

Inquest Touching the Death of Aliny Godinho

Mr Richard Travers H.M. Senior Coroner for Surrey

Findings and Conclusion

Introduction

1. This has been the inquest into the death of Aliny Godinho. The Interested Persons (“IPs”) are the family of Aliny Godinho, namely her siblings and children, all represented by Nick Brown of counsel, the Chief Constable of Surrey Police, represented by Briony Ballard of counsel, PC Diane Walker and T/DS Helen Rackstraw represented by Alisdair Williamson QC of counsel, the Commissioner of Police of the Metropolis represented by Vincent Williams of counsel, and the Independent Office for Police Conduct. Ricardo Godinho was also granted Interested Person status but, despite being given the opportunity to do so, he chose not to participate in the inquest hearing.
2. My investigation of Aliny Godinho’s death was suspended under paragraph 2 of Schedule 1 to the Coroners and Justice Act 2009 (“the CJA 2009”). I subsequently resumed the investigation pursuant to paragraph 8 of Schedule 1 to the CJA 2009, ruling at that stage that the inquest which would follow would be required to satisfy the procedural requirements of Article 2 of the European Convention on Human Rights. The purpose of this inquest is, therefore, laid out in section 5 (1) and 5 (2) of the CJA 2009 which together provide that I must ascertain who the Deceased person was and when, where and how (meaning by what means and in what circumstances) she came by her death.
3. In order to answer those questions, I have received and admitted oral and written evidence, and I have viewed video footage. Set out below are my findings and conclusion as to Aliny Godinho’s death. All my findings have been reached on the balance of probabilities. In the course of this document, I make reference to some of the evidence I have heard but it is not intended to be, and is not, a comprehensive review of all the evidence before me. Rather, my intention is to explain, by reference to parts only of the evidence, why I have reached my

findings of fact and conclusion. However, in reaching my findings and conclusion I have taken account of all the evidence I received. If a piece of evidence is not expressly mentioned, it does not mean that I have not considered and taken full account of it. For ease, I will from now on refer to Aliny Godinho simply as “Aliny”.

Background Facts

4. Aliny was born on the 15th June 1979 in Brazil and was 39 years of age when she died on the 8th February 2019. She was the mother of four young children, three sons who were then aged 12, eight and six years, and a three year old daughter.
5. Aliny’s sister, Tatiane Mendes, prepared a “pen portrait” in which she paid a loving tribute, describing Aliny as “a spectacular person with a heart full of love to give to everyone around her”, who never saw the bad in people. She told me of Aliny’s gift for friendship, and her love of bringing people together, as well as her talent for cooking beautiful food. She said, though, that “being a mother, for our sister, was the greatest happiness of her life. She knew how to do it like nobody else. She took care of her children as if they were great, precious stones, always taking care of them with great care and protection at all times”. I heard similar evidence from Aliny’s friends, and it is clear to me that she was much loved, and is much missed, by her friends and family alike.

Immediate Circumstances and Medical Cause of Death

6. On the 8th February 2019, Aliny was murdered by her husband, Ricardo Godinho. He was convicted of her murder, following a trial, on the 17th July 2019, and he was subsequently sentenced to life imprisonment.
7. At the time of her death, Aliny had separated from her husband and, for reasons I shall come to shortly, she had left the family home in Ewell and was living, with her children, in temporary accommodation in Streatham, London, although her children continued to attend schools in Surrey.
8. I heard evidence concerning the immediate circumstances of Aliny’s death from Det. Supt. Mark Chapman, the investigating officer from Surrey Police, and I have seen the trial judge’s sentencing remarks.

9. Aliny died when, together with her daughter, she was on her way to collect her sons from their primary school. Aliny and her daughter had travelled to the school by bus. The trial judge told Ricardo Godinho,

“You tracked the movements of the bus she was on as it approached the stop for the school. You parked your pickup truck in a nearby car park and armed yourself with a knife. As Aliny and your daughter got off the bus just before 3.00 pm, you drove out of the car park and mounted the grass verge next to where they were walking. Aliny saw you and screamed. She tried to run away but she could not run fast because she was holding your daughter's hand. You took hold of her and stabbed her again and again. She started to slump on the floor and you carried on stabbing her. As she lay on the ground dying, you sped off in your truck and you left your daughter watching her mother die. The attack was over in 17 seconds. The medical evidence shows that Aliny died as a result of blood loss from two stab wounds. No defensive wounds were found. I am satisfied that this was because your attack on her was so ferocious that she had no time to try to defend herself.”

10. Det. Supt. Mark Chapman told me that toxicological testing of a sample taken from Ricardo Godinho, following his arrest, evidenced his use of cannabis. The relatively high reading for the concentration of carboxy THC suggested that he was either a regular cannabis user or he had recently used cannabis prior to the sample being taken.
11. Following the attack, Aliny received extensive medical attention at the scene, which was in London Road in Ewell, but she could not be saved. Her death was pronounced, at the scene, at 15.36 hours. Dr Simon Poole, who conducted a forensic autopsy, described the medical cause of death as being, “Ia Multiple incised wounds”.

Wider Circumstances

12. I will now turn to the evidence I heard about events prior to the 8th February 2019 and my findings of fact concerning those events. I will be looking most particularly at the investigation, conducted by Surrey Police, following Aliny's report, made on the 27th December 2018, that she was the victim of domestic abuse and of her fear that Ricardo Godinho would kill her.

Surrey Police : Domestic Abuse Policy and Procedure

13. Before turning to what happened, I will start by noting the Domestic Abuse Policy which Surrey Police had in place at the time. It stated,

“This policy and linked procedure are required to ensure domestic abuse related incidents are correctly identified and investigated, with the overarching aim of reducing risk to those most in danger. It complies with the Authorised Professional Practice guidance on domestic abuse related crimes and incidents. The approach of Surrey Police to incidents of domestic abuse will be one of risk management. Our aim will be to reduce the risk of serious harm or homicide, increasing the safety, health and wellbeing of victims, as well as any children. The objective is overarching. Even where a victim does not wish to pursue a criminal prosecution, we will use all appropriate preventative options to reduce risk and safeguard the victim and wider family as necessary. The framework will ensure our overarching aim to keep people safe is met, and the correct safety measures are adopted, to suit the needs of the individual. ... The priorities of Surrey Police in responding to domestic abuse are as follows. To protect the lives of both adults and children who are at risk as a result of domestic abuse. To investigate all reports of domestic abuse. To facilitate effective action against offenders so that they can be held accountable, through the criminal justice system, and other routes as appropriate, and to adopt a proactive, multi-agency approach in preventing and reducing domestic abuse.”

Surrey Police also had in place a 33 page “Procedure” document which set out the actions and approach officers were expected to take when conducting a domestic abuse investigation. The Procedure document stated,

“Domestic abuse is about power and control. It involves the use of power and control by one person over another. It is a chosen behaviour on the part of the perpetrator, and as such, perpetrators need to be challenged and held to account for their actions through the criminal justice system. It occurs regardless of race, ethnicity, gender, class, sexuality, age, religion, mental or physical ability. A domestic abuse perpetrator limits space for action and has a real sense of ownership and entitlement. It is not the responsibility of the victim to leave, but of the perpetrator to stop abusing. Officers need to understand that due to the corrosive impact of the controlling behaviour, the victim may not feel able to engage with the police. Such officers will need to use professional curiosity to both assess the risk and seek the necessary evidence to deal with the perpetrator through the criminal justice system. In line with the Code of Ethics, Surrey Police expect all their officers and staff, irrespective of rank or role, to actively safeguard the public, support victims and seek to prosecute potentially dangerous offenders. Domestic violence and abuse is any incident or pattern of incidents of controlling, coercive,

threatening behaviour, violence or abuse, between those aged 16 and over who are in a relationship.”

14. As an expression of intent and purpose, these Policy and Procedure documents appear to be comprehensive and insightful in capturing the nature of domestic abuse and what is required to assess and manage the risk arising.

