

# GLOSSARY

## **Achieving Best Evidence**

Guidance on conducting interviews with vulnerable or intimidated witnesses (VIWs). This guidance is intended to assist those conducting video recorded interviews with VIWs as well as giving guidance to those who are preparing and supporting them throughout the criminal justice process. The document can be found at

<http://www.homeoffice.gov.uk/justice/victims/index.html>

It was published in 2002 as part of the implementation of the Youth Justice and Criminal Evidence Act 1999.

## **ACCP**

Acting Chief Crown Prosecution.

## **ACPO**

The Association of Chief Police Offices is the body that represents all Chief Officers throughout England and Wales. ACPO is chaired by a President, and has a small body of administrative and support staff working on policy issues.

## **AI/AD**

Advanced Information. Sometimes referred to as Advance Disclosure. This is the copy of prosecution case which is served on Defence at initial hearing outlining the case against the defendant.

## **Annex 'A'**

Section of the DPP's Guidance listing the offences for which the responsibility for making the charging decision, by virtue of the Criminal Justice Act 2003, passes to the CPS.

## **ASBO**

Anti-Social Behaviour Order. An order on conviction to prevent acts of anti-social behaviour.

## **ASN or A/S**

Arrest Summons reference number. This is created when records of a person's arrest/charge are created on the PNC (Police National Computer).

## **BCU**

Basic Command Unit. Geographic operational police area sometimes still referred to as Division.

## **BTR**

'Bailed to Return'. Where an arrested person is released from custody on the condition that they return to a given location at a specified time and date.

## **CHIS**

Covert human intelligence sources. As described by

the Regulation of Investigatory Powers Act 2000.

## **CJS**

Criminal Justice System.

## **CJU**

Criminal Justice Unit. A unit responsible for administering prosecution files.

## **CMS/COMPASS**

Case Management System. This is the Compass Case Management System which provides appropriate IT to support the work of the Crown Prosecution Service.

## **CPIA**

Criminal Procedure and Investigations Act. This Act introduced specific legal requirements for investigators to record, retain and reveal items of material not forming part of the prosecution case, referred to as 'unused material'.

## **CPO**

A Case Progression Officer. The post holder has responsibilities for case progression across agencies, with specific responsibility and accountability for progressing cases through the system to specified standards and guidance. Responsibilities also include the examination of performance and assessment of areas for agency intervention.

## **Code for Crown Prosecutors**

The test applied by the CPS and the police when making a charging decision. The Code sets out the Evidential test and the Public Interest test.

## **CPS**

Crown Prosecution Service. An independent body, responsible for the conduct of criminal prosecutions on behalf of the State.

## **CPS Direct**

A national telephone service provided by the CPS offering 24 hour charging advice to police.

## **CTL**

Custody time limits. A maximum time in custody that an accused can be kept in custody pending trial:

- Summary/either way offence (first appearance to trial) – 56 days
- Either way offence (first appearance to committal) – 70 days
- Indictable only/either way offence (first appearance after committal to trial) – 112 days
- Indictable only (first appearance Section 51 to trial) – 182 days

**'Doorstep' bail condition**

An ancillary bail condition, known as "doorstepping", which requires that the defendant should present himself to the police office who attends his address during the hours of curfew. This condition can be used as a method of enforcing the main conditions of curfew or residence.

**DI**

Detective Inspector.

**DCI**

Detective Chief Inspector.

**DPP**

Director of Public Prosecutions. The Head of the CPS.

**DQ1**

An enquiry from police to the DVLA to ascertain driving licence details and history.

**DTTO**

Drugs Treatment and Testing Order. A community sentence where an offender consents to treatment to get him/her off drugs at a specified place (residential centre or as an out-patient while continuing to reside in the community) for a set period of between six months to three years. A regular programme of drug testing to monitor progress accompanies treatment, and the entire sentence is subject to regular review by magistrates.

**DVLA**

Driver and Vehicle Licensing Agency.

