

Court procedures

This page tells criminal investigators in Immigration Enforcement (IE) about how to deal with interview recordings that are needed at court.

The witness statement you, as case officer, prepared introduces the audio recorded interview as evidence, and you must:

- produce the master copy of the interview as an exhibit
- inform the court of any official transcript that has been made
- produce it in court

When you give evidence, you are allowed access to the summary statement and can refer to it in the witness box.

Although an audio recording is available for general evidential purposes, it is normally only necessary for it to be played in court either to resolve:

- doubt in the absence of a transcript
- any dispute about the accuracy of a transcript

But, the recording may also be played in court if there is a challenge to the admissibility of your evidence of the interview. In this or any other reason, the court asks for the recording to be played, it is your responsibility to arrange for it to be played on the equipment provided by the court.

It is normal procedure for the master tape or disc (which is to be opened in court) to be played, unless the recording has had to be edited, in which case the edited tape or disc will be played.

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