

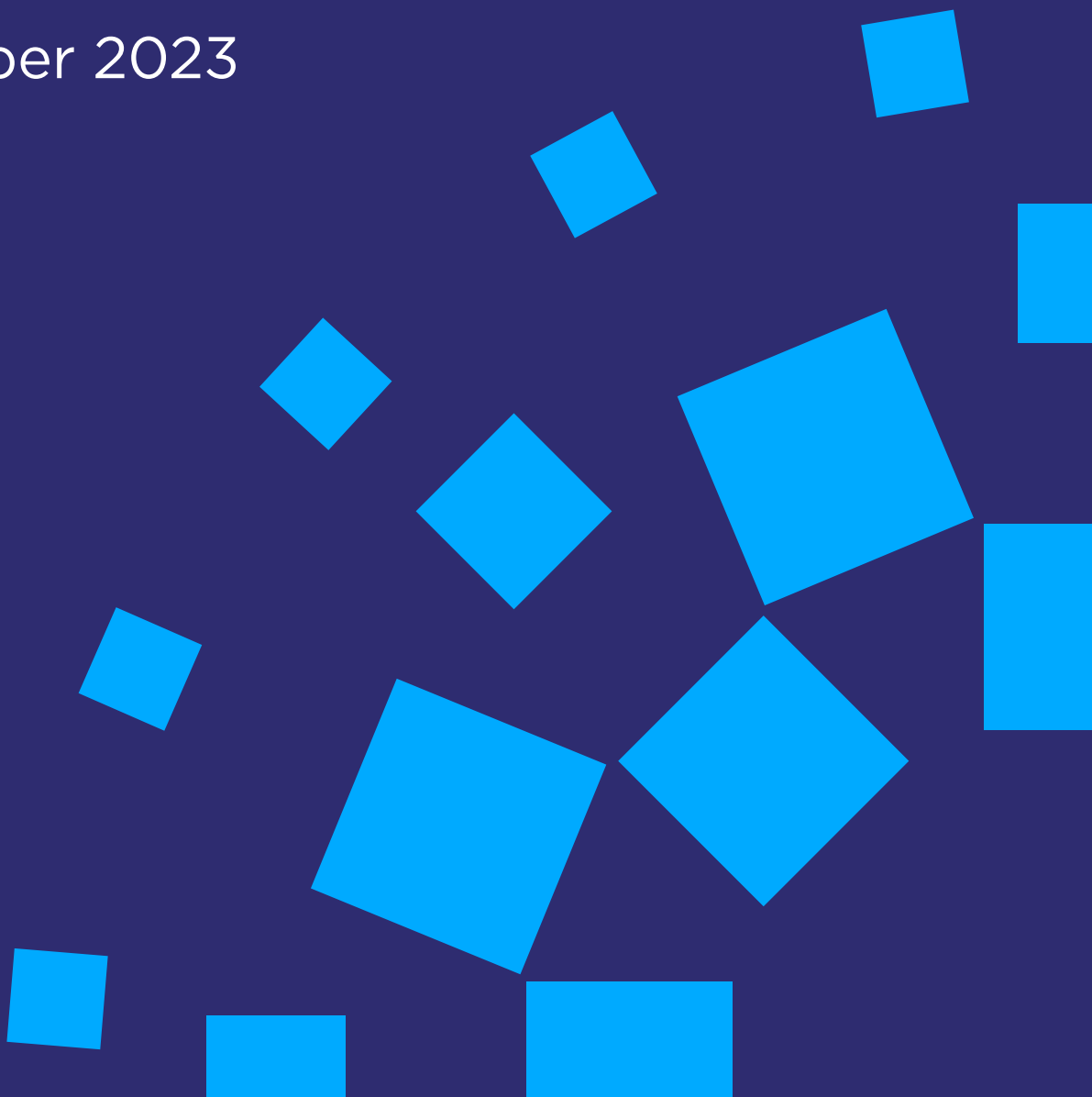


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Independent external review of Lancashire Constabulary's operational response to reported missing person Nicola Bulley

November 2023



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Foreword

Our independent review of the Nicola Bulley case has sought to provide an external perspective on the investigation and associated activity conducted by Lancashire Constabulary in January and February 2023.

Throughout our work, we have had Nicola's family and friends in our thoughts. We can only imagine the pain they are feeling in coming to terms with their loss, and we pay tribute to their strength and patience. We hope that the completion of this review will allow them the space to continue to grieve in peace.

The work of the review team has been extensive and thorough. The team has examined over 350 documents, emails and phone records, interviewed more than 70 key people from Lancashire Constabulary and gained insight from over 30 subject matter experts outside of the Constabulary, including from the media.

The purpose of the review has never been to attribute blame but to identify areas of learning for the Constabulary and wider policing. While there are elements of the review that inevitably will be critical, there are also areas of Lancashire Constabulary's response that should be commended as demonstrating the very best of policing.

We have summarised our findings into conclusions and recommendations. These outline why the review team found the tactical management, professionalism and thoroughness of the operational aspects of the investigation to be exemplary. Our findings also show that the policing search response to recovering Nicola was conducted to a high standard and drew on national expertise.

In contrast, the review team has also identified learnings for the Constabulary across its senior leadership and communications. Despite the significant scale of coverage regarding the investigation across the media and social media, there appeared to be a lack of recognition of the investigation's profile and the impact on public confidence in the Constabulary. The failure to call the investigation a critical incident, despite meeting the national definition, led to several challenges.

The release of personal information about Nicola remains the most controversial aspect of the investigation. The Constabulary missed several opportunities during the investigation to remove or reduce the requirement to disclose further information about Nicola's vulnerabilities. It should have anticipated that this information would be requested or would come to light from another source. In our view, despite it being lawful, the release of this highly sensitive information by the Constabulary was ultimately avoidable and unnecessary.

Other learnings can be taken from findings about the advice from communications professionals and other operational leads not being followed, as well as the insufficient attention given to the importance of the Constabulary's media response. This was compounded by several errors by the Constabulary's media and engagement team early in the investigation, which led to external voices being able to dominate the narrative surrounding the case.

While there is substantial learning for the Constabulary, there are also findings and recommendations relevant to national policing. The review found the wider relationship between the police and the media to be fractured, and identified that action needs to be taken on all sides to help build trust. The impact of social media on policing was illustrated starkly, and the significance for investigations and public confidence must be acknowledged. The activity to address both these areas of learning must now be considered closely at a national level, including by the College of Policing.

Finally, we'd like to put on record our thanks to everyone who contributed to the review. Nicola was at the centre of this investigation, and we are left in no doubt that Nicola, her family and friends were at the forefront of every Lancashire Constabulary officer's and staff member's minds as they worked to find her. Their dedication, while dealing with the scrutiny placed upon them, should not be underestimated.

The Constabulary welcomed the review team with transparency and candour. It is of significant credit to Lancashire Constabulary that their officers and staff have displayed, and continue to display, a real

willingness to learn. We stand ready to support them, the police and crime commissioner, and wider policing as we look to implement the important learning from this review.

Andy Marsh
CEO, College of Policing

Review Chair ACC (Rtd) Dr Iain
Raphael, College of Policing

Executive summary

The Nicola Bulley case provided an unusually challenging set of circumstances for Lancashire Constabulary. The investigation generated unprecedented levels of mainstream and social media interest for a missing-from-home case, which turned out to be an accidental death after Nicola had fallen into cold water. Because there was no evidence of a crime and no arrests were made, legal proceedings were not active. The media were therefore free of reporting restrictions.

The press office of Lancashire Constabulary's media and engagement (M&E) team logged more than 500 media calls and 75,000 inbound social media comments on the Nicola Bulley case over a period of around a month. At the peak of attention from the media, the investigation generated 6,500 news articles globally in a single day. On social media, the BBC estimated that TikTok alone featured videos with the hashtag of Nicola Bulley's name that had 270 million views in total.

A number of factors had an impact on Lancashire Constabulary's management of communications during the investigation, including:

- a global social media frenzy, including amateur 'detectives' on the ground in St Michael's on Wyre posting content to social media channels
- a search specialist involved in the case undertaking independent media activity
- limited coordination of police and family media activity
- a search process that was lengthened and complicated by tidal flows and difficult river conditions

In contrast to the management of communications, the police investigation into Nicola's disappearance itself was highly professional and was delivered to a very high standard. Lancashire Constabulary quickly identified this internally as a 'high risk' case and they deployed significant resources, beyond what would normally be anticipated, to find Nicola. The investigating team started with a working hypothesis that Nicola

had gone into the river, while not closing off other options. Ultimately, this hypothesis was proved to be correct following a substantial and professional search operation.

In support of this hypothesis, the investigating team had background information on Nicola that was not publicly available. The way in which this information was eventually communicated to the public proved to be the most controversial aspect of the investigation.

The failure to brief the mainstream media on a non-reportable basis on this information, or to adequately fill the information vacuum, allowed speculation to run unchecked. This led to an extraordinary increase in media and public interest in the case, which was fuelled by several newsworthy elements. These included the apparent mystery of why Nicola had disappeared, leaving behind her dog and leaving her mobile phone still connected to a Microsoft Teams call.

The loss of control over the media narrative by Lancashire Constabulary was, in part, due to the decision making and leadership of the chief officer team. While all the component parts of an effective response were present, they were not fully delivered to the level required. Improved awareness, decision making and oversight from the chief officer team would have proved beneficial, including recognition of the added significance and complexity caused by the media and social media interest.

Once control of the media narrative had been lost, Lancashire Constabulary faced an extraordinarily difficult task in regaining it. Their attempts to do so eventually led to the unnecessary public disclosure of sensitive personal information about Nicola Bulley, which was widely criticised.

This independent external review has found that the investigation into Nicola's disappearance was very well handled and resourced. Significant challenges were created by not declaring the investigation a critical incident, when it was clear that Lancashire Constabulary was being criticised and that there was a risk to public confidence. This decision had a negative impact on many aspects of the handling of

this case, including the strength of the gold leadership structure and decision making, the deployment of family liaison officers, and the person nominated as the face of the Constabulary to the public and the media. Ultimately, the review finds that the decision to release Nicola's personal information was avoidable and unnecessary. It is hoped that this report will result in learning for Lancashire Constabulary and policing more generally.

Methodology

This independent external review ('the review') was led and chaired by ACC (now retired) Dr Iain Raphael. Supporting him was a team consisting of investigation, media, legal and data sharing experts. Throughout the review, the team drew on subject matter experts to ensure the accuracy of the findings. All who participated were independent from Lancashire Constabulary.

The review adopted the following strategic priorities to guide its work.

- To conduct a timely, professional and thorough learning review of the investigation by Lancashire Constabulary of the 'high risk' missing person Nicola Bulley, in line with the terms of reference set by the Lancashire Police and Crime Commissioner (PCC).
- To conduct the review in a sensitive way, in particular with regard to the family of Nicola Bulley.
- To ensure that the findings of the review are evidence-based and quality assured by experts or advisors commissioned by the review team.
- To conduct the review in an ethical and transparent way that appropriately recognises the needs of those involved directly or indirectly in the investigation.
- To manage all communications around the review, in line with the approach agreed in the terms of reference.

The review included assessment of a significant volume of documentary evidence, interviews with relevant officers and staff from Lancashire Constabulary, and input from external subject matter experts.

Desk research was conducted, including collation and review of more than 350 documents, emails and phone records supplied by Lancashire Constabulary, alongside other relevant material, including College of Policing authorised professional practice (APP) guidance documents. The documents supplied by Lancashire Constabulary included investigation and communications strategies, policy logs from the key

personnel, gold group meeting minutes, and chief officer team minutes and emails. Hundreds of press cuttings, broadcast articles and social media posts were also reviewed.

Face-to-face or remote interviews were conducted with more than 70 people involved in the investigation, including:

- the chief constable
- the deputy chief constable
- members of the gold group
- the PIP4 (the strategic investigations advisor, qualified to level 4 of the professionalising investigations programme)
- the senior investigating officer (SIO)
- the investigating officer
- police search advisors (PoSAs)
- family liaison officers (FLOs)
- the private diving expert who participated in the search for Nicola
- the head of the media and engagement (M&E) team
- press office members
- the head of legal services
- the data protection officer (DPO)

National and local broadcast and print media who were involved in reporting the story were also interviewed.

The parents, sister and partner of Nicola were given the opportunity to participate in the review but declined for personal reasons. The review has continued to offer updates and engagement with Nicola's family as it has progressed.

Face-to-face or remote interviews were also conducted with, or written submissions were received from, more than 30 subject matter experts who were not directly involved in the investigation, including:

- the National Police Chiefs' Council (NPCC) lead for missing persons
- the NPCC lead for media
- the NPCC lead for family liaison
- the NPCC lead for strategic underwater search
- the Defence Science and Technology Laboratory
- the National Crime Agency (NCA)
- the National Police Coordination Centre (NPoCC)
- the Society of Editors
- the Crime Reporters Association
- the Independent Press Standards Organisation (IPSO)
- the Information Commissioner's Office (ICO)
- the Office of Communication (Ofcom)
- the Connect team
- national advisors
- senior police communicators

Before publication, this review report was subject to a fairness and disclosure process to ensure its accuracy.

Further details of the methodology can be found in [Appendix D](#).

Chapter 1 – Investigation

Early response

On Friday 27 January 2023, at 11:01, Lancashire Constabulary received a 999 emergency call from Paul Ansell, who raised concerns for the welfare and safety of his partner, Nicola Bulley. Mr Ansell had last seen Nicola earlier that morning, preparing to take their two children by car to school. Footage recorded by their house's video doorbell supported this. This footage also corroborated the location of Mr Ansell that morning, confirming his continued presence at home.

Prior to calling the police, Mr Ansell had been contacted by the school, who informed him that the family dog had been found running loose and distressed by a bench in a field near to the school. Nicola was known to often walk in this field with her dog, along the River Wyre. Her mobile phone had also been located on the bench, along with the dog's harness and lead, which were found lying on the ground between the bench and the riverbank. The riverbank at this location is short but steep with no footholds or handholds. It was normal for Nicola to remove the harness and lead from the dog after entering the field. As the dog was still unleashed, this gave an indication that Nicola had not been ready to leave the field. Mr Ansell telephoned the police before making his way to the location to retrieve her items and conduct a search.

Following the emergency call at 11:01, the incident was initially recorded as a 'call for concern' by the call handler. However, following a review of the information in this initial telephone call by the district response inspector, it was upgraded within 27 minutes and declared as a 'high risk' missing person. This triggered a Constabulary response, undertaking prioritised tasks and actions.

In this 999 call to the police, Mr Ansell stated that Nicola had been recently: 'suffering from mental health, had been experiencing the menopause and had been suffering from depression'. He also stated that she had been 'OK that morning, nothing untoward' and 'this is very unlike Nicola, totally out of character'. This was recorded in the initial call log.

High risk

Authorised professional practice (APP) is produced by the College of Policing as the official source of professional practice in policing. The **Missing persons APP** states that:

'Anyone whose whereabouts cannot be established will be considered as missing until located, and their well-being or otherwise confirmed.'

The APP describes that all reports of missing persons sit within a continuum from 'low risk', through to 'medium risk' then 'high risk'. 'High risk' is defined as:

'The risk of serious harm to the subject or the public is assessed as very likely.'

The 'high risk' category almost always requires the immediate deployment of police resources. A member of the senior management team must be involved in the examination of initial lines of enquiry and approval of appropriate staffing levels. Such cases should lead to the appointment of an investigating officer (and possibly a SIO), and a PoISA.

The volume of missing person incidents recorded by the police is substantial. The latest data suggests that in 2021-22, there were 256,030 missing person incidents recorded nationally, of which 40,648 were graded 'high risk'. The percentage of these incidents resulting in a fatal outcome was 0.35%. For the same period, Lancashire Constabulary recorded 7,575 missing person incidents, of which 1,274 were graded 'high risk' and there were 40 fatal outcomes.

By 11:27, a response police car with two officers was deployed to meet with Mr Ansell as first respondents. An officer was also designated as the dedicated missing person search manager. This role provides a 24/7 response to triage and coordinate a search for the missing person, based on the circumstances of the disappearance. They also act as a single point of expertise, direction and experienced oversight.

The initial response was overseen by a local chief inspector. A significant number of multi-agency resources were deployed that morning, in support of the uniformed, local response. These resources were coordinated by the missing person search manager, providing specialist direction and experience. HM Coastguard was contacted and further specialist support services were deployed, consisting of:

- Lancashire Constabulary Dog Unit
- Lancashire Constabulary Drone Team
- PoISAs
- Lancashire Fire and Rescue Service (LFRS)
- Swift Water Team
- Bowland Pennine Mountain Rescue Team
- Lancashire Area Search and Rescue
- National Police Air Service
- North West Police Underwater Search and Marine Unit (NWPUSMU)

By 14:42, an underwater thermal camera had been deployed to search the River Wyre, close to the bench area, but with no trace of Nicola.

The specialist support services deployed to the scene were directed to work according to the most likely theory (hypothesis), as documented by the PoISA lead, having assessed the initial information. There can be considered to be four categories of missing person: ill or injured, lost persons, voluntarily gone missing or under the influence of a third party. From the outset, the working hypothesis – a theory that is provisionally accepted as the basis for further research, but may be subject to change – for this search was categorised as:

‘Missing persons who are ill or injured – these are persons who do not want to be missing but have suffered some kind of injury or illness that has resulted in them not completing a journey and subsequently being reported as missing’.

The PoISA lead also documented that two other categories – third-party involvement and the missing person voluntarily going missing – were not discounted. These categories were acknowledged as part of the search strategy from the outset. However, enquiries conducted by the investigation team did not provide any information or intelligence placing Nicola into one of these other categories. All searches were based on the working hypothesis that Nicola was ill or injured and likely to have fallen into the river. The searches conducted also covered the adjacent land areas to the river in order to encompass less likely hypotheses, such as body deposition or suicide.

Later that day, Nicola's disappearance was further reviewed at a senior management meeting chaired by a chief inspector. Searches were concluded at 19:00 due to health and safety concerns, as well as the challenges posed by searching in darkness. The priority search area for the following day would focus on the river.

Conclusions

- The initial grading of the emergency call made by Mr Ansell was quickly and correctly reviewed, assessed and categorised as 'high risk' by Lancashire Constabulary, in line with the Constabulary's and national policy guidelines. There was effective supervisory oversight at the correct levels for the early assessment and appropriate deployment of relevant resourcing and skills. The early reassessment of the initial call grading is particularly commendable. The deployment of specialist support services was comprehensive and effectively mobilised, making the initial policing response of a high standard. The incident had further additional oversight and scrutiny through a later management review meeting.
- The initial response to a 'high risk' missing person enquiry, especially the use and deployment of a missing person search manager, was highly commendable. All forces should consider adopting this approach.

Early investigation

On Saturday 28 January, at 08:00, the on-call SIO, an experienced detective superintendent, formed the view that this was an unusual case. They carefully assessed the risk and allocated resources appropriately, including an experienced detective inspector as the investigating officer. Responsibility for the investigation lay with this SIO, who confirmed and agreed the 'high risk' categorisation.

It is Lancashire Constabulary's missing from home (MFH) policy to ensure that a force major investigation team (FMIT) review is conducted of any 'high risk' MFH investigation within 24 hours and daily thereafter. With the available FMIT resources allocated to an emerging firearms incident, the SIO took responsibility to review the investigative response.

Prioritised enquiries included:

- securing detailed evidential accounts of key witnesses who had already been identified
- the review of telephony and digital examination of Nicola's mobile telephone
- securing CCTV footage from Nicola's home address
- conducting financial enquiries

The SIO also deployed two detectives to Mr Ansell to secure a detailed account, reflecting Nicola's family life and background.

The SIO attended the riverbank location, and met with the PoISA lead and the LFRS national inter-agency liaison officer to assess the scene and prioritise actions. The PoISA lead held the view that to place a 'scene' cordon at the location was of no forensic value, and this was agreed and recorded by the SIO. From the SIO's own visual assessment of the scene and known circumstances, their conclusion was that the working hypothesis being followed was correct. Their view was that Nicola had entered the river and that there was no suspected third-party involvement.

A number of factors supported the hypothesis, at this time, that Nicola had entered the water:

- Nicola's last known position
- the location of the dog harness
- the position and activity of Nicola's mobile phone
- the behaviour of Nicola's dog
- Nicola's medical history
- the low possibility of an exit by any land routes

The hypothesis was also supported by the river conditions, as reported by the diver who was responsible for diving on Friday 27 January. The water temperature at that time was estimated to have been in the region of 3.6°C, which is enough to cause cold water shock for anyone entering the water. The depth of water at the suspected point of entry was 4.6m. The river current was calculated as 3.8m per second, sufficient to have carried Nicola to – and potentially over – the weir a short distance downstream. Downstream from the weir, the river is subject to tidal influence, increasing the likelihood of movement and unpredictability. On that day, there was 0.46m of water above the level of the weir. Records show that high tide was at 15:30 and was 9.12m, with an expert advising that high tide is likely to present a body floating on the water and low tide is likely to deposit a floating body.

The investigating officer also attended the scene on Sunday 29 January and liaised with the PolSA lead and search teams. The investigating officer's attendance confirmed their view that third-party intervention or assault was highly unlikely. The wet, muddy ground would have experienced disturbance to support such movement, and this was entirely absent. This view was also supported by the prevalence of dog walkers in the area and a busy main road nearby with no suspicious sightings. The assessment was that the searches being conducted were covering a comprehensive area. The investigating officer felt that there was no reason to secure the attendance of a crime scene manager, as there was no evidence to suggest that criminal activity had occurred. The management of the scene is considered later in this report.

To support the investigation, media releases were prepared by Lancashire Constabulary's M&E team. The on-call press officer that weekend reflected that it was difficult to secure the relevant information and a photograph to circulate. Suggestions were made by the M&E team to conduct a media briefing to communicate an appeal, but this option was not taken forward at that time. The local community became engaged in a search response to find Nicola but felt that they were hindered through a lack of information. It was suggested to the review that the circulation of CCTV imagery from that morning would have assisted their efforts.

One of Nicola's family friends, who became the 'community spokesperson', told the review that this was challenging for the community, who were driven by a strong desire to help the police search effort. Lancashire Constabulary had set up a briefing document for public tasking and to record responses. However, this family friend felt that there had been little police coordination of the community's search efforts, and believed this to be a missed opportunity. The family friend set up a 'hub' to mobilise community-led searches, but this received limited support or direction from the police.

Conclusions

- The managerial oversight and command of the early investigation was at a high level for this type of investigation. The attendance at the scene by the SIO and investigating officer demonstrated senior assessment and scrutiny of the resourcing and working hypothesis. The minor deviation from the Lancashire Constabulary MFH policy of an FMIT review is assessed as having no impact on this case.
- Greater consideration could have been provided to harness the community as a resource in these early search efforts, to benefit from local knowledge and to focus joint efforts.

Scene management and control

The bend of the river near to the bench was the most likely point of entry by Nicola and it was considered the only safe entry point for the dive team. From the outset, and at subsequent visits by police and support services, a decision was made not to secure the bench and vicinity area with a police cordon. At first attendance by LFRS, it was not known whether this was a body rescue or a body recovery, and an effort to preserve life will always be the prioritised emergency service response.

Based on the facts known at the time, the attending PoISA lead deemed it unnecessary to demarcate and preserve a crime scene. The PoISA lead recorded that, had there been any indication of a crime, the area around the bench would have been cordoned.

Prior to police attendance, Nicola's personal items had been retrieved and handled by several witnesses and her partner. The area around the bench had experienced the footfall of approximately 20 people. The opportunities for any forensic recovery were considered by both the PoISA lead, the on-call detective superintendent and the investigating officer. With no criminal activity suspected, forensic examination was deemed to be of no value. A crime scene examiner was not requested to support any considerations for scene preservation and a more thorough forensic examination.

The notion of a 'scene' and cordoned area was later discussed by the review team with the NPCC lead for strategic underwater search and the principal dive contractor. Their view was that while the investigation continued and the outcome was not known, a cordon would have provided greater control and protection to the area. Additionally, the national search advisor and the national SIO advisor both recognised the benefits of a scene cordon and felt it would have supported the 'open-minded' approach to hypotheses.

While the working hypothesis was that a fall into the river had occurred, the first responders and PoISA lead could not possibly have ruled out a third-party intervention and criminal activity. At that early stage, the

witness and CCTV enquiries that came to support the working hypothesis were yet to be undertaken and their outcomes were yet to be established.

If the working hypothesis had later turned out to be incorrect, later opportunities to recover the scene and conduct forensic examinations would have been lost entirely.

Conclusions

- At incidents where it is unclear whether a crime has been committed, all responders should consider the potential outcome of criminal activity. Decisions whether 'golden hour' measures are required, including the preservation of a crime scene, will need careful consideration. Such decisions will need an assessment of the certainty of support for a particular hypothesis. It is often the case that, at the earliest stages of an investigation, the hypothesis or hypotheses can change, and decision making must take account of this possibility. Once a decision is made not to seek or recover evidence, the opportunity is then lost forever.
- The early investigation used a working hypothesis that Nicola had fallen into the river. From the information known at the time, this review considers the working hypothesis to be correct. However, the scene should have been cordoned off and subject to forensic examination at an early stage. In doing so, additional benefits would have been realised, such as controlling who entered the scene and helping the search efforts.

New senior investigating officer

The SIO plays a pivotal role in a major investigation, with the role combining that of a lead investigator and manager.

