

# **“E” LEARNING**

## **INTRODUCTION TO INVESTIGATIONS**

### **EVIDENCE & WITNESS STATEMENTS**

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## INTRODUCTION

**T**his module focuses on the question “what is evidence?”

**T**he word Evidence is used to describe the means by which a point of issue may be proved, or disproved, in a manner complying with the legal rules governing the subject. Normally it will consist of the testimony of a witness and the production of documents and/or other exhibits.

**T**he success of investigations and prosecutions is directly linked to the quality of the evidence presented. All Investigation Managers require a sound understanding of the different types of evidence and the rules that apply to obtaining it.

**T**he area of witness statements is an important one for Investigation Managers. The success of a prosecution may depend on your skills in taking concise, evidentially correct and professional statements.

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## HOW TO USE THIS MODULE

**T**his module has been designed to enable you to work at your own pace. Give yourself time to think about the topics covered in each section before going onto the next one. At various points in the module you will be asked to take part by completing an Activity.

**A**ctivities will be identified by the following symbols in the margin:

**Activity**

**Y**ou will be asked to carry out a variety of activities throughout this workbook. These will help you to explore issues and check your understanding.

**Feedback**

**T**his will give the answer to, or information about, the activity you have just completed. Feedback is given for you to check your own ideas and responses.



**Progress  
Check**

**Y**ou will be asked to read sections of certain documents before continuing.

**Progress  
Check  
Answers**

**A** set of self-check questions will appear at the end of the workbook. These will help you to assess your understanding of the complete workbook.

**T**hese will help you to check your answers to the Progress Check questions. If your response does not match the answer given, you should go back over the relevant part of the workbook to re-check your understanding of it.

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**SUPPORT**

**I**f you have any difficulty understanding the material in this session you should first contact your Line Manager for advice.

**I**f you need additional advice or guidance contact the Group Security Development Support Manager.

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## OBJECTIVES

After completing this workbook you will be able to:

- identify and explain what the different types of evidence are
- understand the rules concerning the different types of evidence
- state the rules governing the taking of and presentation of Witness Statements
- understand how to take a professional Witness Statement including the production of evidence

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## SECTION 1 - EVIDENCE

### MOST COMMON TYPES OF EVIDENCE

**Y**ou have already seen the definition of evidence in the introduction to this Module. This section looks at the different types of evidence that exist.

**T**here are 7 most common types of evidence:

- direct
- indirect
- circumstantial
- corroborative
- opinion
- exhibits
- hearsay

### DIRECT EVIDENCE

**T**his is the evidence of seeing, doing, hearing, feeling and touching - something that a witness has personally experienced.

*For example - a witness saw the accused throw a brick through a jewellers' window. Clearly, production of the brick would add extra credibility to this evidence but the testimony is still admissible and valuable to the prosecution without the exhibit.*

**W**ith direct evidence the witness is giving details about a fact which he has had personal or first hand knowledge of and can therefore be challenged on the truth of that fact in cross examination. This is a valid 'rule of thumb' that can be applied to this type of evidence.

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INDIRECT  
EVIDENCE

Indirect evidence is something which may place a certain person in a particular place at a specific time, even though the witness concerned may not have seen this person.

*For example - signing on sheets being produced by a Delivery Office Manager.*

CIRCUMSTANTIAL  
EVIDENCE

Circumstantial evidence is evidence, not of the matter in question, but of other issues from which the fact in question can be presumed with more or less certainty.

*For example - a witness walks past a man who is standing outside a jewellers holding a brick. The witness keeps on walking and hears the sound of breaking glass behind them. They then see the person who they had previously seen with the brick running past them holding items of jewellery.*

*The witness cannot state that they saw the person smash the window but their evidence can support a prosecution, ideally with other evidence.*

*A further example is with access and absence analyses prepared during inquiries by Investigation Managers. Such analyses may show that only one person had access to every stolen item in a theft case. However, this is only circumstantial evidence and, in itself, does not prove someone's guilt as there are always possible explanations for someone's 100% access other than they are responsible for the thefts.*

In the case *R v Exall* (1866) Judge Pollock described circumstantial evidence as, "...a combination of circumstances, no one of which would raise a reasonable conviction, or more than a mere suspicion, but the whole, taken together, may create a strong conclusion of guilt..."

