

PRE-ENABLER

Pre-Enabled Safeguarding, Evidence, Prevention and Accountability Framework

Preserving a person's evidential voice and route to evidence where serious harm, incapacity or death may prevent them from speaking later

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Important status note. This is a policy and implementation proposal. It is not currently a statutory form, does not itself create police powers or criminal liability, and is not a substitute for emergency services or independent legal advice.

Executive Summary

The PRE-ENABLER is a proposed structured safeguarding and evidential mechanism through which a person who has evidence giving rise to a reasonable concern that they may suffer serious harm, incapacity or death can create a contemporaneous record before the feared event occurs.

It has two principal purposes: prevention while the person remains alive, and evidential continuity if incapacity or death later removes the person who understood how the evidence fitted together.

Death must not erase prior notice, evidence, context or the route to evidence.

A PRE-ENABLER can identify people, organisations, addresses, records, documents, videos, websites, policies, previous case references, witnesses, locations of additional evidence, competing explanations and specified future trigger events. Its defining feature is that it preserves not merely what a person says, but the route by which investigators can independently locate and verify the underlying evidence.

The framework does not create crimes, determine guilt, privately grant police powers, mandate arrest or guarantee prosecution. Those functions remain governed by existing law. It is deliberately two-directional: the evidence may expose wrongdoing, or it may establish an innocent explanation and protect a wrongly suspected person.

The operational PRE-ENABLER Form PE-1 and its continuation sheets are supplied as a separate accompanying tool.

Contents

- Part I - The problem and the evidential route-map
- Part II - Evidential discipline and exculpatory evidence
- Part III - Decision-making framework and the Chilcot Checklist
- Part IV - Prevention and accountability
- Part V - Pre-enabled triggers
- Part VI - Incapacity and death activation
- Part VII - Death classification and potential criminal accountability
- Part VIII - Coronial process
- Part IX - Police investigation and arrest
- Part X - Prosecution and evidential thresholds
- Part XI - Statements and evidence surviving the witness
- Part XII - Two-directional safeguards
- Part XIII - Accessibility and practical operation
- Part XIV - Evidence integrity and storage
- Part XV - Institutional accountability
- Part XVI - Safeguards against misuse
- Part XVII - Core operating principle
- Key legal and policy references

PART I - THE PROBLEM

1. Evidence can disappear when the witness disappears

Serious harmful situations do not always begin with a single clearly identifiable criminal event. They may develop gradually through repeated incidents, unsafe medical or care decisions, professional misconduct, neglect, institutional failure, threats, coercion, financial exploitation, evidence interference, administrative decisions, technical failures, abuse, or combinations of apparently separate events.

Evidence can become distributed across medical records, government correspondence, police records, emails, letters, photographs, audio, video, telephone records, technical logs, financial records, CCTV, websites, corporate records, complaints, regulatory files, witnesses, physical evidence and digital devices.

The individual experiencing the events may be the only person who understands how those pieces connect. If that individual dies or becomes unable to communicate, the connecting knowledge may disappear even though the underlying records still exist.

2. The evidential voice

The PRE-ENABLER gives a person a structured means of recording the overall frame, relevant context, people and organisations involved, important events, supporting and contradicting evidence, previous reports, policies, external references, outstanding questions, foreseeable risks and future trigger events while they are still capable of explaining them.

The contemporaneous nature of the record helps later investigators distinguish information recorded before an event from an explanation created after the event.

3. The route to evidence

The defining feature of PRE-ENABLER is that it should preserve more than allegations. It should preserve the route to independent verification.

This is not only what I say happened. This is where you can look to determine whether it happened.

A route entry might identify CCTV held by a named organisation for a particular time period, a medical record held by a specified provider, or a witness who saw a defined event. In each case, the PRE-ENABLER turns private contextual knowledge into a recoverable investigative lead.

4. The central verification question

Core question: *How can this be independently verified?*

Possible verification routes include witnesses, CCTV, correspondence, clinical records, police records, government records, company records, financial transactions, photographs, video, metadata, digital logs, laboratory evidence, technical data, physical evidence, archived websites, telephone records, location evidence lawfully available to investigators, and earlier complaint or case references.

