



Policy Title **Evidential and Non-Evidential Property**
CCMT Sponsor **ACC Local Policing**
Department/Area **Local Policing**
Section/Sector **Headquarters**

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NOT PROTECTIVELY MARKED**1.0 Rationale**

Thames Valley Police take temporary possession of thousands of items of property in the course of investigating crime and conducting other policing and public protection duties. Many, but not all, are items of evidence supporting the prosecution of offenders. The Force is committed to applying certain legal, operational and other standards to the management of all items of property in the possession of police. These are known as the Property Standards.

2.0 Intention**2.1**

This policy describes procedures for the management of property items once in the temporary possession of police and assumes legal possession of the property on engagement with the policy. See Operating Manual of Procedures, Chapter - Property Seizure.

2.2

It is the intention that the Property Standards shall apply to all aspects of the management of property.

2.3

An Operating Manual of Procedures, administered by the Force Quality of Service Department shall provide tactical guidance to officers and staff engaged in the property process in order that the Property Standards shall be met. The Manual of Procedures which shall be available only internally, exempted from Freedom of Information Act by virtue of Section 31.1 (a) of the Act

2.4

All staff engaged in the property process shall ensure they are familiar with the Property Standards and the relevant sections of the [Operating Manual of Procedures](#).

2.5

The handling, storage and ultimate disposal of items of property places considerable demands on the Force's resources and therefore property shall be retained for no longer than is necessary consistent with satisfying the Property Standards.

2.6

This policy shall apply to the following categories of property:

- **Evidential Property** – property which is recovered in the course of investigating a crime or is suspected of being material to a crime; irrespective of whether it is used as an evidence exhibit.
- **Non-Evidential Property** – property which is not material to the investigation of a crime. This shall include items traditionally known as Lost or Found Property.

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Policy and Procedures pertaining to seized vehicles shall be published separately.

3.0 General Principles**3.1**

Until such time as a Force electronic Property Management System is introduced, the definitive record of property transactions shall be the relevant Force Property Registers and associated Force Property Forms. However, Property Officers are required to utilise spreadsheet systems to enable the sorting and listing of property as an aid to scheduling retention and disposal.

3.2

All aspects of the retention, handling, storage and disposal of property in the temporary possession of the police shall satisfy the following Property Standards. The Standards are summarised below and are more fully detailed in [Appendix A](#).

3.2.1

Operational Standard – property procedures shall support the effective delivery of a customer focussed policing service to the community and in particular Force objectives regarding the investigation of crime, the prosecution of offenders and the protection of life and property. Due regard shall be given to the extended retention of property relating to serious predatory offences and offences qualifying for retrial as exceptions to the normal rule against double jeopardy as set out in S75 Criminal Justice Act 2003.

3.2.2

Administrative Standard – property descriptions and transactions shall be fully and legibly documented to provide for continuity of evidence and a full audit trail consistent with the Force's requirements for good governance.

3.2.3

Security Standard – access to property in the temporary possession of Thames Valley Police shall be controlled and property shall be adequately protected from loss, damage or misappropriation.

3.2.4

Safety Standard – the handling, storage and disposal of property shall be conducted safely so as not to pose a threat to the well being of staff, the public or the property.

3.2.5

Ethical Standard – Thames Valley Police shall exercise a duty of care and take reasonable and practicable measures to protect the property owning rights of owners of property in the temporary possession of Thames Valley Police. Officers shall exercise due care in the retention of property such that it is justified and proportionate.

4.0 Guidance, Procedures & Tactics

4.1 General

4.1.1 Initial Recording, Handling and Packaging of Property

The initial recording, handling and packaging of property shall be in accordance with the Operating Manual of Procedures, Chapter – Initial Recording, Handling and Packaging which sets out the specific legal and operational bases for such arrangements. Categories of property for which individual handling, storage and security procedures apply include:

- Cash – including senior officer authorisation to retain cash in original form
- Items potentially of high monetary value e.g. jewellery, antiques, works of art
- Firearms and ammunition
- Drugs
- Explosives
- Substances Hazardous to Health
- Sharps and bladed weapons
- Perishable items
- Items subject to forensic examination procedures
- Frozen exhibits

4.1.2 Storage of Property

The storage of property shall be in accordance with the Operating Manual of Procedures, Chapter – Storage of Property. This chapter includes special arrangements for the certain categories of property including those defined in 4.1.1 above.

