

# POLICE GENERAL ORDERS

## CHAPTER 53

### POLICE NOTEBOOKS

10/01

#### 53-01 Police Notebooks

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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. Exemption from issuing or carrying an official notebook shall only be granted in writing by a Formation Commander (SSP or above). As police notebooks contain personal data, they shall not be removed from the workplace unless approval is given under PGO 12-16(14)-(16). Officers should ensure the safe custody of notebooks in their possession, and should report any loss of police notebook to the appropriate authority in accordance with FPM 53-09. 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 an event or as soon as is reasonably practicable thereafter.

3. Officers shall ensure that they comply with Data Protection Principle One and Four of the Personal Data (Privacy) Ordinance and that the personal data entered into their notebooks:

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(a) is to be strictly limited to that which is necessary to enable them to effectively discharge their constabulary duties; and

(b) is not read by any unauthorized 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. Officers will make a fresh entry in their notebooks at the commencement of each duty shift, detailing the date, time and particulars of the duty allocated to them.

6. Thereafter, they shall make notes of matters pertaining to their duties and in particular:

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(a) their times of reporting on and off 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 them or in their presence by suspects / witnesses unless the statement has been recorded in detail on a Pol. 857 / Pol. 154 whereby the officer taking that statement need only record in his/her notebook the date, time, location and from whom the Pol. 857 / Pol. 154 was taken by them. In most cases, only details sufficient to subsequently identify a person are required;

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- (d) particulars of all persons they have arrested and taken into their custody; the reasons leading to that arrest including the date, time and location; the justification for the use of any wrist restraints and their subsequent removal; particulars of exhibits, witnesses, detained persons' property and clothing;
- (e) justification for the use of any wrist restraints for the following purposes other than effecting an arrest :
  - i. execution of constabulary duties under Sec. 10 of the Police Force Ordinance; or
  - ii. taking a person into custody who is suspected to be mentally disordered, under Sec. 71B of the Mental Health Ordinance.
- (f) justification for any unconditional release of :
  - i. an arrested person who has NOT been brought before a DO; or
  - ii. a person who has been taken into police custody under Sec. 10 of the Police Force Ordinance; or
  - iii. a person who has been taken into police custody under Sec. 71B of the Mental Health Ordinance.
- (g) on handing over any person detained in their custody, the reason for the use of wrist restraints; the date and time at which a detained person was first brought before the DO; the reason why the detained person 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;
- (h) 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;
- (i) particulars of any offence they have detected and in respect of which they are reporting someone with a view to proceeding by way of summons or other process;
- (j) particulars of the issue of a Pol. 525 and a Pol. 570 Fixed Penalty Ticket;
- (k) details of any traffic accident or other incident they have witnessed or to which they have been called, unless all the relevant details pertaining to the incident have been recorded in a Pol. 155; and in the case of a TADO where a Pol. 284A has been completed;
- (l) a note of any formal legal process that they have carried out, e.g. the service of a summons or the execution of a warrant;

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- (m) details of and justification for the exercise of any power (e.g. a search of a suspected person), even if after 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 only details sufficient to subsequently identify a person are required;
  - (n) particulars of the seizure or acceptance of any property in the course of their duties (e.g. found property);
  - (o) particulars of a person to whom warnings have been given together with particulars of the offence for which the person was warned;
  - (p) any report or complaint made to them, the details of the informant or witness and any subsequent action taken (including complaints concerning their own actions or relating to an incident to which they are a party or are directly involved); 04/07
  - (q) the time of leaving and returning to their beats or posts and the reasons for absenting themselves;
  - (r) when conducting observations, brief details of suspected persons, premises, vehicles, their locations, events observed and the duration of the observation; 04/07
  - (s) 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; 04/07
  - (t) 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; and
  - (u) the time, location and nature of warning given, including both verbal warning, and the type of warning banner displayed, during Public Order Event policing.
7. Notes shall be kept in chronological order and shall be made in indelible blue or black ink.
8. Officers 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. Officers shall not erase or attempt to erase any entry in their notebooks.
10. Officers shall not remove from their notebooks any page or any part thereof, unless they are in court and are expressly directed to do so by a judge or magistrate.

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- 01/04 11. Officers deployed to RCCCs and report room duties are exempted 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 (e.g. CIS). This exemption does not extend to instances where such officers personally effect the arrest of an individual or otherwise execute any constabulary power (e.g. conducting a custody search on a detained person). In such instances the provisions of this order shall be complied with.
12. Officers who conduct or witness a custody search on a detained person will cross-reference the search in their notebooks with the relevant record made in CIS.
13. Officers shall not retain or draw used notebooks in anticipation that they will need it for future reference. They shall only retain or draw a used notebook if a legitimate need has been established and return it as soon as possible thereafter.
14. Officers shall not retain their notebooks upon transfer from one formation to another, including transfer of division within the same district.
15. Officers giving evidence in court shall carry the notebook(s) concerning the case.

14/10 **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 JPOs shall be produced to their immediate supervising officers at the start of their tour of duty to ensure that they have it with them prior to commencing duty;
  - (b) a notebook in use by JPOs shall be checked at least once during their tour of duty by their immediate supervising officers to ensure that all necessary entries have been made correctly;
  - (c) Inspectors or other nominated officers shall check the contents of all notebooks of officers under their command at least once every two weeks;
  - (d) Chief Inspectors shall carry out random checks of the contents of all notebooks of officers under their command as frequently as their 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.

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- 19/11 3. Where a SSGT discharges the role of Sub-unit Commander or Team OC or the immediate supervisor of an NCO is not available during the tour of duty, PGO 53-02 (2) (a) and (b) above shall not apply. Instead such officers shall submit their notebooks to an officer designated by their DVC as soon as practicable.