

| NOTES OF INTERVIEW ENGLAND & WALES | |
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| 1. | <p>PURPOSE</p> <p>The aim of this policy is to give Security Managers a quick reference to notes of interview procedures in England & Wales.</p> |
| 2. | <p>LINK TO ACCOUNTABILITIES</p> <p>Security Managers</p> |
| 3. | <p>POLICY</p> |
| 3.1 | <p>PREPARATION</p> <ul style="list-style-type: none"> Plan the interview thoroughly. Get full names and ranks of all persons attending interview. Have a copies of CS000, CS001, CS002, CS003, CS004, CS005, CS035, CS301, CS025, CS300 together with any forms you wish to record handwriting specimens or fingerprints on available. Give all exhibits identification numbers using exhibit labels CS035. Put a ‘DO NOT ENTER’ notice on the door, disconnect the telephone and ensure all mobile telephones, pagers etc. are switched off. Have sufficient blank or lined A4 pages available on which to record the notes. Write your questions on the left hand side of the page and the reply on the right hand side immediately after the end of the question e.g. <p>How long have you been employed as a Postman? About 10 years.</p> <p>Have you always been employed at Any Town Delivery Office? Yes</p> <ul style="list-style-type: none"> Any events / actions such as productions of exhibits, refreshment breaks, suspensions of the interview for searches, use of welfare services should be timed using the 24 Hour clock and recorded across the full width of the page in capitals within brackets and followed by appropriate questions e.g. <p>12:00 Hours</p> <p>(AAA 01 – WHITE ENVELOPE IN AN OPEN CONDITION. 1ST CLASS POSTAGE STAMP AFFIXED. DATESTAMPED ANYTOWN, 1ST JANUARY 0000, ADDRESSED TO A N OTHER, 1 MAIN STREET, ANY TOWN, A1 1AA.. ADDRESS TYPED)</p> <ul style="list-style-type: none"> Any errors made when recording the notes should be corrected by a line being drawn through the error. The error should not be completely obliterated. |

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| 3.2 | <ul style="list-style-type: none"> If the interviewee is under 18 years of age but over 17 years and an employee of Royal Mail Group (including Post Office Limited), you should arrange for a manager (preferably the employee's line manager) briefing that manager, at an appropriate time, in advance of the interview as to his / her responsibilities. The record of interview must be accurate and should be a verbatim record of what has been said. <p>THE INTERVIEW</p> <ul style="list-style-type: none"> Complete the pre-amble to the form CS000 with details of the lead investigator (1st Officer), the support investigator (2nd Officer), location of the interview, the name, rank, office employed at, date and place of birth of the interviewee. If a person is not employed by Royal Mail Group (including Post Office Limited), include their private address. Record the date and time the interview commenced. State and record on the notes: <p>My name is My colleague is We are Officers of. employed to investigate possible criminal offences. Also present is(name of interviewee and any other person present). I want to ask you some questions about(Fully detail all suspected offences you are about to question the suspect about).</p> It is vitally important to ensure that the suspect is aware that his/her rights are covered by PACE and the Codes of Practice issued thereunder. He/she must be under no misapprehension that he/she is facing a criminal investigation because the investigators believe he/she has committed a criminal offence. State caution to the interviewee and record on the notes:- <p>"You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. Do you understand that?"</p> Record the interviewee's reply to the caution on the notes and ask them to sign their name against the reply and record the time of their reply/ signature. If the interview refuses, record their refusal and continue. If the interviewee states or indicates that they do not understand the caution, or if the |