Property subject to Police (Property) Act 1897 may not be accepted into storage if undue costs or inconvenience would be incurred by so doing as defined by the Act.

Every consideration shall be given to the photographing and return of property as an alternative to storage consistent with the appropriate legal standards.

4.1.3 Authorisation for Retention and Disposal

The Officer in Charge of the Case (OIC) has primary but not exclusive responsibility for authorising retention and disposal of property and shall do so in accordance with the Operating Manual of Guidance - Authorisation for Retention and Disposal of Property.

4.1.4 Disposal of Property

Property shall be disposed of in accordance with the Operating Manual of Procedures Chapter 5 - Property Disposal

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4.1.5 Security & Audit

The security and audit of property and property procedures shall be conducted in accordance with the Operating Manual of Procedures, Chapter – Security and Audit.

4.2 Non-Evidential Property – General

The Property Standards, with the exception of the Legal Standards, apply also to the processing of Non-Evidential Property. For definition see paragraph 2.6.2 above.

4.2.1 Non-Evidential Property - Lost Property

It is the policy of Thames Valley Police to record as lost, only those items reported to be lost and which are not the subject of crime and where, if the property is found, the record may assist in identifying the owner of the item. No records therefore shall be made where the circumstances of the loss would indicate the item is unlikely to be found by another member of the public. (See Para. 4.8.9 below)

4.2.2

Until such time as a computerised property management system is in place, reports of lost property will be directed to the police station nearest to where the loss occurred.

4.2.3

Where a report of lost property is accepted, it shall be made onto the Force Property System at the earliest opportunity.

4.2.4

The policy seeks to avoid duplication of reporting which should be completed by insurance companies in the processing of claims and where other issuing agencies are primarily accountable for recording the loss.

4.2.5

Identifiable items, including passports but with the exception of personal Immigration documents, shall not be recorded. Reports of lost personal Immigration documents papers shall be recorded as lost and a reference for the report provided to the loser. This is in recognition that not to do so may unfairly discriminate against a section of the community that may be particularly disadvantaged by an inability to obtain a loss report from police.

4.2.6

Common unidentifiable items such as keys and walking sticks shall not be recorded.

4.2.7

Reports of property lost outside of the Thames Valley Police area shall not be taken.

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4.2.8

Reports of property lost within the home or any other locations where they are irretrievable shall not be taken.

4.2.9

Reports of property lost on public transport systems or in public or private buildings where provision is made for the recording of lost property shall not be recorded.

4.2.10

Reports of property lost whilst in the custody of public or private postal or courier services shall not be taken.

4.2.11

Reports of property lost at a public event managed by another agency shall not be taken e.g. festivals and shows.

4.2.12

Reports of property lost more than eight weeks from the date of attempting to report the loss shall not be taken. This is the maximum length of time that Found property shall be held by police.

4.3 Non-Evidential Property - Found Property Principles

4.3.1

The administration and storage of Non-Evidential property is a cost to the tax payer and a service delivered at the expense of core policing activities. This policy is designed to control these costs whilst still providing an acceptable service to the community.

4.3.2

Other than for the following reasons there is no legal requirement for the police to deal with Found Property. The exceptions are:

- when the police act as evidence gatherers
- when the police, as crown servants, are lawfully permitted to have custody of certain categories of property; e.g. drugs, firearms, pornography
- where, in the opinion of the police, it would pose a risk to the community to leave the property in the public domain or would in any case be unwise to do so.