The NPCC's [**Major Crime Investigation Manual 2021**](#) states that:

'The primary role of the SIO is team leader, providing investigative focus, coordinating and motivating the team. They are accountable for every facet of the enquiry, and should manage a range of internal and external resources

to maximum effect. [...] They should be able to develop investigative strategies based on the unique circumstances of each case, making effective use of the National Decision Model. They should continually assess and modify their strategies as new material becomes available. SIOs should also ensure that information management systems are established to enable the investigation to manage the volume and variety of information that will flow into and out of the investigation.'

An effective SIO will have key skills to assimilate, assess and prioritise information so that main lines of enquiry are formulated, using the support from other key roles within the investigation. The SIO needs to demonstrate a high level of competency.

The Major Crime Investigation Manual 2021 also states that:

'To deliver the investigative and management challenges of a homicide or major crime investigation, SIOs should be accredited and registered as a PIP 3 SIO, or as a minimum progressing to accreditation. [...] Some types of major crime can be unusual or rare, and even the most experienced SIO will not have first-hand experience of every type of case. SIOs should know where to go to access specialist support and advice. This will increase their knowledge and improve their approach to all investigations.'

An SIO must successfully complete the national senior investigating officer development programme, where their competence is assessed against relevant professional standards for the role. Once completed, they are qualified with an accreditation known as professionalising investigations programme level 3 (PIP3) with their details entered onto a national register of accredited SIOs.

A PIP3 can progress to become a PIP4 with the completion of a College of Policing training course. This provides them with further skills to become a strategic investigator. They are able to provide independent advice, support and review for high-profile, complex, serious and organised or major crime investigations.

On Monday 30 January 2023, a new SIO, a detective superintendent, was appointed and assumed full responsibility for the investigation. This SIO was both PIP3 and PIP4 qualified, was a highly experienced SIO with 29 years' service, and is highly regarded within Lancashire Constabulary. The SIO recorded their strategic decision making and rationale in policy and decision logs.

The Major Crime Investigation Manual 2021 states that:

'The primary objective of a policy file, or decision log, is to record investigative direction, instruction, parameters and priorities for major crime investigations [...] The policy file should accurately reflect the strategic and tactical decision making of the SIO. It provides a transparent, accountable and auditable record of the decisions made during the course of an investigation [...]'

In the decision log for 30 January, the SIO recorded that the investigation into Nicola's disappearance was 'reported at the time and since that time has been run as a MFH', and that they would:

'oversee a review of the investigation to ensure that there are the appropriate resources to establish whether there is any 3rd party involvement in her disappearance and to assist in locating her, due to the unusual circumstances surrounding her disappearance'.

On 30 January, the new SIO also recorded a separate policy decision, requesting a FMIT detective inspector to review the investigation to date, in line with Lancashire Constabulary policy. This was to ensure that all priority lines of enquiry were being progressed and that there was no sign of any third-party involvement. An FMIT detective inspector was allocated the task and reviewed the investigation. It was agreed that the hypotheses provided by the previous detective inspector were correct and that all reasonable and prioritised lines of enquiry were being progressed.

On 31 January, the SIO recorded that they had considered a number of hypotheses, including third-party intervention. However, based on the information known at the time, their working hypothesis was that Nicola

had entered the river as a result of an accident or medical episode, and had been unable to remove herself from the water. The SIO also documented that they were 'keeping an open mind' regarding all of these hypotheses and would review their decision regularly. It is clear, at this time, that third-party involvement was still under consideration.

Under the new SIO's direction, extensive enquiries were undertaken in the first days. This enabled officers to establish a timeline of events, based on CCTV sightings and the accounts of key witnesses in the area at the time. Nicola's movements were largely accounted for by witnesses and were corroborated by CCTV, telephone examinations and General Packet Radio Service (GPRS) phone data analysis.

A dedicated team of more than 40 detectives was assigned to the investigation, along with specialist uniform resources to assist the search. Nicola's movements, and the evidence that supported this, clearly demonstrated the sequence of events. Ultimately, in excess of 200 police officers and staff were involved in this investigation.

Through a tight sequencing of events based on the information from these enquiries, a 'window of opportunity' for harm was pinpointed between 09:10 – when she was last seen by a dog walker – and 09:33, when her phone was found by a different dog walker ([Appendix C](#)).

Conclusions

- The early stages of the investigation were reviewed by a local, highly experienced detective inspector and an FMIT detective inspector, and were overseen by two separate, experienced and qualified SIOs. All were in agreement that, on the information known at that time, the most likely hypothesis was that Nicola had fallen into the river. There was no suspected third-party involvement, although an 'open mind' was being maintained. The approach taken was consistent and evidence-based, and led to informed decision making across the investigation.
- The SIO's policy books contained good evidence of the strategic direction and command of the investigation, with clear decisions and rationale provided, based on information known at the time.

The documents detail the working hypotheses, the main lines of enquiry, the resourcing capabilities and the strategies formulated to achieve the investigative progress. These were the subject of regular review.

- The SIO sought and implemented several independent reviews throughout their investigation, demonstrating a proactive appetite for learning and seeking improvements. The recommendations provided were followed and, if not, a sound rationale was provided. This approach is commendable.
- The SIO's working hypothesis ultimately proved to be correct and Nicola was found, in accordance with early set understanding.

NCA peer review

Lancashire Constabulary undertook four peer reviews on various aspects of the investigation. This is commendable and demonstrates an appetite for learning and for maximising advice from internal and external peers. In addition to ensuring early operational 'grip', the new SIO contacted the NCA on 2 February 2023 to secure a peer review. The NCA provides specialist capabilities for law enforcement, providing guidance and support to investigations from independent and nationally accredited advisors. At the review, there was representation from:

- the national SIO advisor
- the national search advisor
- the national family liaison advisor
- a forensic clinical psychologist
- the national missing persons advisor
- the Missing Persons Unit
- a crime investigation officer

Observations by the national SIO advisor were that:

'the current investigation priorities were correct and supported by the tight sequencing of Nicola's movements. The briefing from the SIO and Head of Major Crime demonstrated their open mind and curious investigative mindset'.

The national SIO advisor reminded the investigation team of the importance of remaining 'open minded' as more information and evidence was gathered, and agreed with the working hypothesis that Nicola had entered the river, which was the only hypothesis supported by all the facts. The national SIO advisor documented at the time that it was clear that the investigation was well resourced and led by appropriate governance structures.

The national missing persons advisor added that:

'The level of investigation and search for this case far exceeds that which I normally see in cases with similar circumstances. From what I have seen this investigation has been very thorough and by way of proportionality, exceeds normal expectations.'

The peer review guidance document, which summarises the peer review, provides very limited commentary on communications, media support and guidance for Lancashire Constabulary:

'Within the media strategy, consideration should be given to the use of personal briefings to the family and the wider media cohort to assist the SIO in controlling the messaging in line with direction from [the] gold [commander]. These should be used in parallel to the wider media strategy to ensure they complement each other.'

There is no guidance in the peer review in relation to social media management.

Information management

The initial command and control of this incident was conducted on Smart Storm, which is software used by emergency services to receive and record calls, allocate resources and manage demand. The

management of the investigation was then moved to another software system called Connect, used by Lancashire Constabulary and a number of other forces in the UK.

Those managing the investigation within Lancashire Constabulary's investigation team described some frustrations using Connect due to the software version. For example, the system only allows for one person to update at a time, meaning that there is a delay in uploading information onto the system. Supervisors' updates are also limited by a word count. When documents are attached to the system for reading and assessment, they are not sequenced in terms of date and time created.

Lancashire Constabulary adopted Connect in 2016. A member of the Constabulary's original Connect implementation team provided the view that Connect, when originally designed, was not intended to be used for missing person investigations. This has also been confirmed by the head of IT for Lancashire Constabulary.

Initially, the investigation team devised bespoke systems and spreadsheets to manage the volume of material and to allow for clear task-and-result updates. To manage the review of increasing volumes of public information, consideration was given to transferring the investigation onto the Home Office Large Major Enquiry System (HOLMES 2) for process and information management. HOLMES 2 was introduced as a software system for forces to support the management and retention of information in large and complex major investigations. This system enables timely actions to be taken and reduces the risk of information being lost or misinterpreted.

However, it was recognised that some staff involved in the investigation were not trained to use HOLMES 2 and would be unable to access or use the system. Placing a 'full' HOLMES 2 capability and resourcing into a MFH enquiry would be highly unusual. However, the amount of information generated through the investigation required either HOLMES 2 or an information management tool with the equivalent capability.

Instead, the SIO reverted to using the HOLMES 2 'light' functionality, which allowed the storage of information with 'action' management but

without the other HOLMES 2 functions of indexing, reading and linking. This process was used between 5 February and 12 February until a 'full' HOLMES 2 structure, with suitably trained staff resourced from FMIT, could be secured and implemented.

The review team engaged with the product owner for investigations management and the head of product for policing and national security at Connect. They confirmed that the version used by Lancashire Constabulary was not designed to manage an MFH incident on this scale. Current versions of the software are being used in other forces to allow multiple users to add decisions, enquiry logs, actions, documents and information. They confirmed that an MFH module has also been developed following consultation with a subject matter expert in the Metropolitan Police Service. They are planning to release this new software in February 2024.

The chief officer team at Lancashire Constabulary are aware of these challenges and, at a recent strategic board chaired by the deputy chief constable, have workstreams under way to resolve the matters raised. The review team has ensured that the learning from this investigation has been shared with Lancashire Constabulary's IT services and with Connect.

Conclusions

- Connect is the software system used to record MFH investigations within Lancashire Constabulary and in other forces. However, the scale and complexity of this investigation made Connect an unsuitable system to use. Upscaling to a full HOLMES 2 incident room was not possible due to the trained limitations of staff to provide the capability. The resourcefulness of the investigation team in creating bespoke systems as an alternative method to managing the investigation material is commendable, given the challenges described. However, these methods created unnecessary delays and distraction.
- When MFH investigations are complex, forces should consider using appropriate systems, such as HOLMES 2, to support their information management. This requires an appropriate and suitably trained resourcing capability.

Search response

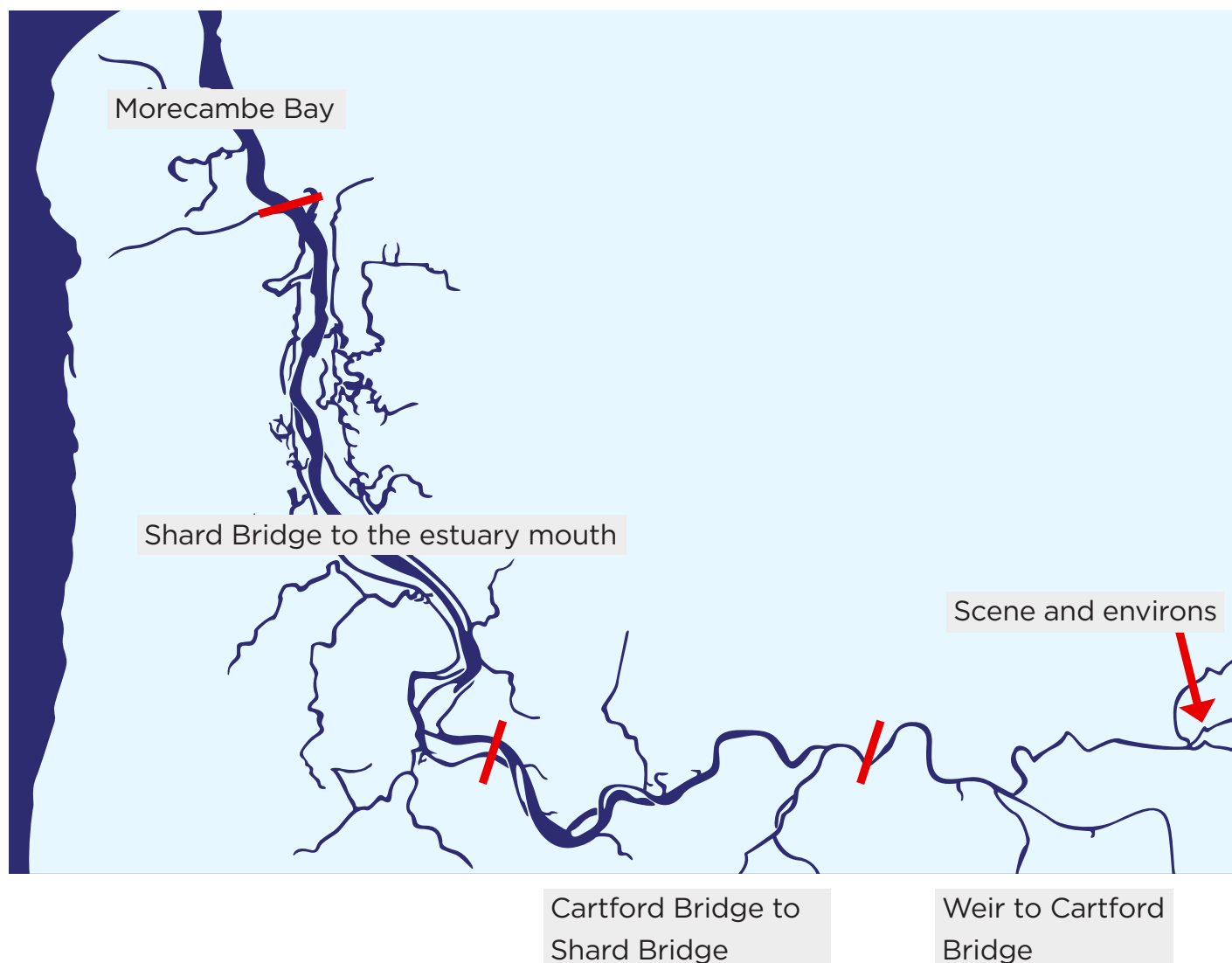
A police sergeant with extensive experience as a PoISA and licensed search officer was initially deployed to lead and coordinate the search effort. This officer has comprehensive search qualifications, as well as the additional experience and qualification as a force missing person search manager. The role incorporated a responsibility to provide strategic planning, tactical decision making and operational delivery in what was a dynamic missing person investigation.

All searches conducted were based on the working hypothesis that Nicola was 'ill or injured' and likely, as a result, to have entered the river. Efforts were also made to ensure that, if she had managed to climb out of the water, she would be located on the bankside. Therefore, searches incorporated the land areas to the side of the river. As these land searches proved negative, this supported that she was most likely within the watercourse and, due to river conditions, deceased and subsurface. It could not be excluded that Nicola was on the water surface or caught above the water level, as each tide ebbed, so foot, boat, helicopter and drone searches were also undertaken.

The **National Operational Guidance** is the fire and rescue service's equivalent of College of Policing APP. While the police are responsible for inland search and rescue operations, water rescue is the responsibility (not statutory) of the FRS and is governed by the National Operational Guidance. This guidance contains a research figure for when a search and rescue operation from water becomes a search and recovery operation. This is determined to be 90 minutes for a child and 60 minutes for an adult. By the time that Mr Ansell contacted the emergency services about Nicola, the window for a realistic water rescue operation had passed. This was, from the outset, more likely to have been a recovery operation, although the exact time of Nicola's disappearance was not precisely known.

On 27 January, the initial searches of the river, riverbank and open areas of land were extended to 500m from the riverbank, supported by duplicate searches by the National Police Air Service from 12:18.

Figure 1: Map of the River Wyre, from the scene to Morecambe Bay.



Supported by LRFs, a drone was deployed using an RGB (red, green, blue) camera and thermal imaging upstream of the scene for 500m and downstream for 1km. A land-based victim recovery dog was deployed into fields north of the river, concentrating on hedgerows and treeline. The fields around the bench were searched, as were both sides of the river, including adjacent woods. The river in front of the bench was searched by divers and a wade search was conducted to the weir. It was noted by the NWPUSMU that the flow of the river was strong enough to move a body out of this area and over the weir.

It is recorded that searches continued throughout 28 and 29 January. On 29 January, there were no immediate dive tasks to be completed

and water searches were surface-based, rather than sonar. Water-based search teams were conducted using the LFRS, Coastguard and Royal National Lifeboat Institution. On 30 January, the same area of river in front of the bench was searched by divers again, up to the weir. Searches continued on 31 January, 1 February and 2 February, with the river in front of the bench again searched by divers. Searches also continued on 3 February. On 7 February, a dive company named Specialist Group International (SGI) joined the search capability, using their sonar scan equipment. Searches continued on 8 and 9 February by licensed search officers, supported by SGI.

Similarly, licensed search officers, NWPUSMU and LFRS conducted extensive, daily searches between the river weir and Cartford Bridge, to Shard Bridge and out to sea, including Morecambe Bay. The search teams were supported by the availability of a large amount of data in the form of GPS logs and camera angles from aerial capability. The search terms were also supported by the National Counter Terrorism Security Office to combine all the search data together onto one set of mapping. This support was unprecedented for a MFH investigation.

The PoISA lead for 8 February onwards stated that:

‘The technical aspects of this search were no different, but the scale of the press interest and resources available were much more than we’ve ever seen [...] this was unprecedented for us.’

Despite extensive scrutiny, the search team remained consistent with their hypothesis. Guided by experts, the team secured the recovery of Nicola within their search area, consistent with their plans. This reinforced that their approach to the searching techniques was correct.

The PoISA lead provided regular updates to Nicola’s family and used information from experts, the Coastguard tidal data and Environment Agency flow data to support the theory that Nicola was most likely to have entered the river. The searches continued daily until Nicola was recovered on 19 February.

Conclusions

- From the time of reporting to the discovery of Nicola's body, it is evident that those leading the search activity had the relevant and appropriate experience and accreditation. The policing response to recovering Nicola was conducted to a high standard and with comprehensive and skilled resourcing. The search was later found to be accurate, with the recovery of Nicola's body found within the defined area, proving the search and investigative hypotheses to be correct.

Searching water and body recovery

To support the PoISA lead and associated search teams, early contact was made with the NCA and the national search advisor, with scene attendance to review the activity. It is the expert view of the national search advisor that water-based searches present greater challenges than most land-based operations. The hazardous nature of water and the challenges presented to visibility – with cloudy conditions, weeds and reed-beds – are further complicated by the propensity for a body to move within a waterway. Bodies will sink, float or assume a neutrally buoyant position, dependent on body weight, clothing and footwear variables.

The effects of water currents, wind currents and tidal conditions have the potential to move and re-introduce a body back to exactly the same area of water, even after a search there has been completed. These variable conditions and factors, together with subsurface items, such as mud or silt, frequently frustrate search techniques. Body recovery is, therefore, exceptionally challenging. The likely result, even with the most highly trained and skilled search resources and equipment, can lead to significant delays to finding a missing person in water. This is in contrast to land-based searches. The PoISA lead later described 'the water as having been really dark' and believed that Nicola had already been taken over the weir on arrival by the emergency service first responders on the first day.

Many persons lost to water are never located, especially if subject to tidal conditions or the sea. While such a situation has a significant impact on a family's trauma, the recovery of a body from water is far

more likely to be through the body's own flotation to the surface than through search.

In this case, and to support the PoISA lead to focus search activity and resources, further assistance was sought from experts to refine the search strategy. The following experts were secured early in the search strategy and utilised:

- an expert in body behaviour in water from the University of Dundee
- an oceanographer from the Centre for Environment, Fisheries and Aquaculture Science
- an expert from the Association of Lowland Search and Rescue

It is essential for a search strategy to consider the available research and to use experts. This can determine a point when a search will be suspended, if the subject has not been located. Anecdote and experience indicate that most, but not all, victims of drowning are found on – or very close to – the bottom of a watercourse, within a 100m radius of the location of entry. However, all variables for a body's movements remained under consideration. The experts provided daily advice to the search team, giving estimated indications for the potential flotation date for Nicola's body to rise to the surface. These estimations were calculated using data sourced from the tides, water and weather, combined with the individual characteristics and clothing information.

Based on the data available, the expert from the University of Dundee estimated a likely flotation date between 6 and 12 February, with the latest being 13 March. The expert from the Association of Lowland Search and Rescue advised that the earliest flotation date would be 14 February, with the most likely date being 20 February and the latest being 5 March. The information from these experts was regularly updated at the daily gold group meetings for the investigation. Additionally, the information was passed to the family liaison coordinator (FLC) and FLOs to update Nicola's family. The information provided a sound basis for decision making and deployment of search resources.

From the tidal information and the predictions by experts, it was anticipated that the weekend of 18-19 February might become

significant in the search to find Nicola. Resources and tactics were planned for a large-scale search on the afternoon of 19 February, as the tide ebbed. Sunday 19 February was also the first high tide since Nicola's disappearance, with 20 cubic metres of water per second moving over the weir. This predicted tidal movement would likely contribute to a floating body on the surface, moving with the tide.

The challenges of searching in water prevented Nicola from being rapidly located and recovered. When Nicola was finally recovered, she had been caught by underwater branches of a tree while being transported back out by the recorded ebbing tide. There were no reeds in that section of the river, as was later suggested on social media.

In support of the police effort to recover Nicola's body, the search team worked to a forensic recovery strategy. To provide the necessary protection to the area from the public, officers were deployed to the scene to prevent any public intrusion into the area. Despite this deployment, a member of public was able to breach the restricted area, ignoring the direction of the police present. This action resulted in an extreme invasion of privacy, in what was the most sensitive aspect of the investigation, and resulted in the arrest of the individual involved.

Conclusions

- The use of scientific experts, deployed early and in support, provided strong guidance for the likely flotation date for the recovery of Nicola's body. The prediction of recovery by the expert from the Association of Lowland Search and Rescue – that Nicola was most likely to be recovered on 20 February – was highly accurate. These estimations were used by the PoISA leads to focus resources and tactics to the dates most likely to be successful.
- The use of scientific experts, specialist resources, national search leads, counter terrorism and the NCA to guide decision making is highly commendable. Forces should actively consider the use of such experts to provide support and guidance in similar circumstances.
- More robust management of the scene could have prevented the public intrusion regarding Nicola's recovery. It is our view that greater

efforts at the scene should have been conducted to provide the necessary control.

Search response reviews

Two reviews were conducted of the search response and activities in this case during the early stages. These were a PoISA independent peer review on 2 February and a review by the national search advisor on 6 February. The PoISA peer review found that:

‘In my opinion the river has been searched extensively from the PLS (place last seen) through the mouth of the river at the point in the estuary where it meets the sea. This has been conducted by multiple agencies including Coastguard, Inshore Lifeboat, Lancashire Fire and Rescue and Underwater Search and Rescue Unit.’

The review also found that datasets had been used correctly.

The national search advisor had contact with the PoISA lead on 2 February to offer support and advice. The national search advisor suggested that, given the time of year and the water temperature, it was a realistic scenario that someone entering the water by accident or intent could succumb to cold water shock. This would result in an involuntary gasp for breath, drowning and rapid subsurface movement. The national search advisor attended a review meeting on 6 February, where additional advice was provided in relation to search, with further scene attendance on 7 February.

Search resourcing

Lancashire Constabulary's search advisor team has limited resourcing capabilities, with only nine staff on the rota who have the necessary training and qualifications. The nature and level of demand on Lancashire Constabulary is such that it is therefore impossible to provide a 24/7 capability for searching every day of the year. This can cause resourcing challenges and implications, as well as a dependency on mutual aid assistance (other forces' resources), along with goodwill from staff.

Despite these challenges, when reviewing the search strategy, the national search advisor later provided the view that the strategy was correct, with effective parameters. Their view was that competent and suitable resources had been deployed in the most appropriate manner. It was also the view of the national search advisor that Lancashire Constabulary applied a greater number of search resources, and for a longer period, than usual in a case with this hypothesis:

‘Very few missing person cases have such a strong foundation that the subject has entered the water.’

From the perspective of the NPCC lead for strategic underwater search, this was ‘a very comprehensive engagement not commonly seen and not easily repeated in similar circumstances’.

While the search resourcing was generally comprehensive and appropriate, the national search advisor found one area of deficiency that may have contributed to the challenges experienced. There was only one PoISA lead deployed within the search cell, who had responsibility for coordinating, advising, searching, logistics, gold senior command updates and general administration.

The College of Policing’s Missing Person and Crime PoISA Course Manual includes guidance on the format of a search cell for protracted or complex search operations. The guidance is that a search cell should be implemented with a police search coordinator role, with assistance from up to four PoISAs working. It is recognised by the national search advisor that such a cell structure rarely exists, even in the largest, most well-resourced operations. It is to the credit of the PoISA lead of this case that such effective search management was implemented, considering the limitations on their capacity and support. It is also recognised that, as experienced in this case, the task of managing the entirety of such a search makes this an extremely challenging and pressurised role.

At the conclusion of the investigation, a debrief was held of the search resources. Issues were highlighted around refreshments, non-technical equipment, clothing and goodwill. These issues appear to be replicated

nationally and have been the subject of a report titled 'Understanding police search, an analysis of their morale and welfare' (August 2022) commissioned by the Police Search Governance Board to address national challenges in terms of resilience, welfare and improvements to the role. The need for this review is supported by findings from this investigation. Consideration will also be given to reviewing the Missing Person and Crime PoISA Course Manual, in order to reflect achievable levels of support.

Dive resourcing

The NWPUSMU is the only underwater search resource used by Lancashire Constabulary, through a regional initiative. The national search advisor's view is that the NWPUSMU dive team are 'one of the most well-equipped, competent, experienced and highly regarded full time police underwater search teams in the UK'. The team was deployed immediately to this investigation on 27 January.

