



THE ROYAL ULSTER CONSTABULARY  
Legal Services Branch



Ref:

**SUBJECT: QUERY RE OBTAINING OF JOURNALS BELONGING TO EX-MEMBERS**

**Superintendent  
Complaints & Discipline**

Your memo of 7 September refers.

Since it is a requirement of the Code and/or Manual that officers make notebook entries, or keep journals as appropriate, and that the said documents are a record of police duties, it seems to me that there is a valid argument that the documents remain the property of the Chief Constable even after the officer has retired. The question of access to them would therefore in my view be established, although there is the difficulty in that any retired officer who chooses to destroy his notebook or journal is not susceptible to disciplinary process for doing it. Accordingly, many officers may well routinely destroy as soon as they retire.

If the Investigating Officer is satisfied (a) that a notebook or journal is still in existence and (b) it contains evidence which may be relevant to a criminal investigation, then there is no legal reason why a search warrant should not be obtained in the event of an ex-member declining to volunteer the document. This of course would be very much a "last resort" but it could be used to persuade ex-officers who would otherwise be unwilling to give up their journals.

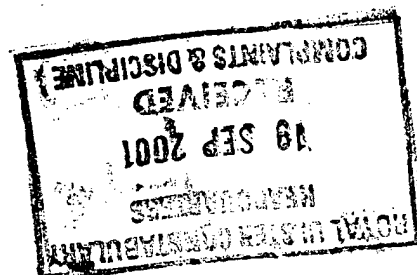
Your papers are returned herewith.



Legal Adviser

Ext: 21054

17 September 2001



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