

Notebook guidance

Notebook guidance

About this guidance

The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This guidance provides information on how Home Office immigration enforcement staff will obtain, use and store an official notebook.</p> <p>The guidance contains Home Office policy relating to:</p> <ul style="list-style-type: none">• why notebooks are used (including the use and issue of notebooks)• the contents of notebooks (including how to make notes when it is not operationally appropriate to use an official notebook)• checking notebooks• retention and storage of notebooks• how notebooks can be used in evidence• an example notebook entry• useful notebook inserts. <p>Changes to this guidance – This page tells you what has changed since the previous version of this guidance.</p> <p>Contact – This page tells you who to contact for help if your manager can't answer your question.</p> <p>Information owner - This page tells you about this version of the guidance and who owns it.</p>	<p>In this section</p> <p>Changes to this guidance</p> <p>Contact</p> <p>Information owner</p>
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Changes to this guidance

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This page lists changes to the notebook guidance, with the most recent at the top.

Date of the change	Details of the change
4 September 2013	<p>Change request:</p> <ul style="list-style-type: none">• The purpose of a notebook:<ul style="list-style-type: none">○ new reference and link to witness statements guidance• Using notebooks:<ul style="list-style-type: none">○ new fifth paragraph with two bullet points• Checking notebooks:<ul style="list-style-type: none">○ new reference and link to witness statements guidance• Contact:<ul style="list-style-type: none">○ restricted text changed• Minor housekeeping changes.
22 July 2013	<p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none">• Minor housekeeping changes.
	<p>For previous changes to this guidance you will find all earlier versions in the archive. See related link: Notebook guidance - archive.</p>

Related links

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See also

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Links to staff intranet removed

Notebook guidance

The purpose of a notebook

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This section tells Home Office immigration enforcement staff about the purpose of using notebooks, the issue of notebooks and how to use them.</p> <p>The purpose of a notebook</p> <p>During an investigation or operation you must use notebooks to:</p> <ul style="list-style-type: none">• comply with the requirements of section 23 of the Criminal Procedure and Investigation Act 1996 (CPIA), and• meet the 'best' procedures for evidence. <p>You are required to make an evidential record when you:</p> <ul style="list-style-type: none">• observe, obtain or witness any material that would be considered relevant to any criminal investigation, or• take action to secure evidence after witnessing events. <p>You must maintain a notebook to record evidence, throughout an ongoing investigation, of what was:</p> <ul style="list-style-type: none">• seen• found• heard, or• done. <p>You must expect to provide witness statements, and give evidence in court, based on information you have written in a notebook.</p> <p>The notes also:</p> <ul style="list-style-type: none">• confirm the evidence was gained at the time rather than at a later date, and	<p>In this section</p> <p>Issuing notebooks</p> <p>Using notebooks</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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	<ul style="list-style-type: none">• help colleagues, management and lawyers to see what evidence you are able to present in court. <p>For more information about witness statements, see related link.</p>	
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Issuing notebooks

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells issuing officers how to issue notebooks to criminal investigation teams.</p> <p>Within Home Office criminal investigation teams, all blank, unused official notebooks are controlled and issued to staff by a senior investigating officer (SIO) or Her Majesty's inspector (HMI) who is known as the issuing officer.</p> <p>As issuing officer, when you receive a new set of notebooks you must:</p> <ul style="list-style-type: none">• set up a notebook control register, and• make a note of the serial numbers of the new notebooks in the register. <p>If a notebook control register already exists you can continue to use it. You must then make sure you secure the unused notebooks in a suitable safe, or secure cupboard, which only you can open.</p> <p>When you issue a notebook you must note the following information in the register:</p> <ul style="list-style-type: none">• the serial number of the new notebook• the name of the officer you gave the new notebook to• the date you gave the new notebook out and authenticated it• the date the notebook was completed or taken out of use (depending on which date is first), and• any comments or management checks and inspections. <p>You can decide whether to have a:</p> <ul style="list-style-type: none">• separate register sheet for each officer in the team, or• single register for each team. <p>What investigation officers do if the usual issuing officer is not available</p>	<p>In this section</p> <p>Using notebooks</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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	<p>You can ask another issuing officer for a new notebook, and that issuing officer will record the issue details in their own register.</p> <p>You must make sure you obtain a new notebook before going out on an immigration enforcement operation if you think your current notebook does not have enough remaining pages for you to take any necessary notes. You must cross through all unused pages in the current notebook before you take it out of use and replace it with a new one.</p> <p>You must never have more than one notebook in use at any time.</p>	
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Using notebooks

