



Prifysgol Cymru  
Y Drindod Dewi Sant  
University of Wales  
Trinity Saint David

## Identification



By the end of this session, learners will be able to:

Understand the use of identification procedures, including:

- Visual identification
- Biometrics
- PNC Facial Recognition

A significant number of incidents that an officer attends will have been witnessed by members of the public. In many cases the witness will be able to remember something about the suspect or suspects and be able to recognise them again.

During this session we are going to look at the different ways of identifying suspects.



Police & Criminal  
Evidence Act 1984

Codes of Practice

Code D




The main legislation surrounding identification is Police and Criminal Evidence Act 1984 and PACE Code of Practice D.

The PACE Codes of Practice outline a process to safeguard the rights of a possible suspect. If the code is not followed it may lead to the suspect not being convicted at court.

#### **Some stated cases that have caused amendments to the legislation:**

**R v Stott 2004**

There is nothing in the codes that Compels us to favour one method of ID over another

**R v Nunes 2001**

Where a suspect disputes ID is known, formal ID procedure **MUST** be held

**R v Turnbull 1976**

Directed that there are several factors that determine the success/failure of an ID and also discusses direction a judge has to give to a jury and discusses evidence that should be used throughout a witness statement. In 2009 the University of Portsmouth examined over 3000 ID cases – the average time the witness see's a suspect is between 12 and 15 secs we do not put it in or statements

we need to, WE DON'T CHECK – ADVOKATE

R v Forbes 2001

Case of disputed ID If disputed hold and ID even if a street ID has been made. The case that changed PACE Code D and introduced Video ID as a preferred option

R v McCartney 2003

Where defense suggest ID should have been conducted as suspect disputed in court his presence at scene

“A no comment interview does not by itself require an ID parade to be held. There must be some assertion by suspect that ID is an issue. No comment means no comment it is not a denial”

R v George 2002

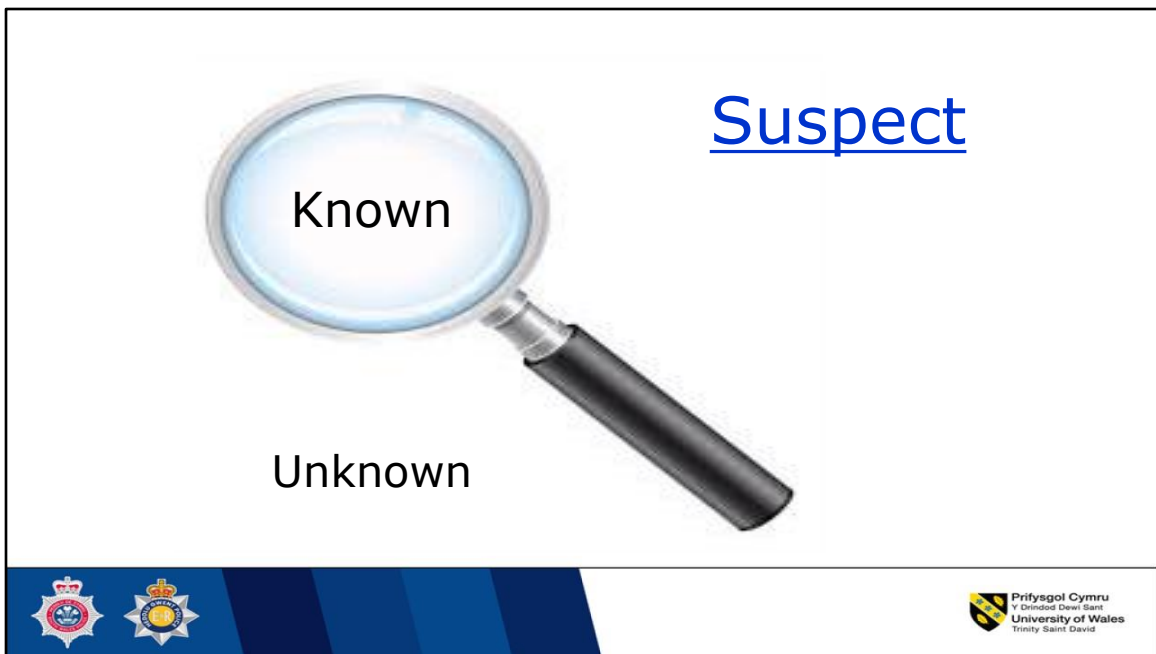
Evidence of a partial ID where witness unable to make a positive ID ( e.g. I'm 40 % certain) is potentially admissible if accompanied by other evidence.

