# LONDON BOROUGH OF TOWER HAMLETS

#  COMMUNITY SAFETY PARTNERSHIP

# DOMESTIC HOMICIDE REVIEW

# EXECUTIVE SUMMARY

# ‘DONALD’ AGED 35

# KILLED IN TOWER HAMLETS IN APRIL 2018

# REVIEW PANEL CHAIR AND REPORT AUTHOR

# BILL GRIFFITHS CBE BEM QPM

# 21 OCTOBER 2020

## EXECUTIVE SUMMARY

**The Review Process**

This summary outlines the process taken by the London Borough of Tower Hamlets (LBTH) Community Safety Partnership (CSP) decision to establish a Domestic Homicide Review (DHR) Panel in September 2018 under s9 Domestic Violence, Crime and Victims Act 2004 to review the homicide in Tower Hamlets of ‘Donald’[[1]](#footnote-1) aged 35, caused by a stab wound in April 2018, that had been inflicted by his partner, ‘Marilyn’[[2]](#footnote-2) aged 25, who was convicted of his manslaughter in July 2019 and sentenced to 7 years imprisonment.

The process began with a meeting in September 2018 of all agencies that potentially had contact with those involved prior to the death of Donald. The Panel met on seven occasions and robustly discussed the findings from the IMRs and the Chair’s drafts of the overview. The process ended when the Tower Hamlets CSP Board approved a final version of the DHR at a meeting in March 2020.

**Contributors to the review**

Agencies representatives on the Panel participating in the review were:

Menara Ahmed, LBTH Senior VAWG and Hate Crime Manager

Sarah Murphy, Joint Senior Strategic Safeguarding Adults Lead in the Local Authority and Clinical Commissioning Groups for the local GP Practice for Donald and the local GP Practice for Marilyn and Sandy

Edwin Ndlovu, Borough Director Mental Health Services East London Foundation NHS Trust (ELFT)

Lisa Matthews, LBTH Adult Social Care

Geraldine O’Donnell, LBTH Children’s Social Care (CSC)

Sarah Khalifeh, LBTH Drugs and Alcohol Services

Sharifa Chowdray, Education Safeguarding Manager,LBTH Education Safeguarding Service (ESS)

Jonathan Macdonald, Review Officer, Metropolitan Police Service (MPS)

 Specialist independent domestic abuse advice was also provided by:

 Dina Sahmanovic, East London Operations Manager, Victim Support London

Individual Management Reviews (IMR) werte provided by the MPS and ESS as well as:

LBTH Housing Options/East End Homes (EEH) Registered Provider of Social Housing (RPSH)

Agencies and local voluntary organisations in Tower Hamlets were asked to give chronological accounts of their contact with Donald, Marilyn their child Sandy and his putative child Jo (from a former partner) prior to his death. Based on an integrated chronology from 2002 to the time of the homicide, IMRs were provided as above and fully discussed by the Panel. The Panel were satisfied as to the independence of the IMR authors.

Donald’s brother Frank provided perspectives on his life on behalf of his family and was consulted on the Terms of Reference for the review. The fact that Marilyn was acquitted of murder when she had admitted striking the fatal blow with a knife when Donald was asleep was an issue for Donald’s family and they did not agree with the expert evidence that she was affected by PTSD (Post Traumatic Stress Disorder) at the time. Frank was given access to iterations of the overview report so as to ensure accuracy and that their concerns were properly reflected. Through the Chair, the Panel have offered heartfelt condolences to Donald’s family. Marilyn and her mother and step-father also contributed their perspectives to the review.

## Author of the report

Bill Griffiths CBE BEM QPM was appointed the independent chair of the Panel and is also the author of the overview report. He is a former police officer who has had no operational involvement in LB Tower Hamlets. He has had no involvement in policing since retirement from service in 2010. Since 2013, he has been involved in more than twenty DHRs.

## Terms of Reference (ToR) for the review

ToR were agreed at the first Panel meeting and also shared with family members. They set out the methodology for the review, the operating principles and the wider Government definition of domestic abuse, including controlling and coercive behaviour. The main lines of Inquiry were:

1. Scope of review agreed from January 2002 to date of homicide with any earlier event of significance to be included
2. Identify relevant equality and diversity considerations, including Adult and Children Safeguarding issues
3. Establish whether family, friends or colleagues want to participate in the review. If so, to ascertain whether they were aware of any abusive behaviour to the victim prior to the homicide (any disclosure; not time limited). In relation to the family members, whether they were aware if any abuse and of any barriers experienced in reporting abuse, or best practice that facilitated reporting it
4. Take account of previous lessons learned in LB Tower Hamlets
5. Identify how people in the LB of Tower Hamlets gain access to advice on sexual and domestic abuse whether themselves subject of abuse or known to be happening to a friend, relative or work colleague.

