

KEEP EVIDENCE: IT'S THE LAW!

Imagine being sent to prison for a crime you did not commit and discovering that evidence which could prove your innocence has been lost or destroyed, or imagine learning that the person who violently assaulted you cannot be brought to justice because evidence has been contaminated.

Watch our short film here:

<https://www.youtube.com/watch?v=Q13rGl4xMI&feature=youtu.be>

InsideJustice works with those who claim they have been wrongly imprisoned. We have cases where exhibits have been lost, destroyed or contaminated. Over the past two years, we have conducted research to establish whether these are isolated cases. They are not. Cold case reviews of unsolved cases rely on evidence being kept every bit as much as do appeals against criminal convictions.

This charter aims to raise awareness of the importance of evidence retention and to improve practice for all those who seek justice.

The National Police Chiefs' Council has published comprehensive guidance on evidence retention for all Police and Forensic Service Providers. In the most serious category of offences, which includes murder, the NPCC guidance is to keep material for 30 years before review.

Yet, from Freedom of Information requests, surveys and in-depth interviews with police officers, lawyers and other criminal justice stakeholders, we can report that:

- **81%** of police forces remain unaware of the correct policy on evidence retention
- **72%** of criminal justice practitioners have had a case where evidence has been lost, destroyed or contaminated
- **37%** of criminal justice practitioners have been unable to launch an appeal because of missing evidence
- **77%** of police officers have experienced investigations in which they have been unable to locate exhibits
- **66%** of police officers have had a case where evidence has not been stored with the required integrity, security and continuity, often directly impacting on the case.

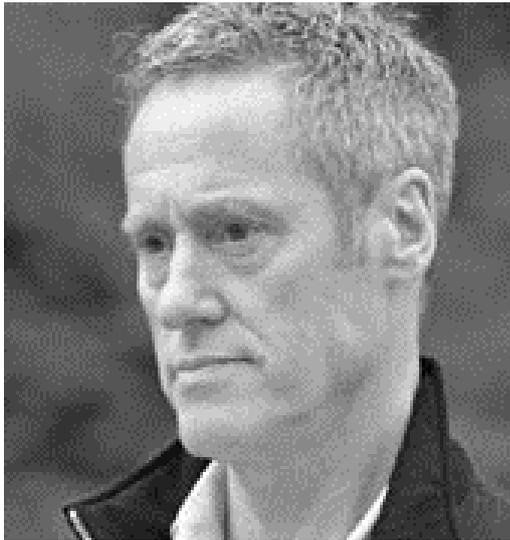
Police officers have voiced their concerns to us about:

- Inadequate facilities for storage of exhibits
- Lack of storage space
- Poor labelling of exhibits
- Inadequate training of staff
- Lack of supervision of staff

What needs to happen now:

1. Police forces *must* follow the NPCC guidance on evidence retention.
2. The NPCC guidance needs amending to keep material for the length of the convicted person's sentence, in line with the Criminal Procedure & Investigations Act 1996.
3. Her Majesty's Inspectorate should check on police practice and impose sanctions for failure.
4. The exemption to the 12-month time limit for complaints on "grave or exceptional" matters to the IOPC should be engaged.
5. A national review of storage provision and practice must be urgently undertaken, and consideration given to central stores with dedicated archivists.
6. The future of the Forensic Archive Ltd must be protected.

A Case Study:



Roger was found guilty of murder in 2010. Secret lover to the woman found stabbed to death in the boot of her own car, Roger was convicted on purely circumstantial evidence.

The prosecution case described a high level of interaction between victim and attacker and yet no forensic evidence whatsoever was found to incriminate him.

Seven years into his life sentence, advances in DNA techniques offered new forensic testing opportunities, when his case was reviewed by the statutory body with the power to refer cases to the Court of Appeal, the Criminal Cases Review Commission.

Scientists identified a raft of new work which could be undertaken on samples which should have been in storage. But the CCRC's investigations found exhibits had been lost, contaminated and destroyed by the force charged with their retention.

Roger remains in prison, serving a life sentence, protesting his innocence. If Roger is truly innocent, a dangerous killer remains at large.

You can watch the 2-part BBC documentary following our work on Roger's case here:
www.bbc.co.uk/iplayer/episode/b07wzlpz/conviction-murder-at-the-station-episode-1
www.bbc.co.uk/iplayer/episode/b0b7nrgg/conviction-murder-in-suburbia-episode-2

To find out more about our work, please visit our website and watch our short film at:
https://youtu.be/3g8RZ1q_X3w

InsideJustice needs funding and donations to take forward its work for criminal justice. Please donate what you can or get in touch for other ways to help.

ml@insidejustice.co.uk

020 3961 8790

www.insidejustice.co.uk

InsideJustice is a registered charity, number 1178336