R v O'Brien 2003

Appeal court stated that this was rightly put to the jury to decide on the reliability of the ID .

R v Christie 2008

Police officers/members of Police staff viewing this image must not discuss the viewing or the possible identity of subject(s) either at the time or after the viewing. If you do recognize the person(s) in the image you must inform a supervisor and submit a witness statement including the time, date and place that the recognition was made and the reason for and manner of the recognition in line with the guidance R v Christie (2008) EWCA Crim. 1342. Any identification must be reported immediately to the author and originator of the document.



There are two kinds of suspect: Those that are known and those that are unknown

## Known Suspect

*"There is sufficient information known to the police to justify the arrest of a particular person for suspected involvement in the offence"*

Code D PACE - Code of Practice



## Unknown Suspect

*"Someone who a witness has  
seen but does not know  
personally and is not at the scene  
of the crime"*

Code D PACE - Code of Practice



An unknown suspect then, is someone who a witness has seen but does not know personally and is not at the scene of the crime.



A record **MUST** be  
made of the witness's  
first description

This description  
should be recorded in  
the officer's  
**Electronic Pocket  
Note Book**



Before asking a person to pick out a particular person, a record should be made of the witness's 'first description' of the suspect if this is practicable.

## ABC of Description

A - age

B - build

C - clothing

D - distinguishing marks

E - ethnicity



It is important to obtain as best a description as possible.  
Following the ABC of description can help with obtaining a detailed description.

## ABC of Description

F – face (colour & complexion)

G - gender

H – height & hair (style  
& colour)

I – if carrying anything



## R v Turnbull 1976

**A** mount of time under observation  
**D** istance from the witness  
**V** isibility  
**O** bstructions  
**K** nown or seen before  
**A** ny reason to remember  
**T** ime lapse  
**E** rrors or material discrepancy



In 1976 the Court of Appeal considered the case of R v Turnbull and created guidelines on the subject of identification, which have been followed in subsequent cases. The points raised indicate the areas to which police officers must pay particular attention whenever they are involved in identification processes. The visual evidence from the witness's first sighting is less likely to be disputed in court if the Turnbull guidelines are followed. ADVOKATE is a useful way to remember them:

- A** Amount of time under observation.
- D** Distance from the eyewitness to the person or incident.
- V** Visibility – including time of day, street lighting, weather conditions etc.
- O** Obstructions – Was there anything obstructing the view? This should be described in as much detail as possible
- K** Known or seen before – Did the witness know, or had they seen the suspect before?
- A** Any reason to remember – This could be a distinguishing feature, the nature of the incident, what has stuck in the mind?
- T** Time lapse – How much time elapsed between first sighting and any subsequent identification to the police.
- E** Errors between the *first recorded description* of the suspect given by the witness

when first seen by them and their actual appearance. for example – the male now has a beard).

## Methods of Identification of unknown suspects

### Street Identification

### Identification by photograph

### Facial composite technique



- **Street identification** (see next slides)
- Identification by **photograph** can only be used when the identity of the suspect is unknown. Code D of the PACE codes (Annex E), says that an officer of the rank of sergeant or above shall be responsible for supervising and directing the showing of photographs, but the actual showing may be done by a constable, or police staff. Your sergeant will give you the necessary guidance if you need to use this method. The first description of a suspect must be recorded before any photographs are shown. If the supervising officer is unable to confirm that the description has been recorded, the photograph identification must be postponed. Code D of the PACE codes (Annex E), says that an officer of the rank of sergeant or above shall be responsible for supervising and directing the showing of photographs, but the actual showing may be done by a constable, or police staff. Your sergeant will give you the necessary guidance if you need to use this method. If a suspect denies involvement in an offence then it will be necessary for the witness to visually identify the suspect.
- The two main **facial composite** systems used by the police service are: E-Fit, Pro-Fit. These are operated by specialist staff, although some forces still rely on composite artists.