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells investigating officers about using a notebook, and how they must use the notebook so it meets the best evidence procedures for court.</p> <p>The Home Office issue staff with official notebooks to record their original notes of evidence if their daily work brings them into contact with issues that may need investigation.</p> <p>You must always complete your notebook:</p> <ul style="list-style-type: none">• in as much detail as possible, and• as accurately as possible. <p>This is important to the evidence and it also helps you to give a professional presentation in court proceedings.</p> <p>When a new notebook is first issued to you, you must always check:</p> <ul style="list-style-type: none">• all the pages and cover are secure, and• each page is sequentially numbered. <p>Keeping contemporaneous notes Contemporaneous notes means notes written:</p> <ul style="list-style-type: none">• at the time, or• as soon as possible after the event. <p>You must always try to keep a contemporaneous note of events, either:</p> <ul style="list-style-type: none">• in an official notebook, or• as a trigger or secondary note.	<p>In this section</p> <p>Issuing notebooks</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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	<p>If you do not complete a notebook entry as soon as possible:</p> <ul style="list-style-type: none"> • it may not be regarded as contemporaneous, and • you may not be permitted to refresh your memory from it at court. <p>Sometimes you will:</p> <ul style="list-style-type: none"> • write ‘trigger notes’ in your notebook, or • refer to some secondary notes at the time. <p>If you do make trigger or secondary notes you must expand them in the official notebook afterwards.</p> <p>For some useful inserts to keep with your notebook on using your notebook and noting Home Office cautions, see related links:</p> <ul style="list-style-type: none"> • Use of the notebook • UK Border Agency cautions. 	
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Notebook guidance

The contents of a notebook

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This section tells investigating officers what the content of a notebook entry should look like and how to record sensitive information.</p> <p>Your notebook contains numbered pages one after the other. You must:</p> <ul style="list-style-type: none">• not remove any pages or leave any blank, and• write your notebook entries in line with the following rules. <p>For an example of how a notebook entry must look, see related link.</p> <p>Basic entry information All your entries must be:</p> <ul style="list-style-type: none">• written in black ink• dated, timed and state the location of events• made at the time of the event or as soon as possible afterwards, and• as detailed as possible. <p>Recording time of entry You must write the time you make the entry in the margin:</p> <ul style="list-style-type: none">• If you are making the note as the event is taking place the event time will be the same as the entry time.• If you do not make the entry at the time and you are making it as soon as possible afterwards, you must:<ul style="list-style-type: none">○ note the time the event took place in the body of the notebook, and○ note the time you are making the entry in the margin.• If you make a late entry after you have ruled through, signed, dated and timed an entry then you must bring it to the attention of the senior investigating officer (SIO) or Her Majesty's inspector (HMI). They must then countersign your cross-referenced changes.	<p>In this section</p> <p>Adopting another officer's notebook entries</p> <p>Taking notes if unable to use official notebooks</p> <p>Recording sensitive information</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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Effective use of the index

The Home Office notebooks have an index at the front of the notebook, known as UKBA100A.

At the time of making an entry into your notebook you must complete the index with the following information:

- the date of the entry
- the subject of the entry, and
- the pages the entry covers.

By completing the index it acts as a useful reference tool when trying to find past entries in your notebook, particularly when referring to your notebook in court.

When to use a separate page

You must use a separate page for each:

- surveillance period
- operation
- task, or
- incident.

Blank spaces and deletions

You must:

- rule through, sign, date and time blank spaces at the end of a series of entries, and
- make deletions with a single line, initialled and dated.

You must not:

- leave blank spaces between words or any lines left between entries.
- use correction fluid or other types of erasing products, and
- rub out mistakes with an eraser or strike through deletions in heavy pen.

Comments or replies made by suspects

When an entry contains any comments or replies to questions made by a suspect, you must:

- read the notebook entry to the suspect (when it is practical)
- include any unsolicited (volunteered) comments made outside of an interview which you consider to be relevant to the offence
- ask them to confirm whether the entry is accurate
- ask the suspect to sign and date under the entry
- record any disagreement and ask the suspect to sign it to confirm, and
- record any refusal to sign entry.

If a second officer is present and has witnessed the suspect's comments or answers, you must ask them to confirm the entry by signing and dating under it.

Recording diagrams

These can be very useful to remind you about a certain event or location, for example a room layout. You must refer to any diagrams you make in your notebook in any later witness statement.

