Chapter 4: Preservation of evidence relevant to the role of a door supervisor

Evidence

When working as a door supervisor, whenever you arrest someone for committing an offence, or you witness something that you are later asked to provide a statement about, you may ultimately have to give evidence in subsequent court proceedings.

The rules of evidence are very strict, so it is important that you have a clear understanding of them and you should at least know what is acceptable to a court and what is not. Evidence, in its simplest form, is information that may be presented to a court to decide on the probability of some point in question and particularly as to how it may determine a person's guilt or innocence.

All court proceedings are governed by the laws of evidence that determine what facts may be proved in order to decide whether the accused is guilty or not, and how and by whom those facts may be proved.

The facts in most criminal cases that need to be proved or disproved by evidence are the identity of the accused, whether or not they committed the offence for which they are on trial and any necessary knowledge or intent connected to the crime.

Relevance

Evidence is said to be relevant to court proceedings if its existence tends to show the truth, or otherwise, of a fact which is in issue in those proceedings. All facts admissible in evidence must be relevant to the proceedings, but not all relevant facts may be admissible in evidence due to legal rules.

Admissibility

A fact is admissible when the law allows it to be proved in evidence.

Types of evidence

Direct

Direct evidence is something seen, heard or experienced by the person who relates it. It normally connects the accused directly with the offence in some way.

Circumstantial

Circumstantial evidence can be described as presumptive or indirect evidence. Although it does not prove the offence itself, it proves other facts which, when added to other evidence, support an inference or presumption of guilt.

Hearsay

Evidence is hearsay if it relates to something that a witness has heard another person (not the accused) say about the offence, but that they do not know to be true for themselves. That evidence can only be given by the person who experienced it for themselves.

Oral

Oral evidence is that given by a witness when they verbally relate to the court what happened. The witness may recount from their first-hand knowledge what they said, saw, heard, tasted, felt, smelt or did at any relevant time.



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Documentary

Documentary evidence includes any drawn, written or printed document in any form which communicates visual or written messages from one person to another. A door supervisor's notebook or the incident log may be tendered as evidence, or a stolen cheque which has been passed as payment. The original document itself is primary evidence, and any copy of it is secondary evidence. Such evidence can be presented to the court by a witness, who can explain its relevance orally. Other documentary evidence could include footage from fixed CCTV, body-worn cameras, company mobile phones or computer records.

Real

Real evidence can be anything else that is produced as an exhibit to the court by any person who has first-hand knowledge of its existence and relevance to the matter in question. Items such as weapons or drugs found by door supervisors can be real evidence.

Forensic

Forensic evidence is scientific evidence like fingerprints, footprints, DNA, blood and hair. This type of evidence is vital to the police for linking suspects to scenes, victims and crimes.

Perjury

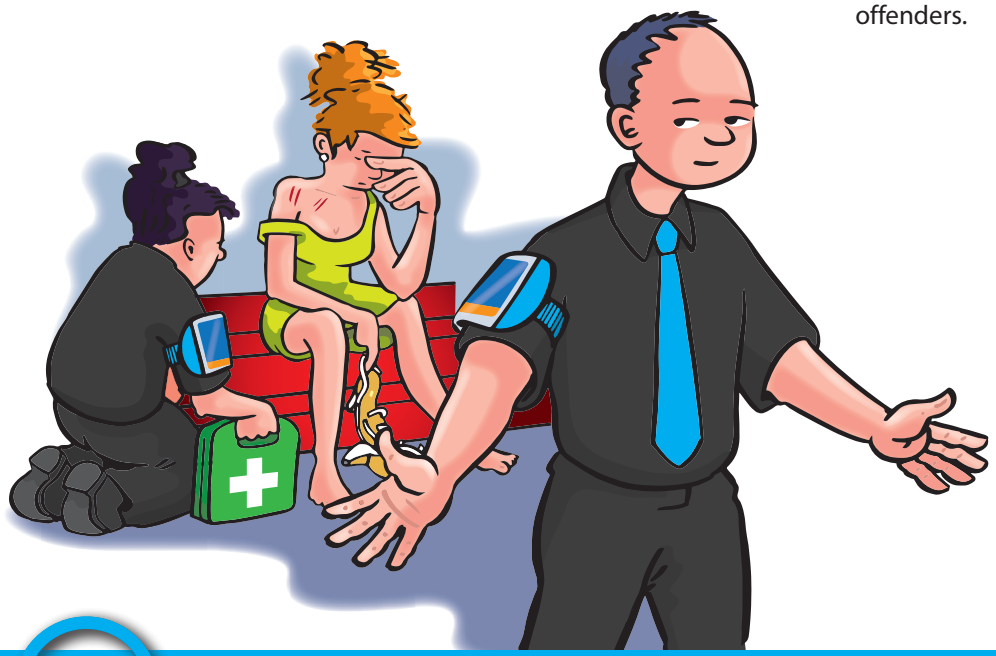
Under the Perjury Act of 1911, it is a serious criminal offence for any person who is lawfully sworn as a witness in judicial proceedings, to wilfully make any statement that they know to be false or do not believe to be true. At a Crown Court, anyone found guilty of such an offence may be sentenced to a term of imprisonment for up to 7 years.

