

5 Evidence Collection and Gathering: The Living Evidence

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‘The cat had fleas.’

Prosecution Expert

‘Prove it.’

Defence Expert

from a crime scene. Many principles, theories and concepts have been copied from our forensic scientist counterparts in the non-animal lead disciplines and are often successfully utilized in the emerging field of veterinary forensics. While the successful retrieval of evidence from a crime scene is well documented for almost all items of putative evidence, there is one aspect of veterinary

5.1 Introduction

There are many texts and much guidance relating to the successful gathering of evidence

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evidence that separates it from all others, and this fact is reflected by an absence of literature or text material for guidance in this area. Veterinary evidence, it would seem, is often living.

In a dispute that involves the seizure of living animals, this attribute makes it difficult for even the most competent authority to mount a successful prosecution, and provides the defence with a great deal of material with which to mount a successful challenge. Living evidence creates a unique set of challenges: it usually belongs to someone else and so is the responsibility of authorities that do not own it. It is often the single determinant in any legal dispute involving living animals – how was it looked after or examined after it was seized? How was it stored prior to trial and what evidence was retrieved from it after seizure? As I have already observed, a living animal cannot be sealed in a bag and placed on a shelf in an evidence locker. It costs a large sum of money to board and keep a living animal for a prolonged period prior to trial.

5.2 Animals as Property

Legally classed as property, there are no forensic protocols for dealing with sick, injured or healthy living property that is deemed to belong to someone else, to be labelled, packaged and stored as evidence attributable to allegations of cruelty against that owner. While there are protocols for the storage of evidence and the continuity of evidence and prevention of contamination of evidence, it has not been established in any jurisdiction what an agreed protocol is for the seizing, storage and examination of *living evidence* that is classed as property.

A living human involved as a *victim* in an assault case can provide evidence of the assault through verbal testimony as a witness. Photographs and examinations of injuries in a human can be documented, and following crimes visited upon human *victims* it is normal for the *victim* to be examined by a medical (or other) specialist. These *victims*

are then allowed to go home to await a trial and, when required, they provide oral testimony as to the nature of the assault, and the court determines, as best it can, what had actually occurred. If necessary, it will punish the guilty party with the powers afforded to it through the relevant legislation.

A living animal can also provide testimony to the court as evidence, but only as a silent witness. They are property, alive and, though able to communicate non-verbally, they cannot speak. The language of forensics becomes their tool for communication, and the ability to interpret that language is the role of the forensic veterinarian. These animals are seized, examined, photographed and clinically examined and, instead of being sent home, they are kennelled, euthanized, taken into possession, signed over or simply stored until trial, during which period they can lose or gain weight, become pregnant, die, fight or become ill.

Living evidence needs to be weighed regularly, kept healthy and have its needs met while still being the property of the owner from whom it was seized. In any legal investigation involving the seizure of living animals, it is always the storage of these living animals that is the area of most concern. There is the potential for exposure of a weak chain of custody by the prosecuting authority, an area of exploitation by the defence expert, who is entitled to ask how the evidence was stored and what condition that evidence is in now.

A lot of probative and relevant information that is crucial to a successful prosecution or defence of a dispute involving living animals is often harnessed in the period immediately post-seizure and during storage, when the living evidence is waiting for trial. It is, however, the experience of this author that when dealing with cases as both a prosecution and defence expert, the area of the storage of the living evidence immediately post-seizure is the evidentially most yielding, and also the aspect least utilized by many seizing authorities. There are unlikely to be any references to the storage of living evidence in the human forensic literature, and this is where the field of veterinary forensics differentiates itself from that of non-veterinary forensics.

Animals are unusual in this respect, as they have, under the law, the legal status of property that is living. Depending on the jurisdiction and the alleged act, animals can be classed as property, as evidence or, in the case of sexual assault, as a victim. This victim status of animals that have been sexually assaulted temporarily elevates their legal classification to that of personhood status (in some jurisdictions), and therefore obliges anyone found guilty of committing a sexually motivated act against an animal to be placed on a sexual offenders' list. A sexual offender must commit an offence against a *victim*, not *property*. An animal as property cannot be classed as a victim, so some jurisdictions class animals as persons for the duration of the alleged offence, to ensure that a legal victim (and a temporary person) has been created and that sexual offenders against animals are appropriately placed on a sexual offenders' list. Some jurisdictions regard any elevation of an animal to personhood status, no matter how temporary, as a precedent for giving all animals greater rights as legal persons. For this reason, many jurisdictions actively choose to not address the issues of sexual assault against animals and do not class animals as victims of any assault, preferring not to class it as a criminal act. In many countries, there is no specific offence of sexual assault of an animal, in order to avoid this legal anomaly. Those animals that are protected by relevant animal-related legislation against human sexual contact are legally classed as property, and so can be bought, sold, owned and traded, creating an anomaly in society's expectation of what is normal treatment of animals. An ability of an animal to suffer doesn't change, but the tolerance of that suffering by others is what animal welfare and cruelty laws are designed to confront.