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Adopting another officer's notebook entries

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells immigration enforcement officers about how to adopt another officer's notebook entries.</p> <p>When you can adopt another officer's notebook entry If an officer is questioning a suspect, (the lead officer), with a colleague present (the second officer) it can sometimes be easier and more helpful in building a positive relationship with the suspect if the second officer takes notes whilst the lead officer talks to the suspect.</p> <p>How the lead officer adopts the notebook entries As the lead officer, you can later 'adopt' the second officer's notebook entries. You must:</p> <ul style="list-style-type: none">• read the second officer's notebook entries• agree them• confirm they are a truthful record of what was said underneath the last entry by writing:<ul style="list-style-type: none">○ 'I have read the above notes. I was present when they were made and I can confirm they are a true and accurate record of what took place. I adopt them as my own.', and• sign the second officer's notebook, alongside their name, date and time. <p>If you do not adopt all the entries If the second officer has recorded other details which you do not adopt or agree with, you must sign to confirm you have only adopted the entries recorded at specific times.</p> <p>When you are able to, you must make an entry in your own notebook to confirm you have adopted the notebook entries of a colleague. You must record the:</p> <ul style="list-style-type: none">• name of the officer whose notebook entry you are adopting• serial number of the notebook, and• page numbers and line numbers of the entry you are adopting.	<p>In this section</p> <p>Taking notes if unable to use official notebooks</p> <p>Recording sensitive information</p> <p>The contents of a notebook</p>
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	This acts as a cross reference.	
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Notebook guidance

Taking notes if unable to use official notebooks

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells investigating officers how to take notes if it is not appropriate to use the official notebook at the time.</p> <p>When you may not be able to use an official notebook Sometimes, you may not think it is suitable to make a notebook entry at the time, for example if you are taking part in an immigration enforcement surveillance operation. Using your notebook in this sort of situation could lead to compromising the operation.</p> <p>How you record these notes In this sort of situation, where you may need to make notes as evidence (evidential notes), you must make sure you have ways to record any observations that would not cause suspicion, for example writing on a newspaper or a napkin. You must:</p> <ul style="list-style-type: none">• attach these notes to the surveillance log later• time, date and sign the notes, and• record the reason why you did not use the official notebook. <p>When you use anything other than a notebook to record evidential notes or observations, the trigger notes you made will be the original evidence and you must:</p> <ul style="list-style-type: none">• staple them into your notebook at the earliest opportunity, and• write up the notes in full as soon as possible after the event in your notebook. <p>Evidence or observations taken on a Dictaphone You will also need to transfer any commentary you have dictated onto a Dictaphone into your notebook. Whoever is giving the commentary must identify themselves on tape and state the date and time of the recording. You must keep the tape securely in a Home Office building.</p> <p>You are not allowed to use:</p>	<p>In this section</p> <p>Adopting another officer's notebook entries</p> <p>Recording sensitive information</p>
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- digital Dictaphones or other digital recorders which do not rely on a tape recording the contents, or
- electronic diaries or other electronic media that has the ability to record information.

The only exception to this is the use of mobile phones to record evidence in the form of a SMS text message.

Recording notes from SMS text messages

As soon as possible after the event, you must record a full note in the surveillance log using the SMS text to refresh your memory. At the first opportunity you must:

- photocopy the text message off the mobile phone screen
- endorse the copy as a true copy, signing and dating it, and
- record a brief explanation as to why this method of note taking was used.

The photocopy of the phone's screen showing the text message sent then becomes the 'ancillary note' and you must attach it to the surveillance log.

Similarly, if you decided to compose a text message and save this in draft without sending it to colleagues, you must follow the same process as above for recording what you saw or overheard in a surveillance log or your notebook.

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Recording sensitive information

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells immigration enforcement investigation officers how to record sensitive information in their notebooks.</p> <div><p>Restricted – do not disclose – start of section</p><p>The information in this page has been removed as it is restricted for internal Home Office use only.</p><p>Restricted – do not disclose – end of section</p></div>	<p>In this section</p> <p>Adopting another officer’s notebook entries</p> <p>Taking notes if unable to use official notebooks</p>
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Checking notebooks

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells Home Office staff about the checks conducted on notebooks currently in use by officers.</p> <p>Why notebook checks must be done As a result of two important reviews, the Gower-Hammond review and the Butler review in 2000, a number of important changes were introduced in the way cases were prosecuted.</p> <p>Recommendation 21 of the Butler report stated that ‘Case Senior Officers must ensure, so far as possible, that the statements of Officers intended to be served on defendants, contain the information intended to be given in evidence’. This was subsequently referred to as the Butler 21 checks.</p> <p>Butler 21 checks The Butler 21 checks means notebooks must be looked at regularly to:</p> <ul style="list-style-type: none">• compare your account written in your witness statement to the original evidential notes you made at the time in your notebook, and• identify any ‘material differences’ between the two. <p>As a result, the higher investigating officer (HIO) or chief immigration officer (CIO) must:</p> <ul style="list-style-type: none">• compare all notebooks against witness statements before handing over the statements to the criminal and financial investigation (CFI) teams or investigating authorities• check notebooks and witness statements for accuracy, and• make sure amendments are made to the witness statement as required, before final sign off and handover to the CFI or other investigating authority. <p>For more information about witness statements, see related link.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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Keeping and storing completed notebooks

