



Knowsley Community Safety Partnership

Report into death of Diana (pseudonym) November 2020

Executive Summary

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Contents.

	Page
Glossary	3
The Review Process	4
Contributors to the Review	4
The Review Panel Members	5
Author of the Overview Report	6
Terms of Reference for the Review	7
Summary chronology	8
Key Issues arising from the Review	13
Conclusions	15
Lessons learnt	16
Recommendations from the review	18
References	Appendix A



Glossary.

CPS	Crown Prosecution Service.
DHR	Domestic Homicide Review.
IMR	Independent Management Reviews.
MG6	Police form notifying criminal justice agencies of key witnesses in a case in order to prevent communication from and interference by persons charged.
SIO	Police Senior Investigating Officer.



1. The Review Process

1.1. This summary outlines the process undertaken by Knowsley Community Safety Partnership Domestic Homicide Review Panel in reviewing the homicide of Diana who was resident in their area. The following pseudonyms have been used in this Review to protect their identities and those of their family members.

1.2. The following pseudonyms were agreed by the family of Diana and the Panel and are used throughout this report to protect the identity of the individual(s) involved.

- Diana Deceased Aged 56 years
- Ewan Perpetrator. Aged 61 years
- Graham Son Aged 35 years
- Florence Daughter Aged 33 years
- Harry Son Aged 28 years
- Ian fellow inmate of Ewan.

1.3. Ewan was charged with the murder of Diana and pleaded guilty to this charge. In April 2021 at Liverpool Crown Court, he was sentenced to life imprisonment with a minimum term of 18 years and an indefinite Restraining Order was put in place preventing Ewan from making contact with his family.

1.4. In November 2020 Merseyside Police notified Knowsley Community Safety Partnership about the murder of Diana. Members of the Knowsley Community Safety Partnership then met and agreed there was a requirement to complete a Domestic Homicide Review (DHR) in line with expectations contained within Multi-Agency Statutory Guidance for the Conduct of DHRs 2011 as amended in 2016.

2. Contributors to the Review.

2.1. The following agencies submitted Individual Management Reviews (IMR):



- Merseyside Police
- Crown Prosecution Service
- Her Majesty's Prison and Probation Service
- Knowsley MBC Safer Communities Service (Domestic Abuse)
- St Helens and Knowsley Hospital Trust, Safeguarding Service.

2.2 The authors of the IMR's had no prior involvement with Diana or her family nor had they had direct supervisory responsibility for those engaged with the family.

2.3 At the first meeting of the DHR Panel it was agreed that the Review Panel would benefit from the knowledge and experience of the Crown Prosecution Service and the Prison Service (HMPP) representative from which then formed part of the DHR Panel.

3. The Review Panel Members

3.1. The DHR Panel established by Knowsley Community Safety Partnership comprised the following agency representatives:

Julie Johnston	Safer Communities Service Manager, KMBC.
Karen Jude	Multi Agency Safeguarding Hub. Co-ordinator.
Paul Grounds	Detective Chief Inspector Merseyside Police.
Angela Cholet	Manager, The First Step (Voluntary Sector Independent Domestic Abuse Service)
Caroline Grant	Replaces Angela Cholet as Manager of The First Step.



Becky Woodcock	AFFDA advocate for the family
Marie Englishby	AFFDA replaces Becky Woodcock as advocate for the family.
Emma Goring	AFFDA replaces Marie Englishby as advocate for the family.
Sandra Oluonye	Assistant Chief Officer, Her Majesty's Prison and Probation Service.
Jonathan Storer	Senior Crown Prosecutor, Crown Prosecution Service
Mark Livingston	Governor, HMP Liverpool
Val Talbarth	Safeguarding Officer, CCG
Helen Lund	HMPPS (Senior Contracts Manager North)
Lyndsey Quirk	Manager, Adult Services
Lisa Riley	Manager, Children Services

3.2 No member of the Panel had any contact with Diana and her family prior to this review nor did they have direct supervisory responsibility for staff within their agency who had contact with the family. The Panel met a total of five times.

4. Chair of the Review Panel and Author of the Overview Report.

4.1 Knowsley Community Safety Partnership commissioned Stephen McGilvray to Chair the Review Panel and he was appointed in September 2021. Stephen McGilvray is also the author of this Overview Report.

