

# Evidence Handling

## What is evidence?

- Evidence is information provided to Governors, the police or to the court and jury, to help them decide if a crime has been committed or not.
- Evidence supports the truth or probability of truth about a fact.
- It is likely that every member of staff will come into contact with evidence at some point during their career, whether that's during a search or dealing with an incident on HMPPS premises.

Evidence must be managed appropriately.

## Types of evidence

There are 4 Categories of evidence.



1

**1. Physical evidence** refers to any item that comes from a non-living origin. Physical evidence can determine the identity of people without DNA.

- For example:
- Weapons
  - Footprints
  - Drugs
  - Ammunition



2

**2. Trace evidence** is created when objects make contact. This can be transferred between people, objects, or the environment during a crime. Small quantities of evidence are often categorised as trace.

- For example:
- A single hair found on clothing
  - Clothing fibres
  - Small pieces of broken glass



3

**3. Biological evidence** always originates from a living being. To be categorised as such, there needs to be a large quantity of it. A smaller quantity would be trace evidence.

- For example:
- A pool of blood
  - Hair on a hairbrush, clumps of hair
  - DNA itself from bodily fluids



4

**4.** There are **other** types of evidence which do not fit into the 3 previous categories. These types of evidence can include documents, media and digital technology and testimonies.

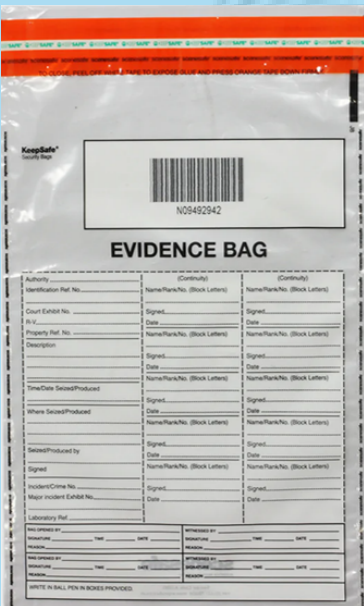
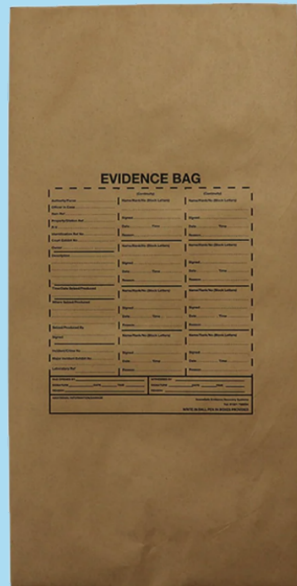
- For example:
- CCTV
  - BWVC
  - Witness statements
  - Witnesses

Evidence should be collected within 1 hour.

This is called the **Golden Hour**.

## Seizing evidence

Establishments should have evidence grab bags in place so that evidence can be preserved and seized quickly, protecting the integrity of the evidence.



- You should use paper bags for individual items of clothing containing dry bodily fluids.
- Use breathable paper bags for clothing containing wet bodily fluids; such as blood stains.

- Plastic evidence bags come in a variety of sizes; staff are to use the correct size to ensure the evidence bag can be sealed completely.
- These are used to seize a variety of items except for items of clothing or objects such as improvised weapons which may pose a risk to others.

- You would use rigid packaging such as sterile plastic tubes for sharp items such as improvised bladed weapons.
- Once collected, the tube is then placed into a plastic evidence bag so that it can be 'tagged'.


To find out more about how to deal with specific items of evidence and tagging a bag, refer to the "Management and Handling of Evidence Policy Framework" or the Evidence Handling eLearning package.





## 1

# Preservation of evidence

- Secure the area.
  - Use banner tape if available to secure the scene.
  - Ensure there is a member of staff at the scene to restrict access.
  - Start a scene log.
  - Use the correct evidence bag for the item you are collecting.
  - Evidence is to be left in situ until advice is sought from local police. Where evidence is required to be seized quickly, due to immediate risk to others, only permitted personnel are allowed to enter the scene.
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2

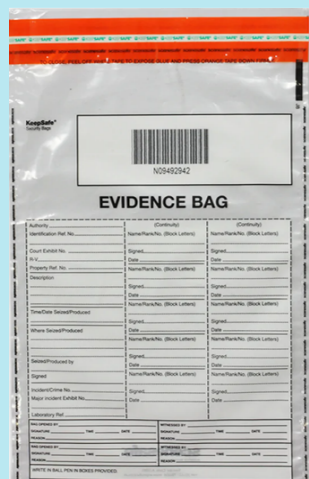
## Avoidance of Contamination

- Secure the scene.
- Wear the correct PPE.
- Secure any items of evidence in the correct packaging by sealing the bag.
- One member of staff should deal with the victim and a different member of staff should deal with the suspect/perpetrator.
- Staff are to be identified and given clear roles such as scene log officer, crime scene preservation officer and exhibits officer.