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CORROBORATIVE  
EVIDENCE

**I**n January 2000 a high profile case concerning the poisoning of patients by a Doctor was decided on circumstantial evidence. The Doctor concerned was not seen to have personally carried out any act of murder, but the weight of circumstantial evidence was considered by the Jury as sufficient to convict him.

**C**orroborative evidence is that which tends to support the truth and accuracy of evidence already given. It is a general rule that a courts' decision can be made on the evidence of one person. There are exceptions to this such as treason and perjury which all require corroboration to secure a conviction but no such offences which are relevant to Royal Mail Group Investigation Managers.

**C**orroboration should be sought and obtained, if possible, during and after any investigation as it will add extra weight to the existing evidence.

OPINION

**I**t is a generally held principle that opinion is allowed in evidence from expert witnesses, e.g. a Doctor can detail someone's injuries; a handwriting expert can state that, in their considered opinion, similarities exist that would strongly suggest two documents were written by the same person.

**A** non-expert can give opinion as evidence, but only in certain circumstances regarding specific details, such as:

- identification of a person or object
- speed of a moving vehicle
- temperature
- time
- value of an item
- whether a person is drunk (the witness is required to describe the facts upon which this opinion is based)

**I**t is important that opinion given by non-experts does not cover prejudicial evidence e.g. suggesting that a suspect has been spending a lot of money without having supporting evidence.

**P**olice Officers are also allowed to give their opinion when identifying prohibited drugs.

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## EXHIBITS

**I**n simple terms exhibits are objects produced in court tending towards proving the guilt or innocence of the accused.

**E**xhibits used as evidence have to be formally produced by a witness in a witness statement. Barristers and Solicitors can not simply show an exhibit to a Court without the accompanying testimony of a witness who produces and identifies it.

## HEARSAY

**I**n many circumstances hearsay evidence is not admissible in court. However, Section 114 of the Criminal Justice Act 2003 provides a statutory definition of hearsay and since then it is easier to admit such evidence. This has to be done via a hearsay notice sent to the Court and Defence identifying the hearsay evidence which the prosecution seeks to introduce.

It is still an area, however, where the vast majority, if not all, of the evidence used in Royal Mail Group cases would not be hearsay and Legal Services advice must be sought if any such evidence was being considered for inclusion in a case.

**H**earsay evidence is evidence of something a person does not know for themselves, but has been told by another.

*For example - A told B that he saw C steal.*

*B's evidence is Hearsay and therefore inadmissible as to the content of the conversation i.e. that C was seen to steal. You would, of course, attempt to obtain a statement from A which would be Direct evidence.*

*B's conversation with A can still be included in B's statement to complete the overall picture, but only as evidence that a conversation took place and that both parties were present in a particular place and at a particular time. It cannot be used as evidence to prove that the act of theft actually took place.*

The basic test of whether evidence is hearsay or not is to ask yourself whether the witness giving the statement can be cross examined as to the truth of its' content.

Notwithstanding the fact that it is now easier to introduce such evidence, even if hearsay is included in a statement and no notice has been served as described above, this does not automatically render the entire statement inadmissible. A line will be drawn through that particular part of the statement. The reason this can be done is that only Judges, Barristers and Solicitors see copies of witness statements, not members of the Jury. The Jury could therefore not be influenced by reading hearsay evidence even if they were told it is inadmissible and was not to form part of their considerations – they simply remain unaware of the hearsay evidence.

Needless to say it is more professional and gives a better impression of your credibility as an Investigation Manager if hearsay does not have to be deleted from a witness statement.

There are exceptions to the Hearsay rule. The most common exception is that *something that is said in the presence and hearing of the defendant is generally admissible*. This actually embodies the main principle behind the hearsay rule - the fact that when a statement is made in the accused's absence he has no opportunity to deny or question its' truth. It follows then that what may be hearsay in a statement can actually be said verbally in a court - the accused, of course, being present.