4.2 Prior to being commissioned to complete this Review Stephen had completed 30 years Police service with Merseyside Police. It was 18 years ago that



Stephen retired from Merseyside Police, and he was never employed as a Police Officer in Knowsley.

- 4.3 On retirement from the Police Stephen was appointed as Head of Community Safety in a different Local Authority on Merseyside where he worked for nine years. Included within his area of management responsibility within that Authority was a multi-agency co-located team of professionals focussed on providing support to victims of domestic abuse and their families. This role included responsibility for the coordination and commissioning of services to meet the needs of domestic abuse victims and their children. During the period this unit was under Stephen's management the team achieved CAADA/SafeLives Leading Lights accreditation for the quality of its systems and risk management processes.
- 4.4 Whilst Head of Community Safety Stephen also had management responsibility for the Integrated Offender Management Unit a multi-agency collocated team of Police, Probation, and Substance Misuse workers whose role was to reduce the level of threat and risk posed by offenders, including perpetrators of domestic abuse.
- 4.5 Stephen has successfully completed the Home Office training course for Chairs of DHR's and has Chaired and authored Overview Reports for several Domestic Homicide Reviews as well as taking part in a number of Serious Case Reviews.
- 4.6 Before undertaking this Review Stephen Mc.Gilvray has not had any involvement with the individual's subject of this Review, nor is he employed by any of the participating agencies.

5. Terms of Reference for the Review.

- 5.1 In accordance with the statutory guidance for the conduct of Domestic Homicide Reviews (DHRs), the Panel agreed that the purpose of this DHR was to:



- Establish what lessons are to be learned from the domestic homicide regarding the way in which local professionals and organisations worked individually and together to safeguard victims.
- Identify clearly what those lessons are both within and between agencies, how and within what timescales they will be acted upon, and what is expected to change as a result.
- Apply those lessons to service responses including changes to policies and procedures as appropriate.
- Prevent domestic violence and abuse homicide and improve service responses for all domestic violence and abuse victims and their children through improved intra and interagency working.

5.2 Following the first meeting of the Panel members were asked to secure all documents relating to their agencies involvement with Diana and her family and to utilise those documents to complete chronologies of their involvement and contact with the family. Following agreement between the family and the Panel the following key lines of enquiry were agreed.

1. What work has already been undertaken to raise the level of awareness and understanding within communities and specifically amongst young people's understanding of control and coercion within domestic abuse and what gaps still remain?
2. Research is required within the partnership and training on how we receive a disclosure of domestic abuse to ensure we are equipped to gather the evidence required.
3. Examine what systems are in place to support families, post charging of a perpetrator, in cases of domestic homicides.
4. Does the criminal justice system consider sufficiently the context in which the murder took place and the victim's life prior to their death? Including if the



context reveals evidence of coercion and control then why are perpetrators additionally not charged with this offence and not just murder.

6. Summary chronology

- 6.1 Diana had been married to Ewan for 34 years. The couple had separated in 2000 for a period of two years but reconciled and later purchased the house in Knowsley where they lived until Diana's murder.
- 6.2 During the period of separation Diana was forced to sell the family home and move into social housing with her three children. Following reconciliation, it was agreed that the purchase of their new home would be a joint purchase between Diana, Ewan and her daughter Florence with Florence forming part of the ownership as a safeguard against homelessness for Diana and the children should Ewan want to sell the house at any time in the future.
- 6.3 Neither Diana nor Ewan had any Police convictions and there are no reports of domestic abuse taking place between them or any other individual. There are no known links for either party to statutory or third sector partners.
- 6.4 Diana's children when speaking to the Chair of this Review made it clear that their "*mum was his (Ewan's) world*". Diana also "*loved and trusted him (Ewan) implicitly*".
- 6.5 Following the murder of Diana her children and other family members have identified that throughout the marriage, behaviour they labelled at the time as "*just Ewan being Ewan*" had in fact been abusive controlling and coercive behaviour Ewan imposed upon Diana. As the children had grown up with these relationship behaviours this was their "norm" and they had nothing to compare this to as not being normal behaviour.
- 6.6 Ewan was a taxi driver for most of his working life and he used the freedom this role gave him to stalk Diana. Ewan followed Diana everywhere turning up



uninvited at venues that Diana was visiting for a social evening with friends or driving past the venues several times in his car. He would always be at home waiting for Diana as she returned from work, and he insisted on being told who Diana was speaking to each time she received a telephone call. Ewan would want to know where she was going and why.