There is currently no on-call facility for the dive teams. Any requests for resourcing are therefore in addition to officers' ordinary roles and are conducted on a goodwill basis. While some of the team volunteered to attend and dive on 28 January, there were none available on 29 January. A decision was made to conduct water surface-based searches using other search resources.

While there is not a national on-call capability for dive resources, mutual aid requests for resourcing support can be made via NPoCC. In this case, a mutual aid request was conducted and the services of the South Wales dive team were used.

Contact was made by the NPCC lead for the strategic underwater search and the principal dive contractor to the PoISA lead, to assess the deployment of divers that had taken place since 27 January. It was also intended to establish whether further resourcing support or equipment was required.

From this, it was confirmed that further support was not required and that the team had appropriate sonar equipment. A commercial dive

company called SGI, represented by Peter Faulding, was contacted by Nicola's family to provide additional support to the search effort, with the deployment of their sonar equipment. To ensure maximum capability for the police dive team, the NPCC lead for strategic underwater search secured additional support from the Defence Science and Technology Laboratory and their sonar search equipment. This provided a policing response resourced and equipped at the highest level, and was deployed on 8 February to the scene.

To improve the chances of locating Nicola, the Defence Science and Technology Laboratory's sub-surface search equipment provided higher-resolution equipment in an area where lower-resolution equipment had previously been used. Despite this equipment, the challenges and unpredictable behaviour of the variables meant that Nicola might already have reached the sea or been caught, undetectable, in an inaccessible location. Significantly, sonar is unable to penetrate significant weed, reed or plant growth, and therefore cannot identify items concealed behind it.

Conclusions

- The resourcing and execution of the search strategy was extensive, comprehensive and commendable. It is recognised that Lancashire Constabulary's PoSAs are highly motivated, professional and attentive to their role requirements.
- The search capability and resourcing in this case could not rely on an on-call capability. It is recognised that this is a national challenge for searching. Instead, goodwill was demonstrated by staff to fill these resourcing gaps.
- Lancashire Constabulary did not provide sufficient PoSA resilience to manage the resourcing search cell function effectively. Greater use of mutual aid could have been made, specifically across the weekend of 28-29 January, when resourcing was particularly limited.

Inquest

The high standard of investigation and search effort provided compelling evidence to the coroner about Nicola's precise movements on 27 January and the conditions of the river and riverbank. The combined analysis of key witness statements and CCTV evidence demonstrated the absence of suspicious activity at the location, with no evidence of any third party being present. Analysis of mobile phone data and Nicola's Fitbit activity tracker provided strong evidence to the coroner that Nicola's last interaction with her phone occurred at 09:18, with a spike in her recorded heart activity at 09:22.

The investigation evidence has been reviewed and there was no evidence of any suspicious activity on 27 January or evidence of any third-party intervention. The evidence secured and analysed through the investigation was extensive and is assessed as correct and compelling.

At the inquest, the finding by the Home Office Pathologist, Dr Alison Armour, was that the cause of death was drowning. She further stated:

'There was no evidence to support the view that Nicola Bulley had been assaulted prior to her body entering the water. [...] From the post mortem findings, it is clear that Nicola Bulley was alive when she entered the water and drowned as a result.'

The resulting conclusion by the coroner, Dr James Adeley, having assessed all of the evidence presented, was as follows:

'On 27 January Nicola Jane Bulley fell into the River Wyre, close to St Michael's, and died almost immediately. [...] I conclude that Nicola Jane Bulley died an Accidental Death.'

Family and family liaison

The College of Policing's **Investigation APP** sets out the procedures in relation to the deployment and use of family liaison support and structures. The guidance states that an FLO can be used across a broad spectrum of investigations, including:

- murder and manslaughter
- fatal road traffic collisions
- mass fatality incidents
- rail fatalities
- critical incidents where family liaison might enhance the effectiveness of the police response

The APP states that the deployment of an FLO 'is determined by a police investigation, not because a crime has been definitively determined'.

This APP takes into consideration the NPCC's [Practice advice - Family liaison officers \(FLOs\) deployment to reports of missing persons](#). This guidance advises against routinely deploying in cases of missing persons but does advise the deployment of FLOs 'where the missing person investigation is a critical incident and there are significant issues about the confidence of the family and/or community'.

On Sunday 28 January, the on-call investigating officer, with oversight from the on-call SIO, did not undertake a formal deployment of an FLO or single point of contact (SPOC) to support the family during this time. The view of the on-call SIO was that this 'was a 'Missing From Home' investigation and did not meet the APP criteria for a formal FLO deployment, and would not be standard practice for a 'high risk' MFH investigation'.

The incident was not declared a critical incident but was felt to be a relatively standard, if unusual, missing person investigation. During this first weekend, the on-call investigating officer stated that there was no media presence at the scene, but that members of the community were present and searching for Nicola.

When the new SIO was appointed on the morning of 30 January, media interest in the case had grown significantly. Due to the increased media coverage, the incident had reached the attention of the family liaison force strategic lead (FSL), who told the review that, by the morning of 30 January, they felt that it 'may have been a critical incident'.

The FSL held a conversation on this date with the NCA national family liaison advisor, who said that, having been aware of the extensive media coverage, they felt that 'it did fit the criteria of a critical incident requiring a formal FLO deployment and strategy'. The national family liaison advisor believed, in the wake of other high-profile investigations attracting widespread media attention and public interest, that it was proportionate to deploy FLOs, and that the media intrusion and scrutiny made it suitable.

The FSL contacted the SIO and invited them to consider a formal deployment of an FLO, and a discussion ensued. Despite the views of the FSL and the national family liaison advisor, the SIO declined to formally deploy an FLO. On 30 January, the SIO recorded a decision regarding family support, stating that 'a SPOC is to be identified to provide a means of direct contact with the family'. In their rationale behind the decision, the SIO considered whether a trained FLO should be deployed but was satisfied, at that time, that it was not necessary.

At this stage, the SIO believed that an officer with knowledge of the investigation and the skills of an FLO would be adequate. An officer was identified who was an accredited FLO but would perform the role of SPOC. The SIO documented that they had discussed this with the FSL and recorded that the decision would be reviewed as the investigation progressed.

In the first week, Nicola's family asked about media engagement and were advised by the SPOC that support from the press office of Lancashire Constabulary's M&E team was available to them. However, no contact appears to have been made until later in the investigation. The family complained of being inundated with contact from some elements of the media and wanted it to end. Mr Ansell and Nicola's family understandably felt that liaison with the media would provide publicity and would improve the chances of finding Nicola. This became challenging for the SPOC, seeking to secure joint police and family engagement and appeals.

Recognising the vastly increasing media and social media attention in the case, the SIO reviewed their decision about family liaison on 3 February, seven days after the investigation commenced. They

recorded a further policy decision to oversee the deployment of an FLO and to produce an FLO strategy.

The rationale for this decision was recorded as being 'due to the scale of the media attention the investigation was now attracting, to support the family and secure their trust and confidence'.

The formulation of the strategy was given to an appointed FLC to be overseen by the FSL. The role of the SPOC was changed to that of an FLO. A further officer was deployed who had completed the appropriate FLO training, providing two FLOs as a support. By increasing the FLO resourcing and structure in this way, the SIO was able to provide better levels of support to – and management of – the family. The strategy was to incorporate, among other objectives, the number of FLOs to be deployed and the information for the family and media.

On 7 February, further contact was made by the SIO with the FSL, where the SIO expressed concerns regarding the challenges being experienced by the FLOs in relation to the family's engagement with the media. The SIO asked the FSL to provide additional review and oversight to the family liaison support.

The FSL reviewed the family liaison strategy and the FLO log documentation. Minor deviations from national policy were identified through the use of redundant forms and daybooks, as opposed to nationally recognised documents. It was determined that the family liaison strategy required significantly more detail.

The FSL worked in partnership with the NCA national family liaison advisor and produced a more comprehensive risk assessment document. This incorporated, for example, the family dynamics and an 'ante mortem' (preceding death) section. The FSL described the family liaison situation as being 'chaotic and hectic' at times, given the challenges that the FLOs were experiencing around family engagement and the media.

The NCA national family liaison advisor held several discussions at this time with the FSL regarding the family's interaction with the media. Ten days into the investigation, it was recognised that it was now hard to regain control. The overriding advice of the national family liaison advisor was that:

‘Any releases of information into the media should be with the prior notice and, ideally, consent of the family, whilst recognising that the wishes of the family must also be balanced with the needs of the investigation and the SIO.’

As part of Lancashire Constabulary's effort to engage peer guidance and support in relation to family liaison, the NCA peer review document provided a section titled ‘Observations from the national family liaison advisor’. This section emphasised the importance of identifying which family member would become the SPOC for the investigative progress updates. It also advised an assessment and full understanding of the role of Nicola's family friend who acted as a community spokesperson, as well as the nature of updates to this family friend, given their relationship and engagement with the media.

Conclusions

- The decision not to declare this as a critical incident is likely to have influenced decisions about the deployment of FLOs. This led to FLO support being deployed too late, seven days after Nicola's disappearance. Without the FLO structure in place, it was more difficult for Lancashire Constabulary to provide guidance to the family regarding the media at a time when the media and public scrutiny was increasing. The FLO structure would have also triggered associated victim support opportunities. Earlier focus on implementing an FLO structure is likely to have reduced the challenges experienced.
- As the extent and intensity of media attention grew, and with the family receiving media handling advice from different sources, it became increasingly challenging for the FLOs to operate. This contributed to Lancashire Constabulary's inability to retain or regain control of the media narrative.
- Use of nationally agreed templates and documents might have assisted those with oversight of the FLOs' engagement and activity. Forces would benefit from this aspect by confirming that their current arrangements are in line with nationally recognised guidance.

Recommendations

- The NPCC lead for family liaison should consider a communication to all forces to remind them of the importance of adherence to nationally agreed templates and recording documents.

FLOs and the media

On 10 February, the SIO increased the number of FLOs from two to four in order to meet the increasing demands and challenges of the investigation. To further aid the family liaison support, the SIO visited the family to explain the police approach to media engagement. There was also a collective agreement among the SIO, the FSL and the head of the M&E team that a direct approach should be made by the head of the M&E team to meet with Mr Ansell and Nicola's family friend who acted as a community spokesperson. The purpose was to encourage a joint approach to media engagement between the family and the police, and to secure better factual influence of the narrative to the media. On 10 February, the head of the M&E team conducted a meeting with Nicola's family friend. Mr Ansell was unable to attend.

The FLOs deployed to the Bulley family experienced significant challenges relating to the media handling issues generated by the investigation. On a number of occasions, they were placed in the position of seeking views from the family on media issues, advising them around their media engagement, and facilitating the drafting of family media statements. All of the FLOs deployed during the investigation were consulted as part of this review and none of them had received any training in this media handling aspect of their role.

A number of the most challenging moments in the investigation involved either family media statements or police media lines that the family were not content with. These included the family media statement on 20 February, which is detailed later, and the controversy relating to the release by police of sensitive personal information about Nicola on 15 February. On both of these occasions, the FLOs were asked to fulfil a role for which they had not been trained and did not have previous relevant experience in such a high-profile case.

There was a critical need for someone with relevant media training and experience to assist in this family media-handling role. The M&E team were drawn in to help on occasion, but were not close enough to the family to provide the assistance that was needed. This would have likely helped Lancashire Constabulary to better manage the broadcast interviews that the family gave, which instead were managed by a family friend.

Conclusions

- The FLOs, FLC and FSL all demonstrated a high level of care, professionalism and dedication to the investigation and support to Nicola's family. They worked extensive hours and provided a high level of accessible contact for the family, off-duty. All four FLOs were trained, accredited and relatively experienced in family liaison roles. Each FLO has strongly emphasised the unprecedented nature of this investigation and the challenges experienced, in particular relating to the media and social media.
- The FLOs praised the leadership, accessibility and support provided both by the SIO and by the FSL during their deployments. They fully recognised the value of this high level of engagement and support to their roles.
- It is clear that this was an extremely dynamic and fast-paced investigation. While this was an exceptional case, due to the media and public scrutiny, this is not wholly unprecedented in policing and could occur at any time. It is likely that other forces and individuals, in the future, will also experience such a deployment. All forces should consider the circumstances of this case to ensure that they are prepared for similar circumstances in their force area.
- It is identified that the training delivered by the FLOs course has only incorporated a media element since 2020. As a consequence, a high proportion of nationally trained FLOs have training that predates 2020, with no guidance in this area. FLO training is delivered by forces, and there is no national quality assurance to ensure consistency.

- Additionally, prior to 2020, it was not part of the FLO role expectation to provide media guidance to a family. However, this requirement has been introduced since **The Kerslake Report: An independent review into the preparedness for, and emergency response to, the Manchester Arena attack on 22nd May 2017.** The increased demands placed on a family during a high-profile incident, by both social media and mainstream media, increases the responsibility for the police to navigate these challenges. The gap in media expertise increases the risk both to the family and to the investigation. This is increased further when a family conducts their own media engagement, albeit with good intentions.

Recommendations

- The College of Policing should work with the NPCC to consider how to address the identified skills and resourcing gap for media engagement guidance to families. This is a key gap in investigations of this nature. In addressing this gap, consideration should also be given to how guidance can be provided to those outside the family who may be acting as spokesperson or point of contact for the media in high-profile investigations.

Chapter 2 – Leadership

Decision to not declare a critical incident

The following is taken from the College of Policing's [Critical incident management APP](#). A critical incident is defined as:

‘Any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or the community.’

The APP guidance also states that:

‘Management of a critical incident (CI) should start with early identification and notification. [...] Processes should be in place to manage issues that may affect the quality of the police response before they affect public confidence. Particular attention should be paid to the needs of the victim, their family and the community.’

The guidance is clear around who can declare a critical incident. It states that:

‘Anyone can call a CI to bring it to the attention of a senior officer, but only a designated senior officer, for example the duty inspector, can declare an incident as critical.’

At the outset, the investigation was correctly not declared a critical incident. However, the investigation should have been declared as a critical incident as it developed. On 30 January, the FLA felt that it was ‘probably a critical incident’, but it was not declared a critical incident at this time. On 5 February, the SIO made a written and recorded request to a member of the chief officer team for the investigation to be declared as such, recognising the negative impact of the media reporting. The chief officer declined to declare it as such, believing the community to be extremely supportive. While not agreeing to the SIO’s request, the chief officer instead suggested that the gold group meeting the following day could revisit this decision ‘and review as appropriate’.

This was not discussed or added as an agenda item for the gold group meeting the next day or subsequently.

This decision was made despite the clear and significant impact on Nicola's family and the community, as well as the diminishing public confidence in Lancashire Constabulary. In the same communication to the SIO, the chief officer referenced the activity of Mr Faulding and his potential impact. It was not until 16 February that Lancashire Constabulary agreed to declare the incident as a critical incident, following media criticism and the subsequent release of Nicola's personal information.

As reviews have the benefit of hindsight, there is a risk that they may criticise decisions that were made at a time when the information known was incomplete. In this case, however, this review considers that the evidence of falling confidence was very clear early on, and that this was recognised by people in the investigation. The decision by the chief officer team not to declare it a critical incident earlier was, in our view, misguided.

The M&E team believed that the chief officer team's decision failed to take into account the exceptionally high media and public interest in the investigation that should have been evident to them from the first week.

Public confidence is crucial to policing. In this case, public confidence in Lancashire Constabulary was likely to have been damaged largely because they lost control of the media and social media narrative. Not declaring a critical incident, and not releasing more information about the investigation, hampered Lancashire Constabulary's ability to control the narrative and undermined public confidence.

'A successful working relationship between police forces and journalists remains essential to public confidence and policing legitimacy in the UK.'

Society of Editors

Through access to social media and a 24-hour news cycle, the public are constantly inundated with information and images about world events, both true and false. According to the latest data from Ofcom

([News consumption in the UK: 2023](#)), 75% of UK adults consume news through broadcast media (including on-demand content), while 68% consume news through social media. It is therefore vital for police to gain trust and confidence through transparent and accessible communication with the public.

'I think what they should have done is recognised the impact on trust and confidence in the police and that should have triggered them [into declaring a critical incident].'

Senior police communicator

(external to Lancashire Constabulary)

A senior police communicator at a large urban force highlighted an increasing need for public confidence to be taken into account when making the decision to declare a critical incident. They also suggested that in certain cases, communications needed to be given higher priority in chief officer team meetings. This is particularly true where a case is not operationally difficult but presents reputational risks because of media or social media interest.

'I am often told comms is a priority on a case, and then it's left to the end of the chief officer team agenda.'

Senior police communicator

(external to Lancashire Constabulary)

Conclusions

- Lancashire Constabulary should have adhered to College of Policing APP guidelines on the declaration of critical incidents – in particular, the requirement to consider the reputational impact of high-profile incidents on public confidence in the police. National definitions help to ensure consistent and effective police responses, as well as describing to others the level of seriousness being applied to a policing response. By not declaring a critical incident, the Constabulary missed a significant opportunity to signpost clearly – both to those within the Constabulary and to the wider public – the seriousness with which the Constabulary was responding.

- Nicola's disappearance should have been declared to be a critical incident as early as 30 January, as it clearly met the definition provided by the APP. There is ample evidence of this. The decision not to declare it as such when a chief officer was asked on 5 February was, in our view, a mistake. Declaring a critical incident would have led to a stronger command structure, with a greater focus on areas of concern. This could have included the assignment of family liaison, greater focus on the media, internal recognition and messaging to staff.
- The declaration on 16 February that this was a critical incident was so late that it was rendered ineffective.

Recommendations

- Lancashire Constabulary should ensure that their M&E team has sufficient influence and representation in the decision-making process for the declaration of critical incidents, to provide a better understanding of the media interest and public confidence levels.

Oversight and governance

Lancashire Constabulary chief officer oversight of the Nicola Bulley investigation was delivered through daily 'grip' meetings, which were overseen by the deputy chief constable. This was supported by fortnightly chief officer team meetings, which were chaired by the chief constable. A command structure for the incident was implemented quickly on 27 January and led by a local chief superintendent. This took the form of a more localised management of the incident.

The College of Policing's guidance on command structures, which forms part of its [Operations APP](#), states that:

'The generic command structure, nationally recognised, accepted and used by the police, other emergency services and partner agencies, is based on the gold, silver, bronze (GSB) hierarchy of command and can be applied to the resolution of both spontaneous incidents and planned operation.'

It also states that:

‘This structure provides a framework for delivering a strategic, tactical and operational response to an incident or operation. It also allows processes to be established that facilitate the flow of information, and ensures that decisions are communicated effectively and documented as part of an audit trail.

Most incidents and operations are resolved by using a simple GSB command structure, with the responsibilities and accountabilities of each commander clearly set out in command protocols. The command structure is role not rank specific and allows for flexibility.’

Despite the increasing media profile of the incident, as well as the impact on the family and the public, a gold command structure was not established until 1 February, five days after Nicola’s disappearance. Contradictory views were expressed by Lancashire Constabulary, to the review team, as to who performed the role of gold commander in the first week. The Constabulary stated that the incident was overseen and managed, ultimately, by two gold commanders. However, records of the gold group meetings clearly reference three gold commanders, with an operational superintendent performing the role from 1-3 February. The records of the gold group meetings do not reference the silver or bronze supportive roles until 5 February, when there was one reference. Greater identification and delineation of these supportive roles is documented from 7 February onwards. The review team feels that an earlier and clearer distinction of roles within this strategic coordination group would have provided a benefit to direction.

The establishment and development of a clear gold strategy, as a core element to a gold command structure, was not undertaken until 5 February, nine days after Nicola’s disappearance and four days after gold command was first established. A clear strategy is required at the outset of the implementation of a formal gold command structure, in order to support the objectives of the incident being managed.

The gold strategy was initially recorded by the local chief superintendent on 5 February. This strategy, when initially written, did not fully capture the wider strategic objectives necessary for the management of this incident, with only four objectives set. The College of Policing provides national gold command training across a number of different available disciplines, which provides the necessary practical framework for strategic level command within forces:

- gold public order public safety command course
- strategic firearms command course
- SIO development programme
- multi-agency gold incident command (MAGIC)
- senior leadership development programme

The gold strategic objectives set on 5 February were later amended on 8 February. At this point, they were extended to 12 strategic objectives, which aimed to incorporate wider public confidence issues and to provide broader considerations to effectively respond to the incident. The setting of further strategic objectives came through the additional chief officer team oversight, provided by the later force gold commander (ACC Peter Lawson), in support to the localised gold commander.

The representation within the daily gold group meetings was taken solely from Lancashire Constabulary, with no representation from either statutory partners or the community. This may have narrowed the understanding of the community and public issues presented, may have reduced diversity of thought and may have had an impact on public confidence.

A community impact assessment was completed on 30 January and revised regularly throughout the time of the investigation and beyond. This assessment lists a number of people whose views were sought, including local political figures. The assessment focused on the local impact of the investigation for the communities adjacent to the river. It is understandable that a community impact assessment completed by officers with roles in local community engagement would have this focus. One of the purposes of a gold group is to raise the strategic

focus to consider the broader implications of the incident in question. The community impact assessment did not do this, nor would it be expected to do so. The gold group would have been better able to consider the broader implications of the incident if it had representation of community people who were able and willing to critique how the investigation was perceived.

The College of Policing's **Operations APP** points to the requirement to secure external views for policing to understand the reasons why there are questions over community confidence. The APP states:

'Using independent advisory groups (IAGs) during police operations or as part of the review process can be a positive step in improving transparency, as they have been shown to improve communications and engagement with communities. [...] It can provide real-time critical appraisal of police actions from the perspective of a recipient of policing services and a member of the community'.

The impact of social media on the commentary about the investigation, mentioned earlier in this report, increased the need for external views as part of Lancashire Constabulary's management arrangements. A critical incident is defined in relation to the confidence that victims, families and communities have in the policing response. It is important that forces involve individuals who are able to critically appraise the police commanders about the views held outside of their force.

The review was unable to discuss the investigation with the chief officer who was involved in the investigation from 30 January 2023 to 5 February 2023, due to their retirement. However, the Constabulary shared a number of communications that demonstrate chief officer involvement and oversight, the earliest of which is dated 2 February 2023. All of these communications focus largely on operational aspects of the investigation.

Conclusions

- While there was chief officer oversight of the investigation, there appears to have been insufficient focus on the impact on public confidence in the early stages. The high-quality operational

elements in the investigation suggest that if similar levels of attention had been applied by chief officers to issues relating to public confidence, then challenges may have been avoided.

- Lancashire Constabulary should have more closely followed national guidance on gold, silver and bronze command structures. Clear demarcation between local senior management team 'command and control' and a formal establishment of a gold command structure should exist. Greater consideration should have been given to the composition of the gold group membership.

Recommendations

- Lancashire Constabulary should ensure greater clarity regarding the point at which a gold command structure should be formally established. A formalised gold command, supported by silver and bronze roles, should operate to a clear strategy, outlining the purpose, management and objectives sought. This strategy should have sufficient chief officer oversight.
- Lancashire Constabulary should consider the inclusion – and benefits – of external and community representation within their gold group structures when public confidence is affected. Such representation will allow for community sentiment to be heard and for gold command and leadership to recognise the level of concern about public confidence.

Media expertise

The review found a sense of disbelief and denial among senior leads as to how this type of incident could have grown to such an extent, in terms of national and international media and public interest. There was a clear sense that Lancashire Constabulary knew how to respond to a 'high risk' missing person incident but was less equipped and prepared to manage the media interest on this scale. Senior leaders did not recognise the significant impact that this created.

This investigation was treated as seriously as any other missing person matter. This was a reflection on how Lancashire Constabulary saw the

incident in policing terms. However, Lancashire Constabulary did not entirely associate the impact of the media on this incident with their policing response. Better appreciation of the media and public interest would have transformed the status of the investigation. Instead, this was underestimated.

Coverage of this incident was on a par with many major national media stories in recent times. As a result, it was one of the most high-profile media incidents that Lancashire Constabulary has ever experienced. The impact of this coverage presented a significant challenge to public confidence in Lancashire Constabulary. It is this aspect that requires the most reflection and learning.

The chief officer team's apparent lack of recognition regarding the additional dimensions to the incident was, in our view, an error of judgement. While the strategic insight of the M&E team had been available to the chief officer team, it was not accepted. The chief officer team may have responded better if the input and expertise of the M&E team had been given more weight in relevant discussions. An example of this is the decision regarding which individual should be the media spokesperson, which is covered in more detail later in this report.

Conclusions

- Lancashire Constabulary should reflect on the significant level of expertise and skill provided by their M&E team and whether that team's role and advice is sufficiently embedded within its structures and daily 'grip' meetings. This may better align the understanding and awareness of public interest, especially in light of discussions held on social media, allowing Lancashire Constabulary to be more responsive in this area. Ultimately, the weaknesses in the response to this investigation centred on a disconnect between operational decisions and understanding the impact on public confidence.