## Methods of Identification of known suspects

Video Identification

Identification Parade

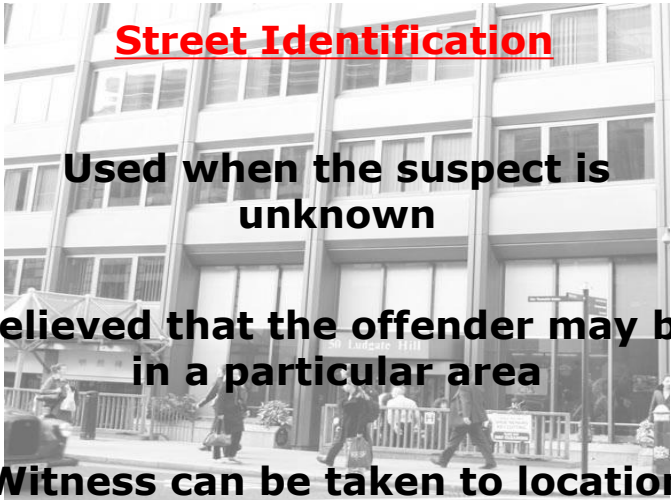
Group Identification



- A suspect is to be initially offered a **video identification** unless this is not practicable or another form of identification is considered to be more suitable. Video identification involves the witness being shown moving images of the suspect together with moving images of eight other people who resemble the suspect in terms of age, gender and general appearance.

Moving images must be used unless:

- the suspect is known but not available (see paragraph 3.21 of this Code); or
  - if it is considered that the replication of a physical feature (such as a scar or tattoo) can not be achieved or that it is not possible to conceal the physical feature in question on the image of the suspect (Para 3.5 Code D).
- In an **identification parade**, the suspect stands in a line of people who are of similar appearance. The witness is asked to identify the suspect from those in the line. The arrangements for, and conduct of the identification procedures, including the circumstances in which an identification procedure must be held, are the responsibility of an officer of the rank of inspector or above
  - **Group identification** is when the witness sees the suspect in an informal group of people. It can take place in locations such as railway stations or shopping centres where groups of people may gather.



**Street Identification**

**Used when the suspect is unknown**

**Believed that the offender may be in a particular area**

**Witness can be taken to location**



A street identification is used only when you have no suspect, but believe that the offender may be at a particular location or neighbourhood.

The witness is taken to a location where the offender may be.

The attention of the witness should not be directed to any individual. However a witness can be asked to look at towards a group of people or in a particular direction.

All details of this process must be recorded by the officer.



**Street Identification**

**First description MUST be recorded in PNB**

**Supervisor MUST be informed**

**Witness cannot be directed towards any individual**



Before doing so, where practicable, a record must be made of any description (first or otherwise) given by the witness of the suspect.

You should inform your supervisor prior to carrying out a Street ID.

You then ask the witness if they can identify any person present as being the same person originally witnessed on the relevant occasion.

You must not direct your witness to any individual unless, having regard to all the circumstances, this cannot be avoided

## **Street I.D. – Positive Identification**

### **PNB entry must include:**

**Date, time and place suspect previously seen**

**Location where the identification was made**

**Conditions at the time (ADVOKATE)**

**Whether witness' attention was drawn  
to the suspect and if so, why**



If suspect is found then E-PNB entry is required stating:

Date, time and place of the relevant occasion the witness claims to have previously seen the suspect prior to ID being made

Where any ID made, how it was made and conditions at the time

ADVOKATE

If witness's attention was drawn to the suspect and if so the reason for this.

## Video Identification

Witness is shown:

Images of suspect

Images of persons who resemble the suspect

VIPER/PROMAT

PACE – Code D Annex A



Video identification is now the preferred procedure.

The witness is shown images of a known suspect together with images of other people who resemble the suspect.

A system called VIPER is used by a number of Forces, others using PROMAT, with some using both.

