

## Procedural Guidance

## Pocket Note Books

Security Marking:

Not Protectively Marked

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### 1. Procedure

- 1.1 It is a basic principle of police procedure that police officers and appropriate police staff will keep notes of their day to day duties to which they may later refer.
- 1.2 It is fundamental that these notes should be made at the time of the incident which is being recorded or, where circumstances prevent this, as soon as practicable after the event.
- 1.3 Such notes will be handwritten (electronic scratch pads will not be used for official note keeping) and all entries should be made in black ink. All notes will be kept in an official pocket notebook. No other form of note keeping is acceptable except:
  - Where for procedural reasons another source document is normally used
  - Where for appropriate operational reasons another source document has been used
- 1.4 In these circumstances the fact a recordable incident has taken place, a brief description of it, and the nature and location of the original notes will be recorded in the pocket notebook ([see also Para 7.3](#)).
- 1.5 The pocket notebook must always be carried by officers and staff engaged on operational patrol, response and beat duties. Staff engaged in all other types of duty will carry their pocket notebook when performing duties where they are likely to encounter a scenario where a pocket notebook record is required.
- 1.6 To facilitate examination of pocket notebooks they will be written in the English language and script. Shorthand, languages and script other than English is not permitted. Entries must be of sufficient detail to allow a comprehensive account to be given.
- 1.7 The notebook can be used for drawing relevant plans or sketches, for example it might be used to draw a plan of a room that was searched to illustrate where certain items were found, or to illustrate and show measurements of a vehicle that was causing an obstruction.
- 1.8 District / Departmental Commanders and Unit Heads will decide the number and location of issuing points. Each issuing point will use only the official Pocket Note Book Issue Register (Form 124) to record issues.
- 1.9 Access to, and the issue of pocket notebooks will be the responsibility of police officers not below the rank of Sergeant, or police staff supervisors designated by their district, department or unit head to fulfil the function.
- 1.10 Before issuing a replacement pocket book, the issuing officer will examine the completed pocket book before signing and dating it.

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## 2. Pocket notebook rules

2.1 In order to support the reliability and accuracy of entries in the pocket notebook, a number of rules have been established, which should always be applied. These rules are intended to ensure that entries are made at the time of the event they refer to and are not the subject of unauthorised or dishonest alteration. If these basic rules are followed, the entries and evidence contained within, should withstand any future scrutiny:

- Entries should be made in black ink (pencil should never be used except in adverse weather conditions or where no other writing implement is available, in these circumstances an entry will be made explaining those circumstances)
- Entries will be made at the time of the event being recorded or, where circumstances prevent this, as soon as practicable thereafter. Where there is a delay the specific reasons for that delay should be recorded, for instance the conduct of the suspect or an urgent call for assistance
- The day, date and year, should be recorded and underlined at the beginning of each daily entry
- At the conclusion of each tour of duty, the entry should be signed and ruled off
- All surnames should be in block capitals
- Entries should include a time and location
- Times will be recorded in the 24-hour clock
- Entries will be made on the lines of the pages of the book
- All lines and pages of each book should be used
- Where the whole or part pages are accidentally left blank, a diagonal line should be drawn across the blank area and “**omitted in error**” written across the page
- Leaves will never be torn out of the booklet, each page is clearly numbered
- Errors will not be overwritten, obliterated or erased in any way, errors will be struck through in a way that the text is still legible, initialled, and the correct entry made
- All [Significant Statements](#) or evidential conversation should always be in direct speech. Where it is necessary to record information or a person’s account of an incident immediately into the notebook and as a result, the entry may not necessarily make sense to a reader, this should be followed by a section of narrative which accurately explains the event.

## 3. Matters to be recorded within the pocket book

3.1 The official pocket book will contain:

An accurate record of all duties performed, including times of commencement and conclusion of a tour of duty, refreshment periods, days / time off, overtime or expenses incurred, annual leave and courses.

Evidential matters relating to any arrest or incident, process reports including fixed penalty notices etc.

Names and addresses of victims, offenders, witnesses or those providing information, should be recorded and any additional information which might be relevant, depending on the situation, for example descriptions of those present.

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Where the incident involves vehicles, property or documents, full descriptive details should be recorded, including unique identifiers, for example registration marks, serial numbers etc.

A source document for intelligence submissions (where no other document is appropriate).

Any matter where the data recorded may be subject of audit, for example PNC checks, evidence to substantiate expense claims, payment of sources, details of any item of property handed to the officer for whatever reason.

Any issue which could be subject of later scrutiny, for example, a civil dispute where the police have become temporarily involved at the request of a third party. The initial police interest and the rationale for not carrying it on may be of relevance or issue in later civil proceedings.

