



Audio/Visually Recorded Interviews: Transcripts and Records Procedure

Policy

The Recording of Investigative Policy Decisions and Maintenance of Investigative Logs
Policy Surrey and Sussex

Procedure

1. Introduction

- 1.1 This Procedure explains how to obtain a transcript or a record of an audio or visually recorded interview.

2. Transcripts of Recorded Interviews

- 2.1 Full “verbatim” Transcripts of recorded interviews will not be prepared by the Criminal Justice Unit (CJ) unless authorised by the CJ Team Leaders.

- 2.2 The Text Preparation team are restricted to transcribing the following:

- Pre-Charge RASSO cases with endorsements recorded on the Occurrence Enquiry Log (OEL) from a Detective Inspector as having a prospect of meeting the Full Code Test and a Record of Taped Interview (ROTI) is therefore necessary as part of the case file submissions to the CPS; and
- ABEs and ROTIs for Crown Court cases (defendant interviews only).

- 2.3 Transcripts that fall outside of the above criteria are rarely necessary and can only be justified where the issues under discussion are so complex as to make it impossible to provide a balanced, accurate and reliable summary of the interview.

- 2.4 The seriousness of a case, or a multitude of charges and defendants, will not in itself be justification for a typed “full” transcript. On those rare occasions when a typed transcript is believed to be necessary, a request must be referred to !CJ

Prosecutions Text Preparation team to gain the necessary authority from the CJ Team Leader. Once authorised for transcribing requests should be tasked to 'SYP CJ TYPISTS' on NICHE.

- 2.5 Many requests for the creation of a ROTI directed to the CJ Text Preparation team are outsourced. Therefore, ROTIs can only be created where the interview is stored on the Digital Evidence Management System (DEMS), currently locally referred to as NICE Investigate.
- 2.6 When the Crown Prosecution Service (CPS) notify CJ, a ROTI is required, the following will apply:
- CJ Caseworker will first check the DEMS, currently locally referred to as NICE Investigate, to identify if the interview record has been inadvertently already been uploaded.
 - As the interview record should only be uploaded to the DEMS when requested, the CJ Caseworker will make a request of the appropriate divisional custody tape librarian, via NICHE workflow to upload the interview record to DEMS for transcribing / ROTI creation.
 - The CJ Caseworker must supply the Tape Librarian with the custody record/voluntary attendance number, surname of the defendant, exhibit reference number and occurrence number as part of the workflow request.
 - Where the Tape Librarian is not in possession of working/sub-working copies of the discs they will workflow the CJ Caseworker back via NICHE indicating that they only retain the Master Copy disc.
 - The CJ Caseworker should then task the Officer in Charge of the investigation to arrange opening of the master disc as per paragraph 3.2.
 - Where the Tape Librarian is in possession of working/sub-working copies of the interview record, the Tape Librarian will upload the interview record to DEMS and workflow the CJ Caseworker that the task is complete and interview record has been uploaded for the purposes of transcribing / creating a ROTI.
 - The CJ Caseworker will then ensure the Text Preparation Team are advised so the ROTI can be generated.
- 2.7 Where the Tape Librarian is on annual leave, sick or otherwise out of office for a protracted period exceeding several days, consideration should be given by the CJ Caseworker; depending on the urgency of the request being actioned, to instead task the OIC (or in the event they are also absent, their department workload) via NICHE to undertake the task of collecting the interview discs from custody and uploading to DEMS. Interview discs are available at the relevant divisional custody centre and can be obtained through the Custody Sergeant on a 24/7 basis. Where practicable, OICs should contact and advise custody of this request to book out interview discs ahead of their arrival.
- 2.8 If an officer requires a ROTI to be produced outside of the normal Crown Court Upgrade/Pre-charge RASSO process, then a request with reasons given must be emailed to ICJ Prosecutions Text Preparation who will consider the request, and if approved by the CJ Team Leader, will arrange the production of the ROTI on behalf

of the officer following the aforementioned process in paragraph 3.2. If an officer has any specific requests around what needs to be included within the ROTI then this needs to be included within the initial request.

2.9 If the CPS request anything other than the above, it will be the responsibility of the OIC to transcribe.

2.10 The Text Preparation typist will record and summarise those parts of the interview that are directly relevant to the prosecution case. They will email the interviewing officer a copy of the ROTI and advise that the interview recording is available on DEMS for comparison. The OIC must approve the content of the ROTI and may request additions, deletions or alterations for the Text Preparation typist. On completion, the OIC will electronically sign the ROTI and save it within NICHE and then task CJ advising them that the ROTI is completed ready for inclusion in the upgraded file in readiness for trial.

3. Interview Recordings - Breaking the Master seal

3.1 Code E section 6.2 of PACE provides guidance on breaking the seal of a master recording required for criminal trial or appeal proceedings. Where no criminal trial or appeal proceedings are ongoing, and it is necessary to break the master seal the principles of Code E should be applied. For Further Information please refer to the Master Tape Seal Guidance

3.2 In circumstances where it is necessary to break the seal of a master recording it will be the responsibility of the officer in the case to contact the CPS to arrange a suitable appointment with a CPS prosecutor. The OIC must contact the defence to see if they wish to attend the appointment on behalf of their client. An entry on the OEL must be made to reflect the actions taken.