

Citizen Participation and Public Petitions Committee

6th Meeting, 2023 (Session 6), Wednesday
19 April 2023

PE1948: Improve the way that unexplained deaths are dealt with

Petitioner	Alex O’Kane
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to encourage Police Scotland to review their practices for dealing with unexplained deaths from initial recovery through to the support that is offered to family members.
Webpage	https://petitions.parliament.scot/petitions/PE1948

Introduction

1. The Committee last considered this petition at its meeting on [22 February 2023](#). At that meeting, the Committee took evidence from Stephanie Bonner.
2. The Committee agreed to consider the evidence heard at a future meeting.
3. The petition summary is included in **Annexe A** and the Official Report of the Committee’s last consideration of this petition is at **Annexe B**.
4. Written submissions received prior to the Committee’s last consideration can be found on the [petition’s webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government’s initial position on this petition can be found on the [petition’s webpage](#).

Action

7. The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE1948: Improve the way that unexplained deaths are dealt with

Petitioner

Alex O'Kane

Date lodged

8 August 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to encourage Police Scotland to review their practices for dealing with unexplained deaths from initial recovery through to the support that is offered to family members.

Previous action

I have written to the Chief Constable of Police Scotland and MSPs raising concerns about the current approach to unexplained deaths and the lack of support for those impacted. I have arranged a number of TV interviews and newspaper articles to highlight the way that families who have lost a loved one to an unexplained death are treated. I have gathered over 20,500 signatures from members of the public asking for changes to the way that Police Scotland approach and deal with unexplained deaths.

Background information

Unexplained deaths are far too common in Scotland and whilst I accept that in some cases the medical conclusion cannot be determined, I would urge Police Scotland to improve its policy when a body is initially discovered. This is a vital window of time when decisions are made and evidence can either be secured or lost forever.

Whilst representing a family who had lost a loved one to an unexplained death, I discovered that Police Scotland did not conduct door to door enquiries at relevant locations nor did they formally appeal for witnesses after a body was discovered. I believe this should be good practice and become policy when a body is discovered with no clear cause of death.

As an unexplained death case is not considered as a crime - the same level of resources are not invested to support the person's family, nor is victim support involved.

Unexplained deaths leave many families without answers and in some cases without justice, so it's vital for the Police to have a good line of communication open with the families and to be as transparent, helpful and empathetic as possible.

Annexe B

Extract from the Official Report of last consideration of PE1948 on 22nd February 2023

The Deputy Convener: Our first continued petition today is PE1948, lodged by Alex O’Kane, which calls on the Scottish Parliament to urge the Scottish Government to encourage Police Scotland to review its practices for dealing with unexplained deaths, from initial recovery through to the support that is offered to family members.

We are joined this morning by Stephanie Bonner, who is here to tell us about what change she believes is needed, following her own personal experience. Thank you for your courage in coming to give evidence this morning, Stephanie. We appreciate you taking the time to speak with us.

I also welcome members of the public who are here to support the petition and Stephanie.

Stephanie, I believe you have a brief opening statement. Would you like to read it out? Just take your time.

Stephanie Bonner: It is a few pages. Is that okay?

The Deputy Convener: That is okay.

Stephanie Bonner: I thank the committee for giving me this opportunity to speak and share my experience and journey with you.

Before I continue, I want to assure you that I will not go off track and that I intend to use this valuable time wisely, so please bear with me. I intend to cover the following: who Rhys Bonner was—he was my son; what happened; what I believe went wrong; how this has impacted my family and me; and what changes could be made for the better.

When I speak, you will hear my voice. When I speak, I hear my son Rhys Bonner’s voice coming within my heart. [Interruption.] I am sorry.

The Deputy Convener: It is okay. Just take your time.

Stephanie Bonner: Hopefully, both voices can be heard as one today. Hopefully, changes can be made for the better after today.

Who was Rhys? Rhys was my first-born child. He was healthy, he was happy and he was loved by his family and friends. He looked forward to living his life to the fullest and shared the ambitions and dreams of many 19-year-olds, but his life ended at 19, just before his ambitions and dreams could start to come to fruition. Rhys was a loving, caring boy. He did not bother anyone, no one bothered him and he did not get into trouble. He was a happy-go-lucky teenager who had his whole life ahead of him.

