

APPENDIX A

Purpose

This essential document enables you to meet your disclosure obligations under CPIA 1996. It will show the CPS, Court and Defence how you identified your reasonable lines of enquiry. It does not replace an investigative plan but is a working document to record reasonable lines of enquiry, disclosure decisions, rationale and contact with the CPS. It does not replace the MG6 series of documents, but will replace local arrangements such as MG3 Inserts or their equivalent.

These definitions will remind you why it is vital to conduct a thorough and transparent investigation in the interests of justice. By understanding and applying them you will give the Court confidence in your investigation.

1. Reasonable Lines of Enquiry

Code of Practice: *'In conducting an investigation, the investigator should pursue all reasonable lines of inquiry, whether these point towards or away from the suspect. What is reasonable in each case will depend on the particular circumstances. For example, where material is held on computer, it is a matter for the investigator to decide which material on the computer it is reasonable to inquire into, and in what manner'. What mobile telephones/communication devices were seized during the investigation? What is the strategy for examining these? If a device has been downloaded, what was the method of this - were key words deployed; was the entire download inspected; were date parameters employed? If a full download has not been done, explain why this was not considered a reasonable line of enquiry.*

2. Relevant Material

Material which may be relevant to the investigation is defined in the Code of Practice as: *anything that appears to an investigator, or the officer in charge of an investigation or the disclosure officer to have some bearing on any offence under investigation or any person being investigated or on the surrounding circumstances unless it is incapable of having any impact on the case.*

3. Disclosure Test

This relates to any material that could reasonably be considered capable of undermining the prosecution case against the accused or of assisting the case for the defence. This test is conducted by the prosecutor. You must highlight this material to them.

4. Third Party Material and Consent

If the officer in charge of the investigation, the investigator, or the disclosure officer believes that a third party holds material that may be relevant to the investigation, that person or body should be told of the investigation. The [Joint Protocol between the Crown Prosecution Service and the Police](#) draws together the existing guidance and best practice on identifying, inspecting, reviewing and obtaining third party material. It sets out the cooperation arrangements between the Parties in respect of the investigation, the institution and the prosecution of offences in which there is third party material and the relevant duties and functions of the investigator, the disclosure officer and the prosecutor. Where a review of relevant material provides evidence of the offence then this should be exhibited appropriately and brought to the attention of the prosecutor.



The Case

Crime Reference Number	
URN	
Offence(s) Under Investigation	
Date of Offence	
Date Investigation Commenced	
Officer in Case	
Disclosure Officer (if different)	
Suspect(s)	

Initial Circumstances

Provide brief details of the case as they are known to you at this time. Set out allegations against each defendant and detail the matters in, or likely to be in issue e.g. alibi, self-defence, consent etc.

Date/Time refers to the date and time you make the entry on the IMD

Date	Time	Circumstances

Any defences or significant issues disclosed in suspect interview/prepared statement/Court?

What are the points/key issues that have been raised? What lines of enquiry have you generated in response to this? Ensure you consider enquiries which may lead towards or away from the suspect. Particular comment should be made where you have decided not to follow a particular line of enquiry together with reasons.

Date	Time	Update

Has the complainant communicated with any other person about the incident or suspect(s) at any point prior to police being informed?

If this is a reasonable line of enquiry to follow include dates, times, who and how including the identity of any social media platforms that may have been used. Make every effort to seize/download this evidence and ensure this is referenced in any interview and statement.

Date	Time	Update

Phones seized

Describe your rationale for the examination of each phone seized, detailing the analytical techniques used. Set out the lines of enquiry you followed and explain your reasons for following them. Just as importantly, detail the lines of enquiry you considered but did not follow and explain your reasons for not following them.

**(copy and paste as many boxes as required)*

Date:		Time:	
Location Seized:		Phone number:	
Condition:		Exhibit Number:	
What authority did you use to seize the phone(s)? For example; Common Law consent, Section 19 Pace			
Date	Time	Update	

Date:		Time:	
Location Seized:		Phone number:	
Condition:		Exhibit Number:	
What authority did you use to seize the phone(s)? For example; Common Law consent, Section 19 Pace			
Date	Time	Update	

Date:		Time:	
Location Seized:		Phone number:	
Condition:		Exhibit Number:	
What authority did you use to seize the phone(s)? For example; Common Law consent, Section 19 Pace			
Date	Time	Update	

Electronic device(s) seized (computers, iPads etc.)

Describe your rationale for the examination of each device seized, detailing the analytical techniques used. Set out the lines of enquiry you followed and explain your reasons for

following them. Just as importantly, detail the lines of enquiry you considered but did not follow and explain your reasons for not following them.

**(copy and paste as many boxes as required)*

Date:		Time:	
Location Seized:		Number:	
Condition:		Exhibit Number:	
What authority did you use to seize the device? For example; Common Law consent, Section 19 Pace			
Date	Time	Update	

Date:		Time:	
Location Seized:		Number:	
Condition:		Exhibit Number:	
What authority did you use to seize the device? For example; Common Law consent, Section 19 Pace			
Date	Time	Update	

Date:		Time:	
Location Seized:		Number:	
Condition:		Exhibit Number:	
What authority did you use to seize the device? For example; Common Law consent, Section 19 Pace			
Date	Time	Update	

CCTV – recovery and review

CCTV recovery strategy:

Record your strategy for the review of CCTV, specifying the owner of the images, detail all reasonable lines of enquiry, search criteria and time parameters. Has an appeal been made for third party digital images e.g. mobile phone footage? Set out the retrieval and viewing parameters based on the relevant times and places.