The manner in which a video identification should be conducted is set out in Annex A of PACE Code of Practice D. The Annex is detailed and should be studied carefully.

April 2002 Code 'D' allowed ID parade or video ID procedure to be the considered first choice formal method of identification. By April 2003, Code 'D' places Video ID as the first option in formal ID procedures

It is currently estimated that 98% of formal ID procedures in England & Wales are way of video ID.

## What is PROMAT?

- In 1997, PROMAT live video identification parade system was introduced
- Revolutionised the way the police service did traditional line-up parades
- Currently produce over 60,000 identification parades per year.
- Police forces offer a quick and efficient service with "live" Video ID Parades conveniently taking place soon after an incident occurs and while the image is still fresh in the witness's memory.
- Can hold a very large and diverse database and compare suspect details with like images to produce a "live" video ID parade in a matter of minutes.



### PROMAT

Video Identification in the UK has moved from the traditional line-up parade and now makes extensive use of video technology. This speeds up the process dramatically and makes it easier on the witness who no longer needs to confront the suspect in the flesh, so to speak, but instead view the parade digitally.

## What is VIPER?

- The National VIPER Bureau is utilised by the UK police to produce video identification (ID) parades.
- Over 20 Police Forces in the UK use VIPER
- Video ID parades are shown to witnesses and replace the old fashioned line-ups of suspects.
- It allows the witnesses to identify a suspect without the need to confront them face to face.
- The video ID parade can be played from a DVD onto a television which can be located in a police station or even at their home on a laptop to promote witness care.
- The service allows forces to conduct parades quickly and effectively.



### VIPER

There are over 20 police forces in the UK which rely on the National VIPER Bureau to produce their video ID parades. The system has been in use since 1997 and has been successfully and routinely presented at court for many years.

The aim of VIPER is to provide an effective method of editing high volumes of video ID parades whilst adhering to current legislation and promoting fairness and practicality. The system boasts a number of features that increase the speed and reduce the cost of the identification process. The National VIPER Bureau produces approximately 30,000 video ID parades per year for this purpose.

All UK Police forces utilise video for their ID parades, and VIPER has enabled them to take advantage of national standards, streamline their processes and access an extensive database of images to be used as volunteers within ID parades.

The following benefits demonstrate the effectiveness of VIPER:

- Compliant with national standards for ID parades
- Extensive database of volunteers with a diverse range of appearances
- Simple and efficient production process
- Suspect (or accused) does not come into contact with the witness

- Positively acknowledged within the academic community
- Large database of appearances ensures ID parades take place as planned

Over 30,000 ID parades are produced each year for over 20 police forces in England, Wales, Scotland, Northern Ireland and the Royal Military Police in Germany. The use of VIPER increases the ability of a police force to conduct a video ID parade. VIPER ensures that there are sufficient volunteers available to appear alongside a suspect (or accused) at all times and that the material being used complies with national standards.

## WHAT IS E-FIT ?



- Originally produced in collaboration with the UK Home Office.
- A proven and highly effective product.
- E-FIT has now been installed in 45 British Police services.
- The E-FIT approach is based on proven psychological research and has been demonstrated to be a highly effective method for feature-based retrieval and construction.



E-Fit is the world's premier, feature based composite system.

It enables trained operator to produce an accurate “type likeness” of a criminal suspect based upon a witness description of facial features.



## Automated Facial Recognition (A.F.R)



Facial recognition is what humans use to recognise one another and have been doing so for hundreds of thousands of years

Our eyes see a person

Even after hundreds of thousands of years of human evolution, it is still not perfect.



Facial recognition is what humans use to recognise one another and have been doing so for hundreds of thousands of years

Our eyes see a person, we look at their face, we intuitively compare this face to others which we have seen before, and we can say with a good level of certainty that we do / do-not know the person in front of us.