Recommendations

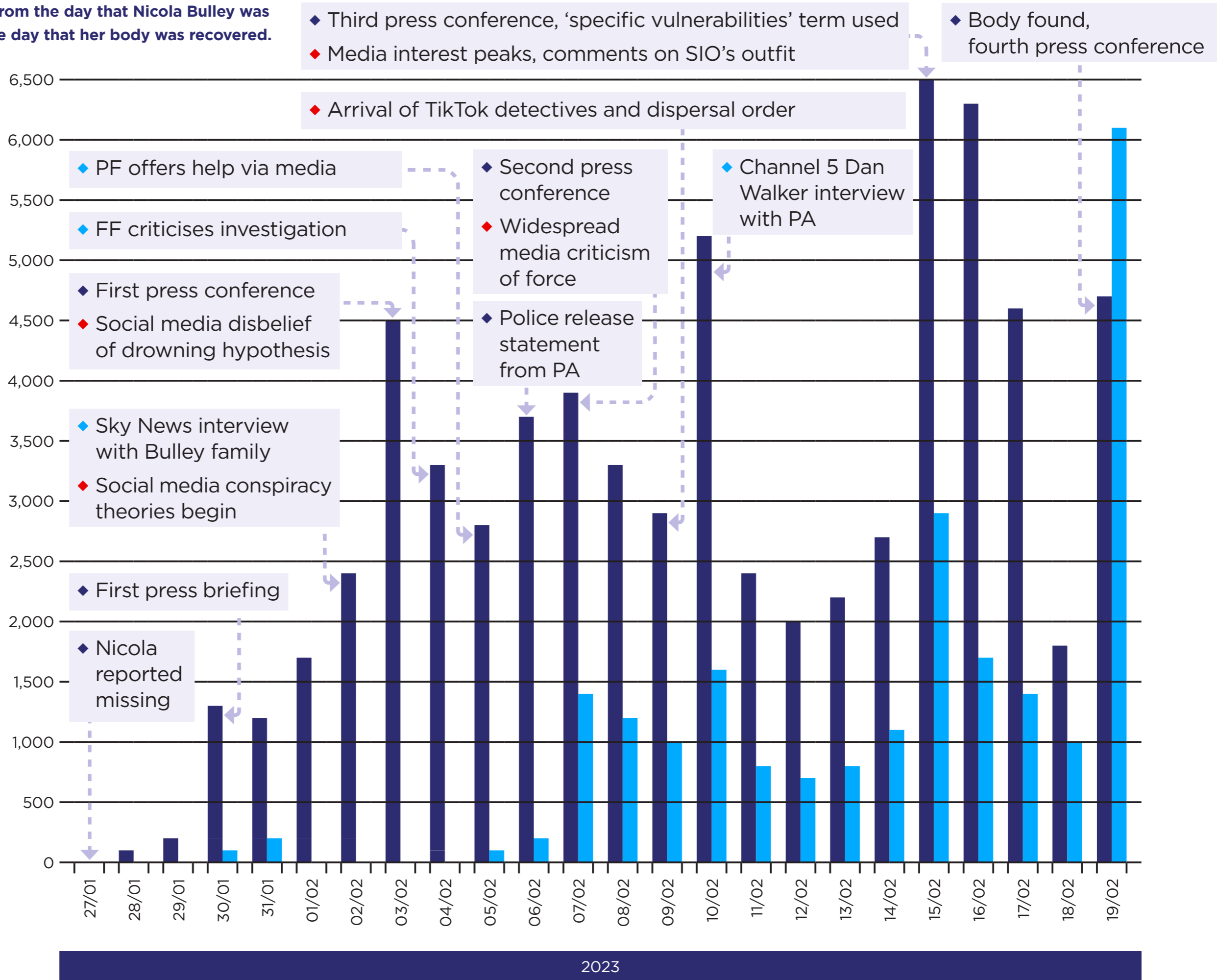
- Lancashire Constabulary's chief officer team should review how media expertise is connected to chief officer team oversight and discussion, to ensure it has a suitable influence in decision making.

Figure 2: Chart showing the number of published articles and shares on X (formerly known as Twitter) from the day that Nicola Bulley was reported as a missing person to the day that her body was recovered.

Key

- ◆ Force activity and engagement with the media
- ◆ Engagement with the media by others
- ◆ Media and social media activity and sentiment

FF = Family friend
 PA = Paul Ansell
 PF = Peter Faulding
 SIO = Senior investigating officer



Media presence

During this investigation, a senior media lead from another force carried out an independent review of Lancashire Constabulary's communications. The reviewer advised Lancashire Constabulary that they were 'faceless'. While force press briefings were arranged on five occasions, the reviewer noted that there was no individual acting as a figurehead or responding to new angles.

This was an international media event and, at its peak, over 6,500 press articles were being generated in a single day, which is almost unprecedented for such an investigation. During this time, Lancashire Constabulary was also receiving significant criticism, with headlines such as the following.

- **Forensics experts slam police's handling of Nicola Bulley disappearance as 'mess'**. Daily Star. 5 February 2023.
- **Nicola Bulley police 'losing trust' after 'crucial mistakes', says top murder detective**. Daily Star. 12 February 2023.
- **Nicola Bulley cops spark fury by revealing mum's 'recently resurfaced' health issues**. Daily Mirror. 15 February 2023.
- **Nicola Bulley police slammed for taking TWO weeks to quiz fishermen over disappearance as critical lead emerges**. The Sun. 15 February 2023.
- **'This level of detail is deeply disturbing': MPs and campaigners slam Lancashire Police for revealing missing Nicola Bulley's battles with alcohol - and demand 'how will this help the investigation?'**. Mail Online. 15 February 2023.
- **Denise Welch blasts 'disgraceful' comments about Nicola Bulley's alcohol and menopause issues**. Daily Mirror, 16 February 2023.
- **Ex-Met detective says officers in Nicola Bulley search have 'created a circus' and should NOT have revealed details of her alcohol and menopause battle but 'mentioned mental health from the start' - as her family are in a 'terrible place' over revelations**. Mail Online. 16 February 2023.

- **Nicola Bulley cops 'sexist' for revealing missing mum's health issues, claims minister.** Daily Mirror. 19 February 2023.
- **Revealed: Lancashire Police REFUSED extra help to search for Nicola Bulley in move branded 'bizarre' and 'inexcusable' after it took them 23 days to find her body in river next to where she vanished.** Mail Online. 22 February 2023.

Lancashire Constabulary was labelled 'sexist' and 'misogynistic' because of the release of personal information and the SIO received extensive, inappropriate criticism relating to their appearance. With this level of criticism and international exposure, there was a clear and obvious threat to public confidence in Lancashire Constabulary and, arguably, towards national policing. With incidents of such nature, a force response regularly involves the most senior individual in that force presenting in the media, providing the necessary visibility and assurance. Had this been done, this could have represented Lancashire Constabulary – and its investigation – in a stronger light. It may also have settled some of the broader media concerns and overcome the opposing voices.

The decision not to present the chief constable or deputy chief constable to the media as a figurehead of Lancashire Constabulary does not appear to have been challenged by the chief officer team. It is unclear, and beyond the ability of this review to establish, whether any barriers exist within Lancashire Constabulary's most senior team to holding those type of conversations.

The SIO was requested, due to other officers being unavailable, to jointly undertake the press conference on 15 February. Despite the operational need, the choice to use the SIO in this way was not in line with the College of Policing's **Engagement and communication APP** and was contrary to the judgement of the SIO. This was a significant request, considering the substantial operational activity being undertaken by the SIO at that time. The wider communications and engagement activity relating to the investigation is considered later in this report.

Conclusions

- Lancashire Constabulary's chief officer team should have recognised the level of media and social media interest in this case, as well as the impact that this was having on public confidence in the Constabulary. On this basis, a more senior officer should have been selected to represent the Constabulary in the media at a much earlier stage.
- The SIO's performance in the press conference on 15 February was competent. They displayed comprehensive knowledge of all the investigative detail, helping to dispel myths and rumours. The pressure and frustrations of combining both the SIO and PIP4 'talking head' roles were, at times, understandably evident. The SIO received extensive, personal criticism for matters unrelated to their role. Despite this, the SIO continued to lead the investigation and deserves credit for their resilience, commitment and dedication.
- Lancashire Constabulary should review which staff are media-trained and whether this gives them the level of confidence and training to present to the media.

Media oversight

While the disclosure of personal information concerning Nicola is addressed in detail elsewhere in this report, it requires additional comment here.

It is notable that, despite the status and complexity of this aspect of the investigation, there was no chief officer oversight of the exact detail of this highly personal media release, including that of the gold commander. Daily gold group meetings should have presented better insight and control with such critical matters, which are likely to have an impact on public confidence and reputation. Although operational and personal decisions were considered by senior leaders, less consideration was given to the broader ethical impacts and the wider responsibilities of policing towards the public. This was an area where executive team discussion could have been helpful via engagement with the gold group and appropriate referral to the chief officer team.

Conclusions

- The decision to release personal information of a sensitive nature should only be made at the most senior level and following consultation with a force's DPO. Sufficient chief officer team engagement did not take place.

In-force visibility

On the matter of chief officer visibility, the review found that there were extensive concerns among people within Lancashire Constabulary. The sheer size, complexity and scale of the investigation – in particular, the media interest – meant that staff felt under extreme pressure throughout. An individual from the chief officer team was present in the Borough Command Unit on 5 February and 14 February. However, staff members stated that they would have expected and welcomed more direct support from the chief officer team. One senior member of the team stated that they 'hadn't seen their line manager for three weeks'. Another staff member emphasised how they started to doubt what they were doing and reflected that they just wanted their 'top cover' to say, 'you're right'. A colleague in Lancashire Constabulary suggested that the chief officer team 'observed but didn't act'. It was reflected by colleagues in the Constabulary that direct contact by the chief officer team with staff only took place once Nicola had been recovered.

The SIO received substantial and inappropriate personal criticism regarding their appearance in the media following their input to the press conference on 15 February. Several senior officers outside of Lancashire Constabulary voiced their support to the SIO publicly and privately. It was suggested to the review that limited support was provided from senior levels of Lancashire Constabulary, some of which came only after others had commented.

A particular complaint was heard that staff felt their welfare had not been considered by the chief officer team. It is noted from records, however, that staff welfare was discussed on six occasions in gold group meetings between 7 February and 24 February, with actions set. It was recorded on 24 February that the chief officer team expressed 'huge

pride and thanks for all officers and staff involved in dealing with an unprecedented situation'. Prior to this, the PIP4 communicated their thanks to 200+ staff by email on 20 February, reassuring them of public support.

While the gratitude of the chief officer team was expressed in gold group meetings, feedback provided to the review team suggests that this was not a sentiment experienced by their staff. There would appear to be a discrepancy between actions set and the experience received by staff of visible and tangible support. Greater support and concern for staff from the chief officer team would have been welcomed and would have aided teams at this time. This required visible and personal intervention.

Additionally, a key role of the executive team or gold group is to ensure that, where possible, teams are effectively resourced to succeed. In the case of the M&E team, greater personal intervention would have provided opportunities to recognise the increased strain that staff were under. This may have informed decisions regarding whether to draw on mutual aid assistance. The ability to use interoperable resource relating to M&E would have been particularly helpful, as the team was overwhelmed by demand.

In two areas, there was clear and specific chief officer team involvement in decisions taken through the gold command structure. The first, as previously mentioned, was to intervene on whether this event should be declared a critical incident. A second was to overturn the gold decision to use a senior detective in the second press conference, to provide public reassurance around the investigation and the approach being taken. The decision by gold had followed detailed discussion and was supported by the lead professional for communications within Lancashire Constabulary. It is entirely reasonable for a chief officer team to provide oversight, and to make executive decisions relating to investigations within their force. However, care needs to be taken in how these decisions are considered, including being clear on how overturned decisions will be communicated and seeking to mitigate any unintended consequences.

Some members of Lancashire Constabulary suggested that recommendations were not being listened to, and that it was difficult to challenge a decision that was taken outside of the gold structure and by the most senior leaders of the organisation.

It is acknowledged that the chief constable has encouraged, and is encouraging, a healthy culture of challenge in instances where an individual disagrees with an executive decision. However, at the time of the investigation, this culture did not appear to be fully embedded. It should also be recognised that this type of culture may be harder to achieve in fast moving, high-profile or large-scale responses, and there are obvious hierarchical barriers that could prevent staff from seeking out a chief officer to alter their decision.

Compounding this was the minimal direct engagement between the chief officer team and the wider operational leads and staff during the timespan of this incident, which was reflected by officers and staff during the review. This prevented opportunities for discussion on areas that may have helped to shape strategic decision making. This review represents an opportunity to reflect on whether the culture of a force can enable these types of opportunities in the future. The earlier 'localised' management of the incident, when a more formalised gold group could have been implemented, may have contributed to the narrowing of engagement with staff.

Recommendations

- Lancashire Constabulary's chief officer team should consider how to improve the relationships with gold groups within Lancashire Constabulary – specifically, the degree of delegation of authority. It should consider how senior officers should approach the overruling of decisions made by the gold commander or within the gold group, and should ensure that there are associated opportunities for challenge.
- Lancashire Constabulary should explore what additional practical steps can be taken to ensure that officer and staff wellbeing is supported by the chief officer team during high-profile and highly scrutinised investigations.

Figure 3: Chart showing the number of published articles and shares on X (formerly known as Twitter) from the day that Nicola Bulley was reported as a missing person to the day that her body was recovered.

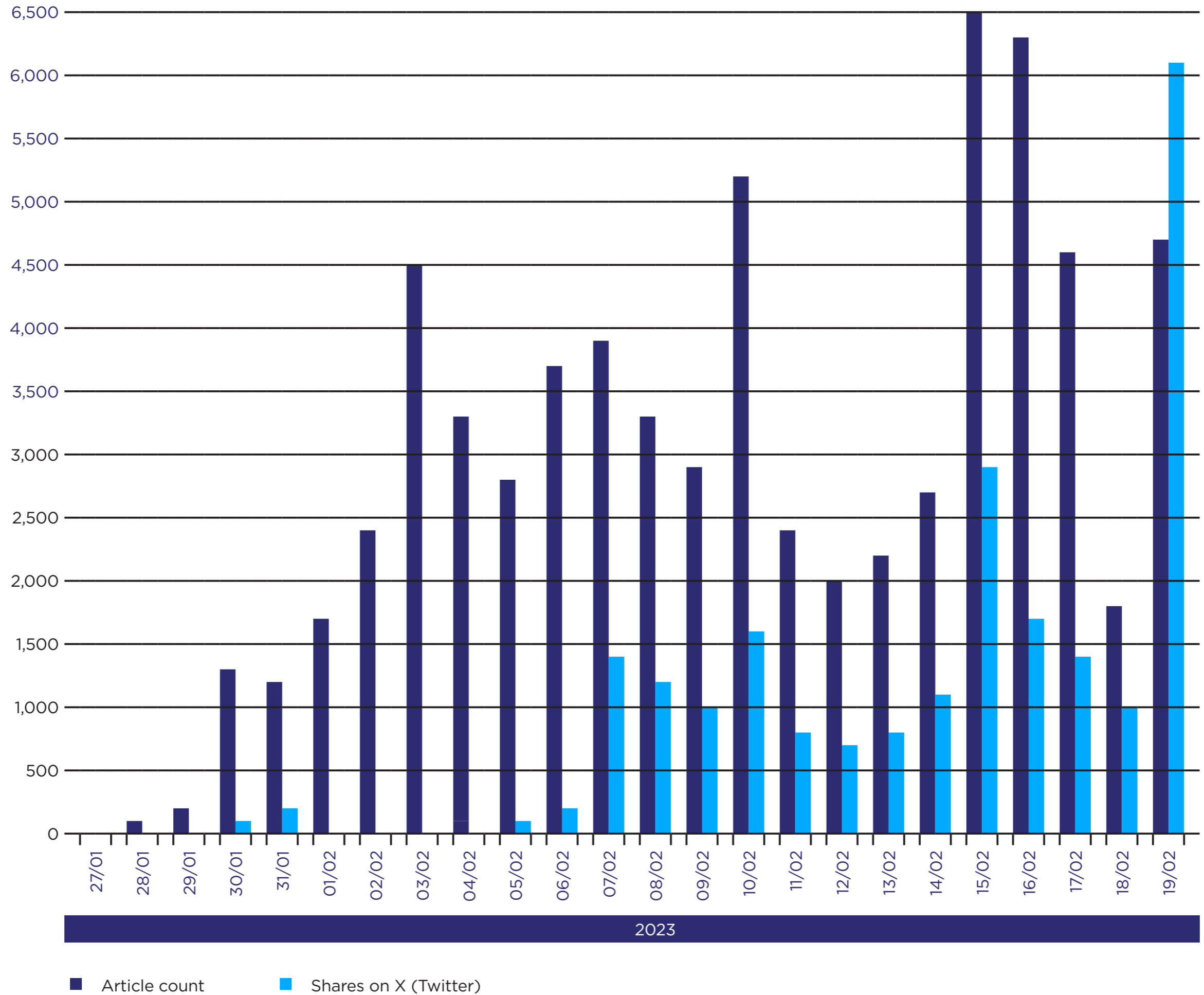


Figure 4: Chart showing the overall number of articles published about the Nicola Bulley investigation, categorised by type of media.

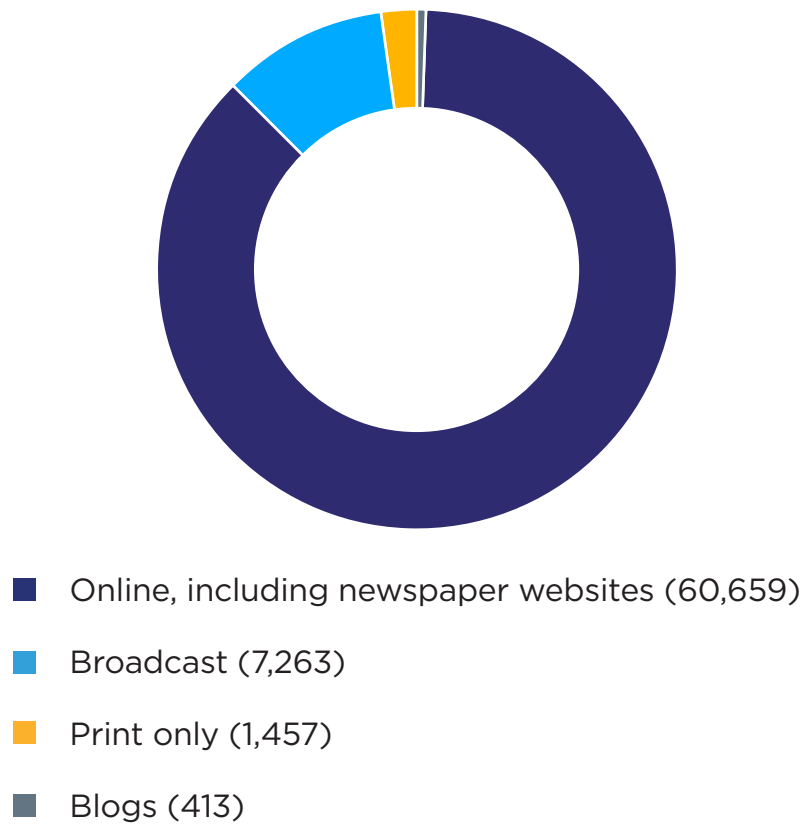
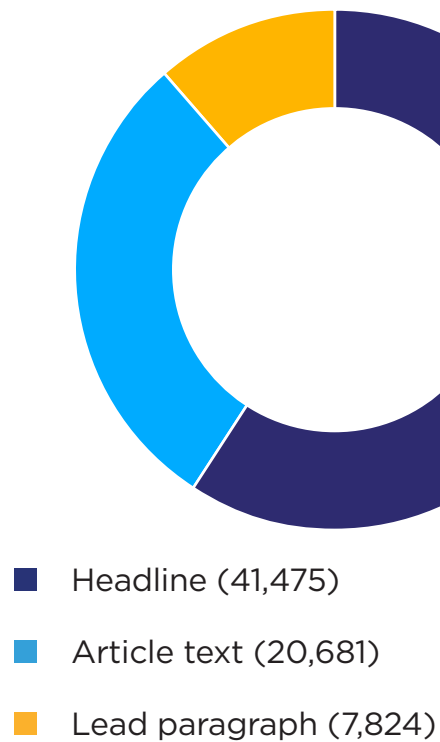


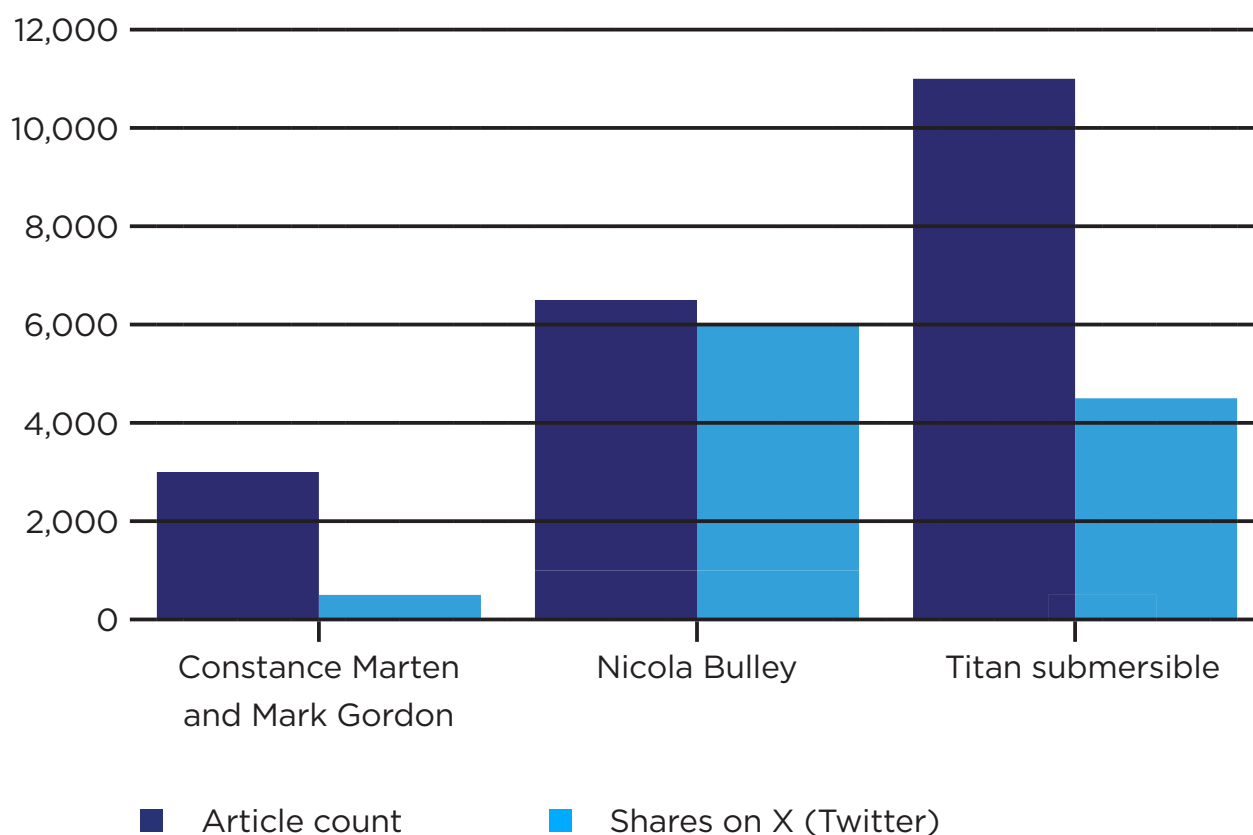
Figure 5: Chart showing at which point Nicola Bulley's name is first mentioned within articles published about her investigation.



Chapter 3 – Communications

Media narrative

Figure 6: Chart showing the peak number of daily published articles and shares on X (formerly known as Twitter) about the Nicola Bulley investigation, the disappearance of Constance Marten and Mark Gordon, and the implosion of the Titan submersible.



The charts presented here demonstrate the volume of media and social media interest that was generated by the Nicola Bulley case ([Figure 3](#), [Figure 4](#) and [Figure 5](#)), and a comparison with two other incidents that gained significant media and social media attention in 2023 ([Figure 6](#)).

'I think they had a really early turning point that felt very weird as an audience member and that just made us all look at it more closely. That was the point at which they said that their working hypothesis was that she got into the water and by accident. It felt very early to say that. And for your cynics in

the public domain, certainly TikTokers, I think that's where the interest starts to come from. It was what do the police know because they seemed so sure about this. I think that raised a lot of suspicions.'

Senior police communicator
(external to Lancashire Constabulary)

First press conference – 3 February

Lancashire Constabulary's media handling difficulties were demonstrated by the first formal police press conference. This was arranged at short notice and without adequate preparation. The venue was a local hall in the village of St Michael's on Wyre, close to where Nicola disappeared.

The press office of Lancashire Constabulary's M&E team arrived to find the venue already full of both journalists and members of the public. They were unable to check media credentials or control who had access to the press conference.

'They weren't checking press passes going in and there were some cranks in there by that point. You've got to put somebody on the door to check. The people who are going in, they're incredible [...] conspiracy theorists, people who write about UFOs.'

National media journalist

The uniformed superintendent who led the briefing had been briefed by the M&E team and wanted to do the press conference. However, the superintendent was exposed to a range of questions from the media. The superintendent did a good job of briefing the media, apart from one crucial answer they gave:

'Are there any other factors with Nicola that may have contributed towards the situation? Was she ill or was she taking any medication or any underlying condition?'

Reporter

'We've clearly considered the whole picture but that is not relevant at this time. No, not at all.'

