

# FAMILY VIOLENCE VIDEO STATEMENTS



## 1. Family Violence Video Statement – Pre Interview

Prior to commencing recording, you must gain consent to record video statement. The victim needs to be aware of:

- **A - ACCESS:** People will need to view the interview to prepare the case. This may include: Police staff, court staff, the suspect's lawyer & the suspect (video will not be shared directly with the suspect) . Victims can ask to view.
- **C - CLARIFICATION:** If there is anything you wish to clarify or add later, you can provide a further (written) statement.
- **C - COURT:** Video may be used as evidence in court. Victim will still need to be available to answer questions in court in person.
- **E - EXPLAIN:** Explain the interview procedure to your victim.
- **S - STORAGE:** Interview will be stored by Police in a secure facility – it will not remain on the phone.
- **S - SWITCH:** Switch phone to 'Flight Mode' before starting the interview.

## 2. The Interview

Ensure you record the following:

1. **STATE:** Date/time/your full name. (Do not need location).
2. **VICTIM:** States their full name. (Do not need date of birth).
3. **INTRODUCE:** Camera operator/support person/interpreter.
  - Interpreter must promise to accurately and completely translate the words of the witness.
  - Interpreter / Support person must be clearly visible throughout the entire video recording.
4. **RECONFIRM CONSENT** (Victim **must verbally** respond to each question):
  - a. Earlier you agreed it was okay to record this on video and I need to check that you are still okay with that?

*Cont'd...*

## FAMILY VIOLENCE VIDEO STATEMENTS CONT'D...

- b. You are aware that (*suspect*) will be able to view the video?
  - c. You are aware that this video record may be used as evidence in court?
  - d. You agree to this video being used as evidence in Court?
5. **OBTAIN PROMISE:** “What we record today could be used as evidence in court, so it is important that you tell the truth. Do you promise to tell the truth?”
6. **OPENING QUESTION:** Use ‘TEDS’ question (Tell/Explain/Describe/Show).
7. **EXPLORE TOPIC AREAS:** Introduce topic with a ‘TEDS’ question & clarify detail using “5WH & How”.
8. **CLARIFICATION:** Ensure you obtain from victim:
- a. **WHO:** Confirm name of offender and relationship to the victim.
  - b. **INJURIES:** Ask if the victim has suffered any. **DO NOT** record these on video. Take photos after and upload.
  - c. **SCENE:** Has anything been damaged or altered? Again, photograph separately after the interview.
  - d. **WITNESSES:** Ask if anyone saw or heard the event. Confirm names.
  - e. **CHILDREN:** Have they been exposed to this incident?
  - f. **ORDERS:** Confirm existence and conditions of any orders (Protection Orders etc).

### 3. Interview Closure

9. **CLOSURE:** “When we started talking, you promised to tell the truth as this statement may be used in court. It is an offence to make a statement that is known by you to be false or intended by you to mislead. I need you to confirm that everything you told me today is the truth.” (Answer).
10. **STATE:** End time from your watch.