5.3 Living Evidence

This issue of living evidence makes it difficult for seizing authorities to appropriate and maintain this property alive for a

prolonged period prior to a court contest. This difficulty and expense then has an impact on the appetite for many authorities to investigate, prioritize or enforce crimes against animals. While there may be existing legislation that is appropriate for resolving disputes involving animals, it is a lack of ability or motivation to enforce the existing legislation that is, in this author's experience, the weak point in any investigation involving animals and animal derivatives.

As a rule, when investigating a claim of cruelty to an animal at a crime scene, there must be a demonstration of pain and suffering that has occurred. The goal of the forensic evidence collector is to present material to a court so that the court may be equipped with the necessary tools to establish that pain or suffering had occurred; in addition there must also be evidence that indicates that this pain and suffering was *unnecessary*. Therefore there are two conditions of unnecessary suffering that are required to be satisfied by the Court:

1. a demonstration of the existence of pain and/or suffering; *and*
2. the simultaneous demonstration of the necessity of that suffering.

Evidence can also be used to establish contact, ownership, negligence or welfare offences; however, this chapter will focus on the general forensic principles of collection of living and dead evidence.

Vets may be able to provide expert opinion to a court as to whether pain or suffering had occurred. Where there are conflicting views on the occurrence, demonstration or manifestation of pain or suffering in an adversarial system (and there usually are), then the court will determine, after considering the conflicting views, if pain and/or suffering has occurred or, more realistically, if pain and/or suffering has been demonstrated to have occurred. Vets are usually very good at providing an opinion as to whether pain and suffering had occurred but are usually poor at *demonstrating* that pain and suffering had occurred in any animal. If there is one word that can replace the word *forensics* in this book, it is the word *demonstrate*.

5.4 Necessity

Many vets and animal welfare officers seem to focus only on signs of pain or suffering in animals during the investigation of a crime scene – they need to slightly adjust their approach to look also for evidence that *unnecessary* pain or suffering occurred. And while the courts will determine a conviction on the necessity of the pain and suffering, many attempts at prosecution will fail because the focus has been on the demonstration of pain only or the demonstration of suffering only. Animals are not guaranteed an existence free from all pain and suffering, just unnecessary pain and suffering. This *unavoidable or avoidable* suffering needs to be approached as an obtainable piece of evidence, like all evidence which can be gathered, collected, stored and released, and if it isn't, then it will be the first question asked by a reasonable defence.

5.4.1 What is the necessity for this suffering?

Suffering and cruelty are not synonyms for veterinary pathology and, while pathology can assist to determine whether suffering did or did not occur, it is the evidence surrounding the event at the crime scene that can determine the necessity, or not, of that suffering to the satisfaction of the court. Determination of the *necessity* for pain and suffering is the ultimate issue for the courts to decide.

A crime scene investigator is looking for evidence of needless pain and suffering or for evidence of the *necessity* of this pain or suffering. This evidence can be collected in the form of photos, dead animals, dying animals, living animals, gunshot residue, bruising, blood sample analysis, pathology, hair collection, blood pattern analysis, bitemark analysis and also in the discovery of documentation, trophies and, more increasingly, the habit of individuals to take 'selfies' on their mobile phones, or to video an act of cruelty to replay to interested onlookers. Evidence can occur and be gathered outside of the singular specialism of veterinary pathology and a good crime scene examiner needs to be aware

of this. The most useful piece of evidence in cases like this is documentary evidence. Receipts, log books, menus, diaries and laptops can provide more evidence at a crime scene than all pieces of other evidence combined; yet they are often overlooked by forensic vets, who are zealously looking for evidence of animal origin, smell or appearance. Scenes of animal abuse and cruelty often involve human mental health issues, and they can be dangerous places for attending responders. Individuals suspected of animal abuse should be regarded as unsafe to accompany unattended. At a crime scene involving allegations of animal abuse, a vet may unwittingly become a de facto social worker, engaged in very deep and prolonged discussions with suspects – this should not be at the expense of collecting evidence for court.

