

Note Taking

The investigator must be careful to only record facts. Moreover, the persons interviewed can expect to review their statement as recorded by the investigator, to confirm its accuracy, prior to submission of the investigation report.

During the interview, the investigator should weigh the information provided by the parties and witnesses. In gathering the evidence, the investigator should be able to weigh the importance of the information provided. For example, is it direct evidence, opinion or hearsay? Gaps or weaknesses in evidence will require further investigation before accurate conclusions can be drawn.

The investigator's notes are of vital importance to the investigation. What follows is a list of considerations that should be taken into account in recording notes so as to avoid complications following an investigation:

- The collection and recording of notes should reflect the principles of procedural fairness;
- Poorly written notes, which can be characterized by a lack of detail, bias or inaccuracies, may lead the participants to question the integrity of the process;
- Poorly written notes may have to be corrected and could lead to challenges, thereby throwing the investigative process into disrepute; and
- Poorly written notes will prove difficult to interpret and analyze for the purpose of writing the preliminary summary of facts.
- Good quality notes can be characterized as:
 - Written in neutral language;
 - Organized coherently to facilitate the writing of the preliminary summary of facts;
 - Signed by the interviewee, if applicable

What are Some Suggested Note-Taking Practices?

- Identify the witness' name, address, telephone number, fax number and e-mail address, as applicable;
- Clarify the witness' title (both at the time of the alleged incidents and at the present time) and his or her role within the organization;
- Specify which party identified the witness;

- Identify the issues discussed including the date, time and location of any alleged incidents;
- If the witness relies on documentary evidence or makes reference to a document, include this document in the file, if appropriate; and
- Determine whether the evidence provided by the witness is direct evidence, opinion or hearsay and record the facts.

What Note-Taking Practices should be avoided?

- Recording your personal opinions or value judgments about the witness or information that was disclosed to the investigator.
- Recording too much information, including irrelevant information.
- Overuse of abbreviations, acronyms or symbols. The information should be easily understood by a third party.
- Attempting to diagnose the physical or psychological health of the person being interviewed; investigators do not possess such expertise.