The Events of the 27th and 28th December 2018

15. In late December 2018, Aliny was still living in the family home in Ewell, with Ricardo Godinho and their four children, although the couple had separated about four weeks earlier. On the 27th December 2018, Aliny left the family home, with her four children, and went to Epsom Police Station to make an allegation of domestic abuse against her husband. She was accompanied by her friend, Simone Nuncio, who acted as interpreter when she spoke to the Police, as Aliny’s English was far from fluent. Aliny was interviewed by PCs Joel Robinson and Kerry Foley, who were response officers from the Neighbourhood Policing Team, and her account was recorded on Body Worn Video.
16. In her initial interview, Aliny told the Police that :
 - She had been in a relationship with Ricardo Godinho for 17 years and they had four children. He had often been verbally aggressive, angry, and possessive,
 - They came from Brazil, where members of their families still resided. It was in Brazil that she had first tried to separate from him about 11 years earlier. She had gone to live with her family and when he discovered that her uncle and brother had helped her, he threatened to kill them,
 - They had lived in the UK for two periods. First, from 2003 to 2008, after which they returned to live in Brazil,
 - After returning to Brazil, they had opened a coffee shop together, but this had been closed. She had then left Ricardo and started divorce proceedings, but he threatened to kill himself if she did not come back to him,
 - At that time, Ricardo was using cocaine heavily but said he would stop, and they decided to come back to the UK for a fresh start in 2013,
 - Very soon after returning, there was an argument. She told Ricardo that he had not changed and that she wanted to return to Brazil; in response,

Ricardo had ripped up her passport and strangled her. The strangulation had stopped after about five seconds when their male friend, who heard her scream for help, intervened, but it left red marks which were there for hours. The full name and contact details of the friend, who lived in Epsom and was willing to provide a statement, were provided to the Police. This had been the first time Ricardo had been physically violent to her,

- Since then, over the last four years, he had been often angry with her and the children and she was scared of him. When angry, he sometimes hit the children. He regularly used drugs (and Simone Nuncio said she had witnessed Ricardo using drugs, in front of his children, about two months earlier). As for money, Ricardo ran his own company and controlled the family finances. Aliny said he told her he had financial problems, but she did not know whether this was true,
- More recently, in November 2018, they had separated. Although they continued to live in the same house, she was sleeping in one of the children's bedroom. They continued to fight over the children, and the children witnessed this. The abuse was escalating and was now happening "all the time", and Ricardo was now unstable, changing his mind about the proposed divorce all the time,
- On the 24th December 2018, she had been with her children and a group of friends, at a friend's house, when Ricardo appeared, uninvited. Simone Nuncio said he was saying horrible things about Aliny and that he was going to do everything he could to destroy her life. She said it was apparent that he was "very high" on drugs. Aliny had remained upstairs, as she was very frightened, but this whole incident had been witnessed by a number of friends, whose names were given to the police,
- The day before, on the 26th December 2018, Ricardo had asked Aliny to give the relationship another chance and, when she said no, he had shredded the children's passports (and Aliny produced to the police the shredded passports and audio recordings of their exchanges (in Portuguese) taken while this was happening). Ricardo had then telephoned her mother and brother in Brazil to say that their problems were all her fault and she had ruined his life. Simone Nuncio said that Ricardo had telephoned her to say that, if Aliny left him, he would never help her and that he would prefer to see their children go hungry than give her any money. Aliny had then gone to a friend's house, but

Ricardo had “tracked” her, and when she returned home, he told her he would go to the Police and Social Services the following day to report that she was in this country illegally (which Aliny said was not true) and he threatened to take the children back to Brazil on the 2nd January. Aliny said he threatened to destroy her life and was “completely out of his mind”, and she was very scared,

- That morning, the 27th December 2018, Ricardo had said he had been to Social Services, and that they would help with emergency passports for the children, and he would take them away, and she would be “illegal” in the UK. Simone Nuncio said that her husband had also seen Ricardo trying to track Aliny’s movements that morning, through the children’s phones,
- When asked whether she was currently frightened and, if so, why, Aliny said “Because in Brazil it is very common for a husband to kill his wife if she asks for a divorce”, and Simone Nuncio nodded and confirmed this. Aliny said she did not know whether Ricardo would have the courage to do it but, depending on how angry he was, he could kill her. She said she felt depressed and did not sleep well because she had many bad dreams in which he killed her. She said that she could not return to Brazil as she would have no protection from the law there, and
- She was very scared of going back home, and the children were also saying they did not want to go back, and so they would stay that night with a friend, Danielle Mason.

17. In the course of the interview, PC Foley completed a “DASH” risk assessment form. The DASH form contained a series of set questions designed specifically to identify whether there was evidence of established risk factors. The answers and information recorded in the form were provided by Aliny and reflected the fuller account she had given. The outcome of the assessment was that Aliny was at high risk; this was because 15 of the questions were answered positively. It was possible for officers to use their professional judgment to override that outcome, but PC Robinson told me he agreed with the assessment of risk being high, because of “the history, ... the threats to kill, ... the escalation, and ... [Aliny’s] demeanour whilst giving her account”, and PC Foley said she also agreed with it.

18. Shortly after completing the interview, PC Robinson made an entry on the Occurrence Enquiry Log (“OEL”), which is the running record of events and action taken by the Police. His entry captured much of what Aliny and Simone Nuncio had said and he stated that, in summary, “Aliny is terrified to return to her home address as believes he will have worked out that she has gone to the Police. Whilst being [with the Police] Ricardo has attempted to access her location by using the “found my phone” on their children’s phone. Aliny is in a controlling and coercive behaviour (sic) and lives in fear of violence. Aliny believes the threats Ricardo has made and fears that he may attempt to end her life and take her children away.” The officer also made reference to the shredded passports and audio recordings, and to the completed DASH form.
19. Shortly afterwards, the OEL was reviewed by the response team sergeant, PS Wesley Wilkie (now Insp. Wilkie), who acknowledged (and, he said, agreed with) the high risk assessment. He said his role was to ensure the victim was safe and that immediate, “golden hour”, enquiries were in hand, and he tasked an officer in his team in this regard. He also identified a number of further steps needed, including obtaining witness statements from Aliny and Simone Nuncio, arresting Ricardo Godinho and seizing his phone, obtaining full accounts from the children (preferably using “Attaining Best Evidence” methods) and considering whether they had been assaulted, and the future safeguarding of Aliny and the children. He told me, however, that the investigation would have to be passed to the Safeguarding Investigation Unit (“SIU”), which was Surrey Police’s specialist unit for domestic abuse investigations at that time, and it would be for the SIU to drive the investigation forward. He telephoned the SIU sergeant to make him aware.
20. Later that evening, the case was considered for the first time by the SIU. DC Katherine Peters had worked in the specialist SIU for over three years, two years as a detective. Despite this, she told me that although she was aware of Surrey Police’s overarching Domestic Abuse Policy, she could not recall having read, or being familiar with, their Domestic Abuse Procedure at that time. She read PC Robinson’s entry on the OEL and, in her own entry, stated that she was unable to complete a full review because she had no access to the DASH risk assessment and further evidence was needed from the victim. Despite this, DC Peters went on to state,

“In relation to this occurrence I note that it has been graded as a high risk domestic abuse matter. However, at this time I disagree with the risk assessment as high.”

In support of this she wrote, “From PS Wilkie’s review it appears unclear where the majority of the information recorded on the OEL came from, as the victim speaks little English and requires an interpreter, and one is currently not available. I also note that the victim is currently safeguarded and is at an unknown location away from the offender, and he does not know her whereabouts”, although she noted his efforts to track Aliny via an iPhone app. DC Peters also indicated that, “... it is not known whether the victim is supporting Police action and is willing to provide a statement” and that it was not known whether there were “... any witnesses to any of these incidents”. In relation to accounts from the children, the officer recorded that, “...this should be discussed with the victim and her wishes in relation to this taken on board. Consideration to speaking to the children to see what they have seen and heard, bearing in mind this is a domestic incident between the children’s parents, so it may be unfair to involve them. They also need to be spoken to as there is mention that they too have been assaulted.”

21. When questioned at the inquest, DC Peters accepted that there was no proper basis for her to have disagreed with the assessment of risk as being high and she could not explain why she had done so. She accepted that she was wrong to say that the source of the information was unclear, that it was not known whether Aliny would co-operate with the Police (and that this was not, in any event, relevant), and that it was not known whether there were witnesses to any of the incidents. So far as her comment about obtaining evidence from the children was concerned, the officer also agreed that her statements were contradictory and wrong; although she told me that she did not know, even now, what Surrey Police’s Domestic Abuse Procedure stated in this regard, she accepted that questioning of the children was a mandatory requirement under the Procedure.
22. DC Peters was asked whether, in recording her disagreement with the high risk assessment, she had thereby changed the risk level at which the investigation would be managed, and she said, “I think I had. But, I don’t know.” She said, though, that she could “see how it might” set the tone and affect the views of colleagues reading her entry and that her entry may appear somewhat dismissive. She accepted that one consequence of reducing the risk level to

medium, was that referral to the Multi-Agency Risk Assessment Conference (“MARAC”) became discretionary rather than compulsory; she did not check to see whether a referral to MARAC had yet been made, nor did she consider making a referral herself.

