

## **Freedom of Information Act 2000 (FOIA) Request 619/13 - Pocketbook**

### **PROCEDURE TITLE:** Pocket Notebooks

Police officers, police community support officers and Scientific Support staff will be issued with a pocket notebook, which they must carry when on operational duty.

### **THE FOLLOWING MUST BE RECORDED:**

- Evidence where no other primary record exists - however, see below regarding the Information System (IS)/Vehicle Information Service entries and recorded interviews.
- Any decision made which may impact on Human Rights. (This will include, where applicable, the decision making process and reasoning behind any decision made).
- Any other exceptional item at the discretion of the user.

Notebooks may be dormant between entries but all entries must be clearly dated and timed. Each entry must be made at the time of occurrence or as soon as possible afterwards.

### **IT IS NOT NECESSARY TO RECORD:**

- Any matter recorded in police records elsewhere. However, there are two important exceptions to this:

1) The admissibility of computer records, for example IS 'sightings' in court will depend on satisfying the judge or magistrate that the record was made by the person who witnessed the event, and that the record was made while the event was fresh in that person's mind. A written record made at the time of the sighting is desirable to support any later computer entry.

2) The Police and Criminal Evidence Act 1984 (PACE), Code of Practice E, para 5.1 requires a record to be made in the officer's pocket book of the fact that a recorded interview has taken place, its time and duration, and the identification Property Other than Found Property number of the master recording.

- Supervisory visits and daily notebook examinations.
- Expenses and overtime.

### **RETENTION**

Pocket notebooks will be retained by the users upon completion for two years.

At the end of this period, notebooks will be stored for a further five years, in the area command or department administration section, before destruction at the completion of the above period. In serious cases (e.g. murder), pocket notebooks will be filed with the case papers.

All notebooks in the possession of staff leaving the Force must be returned to the area command or other designated administrator.

### **SUPERVISORY OFFICERS**

Supervisory officers must adopt an advisory role regarding the use of notebooks, carrying out occasional examinations to ensure a good standard and that this instruction is being complied with.

### **PRODUCTION OF NOTEBOOKS IN COURT**

When giving evidence in court, a member of staff must be in possession of any documents containing their original notes of the case.

Sections 139 to 141 of the Criminal Justice Act 2003 introduce provisions that allow a witness in criminal proceedings to refresh their memory from a written statement whilst giving evidence providing that:

- they indicate that the statement represents their recollection at the time they made it;
- their recollection was likely to be significantly better at the time the statement was made or verified. With the permission of the court these may be used to refresh the memory particularly when the evidence is lengthy, involved or detailed.

Police officers and staff may refer to their pocket notebook in accordance with these provisions if their statement is recorded in that notebook.