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Metropolitan Police Service  
Directorate of Training and Development

Police Constable Foundation Course

# Evidence & Actions Book

Lesson 182

## **The Evidence and Actions Book (EAB)**

### **EABs**

The Evidence and Action Book is the book that you will use to record the majority of incidents you attend.

These include:

- ☐ Arrests
- ☐ Street Identification procedures
- ☐ Incidents that are required to be recorded in detail such as:
- ☐ Fatalities or serious injuries
- ☐ Serious fires
- ☐ Harassment involving landlord-tenants
- ☐ Cases where children have been taken into police protection
- ☐ Resented stop and searches
- ☐ Any other incidents that you feel should be recorded in more detail than a pocket book entry would provide.

### **Report Book Rules**

You have covered these in Lesson Note 27 Report Book Rules. Revise this note now if you do not remember the rules.

You need to become familiar with the EAB as soon as possible. This is because you must have the ability to find your way around the EAB and to use the appropriate pages for the type of incident you are reporting.

The Street Identification procedure on pages 22-26 of the EAB will not be dealt with in this lesson note, please see Lesson Note 207 Street Identification for an explanation of this procedure and use of these pages.

**When reading this lesson note, have an EAB to flick through and find where each page is.**

This lesson note is divided into three chapters:

#### **Chapter One**

- Explanation of making notes at scene, no notes at scene, report writing and use of the Automatic Time Recorder (ATR). Explanation of generic EAB pages.

#### **Chapter Two**

- Use of the EAB for arrests.

#### **Chapter Three**

- Use of the EAB for incidents.

Chapter One has seven objectives; Chapters Two, and Three only have one objective each. These are listed opposite and at the start of each chapter. Once you have completed a chapter, you should be able to answer in detail the objective(s) for that chapter.

Chapters One and Two should be studied for the Reporting Arrests session in Phase 1.

Chapter Three should be studied for the Civil Disputes/Trespass session in Phase 2.

**Do not study this whole lesson note in one go.**

### ***Chapter One - Objectives***

1. State when written records should be made.
2. Explain the term “original notes”.
3. Describe the permitted ways of making the written record in:
  - a) “notes made at the time” and
  - b) “original narrative”.
4. State the information that must be included in each entry in original notes.
5. Explain the requirements relating to written records of conversation with persons suspected of an offence.
6. Explain the additional rules when more than one officer is in attendance.
7. Explain when hearsay evidence should be included in police reports.

### ***The Importance of making thorough and professional notes is:-***

1. To refresh the officer’s memory when required to give an account for their actions and give evidence in court. This could be in a Magistrates Court, Crown Court, Coroners Court, Civil Court or at a public inquiry, years later. Also when you are subject to a complaint.
2. To form a **written record** of incidents to which police have been called and the action taken.

## ***Original Notes***

This is the term used to describe the **first record** police officers should make of **any occurrence** they are reporting.

### **When to be made**

All written police records of occurrences must be:

- comprehensive
- accurate
- credible.
- legible

One way to achieve this is to make a “narrative” of the event by writing down fully what happened as it occurs or immediately after.

However, often this will not be possible so the next best thing is to write down fully what happened (a narrative) as soon as practicable after it occurs (usually, as soon as you get to the police station). The problem with this is, remembering the detail of the occurrence if “as soon as practicable” happens to be some time after the event.

To help you to make your narrative (full written record), you must, whenever possible, **make some notes at the time** of the event while still at the scene.

If you cannot make notes at the time, you must **make notes as soon as practicable**.

### **Definition**

“**Original notes**” must consist of the **original**:-

1. **NOTES**  
and/or
2. **NARRATIVE**

**made at the time or as soon as practicable after** an occurrence.

Whatever form the record takes, you must make it while the facts are still fresh in your mind.

So, “original notes” is the first written record you make of an occurrence, in either format, at the earliest opportunity. You will be always asked this when referring to your notes in court.

## Notes made at the scene

*Notes made at the scene* of an occurrence should contain all information that you would otherwise be unable to remember accurately, in order to write the narrative, eg:

- The nature and circumstances of the offence leading to the arrest.
- Time of arrest and caution and reply to caution.
- Any significant statements or relevant comments or unsolicited comments made.
- Questions and answers with the suspect prior to the arrest.
- Allegation by the victim.
- Measurements and numbers etc.

**Direct speech** and **people** and **place names** must always be **written in full**. Everything else can be written in note form, using standard abbreviations.

In whatever form notes are written, it is important that they can be understood by **any** person reading them.

## Relevant Notes

You can never make too many relevant notes. **Record anything** you think might be relevant. Don't worry about its admissibility as evidence. But, in particular, you must always try to make an **immediate note of times and statements**. These are usually vital facts and are a common subject of dispute regarding their accuracy.

"Notes made at the time" will usually form the basis of and be included in the "original narrative".

## Original Narrative

*The Original Narrative* is your first chronological record of what happened (starting at the beginning and working your way through to the end). It may be used as a statement at a later date, so it must be written in full and it must be legible. **Notes or abbreviations must not be used.**

You should include in the narrative any information that you think may be relevant even though it may not be used as evidence, eg: hearsay. It is for the CPS to decide what evidence from your notes you can give in court.

The original narrative should contain all the relevant information previously recorded as 'notes at scene'.

For example, your notes at scene may contain the question and answer: 'I said, "do you have an explanation?" He said, "no, I just nicked it."'

Therefore your narrative should also contain the same question and answer, also in direct speech; and it must be identical to that recorded in your notes at the scene.

## Delay in making Original Notes

This may be unavoidable for a variety of reasons, eg:

- violent conduct of suspect;
- raining heavily, etc;
- prevent suspect escaping;
- surrounded by hostile crowd.

The delay must be because you are doing something else or the conditions are such that you cannot make notes; e.g. 'Unable to make notes at scene as the suspect was attempting to punch me during the incident. Following arrest and handcuffing, the suspect continued to kick at both myself and my colleague, I had to restrain him to prevent injury to us or him.'

It is not sufficient to only record the suspect's behaviour. You should state what you were doing that prevented you from completing your notes at scene. **This will be written in your narrative.**

Provided a Court is satisfied that the delay is justified, there is unlikely to be any problem about using them to give evidence, as long as the events were still fresh in your mind when you eventually made your notes.