23. DS Steve Muncaster, who was the SIU sergeant, told me that he saw, that evening, that DC Peters had reduced the risk level to medium and he agreed with her. He said that his rationale at the time was that Aliny was in a safe place which was unknown to Ricardo, but that “if it became clear that he had found out where she was, it would then move up to a high”. He said, “Risk is moveable and fluctuates and requires a constant review based on the information that is received”.
24. As planned, Aliny and her children stayed overnight at the home of her friends, Danielle and Artur Mason. The OEL records that shortly after 8.00 am the following morning, the 28th December, Danielle Mason telephoned Surrey Police to say that Ricardo Godinho had called and told her that he had been informed by the Police that Aliny and the children were at her house. She sounded frightened and was assured that this was not the case; she said that Ricardo “owns the accounts on all their phones so it is possible he is tracking her”. A little later she rang again to say that Ricardo was outside the house. Officers attended and, at 08.50 hours, PC Robinson arrested Ricardo Godinho on suspicion of coercive and controlling behaviour, threats to kill, common assault, and criminal damage. The officer told me that the arrest was for prompt and effective investigation, to safeguard vulnerable people and to prevent further injury or violence, and that he had no doubt that he had the grounds to arrest. Ricardo was taken into police custody and, Insp. Wilkie said, it was at this point that the investigation passed fully to the SIU.
25. Later that morning, Aliny attended Epsom Police Station again and, through an interpreter, provided a witness statement to PC Foley. The statement included further evidence concerning Ricardo’s behaviour. Aliny stated, and I have no reason to suspect that she was being anything other than truthful, that :
 - Ricardo Godinho had taken cannabis since before she met him. They met in 2002, married and came to London. In 2004 he wanted to return to Brazil and she did not, and he had placed psychological pressure on her, sending messages through by phone all day long, saying he would

commit suicide and threatening to denounce all her friends who were living in the UK illegally,

- In 2005, after Ricardo had been to Italy to get his Italian citizenship, they again did not stop quarrelling and so Aliny separated from him. He asked for another opportunity and rang her all the time, wanting to know where she was; he was very angry when he found a friend was staying in their home and he argued with them and started to hit his own face causing bleeding,
- In 2006 they returned to Brazil but, after three months, Aliny decided to separate as they fought, and Ricardo was using cannabis, all the time. She stayed with her family and Ricardo rang swearing and threatening that he was going to send someone to hurt her uncle and brother as they were helping her. He followed Aliny and she decided to go back to him as she was afraid for the safety of her family,
- They opened a coffee shop but he wanted to close it. Aliny worked there but Ricardo watched her through CCTV. When she sold something on credit, he appeared and destroyed the tables, thus forcing closure of the business and causing her to stop working. Back at home, he broke a glass table and pushed and threatened her in front of her family. Aliny then went to live with her uncle and Ricardo called day and night wanting her to go back, threatening to take her children and to commit suicide, sending pictures of the rope. He wrote a letter to the children explaining that he was going to commit suicide, because of Aliny, and she decided to go back as she was afraid he would kill himself,
- Aliny then discovered that Ricardo was taking crack cocaine, although he stopped when she went back to him,
- She started to work but again Ricardo did not want this and he went to her workplace on the first day and threatened to break everything if she did not leave. Whilst driving, he put the car in front of oncoming traffic whilst she was screaming,
- In 2013 they came back to England with the children as Ricardo said he needed a change to get better. The fighting did not stop and so she decided to return to Brazil. On the day before she was due to travel, he asked for the children's passports. She refused and he started to strangle her, stopping only when her friend intervened. He then tore up her passport. She said, "Up to today, I don't know if he was going to kill me that night",

- When she later started to work from home, making pastries, he threw her work materials in the bin and made her stop,
- In 2016 Ricardo opened a company for house maintenance and became much more stressed, with no patience and the arguments just escalated, and he was giving punishments to the children. All the time he was using cannabis. They argued about money and all the arguments were in front of the children,
- On the 16th November 2018, they agreed to divorce and initially he cooperated, but by early December he had changed his mind and said he would not help her. He kept saying she had to go back to Brazil as she would be illegal in this country after the divorce, and there was no mention of the children,
- She made reference to the events on the 24th December and said that, on the 25th December, Ricardo told their son that she had destroyed his company and they would lose everything, causing the child distress,
- On the 26th December, in front of their sons, Ricardo read a prepared text in which he asked her to continue their marriage and to undergo a religious ceremony on her birthday in June. When she refused and explained her reasons, he became furious and shredded the children's Italian passports. He sent messages to Aliny's mother, which left her mother afraid he would kill Aliny or himself. That evening, he said he would go to Social Care Department to say she could not stay in the UK with the children, as she would not have the necessary visa, and he took their sons to his room to criticise her, saying again that they would lose everything,
- On the 27th December, Ricardo told her he had been to Social Services who would have her arrested and deported to Brazil, and that he would have the authorisation to go to Brazil with the children. Aliny said again that she was really afraid to go back to Brazil as it is very common for husbands to kill their wives there, and
- Since leaving home on the 27th December to go to the Epsom Police Station, Ricardo had been trying to find her by any means and had come to Danielle Mason's house, where he was arrested. She said she was really afraid of what was going to happen after he left the police station.
- PC Foley told me that, after taking the statement, she still considered that the high risk assessment was appropriate. The interpreter also

translated the audio recordings which Aliny had produced and these supported what Aliny was saying.

26. Following completion of her statement, Aliny and the children were taken to temporary accommodation which had been arranged for them, by the Housing Department, away from Surrey. The flat was in Streatham in London and, although not well equipped, I was told that Aliny was pleased with it.
27. A witness statement was also taken, that afternoon, from Simone Nuncio. It was taken by PC Laura Hardie who noted on the OEL that “she has never witnessed anything personally and this is all hearsay from mutual friends of the victim Aliny herself”. I have seen Simone Nuncio’s statement and, as PC Hardie conceded in her statement, I conclude that her assessment was inaccurate.
28. Following Ricardo Godinho’s arrest, he was taken into police custody and, that evening, PC Diane Walker from the SIU attended the custody suite to interview him. She told me she had first read the two witness statements and the DASH form and had formed the view that the case against Ricardo was weak, and she questioned the legitimacy of his arrest, on the basis that some of the incidents were historic and some occurred abroad. His mobile phone was seized for examination. Ricardo Godinho was legally represented. In the interview, which lasted for 20 minutes in total, PC Walker asked him about parts of Aliny’s report, but she did not raise the allegations concerning his strangulation of Aliny, his use of drugs, his threats to Aliny’s immigration status, his behaviour on Christmas Eve, or his attendance at the Masons’ house that morning, and PC Walker accepted that she ought to have done so. Ricardo Godinho gave “no comment” responses throughout, but after the interview was over, he stated that Aliny “had only done this as now they were getting a divorce, she would lose her right to remain in the UK as she was here on a dependency visa”. The officer said that she could now see that this comment added to the credibility of what Aliny was alleging about his conduct.
29. PC Walker sought and obtained her sergeant’s permission to impose bail conditions on Ricardo Godinho before releasing him to return on the 17th January 2019. The bail conditions, which the officer considered were necessary to ensure the safety of Aliny and the children, were (i) not to contact directly or indirectly, by any means, Aliny, (ii) not to attend any address or location where you might reasonably expect Aliny to be, and (iii) any child contact to be arranged via Child

Social Services. PC Walker then contacted Aliny to update her and told her that she would “contact her next week to arrange to take a further statement covering items not included in initial statement”.

30. It is clear to me, and I find, that the information and evidence which had been provided to Surrey Police by Aliny and Simone Nuncio on the 27th and 28th December 2018, painted a very clear picture of domestic abuse, in accordance with the definition of that term as given in Surrey Police’s own Policy and Procedure documents. There was clear evidence of incidents, and patterns of incidents, of controlling, coercive, and threatening behaviour, with emotional and verbal abuse, of one act of serious violence to Aliny, and threats to kill her family members. On the basis of the evidence then available, a large number of recognised risk factors were identified and, importantly I find, they arose in the context of a culture which had a significantly raised incidence of domestic homicide. I am satisfied that Surrey Police were, or ought to have been, aware that this was a domestic abuse investigation which would require the use of all available avenues to safeguard Aliny and her children, as well as a full and proactive investigation of the allegations raised, so as to hold Ricardo Godinho to account as appropriate.