#### OTHER TYPES OF EVIDENCE

The above are the most common types of evidence and the rules that apply to them. The following two types of evidence are less common.

#### SIMILAR FACT EVIDENCE

This deals with the admissibility of evidence relating to previous similar acts by the accused. In order for evidence to be admissible under this rule, the previous offences have to be similar to the point of being virtually identical to the events in the current case.

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It is extremely unusual for this type of evidence to be used in Royal Mail Group cases but there have been occasions in the past when that has happened. The brief circumstances of one example are that the offender, who was an outsider not an employee, had previously been convicted twice for deliberately removing cancellation marks from postage stamps and selling them to be used again. When prosecuted for a third time and denying the charge, the earlier cases were successfully quoted against him as his actions had been identical.

CHARACTER  
EVIDENCE

**T**his deals with the reputation of an individual, their disposition to behave in a certain way and previous convictions.

**S**ection 1 of the Criminal Evidence Act 1898, provides a 'shield' for the accused against the use by the prosecution of that accused's previous bad character. This shield, however, is lost if the accused gives evidence of their own good character or by attacking the character of prosecution witnesses.

WHO DECIDES ON  
EVIDENCE?

**W**hen evidence is presented in a Court any issues about the *admissibility* of evidence is a matter for the Judge to decide. It is then for the Jury in a Crown Court trial or a District Judge/Magistrates in a Magistrates' Court hearing to consider the *weight* of the evidence and whether they believe it.

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# Progress Check

Please complete the following questions to check your understanding of what we have covered so far.

Q1. Describe what the term “evidence” means.

Q2. Describe a simple ‘test’ that you can apply to evidence that would indicate it is of the Direct kind.

Q3. What is Hearsay, and why is it, in general, not admissible as evidence in court?

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## **Progress Check Answers**

*Check your answers with the following:*

Q1. Describe what the term “evidence” means.

*Evidence is the means by which a point of issue may be proved or disproved in a manner complying with the legal rules governing the subject.*

Q2. Describe a simple ‘test’ that you can apply to evidence that would indicate that it is of the Direct kind.

*A test you can apply is to check that a witness can be cross-examined as to the truth of the facts in a court.*

Q3. What is Hearsay, and why is it, in general, not admissible as evidence in court?

*Hearsay is evidence of something that a person has been told by another - they do not know it for themselves. It is generally inadmissible as the subject of the Hearsay evidence has not had the opportunity to comment, react, admit or deny what has been said as it has been said out of their hearing.*

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## SECTION 2 - WITNESS STATEMENTS

### CRIMINAL JUSTICE ACTS 1967 & 1988

A witness is someone who can give relevant and reliable information about something which has happened. This section focuses on the rules relating to the taking of witness statements.

Section 9 of the Criminal Justice Act 1967 deals with a number of points of law concerning witness statements. This Act, and the subsequent Criminal Justice Act 1988 (Section 23), altered the requirements of the courts for witnesses to always attend in person. It is no longer necessary for witnesses to attend court on all occasions.

### THE NEED FOR A WITNESS TO APPEAR AT COURT

Due to these Acts a statement can be read out in court and carry as much weight as a witness giving their evidence in person.

This can take place with the agreement of the Defence and, if a statement is allowed to be read, the Jury will be directed to accept the evidence as correct as no challenges were made to it.

However, the Defence always have the option of calling witnesses in person so they can be cross-examined.

As examples of the above – if a Delivery Office Manager simply produced some signing on sheets it may be that the evidence would be accepted and the witness would not have to attend court. His statement would then be read to the Court and the evidence agreed.

However, if a member of the public saw a Postman opening mail and throwing it away, they might be instructed to attend court so they can be cross-examined about exactly what they saw.

### GENERAL RULES RELATING TO TAKING STATEMENTS

The following table explains some of the more general rules relating to the taking of witness statements.

