



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-00015

Keyword: Operational Policing

Subject: Recording of Statements

Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

Question 1

In an original witness statement of complaint is there a reference or code number written or stamped on any of the pages?

Answer

There is no reference number given to witness statements.

Question 2

Is it date stamped?

Answer

There is no date stamp on witness statements.

Question 3

If a Detective took the written statement can a Constable type it out or does it have to be a detective?

Answer

Anyone can type out a statement as long as it is certified a true copy of the original.

Question 4

Is the original handwritten statement when it is completed protected in such a way that it could not be changed or altered in any way, and if so what measures are taken in order to prevent any such thing happening?

Answer

The original statement is signed by the witness and any alterations are initialled by the witness. Any blank spaces left in the statement should be crossed out as indicated in the attached sample statement. The witness can ask for a copy of their statement.

Question 5

Do the records management log the details of an officer if he or she takes the original out for whatever reason, and would this action be timed and dated?

Answer

Once the full paperwork for an investigation is completed and lodged with their respective OCMT then every time anyone requests documents in the file this will be recorded on the computer log against this investigation. Before the full file reaches local OCMT the Investigating Officer retains ownership of all paperwork.

Question 6

On the original if it is signed by someone other than the officer who wrote out the statement is there any other record held, (other than the typed statement where it is certified as a true copy by the interviewing officer) that confirms the identity of the officer who wrote the statement and who was present during the interview?

Answer

In respect of witness statements there is no additional record of who took the statement or who else was present. The only additional record that a witness statement was taken will be in the officer's notebook.

Question 7

For what reason would the interviewing officer not sign the original, especially as it would only be a matter of entering his or her signature, service number and numerically number each page?

Answer

There is no reason why the officer taking the statement should not sign the statement. However another officer can sign this as receiving the statement as indicated on the statement.

Question 8

Given what I am knowledgeable about regarding question 7; is there any other Police Policy in place regarding the interviewing officer's recording of the statement that I have not enquired about?

Answer

None other than stated in question 7.

Question 9

Could you please provide me with an example of what a witness statement of complaint looks like in relation to it being completed by the interviewing officer, and if a colleague was present at the time of the interview is he or she liable to feature in any way as a witness?

Answer

A sample statement is attached below. As indicated there is no place for another officer to indicate they were present during the taking of this statement.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Statement of Witness

Statement of: John Smith

Age of Witness: 10/21 (if over 18 insert 'over 18')

I declare that 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 at a preliminary enquiry or at the trial of any person, 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.

Signature of Witness: J. Smith Date: 8-1-12

Service/Staff # if police/staff

Signature witnessed by: _____
(Appropriate Adult)

Signature of Member: S. Smith 12345 Date: 8-1-12

by whom statement was recorded or received

Service/Staff # if police/staff

on Friday 1st January 2012 I reported to police that I had been assaulted by a Mr Black. I wish to withdraw this complaint and request no further police action in respect of this matter.

[Signature]

Signature of witness:	<u>J. Smith</u>
Signature witnessed by: (Appropriate Adult)	