**EAH**

Early Administrative Hearing. The preliminary court hearing for all cases that are unlikely to be disposed of at First Hearing by way of a guilty plea.

**EFH**

Early First Hearing. The preliminary court hearing for all cases that are likely to be disposed of at First Hearing by way of a guilty plea.

**ETMP**

Effective Trial Management Programme. This is part of the Criminal Case Management Programme which also includes Charging and No Witness, No Justice initiatives.

**Early Special Measures Meetings (see Special Measures)**

A meeting between police and CPS staff to determine what applications for Special Measures may be appropriate in the case of Vulnerable or Intimidated Witnesses.

**Evidential Report**

Evidence or information that the investigator must submit to a crown Prosecutor to obtain a charging decision in cases where there is a clear admission or other compelling evidence; such as a police witnessed case, or a remand in custody.

**Expedited Report**

Evidence or information the Investigator must submit to a Crown Prosecutor to obtain a charging decision in contested or Crown Court cases.

**FIU**

Financial Investigation Unit.

**FPs/FPNs**

Fixed Penalty Notices (see also PNDs). FPNs provide a quick and effective disposal for dealing with minor offences as an alternative to prosecution or caution. Their use reduces bureaucracy. The police can issue FPNs for a range of offences.

**FSP**

Forensic Science Provider, such as the Forensic Science Service. Investigators relying on forensic science techniques will use FSPs to provide expert evidence.

**FSS**

Forensic Science Service.

**Indictment**

A written document to the Crown Court containing details of offences to be tried there.

**J-Track**

The computer system for monitoring and tracking youth offenders.

**JOPI**

The Joint Operational Procedures relating to Disclosure. A Policy document (incorporated with the MoG) detailing police and CPS duties to be carried out in relation to disclosure obligations under CPIA (see above).

**JPM**

Joint Performance Management. A mechanism to monitor and evaluate the joint effectiveness of prosecution files and processes in order to improve successful outcomes.

**MG (forms)**

This Manual of Guidance, References to MG Forms are references to prosecution forms produced by the Manual of Guidance Editorial Board and referred to within this publication.

**MO**

Modus Operandi. The method by which a crime is carried out.

**NIM**

National Intelligence Model. NIM brings all the best practices in intelligence-led policing together. The model has been designed to provide an integrated intelligence system to impact at three levels of business:

- local;
- cross-border; and
- serious and organised crime.

**NFA**

No Further Action. A possible result of a case or enquiry.

**OAP**

Offences Against the Person. Assaults, etc.

**OB TJ**

Offences Brought To Justice. A performance measure that relates to convictions, cautions, reprimands, final warnings, TICs and FPNs.

**OIC**

Officer In Case. The officer with overall responsibility for a case investigation.

**Phoenix print**

A print out originating from PNC which details a person's previous offending history.

**P II**

Public Interest Immunity. A status that a prosecutor may, upon application to a judge in Chambers, seek to apply to certain information or material that ought not to be disclosed to anyone other than the prosecution. Such an application would only be granted if the judge decided it was in the public interest to maintain confidentiality of the material.

**PITO**

Police Information Technology Organisation.

**PNC**

Police National Computer. A national computer database containing details of persons' offending history and a vehicle database.

**PND**

Penalty Notice for Disorder (see also FPN). Penalty Notices for Disorder are Fixed Penalty Notices that can be issued for minor disorder offences. They are in use in all police forces in England and Wales. Community Support Officers and accredited persons have the power to issue PNDs and local authorities

can administer FPNs for offences such as dog fouling, littering and graffiti/fly posting.

**PNLD**

Police National Legal Database. A central database accessible to police forces and CPS containing guidance on legal issues and specimen custodial charges.

**PO**

Persistent Offender. A PO is a person 18 years or over, who, in the last 12 months, has been convicted of six or more recordable offences. From 1 September 2004 the PPO will replace the PO.

**POCA**

Proceeds of Crime Act 2002. Deals with asset recovery.

