

## Preserving Digital Evidence via Video Screen Recording

### A Note on Language



In this toolkit, we will sometimes use the word woman/women and feminine pronouns for simplicity and to recognize the significant impact technology-facilitated violence has on women and girls. We recognize that TFGBV also impacts trans, non-binary, and Two-Spirit people. We hope that all people impacted by TFGBV will find these documents useful.

When technology-facilitated gender-based violence (TFGBV) occurs, maintaining a record of events is important for criminal and civil legal matters. This document explains how to video screen record as a way of preserving evidence. For general best practices around preserving digital evidence, see [Preserving and Storing Evidence of TFGBV: Best Practices](#).

While screenshots are regularly used in criminal and civil courts as a way to display and authenticate digital evidence, one of the easiest methods of preserving digital evidence is to record a video of a smartphone screen. Screenshots are easy to manipulate with picture editing software, which may lead to questions about whether the screenshots are genuine or have been altered or fabricated. Entire text conversations may be lengthy, lasting days or weeks, and require multiple screenshots to capture the entirety of the exchange. This could potentially lead to a significant number of screenshots that would need to be organized chronologically, which may take extra effort and time. A screen recording allows the user to slowly scroll through the entire text conversation.

However, while this is a helpful method of accurately recording evidence in many circumstances, you should consider the following when deciding if this method is appropriate:

- Not all courts will have the capability to display video screen recordings. As such, it is important to check with the Court Registry where your case is being heard to check what technology will be available and whether paper copies of all evidence will be required.
- If you plan to use video screen recording on your phone as digital evidence in a court proceeding, you will need to authenticate your evidence in court. For more information about digital evidence and authentication, see [Authentication of Digital Evidence](#).

The following video screen recording information is for Apple iOS and Android devices of particular models and is accurate as of December 2022. Depending on what version of a phone you have, it may not have this particular recording function or you may need to look up different instructions if these do not match your current device. It can be easy to find these types of instructions by searching for them online. However, remember to use a safe computer or erase your search history if you are looking up this information, as it may trigger additional abuse from the perpetrator if they discover you are looking for help or preserving evidence.

### Safety Check

Before you screen record evidence or download a screen recording app, you need to consider potential risks to your safety. There may be a risk that the perpetrator is monitoring the activities on your device. This could be happening in several ways. Your smartphone could be monitored if the perpetrator has physical access to your device, such as if you share a home, or if you share your passwords with them. If the perpetrator knows your cloud storage (e.g. iCloud, Google Drive, or Dropbox) ID and password, they will have access to your files, photos, and videos. It is also possible for the perpetrator to be monitoring your smartphone or computer via [mobile spyware](#) such as stalkerware. If the perpetrator is monitoring your device these ways, recording and saving video screen recordings could alert them to the fact you are collecting evidence.

Some applications, including Snapchat, may alert a user that their message is being recorded via screen recording. You should make sure it is safe before deciding to record. You might want to test this with a friend's account or information before trying it on the perpetrator's.

If you suspect that the perpetrator has access to your devices, accounts, or files, you will need to make a plan for how to avoid detection when collecting evidence. This is both to protect you from additional abuse and to avoid the risk of the perpetrator deleting important evidence. For more information, see [Safety Considerations for Preserving Digital Evidence](#), and consider speaking to an anti-violence organization (See [Technology Safety and Victim/Survivor Resources](#)).

### Apple iOS Video Screen Recording

Since 2017 (the iPhone 6 generation), Apple's mobile devices have had built-in screen recording functionality. However, this setting is not initially available to users by default and needs to be enabled. Enabling video screen recording can be done by following the [Record the Screen on Your iPhone, iPad, or iPod Touch tutorial](#) on the Apple Support website. If you'd like to see a video on how to do this, you can watch Apple's [How to Record a Screen on Your iPhone or iPad](#).

### Android: Video Screen Recording

If you have an Android 11 or higher phone, a screen recorder for Google's mobile OS is available. To take a video screen recording on an Android 11 or higher, see Google's [Take a Screen Shot or Record Your Screen on an Android Device](#).

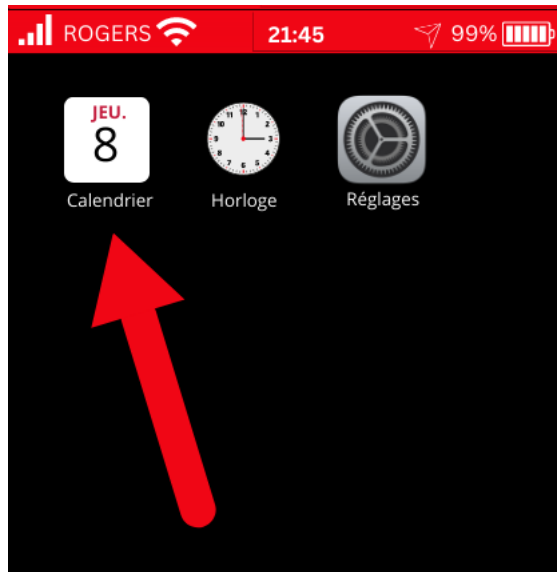
If you have an earlier version of Android, you may be required to install a video screen recorder app to screen record. Varieties of screen recording apps are available for Android devices. PC Magazine suggests some free [Video Screen Recording Apps for Androids](#). Remember to check the privacy and terms of service before downloading third-party apps.