Police superintendent

This answer was misleading. It was known at this stage that Nicola had some medical issues that would make this investigation 'high risk'. In fact, the investigation was being conducted very intensively as a result. This should have been corrected by the M&E team as soon as it was identified as such. This was not done, and the opportunity to frame the investigation with the media in an informed way was not taken. This was the point at which the media narrative began to stray from what the police were saying, and speculation started to take over.

Conclusions

- Lancashire Constabulary should have corrected the misleading statement given in the first press conference and used the opportunity to provide an informed non-reportable briefing to the media.
- Lancashire Constabulary should ensure that police officers who may be required to engage with the media are properly trained in advance and are prepared to provide accurate information.

Recommendations

- Lancashire Constabulary should routinely review statements made during press conferences to ensure the accuracy of comments made and, where necessary, look to clarify or retract comments at the earliest opportunity.

Demands on the media and engagement team

The Lancashire Constabulary M&E team has told the review that they were at full stretch for the entirety of the Nicola Bulley investigation, and worked far beyond their normal hours to support the investigation and search for Nicola. They held five press briefings, issued 20 press releases and several family statements, and answered more than 500 media calls. Digital demand increased by more than 650%.

On top of all this, the press office of Lancashire Constabulary's M&E team dealt with 76 incidents, handled 200 media calls and issued 78 press releases – including six other MFH cases – as part of their normal workload. Their commitment and work ethic is beyond question. The demands placed on them during this month-long period were exceptional.

The head of Lancashire Constabulary's M&E team told the review that:

'The demands placed on my team as a consequence of the media and online interest in this case were exceptional and, at times, overwhelming. [...] The media narrative was driven by many 'experts' who talked freely yet were ill-informed, and by content creators on social channels whose drive for the 'truth' was at the expense of facts. At times the task in managing this felt relentless.

However, during those three weeks our strategy and priorities were clear; to support the investigation and to help bring Nicola home. At the centre of this was supporting the family; we had to stay focused on the facts, despite the noise, and on what was helpful to the investigation.'

The 24-hour rolling broadcast and online news cycle, as well as minute-by-minute social media reporting, places huge demands on any organisation that attracts media interest. With limited resources in their press office function and a straightforward investigation providing few real developments, Lancashire Constabulary were not able to control the media narrative. As a result, speculation and misinformation became widespread on social media.

'As news media we needed more communication from the police. A vacuum was created, into which stepped the social media commentators, family members and friends. It would have been very helpful if there had been a press officer at 'the bench' where family and friends were essentially holding daily informal press briefings. In the vacuum, the family friend became the press officer.'

National media news editor

It appears that the level of interest from the media in the investigation was not fully or consistently understood across the Constabulary, despite a clear recognition from the M&E team. Prior to the investigation, Lancashire Constabulary had no formal media monitoring service to provide data and information relating to media coverage. This was recognised as a gap by the M&E team during the investigation and a new service was procured. This service enabled the M&E team to provide relevant and persuasive data on the scale of interest in the investigation to colleagues.

Five press briefings or conferences were held with various senior officers as 'talking heads'. However, the M&E team told the review that additional media briefings were either not taken up or were unachievable. For instance, an early media briefing was suggested by the on-call press officer during the first two days of Nicola's disappearance. However, this was not pursued following conversations with senior operational colleagues at the daily 'pacesetter' operational meeting. The disconnect between the investigative priorities pursued by operational colleagues and the wider public confidence concerns of the M&E team was most stark at the chief officer level. An example of this is the refusal to classify the case as a critical incident. This decision demonstrated a lack of recognition of the potential damage that the case could cause to public confidence in Lancashire Constabulary.

Conclusions

- Media monitoring services can provide helpful data and management information to better inform decision making within all forces. The recognition of this gap in information and the speed at which this service was procured by Lancashire Constabulary during the investigation should be commended.
- Operational and senior decision makers within Lancashire Constabulary did not either recognise or act to prevent the detrimental impact of the investigation's high-profile nature. This led to serious questions being raised about the competence of – and public confidence in – Lancashire Constabulary.

Nominated police spokesperson

Lancashire Constabulary used four different senior officers to lead the five press briefings. A uniformed superintendent fronted the first three, followed by the SIO with an ACC and then, finally, a PIP4 detective chief superintendent (DCS). This was contrary to the guidance given on handling media in high-profile investigations in the media relations section of the College of Policing's [Engagement and communication APP](#), which states that:

'Media strategies should be agreed at senior operational level and should include the appointment of a dedicated police spokesperson.'

The nomination of a police spokesperson proved to be complicated. There was significant internal disagreement within Lancashire Constabulary as to who should front the media briefings, with the advice of the M&E team at times being overridden. The benefits of having a single spokesperson include consistency in approach and messaging, as well as having an identifiable face to represent Lancashire Constabulary to the public.

Conclusions

- Lancashire Constabulary should follow the existing protocol for identifying and supporting a single identifiable spokesperson for high-profile investigations. The greater the level of public scrutiny, the more senior the police spokesperson needs to be.

Relationship with the media

The media representatives who were spoken to as part of this review reported that there has been a long-term cooling in the relationship between the media and the police service in the decade since the [Leveson Inquiry](#) into the culture, practices and ethics of the press. This narrative was confirmed by senior police communications professionals that were interviewed.

The Leveson Inquiry highlighted the perception that some senior police officers were too close to national media and received too much hospitality from them. It recommended that all contact between chief police officers and the media should be recorded and available for audit (**Volume II, Part G, Chapter 4**).

At the same time, the Metropolitan Police Service launched Operation Elveden, a five-year investigation into payments to public officials by the media. This resulted in 34 convictions, including nine police officers and 21 other public officials. In addition, 29 journalists were arrested and prosecuted, but only one was convicted and this conviction was overturned on appeal (**Operation Elveden: Met inquiry into payments to public officials ends**. The Guardian. 26 February 2016).

Both journalists and police communicators told the review that these events had the effect of breaking down relationships and trust between the media and the police service.

'I do think background briefings are a lost art. There is absolutely a role for background briefings but I think the Leveson Inquiry has made people incredibly nervous of them. There's a real nervousness both from officers and comms teams about doing them.'

Senior police communicator
(external to Lancashire Constabulary)

This is relevant to the Nicola Bulley investigation because a non-reportable briefing was not given. All national media journalists providing information to the review suggested that an early non-reportable briefing about the full background to Nicola Bulley's disappearance would have set context for the story and would have headed off much of the speculative reporting that ensued.

Privacy concerns from the family could have been assuaged by explaining to them that a media background briefing would be strictly non-reportable and would have helped to frame accurate appeals for help. In reality, private details about Nicola became public in a way that drew widespread criticism. With the right handling, those details could

have been withheld by police and only released, in a controlled way, as part of the coroner's inquest.

'Had the media been trusted with confidential information on Ms Bulley's specific vulnerabilities from an early stage of the investigation through a non-reportable background briefing, a lot of the wild speculation that ensued on social media could have been avoided or countered, and private details of Ms Bulley's health need not ever have been shared so publicly as part of the investigation.'

National media journalist

The Lancashire Constabulary M&E team told the review that while non-reportable briefings were sometimes used on other cases, they were no longer common practice and there is a reluctance from operational officers to undertake them. As such, the use of a non-reportable briefing was not actively considered in this case, even though their use is endorsed by the College of Policing's [Engagement and communication APP](#), which states that:

'Non-reportable information is provided to the media on the basis (by prior agreement) that it is for guidance only and not for publication or broadcast. It can be used to provide further context around a statement. This enables the police to have a dialogue with the media about serious or sensitive policing issues without generating publicity about them. Properly used, this may be a valuable resource in the context of an established, trusting and professional relationship.'

One of the local newspapers spoken to as part of the review noted that they did have the full background to the story from their own community sources, but that they chose not to run the details without on-the-record confirmation from the police. However, they said that knowledge of the full facts did allow them to frame their own responsible approach to reporting the story.

The head of the M&E team at Lancashire Constabulary suggested that the breakdown in the relationship between the police and media had

also come to light during this investigation, specifically noting the significant impact that the behaviour of some reporters had on their staff. As part of the review process, the head of the M&E team accepted that Lancashire Constabulary would approach some things differently, and they hoped that the media would also reflect to ensure that the relationship can work productively and positively again in the future.

It is evident from a number of the stakeholders who provided information to this review that many police officers no longer have the confidence to engage fully with the media in terms of on-camera interviews, press conferences or briefings. College of Policing trainers have confirmed to the review that preparation for media engagement is not a mandatory part of SIO training. This lack of confidence was evident during the investigation, with a number of senior police officers declining to act as police spokesperson at formal press conferences when asked to do so.

Recommendations

- The College of Policing and the NPCC should consider how confidence between the police service and the media can be rebuilt, so that, for example, appropriate non-reportable media briefings are actively encouraged where there is a policing purpose. This process will require a balanced and engaged approach from both policing and the media.
- The College of Policing should ensure that training for SIOs and other specialist officers includes enhanced elements relating to communications and engagement for high-profile cases, including media and social media handling and managing family sensitivities.
- The College of Policing and NPCC should consider what other opportunities exist to prepare officers and staff for media activity, including their participation in press conferences and holding non-reportable media briefings.

Information vacuum

The initial hypothesis put forward by the Lancashire Constabulary investigative team was validated by the inquest verdict that Nicola's death was accidental after she had fallen into cold water. Research by scientific experts used by the investigative team also accurately predicted the date that Nicola would resurface.

However, the information behind the investigative team's working hypothesis was not shared with the public. Instead, speculation and opinion from individuals outside of the investigation was widely reported by the media. This meant that their hypotheses – often that Nicola Bulley was not in the river – drove the narrative for the general public. These included headlines such as the following:

- **Underwater expert reveals why 'there's no way' Nicola Bulley has been washed out to sea.** Daily Star. 6 February 2023.
- **Nicola Bulley dive expert claims 'gut feeling' there could be third party involvement in disappearance.** The Sun. 7 February 2023.
- **Nicola Bulley could have just 'walked away' to move on with her life, claims ex-cop.** Daily Mirror. 16 February 2023.
- **The police couldn't have got it more wrong on Nicola Bulley.** The Independent. 17 February 2023.

Likewise, the absence of more frequent updates from Lancashire Constabulary meant that theories from social media influencers were able to establish themselves and spread.

'Updates were infrequent and sporadic. There was an information vacuum. Once it was clear how big the story was becoming, Lancashire Police should have been sending out daily updates or holding more regular briefings. From my perspective, Lancashire Police were not proactive in controlling the narrative of the story and it was allowed to spiral out of control.'

Local media journalist

A senior communicator – and former lead for the national policing social media project – suggested that more information should be given to the public about how and why the police operate in certain ways. They indicated that this transparency would help to restore public confidence and trust, and could also be used as a veracity reference to help prevent the spread of misinformation on social media.

‘I think there is a lack of content written for the public rather than written for policing. [...] I think some accessible information explaining some of our procedures produced proactively rather than reactively could be really powerful.’

Senior police communicator
(external to Lancashire Constabulary)

Conclusions

- Lancashire Constabulary should have released more regular communications to explain its working hypothesis and search methods to build public confidence – for example, using police search or dive specialists to explain key parts of the investigation.
- Lancashire Constabulary should have recognised that the absence of regular updates on the progress of the investigation created a vacuum for both mainstream and social media to fill, in which conspiracy theories thrived and negative sentiment grew.

Post-statement press conference – 20 February

The breakdown in trust between the media and the police service in general is exemplified by the reaction of the media to the [**Nicola Bulley family statement**](#) that was released on 20 February, after Nicola was found.

‘Our family liaison officers have had to confirm our worst fears today. We will never be able to comprehend what Nikki had gone through in her last moments and that will never leave us.’

We will never forget Nikki, how could we, she was the centre of our world, she was the one who made our lives so special and nothing will cast a shadow over that. Our girls will get the support they need from the people who love them the most. And it saddens us to think that one day we will have to explain to them that the press and members of the public accused their dad of wrongdoing, misquoted and vilified friends and family.

This is absolutely appalling - they have to be held accountable. This cannot happen to another family. We tried last night to take in what we had been told in the day, only to have Sky News and ITV making contact with us directly when we expressly asked for privacy.

They again, have taken it upon themselves to run stories about us to sell papers and increase their own profiles. It is shameful they have acted in this way. Leave us alone now.

Do the press and other media channels and so called professionals not know when to stop? These are our lives and our children's lives. To those who genuinely helped and supported us, privately, we thank you. The community support in St Michael's, friends, neighbours and strangers has been nothing short of comforting and heart-warming.

Friends you know who you are. Thank you. Our hearts truly break for others who have missing loved ones. Keep that hope alive. Finally, Nikki, you are no longer a missing person, you have been found, we can let you rest now.

We love you, always have and always will, we'll take it from here xx.'

This statement, which was read out by a senior police officer, was very critical of the media. Journalists and editors told the review that, in their opinion, the statement had been inspired directly by the police to deflect criticism away from themselves.

‘The press office were clearly involved in the family’s statements at the end of the investigation where they blasted the media’s intrusion. I felt this part of their statement – read out by police – had to be orchestrated by the press team and was a complete and utter disgrace, vilifying the media for the press office’s own incompetence.’

National media journalist

The FLOs who were present with the family when the media statement in question was drafted told the review that they did help the family with the writing of the statement, but that its contents were entirely the thoughts of the family and no-one else. The family was especially angry at the time at the actions of a small number of journalists, who had contacted them directly after Nicola had been found. The family subsequently complained about this to Ofcom. The FLOs told the review that the statement went through up to 15 iterations to ensure that it represented what the family wanted to say.

It was stated to the review that no senior officers and no-one from the press office were involved in any way in the production or editing of the family statement, although the SIO, the SIO’s deputy, ACC Lawson and the press office reviewed the statement before it was made public. The lack of involvement by senior officers and the M&E team in the production or editing of the statement was itself an omission. Someone with media expertise should have reviewed the statement and suggested a correction to the misleading line that failed to draw a distinction between mainstream media and social media.

‘The Lancashire press office should not have allowed the final family media statement to go out without pushback on the line that media reported false claims about Paul Ansell. At no time did the mainstream media accuse Paul Ansell of wrongdoing, as that would have been libellous, and that the press office have allowed information to go into the public domain which they know is false.’

National media journalist

Conclusions

- Every family and member of the public has the absolute right to comment on a police investigation and related activity that they have been subject of or to. However, if the police offer support with such a statement, this should be conducted by a member of the team with experience of media engagement. If the statement offers wider comment beyond the investigation, the police should consider whether it is appropriate for them to read the statement on their behalf. This would ensure that any confusion on the statement's attribution or origin is avoided.
- It was not appropriate for the police spokesperson to deliver criticism of the media on behalf of the family. This created a risk of it being regarded as the view of the police.

Funeral – 8 March

Media attention around the case continued after Nicola was found. On 2 March, Lancashire Constabulary wrote to IPSO on behalf of Nicola Bulley's family, notifying them that a private funeral would be taking place on 8 March. On behalf of the family, Lancashire Constabulary asked for there to be no press attendance at any point during the funeral, and that no reporter should approach attendees for comment, in order to ensure their privacy. IPSO passed on this request, citing the terms of Clause 2 (Privacy), Clause 3 (Harassment), and Clause 4 (Intrusion into grief or shock) of the [Editors' Code of Practice](#).

Conclusions

- Despite the significant public interest in the investigation, there was no media presence at the funeral and no subsequent coverage, due to the steps taken by Lancashire Constabulary and IPSO. This was a welcome step that allowed Nicola's family privacy at an extraordinarily difficult time. The use of the IPSO request by the M&E team should be commended and should be seen as an example of good practice.

Social media

The former lead for the national policing social media project suggested to the review that recognition of the impact and the position that social media plays in terms of community engagement and confidence is not universally recognised or understood within policing. The NPCC's **Social media project: Target operating model** (published in 2019) has been adopted by just under half of all forces. The ability of forces to use social media – both as a reporting tool for the public that supports investigations, and as a channel for public engagement – is not consistent.

Lancashire Constabulary has a well-developed policy and process for triaging social media messages through their digital communications team, which works collaboratively with the press team, and through their fully staffed 24/7 digital desk. In this regard, the Constabulary are ahead of many other UK police forces.

Under normal circumstances, the press team works in collaboration with the digital communications team to issue proactive social media content linked to ongoing incidents, investigations and appeals. Messages from the public are triaged in office hours by the digital communications team and are actioned as appropriate. Outside normal hours, this role is picked up by the digital desk in the force control room. However, even with this function, it is clear that the volume of social media activity threatened to – and soon did – overwhelm the investigation and Lancashire Constabulary's ability to manage community tensions.

Lancashire Constabulary has corporate external social media accounts across six platforms: Facebook, X (formerly known as Twitter), Instagram, LinkedIn, Snapchat and TikTok. According to an analysis conducted by Lancashire Constabulary, engagement with its own corporate social media channels (excluding TikTok) increased from an average 10,000 inbound messages per month to 76,400 in a month. Over 30,000 of these messages were within the first 10 days of the original MFH appeal. This increased traffic put a strain on the press office, who were required to monitor social media activity relating to the story. This is a point observed by a national media representative, who suggested that:

'The police couldn't keep up with it [the volume of social media activity]. You know they probably didn't have the resource to keep up with that level.'

National media journalist

At the beginning of the case, the majority of social media traffic relating to the investigation was positive, with users primarily sharing and raising awareness of Lancashire Constabulary's attempts to locate Nicola. However, as the story progressed, the sentiment of inbound social media traffic became overwhelmingly negative towards Lancashire Constabulary. This included considerable criticism of its investigation, as well as speculative theories that were contrary to the Constabulary's working hypothesis. Analysis conducted by the M&E team notes that, compared with the period before the investigation into Nicola's disappearance, negative and semi-negative sentiment on Facebook, X (formerly known as Twitter), Instagram, LinkedIn and Snapchat increased 459% (by over 21k messages), and the overall sentiment of content showed a downward trajectory.

Media speculation around the investigation was fuelled by individuals on social media who offered commentary on the developing story and the investigation. This is an issue that all high-profile police investigations have to address, and social media platforms have greatly increased the reach of such commentators.

A recent BBC investigation, [**Inside Tiktok's real-life frenzies - from riots to false murder accusations**](#), suggested that some social media platforms may lead users to post speculative content, which may be inaccurate, in hope of gaining a wider audience. A spokesperson for TikTok, a social media platform on which videos using the hashtag of Nicola Bulley's name had 270 million views, told the BBC that users took more of an interest in stories at 'moments of national conversation, which are intensified by 24-hour news reporting'.

Local media representatives who provided information as part of this review suggested that the increasingly negative sentiment of social media traffic (on Facebook, TikTok, X, Instagram, LinkedIn and

Snapchat) had a significant impact on levels of confidence in Lancashire Constabulary among the local community, as did the on-the-ground presence of social media influencers promoting conspiracy theories about the investigation in St Michael's on Wyre.

The volume and sentiment of social media traffic also had an impact on the morale of staff in Lancashire Constabulary, both in the investigation and the M&E teams. Frustrated officers and staff who were spoken to during the course of this review asked if there was anything that could be done to control social media, even in terms of possible legislation.

The media told the review that they felt social media users were treated by Lancashire Constabulary on the same basis as professional journalists from local and national media outlets. This extended to social media influencers being admitted to the first and second press conferences without accreditation or press passes being checked, which this review considers to be a significant mistake. Lancashire Constabulary also issued press statements on social media at the same time as issuing them to accredited media. While standard practice, this drew criticism from a number of journalists who were spoken to as part of this review.

'While the growth of social media has meant that news organisations and public bodies can now reach audiences like never before, the danger and speed at which misinformation and conspiracy theories can spread on social platforms was clearly evident during the investigation into Ms Bulley's disappearance. Whereas journalists working for mainstream and reputable news organisations are bound by regulatory codes which set the framework for the highest professional standards of editorial accuracy, content published on social media by those who consider themselves "citizen journalists" is not regulated in the same way.'

National media journalist

'Police forces have been working to engage directly with the public through social media, whether that's putting things out on Twitter, on Facebook and so on [...] There are existing lines

of communication [with mainstream media] and the fact is that these weren't utilised.'

Local media journalist

Media representatives told the review that the blurring of the lines between social media and mainstream media, and the former's negative influence, was evidenced by the family statement read out at the press conference on 20 February. This statement criticised the role played by mainstream media in encouraging the spread of conspiracy theories and mistruths, while it was social media that was primarily responsible for this.

Lancashire Constabulary highlighted to the review the actions that they took to support the local community, including putting in dedicated neighbourhood policing resource, ensuring that key stakeholders were informed, using dispersal orders and making arrests. These actions helped to provide assurance to the local community at a time of great upheaval. The need to undertake these measures was unprecedented and this further underlines the real-life impact of social media on policing.

Conclusions

- Lancashire Constabulary acted robustly to support the local community in relation to the physical presence of social media influencers in St Michael's on Wyre, including the arrest and eventual conviction of one individual. This is commendable.
- The impact of social media on policing – especially on live investigations – is a significant and growing issue, and the part that social media played in this case is far from unique. It is well beyond the scope of this review to express a view or make recommendations relating to the role of social media, its management or regulation. However, the evidence gathered as part of this review suggests that the impact of social media on police investigations is a serious and growing problem, which must be addressed by forces across the UK and policing centrally.
- Lancashire Constabulary should be commended for their use of the digital desk, which allowed them to capture, triage and

action a wide number of reports from social media as part of the investigation.

- Lancashire Constabulary should have been quicker to recognise the impact of social media interest and negative sentiment on the wider narrative around the case and public confidence in the police.

Recommendations

- The College of Policing, working with the NPCC, should amend its **Engagement and communication APP** to acknowledge clearly the differences between mainstream, regulated professional media and social media, including the individual requirements around their treatment by police communicators.
- The NPCC lead for communications should consider how lessons from the case regarding the impact of social media on police investigations can be learned across policing, including how the use of tools such as a 24/7 digital desk and social media monitoring can support accurate judgements on the relevance, scale and sentiment of social media interest.

Resilience

As detailed in the **Media narrative** and **Social media** sections of this chapter, there was unprecedented demand on Lancashire Constabulary's press office during and following the Nicola Bulley investigation.

To deal with the demand, members of the Lancashire M&E team with responsibility for channels other than the press were seconded to the press office to provide additional resource during this time.

However, the members of staff seconded to the press office were not trained in media engagement and could not access the press office phones or media contact log platform. This meant that they were unable to answer the press phone lines.

At times, because of pre-planned annual leave among the press office, there were only two trained press officers available to answer media

calls directly. This naturally limited the press office's ability to manage the large volume of incoming requests for information from journalists effectively (500 calls were logged by the press office over the course of the investigation). For some national media representatives who were spoken to as part of this review, the limited direct contact by telephone with Lancashire Constabulary was symptomatic of a broader issue with communications between the police and the media following the COVID-19 pandemic, where there was a reluctance to answer enquiries by phone.

This resource limitation also meant that opportunities were not taken to proactively influence the narrative around the investigation, including through background briefings. This topic is elaborated upon in the **Relationship with the media** section of this chapter.

Assistance was offered to the M&E team by a number of other organisations within the policing family, including the NPCC and the NCA. However, these offers were not taken up by Lancashire Constabulary, as they decided it would be quicker and more effective to second in other communications staff from within the organisation instead.

Two of the senior police communicators that were spoken to during the course of this review stated that it would have been advisable for Lancashire Constabulary to make use of communications professionals from other police forces. A 'buddy force' system is in operation between certain police forces and often involves another neighbouring police force taking over business-as-usual communications, while the home force focuses resources on a specific investigation or incident. Processes to deploy mutual aid are typically formalised within a resilience plan. Lancashire Constabulary's M&E team had no such plan.

The M&E team did benefit from critical friend advice from the head of corporate communications at South Yorkshire Police, who carried out an informal peer review of the communications strategy for the investigation. This was a valuable initiative and is to be commended. However, this was not the same as having a senior media handling expert embedded with the M&E team for the duration of the incident to offer strategic advice.

Conclusions

- The greatest challenges that Lancashire Constabulary faced during this investigation were those presented by the media and social media. The input from operational experts in the peer review undertaken on 2 February by the NCA did not include any meaningful support on these aspects. While the Constabulary has an experienced press office, the provision and availability of media experts through the NCA or another partner may have added value to the communications strategy in support of the investigation.
- The decision by Lancashire Constabulary not to accept help from other police communicators meant that it was unable to respond effectively to media needs and contributed towards the information vacuum that subsequently developed. This decision was influenced by the inaccessibility of the press office's telephony and call-logging systems. This lack of interoperability should be addressed by Lancashire Constabulary and any other forces in a similar situation.

Recommendations

- The NPCC should consider how force communications resilience can be best supported nationally, including exploring how informal and formal measures – such as a resilience protocol, the supply of expert communications staff from other forces, and 'buddy' systems between local forces – could enable forces that are under pressure to bring in additional support quickly.
- The College of Policing, NPCC and NCA should work together to address any gaps in media handling expertise across policing, including considering any further requirements for internal development and the potential to make suitably experienced media advisors available for high-profile investigations.