PART II - EVIDENTIAL DISCIPLINE

5. Classification of information

Classification	Meaning
FACT	Information reliably established by evidence.
CORROBORATED INFORMATION	Information independently supported by more than one source.
OBSERVATION	Something directly seen, heard or experienced whose full explanation may remain uncertain.
INFERENCE	A conclusion drawn from evidence.
HYPOTHESIS	A possible explanation requiring investigation.
DISPUTED	Information about which reliable sources conflict.
UNKNOWN	Something material that has not yet been established.

A hypothesis must never silently become a fact merely through repetition.

6. Competing explanations

The framework must not be constructed to prove the submitter's preferred explanation. Depending on the circumstances, investigators and the submitter should consider coincidence, misunderstanding, communication failure, administrative error, ordinary human error, technical failure, inadequate training, poor professional judgement, negligence, repeated institutional failure, professional or regulatory misconduct, reckless conduct, deliberate interference and deliberate criminal conduct.

No explanation automatically wins because it appears simpler. The evidence determines which explanation survives investigation.

7. Exculpatory evidence

PRE-ENABLER must preserve evidence capable of clearing somebody as carefully as evidence capable of implicating them. The form should therefore ask what evidence contradicts the submitter's interpretation, whether a named person has an alibi, whether another mechanism explains the event, whether an organisation complied with the relevant rule, whether later evidence changed the submitter's view, and what evidence would cause the submitter to revise their hypothesis.

This corresponds with existing investigative principles requiring reasonable lines of enquiry to be pursued both towards and away from a suspect. [1]

PRE-ENABLER preserves the route to accountability where responsibility exists and the route to exoneration where it does not.

8. Version history

No earlier version should silently disappear. If a person was initially suspected and later evidence weakens or removes that suspicion, the correction should be appended to the historical record. A later investigator then receives the development of the evidence rather than an obsolete accusation.

PART III - DECISION-MAKING FRAMEWORK

9. The Chilcot Checklist

PRE-ENABLER adopts the analytical structure of the Chilcot Checklist. The Ministry of Defence publication The Good Operation combines the Cabinet Office-developed Chilcot Checklist with a Reasonable Challenge approach derived from lessons of the Iraq Inquiry, including the need to avoid groupthink and consider alternatives. [2]

Vision

Why does this matter? What harm are we trying to prevent or understand?

Analysis

What is actually known? Separate evidence from assumptions, gaps and disputed facts.

Scenarios

What competing explanations and future outcomes are reasonably possible?

Options

What can reasonably be done, including evidence preservation, safeguarding, medical review, regulatory action or investigation?

Legal implications

What laws, duties or powers may apply? Authorities apply law to facts rather than forcing facts into the submitter's legal theory.

Policy and strategy

What would successful intervention or investigation look like?

Resources

What expertise or evidence is required?

Planning and doing

Who needs to do what?

Performance

Is the intervention reducing risk or resolving the questions?

Evaluation

What did the evidence ultimately establish: substantiated, partly substantiated, disproved or unresolved?

PART IV - PREVENTION AND ACCOUNTABILITY

10. Prevention before accountability

The preferred outcome is that the feared harm never occurs.

A structured warning may enable earlier safeguarding, treatment review, independent clinical assessment, evidence preservation, professional review, regulatory intervention, correction of a dangerous process, police involvement or another proportionate intervention.

11. Accountability itself can encourage prevention

Once a structured warning has been received, later review can establish when it was received, who received it, what information was supplied, whether the evidence was assessed, what decision was made, what action was taken or declined, why, and whether later trigger events caused reassessment.

This does not automatically create criminal liability. It creates auditability. PRE-ENABLER does not manufacture liability; it preserves evidence that may reveal whether liability under existing law already exists.

PART V - PRE-ENABLED TRIGGERS

12. What is a trigger?

A PRE-ENABLER trigger is an objectively identifiable future event that should cause the evidence package to be reconsidered. Examples may include repetition of an earlier harmful event, specified medical deterioration, a particular treatment or omission, disappearance or alteration of records, another threat, another incident involving a specified process, unexplained injury, incapacity, sudden death, suspected suicide, unexplained death, or another event identified by the submitter.

Something identified beforehand as significant has now occurred. Reassess the earlier evidence together with the new event.

13. Evidential significance of prediction

If Events A, B and C are recorded and the person states that the apparent mechanism may lead to Trigger D, the later occurrence of D does not prove the person's explanation. It does establish that A, B, C and the prediction of D existed before D occurred. That chronology may be highly relevant to subsequent investigation.