The SIU Investigation of Aliny’s Report

31. By the 31st December 2018, PC Walker had been allocated the conduct of the investigation and she became the officer in charge of the case (“OIC”). She told me that at that time she had worked within the SIU, which was based in Reigate, for over a year and that she was supervised by T/DS Helen Rackstraw. She said she had read the Domestic Abuse Policy and Procedure documents when she joined the Unit, but did not thereafter consult them for guidance; rather, she sought advice from her supervisor if unsure as to what to do. She said she carried a case load of about 18 to 20 investigations.
32. On the 31st December 2018, PC Walker had some contact with both Aliny and Ricardo Godinho. Aliny had sought police assistance with retrieving clothes and other belongings for herself and the children from the family home (which was refused), and Ricardo had contacted PC Walker concerning access to the children. She said that Ricardo told her that he loved Aliny, that he did not understand why she had called the police, that they were in financial trouble because of her overspending, and that she had taken all their personal

documents. The officer said that, at the time, he had come across as simply wanting some kind of justification for why she had called the police, but that she now thought his comments were a cause for concern and ought to have set alarm bells ringing.

33. PC Walker was asked about her key responsibilities as the OIC and agreed that these were to (i) review the risk assessment and assess the risk level, (ii) make and implement a safeguarding plan, and (iii) make and follow an investigation plan, in order to gather evidence to present to the Crown Prosecution Service, if appropriate. When giving evidence, she accepted that none of these responsibilities had been properly fulfilled.
34. So far as risk assessment was concerned, PC Walker told me that she believed risk had already been graded as medium by DC Peters and DS Muncaster, and that she accepted this as they had both worked in the SIU a lot longer than she had. At the inquest, she accepted that their entries on the OEL had been made without sight of the DASH form or any evidence, that she ought to have reviewed the level of risk herself in the light of the evidence then available, and that she had not done so. She told me that her gut feeling was that this was not a high risk case but, when questioned, she accepted that the factors identified in the DASH form continued to be relevant and that she ought to have assessed the level of risk as continuing to be high. The officer accepted that the identification of risk was a key step in ensuring sufficient safeguarding was put in place. She admitted that, at the time, she had not known whether Aliny's assertion as to the prevalence of domestic homicide in Brazil was correct and she made no enquiries to find out.
35. PC Walker accepted that she had not made a safeguarding plan. As I have noted above, she had put in place bail conditions, but no further measures were considered or taken. She told me that she considered Aliny to be safe because she was living at an address unknown to Ricardo, but this did not take account of the fact that her children were to continue attending their schools in Surrey. It is also noteworthy, I find, that PC Walker did not make a referral to MARAC, despite it being apparent that other agencies (including housing and social services) were involved in safeguarding.
36. Finally, PC Walker also accepted that she had made no investigation plan and, apart from subsequently arranging the examination of Ricardo Godinho's

mobile telephone, that she had made no investigations, and gathered no evidence, in relation to the allegations. She accepted that she ought to have :

- (i) Met Aliny (which she did not do at any stage) and obtained from her further evidence, ideally by means of an Attaining Best Evidence interview,
- (ii) Interviewed Aliny's children, which was a mandatory investigation under the Domestic Abuse Procedure; it is likely that they would have provided relevant evidence as they had witnessed incidents between their parents and may, themselves, have been victims of assault,
- (iii) Obtained evidence from friends. It is clear that a number within their social group, some already identified to the Police by name, were able and willing to provide relevant evidence. Examples were Danielle Mason and the named friend who intervened to save Aliny from strangulation, and
- (iv) Contacted the Brazilian authorities and family members there to obtain any relevant information or evidence.

37. When asked why none of these important tasks had been addressed between the 31st December 2018 and the 8th February 2019, PC Walker pointed to her work load and consequential time constraints. DS Muncaster did confirm to me that the SIU was under pressure at that time, but I can see no evidence of PC Walker raising a concern, for example with her supervisor, that she was too busy to meet the needs of this investigation. I am not satisfied that workload explains, or fully explains, the omissions identified above, and I consider that the explanation lies, at least in part, in the view PC Walker appears to have formed at an early stage, namely that the case was weak and the risk not as high as originally assessed. In this regard, PC Walker may have been influenced by the comments on the OEL of the other SIU members; in any event, the general downplaying of Aliny's complaints does not appear to me to be justifiable in the face of proper consideration of the evidence which was already available to Surrey Police at that time.

38. I note also that the absence of a proper risk assessment, safeguarding plan, and investigation plan, was never identified by PC Walker's supervisor, T/DS Rackstraw, who confirmed that it was part of her role to review PC Walker's cases, including by reading the OEL, DASH form, evidence gathered, and to set investigation and safeguarding strategies. The Domestic Abuse Procedure also

makes a supervisor's responsibilities clear. The officer was not able to give oral evidence, but in the written and recorded evidence from her which was adduced, I could see no satisfactory explanation for this failure.

Events from the 5th January to the 8th February 2019

39. On the 5th January 2019, Insp. Wilkie, of the Neighbourhood Policing Team, became aware that Simone Nuncio had called the police to seek a police presence whilst Aliny collected belongings from the family home. Aliny needed clothes and other items for the children, who were due to start back at school, but this request was again refused. In the course of the call, however, Simone said that, the day before (4th January), Aliny had received a call from a colleague of Ricardo who told her that Ricardo would be contacting the Home Office and that she would be arrested; this had caused Aliny to feel scared and upset and that Ricardo was mentally abusing her. Simone said that Aliny was aware she was calling the police, but that Aliny did not want to report this to the police, due to being scared of Ricardo and worried for the work colleague, as the person worked for her husband. Insp. Wilkie considered that this conduct may constitute a breach of Ricardo's bail conditions or a separate crime. He tasked PC Hardie to visit Aliny to obtain more information and a witness statement.
40. PC Hardie, from whom I was not able to hear oral evidence, recorded that she spoke to Simone Nuncio, who said that "Aliny is happy to provide police with a statement evidencing the breach of police bail. However, is refusing to give the mutual friend's details, as they do not want to get involved". It was arranged that Simone would come with Aliny to Epsom Police Station, or PC Hardie would go to Streatham the next day.
41. In fact, Aliny went to the family home later that day, with friends, to collect belongings. Although the Police had not been willing to attend in support, they were called because a male was "kicking off", and PC Hardie, together with PC Jull, was despatched to deal with a potential breach of the peace. When the officers arrived, they found that all was calm. They accompanied Aliny and one of her friends around the house. PC Jull told me that Ricardo Godinho was present in the house, in the kitchen, and his friend followed Aliny around, filming her. When questioned, PC Jull said he could now see that these were, in themselves, potential breaches by Ricardo of his bail conditions, and that Aliny may have found the situation intimidating, but he had not seen it that way at the

time. I find it to be surprising that the obvious inappropriateness of these events was not immediately apparent to the two officers and that they permitted them to happen.

42. When Aliny had finished in the house, the officers took her to their police vehicle to ask her about the call from Ricardo's colleague. In a note made subsequently, PC Hardie recorded,

"Aliny has confirmed that a mutual friend has told her that Ricardo has informed him that he has reported her to the Home Office in an attempt to get her deported. The friend has told her this, but she is unwilling to give me the friend's details as they do not want to get involved. Aliny does not know if the friend was told to tell Aliny, by Ricardo, or if they just told her. As the friend is unwilling to speak to the police and Aliny has not given police any further details, such as the time that the call occurred, then this will be filed as NFA. Due to this, Aliny did not want to make a police statement".

When questioned, PC Jull accepted that it had been inappropriate to interview Aliny in a police vehicle which was in eyeshot of Ricardo, and while her friends were waiting for her. He agreed that the interview ought to have been conducted, as planned, at the station and in slower time, and that this may have resulted in Aliny providing a statement confirming what had happened. I note that the DASH risk assessment which was conducted, recorded answers contrary to those previously given by Aliny (including, for example, that she had never been strangled) and this would appear to support the suggestion that the circumstances were not conducive to eliciting either full and accurate disclosure from Aliny, or her agreement to provide a witness statement.