4.3.3

Finders of property, possession of which may be fundamentally legal, are under no legal obligation to hand in the found property **providing they have made reasonable attempt to return the property to the owner.** Although finders of property may be under a moral obligation to hand in property to which they may have best title to apart from the loser, they shall be encouraged to retain the property from the outset except under the following circumstances where retention by the finder shall not be permitted:

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- where the finder is a paid or unpaid servant of Thames Valley Police.
- where the property was found on police premises or in a police vehicle or in a vehicle hired to police or otherwise used by police.
- where the property is suspected of being of evidential value or could be used to support the commission of offences e.g. the property seems to have been tampered with consistent with having being the subject of crime or the property could be used to support false identity.
- where the property is an item requiring special action, e.g. cheque book, credit cards, drugs, firearms, explosives, postal orders/giros, mobile phones, electronic hardware that is capable of storing personal information.
- where it would be unlawful for the finder to retain the property or in the opinion of an approved person (Police Officer, PCSO, Property Officer, SDO, Police Enquiry Centre (PEC) Operator) it would be unwise to retain the property. This shall include items of high value, treasure trove, drugs, firearms, other weapons, any item being of a chemical/highly inflammable/explosive or unstable nature or otherwise being subject to Control of Substances Hazardous to Health (COSHH) Regulations,

Retention of the property by the finder either initially, or after the expiration of six weeks, will not affect the legal title to the property if the true owner should subsequently establish a claim.

4.3.4

Found Property that may be accepted by police but may not be recorded includes spectacles, keys, non-identifiable walking sticks and umbrellas. Such property handed in to police shall be held at police stations for inspection for two weeks.

4.3.5

Found property of negligible value, knives and sharps for destruction shall not be recorded and shall be disposed of immediately unless considered to be connected with crime and of evidential value.

4.3.6

Recordable found property handed in at the police station shall be recorded onto the Force Property System immediately. Where found property is accepted by officers away from the station, pocket notebook entries shall be made, countersigned by the finder where appropriate and the details transferred to the property system at the earliest opportunity.

4.3.7

Reasonable measures shall be taken to search property systems to identify the owner of property reported found.

4.4 Disposal of Found Property

4.4.1

Wherever practicable, found property handed to police shall be returned to the owner at the owner's expense. Proof of identity and appropriate documented authority shall be required by any person collecting property in person.

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4.4.2

Where the found property belongs to or is issued by another organisation, it shall be returned to that organisation or destroyed on the instruction of an authorised person from that organisation.

4.4.3

Unclaimed found property shall be disposed of by sale or destruction after eight weeks

4.4.4

All sales of unclaimed property shall be conducted through the Internet by a third party under the approved contractual agreement with Thames Valley Police.

4.4.5

No property may pass directly into the personal possession of any paid or unpaid servant of Thames Valley Police. They may however purchase property offered for sale in public competition through the internet provided that they have not been involved in, or are not responsible for, the administration of any aspect of the sale of the item(s), and cannot therefore be perceived as having gained unfair advantage through their association with Thames Valley Police.

4.4.6

Physical inspection, with a view to purchasing items to be processed for sale through an internet auction shall not be permitted.

4.5 Return of Found Property to the Finder

4.5.1

Found property handed to the police may be returned to the finder subject to the following conditions:

4.5.2

No item shall be returned to finder that is of a category the finder is not permitted to retain as defined under section 5.9.3. of this policy, with the exception of cash and items of high value.

4.5.3

The finder has obtained a signed receipt at the time of depositing the property.

4.5.4

The finder shall apply to the relevant Property Officer no less than six weeks and no later than eight weeks from the date of the deposit receipt.

4.5.5

The finder shall collect the property in person, on production of the original receipt; production of satisfactory identification and a signature matching that

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on the original receipt. This enables satisfactory audit control of the disposal process.

4.5.6

The finder shall recognise that the original loser subsequently may establish best title to the property and that in order for them to do so Thames Valley Police shall not withhold details of the finder.

5.6 Legality

4.6.1

The legality of policy and procedures relating to the seizure, retention and disposal of Evidential Property may be drawn from S3.2.1. of this policy, Legal Standards.

4.6.2

The legality of policy and procedures relating to Non-Evidential property is based on common law and custom and arises from the General Statement of Purpose of the police service – “to protect life and property, maintain order, prevent and detect crime and to bring about the prosecution of those who offend against the peace.”

