



**HEDDLU  
GWENT  
POLICE**



**Diogelu Gwent  
Gwent Safeguarding**

# **WITNESS INTERVIEW PLANNING BOOKLET**

## **PART A: INITIAL WITNESS ASSESSMENT & FIRST ACCOUNT**

(Youth Justice & Criminal Evidence Act 1999  
(As amended by the Coroners and Justice Act 2009)  
and Criminal Law Act 2003)

|                           |  |
|---------------------------|--|
| <b>REGINA-V</b>           |  |
| <b>OFFICER COMPLETING</b> |  |
| <b>EXHIBIT NUMBER</b>     |  |
| <b>OCCURRENCE NUMBER</b>  |  |
| <b>STORM LOG</b>          |  |

## SECTION 1

### Record of Contact with the Witness

(Note: complete a new log for each separate contact with witness)

|                                       |  |               |  |
|---------------------------------------|--|---------------|--|
| Name                                  |  | Date of birth |  |
| Contact date                          |  | Time          |  |
| Location                              |  |               |  |
| Other persons present & relationship: |  |               |  |
|                                       |  |               |  |

### Initial Account Provided by Witness (ABE Paragraph 2.5–2.6)

Initial questioning should be intended to elicit and record a brief account of what is alleged to have taken place. Such a brief account should include:

- What has happened? (Enough details to establish what offence has taken place)
- When did it happen? (In order to prioritise action)
- Who is involved or was otherwise present? (Enough information to take immediate steps to trace suspect(s))
- Where did it happen? (Enough information to identify all the relevant scenes)

This information is likely to influence decisions made in respect of forensic and medical examination of the victim, scene of crime examination, interviewing of other witnesses and witness support.

**A more detailed account should not be pursued at this stage and should be left until the investigative interview takes place. On completion, the log MUST be signed by all persons present authenticating the accuracy of the record unless impracticable to do so by virtue of age/ disability. (NOT Child or Vulnerable Adult witnesses)**

**Officers are reminded that a full record in direct speak provided, if possible, shall be made of ALL questions asked of the witness, along with the responses provided.**

Extra considerations for child and vulnerable adult witnesses:

- Listen to the witness.
- Do NOT stop a witness who is freely recalling significant events.
- Where it is necessary to ask questions, they should, as far as possible be open ended or specific-closed questions. Avoid forced choice, leading or multiple.
- Ask no more questions than are necessary in the circumstances to take immediate action.
- Make a comprehensive note of the discussion, taking care to record the timing, setting and people present as well as what was said by the witness and anybody else present (particularly the actual questions asked of the witness).
- Make notes of the demeanour of the witness and anything else that might be relevant to any subsequent formal interview or wider investigation.
- Fully record any comments made by the witness or events that might be relevant to the legal process up to the time of the interview.

### Initial Account Provided by Witness

[illegible]

### Initial Account Provided by Witness (continued)

[illegible]

### Initial Account Provided by Witness (continued)

[illegible]

## SECTION 2

### Category of Witness

(Please refer to Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses, and Guidance on Using Special Measures (2011) for more detailed guidance on categories of witness)

Please Tick Relevant Box

| Section 16 YJ&CEA (Vulnerable Witness)              |  |
|-----------------------------------------------------|--|
| Person Under 18 (All Offences)                      |  |
| Adult with Mental Disorder (Mental Health Act 1983) |  |
| Adult with a Learning Disability                    |  |
| Adult with a Physical Disability or Disorder        |  |

| Section 17 YJ&CEA (Intimidated Witnesses)<br>Those likely to experience fear or distress about testifying to such an extent that special measures are necessary to maximise the quality of their evidence |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Sexual Offences (S17.4)                                                                                                                                                                                   |  |
| Gun and Knife Crime (S17.5)                                                                                                                                                                               |  |
| Other Contributory Factors (see para's 1.10 and 1.11 ABE 2011 for details)                                                                                                                                |  |

To make an application for the record of an interview with a vulnerable or intimidated witness to be played as evidence-in-chief, the interview must be visually recorded. However, as is the case with the other Special Measures, video-recorded interviews can only be used as evidence-in-chief if three 'tests' are met. These 'tests' are set out in Section 19 Youth Justice and Criminal Evidence Act 1999 as follows:

1. Whether the witness is 'vulnerable' or 'intimidated' as defined by Sections 16 and 17 Youth Justice and Criminal Evidence Act 1999;
2. Whether any of the Special Measures or any combination of them are likely to improve the quality of the witness's evidence;
3. Which of the available Special Measures are most likely to maximise the quality of the witness's evidence.

| Other Categories of Witness as Defined in ABE<br>(Not eligible for Special Measures unless Vulnerable or Intimidated) |  |
|-----------------------------------------------------------------------------------------------------------------------|--|
| Significant Witness (SIO Decision)                                                                                    |  |
| Reluctant Witness                                                                                                     |  |
| Hostile Witness                                                                                                       |  |
| Defence Witness                                                                                                       |  |

## SECTION 3

### Initial Witness Assessment

(This section is applicable to all categories of witness and as much of the following information should be obtained about the witness as possible)

|                                                                                                                                                                        |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Age</b>                                                                                                                                                             |  |
| <b>Gender</b>                                                                                                                                                          |  |
| <b>Race   Culture   Ethnicity</b>                                                                                                                                      |  |
| <b>First Language</b>                                                                                                                                                  |  |
| <b>Interpreter Required?</b>                                                                                                                                           |  |
| <b>Religion</b>                                                                                                                                                        |  |
| <b>Preferred Name</b>                                                                                                                                                  |  |
| <b>Sexuality (if applicable) - Any sensitive issues around gender /sexual preference? Is it public knowledge or known to family?</b>                                   |  |
| <b>Any specialist health or mental health needs?</b> (Any counselling received or use of a psychiatrist, CPN or Social Worker)                                         |  |
| <b>The nature and extent of any disabilities or disorders and the implications of this for the interview process</b>                                                   |  |
| <b>Any medication being taken and its potential impact on the interview?</b>                                                                                           |  |
| <b>Domestic circumstances (including whether the witness is currently in a 'safe' environment</b> (Where is the person living and with whom? Is it supported Living?)) |  |