43. Insp. Wilkie said he reviewed this outcome but that, in the absence of a statement from Aliny or the identity of the person who called her, nothing could be proved. Further, with an eye on the PACE clock, he decided not to arrest Ricardo. He said, however, that the incident was relevant to risk level and safeguarding and that his decision making may have been different had he been informed that Ricardo and his friend were present at the family home; he said that, if he had been aware of the filming, he "probably would have arrested for witness intimidation". In answer to a question from Mr Brown, Insp. Wilkie agreed that witness intimidation may be a "very practical explanation for why Aliny might have changed her mind, from being happy to give a witness statement in the

morning to being unhappy to give a witness statement by two o'clock in the afternoon".

44. PC Walker, as OIC, saw the OEL entries concerning these events, when she returned to work on the 7th January 2019. She saw that the allegation of breach of bail had been closed on the basis of no further action. At the inquest, she was asked whether, as OIC, she ought to have tried to obtain further information, and evidence if possible, about that allegation and the events at the family home, because they could well have been relevant to the wider picture and safeguarding, and she accepted that she ought to have done so.
45. I am satisfied that this was a missed opportunity to obtain evidence of Ricardo Godinho's coercive, controlling and threatening conduct, both in relation to the call from his colleague and the events at the family home, and a missed opportunity to challenge him in relation to that conduct. Evidence was available which could have been relevant to establishing a breach of bail, a separate offence, or behaviour which was part of an unlawful course of conduct. As such, this was a failure pro-actively to drive forward the investigation, and to review risk and safeguarding in the light of this development.
46. On the same day, the 7th January 2019, Aliny's two younger sons had started back at their school, Meadow Primary School in Ewell, following the Christmas holidays. The Headteacher, Mark Trueman, told me that Aliny informed him of the events over the holidays and it was agreed that Ricardo Godinho would not be allowed to collect the boys from school. He spoke to Children's Services in London who said that the family was safe at the moment but, he said, he queried that, because Ricardo Godinho lived near the school and could see them when they attended. He was also concerned about their long daily journey by public transport, which involved Aliny and the children having to take a number of buses.
47. PC Walker's next involvement came a few days later on the 11th January 2019. Aliny attended Epsom Police Station with some documents for Ricardo. PC Walker spoke to her by phone. She could not recall whether she asked how Aliny knew Ricardo wanted these documents, given that he was precluded from contacting her. PC Walker said she contacted Ricardo who said he no longer needed the documents because matters had now been reported to the Home Office. She believed she contacted Aliny again to let her know this. She was

asked about the relevance of this to risk, given that Aliny had asserted that Ricardo was using her immigration status as a weapon against her, but PC Walker could not remember whether she had questioned either of them about this, or what she thought at the time. PC Walker was also asked whether she had taken the opportunity to ask Aliny, and Ricardo, about the events of the 4th and 5th January, but she said she could not remember; she accepted that she had made no note of any such enquiries and that this suggested they had not been made.

48. The officer said that, in the course of these conversations, she had learned that Ricardo had discovered where Aliny was now living. PC Walker made an entry in the OEL which stated, "Ricardo is aware of Aliny's new address as their bank told him of her forwarding address. He is also aware of her new phone number as she has taken out a new contract from his bank account." In her notebook PC Walker recorded, "Documents to return to Ricardo. Three phones belonging to him. Bank told him her forwarding address. Mobile number also known as she has a new contract which he is paying. None of the children have UK passports. She is here illegally. Home Office has been informed".
49. PC Walker accepted that the fact that Ricardo Godinho now knew Aliny's address in Streatham affected her safety and that she ought to have undertaken a risk assessment and reviewed the safeguarding arrangement, but she did not do so. She did not, for example, explore with Aliny whether she now wanted a "TecSoS" phone, which would give her a direct line to the police in an emergency. She said she could not recall whether she considered that the fact that Ricardo now knew where Aliny lived was a matter of relevance to the question of whether his bail conditions should continue.
50. On the 14th January 2019, Simone Nuncio telephoned Surrey Police to report that Ricardo had contacted Aliny two weeks earlier, and then again that morning, in breach of his bail conditions. The call was answered by PC Courtenay Green, then a call handler. As soon as PC Green heard that Aliny was living in London, she stopped the conversation and transferred the call to the Metropolitan Police call centre. She did, however, make an entry on the OEL, recording Aliny's allegation that Ricardo "has breached his conditions and has contacted her several times over the telephone", in order to bring the call to the attention of the OIC. When questioned, PC Green accepted that her handling of the call had been wrong. She agreed that, as the allegation was of breach of bail conditions which had been put in place by Surrey Police, the matter should have been dealt with

locally, by Surrey Police. The officer accepted that she ought to have opened a CAD, taken a full report from Simone Nuncio, completed a THRIVE risk assessment, and then linked the ICAD to the OEL relating to the underlying domestic abuse investigation. This would have ensured that there was consideration of any new offence (such as stalking or harassment), in addition to the alleged breach of bail. It would then have been for the OIC (PC Walker) to direct what action was required. It may have been necessary for a Metropolitan Police officer to visit Aliny in London, but that would be for safeguarding and risk assessment reasons only, with responsibility for the investigation of the allegations staying with the OIC in Surrey.

51. Andre Parker-Massop was the MPS call handler to whom Simone Nuncio was transferred. He recorded that Ricardo Godinho had tried to contact Aliny two weeks earlier and had now tried to call her again, that he had told his secretary to call her, saying that she needs to give him back his phone, and that Aliny “thinks her ex-husband may now know where she lives, and she’s frightened”. Mr Parker-Massop arranged for a police officer to visit Aliny at home two days later, on the 16th January 2019, to investigate this potential breach of bail conditions.
52. On the 15th January 2019, Aliny went to Meadow Primary School in Ewell at about 12.30 pm, to collect her sons from school early. She was upset and so was taken to the office of the Headteacher, Mark Trueman. He told me that he struggled to understand what she was saying, but he could see she was scared. She told him that, the day before, she had called the police, as her husband had breached his bail arrangement by asking a colleague to contact Aliny, to tell her he was taking her mobile phone; Mr Trueman said he did not know if this meant physically taking it or cancelling the contract. Aliny also said that Ricardo was very angry, and that she had just seen him, in the vicinity of the school, “circling around” in a vehicle, and she “gestured this by moving her hand and arm around in a circle motion”.
53. Aliny contacted a friend, Karina Godwin, who came to the school to support her. Whilst Mr Trueman was telephoning Social Services, the two friends spoke about what was happening. In her written evidence, Karina Godwin said that Aliny told her she had received a call from Ricardo’s secretary to warn her that he had left, in his van, and that he was furious and out of control. This was why Aliny, who was fearful for her children, had gone to collect the boys from school early.

She had then been warned by another friend that Ricardo had changed vehicles and was “on his way”, and she had then seen him in the vicinity of the school; she had then gone into the school and burst into tears. Aliny told Karina Godwin that she had wanted to separate amicably from Ricardo, but he had refused to support this and had become angry when the subject was raised. She said Ricardo was prone to depressive mood swings and she wondered if he was bipolar. Aliny also told her friend that, in Brazil, Ricardo would threaten to get her killed; he said he had a friend in the police and he could make her disappear and no-one would know any more about it.

54. When, after 40 minutes of trying to reach Children’s Services, Mark Trueman returned to speak to Aliny, he decided to call the Police for advice. He spoke to a Surrey Police call handler, Fiona Katz. He started the call by referring to the domestic abuse background and saying, “There was an incident yesterday where she had to call the police on the father again, and apparently he got very angry, and is now, she says circling the school, so she’s afraid, and I’m afraid for the children who are here, of her going back to London, and I just need advice as to what to do.” In the course of the call, Ms Katz queried whether Ricardo’s presence could be a coincidence, as he lived close by, and Aliny apparently indicated that this was possible (although, in his statement, Mr Trueman suggested that Aliny had “put up her hands and shrugged her shoulders” in response to this question). The call handler said that the police could not attend because no contact has been made by Ricardo with Aliny that day, and Ricardo was no longer outside, but she advised that Aliny should call 999 if she was concerned while travelling home. Following this, Aliny and the children left the school and went home with Karina Godwin. Mr Trueman told me that the boys were kept at home for a few days, but they returned to school on the 21st January. He was aware that Lambeth Social Services wanted them to move to a school in London, and he supported that proposal, but Aliny did not want this as the boys were really happy at his school and she did not want to disrupt them further.
55. The Surrey Police call handler, Fiona Katz, had opened a CAD on which she recorded that there was, “Nothing to suggest this sighting was anything other than coincidence.” She accepted that this wording was wrong and, looking at it now, she could see it was misleading. Ms Katz made an entry on the OEL, so that the OIC would be aware, which read,

“Call in from Mark Trueman, headteacher of Meadow Primary School in Ewell. Trueman has Mrs Aliny Godinho in his office, she came to collect the children, has seen her husband drive past her. He does live locally so it could be a coincidence, however, she was scared. But Trueman has called for advice. At the moment, Godinho and her children are safe in school; soon they will walk to the bus station to return to their new accommodation in Lambeth. Trueman checked with Godinho that no threats to harm her or the children have been made. The husband has not been seen again since he drove past, and it is not known where he currently is.”

