

Title: <i>Recording and Preserving Evidence</i>	
Business Area: <i>Devon Safeguarding Adults</i>	
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Related Legislation / Strategy / Policy: <i>Care Act 2014; Care Act 2014 Statutory Guidance; Police and Criminal Evidence Act 1984; Youth Justice and Criminal Evidence Act 1999; Sexual Offences Act 2003; Protection from Harassment Act 1997; Criminal Justice and Courts Act 2015</i>	
Related Practice Guidance: <i>Advocacy in Safeguarding; Legal Framework; Managing HR Concerns with Safeguarding Adults; Operational Guidance; Responsible Manager; Responsibilities of a Safeguarding Adults Investigator</i>	

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1. Recording and Preserving Evidence

- 1.1. Clear records should be made of relevant information, and steps should be taken to preserve and record any physical evidence of abuse.
- 1.2. In traumatic situations, it may not be possible to follow this guidance exactly. Do the best you can.
- 1.3. Your first responsibility is the safety and welfare of the abused person, but immediate action may be necessary to preserve or record evidence. This may be vital in any future proceedings and the success or failure of any Enquiry may depend on what you do or do not do when you come across evidence of abuse.
- 1.4. It is important to avoid people having to repeatedly describe any abuse that they may have experienced. You should avoid closely or repeatedly questioning or interviewing someone about abuse they may have experienced. A Police interview or other specialist interview may need to be carried out as part of an Enquiry plan. If the incident is clearly a crime, be very careful to only ask open questions. Do not 'lead' the person by using closed questions.

2. Body Maps

- 2.1. The body map diagram (see appendix ?) may be used to help record injuries or other evidence of physical abuse observed. These body maps may be photocopied as required.
- 2.2. Please note on the body map any bruising, scars, or signs of injuries, giving as much detail as possible such as size and colour.
- 2.3. Only complete these with the person's consent, if the injuries are clearly visible and/or shown to you freely.

3. Assessment of injuries and evidence from Physical or Sexual Assault

- 3.1. Do not complete any assessments of injuries unless you need to establish whether urgent medical care is required or you are qualified to do so.
- 3.2. Following allegations of physical and/or sexual assault, consideration will be given to organising, with the adult's consent, a medical examination. Any examination will ideally be carried out by a Forensic Medical Examiner who will be contacted by the Police.
- 3.3. If the abused person has a physical injury and it is appropriate for you to examine it, always obtain their consent first.

- 3.4. Only touch what you have to. Wherever possible, leave things as they are. Strongly advise the person not to wash or remove clothing but do not stop them from doing so if they wish to.
- 3.5. Preserve the person's clothing and footwear; do not wash or wipe them. Handle them as little as possible and store in an unused bin liner if you can.
- 3.6. Preserve anything that is used to comfort the person; for example, a blanket. Do not clean up, wash anything, or in any way remove fibres, blood, et cetera.
- 3.7. Try not to touch items/weapons. If you have to, keep handling to a minimum. Put them in a clean dry place until Police collect them.
- 3.8. The room should be secured and no one allowed to enter unless necessary to support you, the person, and/or the alleged perpetrator, until the Police arrive.
- 3.9. If the alleged perpetrator is also a service user, a separate member of staff must be assigned to them. Preservation of evidence guidance should also be followed with this person.

4. Evidence of Theft and Financial Abuse

- 4.1. With the person's consent, secure all relevant receipts, bank books, bank statements, benefit books or other financial records.

5. Methods of evidence Preservation

- 5.1. For most items use clean paper, a clean paper bag, or a clean envelope. DO NOT lick the envelope to seal it.
- 5.2. For liquids, use a clean glass.
- 5.3. For clothing or footwear, use an unused bin liner.
- 5.4. DO NOT handle items unless really necessary to move and make safe.