PART VI - INCAPACITY AND DEATH

14. Incapacity

A trigger should also operate where the feared event renders the person incapable of continuing to explain their evidence. The PRE-ENABLER can then tell investigators where records exist, who witnesses are, what organisations were involved, which events matter and how claims can be independently checked.

15. Death activation

Where the creator dies in circumstances materially corresponding with the risks or triggers identified within the PRE-ENABLER, the package should become an activated evidential notice.

1. Preserve the original PRE-ENABLER.
2. Verify when it was created.
3. Preserve its version history.
4. Secure associated and volatile evidence.
5. Establish the chronology.
6. Identify all evidential routes recorded in the package.
7. Compare the circumstances of death with recorded trigger events.
8. Notify competent authorities where appropriate.
9. Reassess the complete evidential picture independently.
10. Investigate where existing legal thresholds justify it.

The deceased supplied potentially relevant evidence before dying; determine independently what it now establishes.

PART VII - DEATH CLASSIFICATION AND POTENTIAL CRIMINAL ACCOUNTABILITY

16. Initial appearance should not end the enquiry

A death may initially appear to involve natural causes, accident, suicide, medical circumstances, unknown causes or criminal conduct. PRE-ENABLER does not seek automatically to reclassify any death. It preserves evidence potentially relevant to determining the correct explanation.

Current CPS homicide guidance recognises circumstances in which murder or manslaughter may potentially arise where suicide follows unlawful acts by another person, subject to proof of causation and the relevant offence. The guidance stresses the importance of obtaining the history and records necessary to understand what led to the death. [3]

An apparent suicide must not automatically be treated as homicide. Equally, the label suicide should not prevent evidence of unlawful causation from being investigated where such evidence genuinely exists.

17. Gross negligence manslaughter

Where death allegedly results from extremely serious negligent conduct, ordinary criminal law determines whether gross negligence manslaughter is established. Relevant questions include the existence of a duty of care, breach, causation, the legally relevant risk of death and whether the negligence was sufficiently gross to constitute a crime. PRE-ENABLER may preserve evidence bearing on what warning was given, when, to whom, what risk was identifiable and what subsequently occurred. [3]

18. Corporate manslaughter

The Corporate Manslaughter and Corporate Homicide Act 2007 provides an organisational offence where its statutory elements are satisfied. These include the relevant duty-of-care requirements, organisational management or organisation causing death, a gross breach, and the required senior-management element. Public functions and particular bodies can also be subject to statutory limitations and exemptions. [4]

PRE-ENABLER should therefore preserve evidence of who knew what, what procedures existed, whether warnings were escalated, how activities were organised, whether previous incidents existed and what decisions were subsequently made. It does not itself decide that corporate manslaughter occurred.

PART VIII - CORONIAL PROCESS

19. Coroner notification

Section 1 of the Coroners and Justice Act 2009 provides that a senior coroner must investigate where there is reason to suspect that the deceased died a violent or unnatural death, the cause of death is unknown, or the deceased died in custody or otherwise in state detention. [5]

Official medical guidance also identifies circumstances in which concerns about treatment, neglect or standards of care may require referral to a coroner, depending on the facts. [6] Where a PRE-ENABLER is materially relevant, it should be capable of being brought to the attention of the appropriate coroner. The document cannot determine the coroner's conclusion.

PART IX - POLICE INVESTIGATION AND ARREST

20. Existing police powers

The PRE-ENABLER does not privately authorise police powers. Those powers already exist under law. Its function is to provide structured information capable of being assessed through those lawful processes.

Where a criminal investigation exists, police may need to follow PRE-ENABLER routes to witnesses, CCTV, documents, medical evidence, electronic material, financial records, technical records, physical evidence, previous complaints, other authorities and exculpatory evidence. Existing guidance requires reasonable lines of enquiry towards and away from suspects. [1]

Verify the evidential route, not merely the accusation.