Ms Katz accepted that it was a significant omission to fail to mention that Ricardo Godinho had been “circling” and to have recorded that he had simply driven past.

56. PC Walker returned to work on the 16th January and, she told me, read the entries on the OEL in relation to the events on the 14th and 15th January; these showed, of course, that there had been two calls to the police raising possible breaches of bail conditions, one of which was currently under investigation by the Metropolitan Police. The officer was asked whether, as the OIC, she had not considered that she needed to know more about these matters, both for her investigation and for safeguarding, and most particularly before taking action to lift the bail conditions. She said she could not recall but, when pressed, she accepted that it was obvious that there was information that she ought to have discovered which might well have been relevant to the appropriateness of dropping the bail conditions. She gave no explanation for why she had not sought further information, at the very least by speaking to Aliny, prior to proceeding to lift the bail conditions later that same day. I find that this was an escalating situation with escalating risk; Ricardo was angry, determined, and at times out of control. Had steps been taken to investigate the events which had prompted two calls to the Police in as many days, by speaking to Aliny, and, for example, Simone Nuncio, Karina Godwin, and Mark Trueman, the reality would have become apparent.
57. On the afternoon of the 16th January 2019, PC Walker tasked a custody sergeant to lift the bail conditions and Ricardo Godinho was “released under investigation”. The officer contacted Simone Nuncio to update her and Aliny, although she did not make it plain that the bail conditions were no longer in place. She also informed Ricardo’s solicitor, and then recorded on the OEL that the solicitor told her that Ricardo was no longer living at the family home

address, but “he would not pass on his client’s new address.” She was asked why she had accepted this and said she could not recall her thought process at the time. The officer accepted that Ricardo Godinho’s unwillingness to provide his new address was unacceptable and ought to have caused concern as to risk. The fact that it did not is, I find, indicative of PC Walker’s view, which remained that this was not a high risk case, and that it was a weak case, and that unless something turned up on Ricardo Godinho’s telephone, the investigation would soon come to an end.

58. PC Walker was asked about the rationale for lifting the bail conditions and releasing Ricardo Godinho under investigation. On the 28th December 2018 the bail conditions had been imposed for a period of 28 days. In order to extend the period, for up to three months, PC Walker would have needed the authorisation of a Superintendent. The officer said that she decided not to seek an extension, because she believed Aliny was safe and because she did not think the extension would be granted. She said she had no evidence to support an approach to the Crown Prosecution Service for charging, and she “did not believe it was proportionate to extend the bail period for the mobile phone triage only”. The officer said that, in her view, the contents of Ricardo’s mobile phone were now the only potential source of evidence upon which he could be prosecuted. She was asked how she could have formed the view that Aliny was safe, given that Ricardo now knew where she lived, and she said that she could not recall. The officer was asked what had changed since the imposition of the bail conditions, when she had considered them to be necessary, and she agreed that nothing had changed; she accepted, “with hindsight”, that there was in fact more evidence of risk. I asked PC Walker expressly whether she had been reluctant to seek an authorisation for extension of the bail conditions from a superintendent because that would have exposed the lack of safeguarding and investigatory work, and she denied that, but I do not consider that I received from PC Walker a satisfactory explanation for her decision making.
59. PC Walker did not herself have the authority to direct Ricardo’s release under investigation and required the approval of her supervisor. She said she had discussed the issue with T/DS Rackstraw, who had agreed that an extension of the bail conditions should not be sought. The officer was questioned about when this conversation had taken place and she said she could not recall. She agreed that the only written record of any discussion between her and T/DS Rackstraw

about the Godinho investigation was an entry in her notebook which recorded a review meeting at Caterham Police Station on the 17th January 2019. PC Walker said that could have been when the discussion took place.

60. I was not able to hear oral evidence from T/DS Rackstraw. In her written evidence she stated that she saw PC Walker on the 17th January 2019 “to discuss her workload”, although she said she could not recall whether they discussed the Godinho investigation at that meeting. She confirmed, though, that her only entry on the OEL was made on the 17th January. In that entry, she recorded her rationale for supporting PC Walker’s proposal. She acknowledged that there were still a number of enquiries outstanding, including the mobile phone download and review of statements to assess if thresholds for the offence of coercive and controlling behaviour had been met. She noted that Ricardo Godinho had remained silent in interview, and providing no account regarding his relationship with Aliny, and that she had moved out of the area to a location “believed not known by him”. She recorded that she had considered whether the bail should be extended and, based on the circumstances available, and Aliny being safeguarded, she did not believe this to be appropriate. She noted that, “Any potential offences committed can be managed in their own right as substantive matters”.
61. Although this evidence suggests that it was on the 17th January 2019 that the two officers discussed Ricardo Godinho’s bail conditions, in her written statement T/DS Rackstraw stated that she considered the issue on the 12th January 2019. She stated,

“I believe I reviewed the Godinho OEL report after handover on the 12th of January 2019. On reviewing the investigation, the evidential threshold for the matter to be submitted to the CPS for charging review had not yet been met. On the 28th of December 2018, Ricardo’s mobile phone had been seized. The download of the phone was still outstanding at the time of my review. ... The application requests details surrounding enquiries that have been undertaken during the initial bail period, and those that are still outstanding, and whether these enquiries have been carried out diligently and expeditiously. On review, I did not believe we had met the criteria for extension. ... On review of the information that I had available to me at the time, I believed that Aliny Godinho was safeguarded, and that the necessity for bail conditions was no longer met. Aliny was staying at an address in London, out of area, with her children. She had a support network of friends aware of her situation and

partner agencies actively assisting her. Ricardo had not been in contact with her. From review of the report, there were no entries regarding him having attended her new address, or that he was aware of the address. Ricardo Godinho was not known at PNC, and there was no recorded domestic history held by Surrey Police regarding the parties, or on the Police National Database. I had reviewed the alleged breach of bail allegation on the 5th of January 2019 and the OEL report in its entirety. This was considered before reaching a decision regarding Mr Godinho's disposal. On review, I believed there was insufficient evidence to substantiate a breach of police bail. Aliny refused to provide details of the third party, and it is not known whether the caller was instructed by Ricardo, or if the call was made out of concern for Aliny's status in the UK. I am aware of the policy regarding breaches of pre-charge bail, and that it is not an offence. However, if the information is captured evidentially, this may amount to a substantive offence in its own right, such as malicious communications or harassment, and can be used in support of the original offences under investigation. In this case, and with the evidence I had available at the time, the threshold test for a charging decision for the original matter had not been met. There was no documented evidence of the alleged bail breach, and I do not believe the information known would have been sufficient for Ricardo to be remanded in custody, even if the evidential threshold had been met. Having considered the circumstances, I believe that it was not appropriate to extend Ricardo Godinho's bail period beyond the initial 28-day period, and that he should be released under investigation. If there were any disclosures of any potential offences during the RUI, then these can be recorded, investigated and managed as substantive offences in their own right."

In addition to suggesting that she conducted this full review (of which the long quote above is only a part) on the 12th January, T/DS Rackstraw suggested in her witness statement that she had "verbally confirmed to PC Walker her agreement for Ricardo Godinho's release under investigation" on the 16th January. She stated that she had not made any written record of these events on either the 12th or 16th January because she did not have time.