Chapter 4 – Release of personal information

Events leading to 15 February

Following Mr Ansell's appearance on Channel 5 on 10 February, the M&E team's media monitoring services picked up heightened media coverage and social media negativity towards him. This became a concern to the SIO, which they recorded, expressing the risks identified. On 14 February, further information was received by the investigation team, suggesting that the events of 10 January were known about by some members of the local community and journalists. Mr Ansell had called 999 on 10 January for an ambulance response and, as a result, a multi-agency response car had attended the family home. No arrests were made and the matter was resolved. This matter was later referred to the Independent Office for Police Conduct and no action was deemed necessary. A number of journalists made enquiries to the Lancashire Constabulary M&E team, asking specifically about the attendance of the multi-agency response car, including an investigative journalist planning to interview Mr Ansell and Nicola's family friend who acted as a community spokesperson.

Mr Ansell was aware of this and, according to the FLOs, was also aware of commentary regarding this on social media. As a result, Lancashire Constabulary became significantly concerned about the potential impact on Mr Ansell's safeguarding and welfare. They took the view that a press conference was necessary to provide additional investigative detail about the disappearance and to rectify any misreporting about the attendance of the multi-agency response car on 10 January, to mitigate the risk to Mr Ansell.

There was a previous opportunity by Lancashire Constabulary to highlight the 'high risk' grading of Nicola's disappearance with a prepared reactive media line that had been created for the press conference held on 7 February. It was not used during the conference, and was not proactively uploaded onto the Lancashire Constabulary's website, social media channels or sent to the press. The prepared media line stated:

‘We have a team of almost 40 detectives working on the inquiry alongside other officers and staff. As with all such inquiries of this nature we have a senior detective who is leading the investigation. This is normal practice where there is a high risk missing from home inquiry’.

The previous press briefing had taken place over a week earlier. It was now felt that providing an explanation for why Nicola had been graded as ‘high risk’ would add the necessary context to the circumstances surrounding her disappearance. This, in turn, would reduce erroneous speculation around Mr Ansell and, consequently, reduce the increasing risks to him.

When queried why high-risk, MFH circulated incidents are not routinely described as ‘high risk’, the Lancashire Constabulary M&E team told the review that ‘only high risk missing person incidents are circulated by the force on social media’. They added that, while the actual term ‘high risk’ is not used, the language chosen always demonstrates the concern for the person’s safety. The assumption by Lancashire Constabulary is that the public will recognise these as ‘high risk’ and that no explicit wording or explanation is required. However, such assumptions are unlikely to be realised.

Conclusions

- Not declaring that Nicola was ‘high risk’ publicly at the outset of the investigation, with an agreed form of words, had a significant impact on how this case was perceived. The narrative from social media commentators, and sometimes from family and friends, was that something suspicious had occurred. Lancashire Constabulary did not do enough to counter this narrative sufficiently.
- It is common practice to anticipate questions that may be asked at press conferences. With ‘high risk’ MFH cases, it is predictable that questions will be raised as to why a person is deemed ‘high risk’. An approach and form of words should be prepared in anticipation.

Talking head

The initial decision was for the press conference to be conducted by ACC Lawson (gold) and DCS Pauline Stables, who is a qualified PIP4 investigator and was assigned to the role. Unfortunately, DCS Stables became unwell and was unable to act as the investigative spokesperson for the planned media conference. Discussions were held between ACC Lawson (gold) and DCS Stables as to who the appropriate replacement could be. It was felt by both that it required a senior detective to provide the comprehensive detail of the investigation, dispel myths and reduce the damage being caused by false narratives. The SIO was nominated as the appropriate replacement.

Strong representations were made by the SIO that they should not be expected to take on the role of talking head at the press conference at this stage alongside their role as SIO. The NCA SIO advisor agreed that the challenge of undertaking both roles was inappropriate in the circumstances. However, the decision by ACC Lawson (gold) still stood and the SIO was overruled.

This decision and the rationale behind it is recorded in the PIP4 decision log by DCS Stables. The SIO was felt to have the necessary knowledge of the detail of the investigation, along with the appropriate level of media training. The SIO felt that the demands of leading the investigation under intense media scrutiny meant that they should not undertake both roles. They recorded in their daybook notes that they felt vulnerable and exposed by this decision. That day, they raised in the gold group meeting that they felt Lancashire Constabulary had placed them in a vulnerable position.

Conclusions

- The decision of who should represent the force as a media talking head in very high-profile investigations, especially where there are questions around sensitive aspects of the case, is critical. SIOs have a range of other extensive responsibilities and should not be part of the media response in these circumstances.

Vulnerabilities

The SIO was concerned that, in the press conference planned for 15 February, they would be questioned about Nicola's personal issues and the relationship between Nicola and Mr Ansell. The family liaison officers were deployed to Mr Ansell on the evening of 14 February to discuss the intended press conference. They outlined the risk that Nicola's personal issues could be exposed due to media and social media interest and intrusion.

A discussion took place to determine what terminology the family would be content for Lancashire Constabulary to use, if asked, during the press conference. It is documented that the agreed response would be 'there are a number of factors in Nicola's medical history which are being considered as part of the investigation'. This was relayed by the FLC to the SIO, who agreed with the wording.

A meeting took place on the morning of 15 February between the SIO, ACC Lawson, the head of the M&E team and other senior members of Lancashire Constabulary's communications team. There followed discussion around the phrasing to be used in the press conference to describe Nicola's personal challenges. It was in this meeting that the term 'vulnerabilities' was discussed. It was agreed by all present in the meeting that the SIO would use the phrase 'specific vulnerabilities' and would not expand further on this during the press conference.

The change of agreed phrasing from 14 February with Mr Ansell (namely, the term 'medical history') to the used phrase of 'specific vulnerabilities' was not discussed with the family prior to the press conference on 15 February. There is no explanation identified for this.

In preparation for the briefing, consideration was also given to providing a police representative with search expertise to support ACC Lawson (gold) and the SIO. It was assessed that this was a critical area of police activity, and that a void in the media reporting had been created and was being filled outside of policing, notably by Mr Faulding. A suitable representative from Lancashire Constabulary, with the necessary search expertise and media training, could not be identified. As a support, a

member of the PoISA team provided an 'off camera' briefing at the press conference on 15 February. This was a helpful approach.

It was only during this press conference on 15 February that Nicola was first referred to as 'high risk'. This was also the first time that her family became aware of the term 'high risk' in relation to her.

Conclusions

- By 15 February, it was extremely difficult for Lancashire Constabulary to communicate an appropriate level of information about Nicola's personal circumstances. This was due to insufficient earlier signposting, such as non-reportable briefings and significant levels of public interest in the case.
- Had the term 'medical history' been maintained, it is likely to have provided Lancashire Constabulary with a stronger foothold against media enquiries. Medical history and factors present an immediate sense of privacy and may have prevented further enquiry.
- The significant amendment to the form of words chosen should have been communicated to Nicola's family prior to use in the media conference. This would have provided them with an opportunity to object, agree or comment.
- Those performing the role of 'talking head', and seeking to use the most appropriate and effective words, should draw on existing expertise and guidance for support. The NCA provide access to behavioural psychologists who are able to determine the impact of wording on victims, families and the public, and can advise and provide alternatives.
- Every officer, particularly in specialist roles, should be supported and prepared to speak to the media, where appropriate, in line with the College of Policing's **Engagement and communication APP**. In this case, where there was difficulty in identifying a specialist with media training, the national policing lead or other force experts could have been considered.

Press conference – 15 February

Lancashire Constabulary held a press conference on Wednesday 15 February at force headquarters to update the media, with all mainstream media outlets represented. At the conclusion of the press conference, reporters immediately asked for additional information about the 'vulnerabilities' so that they could report appropriately. At that time, the SIO did not reveal any further information to the reporters present.

A gold group meeting was convened following the press conference, chaired by ACC Lawson, with reference made to the speculation around the terms used to describe Nicola's vulnerabilities. The Lancashire Constabulary M&E team had received numerous media enquiries as to what 'vulnerabilities' meant and about the attendance of a multi-agency response car at Nicola and Mr Ansell's home on 10 January. There was recognition in the gold group that Lancashire Constabulary was now in a different position and discussion took place around what information could be given around the 'vulnerabilities'. A meeting to discuss risk management and the investigation media strategy was set for the following morning.

Before this meeting could take place, at 15:00 on 15 February, the SIO recorded in their policy book that they had been contacted and advised by the M&E team lead that the word 'vulnerabilities' could wrongly suggest domestic abuse. The SIO also recorded their concern that if the detail about the attendance of a multi-agency response car on 10 January became more widely known, the safeguarding risk to Mr Ansell and his family would increase.

To mitigate further risk to Mr Ansell and his children, both the PIP4 (DCS Stables) and the head of the M&E team advised the SIO that a further police statement would need to be released to the media to provide an explanation of the phrase 'vulnerabilities'. The term 'medical issues' was suggested by the SIO, but this was rejected by the PIP4 and the head of the M&E team on the grounds that this would give insufficient detail to rebut any adverse comments and to reduce the risk to Mr Ansell.

The head of legal services was contacted to provide legal advice on Lancashire Constabulary's next steps and on the plan to release personal information about Nicola proactively. Lancashire Constabulary determined that personal information about Nicola's struggles would be referenced to explain why the term 'vulnerabilities' had been used. The head of legal services agreed with a senior member of the M&E team that the risks of not releasing the personal information outweighed the risks of doing so. Any press release would need to balance Nicola's privacy rights with Mr Ansell's safeguarding needs. The decision to make a further press statement was also to ensure that any reporting regarding the attendance of a multi-agency response car on 10 January was factually correct and within context, avoiding any further misinformation and speculation about Nicola and Mr Ansell.

The SIO documented that 'a statement is to be constructed, as agreed, via the FLOs with the family'. The FLOs were tasked with having an immediate discussion with the family explaining why Lancashire Constabulary felt it important to provide additional information to the media to explain Nicola's 'vulnerabilities'. The FLO deployment was also to ensure that Nicola's parents knew the correct, factual detail regarding the attendance of a multi-agency response car on 10 January.

It is recorded in the SIO's notes that a draft media release was prepared by the M&E team and, following input from the SIO, was presented to the family for discussion, via the FLC and FLOs. This original draft stated: 'Nicola had suffered with some significant struggles with alcohol brought on by ongoing mental health'.

At 4.30pm that afternoon, the FLOs attended the family address. An explanation was given to the family that there was an imminent threat of publication by national newspapers of stories that would damage the family. They were informed that a further police media release was required, that evening, to explain the word 'vulnerabilities'. The family was extremely upset about the prospect of releasing private information about Nicola, especially the reference to alcohol. However, they understood the rationale that this further statement was required to limit the imminent prospect of incorrect reporting and the increased risk of harm to the family - in particular, Mr Ansell.

The family asked for some changes to be made to the statement, replacing the phrase 'ongoing mental health' with 'ongoing struggles with the menopause' and the statement was duly amended. The FLOs stated that the choice of the word 'menopause' was at the direct request of one family member but was agreed by all four family members present at the meeting. The amendments to the draft were made and sent back to the family via the FLO for agreement. A text message was received back from the FLO to the SIO as 'OK'. The process was conducted under extreme time pressure due to the imminent threat of publication.

This critical statement did not receive sign-off from the gold commander or the head of the M&E team. However, it was released to the media that evening by the M&E team, following involvement from the PIP4 and with the final family wording sanctioned by the SIO. The response was significant and negative.

Zoë Billingham, the chairwoman of an NHS mental health trust who has previously worked in policing, told BBC News that the update:

'smacked either of panic or perhaps even a deliberate decision on the part of the force to think how they can maintain their reputation. That's quite disturbing on so many fronts. People are asking rightly how does the reproductive status of a woman who has gone missing relate to the bid to find her and would that same information be put in the public domain if she were a man.'

Sarah Vine, a newspaper columnist, wrote in the Daily Mail that:

'Surely releasing such information will only have added to the feeding frenzy of keyboard sleuths, charlatans and troublemakers, all of whom have been busy circulating bogus theories for clicks? [...] Not only is this information completely irrelevant to the investigation (after all, how does telling the general public any of this increase her chances of being found?), now poor Nicola is diminished, cast as a cliché: the sad, menopausal, middle-aged woman who self-medicates with alcohol. [...] It's hard to escape the fact that, by revealing

her struggles, the police are implying that Nicola Bulley was or is in some way responsible for whatever has happened to her.'

At a later meeting regarding the release of personal information, it was documented by the SIO that the press release had occurred following direction from the M&E team. The SIO reiterated that they had wanted to keep the wording to a minimum and had wanted to use the term 'medical', but was told that more information had been needed due to the risks to Mr Ansell. Three members of the Constabulary were present in the discussion, and the SIO recorded that the decision to do this had been made by the PIP4. In our view, the decision to release this information was avoidable and unnecessary.

Conclusions

- While the decision to release the most personal information was lawful, in our view it was avoidable and unnecessary. Personal medical information can be released if it is important to assist in resolving a situation – for example, if it is known that a person might react in a particular way because of certain medication. However, unless this type of information has a direct bearing on the case and its resolution, it would be highly unusual for it to be appropriate to disclose.
- Lancashire Constabulary should have reasonably anticipated that information regarding Nicola's vulnerabilities could enter the public domain from the outset of the investigation. Regardless of media or family liaison challenges, they should have been better prepared to communicate this information in a more carefully constructed manner. This was a highly emotional and challenging situation, and Nicola's family should have been provided with more time, support and media expertise to secure their input.
- Any media statement requested or constructed by the police, wholly or in part, remains the ultimate responsibility of the force. There is a wider responsibility from policing to ensure that there are appropriate ethical considerations about the content within those statements, particularly when it includes the most personal information.

- Forces should, by default, not release personal information of such a sensitive nature, excepting only the most extreme of circumstances where all ethical perspectives and alternative mitigation have been considered. The decision to release personal information of such a sensitive nature should only be made at the most senior level (chief officer team), following consultation with the DPO, SIRO and/or the ICO.

Family statement – 16 February

The SIO requested an FLO deployment to the family on 16 February to check their wellbeing, following the release of the police statement the previous day referencing alcohol and the menopause. Following this release of personal information, the M&E team felt that a statement from the family was required to reinforce the focus into finding Nicola and to reduce the continuing speculation. This was raised and discussed in the gold group meeting that morning. In that meeting, an action was raised by the gold commander, requesting that any media releases constructed that day were to have final 'gold sign-off'. This had not occurred previously.

A media statement was drafted by the highly experienced FLO, using the words that it was felt the family would want to use, and sent to Mr Ansell and family for input and approval. All four FLOs attended the family address, and the family were asked to read and amend it to ensure that they were content. Following some minor changes by each family member, including aspects around the peri-menopause and symptoms, the final draft was read a number of times. It was agreed, by all family members present, that these were their words and that they were fully content with them. The family appealed in this statement for the speculation to cease and provided their own explanation regarding Nicola's struggles with the menopause.

The draft statement was returned by Mr Ansell, via one of the FLOs, who forwarded it on to the SIO, FLC, head of the M&E team and deputy head of the M&E team. The M&E team also sent the final approved version to the gold commander and the PIP4 for authorisation. The gold commander and the SIO confirmed their agreement, and the version was passed to the family again for final comment. The contents and

wording were again agreed. The family were not under the time pressure that they had been the previous evening. The focus was, appropriately, on finding Nicola and the challenges being experienced by her family.

On 17 February, a gold group meeting convened. During the media update, it was decided not to release any further police statements proactively. It is detailed that Lancashire Constabulary would need to 'weather the storm' regarding the release of personal information.

Conclusions

- The gold group records for the investigation suggest that the first request for gold sign-off on media releases only took place in the gold group meeting of 16 February. Earlier approval of critical media releases by the gold commander would have provided stronger oversight and direction, and may have prevented the unnecessary release of highly personal information.
- The critical media release that took place on the evening of 15 February should have had the knowledge and approval of the gold commander, and should have been recorded in the minutes and policy log.

Legal considerations

Although Lancashire Constabulary contacted the head of legal services, the force DPO and the information management department were not contacted before the release of the personal information. It was indicated to the review that the DPO was unavailable at that time.

Due consideration was given to the potential impact around the General Data Protection Regulation (UK GDPR) and the right to a private life, noting that there were potentially significant risks to Mr Ansell if there was increased speculation around 'vulnerability' and what that meant. It was considered that there was a policing purpose for the release of information that Nicola had struggled with alcohol issues, and that Lancashire Constabulary had responded to a concern for welfare at her home address.

The head of the M&E team, the SIO and the head of legal services all assessed the decision to release personal information in relation to fairness, necessity and proportionality. They considered the facts and potential risks in relation to the public interest and the protection of the life of the subject or other person.

In collapsing timeframes, Lancashire Constabulary followed the guidance provided. This was to justify the policing purpose that they were seeking to achieve and to demonstrate the proportionality and necessity of this, comparative to the breach of privacy. The rationale was recorded and documented for potential later review and scrutiny.

The head of legal services agreed that the risk of not releasing the personal information outweighed the risks of doing so. The DPO was contacted the following day, post-release, and concurred with the legal advice that had been given.

Following the disclosure and subsequent public and government reaction, the ICO conducted an investigation into this release and why Lancashire Constabulary had taken these steps. Lancashire Constabulary prepared a report to assist the ICO's assessment.

The ICO recognised that the 'case was conducted in exceptional circumstances' but did state that 'the public disclosure of such sensitive personal information seemed extraordinary'. Ultimately, the ICO concluded that, having reviewed the circumstances and rationale that led to the disclosure, and recognising the likelihood that Nicola was probably deceased at the time of the disclosure, the public interest did not favour the ICO taking further regulatory action.

Conclusions

- Data protection is a highly specialised area of law that requires specific support and guidance. Early consultation with a force DPO is strongly advised. Where unavailable, the DPO deputy or senior member of the force information management department should be contacted. Additional support can be secured from the force data and information board, alongside the DPO. Seeking DPO engagement at an early stage, prior to critical decision making, will

ensure that data protection is actively considered throughout the whole process. It is suggested by the Lancashire Constabulary DPO that forces, nationally, would benefit from more informed learning around the role of the DPO and the specialist guidance that can be provided.

- The ICO advised the College that, during a time-critical incident (where it may not be known if it is a criminal matter), forces should consider the threat and risk factors, and use that to assess the necessity and proportionality of any use or disclosure of personal information. Early inclusion of a data protection professional will be key to ensuring that the right people are part of that urgent decision-making process. The decision should be documented with a clear rationale and retained for later scrutiny. These elements were considered by Lancashire Constabulary and their legal team.

Chapter 5 – External influences on the investigation

Media and social media activity

Paul Ansell

Mr Ansell was included in reporting across the press and media after his partner, Nicola Bulley, was reported as MFH on 27 January 2023. As a key family member, Mr Ansell was a prominent voice surrounding her disappearance. Media attention on Mr Ansell began to increase from 3 February, once he started to provide media interviews. It is entirely understandable that he wished to undertake media activity to help find Nicola.

At the same time, speculation about Mr Ansell and his possible involvement in the disappearance began to appear on social media. He provided a version of events to the media that seemed to fuel further speculation – for example, he said that he was ‘100% sure she was not in the river’. There was some public commentary that he did not appear upset enough in broadcasts and that he demonstrated bizarre behaviour in his interviews.

Conclusions

- Mr Ansell, the wider family and friends of Nicola, including the family friend who acted as a community spokesperson, were dealing with an exceptionally difficult and disorientating set of circumstances. The independent media and press activity undertaken by Mr Ansell and this family friend, while clearly conducted to support the efforts to find Nicola, inadvertently added complexity to the investigation. This could have been mitigated by conclusions previously made by the review – namely, a quicker decision by Lancashire Constabulary with implementing an earlier and comprehensive FLO structure, and better family engagement from individuals with experience in media and communications.

Peter Faulding

Mr Faulding is the founder and chief executive of SGI, with their website describing their services as 'a world leader in the fields of specialist rescue, underwater search, forensic search and protestor removal'. The actions of Mr Faulding during the investigation were raised with the review by Lancashire Constabulary on several occasions.

At the time of Nicola's disappearance, Mr Faulding was listed on the Experts Advisers Database maintained by the National Crime Agency, and had previously conducted search and dive activities with several other police forces in the UK. His company was recommended to join the database in 2008. Experts can be requested for listing on the database by law enforcement staff, nationally, to support investigations and provide specialist knowledge to forces, if required.

In this case, Lancashire Constabulary did not make a request to use the services of SGI, nor was SGI recommended by the NCA as a support to the investigation.

On 3 February, prior to any attendance at the location of Nicola's disappearance or contact with Lancashire Constabulary, Mr Faulding was interviewed by Sky News. He provided comment on aspects of the scene of Nicola's disappearance, specifically: 'it appears - and I'm not on the scene - that there isn't any marks where [...] Nicola fell in down into the river, so it's a bit odd' ([**Nicola Bulley's case 'is an odd one', says forensic expert**](#). Sky News. 3 February 2023).

On 5 February, Mr Faulding appeared again in the media, where he referenced the ability of his team and equipment, and the greater search and dive expertise it provided in comparison with that used by the police. He stated that the police's equipment was low-tech, adding that: 'It's very unlikely they would be able to find a body with it' ([**Nicola Bulley bombshell as forensic expert brands investigation 'a mess' and says crucial evidence may have been missed**](#). The Sun. 5 February 2023).

Nicola's family became aware of this, and efforts were made through Nicola's family friend to contact SGI and secure their services. Nicola's family then contacted the investigation team and asked them to involve

Mr Faulding and SGI in the search for Nicola, stressing the importance of following this 'lead and opportunity'. Also on 5 February, Mr Faulding claimed that: 'My belief is she's not in the river at all' ([Nicola Bulley latest: Top forensic scientist rubbishes 'foolish' police theory - 'She is NOT in that river'](#). GB News. 5 February 2023).

As the deployment of a commercial dive team was outside normal practice, the SIO consulted with the national search lead, and confirmed that the police search and dive team's capability, capacity and equipment were suitable for the search. The national search lead advised that Mr Faulding and SGI did not have 'any greater equipment than could be secured through police channels'. The Lancashire PolSA lead was instructed to contact Mr Faulding to identify what could be offered by his company, once apprised of what had been conducted to date.

There followed communication by Nicola's family friend to the FLOs expressing a strong message that a refusal to use Mr Faulding and SGI that day (5 February) would result in a negative press release to the media. Lancashire Constabulary felt that this would undermine public trust and confidence and, therefore, subsequently agreed to allow the use of SGI to support them in their search efforts to locate Nicola and contacted Mr Faulding that day. Mr Faulding offered his services free of charge to the family.

To ensure appropriate management of SGI and their associated dive and search activity by Lancashire Constabulary, an email was sent by the PolSA lead to Mr Faulding on 5 February. It stated:

'We agreed in the importance of utilising your assets in conjunction with the ongoing search operation and as such direction will come through the Police Search Adviser [...] We also discussed and agreed that all operational information will be treated as confidential, and that any operational information passed to the media will be done through the Police Channels. The requirement for this is to manage media releases to mitigate where possible undue distress to the family.'

The closing line of the email read:

'I cannot stress the need for discretion enough due to the massive news coverage this enquiry has and continues to attract.'

Mr Faulding was referenced during the gold group meeting minutes on 6 February, where his activities required operational discussion and direction. On 6 February, an action was raised to ensure a confidentiality agreement, code of conduct and indemnity documentation were to be secured from him.

During this gold group meeting, there was an update that the SGI team had agreed that if they identify a find during their searches, they would not engage in a forensic recovery, given that the responsibility for this lies with police trained specialists. Mr Faulding also agreed that any communications would only take place with Lancashire Constabulary, to manage associated messaging to the family. A chief inspector was given the action to undertake a meeting with Mr Faulding to secure the necessary signing of the relevant documentation and an action was raised at the next gold group meeting, the following day, for this to be securely retained.

It is recorded in the daily search strategy that SGI were deployed to assist the PoISA team on 6 February under the supervision and direction of the PoISA lead. On this date, Mr Faulding received an in-person briefing on the rules of his engagement with the investigation and search, as well as the associated necessity for confidentiality.

To support this, a confidentiality agreement / non-disclosure agreement (NDA) was drawn up with the assistance of the head of legal services for the Lancashire Constabulary. This incorporated the following agreement:

'I (Peter Faulding and SGI employees) have been told and I agree, that under no circumstances will I discuss any aspect of this case with any person other than the investigation team.'

This document was provided to Mr Faulding by a chief inspector on the evening of 6 February, following his arrival at the scene. The chief inspector recalls that an explanation was provided to Mr Faulding that it was an NDA and highlighted that he should not share any information with anyone. This was signed at 18:01.

SGL provided a written response to the review team of their understanding of the NDA provided to him, and stated:

‘Peter did not sign an NDA, either before or on the day, he was asked to sign a piece of paper which he was not provided a copy of. As we recall, it set out SGL’s responsibilities insofar as Risk assessment, H&S issues etc, this missive was not set out as a ‘NDA.’

This confidentiality agreement contained no references to risk or health and safety, as recalled by Mr Faulding, but instead contained a short paragraph providing an indemnity for Lancashire Constabulary against any costs or claims associating from their involvement in the search. There were also eight points outlining the different information and confidentiality specifications required by Lancashire Constabulary. It would appear that Mr Faulding was not provided with a copy, which seems to be an omission, given the nature of the incident.

Mr Faulding continued to engage with the media between 6 February and 8 February, providing his views and opinions on Nicola’s disappearance. On 6 February, in The Times newspaper, Mr Faulding repeated a similar theory to one provided on 5 February, claiming that he would be able to find Nicola within three days if she was in the river ([**Nicola Bulley: If missing mother’s in river we’ll find her soon, says expert.**](#) The Times. 6 February 2023).