**GENERAL RULES TO FOLLOW WHEN TAKING WITNESS STATEMENTS**

- Statements should be written using black inked ballpoint pen.
- Typewritten statements or copies of statements should be 1 ½ or double-spaced.
- Abbreviations, particularly of Royal Mail Group terminology, should be avoided. If abbreviations are used (for example a statement containing the line “I am employed as a DOM at Battersea DO”) then the first time the abbreviations are used they should be in brackets after the full name is given, for example Delivery Office Manager (DOM). The abbreviation can then be used throughout the statement.
- Specific Royal Mail terms should also be fully explained as a jury will need to understand what has been written. A statement “I received from the accounts branch one remittance” should be followed by the description of what a remittance is - for example, “a remittance is a Special Delivery item used to transfer cash or stock from one office to another”.
- The witness must only give evidence about something which they have had personal experience or knowledge.
- Any alterations or mistakes made during the preparation of the statement must be carefully crossed out with a single line, so what was originally written can still be read. All such alterations must be initialled by the witness.
- When the statement does not occupy a whole page the witness should be asked to sign their name immediately after the final word. The blank space below should be crossed through with a diagonal line initialled by the witness.
- The witness should sign their name at the lower left hand side of all pages and each of these signatures should be witnessed where indicated at the bottom right hand corner by someone else - this can be the Investigation Manager who has taken the statement.
- A witness can be provided with a copy of their statement should they wish.

FORMS USED FOR  
TAKING  
STATEMENTS

There are four main forms used in the taking of witness statements:

- 
- GS011 - Witness Statement form
  - GS011A - Witness Statement Continuation form
  - GS041A - Witness Information Form A
  - GS003 - Friends at Interviews form

### GS011 WITNESS STATEMENT FORM

The GS011 is the form used to record a witness statement. Use the link to look at a blank GS011 (For TATA this is now at the end of this document ready to be scanned in). Spend a few minutes familiarising yourself with the content and layout of the form. This form comes in both lined and unlined formats. The lined version is ideal for when you are writing the statement in manuscript and the unlined version is more likely to be used when you are typing up the hand-written statement. Templates for all forms are on the Group Security Database.

### RULES RELATING TO THE COMPLETION OF

There are two sides to the GS011, sides A and B. The rules relating to the completion of Side A are explained below:

#### THE WITNESS STATEMENT FORM GS011 (SIDE A)

- Alongside the heading “statement of.....” enter whether the witness is a Mr/Mrs/Miss/Ms and their full forenames, including the maiden name of a married female witness.
- If the witness is under 18 years of age you must enter their age and date of birth in the space provided. If the person is over 18 you should write “over 18”.
- The margin on the witness statement form must be left blank.
- The meaning of the initial declaration at the top of the form should be explained to the witness.
- After completion of the statement the number of pages should be entered in the declaration, which should then be dated and signed. The statement should then be signed and witnessed.

The rules relating to the completion of Side B of this form are explained in the following table:

<b>THE WITNESS STATEMENT FORM GS011 (SIDE B)</b>	
<ul style="list-style-type: none"><li>• The address and telephone number of the witness should be recorded at the top of Side B of the GS011, together with any other contact details that may apply.</li><li>• Alongside the heading “occupation” enter the appropriate details which, in the case of employee witnesses, should be the full grade rather than abbreviations (for example, DOM should be entered Delivery Office Manager).</li><li>• The date and place of birth section should always be completed to enable checks to be carried out to establish whether the witness has any previous convictions, which is a legal requirement.</li><li>• Dates to be avoided in respect of the witness’s availability to attend court should always be completed.</li><li>• The details of the Investigation Manager taking the statement should be entered at the bottom of the form.</li><li>• Ensure the correct identification code is put on the back. This should be one of the following:<ul style="list-style-type: none"><li>- IC1 White skinned European</li><li>- IC2 Dark skinned European</li><li>- IC3 Afro/Caribbean</li><li>- IC4 Indian and Pakistani</li><li>- IC5 Chinese/Japanese</li><li>- IC6 Arab/Egyptian</li><li>- IC7 Unknown</li></ul></li></ul>	

**GS011A WITNESS  
STATEMENT  
CONTINUATION  
FORM**

There is only so much information which can be fitted onto the GS011A form and more space may be required to complete a full statement. If this is the case the statement should be continued on a GS011A form. The additional rules relating to the completion of this form are explained below. Use the link to look at a blank GS011A (for TATA this is now at the end of this document ready to be scanned in). Refer to this form as you read through the guidelines on completion.