## Summary chronology

Donald

Aged 35 at the time of his death, Donald had been born in Glasgow and came to live in Tower Hamlets aged two when his mother fled an extremely abusive relationship with his father. He had two elder sisters and a younger half-brother with whom he was close. Donald had learning difficulties and attended a residential school in Sussex for students on the Autistic Spectrum ADHD (Attention Deficit Hyper Disorder). He left school without reaching the standard for literacy and numeracy and with no qualifications.

Consequently, he found it difficult to find work and subsisted mainly on benefits. He was provided with social housing in a housing block in Poplar in Tower Hamlets. Donald later developed an interest in boxing and became involved in boxing promotions.

Donald had a relationship with Claire when they were both young and she gave birth to Jo. In the beginning, he believed he was the father but it later emerged that he was not. Police recorded a number of domestic incidents, including a threat to kill, between 2002-3 and the relationship ended. Donald maintained an interest in Jo’s development and he and Claire became friends.

Donald made extensive use of cannabis and in 2007, with the support of his family, approached his GP for help because he was experiencing aggressive thoughts. He was referred to the Tower Hamlets Early Intervention Service. The diagnosis was of Substance Misuse Disorder (Cocaine & Cannabis) with periods of withdrawal. There were ongoing personality traits with anti-authoritarianism, impulsive aggression and emotional instability.

Donald is described by his family as having a *“heart of gold”* and liked nothing more than helping others. He was very funny and loved banter, winding people up for a laugh. His family have highlighted that Donald’s lack of literacy caused him frustration, particularly, when he wanted to articulate his thoughts on social media. They make this point because much was made at the two trials of his abrupt and aggressive communications style and the content of his voicemail and text messages which his brother, Frank, has described as: *“explosive, in the moment, and disgusting to listen to”*.

## Marilyn

Aged 25 at the time of the fatal incident, Marilyn was born and raised in Ilford and, following her parents’ divorce, attended secondary school in Tower Hamlets. There is no record of cautions or convictions against Marilyn. In 2008, Marilyn reported an assault by her then boyfriend, George, for which he received a police caution. There was also an harassment incident by George in 2009. By this time, Marilyn aged 17 had met Donald, aged 27.

## Timeline of their relationship

In 2010, Marilyn gave birth to their child Sandy, and by September 2011 was allocated social housing on the Isle of Dogs managed by East End Homes (EEH), a Registered Provider of Social Housing (RPSH). This meant that Donald could move in whilst sub-letting his own flat for a monthly income.

In 2015, Marilyn discovered that Donald was having an affair with Hannah and she told him to leave. Her father lent her some money to start an on-line children’s clothing website and her mother and step-father moved closer to provide support, including taking Sandy to and from school, and also took them on holiday to a cousin in Devon which became a regular event.

Police were called to two domestic incidents between Donald and Hannah that year but they did not result in action because Hannah there was not sufficient evidence. Donald was also in trouble with the police for obstructing a drugs search by running off for which he was fined at Court.

In September that year, Sandy commenced reception class at her local ‘Free School’. During October, Sandy disclosed to the teacher on two occasions, examples of parental chastisement. These were reported to the Principle, however, there is no record at the school that these events were discussed with Marilyn or referred to CSC as required by extant guidance, so it has not been possible to investigate further. In late October, Sandy had six separate toileting incidents while at school and the Principle was called in after the 5th incident. Whilst chatting Sandy made a third such disclosure which, again, was not investigated further. Otherwise, Sandy appeared to be a happy and chatty child. In November, the family GP referred Sandy to Child Adolescent Mental Health Services (CAMHS) and the incontinence service. By March the teacher’s assessment of Sandy was positive.