Preserving evidence

If a serious crime occurs on the premises, as a door supervisor, you are in an ideal position to be able to take charge of the scene and act in a way that can preserve valuable evidence for the police. At a serious incident or at the scene of a crime, you should:

- take control
- contain potential evidence
- call for support and inform management
- inform the emergency services
- cordon off the area
- restrict access to the scene
- show the police any potential evidence
- record what you have done

You should always consider CCTV evidence, items used during a crime and evidence like fingerprints, footprints, DNA, blood, hair and tool marks. Forensic evidence like this is invaluable to the police when investigating crimes and prosecuting offenders.



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Reporting procedures

You may have to deal with a variety of events during the course of your normal duties as a door supervisor. You may also have to become involved in serious incidents or be called to the scene of a crime.

The venue's policies will give details of what to do and who to inform when serious incidents occur or when crimes are committed, and these must be followed.

Serious incidents like injuries, fires or bomb threats will all require the assistance of the emergency services. You must know how to inform them and be able to provide them with as much information about the incident as possible, so that the appropriate help can be sent to deal with it.

Crimes, arrests, serious disorder and incidents taking place inside or outside of the premises will usually mean that the police have to be called.

Incident reports will need to show:

- **the day, date and time of the incident**
- **what happened**
- **how it happened**
- **where it happened**
- **how you were alerted to it**
- **what you saw**
- **what you were told**
- **what action you took**
- **what the result was**
- **details of any witnesses**
- **any descriptions of people or property**

Records need to be completed as soon as possible following the incident.

As a door supervisor, you will need to ensure that you record as much information about the incident or crime as you can at the time it occurs, so that a proper report can be made once the matter has been dealt with. A notebook is the ideal place to record such details at the scene. This information can be put into a formal incident log later if required.

Typical incidents that would require recording properly include:

- entry refusals
- ejections
- the use of force
- arrests
- serious crimes
- accidents
- searches
- seizures of drugs, weapons or other items
- disputes and complaints
- suspicious behaviour
- visits by police or other authorities/agencies
- all other emergencies

Incident reports should explain:

- HOW
- WHAT
- WHERE
- WHEN
- WHY
- WHO

REMEMBER



- **A** ACCURATE
- **B** BRIEF
- **C** CLEAR

Reports should be **accurate**, **brief** and **clear**.

They should be purely factual, without personal opinion, and each separate report should be signed, dated and timed.

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Using notebooks

While full incident reports can be completed in the relative comfort of an office or staffroom, there are occasions when you may need to make accurate, timely notes while working at the scene of an incident. To ensure that sufficient details about a routine or unusual event are taken at the time, you will often need to use notebooks. A fuller report can be made of the incident later, using the information in the notebook that was taken at the time. Security notebooks are still official documents, however, so should be used properly at all times. They should only be used to record work-related matters. For these reasons, notebooks should be kept securely as they may contain confidential information about the venue, the client, the security company or operational procedures.

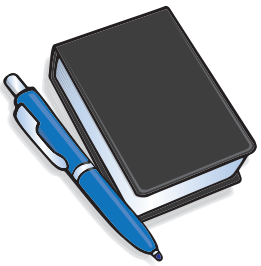
Remember, your notebook may need to be produced and used as evidence in court.



Notebooks need to be completed in black ink, and notebook rules should apply. The mnemonic **'NO ELBOWS'** is a useful way of understanding and remembering the general rules for when using notebooks.

NO	**E**rasers
NO	**L**eaves (pages) **t**orn **o**ut
NO	**B**lank spaces
NO	**O**verwriting
NO	**W**riting between the lines
AND	**S**tatements in direct speech

Notebooks should be used to record both routine and unusual events. As well as recording day-to-day information like duty or shift times, they should also be used at incidents or during emergencies to record descriptions, names and addresses of witnesses, vehicle registration numbers and timings.



Notebooks should only ever be used to record workplace information, and never to record personal information or reminders. Other documents used to records details might include:

- incident reports
- logbooks
- search registers
- visitors' registers
- key registers
- duty sheets
- accident reports
- lost/found property registers
- message books
- handover reports
- police statements
- other venue-specific reports



You need to ensure that you know what records you are required to use at the venue, where they are kept and how to complete them.

These various reports provide a permanent written record of incidents that have happened and can be used as evidence in court. They can also be used to assist in identifying offenders, assist other outside agencies, protect you from malicious allegations and can help to justify any actions you have taken.