

Evidence Checklist

A tool for tracking what you gave, who took it, and what happened next

Read this first. This is a paper tool. Print it, fill it in by hand, and keep it somewhere separate from where you live - a locker, a trusted person's house, a bag you carry. If you fill something like this in on a phone, tablet or shared computer, someone with access to that device may find it. If you need a digital copy, use an account the other person has never had access to and has never seen you open.

If you need to stop reading, stop at the end of any section. Nothing here expires.

Section 1: Before you hand anything over

Complete this before your material leaves your hands. Once it is gone, you cannot go back and do it.

- ☐ I have photographed or scanned every page, front and back
- ☐ My copies are stored somewhere other than my home
- ☐ I have a second copy in a different place, or with a different person
- ☐ I am handing over a copy, not the only original, unless I was specifically told the original is required
- ☐ If I must hand over an original, I have written down exactly which original it is
- ☐ I have not rewritten, reorganized, annotated or cleaned up anything

If you want to explain something, write it on a separate sheet and date it. Never add to the original record. Its value comes from being written when it was written.

Section 2: The covering letter

This is the highest-value item in this whole document. A prosecutor deciding your case usually reads a summary written by an investigator - not your actual material. A covering letter is your one chance to travel with it.

Write one page. Attach it to everything you submit. Keep a copy.

Include:

- ☐ What the material is (journals, letters, printed messages, photographs)
- ☐ The date range it covers, earliest to latest

- ☐ How many items or pages there are
- ☐ A numbered list of the specific entries that matter most, each with its date
- ☐ For each of those, one line on why it matters
- ☐ Anything recording the other person's own words - threats, admissions, apologies, explanations
- ☐ Anything that lines up with an outside record: a hospital visit, a text, a work absence, a witness
- ☐ A request, in writing, that this letter be placed in the file

Their own words carry the most weight of anything you have. If your material contains them, say so on the first line.

Section 3: Submission record

Fill this in at the counter, before you leave. If you leave without it, you may never be able to reconstruct it.

Date submitted

Time

Location / detachment

Officer name

Badge or regimental number

File or occurrence number

What I handed over

Number of items or pages

- ☐ I asked for a property or exhibit receipt
- ☐ I received one. Receipt or item number: _____
- ☐ I was not given one. I wrote down everything above instead.
- ☐ I attached my covering letter
- ☐ I asked for it to be recorded that a covering letter was included

If you get no receipt: email the details above to yourself the same day, from an account the other person has never accessed. The timestamp becomes your record.

Section 4: Questions to ask, and what you were told

Ask these plainly. You are entitled to ask. Write the answer down with the date, because you will not remember it accurately in six months.

“Was my material entered into the property or exhibit system?”

Date:

“Will it be forwarded to Crown, or does it stay with the police file?”

Date:

“Will it be described in the report, or just listed?”

Date:

“Has a Crown prosecutor reviewed the material itself?”

Date:

“Who made the decision on this file - police or Crown?”

Date:

“How do I request a written explanation of the decision?”

Date:

Section 5: Contact log

Every call, visit and email. One line each. This log is often the most useful thing a lawyer receives from a client.

Date	Who I spoke to	Method	What was said

Put requests in writing wherever you can. A phone call leaves no record. An email leaves one automatically.

Section 6: If the file closes

A file closing is an administrative event. It is not a finding about whether you were telling the truth.

- ☐ I asked for the reason in writing
- ☐ I established whether it was a police decision or a Crown decision
- ☐ I asked whether my documentary evidence was reviewed before the decision
- ☐ I asked whether it was described in the report the decision-maker read
- ☐ I asked what the review or reconsideration process is
- ☐ I asked whether new information could reopen it
- ☐ I still have all my copies

Two different gates. A prosecutor deciding not to proceed is not a judge ruling your evidence inadmissible. Most files end before any judge ever looks at the evidence question. If you were told your material “wasn’t admissible,” ask who decided that and at which stage.

Time is usually not the barrier you were told it is. There is no limitation period for indictable offences in Canada. Serious matters can be prosecuted years or decades later.

Section 7: Complaint and review options

Names, bodies and timelines differ in every province and territory. Look up what applies where you are and write it here so it is in one place.

Police service complaints / professional standards

Provincial civilian police oversight body

Crown file review contact

Victim services office

Provincial victims’ rights complaint process

Set expectations honestly. These processes are slow and more often produce an explanation than a reversal. An explanation is still information you did not have, and a written record has value beyond your own file.

Section 8: Before family court

- ☐ I have spoken to a lawyer before moving any material between criminal and family proceedings

Do not skip this one. Family and criminal court are separate tracks with different rules. Moving material between them can trigger publication bans, implied undertakings, and protections around private records - and something you file in one place can be used against you in the other. This is the point where acting alone is most likely to cause damage.

If you are still in it

You cannot control what a prosecutor decides, whether a file reopens, or whether anyone gives you the acknowledgment you are owed. Those outcomes are not yours to carry.

What is yours: your record stays true whether or not it is ever read aloud. Copies you keep are copies you keep. A written request sent today is a fact in the world tomorrow, whatever the reply.

Sleep. Food. One other person who knows what is happening. Medical care when you need it. Keeping your own records intact. These are not consolation prizes. They are what keeps you standing long enough for anything else to remain possible.