5.5 What Is a Crime Scene?

A crime scene is not defined as a place where a crime occurred. A crime scene is a location where evidence of a crime can be found. It is for the courts to determine whether a crime has or has not occurred.

A crime scene can be declared by a statutory enforcement officer – usually a police officer or local council officer. A vet or a local charity inspector cannot declare a crime scene. Allow those with the statutory responsibility to declare and take charge of a crime scene. As a veterinarian, you are there to advise and assist: a vet is a small element of a crime scene investigation and of a subsequent trial involving allegations of animal welfare shortcomings or animal cruelty claims.

Once a crime scene has been declared, it (and the potential evidence within it) needs to be protected. Protection may be necessary from the external weather, individuals inside the crime scene (suspects), police, other animals or accompanying animal welfare officers.

5.5.1 Arrival on scene

On arriving at a crime scene, a veterinarian should do the following:

1. Attend and define who is in charge (usually the police or local council).
2. Take a note of the time you arrived and the names of the people you are speaking to.
3. Ask whether the suspect has been read their rights.
4. Explain who you are, your qualifications and your aim, and then walk through the scene with police initially to get an overview of the scene.
5. Try to speak with the suspect, but be aware that they may have a right to remain silent.
6. Be aware that if any animals are near death, it is important that you attempt to save life before you gather evidence. If it is raining or the suspects are disposing of evidence, then it is for others to prevent this. An attempt to save the animal's life is a professional obligation and, regardless of how much evidence is lost or destroyed, it is a priority for a veterinarian attending at a crime scene.
7. Do not allow an animal to die in order to preserve evidence. You must treat the animal and prevent suffering even if this means destruction of evidence. However, if a suffering animal is part of a crime scene in which a serious crime has been committed, then you may not be allowed to enter to treat that animal. These crime scenes usually involve the injury and death of humans, with animals as secondary victims who are also a part of the crime scene. It is an example of necessary suffering, in order to preserve and avoid contamination of a crime scene that is focused on a human crime.
8. If it isn't safe, don't do it. If the scene cannot be controlled, then it is important to state your reasons for leaving and document these reasons prior to departure.
9. Your professionalism, approach and demeanour will determine whether the suspect(s) at the scene will seek to resolve or to contest any charges or allegations made against them. It will also determine whether they choose to fight the matter on principle, or accept advice and voluntarily surrender any animals that concerns have been expressed about. Suspects at scenes of animal cruelty who show animal welfare concerns are often receptive to the idea of

seeking some type of counselling and support. While some express relief at your visit, others may respond angrily. There are different ways to deal with each response, but the overriding principle remains the same – process the scene as if you intend to prosecute. Outcomes such as seeking counselling or voluntarily surrendering animals cannot be imposed by a court and, while some issues can be resolved by a stern or a soft tone, it isn't the social worker approach that makes individual suspects receptive to changing their questionable animal-keeping habits. All scenes should be processed with a view and an intention to prosecute. Nearly all of these scenes will fail to make it to court; it is likely that, with the benefit of legal representation and prior intervention by others, pleas will be entered before any likely court contest, or the matter will be resolved amicably. On the other hand, if a crime scene involving animals is processed with the assistance of a vet who holds the view that *no* prosecution is going to follow, then, with the benefit of the defendant receiving sound legal advice, these crime scenes almost always end up in court. Nineteen out of 20 disputes involving the collection or seizure of animals will end at the crime scene, but a good forensic examiner will *always* be prepared to go to court and gather evidence from all 20 crime scenes. When you stop approaching all crime scenes as places to articulate and reason your input to a court, then, paradoxically, you will find that you will end up in court on a more frequent basis. A solicitor for the suspect will become involved and questions of a relaxed attitude to crime scene processing and evidence collection and gathering become apparent.

5.6 The Five Cardinal Rules for Examining a Crime Scene

I use the mnemonic PREGS when collecting evidence from a crime scene involving living animals. The PREGS protocol must be applied in a cyclical loop manner when dealing with living evidence.