# 3

# Continuity of evidence

[illegible]

- Ensure evidence bags are signed and dated when passed from one person to another.
- Record evidence in the evidence log book.
- If evidence is moved from the secure cupboard or safe, this must be recorded.
- As few people as possible should come into contact with any evidence.



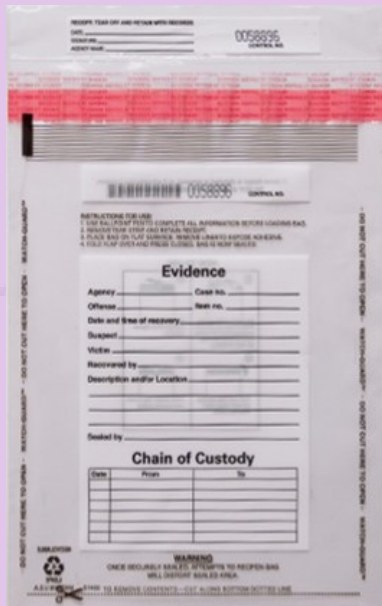
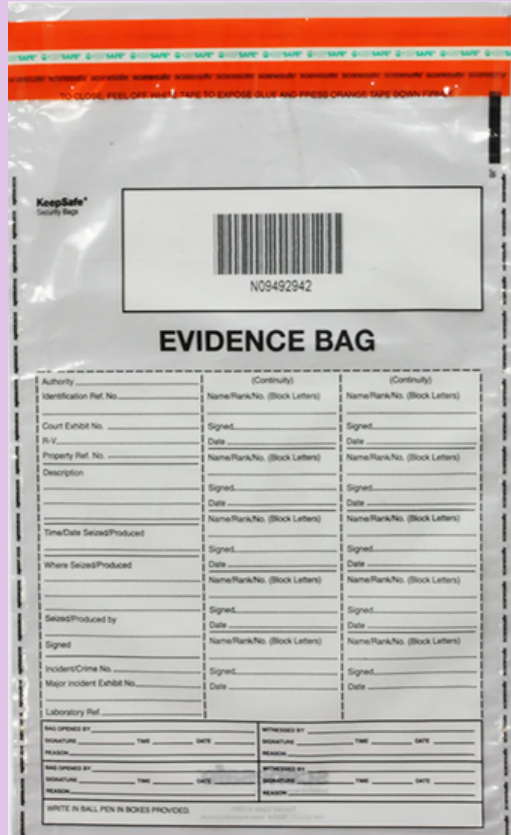


# Evidence Handling - Tagging

Tagging refers to the entering of information onto the secure evidence bag.

The officer who initially finds and seizes an item of evidence should be the same officer bagging, sealing and tagging the evidence bag.

The correct labels for tagging an evidence bag are below.



Authority

HMP

Identification Ref. No.

EJ01

Court Exhibit No.

✗

R-V.

SMITH A1234AL

Property Ref. No.

✗

Description

1X BILLIARD BALL, RED

Time/Date Seized/Produced

10:25hrs 12/11/21

Where Seized/Produced

Cell B25 – BY CHAIR  
ON THE FLOOR

Seized/Produced by

Officer Emma Jones

Signed

EJ

- **Authority:**  
This is where you would write whose authority the item has been seized under.  
**Your HMP establishment.**
- **Identification Ref. No.:**  
Here, you should record your initials and 01 for the first item and 02 for the second item, and so on.
- **R-V:**  
The prisoner’s or young person’s name is needed here (include prison number).
- **Description:**  
Write a brief description of what evidence was found.
- **Time/Date Seized/Produced:**  
Record when the evidence was seized.
- **Where Seized/Produced:**  
Record the location where the evidence was seized.
- **Seized/Produced by:**  
Record your name as it will have been seized by you.
- **Signed:**  
Sign to confirm it was who seized the evidence.

You do not need to fill in **Court Exhibit No.** or **Property Ref. No.** You only need to fill out the **continuity of evidence** section if the evidence needs passing on to a different officer prior to the bag being secured.





# Evidence Handling - Witness Statements

Witness statements are formal documents containing a person's own account of the events that they have witnessed.

A witness statement must be comprehensive and true to the best of your knowledge. You must use facts and not your opinions. If you are unsure about something, make this clear. Do not make something up.