## Tips for Using Apple & Android Phones to Video Screen Record Evidence for Trial

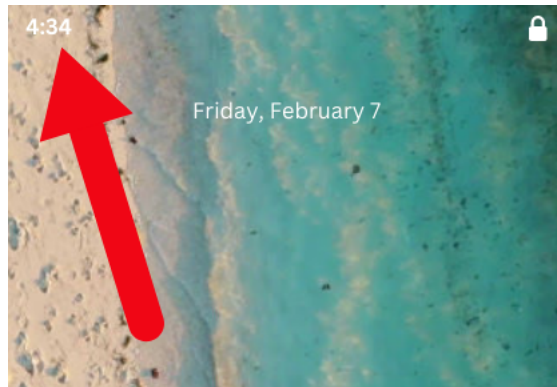
### Date and Time

#### Date

When your video recording is starting, make sure you capture the date your phone displays. This can either be done by opening a calendar app installed on your device or by finding the date displayed elsewhere.



Example: Apple iOS



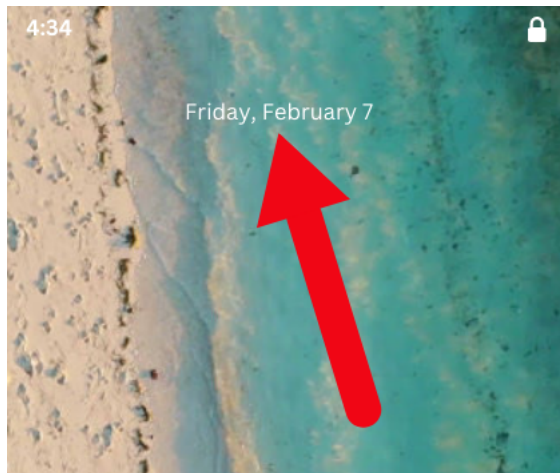
Example: Android

#### Time

Your recording will likely capture the clock (typically displayed on the top of the device). If this is not the case, you should record the date and the time on your phone by navigating to your clock at the end of the recording.



Example: Apple iOS



Example: Android

**Access**

While recording, open the application that has the evidence you want to collect. It is important to show where the messages are located. This can be text messages, email, social media, or anywhere else where conversations are occurring that you want to preserve.

**Sender Information**

Make sure you can see the names, usernames, phone numbers, and emails of the people involved.

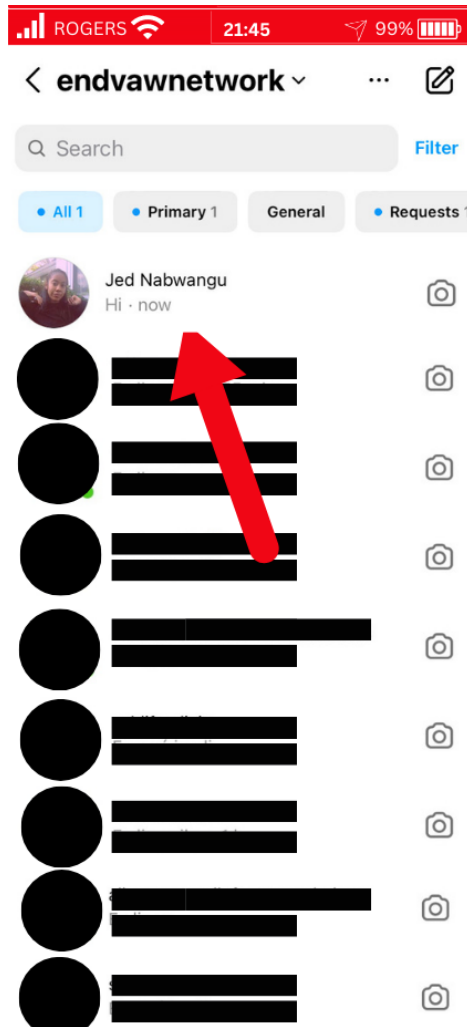
**Capture the Entire Conversation**

Once you have navigated to the content you want to preserve, ensure you start from the beginning of the conversation.

From the start of the conversation, use smooth, slow movements to scroll until you reach the end of the messages. You do not want the video to be blurry. Think about going the speed of a Star Wars opening segment.



Example: Instagram



### How to Store Recordings

Once you have recorded all of the information you need using the screen recording app and you stop the recording, keep the saved video files in a safe place. Remember to back up a copy of the file on a secondary device or storage space. File storage options will depend on your circumstances. For more information, see [Preserving and Storing Evidence of TFGBV: Best Practices and Safety Considerations for Preserving Digital Evidence](#).

*Technology-Facilitated Gender-Based Violence (TFGBV) is part of a continuum of violence that can be both online and in-person. If you or someone you know is experiencing TFGBV, you are not alone. You can use [sheltersafe.ca](#) to find a shelter/transition house near you or call/text the Kids Help Phone to discuss options and create a [safety plan](#). You don't need to stay in a shelter to access free, confidential services and support.*

*We gratefully acknowledge Moira Aikenhead for providing expertise to update this toolkit.*

*Adapted with permission from BCSTH's Technology Safety project, based on their resource [How to Preserve Videos as Evidence](#).*