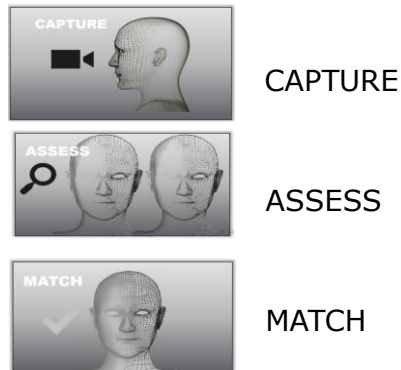
Quick / Contactless / Convenient / Natural / Intuitive

Even after hundreds of thousands of years of human evolution, it is still not perfect.

We often see someone in a supermarket and think we know them, only to later realize that as we get closer we become less sure... is that really Sally?

In the pictures on the right, is that really Tom Hanks?

## AFR- How does computer based facial recognition work?



### CAPTURE

The system takes real time video from one or many IP address, CCTV, pre-recorded videos & images.

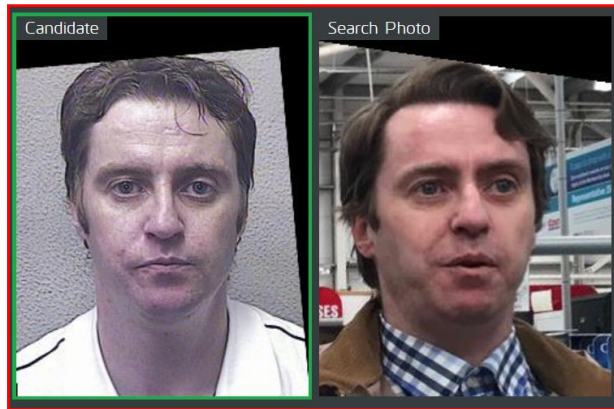
### ASSESS

The system turns each image or frame into a mathematical representation of the image or frame and compares the probe to the database. Upside down house represents the area of the face for the measurements to be undertaken by the system.

### MATCH

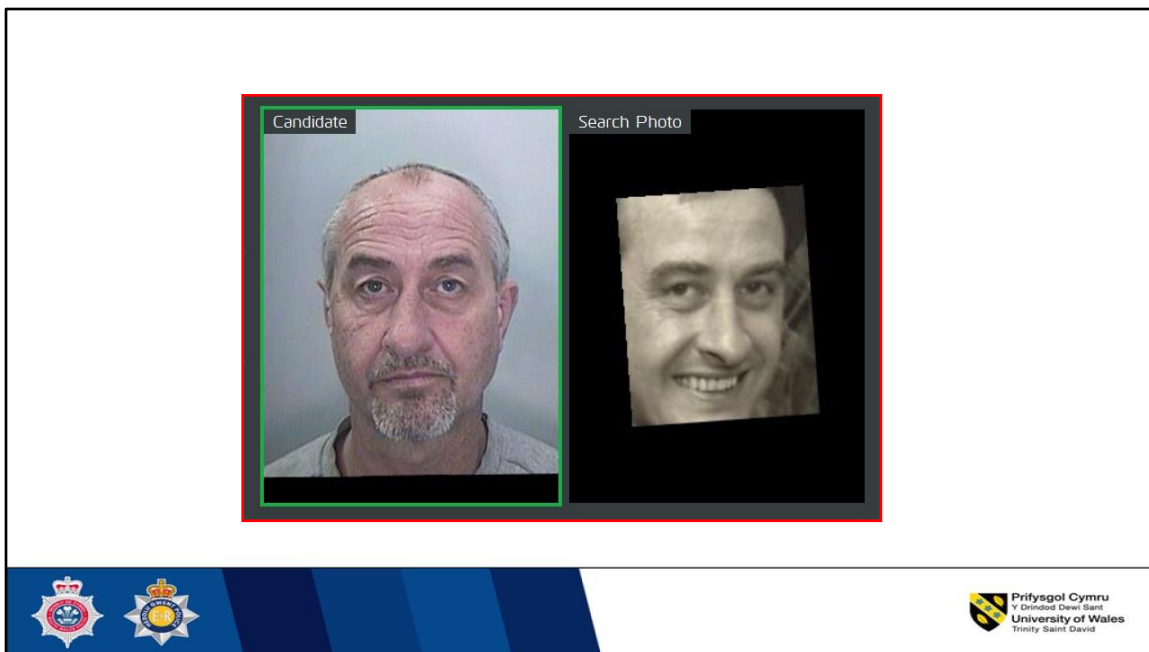
The system will return a matching score for every record in the database, the operator will then review the returns and confirm the possible match