To comply with the Codes of Practice and give them credibility, each entry in original notes (ie, notes or narrative) of any occurrence in any report book, must state-

- time started
- time finished
- location notes made at
- persons present
- reason for any delay.

### NOTES OF ARREST/REPORT OF INCIDENT

TIME NOTES STARTED:

1500

TIME NOTES COMPLETED:

1530

LOCATION NOTES MADE:

BRIXLEY P.S. PC's Writing Room

PERSONS PRESENT... NONE

It is essential that you record a complete account of events. It is intended to protect you from needless civil action or complaint investigation. You **MUST** follow the following guidance. Your notes will be subject to close scrutiny. You may confer with other officers who were present for an overview, but these notes are to assist YOUR recollection.

#### Background

- Set the scene: As fully as possible "on day, date, time, place, etc."
- State the information you had before attending the scene, this will help explain your actions.
- If notes were not made at scene, explain fully.
- Do not mention sensitive sources/techniques.

#### Action

- State what happened when you arrived.
- Record all questions asked/answers given both before and after caution. **Keep an open mind.** You are duty bound to gather all evidence and entitled to question any person from whom useful information can be obtained. You should include hearsay.
- Fully record your actions and the options considered up to the point of arrest.
- Show what factors influenced your decision, include reasons for not taking action.

continued on next page

The EAB that you will use for making Original Notes of an arrest or incident has a printed section to accommodate most of this information.

Once the narrative has been completed, it will be time and date stamped (dealt with later in this lesson note).

Subsequent entries must still contain when/where/who with in regard to the notes being written, only it must be **hand-written**.

*the facts to the Custody Officer PS 14 YK HEWLETT*  
.....  
*in the presence and hearing of Miss Haddow*——HP  
.....  
*Helen Patel PC 263 YK* MAY 30'08 15:07 YK ——HP  
.....  
MAY 30'08 15:07 YK  
.....  
*Notes made at BRIXLEY Police Station alone beginning*  
.....  
*at 1737. On FRIDAY 30th MAY 2008 at BRIXLEY*  
.....  
*Police Station interview room I conducted a tape recorded*  
.....  
*interview with Miss HADDOW with PC 421 YK JONES.*  
.....  
*Interview began at 1715 and ended at 1720. I sealed the*  
.....  
*master tape with seal No. T120614A and handed it to*  
.....  
*the Custody Officer PS 14YK HEWLETT. Notes*  
.....  
*Completed at 1743. Helen Patel PC 263YK*——HP  
.....  
MAY 30'08 17:45 YK  
.....

## Recording Conversation

Conversation at the scene should be recorded by one of the following methods:-

1. Verbatim record of questions and answers made contemporaneously (as it occurs).

OR

2. Adequate and accurate record of questions and answers made as soon as possible.

OR

3. Adequate and accurate summary of the conversation made as soon as possible.

These methods are shown in order of preference. However, method 2 is most commonly used.

Method 3 should rarely be used to record conversation of an accused person. However, it is, on many occasions, the most appropriate way of recording the conversation of persons not suspected of an offence. For example, persons injured in the street or in road traffic accidents.

Remember the important parts of conversations you will need to record.

- ☐ Time of arrest and caution and reply to caution
- ☐ Any significant statements or relevant comments or unsolicited comments made
- ☐ Questions and answers with the suspect prior to the arrest
- ☐ Allegation by the victim (if possible).

The original note of a conversation with a person suspected of an offence must be:

(a) offered to the suspect to:

- ◆ **read,**
- ◆ **sign as correct;**
- OR
- ◆ **indicate any disagreement** with its accuracy;

(b) signed by all parties present.

Drawing a line through the space after each question and answer, and getting all parties present to initial them, adds credibility to your evidence.

All this must be done as soon as practicable after the note is made.

However, the Original Note of a conversation with a person suspected of an offence made at the police station must be offered to the suspect during the first tape recorded interview.

IRON WALK" caution 1700 Reply "Yes OK" — ⓓ HJ CT  
 Bel. property abandoned in the open air (told by witness)  
 and starting to rain. Q's in presence of PC 121YK THORNE  
 outside 2, IRON WALK, beginning 1700 — ⓓ HJ CT  
 Q "The person who saw you said you were carrying a  
 video, Where is it now?" — ⓓ HJ CT  
 A "I've hidden it in the garden next door" — ⓓ HJ CT  
 Q "Where exactly?" — ⓓ HJ CT  
 A "In the shed at the bottom" — ⓓ HJ CT  
 Interview ended 1703 Record of interview shown to  
 DIXON 1715. — ⓓ HJ CT  
***I agree that this is a correct record of what  
 was said Charlton Dixon.*** Harry Johns PC 137 YK  
 Colin Thorne PC 121 YK

IRON WALK" caution 1700 Reply "Yes OK" ⓓ HJ CT  
 Bel. prop. abandoned in the open (told by witness) and  
 starting to rain. Q's in presence of PC 121YK THORNE  
 outside 2, IRON WALK, beginning 1700 — ⓓ HJ CT  
 Q "The person who saw you said you were carrying a  
 video, Where is it now?" — ⓓ HJ CT  
 A "I've hidden it in the garden next door" — ⓓ HJ CT  
 Q "Where exactly?" — ⓓ HJ CT  
 A "In the shed at the bottom" — ⓓ HJ CT  
 Interview ended 1703 Record of interview shown to  
 DIXON 1715. Having read the record, Mr DIXON disputes  
 the accuracy of the second answer on this page. He  
 said, "No I didn't say that. I said, "On the shed". ⓓ HJ CT  
 Notes offered to Dixon. He refused to sign them.  
 Harry Johns PC 137 YK Colin Thorne PC 121 YK

If there is a dispute about what was said then it must be recorded at the end. Any refusal to sign when asked must be recorded.

### **Other officers who attend the scene**

Information about an arrest could be required for court, sometimes years later. Therefore, a record must be made of all officers who attend the scene of an arrest, whatever their involvement.