<b>THE WITNESS STATEMENT CONTINUATION FORM GS011A</b>
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- There should be no writing on the back of the continuation form.
- Details of whose statement it is should be copied from the GS011 to the top of the continuation form.
- When the statement is complete any continuation forms should be signed and witnessed in the same way as the leading page.
- When the statement does not occupy a whole continuation page the witness should be asked to sign their name immediately after the final word. The blank space below should be crossed through with a diagonal line initialled by the witness.

**RULES RELATING  
TO STATEMENTS  
REFERRING TO  
EXHIBITS**

**O**n occasions the statement made will contain references to exhibits. The additional rules relating to statements like these are explained below.

- STATEMENT REFERRING TO EXHIBITS**
- Details of the exhibit must be entered onto an identification label or exhibit bag which must be signed by the witness and any other witness that refers to it subsequently in further statements.
  - An exhibit must be produced formally in the statement, for example, “I now produce the signing-on sheet previously described by me in this statement, as item number AB/1”. The letters are ideally the initials of the person producing the item and the number indicates that it is the first item they are producing. If you have two witnesses with the same initials in a case you can add the middle initial of one of them, such as ALB/1, or just create a random selection such as XYZ/1. The only significance of the item number is to be able to identify it as a unique exhibit – there is no legal requirement for it to bear the initials of the witness who produces it.
  - Ensure only original documents are produced or referred to by witnesses. Only in special circumstances are photocopies accepted for evidence purposes, and these must be certified.

**ROUGH NOTES  
MADE DURING  
INTERVIEWS**

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All rough notes/diagrams etc made during an interview with a witness must be retained. They will be unused material which will not be part of the prosecution case, but which must be declared to Legal Services for consideration whether it should be disclosed to the Defence.

For further information on this subject please refer to Royal Mail Codes of Practice for the Criminal Procedure and Investigation Act 1996.

GS041A WITNESS  
INFORMATION  
FORM A

The next form is the GS041A Witness Information Form A. The additional rules relating to its completion are explained in the table below:

THE WITNESS INFORMATION FORM A
<ul style="list-style-type: none"><li>• The reference number of the case should be entered in the appropriate section of the form.</li><li>• The Royal Mail Investigation Manager's details should be entered in the box provided.</li></ul>



This form should always be completed by the interviewer and handed to the witness after a statement has been taken. The form provides the witness with:

- some basic information regarding the process they have just taken part in
- some possible next steps
- contact details for you in case they have any concerns or request further information at a later point

Use the link to look at a blank GS041A (for TATA now at the end of this document ready to be scanned in).

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**FRIENDS AT  
INTERVIEWS  
FORM**

Royal Mail Group policy allows any employee (and Sub Postmasters and their own employees) being interviewed by Investigation Managers to have a friend present. This policy applies to people being interviewed as witnesses in addition to when people are being interviewed as a suspect.

Full details of the friend rule are explained in the “Friends, Juveniles and Royal Mail Young Persons” module. Please revisit that module if you require any clarification on this subject.

**CONCERNS OF  
WITNESSES**

Some witnesses will be concerned about a number of things when asked to give a statement, for example:

- ***“I don’t think I can help you much”***. In reality the witness may have little idea of the value of their evidence. It is also the case, particularly in respect of witnesses who have observed something happen, that they actually know a lot more than they believe they do. This is where the ***cognitive interview technique*** is used when interviewing witnesses, to obtain all the available information. That technique is not covered in this module and is normally part of a Training Course.
- ***“I don’t want you to put my home address on the back of that form. The bloke looked a bit mad and I reckon he’ll try to scare me off”***. Assure witnesses that when their statement is copied and supplied to the Defence, the rear of the form is not included thereby ensuring confidentiality.
- ***“I’ll give you a statement but I don’t want to go to court”***. This stance is very common and you must never state that the witness will not be required at court as a means of persuading them to give you a statement. You will with experience, however, be able to exercise judgement and in many cases inform the witness that their attendance is unlikely to be necessary. Many defendants in Royal Mail Group cases plead guilty and in those circumstances no witnesses need to attend. At the time of taking a witness statement, however, you will not be aware of the defendant’s plea and you must therefore always stress that it is possible for them to be called to court to give their evidence in person.

