

## 14.2 Issuing a Police Information Notice (PIN)

The use of a PIN will generally not be appropriate when an investigation has established evidence of a course of conduct under the PHA. Where the victim is unwilling to support a prosecution or there are other elements of the case which mean that the CPS has decided not to continue with the prosecution, the CPS should be consulted about any further action which could be considered.

This could, for example, be a letter from the CPS to the victim or suspect to explain the decision not to prosecute, and to clarify the requirements of the PHA.

Individuals should not be issued with Notices relating to behaviour which would not constitute a breach of the PHA, even if it were to be repeated and then form part of a course of conduct. In general, the issuing of PIN will not be helpful when dealing with entrenched disputes such as those between neighbours.

There may be situations where there is no reasonable explanation for the behaviour complained of, or the explanation given is in doubt, and the police will need to consider taking further action by issuing a PIN.

The suspect may appear to be genuinely unaware of the provisions of the PHA and that their actions could constitute a criminal offence. Early intervention by using a PIN may prevent the behaviour escalating into harassment.

Even if further harassment is not prevented, the delivery of the Notice could be relevant evidence in future criminal or civil proceedings to show that an individual knew that their conduct could amount to harassment under the PHA.

**NB Any decision to issue a Police Information Notice must be authorised by a Sergeant or above.**

Before a PIN is given to a suspect, the process should be explained to the victim and a copy of the Notice given to them. In particular, it should be explained that the PIN is not a Court Order and is simply information for the suspect.

The victim should be informed that the only way it would be possible for a Court Order to be granted at this stage would be by a private civil case brought by the victim, and the victim could seek independent legal advice about this from a solicitor.

The views of the victim about the issuing of a PIN should be sought and recorded. There may be exceptional circumstances when the victim does not wish the alleged offender to be issued with a PIN. The reasons for

this must be documented on the victim's statement or the officer's pocket notebook.

The investigating officer should discuss the situation with a supervisor who is required to authorise the decision to issue a PIN or not. The officer should document the decision to follow the victim's wishes or not, giving the reasons for the decision.

As the receipt of a PIN may be used as evidence in subsequent proceedings, it should be given personally so that there is clarity about the suspect's identity and that they receive the Notice. Whenever a Notice is given, officers should not suggest that this implies any guilt on the part of the suspect.

Nor should they suggest that the PIN marks an end of the matter as this could render evidence of conduct prior to the Notice inadmissible in any subsequent prosecution.

When a PIN has been issued, the officer should offer it to the recipient to sign. This indicates their receipt and understanding. It may be necessary to caution a suspect if they make relevant comments.

Any relevant comments made by the individual should be recorded in the officer's pocket notebook and the individual should be asked to endorse the record. In exceptional circumstances consideration should be given to using a personal delivery service or recorded delivery to issue a PIN.

### **14.3 Storage of Police Information Notices (PIN)**

Police Information Notices (PIN) should be scanned onto the CIS crime or incident report that they relate to.