This record will be made in two places:-

1. The report book of the arresting officer (page 40 of the EAB), detailing all who attended and
2. The report book (EAB or Notebook) of every officer who attended, noting their personal attendance.

The arresting officer will write a full EAB report as would any officers witnessing the arrest. But officers assisting in the gathering of information or evidence should make their own record of that which they gathered, then hand it on to the arresting officer.

Each book forms part of the Original Notes and must be cross-referenced by the officer responsible for the report.

### **Conferring**

If an officer assists another in reporting an occurrence, both officers may confer when making notes of the same parts of it, but they must record the fact that they did confer, including date, time and place and the issues discussed and with whom. This is legal and it is common practice.

If you do not record the fact that you conferred, you risk your evidence being rejected and your own honesty doubted. To not admit that conferring took place can, in some circumstances, amount to perjury, a very serious criminal offence for which you could be sent to prison if convicted.

**Each officer's book must only contain the facts that he or she actually witnessed him/herself. Officers MUST NOT confer on their own "state of mind" at the time force was used. This is individual reasoning and Officers may have different reasons for applying force. They must individually record their own honestly held belief of the situation at the time force was used.**

**All report books used to make a record of the same occurrence must be cross referenced.**

All notes should be timed and dated at each section, date stamped when complete and signed at the last entry by the Officer making the notes.

### **No Original Notes "sharing"**

Every officer who is able to give evidence about any offence must create his or her own original notes. (Remember, conferring is allowed.)

The only exception to this rule is when more than one officer is present at the scene of an interview with a suspect. Then, all persons present should read and sign the original record of the interview.

## Notes to justify police action

You should include in your Original Notes any information to which you could refer to justify your action, eg, under PACE, information received from a briefing before hand the Human Rights Act. Ignore the rules about admissibility of evidence when deciding what to include.

For example, you may have been told something by a third party that gave you grounds to search someone, or it could be information you received about something at a briefing. What you were told would usually be regarded as inadmissible in evidence because it is 'hearsay'.

However, you may be required to justify police action of conducting the search, so including a summary of what you were told would help you to do that.

*a man who refused his particulars spoke to me. As a result of what he said, (He said, "I saw him playing with a flick-knife and then he put it in his jacket pocket, his right one I think"). I went up to Mr SMITH and said, "I am PC ENGLISH from BRIXLEY Police Station, I have been told that you were seen to have a flick knife in your possession a few minutes ago. You were seen to hold*

## Notes to justify detention

When you arrive at the police station with a prisoner, the custody officer will require the offence you have arrested the person for, brief circumstances of how the offence has occurred and the reason you have arrested the person. Remember **ID COP PLAN**. He or she will base the decision to authorise the detention of the person on these reasons. Therefore you must detail in your evidence the fact that you explained why you arrested the person.

## Validating Original Arrest Notes

You have to validate arrest notes, this means any notes or narrative made at any time.

Being able to prove the time when they were made will help you to:

- Satisfy a Court that they were made as soon as practicable;
- Enhance their credibility by proving when they were made in the sequence of events.

## Automatic Time Recorder

To cater for this, each police station will have an **Automatic Time Recorder (ATR)**. This machine will indelibly stamp your Original Notes, in red ink, with the exact time, date and station code of where it is actually used. (Your trainer will show you how to use it.)

**Each entry of Original Notes must be stamped by the ATR as soon as possible after completion.**

Notes made *prior to arrival at the police station* must be stamped once, after the signatures, not over any words of the entry, as shown below immediately on arrival. The stamp should appear immediately after the last line of the entry as shown on the next page.

Notes relating to a non-arrest incident do NOT need to be validated using the ATR.

Arrested, cautioned at 1510, reply "I'm sorry." Prior to arrest, he said, "It's all a mistake, I'm willing to pay now." \_\_\_\_\_ HP  
**I agree that this is a correct record of what was said. M Haddow Helen Patel PC263YK** \_\_\_\_\_ HP  
MAY 30'08 15:53 YK

Notes/narrative *made at the police station* must be stamped **twice on successive lines**. The **first** must be **over some writing**; the **second** immediately below it, **on a clear line**.

HEWLETT in the presence and hearing of Miss HADDOW  
A= by police van Helen Patel PC 263YK \_\_\_\_\_ HP  
MAY 30'08 16:33 YK  
MAY 30'08 16:33 YK

If the **ATR** is **not working** you must get the **Custody Officer** to **certify** that fact at the end of each entry in the notes/narrative, **immediately each entry is completed**, as shown below.

the facts to the Custody Officer PS14YK HEWLETT in the presence and hearing of Miss HADDOW. \_\_\_\_\_ HP  
Helen Patel PC263YK \_\_\_\_\_ HP  
I certify that the ATR is defective Guy Hewlett PS14YK  
1345 30/05/08 \_\_\_\_\_ GH

Can you remember how omissions are dealt with by inserting A, B, C etc? When it comes to using the ATR don't forget to make your insertions **before** using the stamp

related the facts to PS HEWLETT in the presence and hearing of Miss HADDOW. A= by police van \_\_\_\_\_ HP  
MAY 30'08 16:33 YK  
MAY 30'08 16:33 YK

If however, the insertions are made **after** the ATR stamp a more detailed entry must be made. Remember to include the times, location, persons present and additional ATR stamp and sign as illustrated below:

related the facts to PS HEWLETT in the presence and hearing of Miss HADDOW. A= by police van Helen Patel PC 263 MAY 30'08 16:33 YK \_\_\_\_\_ HP  
MAY 30'08 16:33 YK  
Notes made at BRIXLEY Police Station custody suite, alone, notes began at 1650. In previous entry above B=saw, C=went, D=sitting. Notes completed 1652 \_\_\_\_\_ HP  
MAY 30'08 16:54 YK  
MAY 30'08 16:54 YK

In addition, if a particular entry is required to be countersigned by someone (eg, a person who you have interviewed or a witness to the interview), that person must also counter-initial and/or counter-sign any corrections in it. This will show that the alterations were made with their consent.

## ***Evidence***

### **You must produce the best evidence possible.**

Your evidence should be a detailed and accurate record of what occurred, what was said, what you did why you did it and what you felt.