21. Arrest

PRE-ENABLER does not create an automatic arrest. PACE Code G requires the applicable suspected involvement in an offence and reasonable grounds for believing arrest is necessary, supported by objective grounds based on known facts and information. Evidence identified through a PRE-ENABLER may contribute to those grounds, but police independently determine whether the statutory test is satisfied. [7]

PART X - PROSECUTION AND EVIDENTIAL THRESHOLDS

22. The deceased does not need to prosecute personally

Criminal proceedings do not depend upon the victim remaining alive to conduct their own case. Where sufficient evidence exists, investigation and prosecution can proceed through the criminal justice system. The operative CPS Code applies an evidential stage and a public-interest stage, and prosecutors must also consider material capable of undermining the prosecution case or assisting the defence. [8]

As of September 2026, the CPS has consulted on a revised edition of the Code for Crown Prosecutors. Any implementation document should therefore refer to the applicable Code rather than freezing wording that may change. [9]

23. Different thresholds

The framework must keep separate: concern; information justifying enquiry; reasonable suspicion; arrest where necessary; the charging threshold; prosecution; and the court's determination of guilt. Information sufficient to justify investigation is not proof of guilt, and the criminal trial standard is not required merely to begin enquiries.

PART XI - EVIDENCE SURVIVING THE WITNESS

24. Statements surviving the witness

Section 116 of the Criminal Justice Act 2003 provides circumstances in which an out-of-court statement may potentially be admissible where its maker is unavailable. One expressly identified condition is that the relevant person is dead. Other statutory requirements and evidential safeguards continue to apply. [10]

The PRE-ENABLER cannot guarantee admissibility. It can be designed to preserve originals, dates, timestamps, metadata, source identification, signatures, version histories, optional cryptographic hashes, provenance and later chain of custody.

PART XII - THE TWO-DIRECTIONAL SAFEGUARD

25. Accountability

Where evidence supports wrongdoing, PRE-ENABLER may provide investigators with routes to information that would otherwise have disappeared with the witness. It may help establish what occurred, who knew, when they knew, what warning was given, what evidence existed, what action was taken, whether an identified danger was foreseeable and what subsequently happened.

26. Protection of innocent parties

The same architecture can establish that a named person was elsewhere, a witness was mistaken, an apparent pattern was coincidental, records were not altered, an organisation followed the correct procedure, another mechanism caused the event, or the original submitter later changed their interpretation. That information must survive too.

PRE-ENABLER preserves the route to truth, not merely the route to prosecution.

PART XIII - ACCESSIBILITY AND PRACTICAL USE

27. The form must be simple

The underlying case may be complicated; the form should not be. A user should be able to provide one short frame, context, names, addresses, organisations, events, evidence, policies, websites, prior reference numbers, risks and triggers. If space runs out, a numbered continuation sheet should extend the section without requiring the submission to be rewritten.

28. Reference system

Code	Use
P	Person
O	Organisation
EVT	Event
E	Evidence
REF	External reference: law, policy, standard, research or website
TRG	Trigger
EXP	Expansion sheet

A complex submission can therefore cross-reference an event, people, organisations, supporting evidence, relevant policy and an expansion sheet without repeating the full narrative.

29. Evidence does not have to be physically possessed

Sometimes the submitter does not possess the evidence. The important fact may be that CCTV should exist at a named premises, a hospital holds a particular clinical record, a police incident reference leads to an earlier report, or a specified witness can verify an event. The route itself can be valuable.

PART XIV - EVIDENCE INTEGRITY AND STORAGE

30. Evidence preservation

Where practical, evidence should retain original filenames, creation dates, metadata, source information, an original or best available copy, a backup and a hash value where useful. Sensitive passwords, encryption keys and PINs should not be written directly into a generally circulated PRE-ENABLER. The form can instead identify a lawful route by which authorised investigators could obtain access.

31. Independent deposit

A future formal system could permit PRE-ENABLER packages or cryptographic fingerprints to be independently deposited with police, solicitors, regulated evidence custodians, safeguarding authorities or another authorised repository. This could help demonstrate that particular material existed in a particular state before a later event occurred.

PART XV - INSTITUTIONAL ACCOUNTABILITY

32. What happened to the warning?

Where serious harm subsequently occurs, a legitimate second question arises: what happened when the warning was received? A properly designed system should record the date of receipt, receiving body, receiving officer or employee, reference number, evidence received, risk assessment, decisions, escalation, actions, reasons for declining action, later trigger notifications and subsequent reassessment.

This does not mean that failure to prevent harm automatically establishes negligence or criminality. It means institutional decision-making can be objectively examined.

PART XVI - SAFEGUARDS AGAINST MISUSE

33. Protection against false or malicious allegations

A credible PRE-ENABLER requires safeguards including fact/hypothesis separation, evidence references, verification routes, alternative explanations, compulsory consideration of exculpatory evidence, version control, independent assessment, controlled disclosure, no automatic arrest and no automatic prosecution. Ordinary law continues to apply where evidence is deliberately fabricated.