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Use your inter-personal skills to reassure the witness. Explain that either you or a colleague will be at court and that they will not be left on their own. Tell them that they will be able to read their statement before they enter court to refresh their memory, although they will not be able to take the statement into court. You will have a copy waiting for them on arrival. It can also be helpful to explain the situation regarding witness expenses.

## HEALTH & SAFETY

**T**he Health and Safety of all the people concerned in taking a witness statement - you, the witness and anyone else present - is of paramount importance.

Group Security Procedure and Standards Document P&S Doc 3X deals with Health and Safety issues and the entire document must be fully understood by all Investigation Managers. In respect of this module Investigation Managers need to be specifically aware of Section 7 which deals with witness interviews.

## VISITING OTHER PREMISES

**Y**ou should always make checks regarding any persons, premises or areas you are visiting. These checks can be made via Royal Mail Criminal Intelligence Office and with the Local Information Officer at whichever Police Station is appropriate.

**H**ere are some general points to consider when visiting other premises:

- let someone know of your visit
- make sure that you have a mobile phone with you and that the phone number for the local Police is programmed into it
- be aware of the area and time of day - this may dictate to you your style of dress
- whilst in a private dwelling maintain your own personal space and refuse hospitality if possible

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## SECTION 3 - SUMMARY

As we have already seen, the success of investigations and prosecutions is directly linked to the quality of the evidence presented.

Section 1 of this module introduced you to the different types of evidence that exist. It looked briefly at what is and is not admissible as evidence in court and provided some examples of the various types of evidence.

Section 2 looked at the forms and rules relating to the taking of witness statements. It looked at the forms you need to have on you when taking a statement. It finished by looking at some of the other issues you will come into contact with when taking statements, such as the concerns witnesses may have and Health and Safety issues.

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## Progress Check

To check your understanding of the complete module please complete the following questions:

Q1. Briefly describe the term Hearsay?

Q2. When can Character Evidence of the accused be used in a court?

Q3. You are in possession of a torn birthday card envelope that contained a card and cash you believe have been stolen whilst the item was in the post. What type of evidence is this?

Q4. What forms would you have with you when taking a witness statement? Please explain their use.

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Q5. Which of the following statements is correct (tick the one that applies)?

- Not everyone should be offered a 'Friend'
- Mistakes on the statement must be repeatedly crossed through in black ink.
- The witness should sign to say that they understand and agree with the declaration at the top of a statement.
- You can only use one continuation sheet per statement.

Q6. State two Health and Safety considerations when taking a statement.

Q7. What should you do with rough notes taken during statement taking?

Q8. What should you be seeking to do when describing a piece of evidence in a statement?

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Q9. If this piece of evidence was the second item produced by a witness called Simon Hopkins, what item identification number would you allocate to it?

Q10. A witness is concerned that the defendant will learn of their address via their statement. What would you tell them?

Q11. List the seven most common types of evidence.

# Progress Check Answers

*Check your answers with the following:*

Q1. Briefly describe the term Hearsay?

*Hearsay is third hand evidence - something which the witness could not personally confirm in court. i.e. A told B that he saw C steal. B's account of the conversation would amount to Hearsay.*

Q2. When can Character Evidence of the accused be used in a court?

*It can be used if the accused refers to their own good character or attacks the character of a prosecution witness.*

Q3. You are in possession of a torn birthday card envelope that contained  
a card and cash you believe have been stolen whilst the item was in  
the post. What type of evidence is this?

*An exhibit.*

Q4. What forms would you have with you when taking a witness  
statement? Please explain their use.

- *GS011 - Witness Statement form*
- *GS011A - Witness Statement continuation form*
- *GS003 - Friends at Interview form*
- *GS041A - Witness Information form A*

Q5. Which of the following statements is correct (tick the one that applies)?

