

Procedures & Standards Work Time Learning Session

Committal/Trial Papers



Committal Papers

- Elects a trial at either the Magistrates or Crown Court, or
- Is committed to stand trial at the Crown Court prior to entering a plea.
- Submitted 21 days in advance

Contents

- Original Statements & GS009
- Typed Copies of Statements & GS009A
- Witness Non-Availability GS010
- Copies of Exhibits & GS012
- Self Disclosure GS006B
- Non Sensitive Unused GS006C



Contents

- Sensitive Unused GS006D
- Disclosure Officers Report GS006E
- Other Offences (TIC) GS018
- Antecedents & Previous Convictions of Defendant
- Previous Convictions of Witnesses
- Electronic Copies & Presentation

Original Witness Statements

- Advice from the CLT
- Order of statements
 - Witnesses who initiate enquiries
 - Line Managers
 - Expert/Professional witnesses
 - Investigators
 - Sender and addressee
- GS009 Witness List



Copies of Witness Statements

- Typed Copies of Statements
 - Do not copy details on rear
 - Place in same order as originals
 - Confidential Witness List
- GS009A



Witness Non- Availability

- Details obtained when statement recorded
- Number allocated to Correspond
- No dates to avoid noted
- Confirmed one week prior to PCMH
- Investigator responsible for ensuring Witness attends Court

Copies of Exhibits

- All Exhibits
- Copies of Exhibits
- Listed on the GS012
- Do not Paginate the List
- Items to be Exhibited
- Original Items to be Retained

Self Disclosure

- All Investigators, Police & LEOs
- What is disclosable
- Should be in sealed envelope with “Privacy Markings”
- Can be Disclosed Directly to CLT



Unused Material & CP&I Act 1996

- Investigator/Disclosure Office
 - Retain
 - Record
 - Reveal
- Prosecutor
 - Disclosure if meets the “Disclosure Test”
- CLT & Prosecution Advocates Duties

Revealing Relevant Material

- Non Sensitive Material GS006C
- Sensitive Material GS006D
- Disclosure Officers Report GS006E

Unused Non Sensitive GS006C

- Ensure that the Item is Non Sensitive
- List Items Separately
- Descriptions to be Detailed Clear and Accurate
- Examples of Non Sensitive Material

Unused Sensitive GS006D

- **Sensitive items**
 - May lead to the identification of CHIS or Confidential Contact
 - Reveal location of sensitive OP
 - Reveal the author of SARs
 - Sensitive personal information about persons other than suspect
 - Material re sensitive investigation techniques or security procedures
- **Highly Sensitive Material**

Disclosure Officers Report GS006E

- Used to identify to the CLT material which the Investigator believes meets the “Disclosure Test”
- Secondly to certify that the Investigator has revealed all relevant material to the CLT

Items Not Recorded on GS006C or D

- Items subject to Legal Privilege
- Charge Sheets & Bail Records
- Custody Records
- Summonses
- TIC & NPA forms
- Letter re attendance at Court
- Antecedents of Defendant
- HRSC printout
- Administrative Forms

Retention Periods

- **Must be retained until;**
 - Decision taken not to prosecute or,
 - Suspect Acquitted or Prosecution is withdrawn or,
 - If convicted 6 months or term of imprisonment or,
 - If an Appeal until it is resolved
- **Whichever the longest**
- **CoP 5.7 to 5.10**

Other Offences (TIC)

- TIC to be Advised by the CLT
- Produced on a GS018

Defendants Antecedents & PNC

- Complete a GS033
- PNC Printout

PNC Checks for Witnesses

- Conducted when Not Guilty
Plea entered

Committal Papers

Any Questions?