

Policy

Territorial Policing : Visual Evidence Policy

Protective marking: Not protectively marked

Publication scheme Y/N: Yes

Title: Visual Evidence Policy

Version: Version 1.1

Summary: This policy outlines the procedures to be undertaken in order to obtain: evidence from victims and witnesses as to the identity of suspects; and/or evidence from photographic and CCTV images.

Branch/ OCU: Criminal Justice Strategic Committee

Review date: July 2012

Introduction

This policy relates to the police use of visual evidence during investigations and deals primarily with the identification of suspects by victims and witnesses as well as the use of photographic and CCTV images as evidence.

The policy contains the following Standing Operating Procedures

- Visual Identification of Suspects; and
- The use of Evidential Images.

The following policies are now cancelled

- Authorisation for Video and Other Identification Procedures
- Overt Filming and Photography

Application

All police officers and police staff, including the extended police family and those working voluntarily or under contract to the Metropolitan Police Authority (MPA) must be aware of, and are required to comply with, all relevant MPS policy and associated procedures.

However, this policy applies in particular to officers and staff in the following roles:

- All operational officers, both uniform and detective, and their supervisors
- All Police Officers and Police Staff involved in the initial response to and subsequent investigation of crime and their supervisors
- All Police Officers and Police Staff involved in suspect identification procedures.

- All Evidential Images Officers and staff employed within VIIDO units.
- Borough Intelligence Managers and staff employed in Borough Intelligence Units
- Staff employed at CO11 Public Order Branch
- Forward Intelligence and Intelligence Gathering Teams

NB. This list is not exhaustive.

This policy applies with immediate effect.

Purpose

The purpose of this policy is:-

- To set clear corporate standards for the procedures used to facilitate the identification of suspects by victims and witnesses ensuring that the provisions of the Police and Criminal Evidence Act 1984 (PACE) are complied with; and
- To facilitate a corporate approach to the use of film footage and photographic images as evidence in criminal investigations ensuring that images are captured and processed in such a way so as to ensure that the evidential integrity of the image is maintained.
- To ensure that overt filming by police is correctly authorised and carried out.

Scope

This policy applies to all cases

- Where the visual identification of a suspect is required from a victim/witness; and/or
- Where film or photographic evidence is to be used which originates from the Immediate Capture of Evidence from Front Line Officers (ICEFLO) procedures, Repeat Victim Cameras (RVC's), public space CCTV systems or any other images/footage presented to police by a third party.

This policy **does not** apply to covert/surveillance filming or photography.

NB. Separate procedures may exist for images taken by Crime Scene Examiners or by SCD(4) Photographic Services.

Policy Statement

Visual evidence includes the identification of suspects by victims/witnesses as well as evidence obtained from photographs and/or film footage.

The identification of suspects by victims and witnesses is a fundamental part of any

investigation and formal procedures exist for such identifications which are regulated by the provisions of PACE. The MPS will therefore ensure that the visual identification of suspects is carried out in full compliance with PACE and will ensure that the necessary administrative procedures to achieve this are complied with.

This will be achieved by:

- Conducting Street Identification procedures that are correctly carried out and documented
- Full and correct use of the Witness Album Display System (WADS)
- Appropriate use of E-Fit/Facial Imaging services.
- Formal identification procedures being conducted by the Visual ID Command.

The MPS will also ensure that evidence obtained from camera, including over filming by police, and/or CCTV systems is correctly captured, processed, and retained in such a way that evidential integrity is maintained as well as ensuring that the provisions of the DPA are complied with.

This will be achieved by:

- Correct use of ICEFLO procedures
- Correct deployment of RVC's and subsequent evidential processing
- Proper viewing and capture of evidence from available CCTV systems including the correct evidential processing using borough based Evidential Images Officers (EIO's), Visual Images Identification and Detections Office (VIIDO) or the MPS Video Laboratory and, if appropriate, the referral of images to the Met Circulation Unit (Met CU) for suspect identification purposes.
- Correct evidential processing by the EIO, VIIDO or Video Lab of images or film footage passed to police by a third party.
- The correct authorisation and use of overt filming by police.

Benefits

- Suspect identification evidence will be of a standard that is PACE compliant and therefore admissible as evidence in an investigation.
- CCTV and photographic evidence will be of a standard that is admissible as evidence in an investigation and will be DPA compliant.

Responsibilities

Ownership – Territorial Policing Crime Strategic Committee

Implementation - OCU Commanders

Review – Territorial Policing (Emerald)

Associated Documents and Policies

Standard Operating Procedures:

- Visual Identification Procedures SOP
- Evidential Images SOP

The following policies are cancelled :-

- Authorisation for Video and Other Identification Procedures
- Overt Filming and Photography