

12401 PROCEDURE – POCKET NOTEBOOKS

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ECHR Potential Equality Impact Assessment: Low

The Hampshire Constabulary recognises that any information it holds must be for a policing purpose and managed in accordance with the force policy on MOPI

1. About This Procedure

- 1.1. The official pocket book is a most important document which, when properly used, provides the greatest support in court, and constitutes protection against false or mistaken attack upon the character of an officer.
- 1.2. This Procedure identifies those police officers that are required to carry a Pocket Notebook (PNB), and clarifies how the PNB should be maintained, issued and stored.
- 1.3. Every operational Police Officer, including Police Community Support Officers (PCSOs), members of the Special Constabulary, & civilian Firearms Enquiry Officers shall carry an official PNB when on duty, and will ensure that is maintained in accordance with this procedure.
- 1.4. The PNB is an official document, which is subject to disclosure in connection with any criminal investigation. The PNB is maintained by an individual, but ultimately belongs to the Hampshire Constabulary.

2. Risk Assessments / Health & Safety Considerations

- 2.1. This procedure raises no specific Health and Safety considerations.

3. Procedure

- 3.1. The following officers are exempt from maintaining a PNB on a daily basis, although they should possess a PNB which should be used for recording evidential information as and when required:
 - a) officers wholly employed in administrative roles (except those engaged in Station and Enquiry Office duties)
 - b) Police Sergeants appointed as designated Custody/ Station Officers
 - c) Training Department Staff
 - d) Local Intelligence Officers

12401 PROCEDURE – POCKET NOTEBOOKS

- e) Control Room Staff
- f) Chief Superintendents
- g) Superintendents.

3.2. Officers will have only one pocket book in use at any one time.

3.3. Scenes of Crime officers will keep a record of their duties in a force PNB. Entries will be made in the destination book, and an accurate Scenes of Crime Log will be maintained.

3.4. Pocket Notebook Standards

- 3.4.1 The pocket notebook is an official document, subject to the rules of disclosure and must be carried at all times when on duty. It will contain original notes, made at the time or as soon as practicable in black biro.
- 3.4.2 An entry will be made every day. However, it is not a minute by minute diary. The minimum entry will be day and date in block capitals, rostered duty, allocation of duty, vehicle and with whom crewed if applicable. If they are not required for recording evidence or any unused material relating to an offence, police investigation or serious occurrence, the only other entries should be cross referencing to Record Management System, Fixed Penalty Notices, surveillance log books etc.
- 3.4.3 The purpose of making notes is to record details which might otherwise escape the memory and it is therefore essential that notes made are legible and in sufficient detail. At the end of the tour of duty the full width of the page must be ruled off immediately.
- 3.4.4 No erasures should be used, and any incorrect entry should be struck out by pen and initialled. All places and times at which officers parade on and off duty will be shown in the note book. Rest days and other leave periods will also be recorded.
- 3.4.5 Pocket Notebook records will be made in the following circumstances:
 - a) Where the Police and Criminal Evidence Act 1984 requires a record and none exists
 - b) Details of tape-recorded interviews as highlighted in paragraph 5.1 of Code E

12401 PROCEDURE – POCKET NOTEBOOKS

- c) Unsolicited comments made by a suspect outside the context of a formal interview, which may be relevant to an offence
- d) Evidential matters, civil and criminal where not recorded in another original document
- e) PNC & IMAGIN checks
- f) Critical, domestic and hate crime incidents
- g) Property found or handed to officers
- h) Under Section 170 of the Road Traffic Act 1988, where any party insists that the accident is recorded
- i) Arrests and incidents which may give rise to evidence in a criminal offence
- j) Incidents where the officer thinks a complaint will be made (bring to a supervisors notice as soon as possible)
- k) Observations / surveillance where no official log exists
- l) Any information that an officer regards as relevant to any aspect of police work should be recorded. If in doubt, record everything
- m) For initial recording of material under the Criminal Procedure and Investigations Act 1996.