## THEFT – COSTCO CARDIFF

LONDON CRIMINAL LIVING IN THE WESTERN BCU AFTER DETAILED RESEARCH BY THE OPERATOR, IT WAS FOUND THAT THE SUBJECT HAD INTELLIGENCE RELATING TO THE THEFT OF HIGH QUALITY GOODS IN HAVERFORD WEST, DYFED POWYS FORCE AREA



ARRESTED FOR SERIOUS HISTORIC SEXUAL OFFENCES UP TO DATE NICHE IMAGE TAKEN.

REQUESTED THAT A PHOTOGRAPH FROM THE TIME OF THE OFFENCE WAS SUPPLIED WHICH THE SUSPECT AGREED TO AND A ID PARADE WAS COMPLETED AND HE WAS PICKED OUT BY THE WITNESS AND HAS BEEN CHARGED.

TO TEST THE SYSTEM WE ENTERED THE PROBE IMAGE OF THE SUPPLIED PICTURE AND THE SYSTEM IDENTIFIED THE SUSPECTS CURRENT IMAGE.



ARRESTED FOR HISTORIC RAPE UP TO DATE NICHE IMAGE TAKEN.

REQUESTED THAT A PHOTOGRAPH FROM THE TIME OF THE OFFENCE  
OBTAINED THROUGH A DATA PROTECTION APPLICATION TO THE DVLA A ID  
PARADE WAS COMPLETED AND HE WAS PICKED OUT BY THE WITNESS AND  
HAS BEEN CHARGED.

TO TEST THE SYSTEM WE ENTERED THE PROBE IMAGE OF THE SUPPLIED  
PICTURE AND THE SYSTEM IDENTIFIED THE SUSPECTS CURRENT IMAGE.

## Identification Parade



What's wrong with this picture?



### **ID parades are rarely used now.**

The identification parade shall consist of at least **eight** people (in addition to the suspect) who, so far as possible, resemble the suspect in age, height, general appearance and position in life.

Only one suspect shall be included in an identification parade unless there are two suspects of roughly similar appearance, in which case they may be paraded together with at least twelve other people.

Under no circumstances shall more than two suspects be included in one identification parade and where there are separate identification parades, they shall be made up of different people.

## **Group Identification**

Takes place in locations where  
groups of people gather

Suspect joins a group of people at  
the location

Location identified by the  
identification officer



Group identifications take place in locations such as railway stations or shopping centres where groups of people may gather.

The suspect may join a group of people within the location in order to be seen by the witness.

The place of the group identification is elected by the identification officer although he or she may take into account any representations made by the suspect's solicitor or other representative.

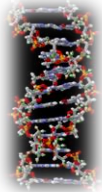
**Identification can also be made  
using samples found at the scene  
of a crime**



**Fingerprints**

**Footprints**

**DNA samples**








Identification of suspects can also be made using samples found at the scene of a crime.

**Fingerprints** are defined in the PACE Code of Practice D as “any record, produced by any method, of the skin pattern and other physical characteristics or features of a person’s fingers or palms” Finger/palm prints  
DNA evidence (Intimate and non-intimate body samples)

Fingerprints may be taken in connection with:

- a criminal investigation
- identification
- immigration enquiries.

Fingerprints can be taken in order to:

- compare with fingerprints found at the scene of a crime
- check and prove convictions
- help to ascertain a person’s identity.

A person’s fingerprints may be taken in connection with the investigation of an offence only with their consent. If the person is at a police station the consent must be

in writing.

The power to take fingerprints from a person without their consent implies that reasonable force may be used to do so.

Impressions of the **footwear** of a suspect may be taken in order to compare them with impressions found at the scene of a crime.