He had a career to establish, he had a future, he had true love to find and a family to build—he had his whole future ahead of him.

Rhys was 19 years old when he was taken from me. The day he went missing was the day that my nightmare started and my world changed for ever. The loss of a child is every parent's worst nightmare.

What happened? Rhys went missing on 24 July 2019. His half-naked teenage body was later discovered on Thursday, 8 August 2019. Items of his clothing were scattered and missing. Police Scotland closed the investigation into the death on Monday, 12 August 2019—four days but only one full working day later. I believe that those times speak volumes. That was one day spent investigating my son's death. My son's life was worth one full working day to Police Scotland. Just to repeat that: Rhys's half-naked teenage body was found on a Thursday afternoon and the investigation was officially closed on the following Monday. It was categorised as a missing person now found with no suspicious circumstances. My family and I were left to conduct door-to-door inquiries and build up a timeline of Rhys's final movements. We were also left to chase and secure closed-circuit television footage and statements from different local sources.

We discovered video footage of my son Rhys's body being dragged by ropes across open land—two football yards—in broad daylight by the police. I will never forget seeing these images as they will haunt me for ever. The police did not bother to try to prevent the public from filming this.

If the body of a half-naked 19-year-old girl had been discovered in an affluent area, I believe that the investigation would have looked a lot different. I believe that the victim's family would have been treated a lot differently. I believe that the approach of the police would have been completely different.

What do I believe went wrong? When a body is initially discovered, there is a vital window of time where important decisions are made by the police. At this point, if the police cannot see any obvious signs of criminality or a clear cause of death, they have to make a decision despite the cause of death being unknown or, as they say, "unexplained". In other words, the police have to form a theory based on what they see at the time at the scene, what evidence is clear to them and what the circumstances seem to be. This is where the theory is often made without the cause of death actually being officially established, without post-mortem and toxicology results being consulted. In fact, the investigation into Rhys's death was closed before he was even formally identified.

I believe there is pressure on the police in terms of time and resources to make those decisions quickly and move on, and that is where mistakes can be made, which cannot be undone, leaving families without answers or closure—leaving families tormented forever.

I believe that postcodes play a significant factor in the decision making of the police and the theories that they form. I also believe that what is going on at the time of a

discovery influences the police's theory. For example, in the summer of 2019, when Rhys's body was discovered, there seemed to be a high number of suicides and drug-related deaths being reported in the media and many of those involved younger men. So, I believe that, given the climate at that time, when they discovered Rhys's body in that postcode area, the police's theory was drawn towards a suicide or drug-related death. I think the police thought, "Just another young man from a housing scheme who lost his life through suicide or an overdose, so let's not waste any time—just close the investigation and move on".

Police Scotland failed to fully investigate Rhys's death. That is not my opinion; it is a fact, as it was upheld by Police Scotland within my complaint in December 2020. Police Scotland did not even bother to conduct door-to-door inquiries. It is the basic stuff like that that could have made a difference both in terms of securing vital evidence and trust and confidence in the police investigation. My family and I were left to conduct door-to-door inquiries and build up our own timeline of my son Rhys's last movements. Police Scotland then failed to fully investigate my complaint regarding the flawed investigations into my son's death. Four key points were upheld by the Police Investigations and Review Commissioner recently.

How has this impacted my family and me? I am a mum from a housing scheme—a wee mammy from Barlanark—and I am not accustomed to talking to politicians, especially in such surroundings. I want to connect with you and describe my pain, the void left when a child, a loved one, dies and there is no explanation given. I want to try to explain what it feels like when a loved one is the subject of an unexplained death.

Take a few seconds to think of someone you love, bravely hold that image of that person in your minds, concentrate on that person's image. As distressing as this may be, imagine the police contacting you and informing you that the person is dead and their body has been discovered half naked in open land—in my case, after the initial shock, I felt like I had been struck by a bow and arrow straight through my heart. The first question you would ask is, "What happened?" You have lost your loved one. You need answers. You need an explanation. You need closure. You need that to start the grieving process and try to move on.

