Institution:	**GOLDSMITHS**
Unit of Assessment:	**PSYCHOLOGY, PSYCHIATRY & NEUROSCIENCE**
Title of case study:	**Eyewitness Identification Evidence**

1. Summary of the impact (indicative maximum 100 words)

Professor Tim Valentine is an expert in facial identification by eyewitnesses. His research has proved that video lineups provide more reliable evidence than live lineups. It has contributed to changes in the legal code of practice for eyewitness identification. He has trained hundreds of police officers and lawyers in the problems of witness identification, and acted as an expert witness in criminal cases. High-profile cases include Abdel Basset al-Megrahi (the Lockerbie bomber), Barry George (wrongly convicted of Jill Dando's murder) and Omar Deghayes, a British resident detained in Guantanamo Bay.

2. Underpinning research (indicative maximum 500 words)

Tim Valentine has worked at Goldsmiths full-time since his appointment as Professor in 1997. A cognitive psychologist whose research has long focused on face processing, he has carried out extensive work on eyewitness identification procedures. Co-authors include Goldsmith staff: Stephen Darling, post-doctoral RA from 2000-2006; Alan Pickering, academic staff since 2001; and Pamela Heaton, a post-doctoral RA in 1999 and academic staff since 2001. Harris, Colom Piera and Mesout were Goldsmiths students.

Until 2003, a police suspect who disputed identification had the right to stand on a live identity parade. Live lineups were difficult and costly to organise. Recruiting eight volunteers who resemble the suspect could be a challenge, especially if a suspect had any unusual characteristics. Live lineups were subject to long delays and were often cancelled because a bailed suspect or the witness did not keep the appointment. In these circumstances volunteers still needed to be paid.

A further problem with identity parades is that despite elaborate codes of practice, witnesses often make mistaken identifications. Research by Valentine, Pickering and Darling (2003) [1] showed that 20% of all witnesses who attended a Metropolitan Police identity parade identified a volunteer, a definite mistaken identification.

For these reasons, there was strong interest from the police in a cheaper, more effective alternative to live lineups. Research by Valentine and Heaton (1999) [2] found that a sample of video lineups produced by West Yorkshire Police were fairer to the suspect than a sample of live identity parades. Further research by Valentine, Harris, Colom Piera and Darling (2003) [3] showed that video lineups were equally fair to African-Caribbean and white European suspects. These studies were important to Home Office decisions to change the code of practice for eyewitness identification. In 2003 the code was changed to permit use of video for identification. In 2008 it was changed again, this time to require identification evidence to be collected using video identification.

Further research has tested whether approaches to identification developed in the US could be applied in the UK. In the US, an array of six photographs selected by the investigating officer is often used for eyewitness identification. This means that the operational context is very different from that in the UK. Valentine, Darling and Memon (2007) [4] found that permitting witnesses to view images sequentially and once only, with a decision being made on each image as it was viewed, reduced the likelihood of the perpetrator being identified. Darling, Valentine and Memon (2008) [5] found that selecting foils to match the description of the culprit, rather than the appearance of the suspect, made no difference to the outcome of police video lineups. These methods were therefore not recommended for use in the UK.

Other research has shown that the stress experienced when an actor was encountered in a threatening environment (at the London Dungeon) impaired witnesses' ability to identify the actor from a lineup (Valentine & Mesout, 2009) [6]. Research in such an environment can help to make research findings more relevant to the experience of real eyewitnesses.

3. References to the research (indicative maximum of six references)

International quality of the research: This is evidenced through the publication of key findings in high-quality peer-reviewed journals from a major publisher (Wiley). Citation data from Web of Knowledge (Thomson Reuters) is given below.

1. Valentine, T., Pickering, A. & Darling, S. (2003). Characteristics of eyewitness identification that predict the outcome of real lineups. *Applied Cognitive Psychology,* 17, 969-993. DOI: 10.1002/acp.939 (39 citations).
2. Valentine, T. & Heaton, P. (1999). An evaluation of police line-ups and video identifications. *Applied Cognitive Psychology*, 13, S59-S72. DOI: 10.1002/(SICI)1099-0720(199911)13:1+<S59::AID-ACP679>3.0.CO;2-Y (21 citations).
3. Valentine, T., Harris, N., Colom Piera, A. & Darling, S. (2003). Are police video identifications fair to African-Caribbean suspects? *Applied Cognitive Psychology*, 17, 459-476. DOI: 10.1002/acp.880 (7 citations).
4. Valentine, T., Darling, S. & Memon, A. (2007). Do strict rules and moving images increase the reliability of sequential identification procedures? *Applied Cognitive Psychology*, 21, 933-949. DOI: 10.1002/acp.1306 (15 citations).
5. Darling, S., Valentine, T. & Memon, A. (2008). Selection of lineup foils in operational contexts. *Applied Cognitive Psychology*, 22, 159-169. DOI: 10.1002/acp.1366 (8 citations).
6. Valentine, T. & Mesout, J. (2009). Eyewitness identification under stress in the London Dungeon. *Applied Cognitive Psychology,* 23, 151-161. DOI: 10.1002/acp.1463 (13 citations) (Output in REF2).

