

 WARWICKSHIRE POLICE		POLICY/ PROCEDURE
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Use of Pocket Notebooks
REFERENCE NUMBER	WP033
Version	1.0

POLICY OWNERSHIP	
DIRECTORATE	LOCAL POLICING
BUSINESS AREA	TERRITORIAL POLICING

INITIAL IMPLEMENTATION DATE	October 2024
NEXT REVIEW DATE:	October 2027
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

Warwickshire Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.

1.0 POLICY OUTLINE

This policy explains the overarching principles governing the use of Pocket Note Books within Warwickshire Police.

2.0 PURPOSE OF POLICY

To provide guidance on the use and inspection of pocket notebooks by Warwickshire Police personnel.

3.0 IMPLICATIONS OF THE POLICY

Resources- There are no direct resource implications arising from the implementation of this policy.

MOPI- Pocket notebooks are stored in Area Administration and will be retained in line with MOPI principles.

The Legal basis for entries made in pocket notebooks is derived from the Police and Criminal Evidence Act 1984.

In the application of this policy, Warwickshire Police will not discriminate against any person on the grounds of sex, race, colour, language, religion, political, or other opinion, association with national minority, property, birth, or other status as defined under Article 14, of the European Convention on Human Rights.

4.0 CONSULTATION

Key stakeholders in the development of this policy are: -

1. Professional Standards
2. Local Policing senior managers
3. Learning & Development Department
4. Police Federation, Staff Associations and Staff Support Networks
5. Equality and Diversity
6. Legal Services

5.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the below chart:

Version & Date	Author / Reviewer	Amendment(s) & Rationale	Date of Approval / Adoption
27/04/2015	Insp Faz Chishty & PC 1928 Ryan	Harmonised Policy	JNCC 30/07/2015
21/02/2018	Ch. Supt Hill P0944	Addition of paragraph 9.3 – v1.1	21/02/2018

09/10/2020	Supt Smith (1605)	References to WM removed. Minor changes, no need to JNCC	21/10/20
31/05/2024	Supt Davies (1267) & PS 2561 Gibbons	Incorporate changes for the move to Digital Pocket Notebook	October 2024

6.0 PROCEDURE

Pocket books will be maintained by all operational Police Officers, up to and including the rank of Inspector, members of Warwickshire Police, Specials and Police Community Support Officers.

Daily entries in pocket books are **not** necessary where there is no incident/occurrence to record.

Pocket book entries to record reasons for not being on duty, such as annual leave, rest days, courses and sickness, are **not** required.

6.1 Use of Pocket Notebook

The pocket notebook is principally for the officer's own use ensuring that all entries are legible. It may be examined by solicitors or court officials whilst giving evidence at court. Supervisors will examine pocket notebooks as a matter of course.

In order to support the reliability and accuracy of entries in the pocket notebook a number of rules have been established. As long as the rules are followed, the entries and consequentially the evidence that they support should withstand scrutiny.

6.2 Rules

- Entries should be made in black ink.
- Entries should be made at the time of the event. (Where circumstances prevent this, as soon as possible after the event. Where there is a delay, the specific reasons should be included, for example the conduct of the suspect or other person involved in the incident)
- The 'tour of duty' - who you are crewed with, vehicle and day, date and year should be recorded and underlined at the beginning of entries for that day.
- All surnames should be in block capitals.
- During the transition process between July and October 2024, if entries are made into the paper pocket notebooks, it should be made only on the lines of the pages of the book and all lines and pages should be used.
- During the transition process between July and October 2024, if entries are made into the paper pocket notebooks, each entry should include the time and location. Following this, the digital pocket notebook will time / date and location stamp the entry without Officers having to input this information.

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- Record names and addresses of victims, offenders, witnesses, and informants. (Additional information about the offender may be relevant depending on the incident)
- Where the incident involves vehicles, property or documents, full descriptive details should be recorded including unique identifiers, e.g. registration mark, serial number, etc.
- It is often 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. Such an entry should be made in direct speech wherever possible. It should then be followed by a section of narrative which accurately explains the event.
- A note should be made of any comments made by a person suspected of committing an offence whether these comments are in response to your questions or not. The person should be invited to read the note and write an endorsement to the effect that *'I certify that this is a true and accurate record of the conversation that took place'*. **This should be signed by the suspect and the officer** as the conversation may be construed to be an interview. If the suspect does not consider it to be correct, he or she should be invited to indicate which details are considered to be inaccurate and to sign a record of those details.
- If the suspected person refuses to read or sign the note, this should be noted and signed by the officer. The senior officer present should read the note back to the suspect and ask whether he/she would like to sign it as correct or indicate the aspects he/she considers to be inaccurate and endorse the pocket notebook confirming what has taken place.
- During the transition process between July and October 2024, if entries are made into the paper pocket notebooks, if a mistake is made, cross it out with a single line so that the word or words remain legible. Initial the deletion and follow it with the replacement word or words. If a mistake is made in a digital pocket notebook and the entry has been submitted. An Officer will be required to create a new log stating the last entry was 'made in error'.
- Where a number of officers have witnessed the same incident, or have been present at an interview, they may confer when preparing notes. Such notes must, however, include only genuine recollections of those officers concerned.
- Where joint notes have been made it is necessary that the officer's endorse their own pocketbooks to that effect and include the times between which the note-writing took place, the location and who was present.
- If an officer is seconded to a full time role on a major incident they will be issued with an enquiry book. This enquiry book will be issued by the office manager, completed throughout the duration of the incident and will be returned to the office manager on completion of the officer's involvement in the investigation for retention by the disclosure officer. The officer's will record within their pocket notebooks the dates of their involvement on the major incident, and the fact that an enquiry book is being used to capture all evidential material relating to that incident.

