

Southampton City Council

Trading Standards, Port Health & Parking Fraud Policy as to Information to Persons providing Witness Statements



Enforcement Policy

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Enforcement Policy			
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Date last amended	01/05/2019	Approval date	Click here to enter a date.
Lead officer	Rosie Zambra – Service Lead	Review date	Click here to enter a date.
Contact	Rosie.Zambra@southampton.gov.uk	Effective date	Click here to enter a date.

Purpose

1. Southampton City Council trading Standards and Port Health, incorporating the parking Fraud Investigator, will frequently seek to obtain witness statements from third parties in order to obtain evidence of alleged criminality. Such witness statements may form part of the prosecution case put before a court and will, in any event, be scheduled and retained by the council. It is important, therefore, that persons making witness statements understand the importance of the document and commitments arising from it

Scope

2. Trading Standards, Port Health are managed by the Service Manager-Trading Standards and Port Health; the Service area also includes the Parking Fraud Investigations function.
3. This policy is to be read together with the attached draft document '**Making a Witness Statement - What Happens Next?**'
4. This policy supersedes any previous information to be provided to those making witness statements

Legislative Context

5. This policy takes into account the following;
 - Human Rights Act (1998)
 - Data Protection Act (2018)
 - Legislative and Regulatory Reform Act (2006)
 - Equality Act (2010)
 - Code for Crown Prosecutors
 - The Anti-social Behaviour, Crime and Policing Act (2014)
 - Regulators' Code (2014)
 - Criminal Justice Act 1967.
 - Magistrates Courts Act 1980
 - Criminal Procedure Rules

Policy Statement

6. Officers, and contracted investigators tasked to Southampton City Council, will seek to ensure that when persons are contacted with a view to obtaining a Witness Statement that person is provided with the document '**Making a Witness Statement - What Happens Next?**' in either hard copy or electronically as may be appropriate
7. In any event the document '**Making a Witness Statement - What Happens Next?**' will be provided to persons prior to them signing any witness statement
8. Exemptions
 - Persons acting as experts and the statement is being provided in the capacity of Expert Witnesses
 - Achieving Best Evidence witness interviews conducted by way of video recording

Governance

9. This policy will be implemented by the Service Manager-Trading Standards and Port Health
10. This policy will be updated by the Service Manager-Trading Standards and Port Health; the policy will be monitored by Service Lead- Environment, Street Scene and Health who may seek advice/assistance from the council's legal team

[END]

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