- P. Protect
- R. Record
- E. Evaluate
- G. Gather
- S. Store

These five steps should be performed in this order, as each one has an effect on the continuity and viability of the next and/or preceding step. It is a circular chain for gathering *living* evidence and non-circular when dealing with *non-living* evidence (see Fig. 5.1). When dealing with living animals, the five aspects of evidence gathering should be repeated until the animals are disposed of post-trial, or a resolution is agreed with the animal owners. During a court contest, the chain of custody that has been built around the PREGS protocol may be appropriately stretched to breaking point by an experienced defence team. This ability to be stretched and stress-tested is one of the features of the adversarial system.

This continuous cycle includes the weighing of animals, the repeat body condition scoring of animals, blood sampling and analysis, documentation of the treatments given, and the response to treatment. It is relevant and probative to a court case, as the



Fig. 5.1. Circular PREGS protocol. It is circular and linear to reflect that veterinary forensics deals with living evidence and to reinforce that this evidence must be protected after it has been seized and can yield useful probative material after seizure.

animals are alive; they are also the property of their owners and any deterioration in their condition after seizure will invite justifiable criticism of the care of the animal and the continuity of the evidence in an adversarial legal system. Conversely, any improvement in their condition could attract criticism of the owner by the courts.

5.7 PREGS

5.7.1 Protect

A crime scene needs to be protected. Evidence that can be gathered can be transient in nature and may need protection from the elements or from suspects at the scene. The alleged offenders may be affected by mental illness or chronic substance abuse, in which case responders at that scene need to take steps to distance or protect themselves. As a vet, it is often your responsibility to protect others at that scene from any injury they may sustain from animals. You are protecting animals, evidence and personnel. And when you gather evidence and write and sign a report, you need to protect yourself in the face of scrutiny by an inquisitive, informed and adversarial-by-nature barrister.

Take control of the scene immediately, particularly if there are living animals. As a vet, upon arrival you may be responsible for the injuries others could sustain from the animals at the scene. Keep out unauthorized or uninvited personnel and utilize any available police to assist with this. Determine the extent to which the scene has been protected. Obtain information from personnel who have knowledge of the original condition of the scene.

Initiate a logbook and record those who enter and leave, the names of the personnel involved, the address and the time. You may need to take charge of personnel and, importantly, develop the skill to control personalities at a crime scene who can evoke strong emotional responses in attendees and interested onlookers, in order to fulfil your aim of protecting the scene, animals, evidence and others.

5.7.2 Recording the crime scene – measuring and sketching

5.7.2.1 Photography

Photography can accurately record the scene as it appeared at the time the vet arrived. It is the most common piece of evidence, and is relied upon in animal cruelty investigations. Many vets make the error of photographing the animal without attributing an evidence marker in the image and without correlating this image to an evidence log. Don't take a photo unless you have a pen and a piece of paper to log the image and create a descriptor in the image. All close-up images of an animal that would otherwise demonstrate injury or cruelty may not be reliable if these images cannot be attributed to a particular animal and a corresponding entry in an evidence log, with an accurate evidence descriptor within the image.

Each item of interest requires at least three images:

1. An overview shot.
2. An approach shot.
3. A close-up of each individual item of evidence.

The easiest method is to use numbered placards in each image you take. I was once involved in a dispute that had more than 1000 images taken of equines, that demonstrated overgrown hooves, close-ups of emaciated animals, serious rain scald and mud fever. Much of this evidence was dismissed, as the defence argued (successfully) that the images had no evidence markers and no evidence log to match the images with the horses. Suffering was demonstrated in the images, but it could not be attributed to the very specific charges relating to individual horses. The evidence was admissible, but did not carry the appropriate weight – the images were taken so close to the animal that identification of the animal (or even species) was not possible.

Still photography is one of the four principal means of providing courtroom participants with visual evidence of what took place/existed at a crime scene (the others are sketches, videos and animated movies).

The photography rule is a rule of threes: as there are three approaches used to create an image of an item of interest (overview, approach and close-up), there are also three elements to a close-up image:

1. A scale.
2. An evidence descriptor.
3. The item of interest.

Sketches, videos and still photos all complement and support one another in the preservation of evidence and one should not be afraid to produce all three from any crime scene.

It is common for photographs depicting deceased and/or mutilated animals to draw vigorous objections from the defence. Defence barristers can successfully argue that such grim images are more prejudicial than probative, will probably inflame the jury or court, and are therefore inadmissible.