- 6.7 As a result of the Corona Virus pandemic Ewan was forced to change employment however, this new job did not allow him the freedom he enjoyed in his previous occupation as a Taxi Driver. The outcome was that Ewan was no longer able to monitor Diana's movements as he had done before.
- 6.8 Ewan's brother describes him as being paranoid and jealous and constantly accusing Diana of having affairs. During his interview with Police following his arrest and during the trial Ewan claimed Diana to be having an affair at the time of her murder. These claims were investigated by Merseyside Police. They found absolutely no evidence to support the claims of infidelity or adultery on Diana's part at the time of her murder or at any point during her relationship or marriage to Ewan.
- 6.9 *"Diana couldn't pop to her sisters or to her friends for a cuppa if she felt like and felt on edge taking overtime at work as Ewan repeatedly required her reassurance. If Diana would stay a little longer at one of her children's houses it would make Ewan lose control and panic."* Ewan would call Diana over and over until she answered. If she didn't answer, he would call his children, even if they weren't with Diana, he would always find a way to know where she was.
- 6.10 *"Ewan made sure Diana was not allowed to have friends or family visiting at home without having to know who was visiting, and for what reason they were visiting, and he had to know every single detail of what was said. Ewan would ask questions about how much Diana spent on food or drinks and check the receipt on a banking app to see if it adds up."*



- 6.11 *“Diana believed Ewan was not as bad as others (friends and families husbands) she was private but she was never silent. Ewan was able throughout the 30 plus years of marriage to maintain a job being self-employed, and somewhat manage his finances. He managed friendships, had no serious health issues, he was not dependent on drugs or alcohol and was never known to be physically violent towards Diana. Diana felt Ewan was Ewan because of his personality, that’s who he was and that’s who she was married to. Diana was faithful and believed in the vows she said during her marriage. She did open up to her children when she felt comfortable, but Diana always felt that she could manage her relationship”.*
- 6.12 Reflecting on their parent’s relationship the children believe that the relationship was under increased strain in the four months before Diana’s murder. Diana’s children and other family members describe how *“just being Ewan’s behaviour escalated like never before and became ten times worse.”*
- 6.13 In the summer of 2020 Diana had begun a program of wellbeing, diet, and exercise which she engaged in, and which was producing results for her physically and mentally as she appeared to have increased levels of self-confidence and independence and from summer 2020, Diana was communicating more honestly and openly about the happiness *“she deserves in her life”*. Diana’s first grandchild was born in 2019, she had so much to live for.
- 6.14. In August 2020 Diana disclosed that she had decided to end the marriage and had agreed with Ewan to live amicably together until they decided what was best for the next chapter in their lives. The 2020 Femicide Census reported that abusive behaviour towards a partner *“can continue (or even escalate) after a survivor has taken steps to leave.”* (A)
- 6.15 Three months prior to the murder in September 2020 Ewan smashed all the potted plants belonging to Diana, his own potted plants remained untouched. Ewan’s explanation for doing this was simply *“because I could.”* A behaviour which a perpetrator may employ described within the Duluth Post Separation



Wheel as *"Using harassment and intimidation (destroying things belonging or related to her or the children)"* (B)

- 6.16 Following the smashing of Diana's potted plants she left Ewan and stayed with one of her sons for seven days. The family believe this reinforced the belief in Ewan that Diana was preparing to end the relationship as during constant telephone calls made to Florence during the seven days that Diana was separated from him Ewan expressed his fear to Florence that as a result of his actions Diana would not return and was about to end the marriage.
- 6.17 After spending seven days at her son's home Diana decided to return to her home and later told her children that she and Ewan had *"talked like never before, they had heart to heart, Diana felt optimistic that all issues were talked about and it was agreed between Diana and Ewan to leave things in the past"* Diana's children were concerned about her being back at home after Ewan had been physically violent however, Diana reassured her children that *"if she ever felt unsafe in her home, she would call the police or leave straight away."* This was a strong course of action that Diana had never before taken and a further sign of change within the relationship.
- 6.18 On 16th November 2020 at 1.08am Ewan telephoned his brother saying, *'You better get round here quick, you'll see why'*. His brother and his wife immediately went to Diana's home and found her dead in the hallway of the property. Diana had suffered over 300 knife wounds during the attack which the trial Judge described as *"unspeakable barbaric savagery"*.
- 6.19 Ewan's sister-in-law on witnessing Diana's body immediately contacted Merseyside Police who attended and arrested Ewan at the scene. Ewan was later charged with Diana's murder and remanded in custody to a local prison.
- 6.20 Diana's children believe *"On the night she was murdered she (Diana) was dressed in outdoor clothing, and we truly believe she was leaving him. Diana's freedom was Ewan's worst nightmare."*