3.4.6 The information, which should be recorded at any scene, will vary. The following is a guide to the minimum information required:

- a) time
- b) exact location
- c) occurrence or offence
- d) name, age (DOB), occupation, address, self defined ethnicity and telephone number of person involved
- e) name, age (DOB), occupation, address, self defined ethnicity and telephone number of witness/informant
- f) details of action by police officers and others. 'Direct speech' should be recorded in the pocket book.

12401 PROCEDURE – POCKET NOTEBOOKS

3.4.7 Original notes must be made directly into the notebook. On no account must scraps of paper and jotting books be used.
Explanatory note: If exceptionally, notes are made otherwise than in the pocket book i.e. on plain paper, those notes must be retained and revealed to the CPS on the MG6 disclosure schedules.

3.4.8 It is acceptable for original notes to be made in the form of a section 9 statement if made at the earliest opportunity.
Statements must contain the following paragraph:

'This statement completed at (time), on (day/month/year) at (location) are my original notes.' A note will be made in the pocketbook to confirm an original statement has been made and the rear index completed.

3.4.9 Original notes on a statement must still be made at the time, or as soon as practicable; courts may prevent an officer from referring to a Section 9 statement as original notes if they are not satisfied on this ground. It is also important to record in the pocket notebook any information which is not to be included within the Section 9 statement (including hearsay and opinion etc.).

3.4.10 Where a suspect makes any comment which might be relevant to an offence, (including a reply after caution) the comments must be recorded in the PNB, and where practicable the person shall be given the opportunity to read the record and to certify and sign it as accurate, or indicate the respects in which that person considers it inaccurate. Any refusal to sign should be recorded.

3.4.11 In order that evidential notes referred to within the PNB can be easily located, the names of all defendants entered therein will be indexed at the end of the notebook.

3.5 Collaboration In The Preparation Of Notes

3.5.1 Where two or more officers are jointly engaged in any matter of police duty, it is accepted that consultation, may take place when completing pocket book entries. If the details can be remembered easily the notes should be written by each officer separately, independently and without consultation. In more complex cases where two or more officers witness the same incident or are present at the same interview there is no objection to these officers conferring together when preparing their notes so that the notes may be as full and comprehensive as possible. In any case in which consultation takes place a note to that effect should be added.

12401 PROCEDURE – POCKET NOTEBOOKS

- 3.5.2 Even when there is collaboration, unless the circumstances are for some reason exceptional, each officer should make a note in his own book and not rely on a note in another officer's book. If one officer has no recollection of a point observed or of a remark remembered by a colleague, they should not incorporate such a matter into their book. An entry, whether made in consultation with a colleague or otherwise, must reflect only genuine personal observation and recollection.

3.6 Recording Of Interviews And Statements

- 3.6.1 Normally interviews and statements will be recorded directly onto video, audiotape or on an official form, in accordance with PACE. In the exceptional cases where this is not possible and it has to be recorded in the pocket book, it should be written at the dictation of the maker (under caution if necessary). It should then be read to them and by them and they should be asked to sign it. If they wish to make alterations they should be made and such alterations underlined and initialled by the maker. The entry should be followed by the officer's own signature and the date, time and place at which the statement was taken.

3.7 Referral To Pocket Notebook In Court

- 3.7.1 Officers are entitled to consult original notes to refresh their memory and to ensure accuracy. Reference to notes should only be made with the permission of the court. (See Appendix 1 regarding Prime Pocket Notebook Inserts).
- 3.7.2 Using the pocket notebook in court to refresh the memory is allowed provided that the document in question was made substantially at the same time as the occurrence of the event to which it relates, and provided also that it was made, read over by, or prepared under the supervision of the witness, that witness may use the document in giving evidence in order to refresh the memory.
- 3.7.3 Notes in pocket notebooks are not themselves evidence. Verbatim reading evidence but the witness's own oral testimony, given from a memory, refreshed by reference to the notes. "May I refer to my notes" does not mean, "may I read my notes" except when giving evidence of conversations or statements.
- 3.7.4 It is advisable that notes should be read over before giving evidence regarding facts that may have taken place some time

12401 PROCEDURE – POCKET NOTEBOOKS

previously so that the notes need be consulted only when necessary for total accuracy.

