



IP51

PHOTO PACKS

IP51

Effective Date: 12 April 2012
Last Reviewed/Revised Date: 06 May 2024*

POLICY

1. The Delta Police Department will provide a policy in relation to Photo Pack line ups.

REASON FOR POLICY

2. To adhere to the recommendations set out in the *Thomas Sophonow Inquiry 2001*.
3. To meet the requirements necessary for admissibility of a Photo Pack line up identification in court.

RELATED POLICIES

- IC31 – Identification of Criminals Act
- IM10 – Criminal Investigations
- IP21 – Statements
- IR21 – Notetaking & Notes Management

PROCEDURES

4. Members who have made an arrest must not return an arrested suspect directly to a witness for identification, but must arrange, if necessary, for the suspect to be identified through a photo pack line up.
5. When conducting a photo pack lineup, the interviewing member must fill in and read out the Photograph Pack Declaration instructions to the witness, and adhere to the presenter guidelines by ensuring that:
 - a) the witness is wearing their glasses or contacts, if required;
 - b) the photo pack contains at least 10 photographs;
 - c) the photos were taken in relation to the arrest and charge of each person for an indictable or hybrid offence (as per Section 2 of the *Identification of Criminals Act*);

IP51

Photo Packs

IP51



- d) the photos resemble the description provided by the witness and are as close as possible to the suspect;
- e) the member presenting the photo pack is not involved in the investigation and has no knowledge of the suspect or whether the suspect's photo forms part of the photo pack;
- f) where available, the entire process is video and audio recorded, with recording commencing at the start of the process until its completion, and any comments made by the witness are noted;
- g) photos are presented one at a time and are not numbered;
- h) the member conducting the interview does not divulge or indicate to the witness, during or after the presentation of the photo pack, any information regarding their identification or inability to identify a suspect;
- i) if the witness requests a second viewing of the photos, the order of the photos is changed and presented again one at a time;
- j) if an identification is made, the witness still views all of the remaining photos in the photo pack;
- k) the identified photo is signed and dated on the back by the witness and the member, and if the session is being video recorded, the member holds the photo up to the video camera so the selection is clear, and all other photos viewed are initialed by the witness and the member;
- l) the photo pack is maintained as an exhibit regardless of whether an identification was made;
- m) a separate photo pack is prepared for each witness; and
- n) the photo pack declaration form is completed accurately.

*Revised Dates:
N/A