4.7 Roles and Accountabilities - General Principles of Responsibility and Performance

4.7.1

It is the responsibility of everyone concerned with the handling and management of property that the Property Standards set out in this policy are met corporately and individually.

4.7.2

It is the responsibility of immediate supervisors and line managers pro-actively to ensure that all personnel involved in the property process who are under their supervision comply with the Property Standards.

4.7.3

Established Force disciplinary or poor performance procedures will be deployed where individuals fail to meet the required standards.

4.7.4

There are 4 specific areas of responsibility for the Property Process. They are Investigation, Recording, Storage & Disposal and Performance & Systems Management.

4.8 Investigation

4.8.1

The Officer in Charge of the Case (OIC) has primary responsibility for property relating to an investigation.

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4.8.2

It is the duty of the OIC to :

- ensure the appropriate legal authorities have been exercised in the seizure of the property
- ensure the property is appropriately documented in the property system
- ensure the security of the property in terms of safe and secure packaging and sealing and deposit in an approved storage location
- apply by way of the Crown Prosecution Service for court orders to dispose of property (forfeiture /disposal / confiscation orders) where appropriate
- authorise the timely disposal of property by ensuring property and crime recording systems are kept updated with the appropriate Retention Status of property pertaining to the case.

4.8.3

Other roles specific to the Property process are:

- Seizing Officer / Officer Booking in Property
- Exhibits Officer – collates and presents exhibits
- Other Case Investigators – may take over the role of OIC
- Crime Investigation Management Unit (CIMU) Officers – may contribute to the identification of seized property.
- Scenes of Crime Officer – may assign forensic material onto the property system
- Major Crime Review Team officers who may assume authority over retention and disposal of property relating to cases for which they assume primacy.

4.9 Property Recording, Storage & Disposal

4.9.1

The Property Officer has primary responsibility for the documentation, security, safe storage, retrieval and appropriate disposal of property.

It is the duty of the Property Department to:

- ensure all items of property entering police possession are properly entered into the property system
- take all reasonable actions to identify and manage property under their control to support the successful prosecution of offenders.
- apply approved security procedures to the property facility, including holding stores and property contained within
- apply approved Health & Safety procedures in respect of the facility including holding stores and property contained within.
- dispose of property in accordance with the Operating Manual of Procedures.

4.9.2

Other roles having responsibility within this part of the property process are :

- Station Duty Officer – receiving and returning property

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- Records & Evidence Officer (REC Officer) – only for property in long term storage at the Records & Evidence Centre.
- Police Enquiry Centre (PEC) Officer – call handling pertaining to property enquiries
- Nominated Role – particular role nominated by the BCU Commander or Crime Manager to oversee the property process.
- Major Crime Review Team officers who may assume authority over retention and disposal of property relating to cases for which they assume primacy.

4.10 Performance & Systems Management

4.10.1

The Force Counter Services Manager has primary responsibility for the development and communication of the Property Policy and the Operating Manual of Procedures.

4.10.2

BCU Commanders and Department Managers and are ultimately responsible for maintaining performance within their domain regarding the Property Standards, including the allocation of sufficient resources to the property process.

4.10.3

Complaints regarding the failure to meet the Property Standards by any individual or corporately shall be directed in the first instant to the BCU Commander for the area relevant to the complaint.

5.0 Challenges & Representations

Challenges and representation to this policy may be made in writing to:

Head of Local Policing
Thames Valley Police HQ
Oxford Road
Kidlington, OX5 2NX

6.0 Communication

6.1 Links to Police National Legal Database Other

None

6.2 Implementation Strategy

This policy shall be available on the Thames Valley Police Force Intranet site and the FOI Internet site.

7.0 Compliance and Certification

7.1 Human Rights Certification

(i) Legal Basis

The seizure, retention and disposal of property shall be legal and property shall be retained no longer than is operationally prudent and lawful.