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| | <p>interviewer has any doubt as to his/her understanding, state and record on the notes:</p> <p>“I am an Investigator employed by to investigate possible criminal offences. You are suspected of having committed a criminal offence. Do you understand that?”</p> <ul style="list-style-type: none"> Record the interviewee’s reply then state and record on the notes. <p>“I wish to put questions to you about this criminal offence and record your answers to those questions. Do you understand that?”</p> <ul style="list-style-type: none"> Record the interviewee’s reply then state and record on the notes. <p>“A person who is being interviewed for a suspected criminal offence does not have to say anything. Do you understand that?”</p> <ul style="list-style-type: none"> Record the interviewee’s reply then state and record on the notes. <p>“Your defence may be harmed if something is said in Court but not during this interview. Do you understand that?”</p> <ul style="list-style-type: none"> Record the interviewee’s reply then state and record on the notes. <p>“Anything that is said may be given in evidence. Do you understand that?”</p> <ul style="list-style-type: none"> Record the interviewee’s reply. <p>Should the interviewee continue to have difficulty in understanding the caution, arrange for the interviewee to consult with a Solicitor or if an arrestable offence has been committed an arrest may be appropriate.</p> |
| 3.3 | <p>INTERVIEWEE’S LEGAL RIGHTS</p> <ul style="list-style-type: none"> Show form CS001 to interviewee. State and record on the notes:- <p>“I am now showing you form CS001 side A which explains your legal rights. Will you please read this form.”</p> <ul style="list-style-type: none"> Assist the interviewee by reading Side A to him / her. The use of the form CS001 is not just a formality that just has to be got out of the way. It is the written record showing that the suspect’s rights have been fully explained. The form is also used to record the interviewee’s decisions. |

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| | <ul style="list-style-type: none">When interviewee has read the form state and record on the notes: "Will you please answer the questions as indicated, then sign, time and date the form?"When the interviewee has completed the form state and record on the notes: "Mhas now read, completed and signed side A of the form Allocate an item identification number to form CS001. |
| 3.4 | SOLICITOR REQUESTED AT INTERVIEW <ul style="list-style-type: none">After interviewee has made the appropriate entry on the CS001 state and record on the notes: Time: hours and minutes "I am going to suspend the interview and assist in arranging for your Solicitor to attend"Investigators should offer to assist in obtaining a Solicitor, if the suspect does not have one. If necessary, the officer should telephone the local Police Office to ascertain whether the Duty Solicitor will attend or, failing this obtain the local Yellow Pages and telephone any Solicitor the interviewee may name.When Solicitor arrives state and record on the notes: Time (hours and minutes) "(Name of Solicitor) is now present at the interview. I am.... this is....We are Officers ofemployed to investigate possible criminal offences. I am about to interview about He/she has asked for you to attend as his/her legal representative."State and record on the notes: "Do you agree that we have not discussed....(nature of inquiries) whilst waiting for your solicitor to arrive"After the interviewee's reply has been recorded he/she should be re-cautioned or reminded that he/she has previously been cautioned. |
| 3.5 | SOLICITORS CONDUCT AT INTERVIEW |

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| | <ul style="list-style-type: none"> • If the conduct of the Solicitor is such that questions cannot properly be put to the interviewee the Solicitor may be required to leave the interview. • The removal of a Solicitor is a serious step and if it occurs, it should be authorised at BPC 8 level or above. The person authorising the removal of the solicitor will consider whether or not the incident should be reported to the Law Society. • However, this is an extreme course that should be avoided. • The Solicitor's conduct should be recorded on the notes of interview. |
| 3.6 | IF A SOLICITOR IS NOT REQUIRED <ul style="list-style-type: none"> • The interviewee's reasons for not wanting a solicitor must be recorded. • If a interviewee's says he/she is unsure or does not say with certainty that he/she does not require a solicitor (for example suspect says he/she does not think he/she needs a solicitor) then he/she should be invited to telephone a solicitor immediately who can help explain his/her rights. The same assistance must be given as outlined in 3.4 above. If he/she declines his/ her reasons should be recorded. • If the interviewee, during the course of the interview, indicates in any way that he/she may need help, or is considering using a solicitor or specifically asks for a solicitor then no further questions must be asked, the interview must be stopped immediately and arrangements made to obtain the services of a solicitor. • Where the interviewee changes his/her mind about legal advice the investigator must state on the notes of interview or make an entry in his/her notebook to be signed by the interviewee that the investigator has spoken to a Senior Manager (to be named) and the position has been explained to the Senior Manager. In addition the Senior Manager has authorised the continuation of the interview. Form CS002 must be completed. |
| 3.7 | PROCEDURE IF FRIEND IS REQUESTED AT INTERVIEW <ul style="list-style-type: none"> • Show form CS003, to interviewee. • State and record on the notes: <p>"I am now showing you form CS003 which explains your right to have a 'friend' at the interview. This right is in addition to your right to speak with a solicitor. Will you please read this form"</p> |