You should include full justification for use of your powers, especially in relation to your use of force. You must state any powers used either for arrest or search.

If your evidence is the best possible, then you will be able to rely upon it when giving evidence. If not, you may find yourself severely embarrassed in court or worse! If its not in your notes it can cast doubt on your evidence if you mention something later.

Don't forget, your evidence will be vital in assisting a court to come to a decision. A victim may be relying on your evidence; if you cannot be bothered to write a detailed, accurate account; you should consider whether you should be a police officer.

## Generic Pages

The following pages of the EAB are 'generic', that means that they will be completed for the vast majority of reports.

### Front Cover

Persons name

Summarise the incident, i.e.  
ARREST - THEFT  
SHOPLIFTING  
SUDDEN DEATH

Describe location accurately including post code

Your details

Book 124A

**EVIDENCE & ACTIONS BOOK**

SUSPECT/PERSON(S) CONCERNED/ARRESTED.....

ARREST/PROCESS /INCIDENT.....

.....day the.....20.....

at.....time at.....

.....Post Code.....

OFFICER REPORTING.....

Warrant No.....Rank.....No.....

OCU Code.....Station.....

Email.....@met.pnn.police.uk

Book  of

Name of Accused

Custody No./ Unique Ref. No.

Stop/Search 5090 completed Yes ☐ No ☐

CRIS No.

Other Ref. No.

**Person Concerned/Arrested** (page 3 of the EAB)

PERSONS CONCERNED/ARRESTED 1		3
IF THIS IS PHOTOCOPIED, WOULD RELEASING DETAILS ENDANGER PERSON CONCERNED?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Surname.....		
Forename.....		
Other Title (Mr., Mrs., Miss, Ms.).....		
ADDRESS (Business or Private).....		
.....		
..... Post Code.....		
Contact No.....		
IMEI No.....		
Email.....		
AGE..... D. of B..... Occupation.....		
Place of birth.....		
OTHER DATA.....		
SELF DEFINED ETHNICITY..... IDENTITY CODE.....		
PARENTS/FRIENDS TO BE INFORMED.....		
.....		
Informed: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Date/Time Informed..... By Whom.....		
.....		
SCHOOL.....		
INJURY COMPLAINED OF: Yes <input type="checkbox"/> (If 'Yes' give details. Indicate on body maps) No <input type="checkbox"/>		
.....		
.....		
.....		

Complete as much  
as possible

This page applies to the person being arrested or the subject of a report of an incident.

Page 4 caters for a second Person Concerned/Arrested. Use further EABs if you have more persons concerned/arrested, i.e. three arrests for shoplifting.

## Witnesses

Include police officers and police staff but only show the private addresses of non police-witnesses

[illegible][illegible]

## Notes at Scene (page 27)

– examples of these pages are shown in following chapters, as they will vary depending on whether you are reporting an arrest or a incident.

Examples of these pages are shown in the following chapters, as they will vary depending on whether you are reporting an arrest, an incident or a process. Pages 31 and 32 contain a summary of what should be included, this is a guide and is not exhaustive. You may have to include other items which are not detailed in this list, e.g. who you referred the parties to in a racial dispute.

*The reason you do not write notes at scene must be written naturally in your narrative.*

Your narrative needs to be detailed and include everything that has happened. Bad language and violence used by the suspect should be written in detail.

Conversation should be written in full including hearsay.

Record the actions and options you have used and why you used them.  
Eg. Why you have had to use force or handcuffs.

In six years time you could end up in civil court and if you have not got it written in your narrative you will not remember what happened.

- If physical force and/or officer safety equipment was used during the incident/arrest, give a detailed description of the use (describe technique used) and the reasons for use. You must tell the custody officer and, if appropriate, consult the FME. State what first aid was given.
- If crime summons procedure was adopted rather than arrest, include reasons.
- Remember to produce your exhibits.

#### If you made or witnessed an arrest

- Record the words used to tell the person they were under arrest. The 'caution' is on page 2 (inside front cover).
  - Record the grounds.
  - Record the offence.
  - Record the necessity for arrest.
- Please remember to cover points to prove the offence for which arrested.

#### MERLIN PAC

##### Incidents/arrests involving a person under the age of 18

Is there a concern about the child/young person not achieving one or more of the **EECM** key outcomes: **Be Healthy; Stay Safe; Enjoy and Achieve; Making a positive contribution; Economic Well-being.**

☐ Yes ☐ No – No further action necessary

☐ MERLIN PAC Ref. No. ....

☐ MERLIN PAC threshold not met – Action taken to address concerns recorded in notes

**Supervisors:** To ensure that where MERLIN threshold has been met a MERLIN PAC has been created.

Remember if physical force is used, record the suspects actions and your actions in full detail. So that in court you will have a detailed record of force used and reasons why force was needed and used.

You need to record the power of arrest used, the grounds of your arrest in full and the reason you have arrested.

Complete if incident/arrest involves person under the age of 18.

Begin your narrative here

#### WITNESS STATEMENT

CJ Act 1967, s.9 MC Act 1980, ss 5A(3)(a) and 5B; MC Rules 1981, r70

Statement of

Age if under 18

(if over 18 inset 'over 18')

Occupation

This statement (consisting of      page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Date:

Time:

Signature:

Signature: .....

***The following generic pages will be completed less often; you should still be aware of them and use them when required.***

**Police Protection** (pages 5-8)

These pages are used if dealing with a child taken into police protection under section 46 Children Act 1989.

**Property Damaged** (page 9)

Used to record details of property damaged together with the owners details.

**CCTV** (page 9)

Record details of any CCTV evidence

**Exhibits** (pages 10 and 11)

These pages are used to record exhibit descriptions, numbers and other relevant information.

**Witnesses** (pages 12 and 13)

Used to record details of any witnesses.

**(NOTE WARNING HEADING THAT THESE PAGES ARE NOT TO BE PHOTOCOPIED)**

**Descriptive Forms** (pages 14-26)

These pages are used to record detailed descriptions, usually of suspects. Lesson Note 207 Street Identification deals in depth with the importance of 'First Descriptions'. Occasionally the description of another person will be required, i.e. a victim where their description is required to easily identify them on CCTV footage, their route may then be traced and suspects possibly identified.

**Assistance Rendered** (page 30)

Details of Ambulance/Fire Brigade called, 1st Aid given and hospital conveyed to.

**Witness Statement** (pages 33-40)

This is the equivalent of an MG11 for use in situations where a short statement is required as soon as possible and no MG11's are available.

**(Note bottom of page 40 requires details of other officers/units)**

***Information Pages***

**ADVOKATE** (page 2)

A reminder of what should be included in a witness statement.

**Caution and ID COP PLAN** (page 2)

Reminder of the wording of the caution and arrest conditions ID COP PLAN

**PLAN** (page 44)

Reminder of PLAN for Human Rights.

You should now be able to answer the objectives at the beginning of Chapter One.

## *Chapter Two*

1. Understand how to complete an EAB in relation to an arrest.

### *Introduction*

The following pages show you how to complete notes at scene and narrative for two types of arrest. Don't forget that you would also complete some or all of the generic pages mentioned in Chapter One.

The first example is where the suspect is violent and no notes at scene are made.

The second is where notes at scene are completed.

## Suspect is violent and no notes are made at scene.

The suspect HADDOW has been seen shoplifting by the store owner. On arrival of police she is violent which means that the officer is unable to make any notes at the scene.

The following pages show how her EAB will look...

Example of EAB when NO notes are made at the scene (Page 27)

NOTES MADE AT SCENE OF <del>INCIDENT</del> ARREST		27
TIME NOTES STARTED:		
TIME NOTES COMPLETED:		
LOCATION NOTES MADE:		
PERSONS PRESENT.....		
.....		
.....		
<b>Notes not made/completed at scene must be recorded on page 33.</b>		
<ul style="list-style-type: none"><li>● Record first descriptions on page 14.</li><li>● Include questions and answers before and after caution . Keep an open mind . You are duty bound to gather all evidence. You should include hearsay.</li><li>● Do not be afraid to ask questions without cautioning. An officer is entitled to question any person from whom he or she thinks useful information can be obtained.</li><li>● Interviews of suspects must comply with PACE Codes of Practice.</li><li>● Offer notes of conversation for signature.</li><li>● ATR this page as soon as you arrive at the police station.</li></ul>		
<i>No notes made at scene, see narrative on page 31 for details. Dawn Oaten 158T_____DO</i>		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		

Delete incident as this is an arrest

This entry does not require an ATR stamp.

Example of EAB when NO notes are made at the scene  
Here are the notes made at the POLICE STATION

31

**NOTES OF ARREST/REPORT OF INCIDENT**

TIME NOTES STARTED: 1610

TIME NOTES COMPLETED: 1630

LOCATION NOTES MADE: BRIXLEY P.S. Canteen

PERSONS PRESENT Alone

It is essential that you record a complete account of events. It is intended to protect you from needless civil action or complaint investigation. You **MUST** follow the following guidance. Your notes will be subject to close scrutiny. You must confer with other officers who were present for an overview, but the

**Background**

- Set the scene: As fully as possible "on
- State the information you had before your actions.
- If notes were not made at scene, explain
- Do not mention sensitive sources/tech

**Action**

- State what happened when you arrived
- Record all questions asked/answers given open mind. You are duty bound to get person from whom useful information
- Fully record your actions and the options
- Show what factors influenced your decisions

- If physical force and/or officer safety equipment was used during the incident/arrest, give a detailed description of the use (describe technique used) and the reasons for use. You must tell the custody officer and, if appropriate, consult the FME. State what first aid was given.
- If crime summons procedure was adopted rather than arrest, include reasons.
- Remember to produce your exhibits.

**If you made or witnessed an arrest**

- Record the words used to tell the person they were under arrest. The 'caution' is on page 2 (inside front cover).
- Record the grounds.
- Record the offence.
- Record the necessity for arrest.
- Please remember to cover points to prove the offence for which arrested.

32

**MERLIN PAC**

**Incidents/arrests involving a person under the age of 18**

Is there a concern about the child/young person not achieving one or more of the 5 ECM key outcomes: **Be Healthy; Stay Safe; Enjoy and Achieve; Making a positive contribution; Economic Well-being.**

☐ Yes    ☐ No – No further action necessary

☐ MERLIN PAC Ref. No. ....

☐ MERLIN PAC threshold not met – Action taken to address concerns recorded in notes

**Supervisors:** To ensure that where MERLIN threshold has been met a MERLIN PAC has been created.

Complete if incident/arrest involves person under the age of 18.

Delete as this is an arrest

These sections must ALWAYS be completed

This guidance must be followed

33

**WITNESS STATEMENT**  
CJ Act 1987, s.89 MC Act 1993, ss 54(3)(a) and 55; MC Rules 1991, r.79

Statement of \_\_\_\_\_  
Age if under 18 \_\_\_\_\_ (if over 18 insert 'over 18')

Occupation \_\_\_\_\_

This statement is made by \_\_\_\_\_ (insert name) and is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signature: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

— Your narrative would start on page 33.

An example narrative is shown below.

Record reason why you were at the location as this gives an indication of the call and the prisoners behaviour

If, for example, on route back to the station, the suspect makes a significant statement such as 'Sorry officer, I admit it, I did it,' then this can be recorded on this page. Don't forget to note at the top where/when/who was present. This should be ATR'done on arrival at the custody. When you then start your narrative you MUST state where/when/who was present when you wrote it.

Full grounds for arrest in direct speech

On FRIDAY the 10th of OCTOBER 2008. I was on duty in full uniform on foot patrol alone when as a result of a call (CAD 4533, female shoplifter detained becoming violent) I attended COUNTRY MARKET, a shop at 2-6 HIGH STREET, BRIXLEY NW9 3KT. On arrival at 1500HRS at the front of the store I saw a man I now know to be DAVID AHERNE, the store owner, struggling violently with a female I know to be MICHELLE HADDOW. The store owner was holding HADDOW around the waist, she was screaming, "let me go," and she appeared to be trying to punch AHERNE. I took hold of HADDOW'S arms to prevent her harming AHERNE and said, "calm down." AHERNE said in the presence and hearing of HADDOW, "thank God you've come, I caught her stealing a box of batteries from my display." I said, "where has she put them?" AHERNE replied in HADDOW'S hearing, "in her jacket pocket." HADDOW was struggling and continuously shouting, "let me go." I continued to restrain her as she tensed her arms and appeared to be trying to get them free. She also tried to kick AHERNE. I restrained her by holding her arms to her side from behind her, I believed that if I let her go that she would injure either AHERNE or myself. AHERNE was trying to assist in restraining her by also holding her right arm. I said, "what have you got to say?" She shouted, "sod off." I said, "I am arresting you for theft of the batteries as this man has seen you today at 1450 hrs in COUNTRY MARKET take them, place them in your pocket and leave without paying for them. I am arresting you to ensure prompt and effective investigation as you need to be interviewed for the offence." I cautioned her at 1505, she replied, "bastard." I used Section 24 PACE as my power of arrest. I continued to restrain her as she struggled and tried to kick me. Again I did this by holding her arms to her side from behind her. I felt worried that she would try and injure AHERNE or myself, so I took my handcuffs (serial no : 236787) and quickly put one

handcuff onto her right wrist. She then twisted and tried to pull her left arm free. As I believed that she was about to hit me I pulled on the handcuffs and took her to her knees. I did this as gently as possible whilst trying to make sure that she did not strike me. I kept saying, "calm down," and "stop struggling." Once on her knees I took her right hand round her back. I instructed her to bring her left arm to her back and I handcuffed that arm. The cuffs were now in a rear stack. I checked for tightness by feeling and looking at the gap between the handcuffs and her skin. I believed that they were not too tight. I could not double-lock them as she continued swearing and shouting at me. At one point she tried to stand up saying, "I'm going to kick your fucking head in." I held onto the handcuffs and controlled her shoulders with my other hand. She then remained in a half-kneeling, half-sitting position but she continued to shout and swear at AHERNE and myself. I was unable to make any notes at the scene because she would not calm down and she tried to kick out. I had to restrain her on the floor to prevent injury to anybody. At approx 1515 the van arrived. PC ANDREW POMFRETT then assisted me in restraining HADDOW. I doublelocked the handcuffs. As I had been informed that she had stolen some batteries, placed them in her jacket pocket and that they had not been produced in any way, I believed that she still had the batteries in her jacket. I explained to her that I was going to search her for the batteries (Sec 32 PACE 1984). I looked in her left hand jacket pocket where AHERNE had indicated that the batteries were. I found the pack of twelve (12) EVERREADY torch batteries which I exhibit as HRP/1. I said, "do you have an explanation for these?" She made no reply. Placing the batteries in my left trouser pocket, I assisted PC POMFRETT in walking HADDOW to the

Detail your actions, especially when using force

Explain why notes were not made at the scene

Record the reason for your use of search powers

Exhibit property and ensure the continuity of evidence

Continued:

police van she was still shouting and swearing. She tried to kick out two or three times, we both told her to calm down. At the van, I searched the cage, we then placed her into it. Once the doors were shut and secured, she began kicking the side of the cage and shouting and swearing using phrases such as "you fuckers." I explained to AHERNE about what would happen, I then sat in the rear passenger compartment of the van and observed HADDOW en route to the Custody Suite at BRIXLEY Police Station. I told her to calm down and slowly she began to. At approx 1530 we arrived at BRIXLEY Police Station, after searching the van in the presence of HADDOW, we escorted her into the Custody Suite. There I relayed the facts to the Custody Officer, PS60YK EVERETT in the presence and hearing of HADDOW. During this she calmed down totally and I removed her handcuffs. I could see slight reddening where the handcuffs had been on her wrists and I advised the Custody Officer about this.

OCT 10 08 16:33 YK  
OCT 10 08 16:33 YK **DAWN OATEN 158T**

This narrative was made at the police station, therefore ATR stamp twice - on the last line and after the last line.

Eg. A shoplifter who is non violent, secure, you are in an office and the van will be with you in fifteen mins.

- 1. Nature and circumstances of offence leading to the arrest.**
- 2. Any other significant statement or relevant comment.**
- 3. The arrest, grounds and reason or reasons why arrest was necessary.**
- 4. Caution and reply to caution.**

**It is not essential that they are recorded in this order.**

Evidence & Actions Book/182  
Page 28

## Example of Notes at scene. Made at the scene. (Page 27)

This example of notes at scene would be written when you have a secure prisoner and the right environment but you are restricted with time.

Once again it does not need to be written in this order .

If you have other things that you want to include in your notes at scene, then you can. The example shown here is what you need to include to comply with the Codes of Practice.

**NOTES MADE AT SCENE OF INCIDENT/ARREST** **27**

TIME NOTES STARTED: 1515 hrs

TIME NOTES COMPLETED: 1523 hrs

LOCATION NOTES MADE: Office in country Market

PERSONS PRESENT: \_\_\_\_\_

---

**Notes not made/completed at scene must be recorded on page 33.**

- Record first descriptions on page 14.
- Include questions and answers before and after caution . Keep an open mind . You are duty bound to gather all evidence. You should include hearsay.
- Do not be afraid to ask questions without cautioning. An officer is entitled to question any person from whom he or she thinks useful information can be obtained.
- Interviews of suspects must comply with PACE Codes of Practice.
- Offer notes of conversation for signature.
- ATR this page as soon as you arrive at the police station.

Allegation made by some detective that suspect HADDON had taken batteries from the shelf & left the shop with out paying for them . The arrest was necessary to allow prompt investigation to interview suspect for the offense.

Reply to allegation "I'm

---

**28**

Continued sorry, I didn't mean to steal anything. - DA HH, PO

Arrested & cautioned at 1510hrs. Reply to caution "I told you I forgot, it's all a mistake." DA, HH, PO

I agree this is a correct record of what was said

DAHene M Hadden D/L Oate-1581.

## ***Examples of reasons for arrest***

For instance:

Theft (shoplifting). Seen to take a bottle of sherry and leave shop without attempting to pay. Arrested to ensure prompt and effective investigation as he needs to be interviewed regarding the offence.

Robbery. With two other suspects threatened staff in store and stole a large quantity of cash. Arrested nearby in possession of a knife. Arrested as the other suspects have not been identified and property stolen has not recovered. Needs to be interviewed regarding his involvement in the offence.