For Evidential Property seizure, retention and disposal is set within a legal framework comprising both statute and case law drawn primarily but not exclusively from:

- Police and Criminal Evidence Act 1984
- The Criminal Justice and Police Act 2001
- Proceeds of Crime Act 2002
- Criminal Procedure and Investigations Act 1996.
- Criminal Justice Act 2003
- The Police (Property) Act 1897
- The Police (Property) Act 1997
- The Police (Property) Regulations 1997
- The Powers of Criminal Courts (Sentencing) Act 2000
- Hazardous Waste Regulations 2005
- Common Law

Police involvement in Non-Evidential Property is not prescribed by statute but has developed over time as customary practice.

(ii) Human Rights Articles Engaged

This policy has been drafted and audited in accordance with the Human Rights Act 1998.

Actions as a consequence of this policy, shall be taken in an impartial and fair way having due regard for natural justice, employment law and human rights.

It is acknowledged that this policy has the potential to engage the following articles:

Article 1 of the First Protocol (Protection of Property) – Right to the peaceful enjoyment of possessions

Article 6 (Right to a Fair Trial)

Article 1 of the First Protocol provides that: Every natural or legal person is entitled to the peaceful enjoyment of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

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The preceding provision shall not however, in any way impair the right of the state to enforce such laws as it deems necessary to control use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 1 of First Protocol – Legitimacy: The legitimate aims for interference of a person's rights by depriving them of their possessions are that:

The taking must be in the public interest; it must be subject to conditions provided by law; It must be subject to the conditions provided by the general principles of international law.

Article 6.1 provides that: In determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time and by an independent and impartial tribunal established by law.

Article 6.1 – Legitimacy: In the event that an article of the Convention is engaged, then the legitimacy for the engagement is provided for in the text of the Article.

Potential Interference: There is a potential interference of an individual's rights under these articles if there is inappropriate action taken in:

The period of time crime property is retained; The manner in which property is disposed of; The care taken to preserve the property in the form in which it originally came into police care; The recording of property if it discriminates against a particular group or individual.

(iii) Prohibition of Discrimination

By engaging any of the aforementioned Articles, there is the potential to engage Article 14 of the European Convention. Article 14 states that the enjoyment of the Rights and Freedoms set forth in the European Convention of Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Actions taken as a consequence of this policy will be applied fairly and impartially, having due regard for natural justice and human rights.

7.2 Diversity Impact Assessment

This policy has been assessed against the six strands of Diversity and has been rated as "LOW" relevance.

7.3 Diversity (Human Resources)

In the application of this policy, the Force will not discriminate against any persons regardless of their gender, sexual orientation, race or ethnic origin, religion, age or disability.

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7.4 Management of Police Information (MoPI) Compliance

Information deemed 'for a policing purpose', or any data about an individual that is circulated or received by e-mail; or published/downloaded via the intranet or internet or circulated in any other format must comply with [MoPI guidelines](#).

7.5 Community Engagement Strategy and Standards

This policy has the potential to engage the Force Community Engagement Standards.

Please use links for further information:

- [Community Engagement Strategy](#)
- Standards

7.6 Data Protection

Personal Data gathered in compliance with this policy shall be processed in accordance with the Data Protection Act 1998. It is acknowledged that 'sensitive personal data' (criminal records and their proceedings) shall be processed.

7.7 Freedom of Information Act

This policy is available to the public and may be published under the Freedom of Information Act 2000 Thames Valley Police Publication Scheme. The Property Operating Manual of Procedures shall be exempted from publication under the Act by virtue of Section 31 .1 (a) of the Act.

7.8 Protective Markings

This policy has been assessed for its correct level of protective marking and is **NOT PROTECTIVELY MARKED**.

7.9 Health & Safety at Work

The safe handling and disposal of property shall be in accordance with the Operating Manual of Procedures Chapter – Health & Safety. Reference should also be made to Force Risk Assessment GRA 2.3

Thames Valley Police commits, so far as is reasonably practicable, to the provision and maintenance of:

- safe and healthy work activities for all Force staff and for anyone else who may be affected by our policing
- resources, information, instruction, training and supervision
- reporting, recording, investigation and monitoring of all safety incidents using the PER 10 system

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We shall comply with the requirements of the Health and Safety at Work Act 1974, the Police Health and Safety Act 1997 and relevant statutory provisions.