But imagine that there was no explanation given to you. Imagine how you would feel. You have lost your loved one forever and there is no explanation whatsoever. That is what the families face when they lose their loved one to an unexplained death. They cannot move on. They are left thinking about every possible scenario, night after night, week after week, as months turn into years.

Imagine discovering that the police had closed their investigation into the death of your loved one four days—or one working day—later, even before the body had even been formally identified, before a pathology report was made, before a toxicology report was made, before establishing a timeline of your loved one's last movements—[Interruption.] Sorry.

The Deputy Convener: Just take your time. It is okay. Do not worry. You have as much time as you want.

Stephanie Bonner: Imagine discovering that the police had closed their investigation into the death of your loved one before doing all of that, before establishing who they were with or why they were with them. Imagine discovering that the basics like door-to-door inquiries were not even carried out. I ask you to consider how you would feel. Would you consider that to be reasonable? Would you accept that? In my case, I did not consider that to be reasonable. I did not accept that, so I made a formal complaint. Three years later and the complaint has still not fully been concluded. This is all part of the journey that I have travelled due to my son's death being unexplained.

I still do not know with any certainty where my son's body was discovered. Police Scotland have at least two different sets of co-ordinates. I tried to leave flowers and tributes at the location I was told about, only to be informed by local people that I was at the wrong location.

When Rhys's body was found, I asked the police to show me where the body had been discovered. I wanted to know where my son took his last breath. I wanted to see where his eyes closed for the last time. As a mother, I wanted to know that, but I was paralysed by grief.

A police sergeant ended up giving us a map with an X marking the spot where Rhys's body was discovered. Think about how insensitive that is. I would never have been able to find the place, so my father asked a police sergeant to take him to an open space where Rhys was discovered. The sergeant took him to an area and pointed, saying, "Just over there."

Could I get a tissue, somebody, please?

That sergeant gave me misleading information and tried to stop me getting representation of my choice. I hold that sergeant responsible for causing me a lot of confusion, distress and anguish, and he is directly mentioned in my complaint against Police Scotland. While that complaint was being investigated, that sergeant starred as a contestant on the "Countdown" television game show, boasting about now being an inspector and being in command of officers in my area of the city. I felt physically sick, seeing that man on TV, playing games while at the centre of a high-profile complaint, and knowing that he had been promoted to the rank of inspector.

At this point in time, I have lost all faith in Police Scotland. No matter what the police tell me, no matter what they say, I will struggle to accept it as credible. That is what happens when you are left without answers and are given the wrong information over three years. So, I have lost my son and lost my faith in the organisation that is there to serve and protect my family and me.

To add insult, I have watched Police Scotland repeatedly giving statements to the media about how sympathetic they are towards me and how much support they have

offered my family. Every time I read that, I feel like I have been stabbed through the heart again. Police Scotland has not supported me in any shape or form. The second I made a formal complaint, the police closed ranks and I met a wall of silence. I was offered to attend one meeting in December 2022 or request a PIRC review. When I requested a PIRC review, the meeting was taken off the table. I faced a wall of silence for another two years while the police continued to suggest otherwise to the media. I have faced obstructions, and my representative has faced one obstruction after another. It has not stopped.

After PIRC upheld the four key failings—a few weeks ago, in fact—Police Scotland decided that they did not recognise my mandated representative. He had been mandated to represent me for more than three years but all of a sudden the police did not recognise him. He put in a formal complaint and contacted PIRC, and then the police suddenly did a U-turn and recognised him.

So, nothing has changed. I believe that Police Scotland has not learned from past failings and resents the bad publicity that it received due to its failure to fully investigate the death of Rhys Bonner, my son. Both my family and I have lost all confidence and trust in and respect for Police Scotland.

Bear with me. I have nearly finished.

The Deputy Convener: Stephanie, just take your time.

Stephanie Bonner: Thank you so much.