- 6.21 In the two days following Diana's murder her children and wider family members met with Merseyside Police Officers investigating the homicide. They were advised that Ewan had been charged with the murder of Diana and had been remanded in custody to Altcourse Prison on Merseyside to await trial. The Panel have been unable to establish the facts surrounding further discussions which took place during these two days of meetings between the Police and Diana's family. The primary issue relating to these further discussions concerns the family's wish to receive no future communication from Ewan. This is an area of disagreement between the family and the Police who both have differing views of what was discussed.
- 6.22 Within the first week of being held on remand, Ewan and later a fellow inmate of his who he shared the same cell with, Ian, then began writing a series of letters each of which were addressed to and received by his daughter Florence. Receipt of the letters caused significant trauma and upset to the family of Diana.
- 6.23 Diana's children notified the investigating officers regarding receipt of the letters on 25th November 2020 Merseyside Police notified the prison in which Ewan was held on remand of the wishes of Diana's family and requested that Ewan be prevented from making any further contact with his family. No letters signed by Ewan were received by his family after the prison had been notified of the family's wish to receive no further communication from him.
- 6.24 In February 2021 Florence did receive further letters, signed by Ian a former cell mate of Ewan and written on behalf of Ewan, during a short time when Ian had been released from custody.
- 6.25 On the 9 April 2021 Ewan appeared at Liverpool Crown Court and pleaded guilty to the murder of Diana and was sentenced to life imprisonment with a minimum term of 18 years. A restraining order was also issued by the Court on the same day preventing Ewan from contacting any member of his family for an indefinite period.



7. Key Issues Arising from the Review.

- 7.1 Whilst the Panel found lessons to be learnt from the period leading up to Diana's murder and obtained a detailed history of the control and coercion that existed within Diana's marriage much of the Panels work was taken up learning lessons from the families experiences during the period between the arrest of Ewan and his conviction. Here lessons were to be found to prevent domestic violence and abuse homicide through the improvement in service responses for all domestic violence and abuse victims and their children through improved intra and interagency working.
- 7.2 Diana's children feel that *"it is only following the murder, through reliving events during police interviews, preparing for a possible trial and having the luxury of being able to look back at our experiences with a different view"* that Diana's children recognise that they *"lived with Ewan's abuse for all our lives and feel incredibly fortunate that Diana was able to keep us safe, raise us and be a support to her children right up until she was killed"*.
- 7.3 The Panel recognise that for families living with a controlling partner this behaviour should not become the "norm". Whilst work has been done to inform communities about the signs of domestic abuse and controlling and coercive abuse in particular the Panel recognise that still more needs to be done. All families including children should receive information, education and support to recognise this as abusive behaviour and have the knowledge of how and where to report the behaviour and how to receive relevant support to escape this abuse.
- 7.4 There remains areas of disagreement between the family of Diana and Merseyside Police around discussions held in meetings between the family and the Police regarding the family receiving any communication from Ewan held in the two days immediately following Diana's murder. This issue remains



ongoing through a process of litigation. Disagreement also exists between the family and the CPS regarding notes made during a meeting between the family and CPS.