Further detail on Force structure and arrangements for the management of health and safety can be found in Force Policy for H&S Management

8.0 Monitoring and Review

A full review will be carried out by the policy author annually and will examine:

- Changes in legislation
- Court rulings – Domestic, European and Human Rights
- Examples of good practice from other Forces or other organisations
- Changes in Home Office Circulars
- Developments with ACPO Policy Unit
- Representations made by individuals and relevant organisations
- Relevant Equality data

APPENDICES

APPENDIX A

PROPERTY STANDARDS INDEX**Thames Valley Police
Property Standard 1 - Legal**

Origin		Intranet	Yes
Review Date	30/05/2009	Internet	Yes
GPMS	No	FOI	Yes

Seizure, Retention and Disposal of Property**1. Introduction**

This Property Legal Standard sets out the legal framework for the seizure, retention and disposal of property.

- 1.1. It states that the seizure, retention and disposal of property by or on behalf of officers and staff of Thames Valley Police shall be legal.
- 1.2. It also establishes that persons authorising the retention and disposal of property, when required to do so, shall provide the legal justification for those decisions.
- 1.3. This Property Standard refers primarily but not exclusively to Evidential Property, for which the terms of seizure, retention and disposal are largely governed by statute and case law. In contrast the terms under which non-evidential property is retained and disposed of have developed over time as custom and are not prescribed by legal statute.
- 1.4. However, other Property Standards may apply equally to both evidential and non-evidential property.

2. Seizure of Evidential Property

2.1. The Legal Basis for the seizure of evidential property is drawn primarily but not exclusively from:

- Police and Criminal Evidence Act 1984 S19 - (general powers)
- Police and Criminal Evidence Act 1984 S55 - (intimate search)
- The Criminal Justice and Police Act 2001 S50 – additional powers to seize from premises
- The Criminal Justice and Police Act 2001 S51 – additional powers to seize from persons
- Criminal Procedure and Investigations Act 1996 - (duty to record and retain)
- Misuse of Drugs Act 1971 – drugs related offences
- Police Reform Act 2002 – provides for powers of seizure by a designated investigative officer (not a police officer)
- Proceeds of Crime Act 2002
- Common Law

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2.2. If no legal authority police must usually return property (Stated Cases of Webb v Chief Constable Merseyside Police and Other Similar Cases 1999).

3. Retention of Evidential Property

3.1. The Legal Basis for retention of seized property is drawn primarily but not exclusively from:

- Police and Criminal Evidence Act 1984 S22
- Criminal Procedure and Investigations Act 1996 - (duty to record and retain and period of time for which property must be retained)
- The Powers of Criminal Courts (Sentencing) Act 2000
- The Police (Property) Act 1897 – deals mainly with property the owner of which has not been identified

4. Disposal of Property

4.1. The legal basis for the disposal of property is drawn primarily but not exclusively from :

- Criminal Procedure and Investigations Act 1996 - (period of time for which relevant material must be retained)
- The Police (Property) Act 1997 – deals primarily with items the owner of which has not been established. Also allows items disposed of by sale and for the proceeds of sale.
- The Police (Property) Regulations 1997 – allows for disposal of perishable items, items to be recovered into police use and items subject to disputed ownership.
- Proceeds of Crime Act 2002 – use of civil powers on application to the magistrates courts to dispose of assets believed to have been the proceeds of crime.
- Hazardous Waste (England and Wales) Regulations 2005 – provides for procedures for destruction of hazardous waste.
- Torts (Interference with Goods) Act 1977 – S12 allows for disposal of goods not collected by the nominated person within a notified period.

Thames Valley Police
Property Standard 2 – Operational Focus

Origin		Intranet	Yes
Review Date	30/05/2009	Internet	Yes
GPMS	No	FOI	Yes

Resourcing and Managing the Property Process.

INTRODUCTION

1.

This Property Standard establishes that the corporate and individual performance of those engaged in the handling of property at all levels must reflect the corporate aims of the Force to deliver a high quality customer focused policing service, the effective investigation of offences and prosecution of offenders and the protection of life and property.

2.

This Property Standard states that effective management and supervision of the Property Process shall be actively sponsored by all ranks and grades, whether directly or indirectly engaged with the property process.

3.

This Property Standard states that the Force, through Basic Commands Units and Departments, shall make available sufficient appropriately trained resources and appropriate equipment and storage facilities to enable all the Property Standards to be met.

4.

Staff engaged in the handling of evidential property shall seek to protect the evidential integrity of the property item by ensuring all appropriate measures are taken to:

- document the chain of control to provide continuity of evidence
- to reduce the risk of cross contamination by contact with any other item of evidence
- corroborate activities involving cash, drugs and items of high value

5.

Staff engaged in the initial handling or reporting of any item of property and shall take appropriate action having considered the possibility of that item being of evidential value or of posing a risk to life and property.

6.

Undertake to meet all the other Property Standards designed to ensure the property process supports Force objectives.

Thames Valley Police
Property Standard 3 – Administrative

Origin		Intranet	Yes
Review Date	30/05/2009	Internet	Yes
GPMS	No	FOI	Yes

Administration of Property

INTRODUCTION

1.

This Property Standard sets out the administrative standards that must be met, corporately and individually in the management of evidential and non-evidential property.

2.

Documentation in any medium pertaining to the administration and processing of property throughout its life cycle shall be completed timely, fully and legibly as set out in the relevant Standard Operating Procedure.

3.

Full documentation of the chain of custody of items of property shall be maintained to provide continuity of evidence and satisfy audit requirements and agreed standards of governance.

4.

It is the responsibility of the Officer in Charge of the case (OIC) to ensure the property system is kept updated with the appropriate Retention Status of property pertaining to the case.

5.

All requests for information regarding the status or disposition of property shall be responded to timely, fully and legibly in the appropriate medium.

6.

The processing and documentation of cash and items of high value shall be corroborated at every stage from seizure to disposal.

7.

Additional records relating to specific activities such as the banking of cash and the disposal of drugs, firearms and general and hazardous waste shall be maintained and retained for the prescribed period as set out in the relevant Standard Operating Procedure.

8.

Property Records shall be retained for the prescribed period according to Force Retention Policy.

NOT PROTECTIVELY MARKED**Thames Valley Police
Property Standard 4 - Safety**

Origin		Intranet	Yes
Review Date	30/05/2009	Internet	Yes
GPMS		FOI	Yes

Safe Handling, Storage and Disposal of Property**INTRODUCTION****1.**

The Standard for the safe handling, storage and disposal sets out the safety standards to be met by officers and staff handling property in order to safeguard themselves and others as well as the property from harm.

- 1.1.** Handling and storage of property shall be consistent with the control measures contained within the Property Generic Risk Assessment and local risk assessments for any location where property is handled or stored.
 - 1.1.1.** Property shall be packaged in a manner that protects the handler from harm by any means.
 - 1.1.2.** Property shall be handled and stored in a manner that shall contain any leakage and protect the environment and other property from damage or contamination.
 - 1.1.3.** Property that represents a hazard by virtue of the nature of the property shall be clearly marked as a hazard, stored in an environment and location fit for the purpose and disposed of in a safe and ethical manner.
 - 1.1.4.** Particular consideration shall be paid to the safe handling of certain categories of property for which specific procedures may apply and which demand specific storage locations and means of disposal. e.g cash, drugs, firearms, fragile items, hazardous items.
 - 1.1.5.** Seized property that has been contaminated in the course of forensic examination and thereafter poses a risk to health shall not generally be returned to owners. It shall not be the responsibility of police to render the item of no risk to health.
 - 1.1.6.** Mobile and fixed equipment used for the handling and storage of property shall be fit for purpose and inspected regularly. Guidance shall be taken as appropriate from manufacturers recommendations regarding construction, use and maintenance.
 - 1.1.7.** Mobile and fixed equipment used in the handling and storage of property that is damaged or otherwise deemed unsafe shall be withdrawn from service pending repair or replacement.