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells Home Office staff what to do with a completed notebook.</p> <p>Taking notebooks out of use – the officer You must keep a single notebook for all evidential purposes, which you must use until it is:</p> <ul style="list-style-type: none">• full, or• withdrawn for other specific reasons. <p>If a notebook is taken out of use before it is full, you must:</p> <ul style="list-style-type: none">• line through the unused spaces and pages, and• initial and date them. <p>The issuing officer You must:</p> <ul style="list-style-type: none">• look at and sign full or withdrawn notebooks at the first available opportunity• make sure all pages are intact and all unused pages are lined through and approved• sign and date stamp the inside rear cover of the notebook, and• approve the control record. <p>You must:</p> <ul style="list-style-type: none">• store completed or withdrawn notebooks securely in official accommodation, and• never post original notebooks to anyone. <p>If other officers, typists or the solicitor's office require a completed or withdrawn notebook, you must give the person asking for it a copy of the relevant section of the notebook.</p>	
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Lost or stolen notebooks

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells Home Office staff what to do if their notebook is lost or stolen.</p> <p>What the officer must do If your notebook is lost or stolen, you must:</p> <ul style="list-style-type: none">• report the loss or theft to the issuing officer as soon as possible, and• tell them if any specific sensitive information has been written down in it. <p>In all cases, you must assume the notebook contains information that must not be in the public domain.</p> <p>What the issuing officer must do When you have been told, you must:</p> <ul style="list-style-type: none">• report the loss or theft to the security and anti corruption unit (SACU), and• tell them the facts and whether any specific sensitive information was written in the notebook. <p>If it is likely their details may have been recorded in the lost notebook, you must tell:</p> <ul style="list-style-type: none">• the investigation officers• the disclosure officers, and• the Crown Prosecution Service lawyer.	<p>Related links</p> <p>Links to staff intranet removed</p>
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How notebooks can be used in evidence

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page tells Home Office staff how to use their notebooks when giving evidence in court.</p> <p>Your notebook should contain all the detail you need:</p> <ul style="list-style-type: none">• to write a witness statement, and then• to give evidence in court. <p>You must remember:</p> <ul style="list-style-type: none">• Always use your original notebook in court, rather than copies of pages.• The defence may ask for access to your notebook before the trial and during your evidence.• If there is any significant delay which cannot be accounted for (between the occurrence and your notebook entry) your notebook entry may not be regarded as contemporaneous. You may not be permitted to refresh your memory from it in court. <p>For a definition of contemporaneous notes, see related link: Using notebooks.</p>	Related links Using notebooks
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Contact

About this guidance The purpose of a notebook The contents of a notebook Checking notebooks Keeping and storing completed notebooks Lost or stolen notebooks How notebooks can be used in evidence	<p>This page explains who to contact for more help with a question about the notebook policy and guidance.</p> <p>If you have read this guidance and still need more help, you must first ask your line manager.</p> <div><div>Restricted – do not disclose – start of section</div><div>The information in this page has been removed as it is restricted for internal Home Office use only.</div><div>Restricted – do not disclose – end of section</div></div> <p>Changes to this guidance can only be made by the modernised guidance team. If you think the policy content needs amending you must contact the policy team, using related link: Email: CI Inbox, who will ask the modernised guidance team (MGT) to update the guidance, if appropriate.</p> <p>The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the related link: Email Modernised guidance team.</p>	<p>In this section</p> <p>Changes to this guidance</p> <p>Information owner</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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Information owner

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This page tells you about this version of the notebook guidance and who owns it.

Version	5.0
Valid from date	4 September 2013
Policy owner	David Magrath, Her Majesty's Inspector, immigration enforcement
Cleared by director	David Pennant
Director's role	Director, immigration enforcement
Clearance date	7 June 2012
This version approved for publication by	Chris Foster
Approver's role	Assistant director, immigration enforcement
Approval date	20 August 2013

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the policy team, using related link: Email: CI Inbox, who will ask the MGT to update the guidance, if appropriate.

The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the related link, Email: Modernised guidance team.

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Related links

Links to staff intranet removed