This list of material to be recorded in a pocket notebook is not exhaustive and staff will use their common sense and integrity when deciding what is, and what is not, a relevant matter.

Whenever a mobile data device is used to either access information, such as PNC, or to record activity such as stop searches, there is no requirement to make any PNB entry.

- 3.2 The [Police and Criminal Evidence Act 1984 \(PACE\)](#) creates obligations on police officers to make official records and notes in certain circumstances. It does not specify that these notes will be recorded in a pocket notebook, however this will normally be the case. These situations are as follows:

#### 4. Significant Statements

A significant statement is any statement made by a suspect, in the presence and hearing of a police officer or staff member, prior to the formal interview of that suspect, which is, or may be, of evidential significance, for example an admission of guilt.

[Police and Criminal Evidence Act 1984 \(PACE\) Code C, 11E states:](#)

Significant statements described in paragraph 11.4 will always be relevant to the offence and must be recorded. When a suspect agrees to read records of interviews and other comments and sign them as correct, they should be asked to endorse the record with, e.g. *"I agree that this is a correct record of what was said"* and add their signature. If the suspect does not agree with the record the interviewer should record the details of any disagreement and ask the suspect to read the details and sign them to the effect that they accurately reflect their disagreement. Any refusal to sign should be recorded.

#### 4.1 Initial descriptions of suspects

[Police And Criminal Evidence Act 1984 \(PACE\) Code D, 3.1 and 3.2\(a\) state:](#)

A record shall be made of the suspects' description as first given by a potential witness. This record must:

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Be made and kept in a form which enables details of that description to be accurately produced from it, in a visible and legible form, which can be given to the suspect or their solicitor in accordance with this Code. Please note the actual record (PNB entry) does not have to be given; an accurate transcription should be made.

## **5. Dedicated Major Incident Pocket Notebooks**

- 5.1 When a major incident occurs the Senior Investigating Officer may decide that all staff seconded to the Investigation are to be issued with dedicated pocket notebooks.
- 5.2 From this time all entries in the current pocket book will cease, it will be endorsed accordingly and a cross-reference will be made to the Major Incident Notebook.
- 5.3 The member of staff will thereafter record all relevant matters in the major incident notebook until such time as they are released from the enquiry.
- 5.4 Major Incident Notebooks will be issued by an officer of the rank of Sergeant or above, (usually by the Major Incident Room (MIR) office manager if one has been appointed). The Senior Investigating Officer (SIO) may also designate a police member of staff of an appropriate grade to fulfil this function. A record of the serial number of the notebook issued, to whom, the date and time, and the serial number of any previous completed notebook will be maintained on a Form 124 - Pocket Notebook issue register.
- 5.5 At the conclusion of the enquiry, dedicated major incident pocket books will be returned to the issuing officer and the issue records endorsed accordingly.
- 5.6 The completed note books will be made available to a nominated Disclosure Officer who will record them in the disclosure schedules.
- 5.7 Officers involved in major enquiries who are not issued with a major incident pocket book will provide a copy of any relevant texts within their notebooks to the designated disclosure officer.
- 5.8 They will be retained and filed with the material pertaining to that investigation and will not be removed without the express consent of the SIO. When the SIO is no longer a serving officer, authority will only be granted by the Head of CID.

## **6. Joint note preparation**

- 6.1 Where two or more officers/staff are witnesses to the same incident, or are present at an interview they may confer when preparing notes. Such notes must only include genuine recollections of the persons concerned.
- 6.2 Where joint notes have been made, the persons involved must endorse their own pocket notebooks to the effect that this has happened and include the times between which the note-writing took place, the location, and who was present.

## **7. Evidential Status of Pocket Books**

- 7.1 Notes in official pocket books are not in themselves evidence, although in some circumstances they can become evidence. Staff may use their pocket notebooks to refresh their memories when giving evidence in court, providing the courts are satisfied that the entries were made at the time of the offence or incident or as soon as practicable afterwards.
- 7.2 Where a police officer or a member of police staff refer to their pocket book or any other notes to refresh their memory when giving evidence in court, the defence is entitled to inspect it and must be allowed to do so without question.
- 7.3 When notes are made other than in an official pocket book, such notes must be retained and referred to as the original notes, even though they may have been transcribed into or, are referred to in the pocket notebook.
- 7.4 Every police officer or member of police staff has individual responsibility for preparing their own statement of evidence for inclusion in prosecution files to be used in court proceedings. It is their responsibility to ensure that their original signed statements are thoroughly checked to ensure consistency with their pocket notebook entries.
- 7.5 All staff submitting statements for inclusion in prosecution files must provide the disclosure officer with unedited copies of their pocket notebook entries, which relate to their statement.

