

16 June 2017

To Counsel and Solicitors,

**Re: Body Worn Evidence – changes to service and presentation**

I am writing in relation to Evidence.com which is the system used by the Metropolitan Police to obtain and submit body worn video (BWV) evidence. Evidence.com has now been live in the majority of London boroughs since 8 May 2017. Rollout will be completed by the end of July, and following some initial issues all users of CJSM secure email should now be able to access Evidence.com and register accounts. I apologise for any inconvenience that these issues have caused.

To date, evidential BWV footage has been served through links embedded in to an MG5. As you know, under Transforming Summary Justice GAP cases are not reviewed by a prosecutor as the IDPC bundle only contains the MG4, MG5, previous convictions and a VPS if applicable. This presents a risk that irrelevant or sensitive footage maybe served without being reviewed. Therefore, we have worked with the Metropolitan Police to develop new documents to minimise this risk.

With immediate effect, links to evidential BWV footage will be embedded in to a new document named the MG0 MME. To assist with review and disclosure, only one link will be embedded in to each MG0 MME and for NGAP cases the prosecutor will review and determine whether it should be included in the IDPC as per TSJ protocols. Also as per TSJ, the MG0 MME will not be included in GAP or overnight remand IDPC bundles to minimise the risk of serving irrelevant or sensitive material. The MG5 will still contain a description of the BWV footage and the prosecutor will serve the MG0 MME at the first hearing on a GAP case upon request if it is determined to be disclosable following review.

The new document has been successfully tested to ensure that the link is clickable within the document, and also to ensure that it is clickable and the footage playable from within the Crown Court Digital Case System. If the BWV is served in the IDPC it will be within the Key Exhibits section of the DCS case; if it is served later it will in the Exhibits section.

In respect of unused material, if there is any unused BWV footage on a case this will be listed on the Streamlined Disclosure Certificate or MG6C/D as appropriate and will be subject to the same disclosure principles as all other unused material. Unused BWV will be served in a new document named the UM BWV document and this has also been tested to ensure that it is accessible through the embedded link.

If you have any questions or experience any issues with the use of Evidence.com please let us know at London.Magistrates@cps.gsi.gov.uk with ‘Body Worn Video Evidence’ in the subject of the e-mail and we will escalate to the national team.

Yours sincerely,

Jan Lamping

Deputy Chief Crown Prosecutor

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