- 7.5 A priority exists for Police Officers investigating such crimes to notify all criminal justice agencies of key witnesses in the case immediately upon charging of perpetrators and procedures exist within the criminal justice system to protect those identified individuals from contact and intimidation by the perpetrator. The SIO in this case determined that the only key witnesses in this case were Ewan's brother and sister-in-law who found Diana's body on the night of her murder. Notification regarding key witnesses is achieved through the submission by Police of a form MG6. The family were not made aware of the SIO decision, or the restricted list of family members included on the Form MG6 until participating in this Review.
- 7.6 The prison where Ewan was held on remand awaiting trial did receive notification from Merseyside Police some days after the murder requesting that Ewan be prevented from making any communication with the family. Letters addressed to Ewan's family from the prison stopped once Ewan had been advised of the prohibition. However, following this prohibition being put into place a cell mate of Ewan's did post letters to the family during a brief time he was released from prison. The letters were signed by the cell mate and not Ewan.
- 7.7 The Panel have been advised that communication with families by persons on remand after being arrested for murder is an issue of national concern and one which the Panel believe should be addressed as a matter of some urgency.
- 7.8 The resulting actions to address this issue should also consider means by which inmates have an ability to circumvent the system through the use of a third party who is willing to communicate with the family on their behalf and how this too can be stopped.



- 7.9 Much has been written about the need to provide support for the families who's loved ones are the victims of domestic homicide. Currently provision exists for family members to receive support from the Victim Support National Homicide Service. The support is however, limited in its scope and what it can provide and is also confined to immediate family members only. The Panel feel that holistic support provision should be widened based upon the circumstances of the murder and for it to be available to all family members affected by domestic murder within a short space of time of the murder taking place. A system which provides comprehensive and coordinated support provision to relevant individuals from the outset will the Panel believe prevent the need arising at a point when the family have reached crisis levels. This was not the case in Diana's murder because her sister-in-law who found Diana's body was held not to be an immediate family member and therefore denied initial support. She became *"lost in grief because not one service, not one professional in the system had reached out to support her."*
- 7.10 The Panel believe that a support system should be developed by existing Victim Support National Homicide services and the families of those killed by domestic homicide working together to develop this provision. This work should be led by the Office of the Police and Crime Commissioner.

8. Conclusions.

- 8.1 Diana was a very private person and did not disclose the abuse she was suffering to anyone. Whilst Diana's children do not believe that Ewan was ever physically violent towards Diana and that *"mum was his (Ewan's) world"* and that Diana also *"loved and trusted him (Ewan) implicitly"* having now had time to reflect they conclude that Diana and the children *"lived with Ewan's abuse for all our lives."*



- 8.2 Ewan and Diana's agreed intention to separate and plan the next phase of their lives once the Corona Virus pandemic was under control four months before her murder. Ewan's behaviour then changed increasing the risk Diana faced of further abuse from Ewan. Diana did separate from Ewan for a period of seven days during the last four months of her life as a result of him smashing all the potted plants that Diana tended "*because I could*" and leaving his own plants intact.
- 8.3 The family note that it was very unusual for Diana to be dressed in outdoor clothing at the time of day at which her murder was committed and the family believe that she was in the process of leaving Ewan on the night he attacked her. The risk of leaving Ewan increased the risk of violence, Diana faced from him "*Diana's freedom was Ewan's worst nightmare.*"
- 8.4 The trauma endured by Diana's children and wider family following Diana's murder was added to by the sending of letters to the family by Ewan whilst on remand.
- 8.5 Areas of disagreement exist between the family of Diana and some of the agencies involved in the criminal justice process in the period between the arrest of Ewan and his conviction at Court. Whatever the outcome is arising from these areas of disagreement this review has highlighted that the care and support of a victim's family's needs can and should be improved. The victim's family's needs should be a priority for all agencies and services and should be delivered in a coordinated and comprehensive manner from the outset.

9. Lessons learnt.

- 9.1 Knowsley MBC Executive Leadership Team commissioned a deep dive review into the gaps within the current Knowsley domestic abuse response and an extensive action plan to address the gaps found, is now contained in Knowsley's Domestic Abuse Strategy 2022 – 2025, is in place. This includes.