## **8. Supervisory Checking of Pocket Books**

- 8.1 Officers and staff will produce any current or completed pocket notebook for examination to their line manager, or any other supervisory member of staff who has reason or authority to require its inspection. This will be done on demand, if this is not possible then as soon as is reasonably practicable thereafter.
- 8.2 Sergeants will examine, endorse and sign pocket books of constables under their control at frequent intervals, and at least once every month. Sergeants will frequently check pocket book entries against evidence tendered in files of evidence. Particular attention will be given to the books of less experienced and probationary officers.
- 8.3 Senior officers will examine, endorse and sign the pocket books of all subordinate ranks at convenient opportunities.

## **9. Lost, stolen or unavailable Pocket notebooks**

- 9.1 Officers and staff will be responsible for the security and safekeeping of their existing and completed pocket notebooks.
- 9.2 In the unlikely event of a staff member losing a pocket notebook, or having it stolen, they will immediately report the loss and circumstances to their line manager. The manager will make a pocket notebook entry detailing the circumstances and any actions taken, or to be taken to find or recover it.

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- 9.3 If the lost pocket notebook is the current one in use, a new pocket notebook will be issued and the column in the issue register referring to the number of the book completed, will be endorsed accordingly.
- 9.4 If the lost notebook is subsequently found/recovered all unused pages and part pages will be struck through with diagonal lines and the officer or staff member will continue using the replacement or subsequently issued pocket notebook.
- 9.5 When an officer or a member of police staff is warned to attend court to give evidence in any case where there are relevant notes contained within the lost pocket notebook, they will immediately notify the Crown Prosecution Service (CPS) lawyer in charge of the case, that the pocket notebook has been lost. It will be the decision of the CPS whether this fact should be disclosed to the defence.
- 9.6 When an officer or member of police staff is off duty and not in possession of their pocket notebook or when, for any other reason, it is not available to them and there is a requirement to make notes, they may use any available piece of paper for the purpose. The general rules for note taking should be followed wherever possible and the notes should be formally preserved as an 'exhibit' and attached to any subsequent report or statement. It may be used as a reference when giving evidence and should therefore be available for inspection at court.

## 10. Completed Pocket Notebooks and Issue Registers

- 10.1 Completed pocket books will be retained for a minimum of six years<sup>1</sup>. The pocket notebooks will not be destroyed and will be retained for 50 years where:
- General exemption policy applies<sup>2</sup>
  - It contains evidential materials leading to conviction<sup>3</sup>
  - It contains material relating to Health and Safety issues<sup>4</sup>

The pocket books of officers who retire, resign or otherwise leave the force will be handed in to the administration department of the district or department where they last served.

## 11. Retention of registers and retired officers pocket notebooks

- 11.1 Officers and staff who retire or otherwise leave the organisation will hand in all their notebooks for the preceding 6 years and older books to which retention beyond that time is required. Individual records contained within police pocket notebooks, cannot be separated out and the entire collection of records should be retained according to the most serious offence contained within. It will be the responsibility of these persons to indicate whether the pocket notebooks contain material requiring retention beyond six years (e.g. any of the matters mentioned in footnotes 2 - 4 [contained within Appendix A](#) or for any other appropriate reason).
- 11.2 Pocket notebook issue registers will be retained for 10 years. In the case of dedicated major incident issue registers, they will be retained for 50 years if the offence under investigation is subject of the general exemption policy. In all other cases Major Incident issue registers will be retained for the same length of time as the crime report weed policy for the category of offence under investigation – For further information see the [Procedural Guidance - Retention, Review and Disposal of Documents](#)

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## 12. Tactics

12.1 There are no tactical issues relating to this procedural guidance.

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## Appendix A

<sup>1</sup> The Stephen Lawrence Inquiry recommendation no. 56 provides that disciplinary action should be available for at least five years after an officer's retirement. The Limitations Act 1980 stipulates a six years ordinary time limit for most actions founded on tort.

<sup>2</sup> Matters concerning civil cases, murder, riot, treason/ sedition or Official Secrets Act offences. Undetected offences of Rape and Serious Sexual assault.

<sup>3</sup> The Home Office Guidelines on tape disposal contained within the Criminal Procedures and Investigations Act 1996 Codes of Practice recommend that the minimum period of retention should be six months from the date of conviction or six months from the date of release of a convicted person from custody, whichever is the longer. Materials must be retained for the full duration of any appeal.

<sup>4</sup> The retention period of Health and Safety records involving personal injury should be 40 years.