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| | <ul style="list-style-type: none"> Assist the interviewee by reading this form to them. The interviewee should then complete their section of form CS003 by writing the name of their 'friend' in the space provided or writing a statement that they do not require a 'friend' in the space provided State and record on the notes. Time hours and minutes "I am going to suspend the interview while we arrange for to attend. The time is now...." When the friend arrives state and record on the notes:- Time hours and minutes "(Name of Friend) is now present at the interview. I am.... this is....We are Officers of theemployed to investigate possible criminal offences. I am about to interview about He/she has asked for you to attend as his/her 'friend'." Show friend form CS003, state and record on the notes:- "Would you now complete form CS003, Item identification number.....which I now produce to you." State and record on the notes:- "Do you agree that we have not discussed(nature of inquiries) whilst waiting for your friend to arrive." Record the interviewee's reply on the notes. After the interviewee has replied he/she should again be cautioned or reminded that he/she has previously been cautioned. |
| 3.8 | IF A FRIEND IS NOT REQUIRED CARRY ON AS BELOW <ul style="list-style-type: none"> Show interviewee form CS003, referring to the item identification number already allocated and ask them to complete the top half. State and record on the notes: "M.... has now read and signed form CS003 " |
| 3.9 | QUESTIONING <ul style="list-style-type: none"> Commence questioning interviewee. |

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| | <ul style="list-style-type: none"> • All items shown to the interviewee should be described concisely in the notes and given item identification numbers • Be careful not to say anything that could be interpreted as oppression or construed as inducement |
| 3.10 | IDENTIFICATION BY FINGERPRINTS <ul style="list-style-type: none"> • A person's fingerprints may be taken only with his or her consent. • The consent must be in writing on form CS301. • Record the request for fingerprints as an event/ action in the notes. • Allocate an item identification number to the form CS301 |
| 3.11 | TAKING HANDWRITING SPECIMENS <ul style="list-style-type: none"> • Have prepared a number of samples or copies of the document that you wish the interviewee to provide specimens of his/her handwriting on. • The document must be a sample or copy of the one bearing the handwriting in question. • State and record on the notes: <p>“I am investigating (state offence) and in connection with that investigation I want to take specimens of your handwriting for examination.</p> <p>Will you please provide specimens of your handwriting on (describe handwriting and document)?”</p> • Record the interviewee's reply. • Do not spell out the words or names you want the interviewee to write down. This will ensure that any spelling mistakes or peculiarities are accurately written. • Allocate an item identification number to the documents used. |
| 3.12 | ACCEPTING MONIES 'WITHOUT PREJUDICE' <ul style="list-style-type: none"> • The interviewee must not be encouraged or asked by the interviewer to pay back money they have taken. This must be a voluntary act on the part of the interviewee. |

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| | <ul style="list-style-type: none"> • If the interviewee offers to pay back money they have taken - • State and record on the notes:- <p>“Do you realise that this money will be accepted without prejudice to any action that Royal Mail Group (including Post Office Limited) is advised to take?”</p> • Record the interviewee’s reply. • Complete the transaction using form CS025. • Allocate an item identification number to the form CS025 |
| 3.13 | VISITORS TO INTERVIEW ROOM <ul style="list-style-type: none"> • Ensure it is clear that an interview is being conducted in the interview room so that other people do not enter the room unnecessarily. Do not lock the interview room. If someone does enter room • State and record on the notes: <p>Time (hours and minutes)</p> <p>“Please state your full name and why you have come in.”</p> • Record the person’s reply. • Unless it then becomes necessary to suspend the interview and the interviewee leaves the room, the interview can continue |
| 3.14 | BREAKS IN INTERVIEW <ul style="list-style-type: none"> • If interviewee leaves interview room for any reason • State and record on the notes: <p>Time hours and minutes</p> <p>"We are taking a break during this interview because(quote reasons)".</p> • Suspend the interview • On resuming the interview following a search or break for any other reason state and |