Document and explain any lines of enquiry you considered but did not follow.

**(copy and paste as many boxes as required)*

Date seized:		Time seized:	
Property number:		Exhibit number:	
Location seized:			
Date, time parameters viewed and description:			
Date	Time	Update	

Date seized:			Time seized:	
Property number:			Exhibit number:	
Location seized:				
Date, time parameters viewed and description:				
Date	Time	Update		

Date seized:			Time seized:	
Property number:			Exhibit number:	
Location seized:				
Date, time parameters viewed and description:				
Date	Time	Update		

Police Body Worn Video (BWV)

Record your strategy below for the examination of BWV, detailing all reasonable lines of enquiry, search criteria and time parameters. Document and explain any lines of enquiry you considered but did not follow

**(copy and paste as many boxes as required)*

Date produced:			Name and No. of officer filming:	
Property number:			BWV number:	
Location seized:				
Date, time parameters and description:				
Date	Time	Update		

Date produced:			Name and No. of officer filming:	
Property number:			BWV number:	
Location seized:				
Date, time parameters and description:				

Date	Time	Update

Date produced:		Name and No. of officer filming:	
Property number:		BWV number:	
Location seized:			
Date, time parameters and description:			
Date	Time	Update	

Social Media, Recovery and Review

Set out why it is you are investigating social media in this case. What are you expecting to find and why? Define all reasonable lines of enquiry, keyword/phrase searches and time parameters. Have the defence highlighted any reasonable lines of enquiry for you to follow? Document and explain any lines of enquiry you considered but did not follow.

**(copy and paste as many boxes as required)*

Account:		Account owner:	
Time Parameters:			
Explain why this is, or is not, a reasonable line of enquiry:			
What authority did you use to access the account? For example Open source/common law consent/application to account provider			
What authority did you use to download data? For example CPIA/common law consent/application to account provider			
Date	Time	Update	

Account:		Account owner:	
Time Parameters:			
Explain why this is, or is not, a reasonable line of enquiry:			

What authority did you use to access the account?

For example Open source/common law consent/application to account provider

What authority did you use to download data?

For example CPIA/common law consent/application to account provider

Date	Time	Update

Account:

Account owner:

Time Parameters:

Explain why this is, or is not, a reasonable line of enquiry:

What authority did you use to access the account?

For example Open source/common law consent/application to account provider

What authority did you use to download data?

For example CPIA/common law consent/application to account provider

Date	Time	Update

Communication Data applications

Detail the rationale and parameters for communication data applications (an example of this would be an application to the service provider for the content of text messages).

Date	Time	Update



TPM Help

Third Party Material (TPM) and Consent

- *Third Party Material – Set out details of:*
 - *the 'Third Party' believed to be in possession of material relevant to the investigation that you suspect will undermine the prosecution case, or assist the defence;*
 - *what that material is thought to be, and why is it relevant (pertinent to a specific allegation or series of allegations, or a key issue in the case);*
 - *steps taken to obtain or inspect that material;*
 - *if access is refused, say what you did to tell the Third Party about the investigation and the need to preserve the material thought relevant;*
 - *Level of consent agreed with complainant/witness*
 - *parameters*
 - *When managing third party material, remember to use the nationally agreed protocols, namely the advisory letter, child protocol appendix C, adult protocol application.*
 - *If material is known to be held by third parties but is not being sought, explain why it is not considered a reasonable line of enquiry.*
 - *(copy and paste as many boxes as required)*

Viewing officer				
Third Party				
Nature of material inspected				
Purpose of inspection				
Date of inspection	Date		Time	
Description of Material Inspected				

Viewing officer				
Third Party				
Nature of material inspected				
Purpose of inspection				
Date of inspection	Date		Time	
Description of Material Inspected				

Viewing officer				
Third Party				
Nature of material inspected				
Purpose of inspection				

Date of inspection	Date		Time	
Description of Material Inspected				

Forensic Material Review

*Detail the reasonable lines of enquiry you have set around your forensic review including rationale. Document any lines of enquiry that you considered and **dismissed** providing clear rationale supporting your decision.*

Date	Time	Update

Other material/data that is known or likely to undermine the prosecution case or assists the defence, including any ongoing disclosure issues.

Date	Time	Update

Material, data or information already disclosed

Has material which may assist the suspect in terms of bail hearings, charging decisions etc. (R. -v- Lee) been disclosed to the suspect and their legal representative? Has this been brought to the attention of the CPS before a charging decision?

Date	Time	Update

Issues arising from the Defence Statement(s)

Following as assessment by the prosecuting lawyer are there any further reasonable lines of enquiry identified? Summarise matters identified and actions taken in accordance with CPIA.

Date	Time	Update

Additional information

This space is for you to record any information or disclosure decisions that you feel are not captured in the previous sections.

Date	Time	Update
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Disclosure Officer's /OIC Signature <i>Type your name/rank/number in the box below.</i>		