The use of animated movies can be used to reconstruct such photos or images, eliciting a non-emotional response and leading to a decision based on practicalities rather than emotion. These movies or virtual reconstructions can also be used to take the observer on a virtual tour of the now digitally sterilized crime scene. In the past I have asked a graphic designer with forensic experience to produce digitized images of small children who have been killed or severely injured by dog attacks.

Videos allow a complete and continuous unbroken view of a crime scene. They provide panoramic views, but lack definition, light and dark contrast, positional context and the higher resolution that can be obtained with still photos.

5.7.2.2 Sketching

While photos can be digitally altered, sketches have three advantages: (i) they provide greater width and depth of field of view (a sketch can give an overhead view of a scene inaccessible to video or still photography); (ii) they can eliminate distortion caused by perspective; and (iii) they can allow the important features to be shown without the unnecessary distraction of detail.

The purpose of a sketch is to help to clarify what is relevant at a crime scene. It also depicts things that are important at the time it is made. It gives the relative positions of all items; this can be more useful than a photograph as it gives basic information about the scene and its contents at a glance, where a photograph may appear under- or overexposed or too cluttered. Importantly, a sketch also depicts the relative positions of items, and with measurements it can be a helpful adjunct to a photographic image.

I will sketch at most crime scenes I attend, to record an overview and/or fine detail (see Fig. 5.2).

Initial sketches should be drawn in ink (not pencil) and include all relevant measurements. It is acceptable to redraw your sketches at a later date, either by hand or computer-aided design (CAD).

A sketch should include the following:

1. Directional orientation – which way is north?
2. Name and signature – print your name and sign (these form part of your contemporaneous notes).
3. Date of scene processing, and possibly the time.
4. Case number (if applicable).
5. Relevant labels – these must be appropriate and unambiguous, i.e. the address of the property and which room it is. For vehicles this should include number plate information and/or Vehicle Identification Number (VIN code), make, model and colour.
6. Scale (if used); and
7. Evidence items – these would normally be represented by a number on the sketch in the relevant position in the room (the number is then related to the evidence log – see below).

Measuring of a crime scene (if required) satisfies two main needs:

1. To allow accurate sketching of the evidence in its found position.
2. To determine critical distances between objects.

It is claimed that it is not possible to accurately document a crime scene without measuring; however, though I have measured some crime scenes, I do not measure all of them –

the decision whether or not to do so is dictated by the evidence that one encounters. Any measurement of heights or distances should be demonstrated in a report by a sketch that need not be to scale. When measuring items in a scene on a sketch, you should use two points of reference from which you have measured. Simply providing information on heights and measurements without a sketch to refer to can make interpretation of any scene processing more cumbersome. The two reference points used in a sketch must be distinct and permanent. If measuring an indoor crime scene I tend to use walls at 90° to each other as my fixed point of measurement although I have been tasked to investigate in some Eastern European countries where this isn't always a reliable assumption.

5.7.2.3 Evidence logs

At the crime scene, an evidence log must be kept, recording information such as who seized the item, a description of the item, the location of the item, etc. At non-animal crime scenes, a scene manager will be in control of the evidence log. In scenes involving animals, the vet may be expected to do this. But vets tend to focus and manage their skills at a crime scene in a vertical manner, focusing upon any available evidence of animal origin, while an evidence log manager needs to link up all the discrete and independent items seized and retrieved from a crime scene. Due to the horizontal nature of this management process and the importance of the evidence log to the dispute, it is preferable for a person other than the vet to assume this role. The forensic vet needs to focus on the living animals or the evidence of animal origin and not initially on crime scene log-book management.

Utilizing an evidence log to record the location measurements of the evidence items means that only the number of the item needs be recorded on the sketch, so avoiding sketch cluttering.

The evidence log, like the sketch, is part of your notes made at the scene and therefore requires appropriate and unambiguous labels that link it to the sketch and any photographs taken with evidence markers.