6.3 No Pocket Notebook Available

When an officer/staff is off duty and not in possession of their digital pocket notebook due to their device not being charged or when, for any other reason, it is not available and there is the need to make notes, use any available piece of paper. The general rules for note taking should be followed wherever possible and the note 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.

6.4 Pocket Notebooks Should Be Used To Record:

- When dealing with an incident, a full and detailed pocket notebook entry should be made to secure and preserve evidence unless recorded elsewhere.
- A record should be made of relevant advice and decision-making rationale.
- Evidential matters where no other primary record exists.
- Information required in respect of the PACE (Police and Criminal Evidence Act 1984) Codes of Practice i.e. Code D Para 2.0 - details of description of suspect as first given by a potential witness **UNLESS** it is recorded in some other primary record.
- The Police and Criminal Evidence Act 1984 requires the use of pocket notebooks to record evidence in particular circumstances. Officers are reminded that as such these entries are evidential.

6.4.1 Code 'C' Codes of Practice for the detention, treatment and questioning of persons by police officers states, *'when suspects are cautioned during questioning or an arrest, that a caution must be recorded in the officer's pocket notebook (or interview record as appropriate)'* (Para. 10.7)

6.4.2 Code 'E' Code of Practice Tape Recording of Interviews with Suspects, specifies that *'Police Officers must make a note in their pocket notebooks of the fact that an interview has taken place and that it was audibly recorded, the time it commenced, its duration and date and identification number of the master recording'* (Para 5.1).

6.4.3 In addition, practice has established that direct speech during arrest, unsolicited comments after arrest, and responses to the caution are required **to be recorded in the pocket notebook**. **Officers have no discretion in this regard and must make the required entries in their pocket notebooks.** Failure to do so causes police evidence to be challenged in the courts, leading to the possible collapse of prosecution cases. **The making of witness statements to serve as original notes does not fulfil our legal obligations and is not acceptable.**

- Property coming into police possession, which is not immediately recorded elsewhere.
- Any information that is related to any investigation to comply with the Codes of Practice on Disclosure (Criminal Procedure and Investigations Act 1996) and the details are not recorded in a durable form on some other primary record.
- Any other matters at the Officer's discretion.
- Officers completing forms or pro-forma should make a brief pocket book entry confirming that the original document has been completed.
- Officers writing original notes in statement form should make a brief pocket book entry noting when and where the statement was made.

7.0 EXAMINATION OF POCKET BOOKS

Operational supervisors/managers will, at least once, per four-week cycle, examine the pocket books of their staff to ensure that entries record the required information, in the correct format with attention to the high evidential standard required. The system will hold a record of the Supervisors entering and inspecting the book, there is no requirement for a signature.

8.0 INDIVIDUAL RESPONSIBILITIES

8.1 Officers (Up to rank of Inspector) / PCSO's / Specials

- Record incidents in accordance with 6.4
- Make entries in accordance with the 'rules' set out in 6.2
- Extract any information of operational value and forward to the intelligence team

8.2 Supervisors

- As per 'Examination of Pocket Books'

9.0 ADMINISTRATION

9.1 Storage – Upon Warwickshire Police going digital only, Officer's will be required to surrender their paper pocket notebooks to their Inspector. These will then be stored via BOS and under the current MOPI guidelines.

Officers will be able to access the last twelve months of pocket notebook entries via their mobile device. Entries longer than twelve months will be stored in a database, which can be accessed by the Officer's Supervisors.

9.2 Retention – Pocket notebooks should be retained for six years (as per National Police Chiefs' Council, NPCC, guidance), from the date of the last entry. It is expected that any entry required for evidential purposes (investigation / intelligence) will be have been copied/scanned by the officer onto the relevant system at the appropriate time. Therefore, there is an expectation from all officers to ensure that any evidential or intelligence information is captured within their pocket notebooks is also documented

on the relevant electronic systems that apply , this will allow access to the information after the pocket notebooks have been destroyed.

9.3 The storage and retention of Day Books, Policy Files or similar Electronic Notebooks used by officers, in the course of their daily duties to assist them to track actions and manage their workload are subject to the same rules in terms of storage and retention as Pocket Notebooks. Equally, it may be appropriate in some circumstances for these files to be stored with other relevant case papers / files.

All officers should also be aware that they are under a continuing duty not to disclose information, which they have learned as a result of their service as a police officer, to third parties or to those outside the police service during both their service and in retirement."

10.0 ASSESSMENT AND ANALYSIS

The Equality Analysis (EA), Health & Safety Assessment (HAS) and Risk Assessment (RA) associated with this document are available on request.