4. Details of the impact (indicative maximum 750 words)

This research has led to improved eyewitness identification. In addition, these simpler and cheaper procedures have allowed it to become an accessible and cost-effective tool to investigate volume crime, not just more serious crime. Prior to 2003, the police were required to set up a live identity parade for every suspect who requested one. These identity parades were difficult to organise. A minimum of eight volunteers resembling the suspect had to be found and paid, procedures were subject to long delays, and half of the parades were cancelled because a bailed suspect or the witness did not keep the appointment [1]. In the 1990s a sharp increase in the number of identity parades, partly due to changes in the law, led to a sharp increase in costs. It is estimated that the total cost of lineups held in the UK in 1994 was £14 million to hold approximately 14,000 parades [2].

Valentine's research strongly influenced the Home Office to make incremental changes to the Police and Criminal Evidence Act code of practice for eyewitness identification (Code D) between 2003 and 2008. The code of practice that came into force in January 2008 made video the default method of identification for the first time [3]. As a result of the move to video, the number of identification procedures held has increased by 6-7 times, to over 110,000 per year [4].

In further research, Valentine tested whether any advantage could be gained by applying recommended procedures from US research to the video identification procedure used in the UK. This research found that the recommended changes did not improve the reliability of identification evidence in the UK operational context. This research was featured in a news article in *Nature* in 2008 [5], and disseminated through two workshops held in London, funded by the Nuffield Foundation. These workshops were attended by representatives of the Police, Home Office and Crown Prosecution Service as well as barristers, solicitors and the Miscarriages of Justice Organisation [6]. Valentine was an invited guest on a *Guardian* Science Weekly Podcast '*Memory on Trial'* in 2010 [7]. Research on the effect of stress on eyewitness identification was featured on BBC Radio 4 in 2008 [8].

Valentine's research feeds directly into consultancy and expert witness services for criminal cases. Valentine has contributed to four training events since 2008 run by *ID Law* (a private company).

These events are typically attended by around 100 delegates from the police and the Crown Prosecution Service. In addition he has contributed keynote addresses or training for:

- European Network of Forensic Science Institutes Digital Imaging Working Group, New Scotland Yard (2009).
- The FBI Facial Imagery Scientific Working Group (2010).
- The National Policing Improvement Agency (2010).
- The Criminal Bar Association (2008).
- Devon and Cornwall Police (2009, 2011).
- 23 Essex Street Chambers (Barrister's chambers, 2011).
- McKay Law Solicitors (2008).
- IEEE Biometrics: Theory Applications and Systems (BTAS), Washington DC, September 2010.

Valentine was instructed by the Scottish Criminal Cases Review Commission (SCCRC) to provide an expert report on eyewitness testimony in the case of the Lockerbie bomber, Abdul Baset al-Megrahi. The SCCRC concluded that a second appeal against conviction should be heard. In 2008 Valentine was instructed by al-Megrahi's defence solicitor to provide a report for the second appeal, which was served on the Crown prior to the appeal being abandoned due to al-Megrahi's release from prison on compassionate grounds in 2009 [9].

Valentine provided advice to both the defence and subsequently the Criminal Cases Review Commission in the case of Barry George's conviction for the murder of Jill Dando. In 2008, George's conviction was overturned by the Court of Appeal. Valentine provided analysis of the video imagery used in evidence against Omar Deghayes, a UK resident detained at Guantánamo Bay, and concluded it was a case of mistaken identity. Deghayes was released in 2008 and has not faced any charges since.

As part of the Campaign for Social Science, the Academy for Social Sciences has produced a series of publications called '*Making the Case for the Social Sciences"* , which describe a selection of social science research projects that have had an impact on public policy or social behaviour. Valentine's research on video identification parades is featured in the fourth publication, on 'Crime' [10].

5. Sources to corroborate the impact (indicative maximum of 10 references)

All material listed below is additionally available in hard copy on request from Goldsmiths Research Office.

1. Pike, G., Brace, N. & Kyman, S. (2002). *The visual identification of suspects: procedures and practice*. Policing and Reducing Crime Unit, Home Office Research, Development and Statistics Directorate. (Data that 50% of identity parades were cancelled).
2. Slater, A. (1994). *Identification parades: A scientific evaluation.* Police Research Awards Scheme. London: Police Research Group, Home Office. (Estimated costs of identity parades in 1994 at £14m).
3. Police and Criminal Evidence Act Codes of Practice for Identification of Persons by Police Officers. Code D 2008. See paragraph 3.14 on page 152.
4. There were estimated to be fewer than 14,000 live identity parades held in 1993. (Slater, A., 1994, *ibid.*)There are two software systems that are used to produce police video lineups. Over 50,000 are produced by VIPER and 60,000 by PROMAT.
5. *Nature*, 453, 442-444 (22 May 2008). (See page 444).
6. Example: Workshop on Eyewitness Identification Evidence.
7. Guardian Science Weekly Podcast '*Memory on trial'*, 29/11/2010.
8. BBC Radio 4 science programme *'Leading edge'* Broadcast 24th July 2008 (The Scare Factor).
9. VMA report.
10. See pages 26 – 27, Making the Case.