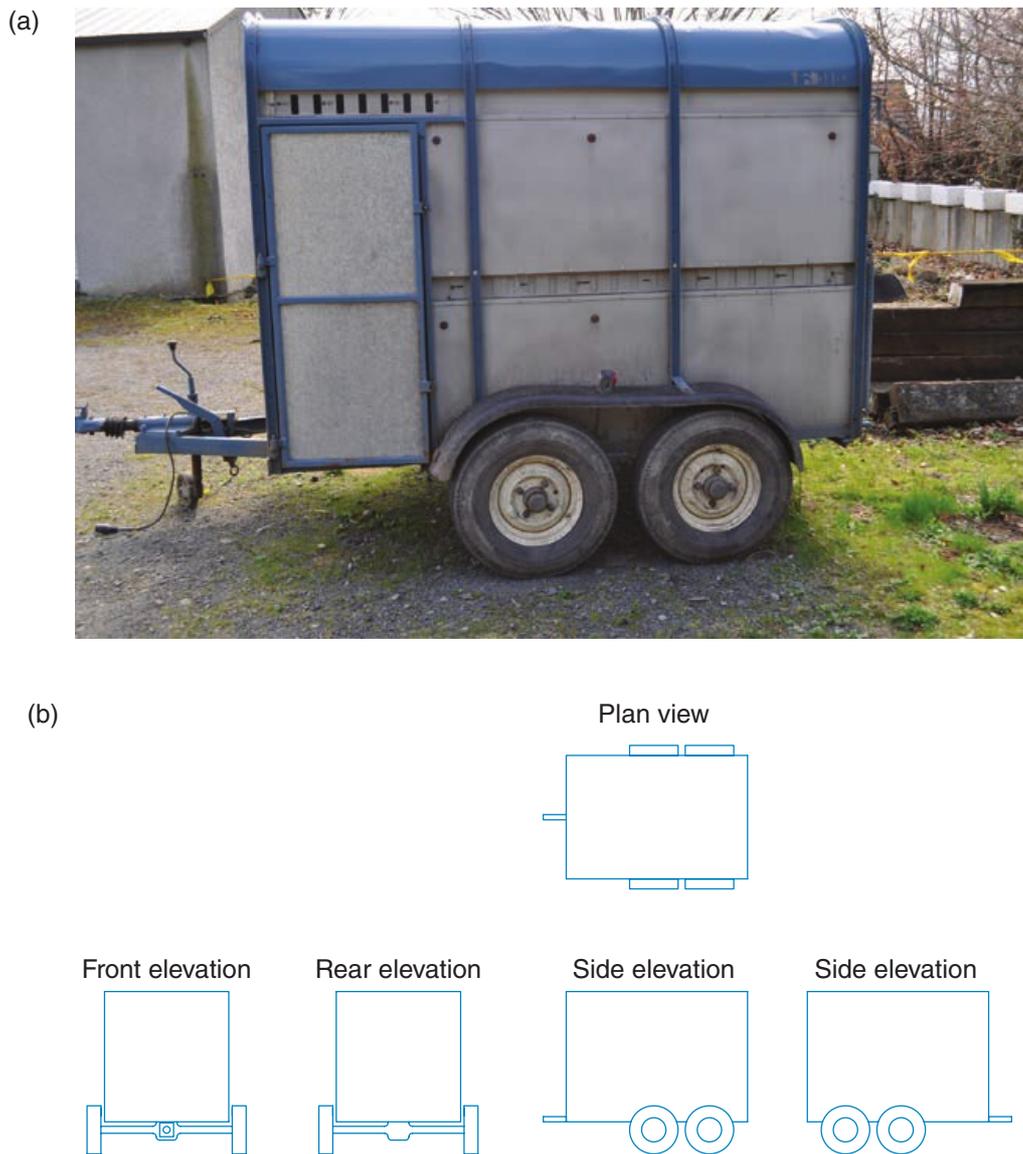


Fig. 5.2. A photograph (a) and a sketch (b) of a trailer used to cart a stag for hunting purposes.

Evidence logs should indicate the following:

1. Who is there?
2. The location you are attending.
3. What time and date you entered and left, who declared the crime scene, and who has overall responsibility for the scene.
4. What evidence you have gathered, linking it to the sketch and an itemised legend that links that evidence to the evidence log; e.g. A. Dead Dog, B. Living Dog – Jack Russell microchip number 123456.
5. Who is responsible for that evidence and where is it going?
6. What injuries the animal had at seizure.
7. What injuries the animal had upon arrival at boarding destination.
8. What was the weight and accurate body condition of the animal.

5.7.3 Evaluate physical evidence possibilities

This evaluation begins upon arrival at the scene and becomes detailed in the preliminary survey stage. Once you have established that aspects of the scene are safe to proceed with, move on to your recording of evidence through sketching and imaging while creating an evidence log. Then stop and evaluate. Consider what evidence is there to be collected and examined away from the scene. If in doubt, then seize and collect it. Do not start to consider what the defence position will be. Focus on your role, which is to provide the court with evidence to enable it to arrive at a safe decision. This step of the protocol is an evaluation of your own personal safety and the organization of the scene, which can be quite complex, and lays the groundwork for any subsequent seizure.

