

**CASE FILE EVIDENCE and INFORMATION****Not Disclosable**

R v MCLOVE

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**This document is a communication between the police and CPS only.****1. Medical Evidence:** *(Physical or psychiatric injuries of defendant / victim / witness): No*

If medical evidence is required in this case, what is the target date for obtaining it?

**2. Forensic evidence:** (attach copy of **MG21 / MG21A**): N/A

If forensic evidence has been submitted for examination, what is the target date for the results?

**3. Visually recorded evidence (CCTV / Photographs etc.) :**a. Has all visually recorded material currently in police possession been viewed and copied? . If **No**, give a target date for when this will be completed:

b. If there is additional visual material to be obtained, state what it is and give a target date for obtaining it:

**4. Disclosure:**

a. Is there any relevant material that may undermine the prosecution case or assist the defence case?

If **Yes**, provide details:b. Is there any relevant third party material?\* If **Yes**, give brief details of what it is and who has it:

[\*Third party material is that which belongs to people or organisations other than the Prosecution Team, e.g. Social Services, Local Authority, owners of CCTV material, forensic experts, police surgeons, GPs, hospital doctors etc.]

**5. Victim(s) / Witness(es):**a. Are there any outstanding witness statements to be obtained? Yes. If **Yes**, give a target date for completion: Complainant indicated that she wants to provide a retraction statement

b. If this is an anticipated not-guilty plea case, are there are vulnerable/intimidated witnesses? Yes. If 'Yes' complete form MG2 Witness Assessment for Special Measures.

c. Will a Special Measures meeting\* be required? Yes. [\*consult with CPS if unsure]

d. If any witnesses have refused to give a statement, give their name and address and state their role/involvement:

**6. Other offenders:**

In relation to the incident leading to this case file, give the name, address and offence details of any others:

a. Yet to be arrested and interviewed:

b. Yet to be charged:

c. Dealt with using another out of court disposal (e.g. caution/reprimand/final warning/PND):

d. Charged:

**7. Local / Public interest:**Are there any matters of local/public interest in this case (consider community issues/impact statements / priorities etc)? . If **Yes**, give details:

**8. Is consideration being given to any POCA or other asset recovery outcome in this case?** (e.g. applications for confiscation or restraint orders, compensation, deprivation or forfeiture; referral to Financial Investigation Unit, timescale for submission of details etc.)

If **yes**, provide details and timetable for submission of necessary information to CPS

**Contact number for Financial Investigation Unit dealing:**

**9. Additional information:**

If there is any other relevant information in this case, give details: The complainant has been asked to complete a VPS and has also now indicated that she wants a restraining order for future protection - suggested terms - D not to be on the complainants road and not to contact directly or indirectly

**Date MG6 completed:** 3/6/2020

### RATIONALE FOR POLICE CHARGING DECISION

In accordance with the DPP Guidance on Charging (v4) the police must record details of how the:

- Full Code Test (evidential and public interest) is met for a police charge anticipated not guilty plea **summary only offence** where the suspect has put forward a specific defence or denied the offence (Paragraph 4)
- Threshold Test requirements and public interest test are met for a police charge anticipated not guilty plea **imprisonable summary only offence** (Paragraph 18)

**Evidential test applied:** Full code Test ☐ Threshold Test ☐

**Charge(s):**

**Evidential criteria** (comment on evidential status of any witness i.e. 'key' or not; interview(s) conducted; whether 'guilty'/'not guilty' plea anticipated):

**Public Interest:**

**Unused material** (comment on the documentation that should be retained and included on the MG6 schedules; specify any information which should be disclosed to assist the defence in the early preparation of their case):

**Witness/Victim issues** (Victim personal statement made?; state whether a witness summons should be sought if witness retracts statement or if a Special Measures application is required):

**Charging Decision maker** (name, rank & No./Job title):

**Date:**

**IF SEEKING A REMAND IN CUSTODY, THIS PAGE SHOULD BE HANDED TO COURT STAFF AND ACCOMPANY THE DETAINEE TO PRISON.**

Defendant full name:

URN

Defendant date of birth:

**The following section MUST be completed by police in ALL cases where a remand in custody is to be applied for at court AND there is a risk of intimidation of the victims(s) or any witness(es) by the defendant.**

The information is intended for use by prison staff to prevent unwanted contact with a victim or witness.

This prisoner **MUST** be prevented from contacting, by telephone, letter and visits, the following victims(s) or witness(es) because there is a risk of intimidation. **DO NOT** disclose the contact details shown below to the prisoner. See relevant PSI on "Tackling Witness Intimidation by Remand Prisoners" for further guidance.

Name(s) and contact details of victim(s) and/or witness(es): *(If under 18 years old, show age)*

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Add further victims/witnesses below as necessary:

Date: