

POLICE GENERAL ORDERS

CHAPTER 53

POLICE NOTEBOOKS

10/01

53-01 Police Notebooks

Every police officer below the rank of Chief Inspector (CIP) shall be issued with an official notebook, and shall carry it at all times when on duty unless exempted in writing by his District Commander (CSP) or equivalent (e.g. SSPs Crime, Traffic, Ops, Admin in Regional Headquarters and Bureau Heads in Police Headquarter Formations). Any CIP who claims overtime shall be required to be issued with, carry and maintain, an official notebook in accordance with these orders.

2. Notes shall be made at the time of the event or as soon as is reasonably practicable thereafter.

3. An officer shall ensure that he complies with Data Protection Principal Four of the Personal Data (Privacy) Ordinance and that the personal data entered into his notebook:-

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- (a) is to be strictly limited to that which is necessary to enable him to effectively discharge his constabulary duties; and
- (b) is recorded in such manner that it cannot subsequently be read by any non-authorized person.

4. Particular care is to be exercised when details of more than one data subject are entered at any one time (e.g. dispute cases - FPM 53-08 refers).

5. An officer will make a fresh entry in his notebook at the commencement of each duty shift, detailing the date, time and particulars of the duty allocated to him.

6. Thereafter, he shall make notes of matters pertaining to his duty and in particular:-

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- (a) his times of reporting on and off his scheduled duty, to and from meals or refreshment and the time and duration of any overtime worked;
- (b) sufficient details to clearly identify the actual work undertaken during any period of overtime worked;
- (c) all statements made to him or in his presence by suspects. In respect of a statement made by a witness, which is recorded in detail on a Pol 154, the officer taking that statement need only record in his notebook when, where and from whom the Pol 154 was taken by him;
- (d) particulars of all persons he has arrested and taken into his custody; the reasons leading to that arrest including the date, time and location; the justification for the use of handcuffs and their subsequent removal; particulars of exhibits, witnesses, detained persons' property and clothing;

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- (e) on handing over any person detained in his custody, the reason for the use of handcuffs; the date and time at which a detained person was first brought before the DO; the reason why he could not be immediately handed over to, and accepted into the custody of, the DO; the location where the detained person was kept under observation in the interim; the date and time at which the detained person was handed over to, and accepted into the custody of, the DO;
- (f) if the detained person is under medication, has a medical problem or there are any other matters that are necessary for the receiving officer to know;
- (g) particulars of any offence he has detected and in respect of which he is reporting someone with a view to proceeding by way of summons or other process;
- (h) particulars of the issue of a Pol. 525 and a Pol. 570 Fixed Penalty Ticket;
- (i) details of any traffic accident or other incident he has witnessed or to which he has been called, except in the case of a TADO where a Pol. 284A has been completed;
- (j) a note of any formal legal process that he has carried out, e.g. the service of a summons or the execution of a warrant;
- (k) details of the exercise of any power (e.g. a search of a suspected person), even if by exercising the power, there is no offence disclosed. There is no absolute requirement to record every detail of the personal particulars of a person after the exercise of any police power: in most cases basic details that are sufficient to identify person are adequate;
- (l) particulars of the seizure or acceptance of any property in the course of his duty (e.g. found property);
- (m) particulars of a person to whom warnings have been given together with particulars of the offence for which the person was warned;
- (n) any report or complaint made to him, the details of the informant or witness and any subsequent action taken (including complaints concerning his own actions or relating to an incident to which he is a party or is directly involved);

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- (o) the time of leaving and returning to his beat or post and the reasons for absenting himself;
 - (p) when conducting observation, brief details of suspected persons, premises, vehicles, their locations, events observed and the duration of the observation; 04/07
 - (q) when conducting large scale identity checks, the details of date/time/location; reason for large scale check; vehicle registration numbers (if any); and number of persons checked/on board are to be recorded in the notebook of the checking officer; or the OB. There is no need to record full particulars of each individual unless an ROPS or PONICS III check has been made; and 04/07
 - (r) the time, location and the identity (nickname will suffice) of known undesirable characters encountered in the course of duty, as well as the brief details of the encounter.
7. Notes shall be kept in chronological order and shall be made in indelible blue or black ink.
8. An officer shall write legibly. If any deletion, alteration or addition is made, a line shall be drawn through the original entry in such a manner that it remains legible and shall be signed by the officer concerned or the person whose statement is being recorded.
9. An officer shall not erase or attempt to erase any entry in his notebook.
10. An officer shall not remove from his notebook any page or any part thereof, unless he is in court and is expressly directed to do so by a judge or magistrate.
11. Officers deployed to RCCCs and report room duties are exempt from the provisions of PGO 53-01(6) where, in the normal course of their duties, information required to be included in a notebook is officially recorded by that officer elsewhere. This exemption does not extend to instances where such officers personally effect the arrest of an individual or otherwise execute any constabulary power. In such instances the provisions of this order shall be complied with. 01/04

53-02 Inspection of Notebooks

Supervising officers shall ensure that notebooks on issue to subordinate officers are maintained in accordance with these Orders.

2. For this purpose:-

- (a) a notebook in current use by a JPO shall be produced to his immediate supervising officer at the start of his tour of duty to ensure that he has it with him prior to commencing duty;
- (b) a notebook in use by a JPO shall be checked at least once during his tour of duty by his immediate supervising officer to ensure that all necessary entries have been made correctly;
- (c) an Inspector or other nominated officer shall check the contents of all notebooks of officers under his command at least once every two weeks;
- (d) a Chief Inspector shall carry out random checks of the contents of all notebooks of officers under his command as frequently as his duties may permit; and
- (e) the contents of an Inspector's notebook shall be checked once every two weeks by a Chief Inspector and once a month by a Superintendent.