In January 2017, the school have recorded a ‘Safeguarding Incident’ with respect to Sandy. There is no other information available from school records. This omission, especially when taken with the failure to investigate the three chastisement examples in October, is very concerning. Sandy’s school is one of a group of three Free Schools and the Chief Executive was interviewed about the lack of relevant records. The gaps could not be explained and the Reception teacher had left so could not be interviewed. The Chief Executive had undertaken her own review and provided a comprehensive ‘lessons learned’ response that is part of the consolidated internal recommendations in appendix 3 to the report.

In May, Marilyn fell behind with the rent to EEH, approached her mother for assistance and her mother settled the arrears of £5020 in time to avoid a ‘Warrant of Possession’ for the rent arrears being enforced. By September, arrears had started accruing again and EEH sent Marilyn an email requesting contact to which she did not respond and a warning letter was sent in October. Marilyn sent an email in November suggesting that she had made a claim for housing benefit to the Department for Work and Pensions (DWP). This was not traced and she was advised to apply for Universal Credit and the scheduled possession hearing was postponed.

In early February 2018, Jo was reported missing from home in LB Barking and Dagenham (LBBD) where living with his maternal grandmother (MGM) for the past year, by his mother, Claire who lives in Basildon, Essex. Jo briefly reappeared two days after the report and seemed safe and well to the MGM. The police completed relevant records and shared them with LBBD children’s services but the responsibility lay with Essex. It transpired that Jo had moved in with Donald and Marilyn. Donald took Jo to Bethnal Green Police Station for a ‘safe and well’ interview. The address was declined and police powers did not allow further action.

Marilyn shared with her cousin that she was not impressed by the addition of Jo at her flat and she had also resigned from her job, just short of achieving an accountancy qualification. Soon after, Marilyn was called to a school meeting regarding Sandy’s poor attendance which was causing concern as it was creating gaps in learning. An incentive reward scheme was discussed. Sandy’s progress was otherwise good.

Meanwhile, the rent arrears had continued to build to more than £6k and Marilyn did not feel she could approach her mother again. A possession hearing had set the eviction date in April and this became the same day as the fatal incident. In the days before the eviction, Marilyn had researched the National Express website for bus times to Plymouth which also was alluded to in the Prosecution case. She told the Chair that she and Donald had discussed moving there so she had researched travel, housing and jobs.

## Additional Insights into their relationship

The lack of contact with safeguarding agencies in the course of Donald and Marilyn’s nine-year relationship prior to the fatal incident means that the window on their relationship from those sources is limited. It is known from evidence at the trial and from family members that Donald and Marilyn had developed a hedonistic lifestyle. They both heavily smoked cannabis and Jo had apparently been encouraged to join in for the two months living with them prior to the fatal incident. Donald did not consume alcohol. Marilyn acknowledged that she had a drink problem.

Donald had only casual work connected with boxing promotions and otherwise depended on benefits due to his ADHD condition. However, he had sub-let his flat while living with Marilyn and Sandy and received an income of £500 per month. He paid Marilyn £200 from that and the remainder was expended on cannabis. She was expected to find the other overheads of their life from her salary and child benefit. She ran up rent arrears in 2017 which was settled by her mother. Arrears built up again in 2018 to the point where she was to be evicted on the day of the homicide.

Donald and Marilyn had become involved in sexual activity with others. According to Frank, it began as a shared fetish via sexual acts on the internet that developed into group sex sessions that then provided revenue to support their combined cannabis habit. On Frank’s account this was consensual and mutually agreed; in Marilyn’s defence at trial and in her account to the Chair, the activity amounted to enforced prostitution, a form of sexual abuse by Donald.

Marilyn also reported a history of physical abuse. This would take the form of pushing and body punching when Donald became frustrated or angry with her. She would detect this coming by an ‘edginess’ in his demeanour and it could be over quite trivial issues at times. On one occasion about 18 months before the fatal incident Marilyn alleges that Donald placed his hands around her throat but did not cause injury. None of these alleged incidents were reported to police or to anyone else with safeguarding responsibility.

The extensive voicemails and text messages disclosed by the investigation clearly show that Donald would persistently phone Marilyn if she did not ‘pick up’, for example, 8 times in 12 minutes on a day in March 2018, followed by an abusive text message. He would freely use the ‘F’ and ‘C’ words in both audio and text in a demanding style, including at least one threat to lock Marilyn out of the flat. Donald’s family have acknowledged the challenging nature of his communication style, albeit attributed to his earlier learning difficulties, which was advanced at the trial as compelling evidence of emotional and psychological abuse.