In the gold group meeting on 7 February, an action was raised for the chief inspector (silver) to meet with Mr Faulding to offer ‘suitable, robust advice about the information he is passing to the media – unhelpful to the investigation, the family and wider community’. This action was undertaken and discharged. On 8 February, an action was raised for a holding press statement to be devised to counter any misleading or false statements made by Mr Faulding within the media, and this was to be reviewed by the gold commander.

On 9 February, there was discussion about Mr Faulding where a further action was raised regarding his activities in relation to his engagement with the family. He had also requested a photo opportunity to take

place at the scene with a member of the chief officer team, the family and himself, which was declined through the gold group meeting. It was clear, from the recording of these meetings, that some of the behaviour and activities demonstrated by Mr Faulding caused challenges to the investigation.

The review team asked SGI to explain why Mr Faulding sought to engage the media and discuss the investigation, given the direction in the NDA that the investigation and case is not to be discussed with any party not involved in that investigation.

SGI responded that:

‘There was no official NDA discussed or signed for. [...] The police failed to engage with SGI about any press statements. [...] Peter and team were ambushed by the press, had no support from the police or any feedback after making media statements and, therefore, he assumed his press engagements were within the terms of engagement.’

In addition to his continued media presence, Lancashire Constabulary presented examples of when Mr Faulding operated outside of the terms of engagement with the search direction. This included an incident on 8 February, when he was observed digging with a spade in woodland near the river. This search activity had not been sanctioned by the PoISA lead and Mr Faulding had not undertaken any forensic precautions to ensure the safe recovery of forensic evidence. This activity fell outside of the agreed terms of engagement, where any forensic recovery should not be undertaken.

When challenged at the time by the police, Mr Faulding stated that he believed this to be an area of recently disturbed earth, indicating a possible deposition site. This location had previously been searched and eliminated as part of the initial police search response on 27 January. Following this assertion, it was re-assessed by the PoISA lead, who comprehensively documented why they considered the area had not been recently disturbed.

Mr Faulding had also informed the family that he thought he had identified a body deposition site (the location or believed location site of a deceased body). As part of this review, Lancashire Constabulary suggested that this had caused unwarranted distress and false alarm. Lancashire Constabulary also stated that the activity of Mr Faulding resulted in the diversion of police resources to the family to remedy the situation.

It is the view of Lancashire Constabulary that Mr Faulding had a significant impact on the investigation and public confidence through his activities and his engagement with the media. The review team considers that some of his actions created a more challenging environment for the investigation team. His public statements often contradicted the investigative and operational approach, leading to confusion for the public and reducing the family's trust in the investigation and search operation.

Within the media, there were 12,355 articles or broadcasts referring to Mr Faulding from 3 February, reflecting the interest that his public comments created. Some social media commentators referred to his comments as evidence for their alternative explanations for Nicola's disappearance.

Mr Faulding made several statements to the media that were later found to be at odds with the inquest findings.

- 'My belief is she's not in the river at all' ([**Nicola Bulley latest: Top forensic scientist rubbishes 'foolish' police theory - 'She is NOT in that river'**](#). GB News. 5 February 2023).
- 'My opinion is had Nicola gone in by that bench she would have gone to the bottom and drifted a couple of meters' ([**Nicola Bulley diver ENDS SEARCH but insists missing mum did not fall in river as he shows her partner new evidence**](#). GB News. 8 February 2023).
- 'If Nicola is in there, we will find her. If she's there, our sonar will pick her up straight away' ([**Expert dive squad say if missing Nicola Bulley is in river 'we'll find her in minutes'**](#). Daily Mirror. 6 February 2023).

- 'Sadly, the discovery was not found in the river but in the reeds at the side of the river which was not part of our remit as the side scan sonar does not penetrate reeds above or below the water' ([An update from Peter Faulding](#). SGI Facebook page. 20 February 2023).

The inquest findings show that Nicola was found in the river, she was found some distance from where she fell in, she was not found by sonar equipment, and she was not found in reeds.

Lancashire Constabulary also shared concerns with the review that Mr Faulding had behaved insensitively towards the family at an extraordinarily difficult time. It was assessed by Lancashire Constabulary that he used his conversations with the family to provide quotes to the media, and that he influenced the family into believing that Nicola had not entered the river and that a third party was involved.

Mr Faulding provided information to the review. His view was that he had no official information in his possession to disclose to the media. He explained that he provided press statements and interviews because he was 'hounded' by the media. It was his view that there was no control over the media or official press area, and this differed to other police operations he had previously been involved with. He stated that he was not advised or supported with any media guidance by Lancashire Constabulary, that he did not receive any instruction not to engage with the media, and that he would have stopped had he been directed to.

During the review, Mr Faulding disclosed what he considered to be a credible find during a search conducted on 7 February. He presented sonar images of this find to the review team. He went on to explain that he had brought this credible find to the attention of the PoISA lead on 7 February and, following a dive by the NWPUSMU, it was found to be 'nothing'. This caused great concern to Mr Faulding, who strongly asserted that Lancashire Constabulary lacked 'professional interest' in this find.

Documentation was recorded daily for the search activities by the PoISA lead and has been reviewed for 7 February to identify this find and its outcome. The record documents that, on this date, the national search lead was also in attendance at the scene and briefed by the PoISA lead.

SGL were tasked to search the 'hot zone' – the area around the bench – for the entire day. It is recorded that, during this survey, Mr Faulding and SGL identified 'one item on the riverbed which couldn't be ruled out so police divers, dove and cleared the item'.

On 8 February, Mr Faulding stated that their three-day involvement ended after a 'thorough and extensive search of the areas we were tasked with by Lancashire Police' and found 'no sign of Nicola' ([Search expert's river hunt ends without solving missing Nicola Bulley 'mystery'](#). The Independent. 8 February 2023).

The dive team was later contacted by the review team regarding this find and also confirmed a dive had taken place on 7 February, following the sonar imagery presented by Mr Faulding and SGL. The dive team worked from the GPS coordinates provided by them, along with a marker that they had placed on the riverbank. This location was close to the bench where Nicola had left her phone and some distance from where she was found. The diver who undertook this dive was able to confirm that the dive took place at 13:21 and the find was found to be tree branches underwater and, therefore, cleared as negative. It is relevant to also add that this same area had previously been searched by the NWPUSMU on 28 and 31 January, using both sonar equipment and dive methods. These had also proved negative.

The diver stated:

'I am actually 100% sure that there was no body in that part of the water at that time. It is not very often I dive in such an unobstructed body of water with such a flat bottom and with visibility.'

The diver provided their own record of this dive to the review team. The coordinates of the images that they record of that dive match exactly those of SGL's images. This diver also provided the primary dive evidence to the coroner at the inquest into Nicola's death.

To supplement this, and to provide an independent view, the review team contacted a leading government sonar specialist for their opinion of the sonar images taken by SGL on 7 February. They provided the

expert view that they had 'low confidence that the images were that of a human casualty'.

Mr Faulding later contacted the review team on 26 October and provided further images of this find. To provide additional expert and independent opinion, these and the earlier sonar images were assessed by a lecturer from Cranfield University. They stated:

'The target cannot be positively identified as a human body based on the data presented. [...] In my opinion, this target would be classed as a low probability of confidence for human remains. I would recommend the target be inspected by divers or a robotic camera system following high priority targets in the dive area.'

This review concludes that this find was sufficiently investigated by the search team, at the time, and was established to be a negative finding. This was additionally supported by the expert opinion of the images from two independent scientists, which were received during this review.

Conclusions

- The management of Mr Faulding's activities at the scene and his interactions with the media, while discussed at gold group level and a concern for Lancashire Constabulary, was not incorporated into a media strategy. This was despite the clear challenges around public confidence.
- While Lancashire Constabulary attempted to implement measures to ensure Mr Faulding's compliance with operational objectives, further engagement and intervention may have been helpful.
- Lancashire Constabulary should have considered providing an official force media tent or area, either at or near to the scene, resourced by the force's communications team. This would have supported the force's engagement with the media and external voices.
- If a force engages an expert (even if not procured directly), any NDA used should clearly set out the parameters within which the expert is expected to work, as well as the likely consequences if

these requirements are not met. A copy of the NDA should be provided to the expert.

NCA Experts Advisers Database

The NCA Experts Advisers Database is a database that contains details of experts and professionals with a wide range of specialisms or experience that support UK law enforcement. The process for inclusion on the NCA Experts Advisers Database, by a company or individual, is conducted through a variety of sources. These sources include recommendation from investigators or other experts, or from proactive research by the NCA. The database currently holds approximately 450 experts across a range of areas of specialism.

Following receipt of a signed CV and associated references, no further vetting process is conducted by the NCA. The NCA is clear that it does not endorse or accredit any expert held within the database, and is not responsible for cost or contractual obligations.

When an expert is deployed to an investigation or requested by an investigating officer, the officer receives a guidance document called 'The management of expert advisers'. This includes the need to ensure that the expert has the necessary skills. Security checks are to be undertaken by the force in line with force policy, where appropriate and when involved in sensitive investigations. It is expected that the force undertakes any contractual or legally binding arrangements with the expert advisor.

Conclusions

- It is suggested that, during a dynamic and developing investigation, it is impractical for a force to undertake vetting and contractual arrangements to the level required.
- The risks identified by this review, with the limited regulation and control of experts on the database and risks to wider UK law enforcement, were shared with the director general of the NCA on 20 June. A comprehensive review of the Experts Advisers Database has been implemented by the NCA, with interim measures to resolve the highlighted areas of concern.

- If they are not already doing so, forces should seek to use legally enforceable NDAs when they are engaging experts, advisors or other contractors and confidentiality of information is required.

Recommendations

- The NCA should consider whether experts and advisors on the NCA Experts Advisers Database are vetted, regularly reviewed and monitored.

Commercial dive companies

It is appropriate to comment on the use of commercial dive companies by police forces. Consultation has taken place with the NPCC lead for strategic underwater search and the principal dive contractor, as well as the Metropolitan Police Service's underwater search unit. The NPCC underwater search working group discussed concerns about the use of commercial dive companies by police forces in December 2022. An action was raised for further research to be undertaken, with a view to producing guidance to all forces. It was recognised that competence levels, vetting, confidentiality, information sharing, and health and safety made the use of commercial dive companies a potential area of vulnerability for forces, with ultimate liability lying with chief constables. A memorandum of understanding agreement by a commercial company with a force does not negate the chief constable's liability when considering accountability.

As a result of the action raised, the subject was placed on the agenda for the NPCC maritime policing meeting for wider discussion, set for March 2023. On 14 February 2023, a communication was sent by the NPCC lead for maritime policing to all chief constables, reminding them of their obligations and liability with the use of commercial dive teams. Strong guidance was provided to use police dive contractors where possible and commercial divers only in exceptional circumstances. It is recognised that there will be occasions where commercial partner assistance for police dive teams will be appropriate – for example, the provision of more advanced technology and equipment – and this is actively encouraged.

The advice from the NPCC lead for maritime policing is that any urgent requests for dive or search capability must, in the first instance, be conducted as an NPoCC mutual aid request. Where the request is of a less urgent nature – for example, for training or equipment assistance – contact should be made with the NPCC maritime policing portfolio for guidance.

Further communication advising this guidance was sent again to all chief constables on 19 September 2023, advising of the pathway for NPoCC mutual aid requests and use of the NCA's Experts Advisers Database.

Conclusions

- While it is recognised that Lancashire Constabulary did not request the services of SGI and Mr Faulding, and that he was not deployed by the NCA, a decision was made to use the services of a commercial dive company and to manage the risk. Lancashire Constabulary felt it was placed in an unenviable situation, which would lead to a widespread negative perception that the force were not using every opportunity to locate Nicola.
- However, the use of a commercial dive company or external organisation places responsibilities on the force for health and safety, vetting, forensic and information management, which requires careful consideration. NPoCC resourcing requests should be the preferred option for urgent capability requests, unless there are exceptional reasons. Consultation with the NPCC maritime policing portfolio is advised to support and guide, where appropriate.

Appendix A – Glossary

ACC – assistant chief constable

APP – Authorised professional practice (guidelines produced by the College of Policing as the official source of professional practice on policing).

Cold water shock – Involuntary bodily reflexes when suddenly submerged in cold water, including a rapid increase in heart and blood pressure that can result in cardiac arrest.

Connect – Software used to manage reported crime and investigations.

DCS – detective chief superintendent

DPO – data protection officer

First responder – A trained individual, typically from the police, fire and rescue, or ambulance services, who is among the first to arrive at the location of an incident.

FLC – family liaison coordinator

FLO – family liaison officer

FMIT – force major investigation team

FSL – family liaison force strategic lead

Gold, silver and bronze – Senior police command and leadership structure.

High risk missing person – A missing person where the risk of serious harm to the subject or the public is assessed as very likely.

HOLMES 2 – Home Office Large Major Enquiry System, a software program used by all forces to manage complex and large investigations.

IAG – independent advisory group

ICO – Information Commissioner's Office

IPSO – Independent Press Standards Organisation

LFRS – Lancashire Fire and Rescue Service

M&E team – media and engagement team

MFH – missing from home

Mutual aid – Provision of policing resourcing assistance from one force to another.

NCA – National Crime Agency

NDA – non-disclosure agreement

NPCC – National Police Chiefs' Council

NPoCC – National Police Coordination Centre

Non-reportable media briefing – A media briefing that cannot be reported publicly, but can be used for background understanding.

NWPUSMU – North West Police Underwater Search and Marine Unit

Ofcom – Office of Communications

PIP3/4 – Professionalising investigation programme, levels 3 and 4. Nationally recognised investigative qualifications for senior investigators.

PoISA – police search advisor

SIGI – Specialist Group International

SIO – senior investigating officer

SPOC – single point of contact

Smart Storm – Call handling software that is designed to record initial receipt, assessment and resource allocation updates.

Swift Water Team – Search and rescue team specialising in fast-moving water scenarios.

Third-party intervention – The involvement of a third party in the disappearance of the missing person.

UK GDPR – General Data Protection Regulation

Working hypothesis – A theory that is provisionally accepted as the basis for further research, but that may be subject to change.

Appendix B – Investigation timeline

Day of investigation	Date	Activity
Day 1	27 January	<ul style="list-style-type: none"> ■ Nicola Bulley reported missing ■ Assessed as 'high risk' missing person by police ■ Specialist search teams deployed to the scene
Day 2	28 January	<ul style="list-style-type: none"> ■ On-call SIO attends scene, agrees with 'high risk' categorisation and working hypothesis ■ Specialist search, including of the River Wyre, continues
Day 3	29 January	<ul style="list-style-type: none"> ■ Coordinated public searches take place ■ Investigating officer attends scene, confirms that no third-party involvement is likely and that there is no need to cordon off scene
Day 4	30 January	<ul style="list-style-type: none"> ■ First police press briefing ■ New SIO appointed, asks for review of investigation to date by FMIT detective inspector ■ SPOC deployed to family
Day 5	31 January	<ul style="list-style-type: none"> ■ SIO oversees enquiries based on witness statements, CCTV footage, GPRS phone and Fitbit data, by team of 40 detectives
Day 6	1 February	<ul style="list-style-type: none"> ■ Widespread media and social media coverage of story ■ Gold command structure first formally established

Day of investigation	Date	Activity
Day 7	2 February	<ul style="list-style-type: none"> Nicola's parents and sister interviewed on Sky News SIO contacts NCA to secure peer review
Day 8	3 February	<ul style="list-style-type: none"> First police press conference, held in St Michael's on Wyre First formal deployment of FLO to family
Day 9	4 February	<ul style="list-style-type: none"> Nicola's family friend (community spokesperson) speaks to media for the first time
Day 10	5 February	<ul style="list-style-type: none"> Request from SIO for investigation to be declared a critical incident is declined by the chief officer team PIP4 formally appointed to investigation
Day 11	6 February	<ul style="list-style-type: none"> Peter Faulding and others from his company, SGI, join search of River Wyre
Day 12	7 February	<ul style="list-style-type: none"> Second police press conference held in St Michael's on Wyre
Day 13	8 February	<ul style="list-style-type: none"> Dispersal notice issued in St Michael's on Wyre
Day 14	9 February	<ul style="list-style-type: none"> Expert advice received that body not likely to surface until around 19 February
Day 15	10 February	<ul style="list-style-type: none"> Channel 5 broadcasts special investigation featuring interview with Mr Ansell Number of FLOs increased from two to four
Day 17	12 February	<ul style="list-style-type: none"> Full HOLMES 2 structure implemented by FMIT

Day of investigation	Date	Activity
Day 20	15 February	<ul style="list-style-type: none"> ■ Third press conference held at police headquarters ■ Nicola described as 'high risk' with 'specific vulnerabilities' ■ Further media statement issued later in day referring to the menopause
Day 21	16 February	<ul style="list-style-type: none"> ■ Widespread criticism of release of personal information ■ Investigation declared a critical incident ■ Family media statement issued through police
Day 22	17 February	<ul style="list-style-type: none"> ■ Briefing of Home Secretary and Shadow Home Secretary by police
Day 24	19 February	<ul style="list-style-type: none"> ■ Body found in River Wyre by member of the public
Day 25	20 February	<ul style="list-style-type: none"> ■ Fourth press conference confirms that Nicola's body has been found ■ Family statement read out by police
Day 27	22 February	<ul style="list-style-type: none"> ■ Coroner opens and adjourns inquest ■ PCC announces review to be conducted by the College of Policing ■ IOPC announces investigation of media behaviour
Day 41	8 March	<ul style="list-style-type: none"> ■ Nicola's funeral held ■ IPSO issues privacy notice to media

Appendix C – Initial timeline of events

Names of witnesses have been removed.

27/01/23	
08:26	Nicola is seen to leave her home address with her two children in her car (footage from video doorbell).
08:35	Phone data analysis locates Nicola's phone at her children's school.
08:35-08:40	Person A sees Nicola outside her children's school walking her dog, Willow. Person A remained at the school for another 10-15 minutes before making their way to the dog field (undisputed ID).
08:40	Children start their school day in St Michael's on Wyre. Police dash cam footage shows Nicola's car in the car park at this time.
08:45 (approx.)	Person B speaks to Nicola in the car park after dropping their children off at school. Nicola stands at her car with the boot open, with Willow in the boot. The two have a brief conversation before Person B returns to their own car (undisputed ID).
08:42 (approx.)	Person C sees Nicola walking towards them down Garstang Road with Willow. Behind Nicola was a male dressed as a workman. Person C lets both pass. The male is then seen to walk towards a white van parked on the tarmac. Nicola continues walking towards the direction that Person C had come from. There are no conversations between the two and they go their separate ways.
08:43	CCTV footage of the river path possibly shows Nicola walking from the direction of the iron footbridge and Garstang Road towards the area containing the gate and bench (confirmed by phone data analysis).
08:46:30	Phone data analysis locates Nicola at the area containing the gate and bench.

27/01/23	
08:47 (approx.)	While walking back towards the gate along the riverbank, Person D (who knows Nicola) sees Nicola having just entered the field, turning left and taking the route that Person D has taken. Willow and Person D's dog run over to each other, and Person D calls their dog back. At this time, Person D sees Nicola with her phone out in front of her.
08:48:55	Phone data analysis locates Nicola walking across the lower field towards the upper field.
08:48	CCTV footage from Allotment Lane shows Person E walking towards the river path from Allotment Lane. Person E walks through the gate near to a neighbour's house (Person F) and halfway along the path towards the gate and bench. Person E doesn't reach this gate and turns back, walking towards the iron footbridge. Person E notes a dog in that area on the grass. Person E goes on the fields and doesn't notice anyone else.
08:52 (approx.)	Person D leaves the lower field via the gate and walks along the river path towards Allotment Lane.
08:53	Nicola's employer receives an email from Nicola regarding a mortgage client.
08:54	CCTV footage shows Person D on Allotment Lane returning from their dog walk. Prior to this point, while reaching the gate at the end of Allotment Lane, Person D sees Person E walking a dog on a lead.
08:55	Person A begins their walk along Garstang Road from the school, over the iron footbridge, and turns right immediately to follow the riverside footpath.
08:55:15	Phone data analysis locates Nicola walking in the upper field.
08:59	Nicola sends a message to Person G via Messenger, regarding arrangements for their children at the weekend.
08:59:33	Phone data analysis shows Nicola around Rowanwater.

27/01/23	
09:00 (approx.)	Person A reaches the gate where the bench is located. As they walk through the gate into the lower field, they can see Nicola's silhouette and Willow walking diagonally ahead of them, approaching the hedgerow to the upper field.
09:01	Nicola's phone logs into a Microsoft Teams call at work. There are 41 people logged into this call.
09:01:57	Phone data analysis places Nicola around Rowanwater.
09:02:49	Phone data analysis places Nicola around Rowanwater.
09:03:44	Phone data analysis places Nicola around Rowanwater.
09:05	Person A continues walking and next sees Nicola as Person A is passing Rowanwater site. At this time, Person A can see Nicola on the opposite side of the field, near to the river's raised embankment. Willow is off her lead and is running back and forth to Nicola.
09:10	Person A continues walking around the path and sees that Nicola has now done a second loop of the top field, so Nicola is now behind Person A. Nicola is just passing Rowanwater where the river starts to straighten. Person A hears Willow barking and being called by Nicola. Person A then sees Nicola and Willow continue with their walk. This is the last time that Person A sees Nicola. Person A then continues to walk diagonally across the field towards the separating hedgerow and back across the field towards the gate where they first entered the field. Person A can no longer see Nicola or Willow due to the hedgerow.
09:10	Person E returns from the river path area on Allotment Lane.
09:15 (approx.)	Person A leaves the field and walks onto the river path towards Allotment Lane.

27/01/23	
09:18	CCTV footage shows Person A walking past Person F's house along Allotment Lane from the direction of the field. At this time, Person A sees Person F pottering around the shed. Person A doesn't see anyone else.
09:20	Person A passes Person H's house on Allotment Lane.
09:20	Person A is seen on CCTV footage at the junction of Allotment Lane and Garstang Road. (This walk has been timed and takes approximately five minutes to the area containing the gate and bench.)
09:23	CCTV footage shows Person F leaving their home address to take their dog for a walk around the river. Person F walks through the new gate at the end of Allotment Lane to the riverside and walks through the area that Person F calls 'Huws'. As Person F walks, the river is on their right.
09:30	Nicola's Microsoft Teams call ends but Nicola is still logged into the meeting. Nicola and two other people were still logged into the meeting after it finished (09:43 and 15:30).
09:33 (approx.)	Person F arrives at the gate and sees a brown Springer dog, Willow, running around with its tail wagging towards the gate and its back towards the bench. Person F sees a dog harness on the slope, ties their own dog up and looks around. Nicola's mobile phone is on the bench, with the screen lit up. Person F picks the dog harness up and uses twine in their coat to tie Willow to the bench.
09:35	Person I leaves Rowanwater site for a dog walk via the rear gate into the upper field (confirmed by CCTV footage). As Person I heads across the field, they see Person F with a dog near to the bench in the distance. As Person I gets nearer, they recognise Person F. Person F sees Person I approaching and says that they have tied the dog up. Person I turns around and continues to walk around the field, then heads back towards Rowanwater.

27/01/23	
09:35	Person J hears a female scream coming from the direction of Allotment Lane and the river area.
09:40 (approx.)	Person F unties their own dog and walks back home to Allotment Lane. Person F leaves Willow tied to the bench, and leaves Nicola's mobile and dog harness at the bench.
09:40-09:45	Person K leaves their home address on Rawcliffe Road and walks their dog around the village. Person K walks onto the river path from Garstang Road.
09:47	CCTV footage confirms Person F returning home.
09:59	CCTV footage shows Person I returning to Rowanwater through the gate.
	Person F calls Moy Vets.
10:04	Person F calls a friend (Person L) from their home number.
	Person F also calls Person M. Person M informs Person F that Person K (Person M's spouse) is out walking their dog. Person F explains to Person M about Willow and the mobile phone they found at the bench.
	On reaching the bench, Person K sees Willow tied to the bench, and a phone and harness on the bench. Person K thinks that something doesn't feel right, and continues walking.
10:12	Person K rings their spouse (Person M), who says that they have spoken with Person F, the person who had tied Willow up.
10:33	Person M and another individual (Person N) head down to the river to meet Person K. Person M picks up the phone and shows Person K the screen. Person K recognises the male as a dog walker. Person K, Person M and Person N put Willow into the harness and they walk the dog back home.
10:33	Phone data analysis locates the phone moving from the bench.
10:41	There is a missed voice call from Mr Ansell to Nicola's mobile phone.

27/01/23	
10:47	Person K, Person M and Person N walk back onto Allotment Lane from the river. Person L comes out of their house and Person K shows them the phone. Person L recognises Willow and the phone as belonging to Nicola.
10:48	Mr Ansell sends a text message to Nicola: 'Have you got lost?'
10:50	Person L calls the school to report finding Willow and the phone.
10:54	The school contacts Mr Ansell.
10:56	Mr Ansell leaves the home address in a hurry (footage from video doorbell).
19/02/23	
12:45	Nicola Bulley is recovered from the River Wyre at St Michael's on Wyre.

Appendix D – Full methodology

Guiding principles and quality assurance

The review adopted the following guiding principles and quality assurance indicators when researching and drafting the review's report.