**Thames Valley Police
Property Standard 5 - Security**

Origin		Intranet	Yes
Review Date	30/05/2009	Internet	Yes
GPMS	No	FOI	Yes

Security of Property and Property Stores
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INTRODUCTION

1.

This Standard sets out the arrangements to be observed in order to maintain the security of property and minimise the risk of loss, damage or misappropriation of property and litigation against the Police Authority and staff of Thames Valley Police arising from such loss.

2.

Property shall be deposited into an approved property storage location at the earliest opportunity and be accompanied with the proper documentation.

3.

Access to main property store areas shall be limited strictly to those whose normal duties require them to have access and as a consequence carry some accountability for the security of stock held in that location.

4.

All other persons may only have supervised access to property stores subject to them having valid reason for being there and which shall be documented shall sign in and out.

5.

The issue of Property Store keys to appointed key holders shall be consistent with this standard and at the discretion of the Business Manager. Wherever practicable, only one set of keys to a store shall be issued.

6.

Should external property store keys be reported lost, the Business Manager shall take responsibility for the replacement of locks to the store.

7.

Where access to the Property Store is controlled by a combination lock, the combination shall be changed every six months and on the occasion of a member of staff leaving who has knowledge of the combination.

8.

The issue of Property Store internal keys shall be controlled by the Property Officer. The replacement of internal locks or keys shall be the responsibility of the Business Manager.

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9.

Consistent with local Fire Regulations, a spare set of Property Store keys, for use solely by the Fire Service in emergency only shall be retained on Area.

10.

Access to temporary or holding stores shall be supervised wherever practicable. Where it is not possible to maintain supervision at all times, property placed in the holding stores shall be countersigned in and out.

11.

Cash, drugs and other items of high value shall be placed in an internal secure location within the Property Store. Issue of keys to these locations shall be controlled by the Property Officer.

12.

Additional security arrangements shall be made for the temporary storage of cash, drugs and items of high value and the chain of custody of such items shall be documented and strictly monitored.

13.

Security arrangements for the transfer off site of drugs and weapons shall be subject to additional controls as set out in the relevant Standard Operating Procedure. Drugs and weapons transferred off site shall be in sealed containers, witnessed and sealed by an officer or member of staff outside of the Property domain and documented onto a manifest.

14.

All items of Property transferred off site should be in an additional sealed bag or container and be accompanied by a witness signed manifest.

15.

Any suspected loss or misappropriation of property shall be reported to a supervisor for investigation.

16.

Any observed relaxation of procedures on the part of any member of staff which is intended to ensure the security of property shall be collated by the Property Officer and be reported to a supervisor with the expectation that action shall be taken.

Thames Valley Police
Property Standards 6 – Duty of Care

Origin		Intranet	Yes
Review Date	30/05/2009	Internet	Yes
GPMS	No	FOI	Yes

Protecting Property Owning Rights

INTRODUCTION

1.

This Property Standard sets out how the concept of duty of care in protecting the property owning rights of people whose property is in the temporary possession of the police shall be exercised. It also establishes the concept that the retention of property must be justified and proportionate.

Many items of property in the temporary possession of police shall ultimately be returned to the owner and Thames valley Police shall exercise a duty of care in taking all reasonable measures in the handling and storage of the property to ensure that the property owning rights of the owners are protected.

2.

It is the responsibility of all persons involved in the property process to take reasonable measures to ensure the property is not unnecessarily lost, destroyed, misappropriated or damaged whilst in the possession of Thames Valley Police or handed over to another without reasonable measures having been taken to establish good title of the other or that the owner is not otherwise deprived of possession of the property without just or legal cause.

3.

Where an item of property may be required to be forensically examined in the course of a crime investigation and that examination is likely to damage or contaminate the item, it is the responsibility of the officer seizing the property or later, the officer in charge of the investigation to explain to the owner the likely outcome of the examination and to seek a disclaimer for the property.

4.

Officers and staff shall take all reasonable precautions to ensure property is returned to those that have title to it. Where ownership is disputed, the officer/member of staff dealing with the case should contact the Force legal Services Department for advice.

5.

Any property subject to disputed ownership shall only be returned on settlement by legal process.