What changes can be made for the better? When a body is initially discovered and the police do not know the cause of death, a reasonable level of evidence should be secured if there are no obvious signs of criminality. In this way, the police can go back after pathology and toxicology findings are available. The basics, such as door-to-door inquiries, should never have been missed. The window of time between when a body is discovered and a theory is formed and a decision is made must be looked at and be improved. It is better to gather evidence and not to have to use it than not to gather evidence and lose it.

Postcode policing has to be acknowledged and addressed. Every life matters, no matter what the postcode is. Right now, I do not believe that Police Scotland accepts that postcode policing exists. Until Police Scotland accepts that, this problem can never be addressed. Do you really believe that if Rhys was the son of a lawyer from an affluent area this investigation would have looked like this? Police Scotland has not supported me or communicated with me or my family. Police Scotland has to support and communicate with families impacted by unexplained deaths. In my case, Police Scotland has spent more time trying to convince the media how much they have supported me than they actually have spent with me. Police Scotland has displayed more spin-doctoring than sympathy.

Finally, I believe that someone had a level of culpability in the death of my son. As the cause of the death cannot be medically determined, and as the police never fully

investigated my son's death or secured potential evidence, I will never know with certainty what happened or be able to prove what happened to my son. That is the conclusion that I face. That is the conclusion that I have to live with every second. That is the conclusion that I will take to my grave. That is what happens when a death is unexplained and a death is not fully investigated by the police.

I want to thank you for this opportunity and for your time. Thank you, each and every one of you.

The Deputy Convener: Stephanie, thank you very much for your opening statement, which must have been really heartbreaking and emotional for you to read out. Members have a number of questions that they would like to explore. If you are happy, I will ask the first question. What are your main concerns about Police Scotland's current handling of unexplained deaths?

Stephanie Bonner: It is about the impact on families—it is soul destroying. I have four other kids and there are lots of people in my place who do not have an Alex O'Kane in their lives and who do not have trust. It impacts the families tremendously; no one has an idea.

The Deputy Convener: Thank you. I will move to my colleagues.

Carol Mochan (South Scotland) (Lab): Thank you, Stephanie. I really appreciate you coming along and sharing your story with us.

I am interested in two things. First, could you tell me a wee bit about your experience of the postcode lottery that you felt? It stands out in your statement. Have you made contact with any other families that have had the same experience?

Stephanie Bonner: Yes, I have had contact with a lot of families. When the police said, "Where are youse from?" and I said, "Barlanark", they went, "Oh!" I went, "What is it?" and they went, "So why would your son be in Easterhouse?" I went, "Because his college and other things are up there—that's why he goes." The police said, "Oh, you don't get young boys his age going to Easterhouse and places like that." I said, "What dae ye mean?" and they went, "Well, it's different schemes and things." I went, "I know, but ma son needs tae go up there. That is his library and things." I was shocked by that. I said, "Does it really maitter where we stay?" I stay in a back and front door house, and it is fully decorated and comfortable for my kids.

When they came in, they went, "Oh!" I went, "What is it?", and they went, "Oh, we didnae expect that; we thought we were gonnae be goin up a close. We didnae expect tae be comin intae a house. Aw, yer wee house is nice. We didnae expect that." They were like that. I was just taken aback by their answers to that kind of question. What has anybody's house or where they live got to do with it?

Carol Mochan: Okay. Thanks for explaining that a wee bit. I appreciate you doing that.

If there were one, two or three steps that you thought would be important for us to discuss as change, what would those be?

Stephanie Bonner: Every life matters—treat every life the same. Ma boy never drank or anything like that, but they kept on saying, “Will yer boy be out?” and I said, “No, he’ll no be oot wi friends.” I had tae go and find oot who ma son was with, and it was a very bad person, who I have heard lots of things about. I showed the police—sorry about this.

Carol Mochan: No, take your time.

Stephanie Bonner: What was it you asked me again? Sorry.

Carol Mochan: It was just if you had one or two things that you would like us to put forward as ideas to change the system at that very first bit.

