thus the pooling. The colouring can give a false impression of injury.

38. The other aspect of the death that did not seem to be recognised early on was that the body was very cold and there was evidence of rigor mortis. The attending paramedic (Anthony Neil) described how cold AW was and recorded

¹¹ IPC000315 (Insp. Learmonth statement)

¹² IPC000524 (Initial HAT advice as given by SIO , DCI Jones. Scene to remain under police control until Post mortem concluded)

¹³ IPC000035 p.56 (CRIS)