**PPO (from 1 September 2004)**

Prolific and Other Priority Offender. Individuals to be targeted should be selected locally, using the National Intelligence Model (NIM), to identify, according to local priorities, those who are causing the most harm to their communities. The general criteria for selection are:

- The nature and volume of the crimes they are committing;
  - The nature and volume of other harm they are causing, e.g. gang leadership or anti-social behaviour;
  - Other local criteria based on the impact of individuals concerned on their local communities.
- The strategy does include youths and offenders in prison, although the classification of a Persistent Young Offender (PYO) remains unaffected.

**PSD**

Professional Standards Department. A part of each force's establishment, dealing with complaints and discipline issues.

**PYO**

Persistent Young Offender. A young person aged 10-17 years who has been sentenced by any criminal court in the UK on three or more occasions for one or more recordable offences.

**RIC file**

A file containing a request that a defendant be remanded in custody whilst waiting trial.

**ROTI**

A record of taped Interview. A summary of the content of an interview with a defendant. This is not a transcript, but a summary of all salient points with pertinent parts of the interview recorded in direct speech.

**ROVI**

A record of video Interview. Similar to a ROTI but this may be an interview with a witness, and where this is the case, much more of the content of the ROVI will be recorded in direct speech to avoid ambiguity.

**Sanctioned Detection**

A performance measure that relates specifically to a number of charges, cautions, including conditional cautions where appropriate, reprimands, final warnings and TICs.

**SIO**

Senior Investigating Officer. Senior officer assuming OIC status for large or complex enquiries.

**SDN**

Short Descriptive Note. Brief note, written in third person, detailing what the defendant said in interview. It must include any denial, admission, mitigation or defence raised.

**Special Measures**

The Youth Justice and Criminal Evidence Act 1999 provides a range of 'special measures' to assist vulnerable or intimidated witnesses (VIWs) to give evidence in court. Special measures available are:

- Screens – to ensure that the witness does not see the defendant;
- Video recorded evidence – allowing video recorded police interview with the witness to be shown as the witness's evidence in chief;
- Live TV link – allowing a witness to give evidence from outside the court;
- Clearing the public gallery of the court – so that evidence can be given in private;
- Removal of wigs and gowns in the Crown court;
- Video recorded pre-trial cross-examination – allowing a witness to be cross-examined before the trial about their evidence and a video recording of that cross-examination to be shown at trial instead of the witness being cross-examined live at trial;
- Intermediaries – allowing an approved intermediary to facilitate communication between the witness, legal representatives and the court;
- Allowing a witness to use communication aids, e.g. alphabet boards.

**TIC**

Taken Into Consideration. An offence which is admitted but which has not been charged, which a defendant wishes to admit to the court and receive an appropriate sentence for, to avoid a later investigation and subsequent, separate conviction for the offence. The court will take account of offences TIC when sentencing and injured Parties for TIC offences can be awarded compensation by the court. A 'TIC can only be added where there is a substantive charge of a

similar type, which the defendant has either pleaded guilty to, or been convicted of.

**TU**

Trial Unit, A unit responsible for administering Crown Court prosecution files

**VIW**

Vulnerable and Intimidated Witnesses. The categories of persons eligible to apply for these special measures are:

- children under the age of 17;
- those who suffer from a mental or physical disorder, or who have a disability or impairment that is likely to affect their evidence;
- those whose evidence is likely to be affected by their fear or distress at giving evidence in the proceedings.

**VPS**

Victim Personal Statement. Relates to a separate statement given by a victim of the affects on them of the crime which can be put before the court.

