

Digital Evidence: What Not to Do

This checklist highlights common mistakes that can weaken or undermine digital and social media evidence in legal proceedings in England and Wales.

- Do not selectively delete messages or posts that appear unhelpful.
- Do not crop screenshots so that dates, times, usernames or context are missing.
- Do not edit, enhance, annotate, highlight or mark original digital material.
- Do not forward, re-save or re-post evidence in ways that overwrite metadata.
- Do not rely solely on memory without preserving the original content.
- Do not gather excessive volumes of irrelevant material.
- Do not access accounts or devices without lawful authority.
- Do not share sensitive evidence widely or store it insecurely.
- Do not ignore third-party privacy or data protection obligations.
- Do not assume deleted or disappearing messages cannot be scrutinised.
- Do not present digital material without organising or explaining its relevance.
- Do not delay seeking legal advice if authenticity or legality is uncertain.