Similar to fingerprints, impressions of a person's footwear may be taken in connection with the investigation of an offence only with their consent. If the person is at a police station the consent must be in writing. However, the Police and Criminal Evidence Act 1984 section 61A and Code D provide power for a police officer to take footwear impressions without consent from any person over the age of ten years who is detained at a police station if he or she:

- is being arrested for, or charged with, a recordable offence or informed they will be reported for a recordable offence and
- if the detainee has not had an impression of their footwear taken in the course of the investigation of the offence or the previously taken impression is not complete or is not of sufficient quality to allow satisfactory analysis, comparison or matching (whether in the case in question or generally).

Reasonable force may be used, if necessary, to take a footwear impression from a detainee without consent.

# Biometrics



A biometric is a measurement of a biological characteristic such as fingerprint, iris pattern, retina image, face or hand geometry; or a behavioural characteristic such as voice, gait or signature.

Biometric technology uses these characteristics to identify individuals automatically.

Ideally the characteristic should be universally present, unique to the individual, stable over time and easily measurable.

No biometric characteristics have been formally proven to be unique, although they are usually sufficiently distinct for practical uses.

Different biometrics will be more suitable for different applications depending, for example, on whether the aim is to identify someone with their co-operation or from a distance without their knowledge

IDENT1 is the national automated fingerprint system that provides biometric services to the police forces and law enforcement agencies throughout England, Scotland and Wales.



IDENT1 replaced the National Automated Fingerprint Identification System (NAFIS) of England and Wales, as well as the electronic fingerprint identification system used by the Scottish police forces.

IDENT1 enables the forces to search and compare fingerprints and crime scene marks in a single database, providing a unified collection of finger and palm prints managed by England, Wales and Scotland.

As of June 2012, the IDENT1 database consists of ten-prints of 8.9 million individuals, 21.8 million sets of ten-prints, 12 million palm print pairs and plain impressions, 1.9 million unidentified crime scene marks and 75,583 crime scene mark identifications.

Biometric fusion technology ensures the highest possible accuracy for the fingerprint officers (FPOs) and police officers

# Identification of Body Samples

## Intimate Samples

- Dental impressions.
- A sample of blood, semen or any other tissue fluid.
- Urine.
- Pubic hair.
- A swab taken from any part of a person's genitals or from a person's body orifice other than the mouth.

## Non- Intimate Samples

- A sample of hair, other than pubic hair, which includes hair plucked with the root.
- A sample taken from a nail or from under a nail.
- A swab taken from any part of a person's body other than a part from which a swab taken would be an intimate sample.
- Saliva.
- A skin impression which means any record, other than a fingerprint, which is a record, in any form and produced by any method, of the skin pattern and other physical characteristics or features of the whole, or any part of, a person's foot or of any other part of their body.



**DNA** testing and blood tests where a sample needs to be provided for comparison to blood etc. found at a crime scene

Intimate samples may only be taken on the authority of a police officer of the rank of inspector or above with the suspect's written consent. Before giving authority, the inspector must have reasonable grounds for believing that the sample will confirm or disprove the suspect's involvement in a recordable offence.

When clothing, other than outer clothing, such as a jacket, needs to be removed no person of the opposite sex who is not a registered medical practitioner or registered health care professional should be present.

Taking **intimate samples** without the relevant authority may amount to a criminal offence of assault or inhuman or degrading treatment under article 3 of the European Convention on Human rights. Police officers should not take intimate samples and should contact the relevant qualified people in their force.

**non-intimate sample** may be taken from a person only with written consent. However, samples may be taken without consent if they:  
- are in police detention following an arrest for a recordable offence

- are being held in custody by the police on the authority of a court if an inspector or above gives authority for a non-intimate sample
- have been arrested and released e.g. on bail
- have been charged with or reported for a recordable offence
- have been convicted or cautioned in respect of a recordable offence
- where, under any of the above circumstances, no non-intimate sample has previously been given or has been given and is unsuitable or insufficient.

## Identification



Most identification procedures are voluntary

Defence solicitor present

All procedures **MUST** be authorised by Inspector



Most procedures involving identification are voluntary and are carried out with the defence solicitor present.

An officer of the rank of Inspector must authorise all ID procedures.

# Questions?