34. No presumption arising from disability or medical history

The evidential value of information should depend upon its reliability and supporting evidence. A person's disability, communication style or medical history should not itself prove or disprove their allegations. Likewise, an unusual allegation does not become credible merely because it is unusual. Evidence remains the controlling factor.

35. Immediate danger

PRE-ENABLER is not a substitute for emergency protection. Where there is an immediate threat to life or serious injury, ordinary emergency, medical and safeguarding routes remain necessary. The framework is an evidential and preventative instrument, not an emergency-service replacement.

PART XVII - CORE OPERATING PRINCIPLE

36. The PRE-ENABLER sequence

FRAME	What is happening?
CONTEXT	What led here?
EVIDENCE	What exists?
ROUTE	Where can additional evidence be found?
VERIFICATION	How can the claims be tested independently?
CHALLENGE	What evidence points elsewhere?
RISK	What may happen?
TRIGGER	What future occurrence should cause reassessment?
PREVENTION	What can reasonably be done now?
ACTIVATION	Has the identified event, incapacity or death occurred?
INVESTIGATION	What does the combined evidence now establish?
LAW	What duties, offences or powers actually apply?
ACCOUNTABILITY OR EXONERATION	Where does the evidence lead?

Proposed standing declaration

I make this PRE-ENABLER while capable of providing evidence so that my account, evidence supporting or contradicting it, and the routes by which additional evidence can be obtained remain available if I later become unable to communicate or die. I request independent verification rather than assumption that my conclusions are correct. If a specified trigger occurs, I request that the new event be assessed together with the evidence and warnings that existed beforehand. If I die or become incapable in materially corresponding circumstances, I request that relevant evidence be preserved and supplied to competent authorities. I equally request preservation and consideration of evidence pointing away from any person or organisation I have identified. My objective is not a predetermined prosecution. My objective is preservation of the route to the truth.

Conclusion

PRE-ENABLER is proposed as a prevention, evidence-continuity and accountability framework for circumstances in which a living person possesses information concerning a potentially serious risk to their health, safety or life.

Its innovation is not the creation of new criminal liability. It is the preservation of an evidential pathway capable of revealing whether liability under existing law exists, while equally protecting innocent parties when the evidence points elsewhere.

Preserve the voice. Preserve the evidence. Preserve the route to the evidence. Preserve evidence both towards and away from responsibility. Then allow independent investigation and law to determine the conclusion.

PRE-ENABLER preserves the route to truth when the original witness is no longer there to show the way.

Key legal and policy references

[1] College of Policing - Conducting effective investigations / investigation process

<https://www.college.police.uk/guidance/conducting-effective-investigations/understanding-process-your-role-and-obligations>

[2] Ministry of Defence - The Good Operation

<https://www.gov.uk/government/publications/the-good-operation>

[3] Crown Prosecution Service - Homicide: murder, manslaughter and related guidance

<https://www.cps.gov.uk/prosecution-guidance/homicide-murder-manslaughter-infanticide-and-causing-or-allowing-death-or>

[4] Corporate Manslaughter and Corporate Homicide Act 2007

<https://www.legislation.gov.uk/ukpga/2007/19/contents>

[5] Coroners and Justice Act 2009, section 1

<https://www.legislation.gov.uk/ukpga/2009/25/section/1>

[6] GOV.UK - Guidance for medical practitioners completing medical certificates of cause of death

<https://www.gov.uk/government/publications/medical-certificate-of-cause-of-death-mccd-guidance-for-medical-practitioners>

[7] PACE Code G - statutory power of arrest

<https://www.gov.uk/government/publications/pace-code-g-2012/pace-code-g-2012-accessible>

[8] Crown Prosecution Service - Principles we follow / Code for Crown Prosecutors

<https://www.cps.gov.uk/principles-we-follow>

[9] Crown Prosecution Service - consultation on the Code for Crown Prosecutors (2026)

<https://www.cps.gov.uk/consultation/public-consultation-code-crown-prosecutors>

[10] Criminal Justice Act 2003, section 116

<https://www.legislation.gov.uk/ukpga/2003/44/section/116>

Reference links are included for presentation and verification. Legislation and guidance may change; an operational version should always be checked against the law and official guidance in force at the time of use.