62. I find T/DS Rackstraw's assertion, that on the 12th January she fully reviewed the OEL and reached a reasoned decision against seeking an extension of the bail conditions, problematic and unconvincing. In the extract from her statement set out above, the officer proffers a lengthy rationale based on a detailed knowledge of the investigation, and it does not seem to me to be credible that she had the time to undertake that reading and analysis, but did not have time to make an

entry on the OEL which she was reviewing. It is also impossible to understand how T/DS Rackstraw could have concluded that, as she suggests in her statement, there were no entries on the OEL to suggest that Ricardo was aware of Aliny's address, when the entry made by PC Walker the day before, on the 11th January, stated expressly that he had discovered it. I am satisfied that T/DS Rackstraw's belief that Aliny was safe came not from a review of the OEL, but from PC Walker. In an account given to her misconduct meeting, the officer stated repeatedly that PC Walker had assured her that Ricardo did not know where Aliny was living, and in her evidence to me, PC Walker accepted that she had done so. I am satisfied that T/DS Rackstraw did not make a careful and reasoned decision about Ricardo's bail conditions after review of the OEL on the 12th January as she suggests, but that she approved PC Walker's proposal to release him under investigation, either following an oral discussion on the 16th January, or retrospectively following their review of the investigation at Caterham Police Station on the 17th January. Either way, it is clear that Ricardo Godinho's bail conditions were lifted, and he was released under investigation, on the 16th January 2019, without any documented review of the decision by an SIU supervisor.

63. In considering the evidence, I have found it very difficult to fathom why PC Walker assured T/DS Rackstraw that Ricardo did not know where Aliny was living when the exact opposite was recorded by her in the OEL and her notebook, only a short time before. She was asked about this and said, "I just think that maybe I didn't think that he did actually know the address. I don't know" which, again, I do not consider to be a satisfactory explanation.
64. Whenever and however the decision was made, I am satisfied that removing Ricardo Godinho's bail conditions was a failure to protect Aliny. The evidence available showed a series of alleged breaches, and an ongoing course of abusive conduct, and removing all restrictions on him must have seemed like a green light to him, and left him, it seems to me, with the upper hand. It was a significant decision in the management of the risk that Aliny was facing and I am satisfied that it was taken by PC Walker, and approved by T/Ds Rackstraw, without careful review of the evidence and proper consideration of the ramifications.
65. Ricardo Godinho's release under investigation had an immediate impact on the investigation of Aliny's complaint made on the 14th January. On the early evening of the 16th January 2019, PC Henry Furlong, who is a Metropolitan Police

response officer, visited Aliny at home to investigate the complaint. He had not spoken to Surrey Police, or seen their OEL, before attending. Aliny telephoned a friend to assist with translation. PC Furlong stated, "I probed into why she had called the police, and she told me that her husband's secretary had called her to ask for phones back that he'd paid for. She said that that was a breach of his bail conditions". The officer did not make a note of what was said. His recollection was that Aliny was concerned about Ricardo's behaviour and was not simply reporting a technical breach. He said he then checked on the Police National Computer, and this showed that Ricardo had been released under investigation and that there were no bail conditions in place. He said his understanding was that a suspect who was no longer subject to bail conditions could not be arrested for an earlier breach of bail conditions. He did not consider that there was evidence of an offence and so he did not take a statement from Aliny and he conducted no risk assessment. The officer decided that, because he did not have the full picture, it should be for the OIC in Surrey to decide what further steps to take. He obtained PC Walker's number and left a message, with his email address.

66. PC Furlong told me that on the 17th January he received an email from PC Walker, which stated,

"Good afternoon, PC Furlong. I've just picked up your message. Ricardo was released RUI yesterday due to outstanding enquiries around his mobile phone. Aliny does not speak English, so her friend Simone is acting as a go-between and was advised of this yesterday. I'm aware that he was trying to recover three mobile phones relating to his work, which his secretary agreed to act as a go-between. His secretary was only supposed to contact Aliny for this reason. For your information, Ricardo's solicitor is Keith Myers from Harrington-Myers Solicitors in Kingston. He has asked that all correspondence goes through him regarding these matters. Please contact me if I can be of further help, and can you provide me with a copy of her statement for the case file?"

PC Furlong said he believed he had responded, explaining that he was not making any further investigation and that he had not taken a statement, but he had been unable to find that email message. He said he had not received any further communications from PC Walker.

67. On the 18th January 2019, PC Walker documented on the OEL that she had contact with Charlotte Afuape of Lambeth Social Services who, together with Lambeth Refuge, were helping Aliny, including with obtaining legal advice. She recorded that Aliny has received a text from Ricardo in which he said that he knew where she was because she had taken out cash and that Aliny had been advised to report this to the Metropolitan Police. In a further entry, PC Walker reviewed the contents of the witness statement which had been made by Aliny on the 28th December 2018, and concluded that there was no evidence to support charging Ricardo Godinho with any offence. Subject to finding relevant evidence from the examination of his phone, there would be no further action. PC Walker did not then take any further substantive steps prior to Aliny's death.
68. In her written evidence, T/DS Rackstraw suggested that the events on the 14th and 15th January required "follow-up enquiries with the parties involved", namely Aliny, the Metropolitan Police, and the primary school, to establish if there was evidence of a substantive offence. She said she had trusted PC Walker to conduct those enquiries and update her, but she had not made any note of this in her entry on the OEL on the 17th January because PC Walker was an experienced officer. Again, I find this evidence difficult to understand and accept. I consider it likely that if T/DS Rackstraw had reviewed the state of the investigation on the 17th January, as she suggests, she would have seen that nothing had been done and she would have been anxious to include in her own entry an investigation plan (as done at the outset by Inspector Wilkie) designed to ensure any further enquiries needed were drawn to PC Walker's attention. I find that, in fact, T/DS Rackstraw failed to review and supervise the investigation, which, if she had done so, could even then have resulted in effective evidence gathering.

Events on the 8th February 2019

69. By the 8th February 2019, matters had escalated still further. Ricardo Godinho had accessed Aliny's iCloud account and her emails and other communications. Danielle Mason told me that Aliny left her a voicemail that morning saying that Ricardo's brother had contacted her, and told her that Ricardo was very angry because he had intercepted an email which said that Aliny had alleged that Ricardo had tried to strangle her in December 2018, which was not true. Aliny said to Danielle that this must have been an error in a message from her lawyer.

She told Danielle that she had informed the Police and that Ricardo would be arrested on Saturday and that now “he would either sort himself out or would end up killing her”.

70. The reference to informing the Police was to a call made to Surrey Police, at about 11.30 am that day, by Simone Nuncio. The call was taken by Hannah Dutton, who was told that Aliny had just found out that Ricardo had accessed her iCloud account. She said that Aliny had identified Ricardo’s number and so she now had proof. Consequently, Ricardo could now see all her emails, WhatsApp conversations, and phone calls. Ms Dutton passed the call the Metropolitan Police because she thought Aliny needed to be seen, and as she was in London, it would be for them to go and speak to her. However, as with the earlier call which had been transferred to the MPS, I was told by Ben Shiell, the Surrey Police Contact Centre Performance Manager, that this report ought to have stayed with Surrey Police. He said the call taker failed to take full details and identify the crime of stalking which, because Ricardo Godinho lived in Surrey, should have been treated as having been committed in Surrey and, therefore, investigated by Surrey Police. A risk assessment should also have been completed. Additionally, Ms Dutton did not alert the OIC (PC Walker) to the report, which she ought to have done by linking it to the OEL.
71. The call handler for the Metropolitan Police, Max Evans, told me that he spoke to both Simone Nuncio and Aliny, in a three-way call. He made efforts to arrange for Aliny to be seen by officers that day, but, in the end, an appointment for her to attend Brixton Police Station the next day (the Saturday) at 10.00 am was made; this was because Aliny did not want to disturb the arrangements she had in place for the children that afternoon. It was in the course of this call that Mr Evans indicated that the police would probably want to arrest Ricardo. Simone Nuncio said she later rang Aliny twice, at about 1.00 and 2.30 pm, to try to persuade her to go to the see the police that day, but Aliny said no.
72. Significantly, when speaking to Max Evans, Aliny had indicated that she was in Epsom and she had asked whether she could go to Epsom Police Station. He replied, “It’s difficult, where essentially she could go to Epsom, the only thing is, because she lives in London now it will probably be down to us to deal with it. So if she could, I understand that she’s had issues before in Surrey, where she’s reported things before. But because she now lives in London, we’re probably going to be the ones dealing with this, so if she could do it in her local one

[Brixton Station] that would be best". It does seem, therefore, that if the report of this final development had been retained by Surrey Police, as it should have been, and if Aliny had been properly questioned, as she should have been, it would have been discovered that she was in Epsom and her request to attend Epsom Police Station would doubtless have been accepted. It is clear that Aliny believed her life was in danger. In addition to what she said to Simone and Danielle, the trial judge noted that a couple of hours before she died, Aliny left a message on her sister's voicemail predicting that it would happen.