Assault. Punched his partner causing a broken nose and black eye. Arrested to prevent his partner suffering further injury as they live at the same address.

Took pedal cycle without authority. Stopped riding a bicycle. Admitted it belonged to his friend but he had taken it without permission. Arrested as he has no fixed address and he has previously failed to appear at court to prevent any prosecution being hindered by his disappearance.

**Remember- | (Investigation) of ID COP PLAN is as follows:**

**To allow prompt and effective investigation of the offence or of the conduct of the person.**

**The Codes of Practice state that this may include cases such as:**

- (i) where there are reasonable grounds to believe that the person:
  - has made false statements,
  - has made statements which cannot be readily verified,
  - has presented false evidence,
  - may steal or destroy evidence,
  - may make contact with co-suspects or conspirators,
  - may intimidate or threaten or make contact with witnesses
  - where it is necessary to obtain evidence by questioningor
- (ii) when considering arrest in connection with an indictable offence, there is a need to:
  - enter and search any premises occupied or controlled by a person,
  - search the person,
  - prevent contact with others,
  - take fingerprints, footwear impressions, samples or photographs of the suspect;
- (iii) ensuring compliance with statutory drug testing requirements.

Example of EAB when notes are made at the scene  
 Pages 27 onwards  
 Here are the notes made at the POLICE STATION

31

**NOTES OF ARREST/REPORT OF INCIDENT**

TIME NOTES STARTED:

TIME NOTES COMPLETED:

LOCATION NOTES MADE:

PERSONS PRESENT Alone

---

It is essential that you record a complete account of events. It is intended to protect you from needless civil action or complaint investigation. You **MUST** follow the following guidance. Your notes will be subject to close scrutiny. You may confer with other officers who were present for an overview, but these notes are to assist YOUR recollection.

**Background**

- Set the scene: As fully as possible "on day, date, time, place, etc."
- State the information you had before attending the scene, this will help explain your actions.
- If notes were not made at scene, explain fully.
- Do not mention sensitive sources/techniques.

**Action**

- State what happened when you arrived.
- Record all questions asked/answers given both before and after caution. Keep an open mind. You are duty bound to gather all evidence and entitled to question any person from whom useful information can be obtained. You should include hearsay.
- Fully record your actions and the options considered up to the point of arrest.
- Show what factors influenced your decision, include reasons for not taking action.

continued on next page

This section must ALWAYS be completed

This means anyone you conferred with (eg: witnessing officers)

Don't forget to fill this section in if dealing with person under the age of 18

● Please remember to cover points to prove the offence for which arrested.

---

**MERLIN PAC**

**Incidents/arrests involving a person under the age of 18**

Is there a concern about the child/young person not achieving one or more of the 5 ECM key outcomes: Be Healthy; Stay Safe; Enjoy and Achieve; Making a positive contribution; Economic Well-being.

☐ Yes ☐ No – No further action necessary

☐ MERLIN PAC Ref. No.....

☐ MERLIN PAC threshold not met – Action taken to address concerns recorded in notes

**Supervisors:** To ensure that where MERLIN threshold has been met a MERLIN PAC has been created.

[illegible]

This narrative was made at the police station, therefore ATR stamp twice - on the last line and after the last line.

OCT 10'08 16:33  
P.DAWN CATER 158T-----DO  
OCT 10'08 16:33

## Page 41 of the EAB (Charging Notes)

After you have completed the investigation, which is likely to include a tape-recorded interview of the suspect, a decision will be made whether or not to charge. If the suspect is charged, you should complete Page 41 of your EAB as follows.

CHARGING/REPORTING NOTES		41
PERSON 1		
CHARGED/TOLD REPORTED AND CAUTIONED:—	Time 1830 Date 10/10/08	
	Place BRIXLEY P.S. canteen	
OFFENCE(S) CHARGED/REPORTED	Theft	
PERSONS PRESENT MICHELLE HADDOW PC HELEN PATEL PS PHILLIP EVERETT		
REPLY "This is a terrible mistake" I agree that this is a correct record of what was said. Michelle Haddow Helen Patel PC 263 YK HP		
RECORDED BY PC 263 YK PATEL		
SIGNED Helen Patel PC 263 YK		
SIGNED PERSON CHARGED/REPORTED Michelle Haddow		
SIGNED CUSTODY OFFICER Phillip Everett PS 60YK		

Record details of all officers present during charge procedure.

Signatures as required

There is a similar page for one more prisoner. Rule it through if it's not used.

All EABs must be checked and signed by a supervisor

<b>SUPERVISION</b>		43
<b>ALL EABs MUST BE SUPERVISED</b>		
Indicate whether the officer needs to make additional notes to clarify the details of the:		
Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	scene the officers faced
<input type="checkbox"/>	<input type="checkbox"/>	grounds for search / 5090 completed
<input type="checkbox"/>	<input type="checkbox"/>	use of force
<input type="checkbox"/>	<input type="checkbox"/>	use of officer safety equipment
<input type="checkbox"/>	<input type="checkbox"/>	arrest / ID COP PLAN
<input type="checkbox"/>	<input type="checkbox"/>	CCTV
<input type="checkbox"/>	<input type="checkbox"/>	review officer's actions re victim / witness
<input type="checkbox"/>	<input type="checkbox"/>	MERLIN PAC
<input type="checkbox"/>	<input type="checkbox"/>	other (please specify).....
I discussed the need for further notes with (Name of Officer).....		
Full details of actions officer is to take.....		
.....		
.....		
.....		
.....		
Supervisor's signature.....		
Print name and number.....		
Date and time.....		
Email.....@met.pnn.police.uk		

You have now completed Chapter Two and you should have an awareness of how to complete an EAB for an arrest.

Whilst in training you should practice completing EAB's as often as possible. Use this lesson note as a guide.

You should now be able to complete the objective for Chapter Two.

## **Chapter Three**

### *Objective*

1. Understand how to complete an EAB in relation to an incident.

### Introduction

The aim of this chapter is to teach you how to report an incident which does not result in an arrest in an EAB.

The precise content of the EAB report will depend on the incident you are reporting.