Stephanie Bonner: I had just had a wee baby. Ma wee baby was four months old. I didnae have a liaison officer—somebody outwith the police. Ma son wis missing for 15 days and a police officer would only call me every two days at 10 o’clock at night, and they didnae interact with me. I used tae say, “Please,” but nobody from CID would come, but the police would come tae ma house. One time—this really impacted me—they came wi a bullet-proof vest, and I was really scared. I was just sitting there myself wi ma wee baby. I was so shocked, so I cried and they went, “Sit down right now.” It was just the way I was treated—nobody ever helped or had any empathy or compassion.

Carol Mochan: Was that the initial contact with the police?

Stephanie Bonner: Aye. The CID never came to see me and I begged the CID to come and help me.

Carol Mochan: Thank you.

Alexander Stewart (Mid Scotland and Fife) (Con): Stephanie, thank you for your bravery today. That is much appreciated.

You talked in your statement about the failings and the trust that has been lost. I can very much appreciate that being the case, but what would you like to see improved with families? That is what you want to see here—that nobody else is put through a similar situation to what you had.

Stephanie Bonner: Yes. See if something is unexplained and there is no circumstance, I want it to be treated like other deaths. My son was found in open land. I do not want things to be treated as unexplained. I want it to be treated as an investigation straight away, so the police have everything they need. I want the family to get a liaison officer. That really needs to be in, because they said, “You’re dead strong,” and they were making me feel, “Oh, I’m a strong mum—I don’t need this.” That is the way they made me feel. You really need a liaison officer.

I had a wee baby, and he was premature, or he wouldnae have met Rhys. It was so hard, so I was just clinging on to my baby. I said, “So what does a liaison officer do?” They said, “Oh, they’ll just come intae yer life, and you don’t really want people in and oot yer hoose and that.” I wisnae aware that a liaison officer would tell me what was happening. It was only every two days that the police would phone me—they didnae want to come to see me. I was looking for my son myself. No police were ever out, and they lied to me. They said that 30 officers were going door tae door that day. Nobody ever went door tae door, and he was only a wee 19-year-old boy.

Alexander Stewart: So you really want to see it embedded in the process that there should be a liaison officer who is seconded and then given the opportunity to support.

Stephanie Bonner: Yes, please.

Alexander Stewart: And support the family.

Stephanie Bonner: Yes.

Alexander Stewart: You also talked about people closing ranks and your belief that you were not given all the facts or information.

Stephanie Bonner: Yes.

Alexander Stewart: As a mother of a family—a grieving mother—it is so important that you are given that respect and support. We have to trust organisations like the police to deliver that service, but obviously in this situation that was a massive failing.

Stephanie Bonner: Oh, yes. I felt like the criminal. Ma wee baby was only four months old and they werenae understandin that he was premature and that I could have other feelings goin through ma body and things like that anaw. They just kept on sayin tae me every day, “Where dae ye think he is?” I said, “Ma son’s up in the field. I know he is. Please gonnae help me—it’s no that big.”

I said, “Where is this lady in question?”, and they would say, “It’s okay, she’s got a red alert on her if she goes and shoplifts or something.” I said, “But please help us. I’ve got kids and I’m terrified. Gonnae go and get her—gonnae get the CID in tae investigate hard so ye can get ma son back tae me just now, please.”

Alexander Stewart: Thank you.

Fergus Ewing (Inverness and Nairn) (SNP): Thanks for coming today, Stephanie. It must be very hard.

Stephanie Bonner: Thank you for the opportunity. I appreciate it.

Fergus Ewing: You are doing very well. We appreciate that this is, as I think you said, every parent’s nightmare. I think we all feel that very profoundly for you.

It seems to me that you have been very badly let down by people who were supposed to help you. We have not heard from the police, so we have not heard what they have to say, but it feels that way to me.

Stephanie Bonner: They do not communicate, ever. I have a representative, Alex O’Kane, and he helps me. The police have just never tried tae help me. They have never come oot. They just told me, “This has happened to your son. Ye’ll need tae accept it, and that’s it.”

Fergus Ewing: Yes. I think we heard that Mr O’Kane was very helpful to you.

Stephanie Bonner: Yes. Oh, God, I wouldnae have been here without him.

Fergus Ewing: That was very good that he did that.

Stephanie Bonner: Oh, yes. I am so proud of him.