73. In all these circumstances, I do find that the failure by Surrey Police to retain and respond to the report made at about 11.30 am on the 8th February 2019, was a further missed opportunity to protect Aliny's life. Further, as the call was made a number of hours before the fatal attack, I find that there was, at that stage, a very real opportunity to take action which could have been effective in protecting Aliny's life.

Conclusion as to the Death

74. At the conclusion of the evidence, I gave an opportunity to counsel for the IPs to make written and oral legal submissions. I have received brief written submissions which I have considered and taken into account.
75. I first considered the short-form conclusion of Unlawful Killing. Paragraph 8 (5) of Schedule 1 to the CJA 2009 provides that a determination in an inquest resumed following a homicide trial may not be inconsistent with the outcome of that trial. Further, in order to reach this conclusion myself, I would need to be satisfied, only on the balance of probabilities, that Aliny died as a result of an act of murder or manslaughter and, on the evidence, I have no doubt about that. I am satisfied that unlawful killing must be recorded.
76. Next, I considered whether Aliny's death was caused or more than minimally contributed to by any failure on the part of any state agency to protect her life. In considering this question I have borne in mind that the question must be approached fairly and without the benefit of hindsight. I recognise that the assessment and management of risk is a difficult and inexact matter, but I do not consider that this diminishes the obligation on a state agency under Article 2 of the ECHR to take reasonable steps within their powers to protect life.

77. As set out above, I have found a number of very significant failings on the part of Surrey Police in their response to Aliny's complaint and the unfolding events thereafter. Surrey Police had in place a good Domestic Abuse Policy and Procedure which was designed to protect the life of victims of domestic abuse in its various forms. I find that the initial response to Aliny's report made on the 27th December 2018 was in accordance with the Policy and Procedure, and was effective. The two response officers properly captured the evidence and assessed the risk, and they ensured Aliny was safe overnight. The response sergeant made and implemented a comprehensive initial investigation plan. Ricardo Godinho was arrested and made subject to bail conditions. It is ironic that the failures arose following transfer of the investigation to the specialist SIU. I was struck by the extent to which the Procedure, which ought to have been second nature to the officers working in that specialist unit, was not followed; one officer even told me that she was not familiar with it. There followed a failure to risk assess and safeguard, and to investigate either the initial report or the subsequent developments, all contrary to the requirements of the Domestic Abuse Procedure.
78. However, I find that PC Walker's failings went over and above a mere failure to follow the necessary procedure. As I have stated above, I have not accepted her evidence that her extensive failures in the conduct of the investigation came about by reason of the pressures of her workload. Rather, I find that her decision making was influenced by the fact that she had formed, at a very early stage, the view that Ricardo Godinho was unlikely to harm Aliny. It is noteworthy that she was in contact with Ricardo Godinho or his solicitor on a number of occasions whereas she made no arrangements, at any stage, to meet Aliny. This appears to me to be indicative of an early acceptance by her of Ricardo Godinho's narrative and a failure to attach any proper weight to Aliny's fears and concerns. This was a very significant failure to keep an open mind and to use professional curiosity in the management of the investigation, as required by Surrey Police's overarching aim of reducing risk to those in danger from domestic abuse.
79. Given what they knew, and ought to have discovered through obvious further enquiries, Surrey Police were, or ought to have been, aware of a very real risk to Aliny's life. In considering whether their failures to protect her life, individually or cumulatively, probably or possibly more than minimally contributed to Aliny's death, I have borne in mind that the direct cause of her death was the

criminal act of Ricardo Godinho, and that his moods and behaviour were volatile and, to an extent, unpredictable. But a great deal more could have been done and should have been done to manage and reduce the risk she faced from him, and I am satisfied that there were steps which could have been taken and which should have been taken, which might reasonably have been expected to have been effective in protecting Aliny's life.

80. For the reasons set out above, I find that Aliny's death was probably more than minimally contributed to by Surrey Police :

- (i) Failing to ensure that all officers working in its own specialist Safeguarding Investigation Unit were familiar with and were implementing its Domestic Abuse Policy and Procedure,
- (ii) Failing to recognise that Aliny remained at high risk from Ricardo Godinho and failing to manage the investigation on that basis,
- (iii) Failing to make and implement a safeguarding plan, and one which took account of (a) Ricardo Godinho's conduct both before and after Aliny's complaint on the 27th December 2018, and (b) his knowledge of the address of her new accommodation.
- (iv) Failing to make and implement a plan for the investigation of the allegations made by Aliny on the 27th December 2018, and to challenge and hold Ricardo Godinho to account in respect of those matters,
- (v) Failing to investigate sufficiently reports of Ricardo Godinho's conduct in January and February 2019, and to challenge and to hold him to account in respect of the same,
- (vi) Failing to keep in place Ricardo Godinho's bail conditions by releasing him under investigation on the 16th January 2019, and
- (vii) Failing, on the 8th February 2019, to retain and respond properly to Aliny's report concerning Ricardo Godinho's further recent and escalating conduct.

Record of Inquest

I shall, therefore, record the following on the Record of Inquest :

Box 1 :

Aliny Godinho

Box 2 :

Ia Multiple incised wounds

Box 3 :

On the 8th February 2019, at about 15.00 hours, Aliny Godinho was in London Road, Ewell, Surrey, when she was attacked and repeatedly stabbed with a knife. Two of the wounds caused significant blood loss. Emergency services attended, and provided extensive medical attention, but her life could not be saved, and her death was confirmed, at the scene, at 15.36 hours.

Prior to these events, on the 27th December 2018, Aliny Godinho made a complaint to Surrey Police of domestic abuse on the part of the perpetrator. Initially the risk of harm to her was assessed to be high. The following day, the perpetrator was arrested and released on bail with conditions which were designed to safeguard Aliny Godinho. She was provided with accommodation in Streatham, London, the address of which was not known to the perpetrator. The domestic abuse investigation was thereafter conducted by Surrey Police's specialist Safeguarding Investigation Unit ('SIU'), which immediately downgraded the risk level to medium. No risk assessment, safeguarding plan or investigation plan were made by the SIU and, beyond the initial report, no further evidence was gathered. Over the following weeks, Aliny Godinho made a series of further complaints to Surrey Police concerning the perpetrator's ongoing abusive conduct. On 11th January 2019, Surrey Police learned that the perpetrator knew the address of Aliny's new accommodation; no action was taken in response to that information. On the 16th January 2019, the perpetrator's bail conditions were removed and he was released under investigation. On the day of Aliny Godinho's death, the 8th February 2019, at about 11.30 am, she made a further complaint to Surrey Police about the perpetrator's escalating conduct, which included his having accessed her iCloud account and all her communications. Surrey Police passed this complaint to the Metropolitan Police. An arrangement was made by them to see Aliny Godinho the following day in London as she had commitments in Epsom that afternoon. She was not, therefore, seen by the police prior to her murder by the perpetrator.

Full details are to be found in the Findings and Conclusion document.

Box 4 :

Aliny Godinho was Unlawfully Killed.

Her death was probably more than minimally contributed to by Surrey Police :

- (i) Failing to ensure that all officers working in its own specialist Safeguarding Investigation Unit were familiar with and were implementing its Domestic Abuse Policy and Procedure,
- (ii) Failing to recognise that Aliny Godinho remained at high risk from the perpetrator and failing to manage the investigation on that basis,
- (iii) Failing to make and implement a safeguarding plan, and one which took account of (a) the perpetrator's conduct both before and after Aliny Godinho's complaint on the 27th December 2018, and (b) his knowledge of the address of her new accommodation.
- (iv) Failing to make and implement a plan for the investigation of the allegations made by Aliny Godinho on the 27th December 2018, and to challenge and hold the perpetrator to account in respect of those matters,
- (v) Failing to investigate, sufficiently, reports of the perpetrator's conduct in January and February 2019, and to challenge and to hold him to account in respect of the same,
- (vi) Failing to keep in place the perpetrator's bail conditions by releasing him under investigation on the 16th January 2019, and
- (vii) Failing, on the 8th February 2019, to retain and respond properly to Aliny Godinho's report concerning the perpetrator's further recent and escalating conduct.

Box 5 :

- (a) 15th June 1979, Brazil
- (b) Aliny Godinho
- (c) Female
- (d) Mendes
- (e) 8th February 2019, outside 365 London Road, Ewell, Surrey
- (f) Streatham, London, SW16

Before closing the inquest, I would like to record my thanks to counsel for their work and assistance, which I have appreciated, and to pass my very sincere condolences to Aliny's siblings and children, and other family members, and to her friends.

Richard Travers
HM Senior Coroner for Surrey

25th February 2022