



HOME OFFICE

Identification Parades

LONDON

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Home Office,
Horseferry House,
Dean Ryle Street,
London S. W. 1

January, 1969

Sir,

Home Office Circular No. 9/1969

Identification Parades

Identification

I am directed by the Secretary of State to say that he has reviewed the advice on the conduct of identification parades given in the Consolidated Circular to the police on Crime and Kindred Matters, and that the attached memorandum should be substituted for it. The memorandum has been prepared in consultation with the Lord Chief Justice and the Secretary of State understands that failure to observe its provision may well result in the judge in this summing up to the jury, commenting on the reliability of the evidence obtained.

I am, Sir,

Your obedient Servant,

PHILIP ALLEN

The Chief Officer of Police

IDENTIFICATION PARADES

1. The object of an identification parade is to make sure that the ability of the witness to recognize the suspect has been fairly and adequately tested.
2. Identification parades should be fair, and should be seen to be fair. Every precaution should be taken to see that they are so and, in particular, to exclude any suspicion of unfairness or risk of erroneous identification through the witnesses' attention being directed specially to the suspected person instead of equally to all the persons paraded.

Conduct of identification parades

3. If an officer concerned with the case against the suspect is present, he should take no part in conducting the parade.
4. Wherever possible the officer arranging the parade should be of not less rank than inspector.
5. Once the identification parade has been formed, everything thereafter in respect of it should take place in the presence and hearing of the suspect, including any instructions to the witnesses attending it as to the procedure that they are to adopt.
6. All unauthorized persons should be strictly excluded from the place where the identification parade is held.
7. The witnesses should be prevented from seeing the suspect before he is paraded with other persons, and witnesses who have previously seen a photograph or description of the suspect should not be led into identifying the suspect by reason of their recollection of the photograph or description as for instance by being shown the photograph or description shortly before the parade.
8. The suspect should be placed among persons (if practicable eight or more) who are as far as possible of the same age, height, general appearance (including standard of dress and grooming) and position in life. If there are two suspects and they are of roughly similar appearance they may be paraded together with at least twelve other persons. Where, however, the two suspects are not similar in appearance, or where there are more than two suspects, separate parades should be held using different persons on each parade.
9. Occasionally all members of a group are possible suspects. This may happen where police officers are involved (e.g. an allegation concerning a police officer which can be narrowed down to a number of officers who were on duty at the place and time in question). In such circumstances an identification parade would not include more than two of the possible suspects. For example,

if there were twelve police officers on duty at the time and place in question, there would be at least six parades, including ten officers who were not implicated and not more than two who might have been: the twelve possible suspects should not be paraded together. Two suspects of obviously dissimilar appearance should not be included on the same parade. Where police officers in uniform from an identification parade, numerals should be concealed.

10. The suspect should be allowed to select his own position in the line and should be expressly asked if he has any objection to the persons present with him or the arrangements made. He should be informed that if he so desires he may have his solicitor or a friend present at the identification parade.
11. The witnesses should be introduced one by one and, on leaving, should not be allowed to communicate with witnesses still waiting to see the persons paraded; and the suspect should be informed that he may change his position after each witness has left.
12. The witness should be asked whether the person he has come to identify is on the parade. He should be told that if he cannot make a positive identification he should say so.
13. It is generally desirable that a witness should be asked to touch any person whom he purports to identify; but when the witness is nervous at the prospect of having to do this (as may occur when, for example, the witness is a woman or child who has been the victim of a sexual or violent assault or other frightening experience) and prefers not to touch the person identification by pointing out may be permitted.
14. If a witness indicates someone but is unable to identify him positively, this fact, should be carefully noted by the officer conducting the parade, as should every other circumstance connected with it, whether the suspect or any other person is identified or not.
15. It may sometimes happen that a witness desires to see the suspect with his hat on or his hat off, and there is no objection to all persons paraded being thereupon asked to wear or remove their hats. Sometimes again there may be something peculiar in the suspect's gait or tone of voice, and if the witness desires to see the person walk or to hear the person speak there is no objection to the person paraded being asked to walk or to speak. When any such request is made by a witness, the incident should be recorded.

Identification parades in prison

16. If the suspect is in prison and is willing to take part in an identification parade, arrangements should be made with the governor for his production at the nearest convenient police station where the parade may take place. A parade should be held in prison only if special security considerations make it unwise to hold it outside or the suspect refuses to take part in a parade unless it is held in prison.

17. Where a parade has to be held in prison, the governor will be responsible for the assembly of the parade and a prison officer will be present throughout in charge of the discipline of the prisoners taking part. A police officer, unconnected with the case, will otherwise be responsible for the parade (including the introduction of witnesses to the parade and the noting of all that takes place). He must ensure that the parade is conducted in the same way as a parade outside prison.

Use of photographs in identifying criminals

18. Photographs of suspects should never be shown to witnesses for the purpose of identification if circumstances allow of a personal identification. Even where a mistaken identification does not result, the fact that a witness has been shown a photograph of the suspect before his ability to identify him has been properly tested at an identification parade will detract from the value of his evidence.
19. Any photograph used should be available for production in the court if called for.
20. If a witness makes a positive identification from photographs other witnesses should not be shown photographs but should be asked to attend an identification parade.
21. Where there is other evidence identifying the accused with sufficient certainty to prefer a charge, a witness who has made a firm identification by photograph should not normally be taken to an identification parade. There may however be circumstances when it is desirable to ask the witness to identify the suspect from a parade. For example, identification may have been made from a poor or out-of-date photograph: the photographic identification may have been made so long previously that the present ability to identify is uncertain: the suspect's appearance may have materially altered since the photograph was taken; or the witness may think his identification is likely to be assisted by having an opportunity of hearing a suspect speaking or observing his gait. The decision whether a witness should in such circumstances be taken to an identification parade should wherever possible, be made by an officer of not less rank than inspector.
22. Where there is no evidence implicating the suspect save identification by photograph, the witnesses as to identification should be taken to an identification parade notwithstanding that they may already have made an identification by photograph.
23. The police should inform the defence of any case where an identification is first made from photographs since it cannot normally be said in court that an identification was made from photographs without revealing the existence of a criminal record.
24. Where it is necessary to show a photograph of the suspect it should be shown among a number of other (unmarked) photographs having as close a resemblance to it as possible, and the witness should be left to make a selection without help and without opportunity of consulting other witnesses.