



Home Office

Criminal investigation: daybooks

Archived

Criminal investigation: daybooks

About this guidance

<p>The law and daybooks What to record in a daybook Controlling and classifying a daybook Completing a daybook Storing and retaining daybooks Daybooks: disclosing information Daybook assurance checks</p>	<p>This guidance tells criminal investigators in Immigration Enforcement criminal investigation teams what they use a daybook for in an investigation and what information they must record in them.</p> <p>It contains guidance on:</p> <ul style="list-style-type: none">• what a daybook is used for• completing a daybook and examples of completed records• storing and retaining a daybook• disclosing information in the daybook• excluded material, and• assurance. <p>Changes to this guidance – This page tells you what has changed since previous versions of this guidance.</p> <p>Contact – This page tells you who to contact for help with a specific case if your manager can't answer your question.</p> <p>Information owner – This page tells you who the information owners are and tells you how the guidance can be updated.</p>	<p>Related links Changes to this guidance Contact Information owner</p>
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Archived

Criminal investigation: daybooks

Changes to this guidance

[About this guidance](#)
[The law and daybooks](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page lists changes to the 'Criminal investigation: daybooks' guidance, with the most recent at the top.

Date of the change	Details of the change
28 October 2014	Revised by the guidance, rules and forms team.

See also
[Contact Information owner](#)

Archived

Criminal investigation: daybooks

The law and daybooks you must use

[About this guidance](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Daybooks: disclosing information](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams why a daybook is important and the legal obligations about handling the information they record in it.

The law relating to daybooks

The records you make detailing what you have done are often referred to as 'investigation material'.

It is important to make and keep these records because the Home Office is committed to officers fulfilling obligations under the Criminal Procedure and Investigation Act 1996 (CPIA). So, in every circumstance, you must:

- consider the material you create in the daybook because CPIA means this may later be disclosed (revealed) to the defendant or court, and
- make sure whenever you need to write things down, you record and keep it in line with the law.

For more information on disclosure and CPIA, see related link.

For details of what information you record in a daybook, see link on left: What to record in a daybook.

Daybook format

Official Immigration Enforcement daybooks are available for all investigation team staff to use. However, you must take the term 'daybook' used in this guidance to include any book staff in an Immigration Enforcement criminal investigation team use to record details of a criminal investigation.

As an Immigration Enforcement criminal investigation officer, although you can use any book or record as your daybook, there are certain conditions:

Related links

[Storing and retaining \(keeping\) daybooks](#)
[Daybook assurance checks](#)

Links to staff intranet removed

- A daybook must not be branded:
 - it cannot have 'Home Office', 'police' or other such markings on the covers or inner pages.
- A daybook must contain detachable pages that can be removed:
 - each page must be given a protective marking using the new security classifications, for more information on these classifications, see related link.
- You must, tear out each page after completing that page and:
 - Make sure each page is clearly marked as to whether it is sensitive material keeping to the CPIA and disclosure rules. For more information on disclosure and CPIA, see related links.
 - Immediately file these pages in the correct investigation files. For example, if on 18 December 2013 you completed a page about details of the immigration 'operation festive', when you have finished writing on this page you must tear it out, sign and date it at the bottom of the page and file the original page in the 'operation festive' case files.
 - If you are using an official Immigration Enforcement daybook, you must record where you file the page on the margin in your daybook after removing the page, as well as a short description of the page's contents.
 - If you decide to shred the page then you must note this and a description in the margin.
 - If on the same date, you wrote investigation notes in your daybook about 'operation festive' and another separate investigation, you must put a copy of the same page in both investigation files, but redact (use a black pen to hide) the notes which are not relevant to that investigation.
- A daybook must be issued by Her Majesty's inspectors (HMIs). As the HMI, you must:
 - Store all unused daybooks securely. For more information, see related link: Storing and retaining (keeping) daybooks.
 - Sequentially number each daybook and each page within these books.
 - Issue one book at a time to each officer involved in criminal investigation work.
 - Keep a simple record showing which daybook has been issued to which officer.
 - Make sure all staff who use daybooks read the daybook guidance. And
 - Carry out certain checks to make sure staff are complying with the guidance. For more information, see related link: Daybook assurance checks.