- Ensure that the collection and packaging materials and equipment are sufficient and that a logistical infrastructure is in place to collect living animals if required.
- Focus first on evidence that could be lost. Leave the least transient evidence to last.
- Ensure that personnel consider the variety of possible evidence, not only evidence within the specialism of veterinary science

that is of animal origin. Documentary evidence is often overlooked at a crime scene involving animals.

- Search the easily accessible areas and progress to out-of-view locations. Look for hidden items.
- Evaluate whether evidence appears to have been moved inadvertently.
- Evaluate whether the scene appears contrived.

5.7.4 Gathering of evidence

Evidence gathered needs to be logged in your evidence log. Living animals should be weighed and body condition scored, and checked for a microchip prior to being seized. They should be examined by a vet to ensure they are fit for removal and transport. They need to be examined again after transport and prior to boarding, to document any injuries they may have received during transit. A seizing authority is always responsible for a seized animal and it always remains the property of the owner until this has been relinquished by the owner or surrendered by a court direction. Dead animals can be packaged in a body bag and frozen and treated as an individual crime scene at a later post-mortem examination in a different location, where a pathologist may then assume responsibility for that crime scene to protect, record, evaluate, gather and store.

Living animals should not be transported together or stored together in order to save costs. They fight and they impregnate; both of these have happened to evidence I have seized, which curtails the ability of the prosecution to successfully prove a lack of care on the part of the defendant. The gathering, documenting, subsequent storage of evidence and re-evaluation of the animal as it remains in storage is the most evidentially yielding period in the chain of custody, which non-living items of evidence cannot provide. It is also the area of weakness in any prosecution authority and is prone to challenge by a defence team who will seek out and discover weaknesses in this area of your crime scene processing protocol first.

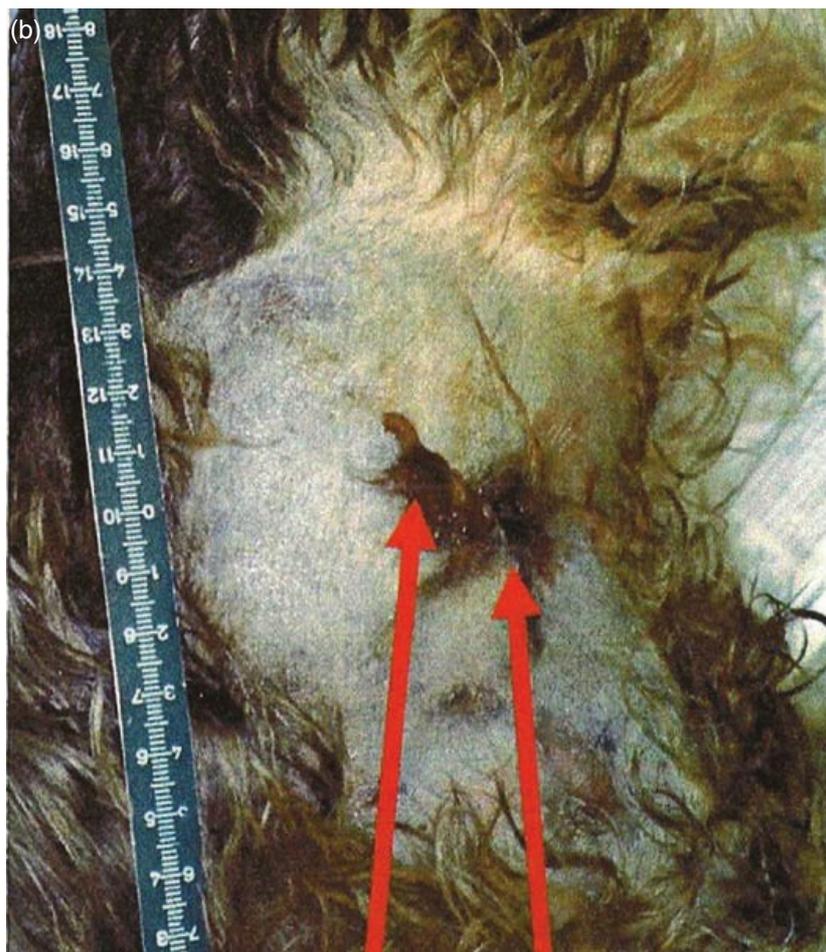
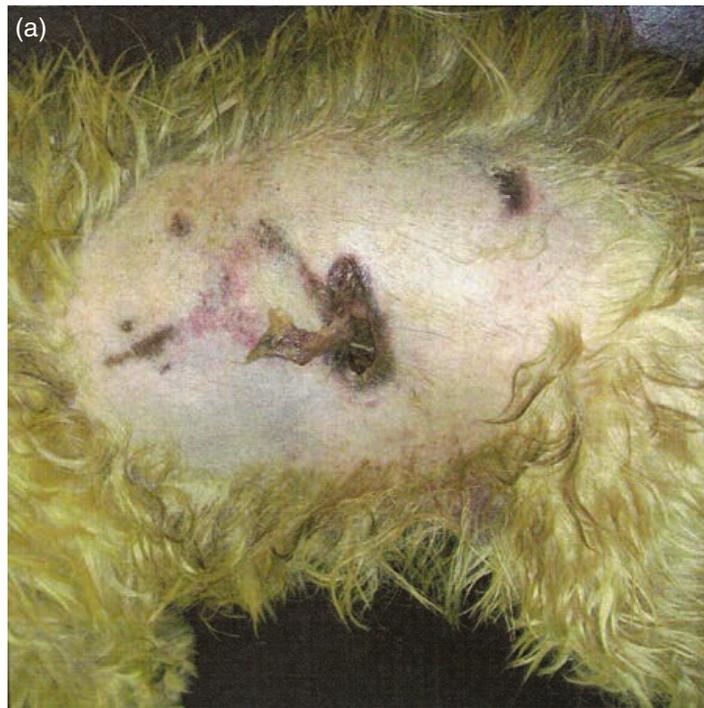


Fig. 5.3. (a) Before: a dog that was euthanized after being bitten by another dog. This image was taken immediately after euthanasia. (b) After: the same dog after being stored in a sealed plastic bag in warm conditions. The post-mortem changes in wound appearance were attributed to ante-mortem conditions and impacted on the ability of the magistrate to reach a reliable conclusion in this dispute.

5.7.4.1 Final survey

The final survey is another opportunity to review all aspects of the PREGS protocol followed so far. The search should be discussed with all remaining personnel and you must ensure that all documentation, in particular the evidence log, is correct and complete.

A photograph of the scene showing the final condition is necessary to avoid claims of damage or destruction. Ensure that all seized evidence is secured and alive before leaving the premises. Avoid leaving behind contaminated equipment, and ensure that hiding places or difficult-to-access areas have not been overlooked. It is a feature of crime scenes involving animals that some target species are seized, while others animals of a different species are allowed to remain behind. A claim that the suspect was causing unnecessary suffering to the seized animals can be compromised if other animals were left under the care of the same owner.

5.7.5 Storage

Animals being legally classified as property that is living is the largest issue for vets to deal with at a crime scene while gathering evidence. These items of evidence need to be stored in conditions that are specific only to this field of forensics.

Living animals get sick and die – because they are evidence, all these changes need to be documented. The facility where animals are stored must be considered as an extended and de facto continuation of the

crime scene. At suitable intervals following seizure, animals need to be weighed, examined, inspected and blood-sampled. Vets need to ensure that the animals' needs are met and they are not living in conditions that could be worse than those from where they were removed. The PREGS cycle continues at Storage by examining the animals once they have been off-loaded and the Protect element starts again. The conditions of the new premises must also be recorded and evaluation of the animals must occur regularly, particularly at the start of any boarding of living evidence. Further evidence, such as weight gain or loss, must be gathered and this information stored in a relevant log. The PREGS cycle should be repeated until the dispute has ended, including any legal appeals.

5.7.5.1 Dead animals

Animals that die during evidence storage or at the crime scene can be taken away for further examination. They should be photographed *in situ* and then placed in a bag, sealed, labelled, entered into an evidence log, and taken away and frozen for later examination as necessary. There is plenty of debate as to what type of bag is appropriate for dead animals; I have been involved in a case where the storage of evidence in a dispute was central to the evidence presented (see Fig. 5.3). To avoid any post-mortem changes occurring in dead animal storage, as a result of being placed in sealed plastic bags, I use human body bags to store and transport dead animals to cold storage.