The procedure for writing a non-arrest EAB is much the same as an arrest EAB, with the same rules about writing the original notes and the rules of evidence.

A significant difference between this and an arrest report in an EAB is that you **don't use the Automatic Time Recorder (ATR)** in incident reports.

The following incidents **MUST** be reported in an EAB:

- ☐ Fatalities or serious injuries
- ☐ Serious fires
- ☐ Harassment involving landlord-tenants
- ☐ Cases where children have been taken into police protection
- ☐ Resented stop and searches
- ☐ Any other incidents that you feel should be recorded in more detail than a pocket book entry would provide.

The following example shows an EAB completed for a collapse in the street. As with all EABs, you should complete as many of the generic pages as possible. The example below concentrates on the notes at scene and the narrative.

NOTES MADE AT SCENE OF INCIDENT/ARREST
27

TIME NOTES STARTED:
1107

TIME NOTES COMPLETED:
1120

LOCATION NOTES MADE:
FAIRVIEW ROAD N9

PERSONS PRESENT
MRS. SMITH (witness)

Notes not made/completed at scene must be recorded on page 33.

- Record first descriptions on page 14.
- Include questions and answers before and after caution . Keep an open mind . You are duty bound to gather all evidence. You should include hearsay.
- Do not be afraid to ask questions without cautioning. An officer is entitled to question any person from whom he or she thinks useful information can be obtained.
- Interviews of suspects must comply with PACE Codes of Practice.
- Offer notes of conversation for signature.
- ATR this page as soon as you arrive at the police station.

Arrived 1105. SMITH said "I was just going up to the shops when I saw the old lady just drop. I ran up to her, she was holding her chest and moaning, she looks bad. I have seen her before. I'm sure she lives here at number 46, I think she was on her way out, her shopping bag is empty". G Smith Phillip Brooks PC 508YK. Ambulance called by SMITH. First Aid given. POWERS conscious unable to speak. All details from letter in bag. CCC informed 1120 Phillip Brooks PC 508YK

Just as in arrest cases, any notes made prior to arrival at the police station must be made in this section, although they don't have to be time-stamped

Notice direct speech.  
Note: In non-arrest cases, this is probably the only record of the witness statement. It is used as a means of explaining what happened and is often an "adequate and accurate summary"

Officer signs on completion of any entry in Original Notes

Person invited to read and sign record of conversation; reporting officer to countersign.

Narrative shown overleaf:

# NOTES OF ~~ARREST~~/REPORT OF INCIDENT

TIME NOTES STARTED:

1135

TIME NOTES COMPLETED:

1145

LOCATION NOTES MADE:

KINGSGATE Police Station

PERSONS PRESENT Alone

It is essential that you record a complete account of events. It is intended to protect you from needless civil action or complaint investigation. You **MUST** follow the following guidance. Your notes will be subject to close scrutiny. You may confer with other officers who were present for an overview, but these notes are to assist YOUR recollection.

## Background

- Set the scene: As fully as possible "on day, date, time, place, etc."
- State the information you had before attending the scene, this will help explain your actions.
- If notes were not made at scene, explain
- Do not mention sensitive sources/techniques

## Action

- State what happened when you arrived
- Record all questions asked/answers given in an open mind. You are duty bound to gather information from whom useful information can be obtained
- Fully record your actions and the options available
- Show what factors influenced your decisions

- If physical force and/or officer safety equipment was used during the incident/arrest, give a detailed description of the use (describe technique used) and the reasons for use. You must tell the custody officer and, if appropriate, consult the FME. State what first aid was given.
- If crime summons procedure was adopted rather than arrest, include reasons.
- Remember to produce your exhibits.

## If you made or witnessed an arrest

- Record the words used to tell the person they were under arrest. The 'caution' is on page 2 (inside front cover).
  - Record the grounds.
  - Record the offence.
  - Record the necessity for arrest.
- Please remember to cover points to prove the offence for which arrested.

32

## MERLIN PAC

### Incidents/arrests involving a person under the age of 18

Is there a concern about the child/young person not achieving one or more of the 5 ECM key outcomes: Be Healthy; Stay Safe; Enjoy and Achieve; Making a positive contribution; Economic Well-being.

☐ Yes ☐ No – No further action necessary

☐ MERLIN PAC Ref. No.....

☐ MERLIN PAC threshold not met – Action taken to address concerns recorded in notes

Supervisors: To ensure that where MERLIN threshold has been met a MERLIN PAC has been created.



### ***Information to be included in an EAB for a non-arrest incident***

You have learned that in a pocket book the notes only need to be brief and in note form. However, they must be readable, and capable of refreshing your memory of the incident. When it comes to reporting any of the other 'categories', your report needs to have more detail.

The precise content of the EAB report will depend on the incident you are reporting. There is a mnemonic which will help you to remember the information you should include.

<b>S</b> tatements	in direct speech.
<b>T</b> imes	record important times as appropriate, eg, times of arrival and departure from scene.
<b>A</b> ction	taken by the reporting officer must be recorded, eg, rendered first aid, called ambulance, exchanged names and addresses, etc.
<b>I</b> nformation	given to interested parties, eg, local authority to sand an icy footway or clear debris, relatives of injured or deceased persons informed.
<b>R</b> eferals	eg, complainants to Magistrates' Courts, Solicitors, Commission for Racial Equality etc. Be specific, do not just show "referred to civil remedy".
<b>S</b> upervisor	Supervisor informed (name and time).

You should now be able to complete the objective for Chapter Three.

### **Summary**

You have now learnt how to complete an EAB for an arrest and for an incident.

You should practise using EAB's, especially as often much of the book will be unused. YOU will have to make decisions on which pages and which sections need completing, these will often vary.

For example, an arrest of a person involving possession of a stolen motor vehicle may mean some vehicle pages are completed as well as the ones for an arrest.

Likewise once you have done Street Identification training, you may use these pages before an arrest is made. If the suspect is then arrested the same EAB will also contain details of the arrest.

Only through practice will using the EAB get easier, do it in training and you will look and feel professional on the street when you first open one for real.

Good luck!

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Lesson verified by CST - October 2008.

(End of  
Lesson)