# INDEX

**Anti-social behaviour** – see orders on conviction

**Arrest Summons Number** – 1.4.1-1.4.3

Form MG1 and Guidance Notes

**Asset Recovery**

Form MG5 and Guidance Notes

Form MG6

**Bail**

ACPO Guidance on Bail with Conditions – see

Appendix 'C'

Bail without conditions – Form MG4

Breach – MG8 and Guidance Notes

Common Law – see para 34 MG6 Guidance Notes

Conditional Bail – 1.7.1-1.7.4

CPS actions for breach – Form MG8 and Guidance Notes

Doorstep – Form MG7

Forms MG4A and annotated version

Forms MG4B and annotated version

Form MG4C and Guidance Notes

Information to assist defence applying for – Form MG1 – see also Common Law

Surety and Security – Form MG4C and Guidance Notes

Pre-charge, breach conditional bail – 1.7.5-1.7.10

Pre-charge, conditional bail – 2.7.1-2.7.5, 2.9.1-2.9.5, Figure 3 in Section 2

Pre-charge, failure to surrender – 2.10.1-2.10.2

Post-charge, breach file contents – 1.7.11-1.7.15

**Case file building**

Charging decision – 1.5.2

Case file information

Form MG6 and Guidance Notes

**Case summary**

Form MG5 and Guidance Notes

**Cautions**

Form MG1 and Guidance Notes

**Charging**

Charging Decision – 1.5.2-1.5.15, Form MG3, Form MG3A and Guidance Notes

Delaying the charging decision and gathering further evidence – 2.4.1-2.4.3

Details of Charging Decision Making – Table 2 in Section 1

Emergency cases, expiry of PACE time limits – 2.6

Further report to Crown Prosecutor for charging decision – Form MG3

Further report to Crown Prosecutor for charging decision – Form MG3A

Obtaining a charging decision – 2.3.1-2.3.5

Pre-charge, advice – 2.2.1-2.2.8

Pre-charge consultation – Figure 2 in Section 2

Pre-charge consultation between investigators and Duty Prosecutors – 2.1.1-2.1.10

Test to be applied in making the charging decision – 2.5.1-2.5.6

**Child abuse**

Form MG1 and Guidance Notes

**Compensation**

Form MG19

Compensation Order – Form MG5 and Guidance Notes

**Confidential information**

Form MG6

**Convictions**

Form MG1

Form MG9 – annotated version

**Destruction order**

Form MG5 and Guidance Notes

**Director of Public Prosecutions' Guidance (DPP)**

See Appendix 'A'

**Disciplinary Record, police officer**

Form MG6B

**Disclosure**

Form MG1 and Guidance Notes

Form MG6 and Guidance Notes

Form MG6C – E

Common Law – see para 34 MG6 Guidance Notes

Disclosure roles – 1.15.3

Disclosure forms – 1.15.4

Revelation of material to the Prosecutor – see para 7.3 reverse of Form MG6E

**Domestic Violence**

Form MG1 and Guidance Notes

**Drink/Drugs Driving Form**

MoG approved, however not in manual as Guidance Notes are contained within the form.

**DVLA computer printouts**

Form MG1 and Guidance Notes

**Ethnicity code**

Form MG1 – 16+1 code on reverse

Form MG4

**Evidential File**

Contents – Table 1 in Section 1  
Form MG1 and Guidance Notes  
Pre-charge – 1.6.1-1.6.3  
Pre-charge contents – 1.6.5-1.6.8  
Post-charge contents – 1.9.1-1.9.5  
Prosecution Files – Figure 1 in Section 1  
Upgrade to Full File – 1.10.1-1.10.2

**Evidential Report** – 1.6, Table 1 in Section 1

Contents – 1.6.5

**Exhibits**

Form MG12 – annotated version

**Expedited File**

Contents – Table 1 in Section 1  
Form MG1 and Guidance Notes  
Pre-charge – 1.6.1-1.6.3  
Pre-charge contents – 1.6.4  
Post-charge contents – 1.8.1-1.8.5  
Prosecution Files – Figure 1 in Section 1  
Upgrade to Full File – 1.10.1-1.10.2

**Expedited Report** – 1.6, Table 1 in Section 1

Contents – 1.6.4

**File front sheet**

Form MG1 and Guidance Notes

**Forensic evidence**

DNA Staged Reporting (refer to national document)  
Forensic Science Service protocol (refer to national document)  
Form MGFSP and Guidance Notes  
Priority ratings – Section 7 Form MGFSP Guidance Notes