Fergus Ewing: I am not in the same party but that does not really matter. We can imagine that he would have done that.

Stephanie Bonner: Oh, yes.

Fergus Ewing: This next question might be too difficult for you to answer.

Stephanie Bonner: No, it is okay.

Fergus Ewing: Have you ever been offered any explanation by the police about why they did not carry out the investigation that you felt was basic—namely, door-to-door inquiries and things of that nature?

Stephanie Bonner: I have never had an answer. I put in complaints with PIRC, and when PIRC came back, they upheld the four complaints—that the police had dragged ma son and different things—but I have never had any answers. Never. My son just went out that day to go to McDonald’s and I am left wi that. It was a lovely summer’s day. They said there was lots of water up there. It is open—nurseries and that came up through it, and it was a really nice summer, so it was all very dry. They never put oot any helicopters. I was scared to speak up in case they didnae want tae look for ma son, so one day my partner said, “Can you get sniffer dogs, helicopters and that?” and they went, “Oh, that’s resources.” Someone said to ma partner, “That’s resources—it’s too much money and that.” Ma partner said, “But it’s ma son—ye need tae dae something.” Naw, there was never any officers.

Fergus Ewing: Our purpose is not to carry out an investigation. We cannot do that. I feel guilty saying that, but that is just the way it is. We cannot do that.

Stephanie Bonner: Yes. I just want other families to be helped to not go through this, ever.

Fergus Ewing: We cannot start an investigation now, and I am not proposing to, but what troubles me about the issue is that the evidence that we have had from the police—they put in a written submission—basically says that they have a duty to provide family liaison support in certain circumstances. My question is how, in your case, did they determine that you were not entitled to more support? If it had very clearly been a homicide or if there had been a fatal accident inquiry to be held, the submission we have had is that there would be an obligation to provide support, but it seems that, in your case, from what I have gleaned from the evidence, the police decided that there was not that obligation. Victim Support has also said that it does not provide help. It seems that you fall between the cracks here, between the police and Victim Support. Do you have a sense of what you would like to have happened? Would you have liked the police to have done more?

Stephanie Bonner: Did I tell ye they done nothing?

Fergus Ewing: Can you say what would have been better?

Stephanie Bonner: Somebody coming to my house to see me and somebody to go through things. It is nearly four years now and when my son was just missing for the 15 days, that is the only time I seen the police, as well as the two months after that. I have not seen the police or heard from them for just over three year. They do not talk to me. I have always had just a complete wall of silence, and I do not know why.

Fergus Ewing: So lack of communication was the common theme.

Stephanie Bonner: Yes—100 per cent. There was no communication whatsoever.

Fergus Ewing: And there was no apparent desire to communicate either.

Stephanie Bonner: No.

Fergus Ewing: In fact, it was quite the opposite. Is that right?

Stephanie Bonner: Yes, that is right.

Fergus Ewing: That really is wrong, I think. I would imagine that many of us here feel that way. Thank you again for answering my questions.

The Deputy Convener: Stephanie, before we draw the evidence session to a close, is there anything that we have missed or that you would like to say?

Stephanie Bonner: See the video of them dragging ma son? I think something has to be done about that, please. Please, because it is on video and they have no told me that is ma son, and I want tae know where ma son's body is, please. I am begging, because they will not tell us where it is. They will no tell me anything. I am begging—please help him. Please have just a bit of empathy and some compassion for ma wee 19-year-old boy. He did matter. He was beautiful.

Can I tell you one mair thing aboot him? He left school and had a job right up tae he passed away, the wee soul. He didnae drink or things and he never had a chance tae. He had a wee brother—I have four other kids. I am scared, and the person still walks aboot the streets and they have a large family and aw that. I am just left there worrying every time there is a knock at the door. I am terrified—that is aw I can say.

The Deputy Convener: Stephanie, thank you very much for coming and giving us evidence. I know it is a really difficult time for you and it is difficult to go back through it.

Thank you also to the people in the public gallery for coming to support Stephanie Bonner and the petition—it is greatly appreciated. I suspend the meeting to allow Stephanie to leave.