3.8 Issue Of Pocket Notebooks

- 3.8.1 Adequate stocks of PNBs will be maintained at all Police Stations throughout Hampshire and the Isle of Wight. PNBs will be stored in a secure location prior to issue.
- 3.8.2 When a new PNB is required, it will be issued by a supervisory officer. PNBs will bear a unique sequential reference number, which will be obtained from the G36 register of issue. A new PNB will not be issued until the old PNB has been completed and examined by a supervisory officer, who will certify this by endorsing the rear inside cover of the old PNB as follows: 'new Pocket Notebook issued' (date, register number and supervisors signature). The supervisory officer will then complete the G36 register and complete and sign the inside front cover of the new PNB. Supervisory officers will not issue themselves a new PNB. If there is no other supervisory officer available, then an officer of any rank will issue the PNB, countersign the register, and sign the new PNB.

4 Roles And Responsibilities

- 4.1 It is the responsibility of all officers to keep their PNBs updated. Supervisors are to ensure compliance by inspecting officers' PNBs on a regular basis, and endorsing the PNB accordingly.

5 Administration

- 5.1 Officers will retain their current and last two completed PNBs (if less than two years old). All other PNBs should be submitted to OCU Administration, where they will be stored until two years old. PNBs that are over two years old will be stored in alphabetical order at the Central Archive Facility. Once the PNBs are over seven years old, they will be destroyed as confidential waste.

6 Monitoring / Evaluation

- 6.1 The adherence to, and the effectiveness of this procedure will be monitored by Staff Officer to ACC Territorial Operations.

12401 PROCEDURE – POCKET NOTEBOOKS

7 Review

- 7.1 This procedure will be reviewed annually, beginning one year from the date of publication.
- 7.2 Review will take account of changes in legislation and working practices, as well as consultation with relevant internal departments and external agencies.
- 7.3 The Staff Officer to ACC Territorial Operations will conduct the review.

8 Related Procedures, Policies And Information Sources

8.1 Related Policies

- 8.1.1 12400 Policy - Station Messages And Pocket Notebooks
- 8.1.2 03600 Policy - E-Communications
- 8.1.3 30800 Policy – Management of Police Information

8.2 Related Procedures

- 8.2.1 12402 Procedure - Message Handling

8.3 Information Sources

- 8.3.1 AD203 – Equality Impact Assessment

Origin: Territorial Operations

1. Appendix 1

1.1. PRIME Pocket Notebook Inserts

- 1.1.1 This appendix explains the process in which officers issued with pocket notebook inserts must deal with the information they have received and covers the manner in which information provided by the TCG must be managed and the way in which it

12401 PROCEDURE – POCKET NOTEBOOKS

will be disposed. Also covered is the security requirements in relation to the use of the PNB inserts.

- 1.1.2 The pocket notebook inserts allows the CIMU to produce an OCU update to all officers in respect of priorities identified by the Tasking and Coordinating Group (TCG). This will ensure that appropriate and accurate information is delivered to the right people at the right time, therefore maximising the dissemination of intelligence and enhancing performance. No other format other than that in standard forms is to be used. Any alterations will be via PRIME team.
- 1.1.3 Officers should remove their PNBs from the cover if whilst at court a request is made to examine the PNB. No unauthorised person should view the inserts.
- 1.1.4 All IMU bulletin inserts will be marked with RESTRICTED and treated with the same security requirements as any other briefing sheet provided by the IMU. This is a document.
- 1.1.5 Intelligence Management UNIT (IMU): Using the data obtained from the TCG process, the insert will be completed by the local IMU and posted into the OUC 'IMU Task Box' as soon as practicable after the TCG meeting. Each insert will contain a date when the insert must be removed from the PNB cover.
- 1.1.6 IMUs are required to keep an electronic copy of the briefing sheets in accordance with the guidelines for retaining unused material.
- 1.1.7 When disposing of discarded inserts, all officers must ensure that they are placed in 'confidential waste sacks'.
- 1.1.8 Community Safety (Prime Team)