Criminal investigation: daybooks

What to record in a daybook

[About this guidance](#)
[The law and daybooks](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams about what information to record in a daybook.

As an officer working in an Immigration Enforcement criminal investigation team, you must record:

- all investigation work
- all checks carried out, and
- the decisions you make.

The records you make, detailing what you have done, is often referred to as 'investigation material'.

How and where you record this work can vary. You may note things:

- in your daybook
- in your official notebook
- on a case handling system, or
- in a case decision log.

Below are some general rules for where you note things. It is important to know what information goes in your daybook and what goes in other records.

The daybook is a record of:

- how you have managed and assured (checked) the work, and
- checks carried out in relation to the Immigration Enforcement investigations you are involved with.

Related links

Links to staff intranet removed

You must:

- record in your daybook work you do to progress an Immigration Enforcement investigation
 - make sure that you record investigation activity using a case handling system such as criminal investigation digital record exchange (CIDRE) or national operations database (NOD) as required (see below)
- use a daybook to record all other investigation activity you carry out that is not already recorded:
 - in your official notebook
 - on a case handling system, or
 - on any other record.
- make sure all the records you make in your daybook are:
 - accurate
 - dated and timed
 - legible, and
 - retained (kept), under the Criminal Procedure and Investigation Act 1996 (CPIA) you must keep all records.

You must record in your official notebook any evidential notes and records that will be important in a subsequent court case and all information relating to evidence secured in your investigation, for example:

- if you do a 'property sift' you will open previously sealed tamper evidence bags (TEBs) containing evidence, and you must record the details about opening this bag in your official notebook, but
- if you decide to photocopy any of the evidence, or carry out any intelligence checks on details you have seen in the evidence, you must record these research details in your daybook.

You must also use your notebook to record details of any:

- arrests you make, and
- searches carried out including:

- people that are searched
- people's baggage and luggage
- people's vehicles, and
- a person's home or business premises.

For more information about CPIA, official notebooks and TEBs, see related links.

You need to record investigation activity using a case handling system such as the CIDRE or the NOD. CIDRE is a new IT system that all criminal investigators must use. It will eventually replace the crime database on NOD. For more information, see related links:

- Criminal investigation digital record exchange (CIDRE), and
- National operations database (NOD) user guides.

You can use manual daybooks when you do not have easy access to the case handling system, for example if you are:

- Working out of the office on an Immigration Enforcement operation.
- Attending a meeting at Crown Prosecution Service (CPS) offices to discuss an investigation. Or
- Working in the criminal investigation operational teams where you may:
 - give advice to investigation staff about investigation techniques and tactics they can use. You must record this advice in your own daybook but do not have access to CIDRE or NOD yourself, or
 - you are involved in agreeing Immigration Enforcement policy which affects a wide subject such as disclosure, or covert techniques. In these cases, the notes made in your daybook would probably not be specific to one particular investigation and would be relevant to all investigations, so you would not be able to record this on CIDRE or NOD.

You must record any important decisions you make about an investigation in the case decision log, or on the above case handling systems.

For more information on case decision logs, see related link.

Criminal investigation: daybooks

Controlling and classifying a daybook

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams about how daybooks are controlled and classified.

A daybook:

- is bound
- contains numbered pages which can be removed after each page has been completed
- has a unique serial number, and
- is controlled and issued by senior investigation officers (SIO) or Her Majesty's inspectors (HMI) in exactly the same way as case decision logs and official notebooks.

For more information on case decision logs and notebooks, see related links.

Classifying a daybook

Daybooks are routinely classified as OFFICIAL - SENSITIVE. But, if the kind of material you are recording requires a higher classification, you must consider:

- altering the classification, and
- how you handle your daybook.

You must take into account:

- association:
 - where different types of information, that individually have no or a low impact when compromised (exposed), but put together have a higher impact, or
- accumulation:
 - where increasingly large amounts of information stored together increases the overall impact of compromise.