You may be required to write witness statements at various points in your career in the prison service. Some of these include:



Following a cell search



Attending a crime scene



Witnessing an assault



Victim Personal Statement (VPS)

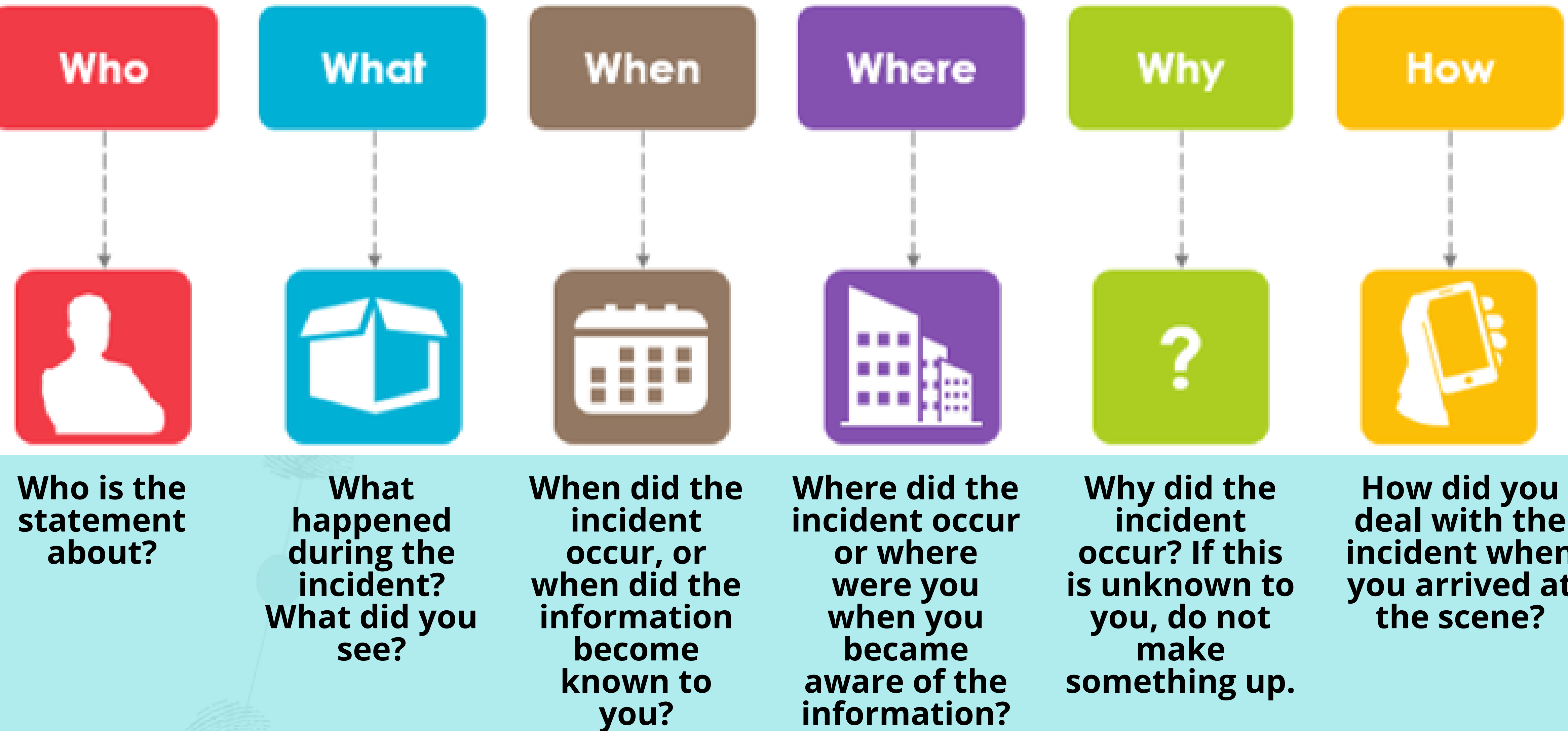
## Victim Personal Statement (VPS)

The VPS gives victims an opportunity to explain how the crime has affected them, physically, emotionally, psychologically, financially or in any other way.

The VPS is important and gives victims a voice in the criminal justice process by helping others to understand how a crime has affected the victim. **For more information on VPS, visit the Gov.uk website.**

## Writing statements

When writing a statement you should consider using the 5WH tool to remind you of what to write.



For further guidance on writing statements, refer to the Evidence Handling eLearning package.

For more information or support with Evidence Handling, please contact the Risk and Capabilities Unit's Functional Mail Box [RiskandCapabilitiesUnit@justice.gov.uk](mailto:RiskandCapabilitiesUnit@justice.gov.uk)