- To produce a report that resonates with – and meets the reasonable expectations of – our audiences.
- To produce a high-quality report that is accessible, that is true to the terms of reference, and that sets out lessons and actions for improvement.
- To demonstrate an evidence-based approach, consistency, thoroughness and clarity of purpose.
- To ensure that the report's tone of voice is appropriate to the subject matter and the context.

Research

The research and drafting elements of the review were carried out in a phased approach, as outlined below.

- Phase 1 – Internal review of Lancashire Constabulary's decisions and actions regarding the investigation, as well as the communications around it.
- Phase 2 – Internal and external subject matter experts.
- Phase 3 – External key personnel.
- Phase 4 – Formulation of the review report.
- Phase 5 – Fairness and disclosure process.
- Phase 6 – Approval and publication of the review report.

Fairness and disclosure policy

The review was not conducted on a statutory basis. It was not intended to apportion blame to individuals or organisations. Its focus is to share lessons for policing from the experience of Lancashire Constabulary.

In conducting the review, the team sought to be fair and open with all those who were generous with their time and who may be subject to criticism, or where criticism might be inferred, in the review report. Despite there being no statutory requirement to do so, the review informed those who may be criticised of the nature of that criticism, and outlined the evidence for making the criticism. The review also alerted those about whom criticism might be inferred of the nature of the report's content. Everyone who was informed of criticism, direct or inferred, was able to respond. The review team took account of this feedback, editing the report when it was felt appropriate to do so.

Review team

The review team was led by ACC Dr Iain Raphael (College of Policing). The College of Policing team included:

- Dai Malyn
- DCI Vicky Tunstall
- Matt Peck, Head of Communications
- David Tucker, Delivery Lead – Crime and Justice
- DCI Sarah Torrance
- Sarah Lawrence, Legal Services Manager

The College of Policing was assisted by communications agency Luther Pendragon. The Luther Pendragon team included Simon Whale, Tim Morris, Jennifer Evans, Tabitha Adams and William Gray.

The review team reported to Andy Marsh, Chief Executive Officer of the College of Policing.

Appendix E – Conclusions

- The initial grading of the emergency call made by Mr Ansell was quickly and correctly reviewed, assessed and categorised as 'high risk' by Lancashire Constabulary, in line with the Constabulary's and national policy guidelines. There was effective supervisory oversight at the correct levels for the early assessment and appropriate deployment of relevant resourcing and skills. The early reassessment of the initial call grading is particularly commendable. The deployment of specialist support services was comprehensive and effectively mobilised, making the initial policing response of a high standard. The incident had further additional oversight and scrutiny through a later management review meeting.
- The initial response to a 'high risk' missing person enquiry, especially the use and deployment of a missing person search manager, was highly commendable. All forces should consider adopting this approach.
- The managerial oversight and command of the early investigation was at a high level for this type of investigation. The attendance at the scene by the SIO and investigating officer demonstrated senior assessment and scrutiny of the resourcing and working hypothesis. The minor deviation from the force MFH policy of an FMIT review is assessed as having no impact on this case.
- Greater consideration could have been provided to harness the community as a resource in these early search efforts, to benefit from local knowledge and to focus joint efforts.
- At incidents where it is unclear whether a crime has been committed, all responders should consider the potential outcome of criminal activity. Decisions whether 'golden hour' measures are required, including the preservation of a crime scene, will need careful consideration. Such decisions will need an assessment of the certainty of support for a particular hypothesis. It is often the case that, at the earliest stages of an investigation, the hypothesis or hypotheses can change, and decision making must take account of this possibility. Once a decision is made not to seek or recover

evidence, the opportunity is then lost forever.

- The early investigation used a working hypothesis that Nicola had fallen into the river. From the information known at the time, this review considers the working hypothesis to be correct. However, the scene should have been cordoned off and subject to forensic examination at an early stage. In doing so, additional benefits would have been realised, such as controlling who entered the scene and helping the search efforts.
- The early stages of the investigation were reviewed by a local, highly experienced detective inspector and an FMIT detective inspector, and were overseen by two separate, experienced and qualified SIOs. All were in agreement that, on the information known at that time, the most likely hypothesis was that Nicola had fallen into the river. There was no suspected third-party involvement, although an 'open mind' was being maintained. The approach taken was consistent and evidence-based, and led to informed decision making across the investigation.
- The SIO's policy books contained good evidence of the strategic direction and command of the investigation, with clear decisions and rationale provided, based on information known at the time. The documents detail the working hypotheses, the main lines of enquiry, the resourcing capabilities and the strategies formulated to achieve the investigative progress. These were the subject of regular review.
- The SIO sought and implemented several independent reviews throughout their investigation, demonstrating a proactive appetite for learning and seeking improvements. The recommendations provided were followed and, if not, a sound rationale was provided. This approach is commendable.
- The SIO's working hypothesis ultimately proved to be correct and Nicola was found, in accordance with early set understanding.
- Connect is the software system used to record MFH investigations within this force and in other forces. However, the scale and complexity of this investigation made Connect an unsuitable

system to use. Upscaling to a full HOLMES 2 incident room was not possible due to the trained limitations of staff to provide the capability. The resourcefulness of the investigation team in creating bespoke systems as an alternative method to managing the investigation material is commendable, given the challenges described. However, these methods created unnecessary delays and distraction.

- When MFH investigations are complex, forces should consider using appropriate systems, such as HOLMES 2, to support their information management. This requires an appropriate and suitably trained resourcing capability.
- From the time of reporting to the discovery of Nicola's body, it is evident that those leading the search activity had the relevant and appropriate experience and accreditation. The policing response to recovering Nicola was conducted to a high standard and with comprehensive and skilled resourcing. The search was later found to be accurate, with the recovery of Nicola's body found within the defined area, proving the search and investigative hypotheses to be correct.
- The use of scientific experts, deployed early and in support, provided strong guidance for the likely flotation date for the recovery of Nicola's body. The prediction of recovery by the expert from the Association of Lowland Search and Rescue – that Nicola was most likely to be recovered on 20 February – was highly accurate. These estimations were used by the PoISA leads to focus resources and tactics to the dates most likely to be successful.
- The use of scientific experts, specialist resources, national search leads, counter terrorism and the NCA to guide decision making is highly commendable. Forces should actively consider the use of such experts to provide support and guidance in similar circumstances.
- More robust management of the scene could have prevented the public intrusion regarding Nicola's recovery. It is our view that greater efforts at the scene should have been conducted to provide the necessary control.

- The resourcing and execution of the search strategy was extensive, comprehensive and commendable. It is recognised that Lancashire Constabulary's PoSAs are highly motivated, professional and attentive to their role requirements.
- The search capability and resourcing in this case could not rely on an on-call capability. It is recognised that this is a national challenge for searching. Instead, goodwill was demonstrated by staff to fill these resourcing gaps.
- Lancashire Constabulary did not provide sufficient PoSA resilience to manage the resourcing search cell function effectively. Greater use of mutual aid could have been made, specifically across the weekend of 28-29 January, when resourcing was particularly limited.
- The decision not to declare this as a critical incident is likely to have influenced decisions about the deployment of FLOs. This led to FLO support being deployed too late, seven days after Nicola's disappearance. Without the FLO structure in place, it was more difficult for Lancashire Constabulary to provide guidance to the family regarding the media at a time when the media and public scrutiny was increasing. The FLO structure would have also triggered associated victim support opportunities. Earlier focus on implementing an FLO structure is likely to have reduced the challenges experienced.
- As the extent and intensity of media attention grew, and with the family receiving media handling advice from different sources, it became increasingly challenging for the FLOs to operate. This contributed to Lancashire Constabulary's inability to retain or regain control of the media narrative.
- Use of nationally agreed templates and documents might have assisted those with oversight of the FLOs' engagement and activity. Forces would benefit from this aspect by confirming that their current arrangements are in line with nationally recognised guidance.
- The FLOs, FLC and FSL all demonstrated a high level of care, professionalism and dedication to the investigation and support to

Nicola's family. They worked extensive hours and provided a high level of accessible contact for the family, off-duty. All four FLOs were trained, accredited and relatively experienced in family liaison roles. Each FLO has strongly emphasised the unprecedented nature of this investigation and the challenges experienced, in particular relating to the media and social media.

- The FLOs praised the leadership, accessibility and support provided both by the SIO and by the FSL during their deployments. They fully recognised the value of this high level of engagement and support to their roles.
- It is clear that this was an extremely dynamic and fast-paced investigation. While this was an exceptional case, due to the media and public scrutiny, this is not wholly unprecedented in policing and could occur at any time. It is likely that other forces and individuals, in the future, will also experience such a deployment. All forces should consider the circumstances of this case to ensure that they are prepared for similar circumstances in their force area.
- It is identified that the training delivered by the FLOs course has only incorporated a media element since 2020. As a consequence, a high proportion of nationally trained FLOs have training that predates 2020, with no guidance in this area. FLO training is delivered by forces, and there is no national quality assurance to ensure consistency.
- Additionally, prior to 2020, it was not part of the FLO role expectation to provide media guidance to a family. However, this requirement has been introduced since **The Kerslake Report: An independent review into the preparedness for, and emergency response to, the Manchester Arena attack on 22nd May 2017.** The increased demands placed on a family during a high-profile incident, by both social media and mainstream media, increases the responsibility for the police to navigate these challenges. The gap in media expertise increases the risk both to the family and to the investigation. This is increased further when a family conducts their own media engagement, albeit with good intentions.

- Lancashire Constabulary should have adhered to College of Policing APP guidelines on the declaration of critical incidents – in particular, the requirement to consider the reputational impact of high-profile incidents on public confidence in the police. National definitions help to ensure consistent and effective police responses, as well as describing to others the level of seriousness being applied to a policing response. By not declaring a critical incident, the Constabulary missed a significant opportunity to signpost clearly – both to those within the Constabulary and to the wider public – the seriousness with which the force was responding.
- Nicola's disappearance should have been declared to be a critical incident as early as 30 January, as it clearly met the definition provided by the APP. There is ample evidence of this. The decision not to declare it as such when a chief officer was asked on 5 February was, in our view, a mistake. Declaring a critical incident would have led to a stronger command structure, with a greater focus on areas of concern. This could have included the assignment of family liaison, greater focus on the media, internal recognition and messaging to staff.
- The declaration on 16 February that this was a critical incident was so late that it was rendered ineffective.
- While there was chief officer oversight of the investigation, there appears to have been insufficient focus on the impact on public confidence in the early stages. The high-quality operational elements in the investigation suggest that if similar levels of attention had been applied by chief officers to issues relating to public confidence, then challenges may have been avoided.
- Lancashire Constabulary should have more closely followed national guidance on gold, silver and bronze command structures. Clear demarcation between local senior management team 'command and control' and a formal establishment of a gold command structure should exist. Greater consideration should have been given to the composition of the gold group membership.
- Lancashire Constabulary should reflect on the significant level of expertise and skill provided by their M&E team and whether that

team's role and advice is sufficiently embedded within its structures and daily 'grip' meetings. This may better align the understanding and awareness of public interest, especially in light of discussions held on social media, allowing Lancashire Constabulary to be more responsive in this area. Ultimately, the weaknesses in the response to this investigation centred on a disconnect between operational decisions and understanding the impact on public confidence.

- Lancashire Constabulary's chief officer team should have recognised the level of media and social media interest in this case, as well as the impact that this was having on public confidence in the force. On this basis, a more senior officer should have been selected to represent the force in the media at a much earlier stage.
- The SIO's performance in the press conference on 15 February was competent. They displayed comprehensive knowledge of all the investigative detail, helping to dispel myths and rumours. The pressure and frustrations of combining both the SIO and PIP4 'talking head' roles were, at times, understandably evident. The SIO received extensive, personal criticism for matters unrelated to their role. Despite this, the SIO continued to lead the investigation and deserves credit for their resilience, commitment and dedication.
- Lancashire Constabulary should review which staff are media-trained and whether this gives them the level of confidence and training to present to the media.
- The decision to release personal information of a sensitive nature should only be made at the most senior level and following consultation with the force's DPO. Sufficient chief officer team engagement did not take place.
- Lancashire Constabulary should have corrected the misleading statement given in the first press conference and used the opportunity to provide an informed non-reportable briefing to the media.
- Lancashire Constabulary should ensure that police officers who may be required to engage with the media are properly trained in advance and are prepared to provide accurate information.

- Media monitoring services can provide helpful data and management information to better inform decision making within all forces. The recognition of this gap in information and the speed at which this service was procured by Lancashire Constabulary during the investigation should be commended.
- Operational and senior decision makers within Lancashire Constabulary did not either recognise or act to prevent the detrimental impact of the investigation's high-profile nature. This led to serious questions being raised about the competence of – and public confidence in – Lancashire Constabulary.
- Lancashire Constabulary should follow the existing protocol for identifying and supporting a single identifiable spokesperson for high-profile investigations. The greater the level of public scrutiny, the more senior the police spokesperson needs to be.
- Lancashire Constabulary should have released more regular communications to explain its working hypothesis and search methods to build public confidence – for example, using police search or dive specialists to explain key parts of the investigation.
- Lancashire Constabulary should have recognised that the absence of regular updates on the progress of the investigation created a vacuum for both mainstream and social media to fill, in which conspiracy theories thrived and negative sentiment grew.
- Every family and member of the public has the absolute right to comment on a police investigation and related activity that they have been subject of or to. However, if the police offer support with such a statement, this should be conducted by a member of the team with experience of media engagement. If the statement offers wider comment beyond the investigation, the police should consider whether it is appropriate for them to read the statement on their behalf. This would ensure that any confusion on the statement's attribution or origin is avoided.
- It was not appropriate for the police spokesperson to deliver criticism of the media on behalf of the family. This created a risk of it being regarded as the view of the police.

- Despite the significant public interest in the investigation, there was no media presence at the funeral and no subsequent coverage, due to the steps taken by Lancashire Constabulary and IPSO. This was a welcome step that allowed Nicola's family privacy at an extraordinarily difficult time. The use of the IPSO request by the M&E team should be commended and should be seen as an example of good practice.
- Lancashire Constabulary acted robustly to support the local community in relation to the physical presence of social media influencers in St Michael's on Wyre, including the arrest and eventual conviction of one individual. This is commendable.
- The impact of social media on policing – especially on live investigations – is a significant and growing issue, and the part that social media played in this case is far from unique. It is well beyond the scope of this review to express a view or make recommendations relating to the role of social media, its management or regulation. However, the evidence gathered as part of this review suggests that the impact of social media on police investigations is a serious and growing problem, which must be addressed by forces across the UK and policing centrally.
- Lancashire Constabulary should be commended for their use of the digital desk, which allowed them to capture, triage and action a wide number of reports from social media as part of the investigation.
- Lancashire Constabulary should have been quicker to recognise the impact of social media interest and negative sentiment on the wider narrative around the case and public confidence in the police.
- The greatest challenges that Lancashire Constabulary faced during this investigation were those presented by the media and social media. The input from operational experts in the peer review undertaken on 2 February by the NCA did not include any meaningful support on these aspects. While the Constabulary has an experienced press office, the provision and availability of media experts through the NCA or another partner may have added value to the communications strategy in support of the investigation.

- The decision by Lancashire Constabulary not to accept help from other police communicators meant that it was unable to respond effectively to media needs and contributed towards the information vacuum that subsequently developed. This decision was influenced by the inaccessibility of the press office's telephony and call-logging systems. This lack of interoperability should be addressed by Lancashire Constabulary and any other forces in a similar situation.
- Not declaring that Nicola was 'high risk' publicly at the outset of the investigation, with an agreed form of words, had a significant impact on how this case was perceived. The narrative from social media commentators, and sometimes from family and friends, was that something suspicious had occurred. Lancashire Constabulary did not do enough to counter this narrative sufficiently.
- It is common practice to anticipate questions that may be asked at press conferences. With 'high risk' MFH cases, it is predictable that questions will be raised as to why a person is deemed 'high risk'. An approach and form of words should be prepared in anticipation.
- The decision of who should represent the force as a media talking head in very high-profile investigations, especially where there are questions around sensitive aspects of the case, is critical. SIOs have a range of other extensive responsibilities and should not be part of the media response in these circumstances.
- By 15 February, it was extremely difficult for Lancashire Constabulary to communicate an appropriate level of information about Nicola's personal circumstances. This was due to insufficient earlier signposting, such as non-reportable briefings and significant levels of public interest in the case.
- Had the term 'medical history' been maintained, it is likely to have provided Lancashire Constabulary with a stronger foothold against media enquiries. Medical history and factors present an immediate sense of privacy and may have prevented further enquiry.
- The significant amendment to the form of words chosen should have been communicated to Nicola's family prior to use in the media conference. This would have provided them with an opportunity to object, agree or comment.

- Those performing the role of 'talking head', and seeking to use the most appropriate and effective words, should draw on existing expertise and guidance for support. The NCA provide access to behavioural psychologists who are able to determine the impact of wording on victims, families and the public, and can advise and provide alternatives.
- Every officer, particularly in specialist roles, should be supported and prepared to speak to the media, where appropriate, in line with the College of Policing's **Engagement and communication APP**. In this case, where there was difficulty in identifying a specialist with media training, the national policing lead or other force experts could have been considered.
- While the decision to release the most personal information was lawful, in our view it was avoidable and unnecessary. Personal medical information can be released if it is important to assist in resolving a situation – for example, if it is known that a person might react in a particular way because of certain medication. However, unless this type of information has a direct bearing on the case and its resolution, it would be highly unusual for it to be appropriate to disclose.
- Lancashire Constabulary should have reasonably anticipated that information regarding Nicola's vulnerabilities could enter the public domain from the outset of the investigation. Regardless of media or family liaison challenges, they should have been better prepared to communicate this information in a more carefully constructed manner. This was a highly emotional and challenging situation, and Nicola's family should have been provided with more time, support and media expertise to secure their input.
- Any media statement requested or constructed by the police, wholly or in part, remains the ultimate responsibility of the force. There is a wider responsibility from policing to ensure that there are appropriate ethical considerations about the content within those statements, particularly when it includes the most personal information.

- Forces should, by default, not release personal information of such a sensitive nature, excepting only the most extreme of circumstances where all ethical perspectives and alternative mitigation have been considered. The decision to release personal information of such a sensitive nature should only be made at the most senior level (chief officer team), following consultation with the DPO, SIRO and/or the ICO.
- The gold group records for the investigation suggest that the first request for gold sign-off on media releases only took place in the gold group meeting of 16 February. Earlier approval of critical media releases by the gold commander would have provided stronger oversight and direction, and may have prevented the unnecessary release of highly personal information.
- The critical media release that took place on the evening of 15 February should have had the knowledge and approval of the gold commander, and should have been recorded in the minutes and policy log.
- Data protection is a highly specialised area of law that requires specific support and guidance. Early consultation with a force DPO is strongly advised. Where unavailable, the DPO deputy or senior member of the force information management department should be contacted. Additional support can be secured from the force data and information board, alongside the DPO. Seeking DPO engagement at an early stage, prior to critical decision making, will ensure that data protection is actively considered throughout the whole process. It is suggested by the Lancashire Constabulary DPO that forces, nationally, would benefit from more informed learning around the role of the DPO and the specialist guidance that can be provided.
- The ICO advised the College that, during a time-critical incident (where it may not be known if it is a criminal matter), forces should consider the threat and risk factors, and use that to assess the necessity and proportionality of any use or disclosure of personal information. Early inclusion of a data protection professional will be key to ensuring that the right people are part of that urgent

decision-making process. The decision should be documented with a clear rationale and retained for later scrutiny. These elements were considered by Lancashire Constabulary and their legal team.

- Mr Ansell, the wider family and friends of Nicola, including the family friend who acted as a community spokesperson, were dealing with an exceptionally difficult and disorientating set of circumstances. The independent media and press activity undertaken by Mr Ansell and this family friend, while clearly conducted to support the efforts to find Nicola, inadvertently added complexity to the investigation. This could have been mitigated by conclusions previously made by the review – namely, a quicker decision by Lancashire Constabulary with implementing an earlier and comprehensive FLO structure, and better family engagement from individuals with experience in media and communications.
- The management of Mr Faulding's activities at the scene and his interactions with the media, while discussed at gold group level and a concern for Lancashire Constabulary, was not incorporated into a media strategy. This was despite the clear challenges around public confidence.
- While Lancashire Constabulary attempted to implement measures to ensure Mr Faulding's compliance with operational objectives, further engagement and intervention may have been helpful.
- Lancashire Constabulary should have considered providing an official force media tent or area, either at or near to the scene, resourced by the force's communications team. This would have supported the force's engagement with the media and external voices.
- If a force engages an expert (even if not procured directly), any NDA used should clearly set out the parameters within which the expert is expected to work, as well as the likely consequences if these requirements are not met. A copy of the NDA should be provided to the expert.
- It is suggested that, during a dynamic and developing investigation, it is impractical for a force to undertake vetting and contractual arrangements to the level required.

- The risks identified by this review, with the limited regulation and control of experts on the database and risks to wider UK law enforcement, were shared with the director general of the NCA on 20 June. A comprehensive review of the Experts Advisers Database has been implemented by the NCA, with interim measures to resolve the highlighted areas of concern.
- If they are not already doing so, forces should seek to use legally enforceable NDAs when they are engaging experts, advisors or other contractors and confidentiality of information is required.
- While it is recognised that Lancashire Constabulary did not request the services of SGI and Mr Faulding, and that he was not deployed by the NCA, a decision was made to use the services of a commercial dive company and to manage the risk. Lancashire Constabulary felt it was placed in an unenviable situation, which would lead to a widespread negative perception that the force were not using every opportunity to locate Nicola.
- However, the use of a commercial dive company or external organisation places responsibilities on the force for health and safety, vetting, forensic and information management, which requires careful consideration. NPoCC resourcing requests should be the preferred option for urgent capability requests, unless there are exceptional reasons. Consultation with the NPCC maritime policing portfolio is advised to support and guide, where appropriate.

Appendix F – Recommendations

- The NPCC lead for family liaison should consider a communication to all forces to remind them of the importance of adherence to nationally agreed templates and recording documents.
- The College of Policing should work with the NPCC to consider how to address the identified skills and resourcing gap for media engagement guidance to families. This is a key gap in investigations of this nature. In addressing this gap, consideration should also be given to how guidance can be provided to those outside the family who may be acting as spokesperson or point of contact for the media in high-profile investigations.
- Lancashire Constabulary should ensure that their M&E team has sufficient influence and representation in the decision-making process for the declaration of critical incidents, to provide a better understanding of the media interest and public confidence levels.
- Lancashire Constabulary should ensure greater clarity regarding the point at which a gold command structure should be formally established. A formalised gold command, supported by silver and bronze roles, should operate to a clear strategy, outlining the purpose, management and objectives sought. This strategy should have sufficient chief officer oversight.
- Lancashire Constabulary should consider the inclusion – and benefits – of external and community representation within their gold group structures when public confidence is affected. Such representation will allow for community sentiment to be heard and for gold command and leadership to recognise the level of concern about public confidence.
- Lancashire Constabulary's chief officer team should review how media expertise is connected to chief officer team oversight and discussion, to ensure it has a suitable influence in decision making.
- Lancashire Constabulary's chief officer team should consider how to improve the relationships with gold groups within Lancashire Constabulary – specifically, the degree of delegation of authority.

It should consider how senior officers should approach the overruling of decisions made by the gold commander or within the gold group, and should ensure that there are associated opportunities for challenge.

- Lancashire Constabulary should explore what additional practical steps can be taken to ensure that officer and staff wellbeing is supported by the chief officer team during high-profile and highly scrutinised investigations.
- Lancashire Constabulary should routinely review statements made during press conferences to ensure the accuracy of comments made and, where necessary, look to clarify or retract comments at the earliest opportunity.
- The College of Policing and the NPCC should consider how confidence between the police service and the media can be rebuilt, so that, for example, appropriate non-reportable media briefings are actively encouraged where there is a policing purpose. This process will require a balanced and engaged approach from both policing and the media.
- The College of Policing should ensure that training for SIOs and other specialist officers includes enhanced elements relating to communications and engagement for high-profile cases, including media and social media handling and managing family sensitivities.
- The College of Policing and NPCC should consider what other opportunities exist to prepare officers and staff for media activity, including their participation in press conferences and holding non-reportable media briefings.
- The College of Policing, working with the NPCC, should amend its **Engagement and communication APP** to acknowledge clearly the differences between mainstream, regulated professional media and social media, including the individual requirements around their treatment by police communicators.
- The NPCC lead for communications should consider how lessons from the case regarding the impact of social media on police investigations can be learned across policing, including how the use

of tools such as a 24/7 digital desk and social media monitoring can support accurate judgements on the relevance, scale and sentiment of social media interest.

- The NPCC should consider how force communications resilience can be best supported nationally, including exploring how informal and formal measures – such as a resilience protocol, the supply of expert communications staff from other forces, and ‘buddy’ systems between local forces – could enable forces that are under pressure to bring in additional support quickly.
- The College of Policing, NPCC and NCA should work together to address any gaps in media handling expertise across policing, including considering any further requirements for internal development and the potential to make suitably experienced media advisors available for high-profile investigations.
- The NCA should consider whether experts and advisors on the NCA Experts Advisers Database are vetted, regularly reviewed and monitored.

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We're the professional body for the police service in England and Wales.

Working together with everyone in policing, we share the skills and knowledge officers and staff need to prevent crime and keep people safe.

We set the standards in policing to build and preserve public trust and we help those in policing develop the expertise needed to meet the demands of today and prepare for the challenges of the future.

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