You must consider whether you withdraw the daybook and request a replacement if:

Related links

Links to staff intranet removed

- | | | |
|--|---|--|
| | <ul style="list-style-type: none">• the content of your daybook requires you to alter the classification, and/or• you have a business requirement to remove your daybook from the secure office environment. | |
|--|---|--|

Archived

Criminal investigation: daybooks

Completing a daybook

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This section tells criminal investigators in Immigration Enforcement criminal investigation teams how to complete a daybook, gives you examples of completed records, and what information you must not record in a daybook.

Daybooks contain material that will assist you on a daily basis, for example:

- telephone call notes
- memos
- meeting details, and
- notes.

They have a contacts page to help you record contact names and telephone numbers. You must make sure that you record investigation activity using a case handling system such as criminal investigation digital record exchange (CIDRE) or national operations database (NOD).

For more information, see related links:

- Criminal investigation digital record exchange (CIDRE), and
- National operations database (NOD) user guides.

Consider what to record

You must decide for yourself what material is appropriate to record in your daybook. When you are considering whether material needs to be recorded and retained (kept), you must remember your personal obligations under the Criminal Procedure and Investigations Act 1996 (CPIA). For more information on disclosure and CPIA, see related link.

So, when you are considering what to record, apply this simple rule. If you would normally write something down relevant to the handling or progression of an investigation, you must write it in a daybook.

In this section

[Examples of a daybook completed records](#)
[What you must not record in a daybook](#)

Related links

[Storing and retaining daybooks](#)
Links to staff intranet removed

External links

Recording the information

You do not need to complete a daybook to an evidential standard, but you must make sure:

- Your handwriting is legible.
- You sign and date at the end of the pages used on each day.
- You complete the numbered daybook page and use a separate page each day:
 - For example, you may be using page number 001 on 18 December 2013 to record your investigation work but you may not complete the whole page. You must sign and date underneath the last entry made on 18 December 2013 and rule off any unused lines below this.
 - On 19 December 2013, you must then start to complete the next page (which will be numbered 002) and when you have finished that page you must tear out the page and file it in the investigation case records.
- After removing any page from your daybook, you:
 - Write the date and time you removed the page, and where you have filed it along the spine of the page (the small section left in the book near the spine after you tore out the main page).
 - For example, you must record something like: 'page number 001-002 removed at 16:05pm on 18 December 2013 and filed in the Operation Festive case files'. If you are using an Immigration Enforcement issue daybook then sections to include this information are written along the spine.

The information you record on the spine of the page is important, as it:

- allows you to cross reference the contents, and
- makes it easier to retrieve material that may be relevant in later legal proceedings.

You must remember to always start a new page in the daybook for each day you use it. For more information on what the page must look like, see related link: [Examples of a daybook completed records](#).

If you complete any supplementary notes to support the daybook, you must make sure you securely attach them to the daybook as soon as possible.

Keeping your daybook secure

The day to day security of daybooks is of the highest importance. You must take every reasonable precaution to make sure:

- you never leave daybooks unattended
- they are stored securely
- they are always 'closed' by a senior investigation officer (SIO) or Her Majesty's inspector (HMI), and
- they are kept on official premises.

You must keep and store daybooks in the same way you currently keep notebooks. For more information, see related link: [Keeping and storing completed notebooks](#).

If you are a manager you must make sure officers surrender the books to you when they leave the department or retire.

For more information on storing your day book when in use and after it has been completed, see link on the left: [Storing and retaining daybooks](#).

You must tear out and file a daybook page after you have completed it. It is very important that you always do this because it avoids the possibility of your immigration investigations being compromised (exposed to risk).

Loss of a daybook

As with the loss of any departmental official record, if you lose your daybook (or any pages from it), you must immediately report this to your line manager and Her Majesty's inspector (HMI).

The HMI must:

- Arrange for an immediate search to look for the lost daybook (or daybook pages).
- Quickly find out how many pages had been completed.
- Check that all completed pages have been properly filed in case files held in the office
- Decide whether the Immigration Enforcement team's work could be compromised in

any way. For example, the HMI must assess whether the daybook has been mislaid somewhere, or if it is likely that a criminal has obtained it.

- Report the loss to the operational security manager (OPSY) as soon as possible.
- Report the breach of security to corporate security, for more information about how to do this and who to contact, see related link: Security breach policy.
- Decide whether to issue a new daybook to replace the lost one. And
- Remind all other staff about the importance of using and storing their daybooks properly.

Official sensitive – do not disclose – start of section

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Official sensitive – do not disclose – end of section

For more information on operational security guidance, see related links.

Criminal investigation: daybooks

Examples of daybook completed records

<p>About this guidance The law and daybooks What to record in a daybook Controlling and classifying a daybook Completing a daybook Storing and retaining daybooks Daybooks: disclosing information Daybook assurance checks</p>	<p>This page gives criminal investigators in Immigration Enforcement criminal investigation teams examples of various daybook pages and what information they might contain.</p> <p>For examples of what the various pages look like and how the information is entered, see related links:</p> <ul style="list-style-type: none">• Example of a daybook issue record• Example of an index• Example of a contacts page• Example of a daybook page.	<p>In this section What you must not record in a daybook</p> <p>Downloads Links to staff intranet removed</p>
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Archived

Criminal investigation: daybooks

What you must not record in a daybook

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams the type of material you must not record in a daybook.

You must be sure the material you record in a daybook is appropriate. If you are not sure about anything you must ask your line manager for clarification before you make any entries.

You must not record in the daybook any evidence you record in an official notebook or surveillance log.

Official sensitive – do not disclose – start of section

The information in this page has been removed as it is restricted for internal Home Office use only.

In this section
[Examples of a daybook completed records](#)

External links
Links to staff intranet removed

Archived

Official sensitive – do not disclose – end of section

Archived

Criminal investigation: daybooks

Storing and retaining (keeping) daybooks

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams where you must store your daybook when you are using it and where to keep it after it is completed.

All daybooks must be 'closed' by a senior investigation officer (SIO) or Her Majesty's inspector (HMI), and kept on official premises. You must keep daybooks in the same way you currently keep notebooks. You must also follow the general guidance below.

Storage

You must always store your daybook on official premises, in a locked drawer or cupboard when you are not on duty. You must also consider securing your daybook when you are away from your desk for any period.

Retention

After you have used the final page in a daybook and torn out and recorded the pages, you must:

- keep the covers and remaining contents, because these contain information which will help you find the pages if you need them in the future, and
- retain (keep) the daybook in a locked cupboard or drawer.

There are no official time limits for retention as you will record notes concerning a large number of cases during the time period you are using your daybook.

If you leave the Home Office, you must:

- rule off any unused pages and write 'unused' diagonally across each page left in the book
- hand the book to your line manager
- if you are a manager, make sure your staff surrenders the books to you.

Related links

Links to staff intranet removed

	For more information on keeping and storing notebooks, see related link.	
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Archived

Criminal investigation: daybooks

Daybooks: disclosing information

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybook assurance checks](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams how to treat the information contained in daybooks when you are considering your obligations under the Criminal Procedure and Investigation Act (CPIA) 1996.

Whenever you receive a request for access to material relevant to a prosecution, it is the responsibility of whoever was issued with that daybook to:

- search for relevant material, and
- present it in an easily accessible format.

You must be aware the entries in daybooks could:

- be subject to an application for public interest immunity (PII), or
- benefit from legal privilege (communications and items between a professional legal advisor and their client or clients representative regarding legal proceedings)

So you must never routinely copy any daybook to the defence. Before you do you must always ask for advice from the:

- Crown Prosecution Service, and/or
- prosecution counsel.

If you are a disclosure officer you have many specific obligations under CPIA. You must record any material you create to fulfil these obligations in a daybook.

For more information on the disclosure process and PII see related links:

- Disclosure – CPIA, and
- CPS Disclosure manual PII.