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| | <p>record on the notes:</p> <p>Time hours and minutes "I am resuming the interview."</p> <ul style="list-style-type: none"> The interviewee should be reminded that he/she is still under caution, (or be re-cautioned) and reminded of his/her legal rights and the availability of a friend by reading over the content of the CS001. Produce CS001 side B, quote the item identification number and ask interviewee to sign, date and time in appropriate place. The reasons why there was a break in the interview should be stated. |
| 3.15 | <p>WHEN INTERVIEW IS BEING STOPPED IN ORDER THAT SEARCHES CAN BE MADE.</p> <ul style="list-style-type: none"> State and record on the notes: <p>"Do you have any objection to a search being made of your clothing, locker, car and home in order that I may satisfy myself you are not in unauthorised possession of property belonging to Royal Mail Group (including Post Office Limited ?)"</p> Record the interviewee's reply. Remind Interviewee of entitlement to the presence of a 'friend' during search. <p>"You are reminded that you may be accompanied by a 'friend' at the searches. Do you require the presence of a friend at the searches?"</p> Record the interviewee's reply. Suspend the interview On resuming the interview following a search state and record on the notes:- <p>Time hours and minutes</p> <p>"I am resuming the interview."</p> The interviewee should be reminded that he/she is still under caution, (or be re-cautioned) and reminded of his/her legal rights and the availability of a friend by reading over the content of the CS001. Produce CS001 and CS003, quote item identification number and ask interviewee to sign, date and time in appropriate place. |

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| 3.16 | <ul style="list-style-type: none"> The reasons why there was a break in the interview should be stated. If searches have been carried out completed forms CS003, CS004, CS005 and CS005A where appropriate must be produced and given an item identification number <p>TO END THE INTERVIEW</p> <ul style="list-style-type: none"> When the questioning is complete state and record on the notes <p>"I have to inform you that you may have rendered yourself liable to prosecution. You do not have to say anything, but it may harm your defence if you do not mention now, something which you later rely on in court. Anything you do say may be given in evidence. Do you wish to clarify anything you have said or add anything else before the end of the interview."</p> If as a result of the interview it is not appropriate to mention the first sentence about prosecution e.g. no admissions, no evidence, the interviewee should still be asked if he/she wishes to add or clarify anything that has been said. State and record on the notes. <p>"I am now going to read the notes of interview to you and I want you to read them afterwards. If you disagree with what has been written you may indicate your reasons for disagreement".</p> When doing so the interviewee should initial any errors identified in the notes.# If the interviewee refuses to read the notes and/or initial any errors then the interviewing officer should – <ul style="list-style-type: none"> * read the notes to the interviewee, * record the interviewee's refusal to read/initial them, and * and the fact the notes were read to them. After reading the interviewee should be asked to write the following certification on the notes across the full width of the page. <p>"These notes have been read to and by me. I was told that I could indicate any inaccuracies, adding why I disagreed with the notes".</p> The interviewee should then be asked to write one of the following depending whether or not they agree or disagree with the content of the notes. <p>"I agree that the notes are a correct record of what the interviewing officer said to me and of what I said", or</p> |

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| | <p>“I disagree with some of the notes and I have marked those passages with which I do not agree. This is my version of what was said.....(The interviewee should then continue with their written explanation)”.</p> <ul style="list-style-type: none"> On conclusion the interviewee should then sign, time and date the certificate. If a solicitor is present then he/she should also be given the opportunity to read and sign the notes of interview. Whether or not the interviewee adds the certificate the interviewing investigator should certify the notes by writing on notes across the full width of the page. <p>“These notes were taken down by me and read over to and by M..... who signed them in my presence”.</p> <ul style="list-style-type: none"> The witnesses – second officer, Solicitor and ‘Friend’ should be asked to append their signatures | | | | | |
| 4. | Links to other reference material (policies, processes and procedures, etc.) | | | | | |
| | Title | Author | Located | Version | Type | Policy No. |
| 5. | Document details | | | | | |
| 5.1 | Author | Law & Legislation Programme Manager, Corporate Security. | | | | |
| 5.2 | Owner | Head of Corporate Security Programme | | | | |
| 5.3 | Audience | Security Community | | | | |
| 5.4 | Enquiry point | Programme Manager, Law & Legislation, Corporate Security, 4 th Floor Impact House, Croydon CR9 1PJ | | | | |
| 5.5 | Effective from | May 2002 | | | | |
| 5.6 | Review date | May 2003 | | | | |
| 5.7 | Last updated | November 2002 (Name Change amendments) | | | | |
| 6. | Assurance Details | | | | | |
| 6.1 | Name | Assurance Team | | | | |
| 6.2 | Business Unit | Various | | | | |
| 6.3 | Assurance Date | May 2002 | | | | |
| 7. | Final Review | | | | | |
| 7.1 | Approved by | Debbie Helszajn, Legal Services | | | | |
| 7.2 | Documented (Hard Copy) | YES/NO | Location: | | | |
| 7.3 | “(Electronic) | YES/NO | Location: | | | |