- Not everyone should be offered a 'Friend'
- Mistakes on the statement must be repeatedly crossed through in black ink.
- The witness should sign to say that they understand and agree with the declaration at the top of a statement
- You can only use one continuation sheet per statement.

Q6. State two Health and Safety considerations when taking a statement.

*Your answer should have included two from the following list:*

- *consider taking another Investigation Manager*
- *checks with Royal Mail criminal Intelligence Office and the Police LIO*
- *have Police number programmed into mobile phone*
- *consider area/clothing*
- *maintain personal space*
- *if possible, refuse hospitality*

Q7. What should you do with rough notes taken during statement taking?

*All rough notes/diagrams etc should be retained. They will form part of a file referred to as unused material should a prosecution ensue.*

Q8. What should you be seeking to do when describing a piece of evidence in a statement?

*You should describe an item as comprehensively as possible. The minimum requirement is that a description is given that clearly identifies it and could refer only to that item.*

Q9. If this piece of evidence was the second item produced by a witness called Simon Hopkins, what item identification number would you allocate to it?

*The identification number is the initials of the person presenting the evidence, followed by the item number. In this case it would be SH/2 (SH for Samuel Hopkins and 2 because it is the second piece of evidence he produced).*

Q10. A witness is concerned that the Defendant will learn of their address via their statement. What would you tell them?

*That only the front of the statement is copied to the Defence and that their address, which is on the rear, remains held in confidence by Royal Mail.*

Q11. List the seven most common types of evidence.

- *direct evidence*
- *indirect evidence*
- *circumstantial evidence*
- *corroborative evidence*
- *opinion*
- *exhibits*
- *hearsay*

## *Activity*

**W**hen you have finished working through this module please ask your Line Manager to show you some examples of completed witness statements from previous cases.

## Witness Statement

*(CJ Act 1967, s9; MC Act 1980, ss 5A(3)(a) and 5B, MC Rules 1981, r 70)*



**The Royal Mail Network**

**Statement of**

Age if under 18

(If over 18 insert 'over 18')

This statement (consisting of      pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe true.

Dated the              day of              20

Signature

Signature

Signature witnessed by

CS011 (Side A)

Version 3.0 11/02

Royal Mail is a trading name of Royal Mail Group plc. Registered number 4138203. Registered in England and Wales. Registered office: 148 Old Street, LONDON, EC1V 9HQ

**NOTE: This side B to be completed only when the original statement is overleaf. When this form is used to make a copy of a statement side B is to be left blank.**

**Address** .....

**Home telephone No:** ..... **Business telephone No:** .....

**Occupation:.** ..... **Date and place of birth:** .....

**Maiden name:.** ..... **Identity code:** .....

**Dates to be avoided. Delete dates of non availability of witness**

Month of:							Month of:							Month of:						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				

  

Month of:							Month of:							Month of:						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				

**Contact point, if different from above:** .....

**Address:** .....

**Telephone No:** .....

**STATEMENT TAKEN BY (print name)** .....

**Office** .....  
CS11 (Side B)

## Witness Statement

*(CJ Act 1967, s9; MC Act 1980, ss 5A(3)(a) and 5B, MC Rules 1981, r 70)*

continuation of statement of .....

Signature. ....

Signature witnessed by .....



## Witness Information - A

K

You have provided a written statement to a Royal Mail Investigator and as a consequence at some later date it may be necessary for you to attend court to give evidence. This will of course depend upon a number of factors such as whether a person has been apprehended for the offence and whether there is sufficient evidence and it is in the public interest to proceed to a court hearing.

If court proceedings are considered to be appropriate it does not necessarily mean you will be asked to attend court to give evidence. The defendant may plead guilty or the contents of your written statement may be accepted without the need for you to attend court.

If your attendance at court becomes necessary you will be told where and when you are required. When you receive these details you will also receive a detailed information leaflet explaining what will happen at court and how to claim expenses.

If you have any queries concerning the giving of a witness statement please contact the investigator, who is shown below quoting the following reference number.

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Investigator	
Office Address:	_____
	_____
	_____
	_____
Tel no:	_____
Ext:	_____