

Police Station and the Crown Court Webinar – 13 April 2022

Fact Sheet and Q&A

Many thanks to all who attended, and your questions and interest, the drafting of the protocols, and my views are my own, but I hope that you find them useful.

When a Solicitor is instructed, even if the client was not represented in the Police Station, in my view, the Solicitor should be pro-active in their involvement in the protocol engagement process. Any queries or lines of enquiry should be dealt with by e mail wherever possible. It is better to raise queries later in the day than not at all.

The protocol for engagement is between those representing the client if the client is at the police station. If the client is unrepresented, then the client should co-operate.

Vera Baird is of the view that an alleged aggrieved should not have to give her mobile telephone to the police for access. This in my view is a dangerous process, and will lead to miscarriages of justice. I cannot say whether her proposals will ultimately come in, but in my view, it is essential, particularly in sex cases, to request the seizure of the phones, messages, Facebook, WhatsApp (and remember, WhatsApp messages can be permanently recovered) Instagram, TikTok. Some electronic systems are used because they are active for a very short time, and are automatically deleted. In my view, time is of the essence, don't lose the opportunity.

Engagement protocol does place additional burdens on those who go to the police station, on those who run files. The burden is immense as it is, and the profession owes a huge debt to you all, I know, I have been there.

Kind regards

Mark Savage

[Why would the police give the questions of an interview to the alleged rapist in advance because in such a situation, he and his solicitor would have time to prepare the answers?](#)

The Police would never provide questions to Solicitors and their clients. The point that I was trying to make is that in a police PACE interview there is ambush, and no equality of arms, a situation that does not happen in any other form of interview, that is why it is so important to have proper disclosure, a proper custody record, proper engagement with the police at the outset and importantly, a proper statement if there is to be a no comment interview.