Related links

Links to staff intranet removed

External links

[CPS Disclosure manual PII](#)

Criminal investigation: daybooks

Daybook assurance checks

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams how managers will assure (check) the content of daybooks and make sure they are appropriately and safely stored.

The assurance (checking) of any daybook issued to you is part of the normal risk assessment assurance programme run by your assistant director.

The manager's responsibilities

If you are a higher investigation officer (HIO) or chief immigration officer (CIO) equivalent line manager, you must carry out a regular assurance of all daybooks issued to investigation or immigration officer (IO) staff you manage, including those issued to support staff the IO may manage.

If you are a senior investigation officer (SIO), or Her Majesty's inspector (HMI) equivalent, you must carry out a regular assurance of all daybooks issued to:

- HIO or CIO staff you manage, and
- other staff in your team if you believe these checks are necessary.

Type of checks

The sort of daybook checks you do is up to you but, as a guide, these must include:

- occasional checks to make sure your staff have torn out each used page and filed these in the correct investigation case files
- where a single daybook page includes notes about more than one investigation, check that a copy of the page has been included in all relevant case files
- checks to make sure that each page has been given the correct protective marking, using the new security classifications, for more information on these classifications, see the related link.

The purpose of these checks is to make sure daybooks are:

Related links

[What you must not record in a daybook](#)

Links to staff intranet removed

- used appropriately
- filled in correctly
- used pages are torn out and filed, and
- maintained separately from case decision logs and prosecution logs.

You must write information relevant to an Immigration Enforcement investigation in an official daybook, notebook or prosecution log wherever possible. The only exceptions to this rule for daybooks is if the information you want to be recorded is an issue that must not be included in a daybook, see related link: [What you must not record in a daybook](#).

For more information on the exceptions for notebooks, see related link.

Frequency of the checks

How often you carry out these assurance checks depends on the programme set out by your assistant director, but as a rule you must check all daybooks:

- at least once a year, but
- in all cases, before any copies of the daybook pages are disclosed to the defence.

You, as a line manager, must regularly remind investigation staff they must record and retain all material. If material has been generated, perhaps in response to the above exception, which isn't recorded in a daybook, you must make sure whatever material is generated is securely stored and retained.

You must record your management checks in the:

- daybook, and
- issue record.

The issue record must be maintained by SIOs or HMIs.

Criminal investigation: daybooks

Contact

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page explains to criminal investigators in Immigration Enforcement criminal investigation teams who to contact for more help about daybooks.

If you have read this guidance and still need more help with this category, you must first ask your senior officer or line manager.

If the question cannot be answered at that level, or you require further information about ordering new official Immigration Enforcement daybooks you may contact:

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The information in this page has been removed as it is restricted for internal Home Office use only.

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Changes to this guidance can only be made by the guidance, rules and forms team (GRaFT). If you think the policy content needs amending you must contact the criminal investigation operational guidance team, using the related link: Email: Criminal investigation operational guidance inbox, who will ask the GRaFT to update the guidance, if appropriate.

The GRaFT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Guidance, rules and forms team.

Related links

[Changes to this guidance](#)
[Information owner](#)

External links

Links to staff intranet removed

Archived

Criminal investigation: daybooks

Information owner

[About this guidance](#)
[The law and daybooks](#)
[What to record in a daybook](#)
[Controlling and classifying a daybook](#)
[Completing a daybook](#)
[Storing and retaining daybooks](#)
[Daybooks: disclosing information](#)
[Daybook assurance checks](#)

This page tells criminal investigators in Immigration Enforcement criminal investigation teams about this version of the 'Criminal investigation: daybooks' guidance and who owns it.

Version	1.0
Valid from date	28 October 2014
Guidance owner	Official – sensitive: information removed
Cleared by director	Official – sensitive: information removed
Director's role	Official – sensitive: information removed
Clearance date	15 September 2014

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Related links
[Changes to this guidance](#)
[Contact](#)

External links
Links to staff intranet removed

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