- Knowsley Housing Solutions Service now has a dedicated Domestic Abuse Advocate located within the team and co-located within Safer Communities Service. This enables a dedicated officer to support those referred to Housing Solutions who have safe accommodation support needs due to domestic abuse.
- A User Voice, Participation and Community Engagement post has now been established to ensure both service user and community views across the partnership are identified and inform practice development.
- Dedicated Family Support Worker Posts have been established within Children's Services to provide support to children impacted by domestic abuse.
- Knowsley Council, through the Domestic Abuse Partnership Board has invested resource to develop and implement a workforce training and development plan to improve the understanding and awareness of domestic abuse across the partnership and improve the understanding of the pathways to specialist support. The implementation of this domestic abuse workforce development plan started in April 2022.
- Knowsley Council have invested in the Safe and Together model which is a domestic abuse informed approach to children's safeguarding. The model provides a robust foundation upon which practitioners from the statutory and voluntary sectors can work collaboratively and reach a consensus about how best to ensure the safety and wellbeing of children living with and impacted by domestic abuse.
- Knowsley Council have invested resources to improve the knowledge and understanding of domestic abuse and specialist support pathways within the Voluntary, Community, Faith and Social Enterprise Sectors.
- The Knowsley Domestic Abuse Strategy 2022-2025 identifies the development of Domestic Abuse Workplace Employee Policies as a priority across the borough as is the development of communication plan to improve the community awareness of domestic abuse and the pathways to support.



9.2 These interventions together with actions required by changing legislation including the Domestic Abuse Act 2022 will be developed and monitored through the work of the multi-agency Domestic Abuse Partnership Board and the Community Safety Executive Groups of Knowsley.

10 Recommendations from the Review.

10.1 In all domestic homicide cases Criminal Justice Agencies are to ascertain from bereaved families their wishes regarding future contact from the perpetrator at the outset of the criminal investigation and act upon those wishes with the same level of priority as given to protecting key prosecution witnesses from communication by the perpetrator.

10.2 Should any changes to national policy regarding the protection of family members from unwanted communication by the perpetrator be agreed the Panel recommend that such changes prohibit perpetrators from contacting family members by themselves, their servants or their agents.

10.3 The review of national policy on the protection of family members from unwanted contact from perpetrators and the Victims Bill consider the inclusion of a new duty to be placed upon Police and agencies supporting families of domestic homicide victims. That duty to ensure families should be informed of their rights to prevent unwanted communication from the perpetrator whilst in prison.

10.4 Whilst the national review of this policy prohibiting contact with families by perpetrators continues its work the Panel recommend that Merseyside Police revise their guidance to Senior Investigating Officers and Family Liaison Officers in seeking bereaved families wishes on receiving future contact from the perpetrator at the start of the investigation and advising the receiving prison of those wishes.

10.5 The Domestic Abuse Partnership Board ensure delivery of multi-agency training to all staff working in Knowsley in roles which may receive a disclosure of



domestic abuse from a member of the public or a work colleague. The training to focus upon domestic abuse and controlling and coercive behaviour within a relationship. This training to include the updated controlling or coercive behaviour statutory guidance which the Government is committed to publishing.

10.6 The restriction of Victim Support National Homicide Service regarding support being provided only to immediate family members be amended. In future the criteria for such support is decided on the family giving consent for Victim Support to contact them and the level of need for individuals within the wider family which will vary from case to case.

10.7 Through the involvement of families of victims of domestic homicide a multi-agency support plan for victims' families be developed. Led by the Office of the Police and Crime Commissioner for Merseyside and the National Homicide Service. The plan which will explore all offers of support to victims to be utilised immediately upon a domestic homicide taking place, should provide coordinated support for the needs of victims' families. In particular the plan to include age-appropriate services for children in order to support and improve outcomes for those children experiencing domestic abuse.

10.8 Teaching to help young people's ability to recognise what behaviours are not acceptable or excusable including controlling and coercive abuse be given a high priority in Relationships, Sex and Health Education (RSHE) curriculum in all Knowsley Schools and Colleges.

10.9 A coordinated and sustained multi-agency information and education program to be developed reaching all communities in Knowsley and reflective of each communities differing needs. The views of victims and children who have experienced domestic abuse alongside those who provide support to victims and their families be included in the development of this program. The information and education should focus upon the ability to recognise the signs of domestic abuse in all its forms.



10.10 The joint agency Commissioning Review, being held in 2023 must have the guarantee of independence, and that the needs of domestic abuse victims are, based upon a review of the needs of victims and their families, and consider how domestic abuse support systems and services should be provided to meet those needs and whether more independent, community-based support is needed.



Appendix A

References

References

- A. 2020 Femicide Census. www.femicidecensus.org
- B. Claire Verney, January 27th 2021, The Post Separation Abuse Wheel