Donald acquired a knife in a sheath that Marilyn says he carried for protection. He had been involved in a dispute on social media with some football supporters. This appears to be the knife that Donald habitually carried and took to bed with him and it was used by Marilyn in the fatal incident.

At about 8.30am in mid-April 2018 Marilyn called police saying she had just killed her boyfriend, Donald. She reported he had woken her up earlier that morning and an argument followed whereupon he took hold of a knife he kept nearby, waving it around. Marilyn said that she “*lost it*” and stabbed him in the neck.

## Trial outcome and reactions

At a second trial in June/July 2019, two psychiatric reports concluded that Marilyn had ‘*underlying post-traumatic stress disorder with associated mood disturbance and dissociative symptoms at the time of the fatal assault*’. Each opined that Marilyn was the victim of controlling and coercive domestic abuse whereby she had been intimidated, sexually assaulted and abused over a long period and that this had led to the PTSD condition that had peaked on the day of the assault. A third report on behalf of the Prosecution, offered a counter view.

Donald’s family are disappointed in the Jury’s verdict. Their initial reaction on hearing the news of Donald’s death was one of sympathy for Marilyn because they knew Donald’s faults and they were very fond of Marilyn and Sandy. When they discovered that Donald was actually asleep when Marilyn struct the fatal blow, they had an adverse reaction and feel strongly that, with the manslaughter outcome, she has “got away with murder”.

When Marilyn was asked in the context of this review what intervention could have led to a different outcome, say, if she had been offered a way of managing the rent arrears, she responded that debt was just one of many factors affecting her. She was explicit that feeling pressurised to do the sex work was the worst aspect than the rest. Marilyn still cannot recall what was in her mind when she struck the fatal blow.

## Key issues arising, conclusions and lessons to be learned from the review

As assessed by two experts, challenged by another, the trial Jury accepted through their decision that Marilyn was suffering from PTSD at the time of the fatal incident and was unable to function rationally. She was also making heavy use of alcohol and drugs. This review has not been provided with access to the reports but can examine what was known in respect of the wider definition of controlling and coercive behaviour.

Mainly, this derives from Marilyn’s account and Donald’s family are sceptical, for example, in their belief that Marilyn was a willing participant in the sexual contact arranged for payment. However, there is ample and compelling evidence available from the social media content adduced at the trial that Donald was controlling and aggressive toward Marilyn in daily aspects of their life. Some of the messaging relates to the sexual activity with others for which payment was secured to support their joint drugs consumption.

Donald also benefited financially from living with Marilyn so that he could rent out his flat. He did share some of the revenue with her, but the ever-looming rent arrears on the flat in her name meant she was left to deal with this herself. It may be more than a coincidence that she and Sandy were due to be evicted on the day of the homicide.

## Recommendations from the review

The two IMRs prepared by the Metropolitan Police Service and the LBTH Education Safeguarding Service identified six internal recommendations to improve the system for safeguarding (appendix 3 to the overview report). The Panel are satisfied that these improvement commitments are complete or have work in progress.

The IMR recommendations for wider improvements were analysed by the Panel and three strategic learning points were identified:

1. Registered Providers of Social Housing should be required to respond to rent arrears as a possible indicator of financial abuse and improve awareness of the support available
2. Free Schools in Tower Hamlets should be reviewed by the Education Safeguarding Service to ensure that the required standard for accurate recording, CSC referral and staff training is universal
3. An ‘absent parent’ should be noted as the trigger for a whole family assessment

In response to these learning points, the Panel have prepared recommendations and an Action Plan (appendix 4 to the overview report) for the Tower Hamlets Community Safety Partnership to oversee:

1. Registered Providers of Social Housing should consider the ‘Whole Housing Toolkit’ and Domestic Abuse Housing Alliance (DAHA) accreditation to improve their responses to victims of domestic abuse, in particular to highlight possible indicators of financial/domestic abuse and improve awareness of the support available
2. Commission an audit of Free Schools in LB Tower Hamlets to ensure standards are being met for accurate recording, CSC referral and staff training
3. Revise LB Tower Hamlets policy on its response to instances of ‘absent parent’ resulting in a whole family assessment.

W Griffiths CBE BEM QPM

Chair and Author of the Domestic Homicide Review

21 October 2020

1. Not his real name and chosen by his family. All other names are pseudonyms [↑](#footnote-ref-1)
2. A pseudonym chosen by her [↑](#footnote-ref-2)