**Forfeiture Order**

Form MG5 and Guidance Notes

**Further Evidence/Information Report**

Form MG20

**Government Protected Marking Scheme** – 1.2.1-1.2.6

Confidential information – 1.2.5  
Restricted information – 1.2.4

**Initial witness assessment**

MG2 and Guidance Notes

**Joint Operational Instructions for Disclosure on Unused Material (JOPI)**

See Appendix 'B'

**J-Track**

Form MG1 and Guidance Notes

**Medical evidence**

Form MG6 and Guidance Notes  
Provision of witness statements from hospital accident and emergency staff for criminal proceedings (see national protocol)

**No Further Action**

Form MGNFA – annotated version

**Orders on conviction**

Breach – para 3 Form MG13 Guidance Notes  
Conditions – para 2 Form MG13 Guidance Notes  
Examples of prohibitions – para 2.2 Form MG13  
Form MG1 and Guidance Notes  
Form MG5 and Guidance Notes  
Form MG13 and Guidance Notes

**Other offences (TICs)**

Form MG1 and Guidance Notes  
Form MG18 and Guidance Notes

**Persistent Offender (from 1 September 2004 replaced by Prolific and Other Priority Offender)**

Form MG1 and Guidance Notes

**Persistent Young Offender**

Form MG1 and Guidance Notes

**Photographs of injuries**

Form MG6 and Guidance Notes

**Proceeds of crime** (see Asset recovery)**Racist incident**

Form MG1 and Guidance Notes

**Record of Interview** -1.13.1-1.14.2

Contemporaneous Notes – para 6 Form MG15  
Guidance Notes  
Form MG15 and Guidance Notes  
ROTI/ROVI – 1.14.1-1.14.2  
SDN – 1.13.1-1.13.3

**Remand in custody** 1.11.1

Grounds to seek remand in custody – 1.11.7  
Remands in Local Authority (see Young Offender) 1.11.11

**Sensitive material**

Form MG6D – annotated version  
Form MG6E – annotated version

**Scientific examination** (see Forensic evidence)**Special category cases**

Form MG1 and Guidance Notes

**Special Measures**

Form MG2 and Guidance Notes

**Statements**

Form MG11 and Guidance Notes

Refusal to make – Form MG6

**Supervision**

Case files involving multiple offences and/or offenders – see 4.5. Section 4

Prosecution Team supervision and case management – see 4.1 of Section 4

Supervisory endorsement of forms – see 4.3 of Section 4

Form MG1

Form MG3

Form MG6

Form MG7

Form MG13

Form MG20

Form MGFSP

Form MGNFA

**Surety/Security**

Form MG4C and Guidance Notes

Special Conditions for youths – Form MG4C

**TIC** (see Other Offences)

**Unique Reference Number** – 1.3.1-1.3.4

Form MG1 and Guidance Notes

**Unused Material**

Form MG1 and Guidance Notes

Form MG6 and Guidance Notes

Form MG6B – (reverse)

Form MG6C (non-sensitive)

Form MG6D (sensitive)

Joint Operational Instructions on Unused Material (JOPI) – see Appendix 'B'

**Victims**

Victim's Charter and Witness Care – Form MG6

Victim Personal Statement – Forms MG6 and MG11  
Guidance Notes

**Visually recorded evidence**

Form MG2 and Guidance Notes

Form MG6 and Guidance Notes

Form MG15 and Guidance Notes

**Witness**

Availability – Forms MG10, MG11

Care – Form MG11 (reverse)

Child – Forms MG2, MG6

Consent – Form MG11 (reverse)

Contact details – Form MG11 (reverse)

Expert – Form MG6 and Guidance Notes

Intimidated – Forms MG2, MG6

Key – 1.12.1-1.12.3

List – Form MG9

Victim Personal Statement – Form MG6, MG11

Vulnerable – Forms MG2, MG6, MG11

**Young Offender**

Remands to secure local authority – 1.11.11

Surety and Security – Form MG4C Guidance Notes