



Authority to Conduct Searches of Lockers, Document Lockers and Drawers

This document is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

Policy Statement

North Yorkshire Police is a professional uniformed organisation and as such provides its Officers and Staff with a variety of storage facilities for storing personal and issued items. There may be circumstances which it is necessary to search these storage areas for an operational purpose which is proportionate and necessary in the circumstances.

This policy statement is open to public viewing from the NYP Website

Introduction

Lockers, document lockers, desk pedestals and other storage furniture are the property of North Yorkshire Police and provided for officers/staff to store uniform and those personal items that they may not wish to carry with them whilst on duty/at work.

Staff should be aware that a locker, document locker or desk pedestal can be searched in the circumstances given below. Under any of the sections below, the searches should be recorded in full on Body Worn Video, with the files saved onto a restricted folder on NICE.

Section 18 Police and Criminal Evidence Act Authorisation

When an individual is in custody having been arrested for an appropriate offence, authorisation will be sought to search an individual's locker or other storage furniture by the officer in the case. All appropriate paperwork recording the search will be provided to the individual under investigation.

Misconduct Investigation

If during a misconduct investigation, it is deemed a necessary and appropriate line of enquiry, an individual's locker or other storage furniture can be searched. The investigating officer will record the reasons for the search and ensure an Inspector or above on that police area is aware that the search is taking place.

Following suspension from duty it may also be necessary in line with the Suspension from duty policy that a locker search may be conducted to retrieve NYP assets such as mobile phone, radio and laptop. If practicable this should be conducted with an independent third party present such as a

Police Federation Representative, Unison Representative or the supervisor of the subject officer/ staff member.

Any items recovered during the search will be recorded and the individual under investigation updated.

Performance matters

Inspectors are able to instigate a search where there is a performance concern. However, they should ensure that the proposed action is reasonable, justified, proportionate and necessary, and the reason recorded at the time.

Implementing a search

Where practicable (i.e. unless the person subject to an investigation is suspended) the individual whose desk, locker etc. is being searched should be present during the search.

The individual will be provided with the rationale for the search and the person will be given the opportunity to voluntarily hand over any items being looked for or any prohibited items before the search commences.

The person whose property is being searched will be given an opportunity to explain of why some items have been found at the time of the search. This information will be recorded in the investigation log/report.

The person(s)/witness conducting/searching should be cognisant that some personal items in lockers, such as medication or religious items should be handled sensitively and discreetly.

Personal items will be excluded from seizure except where they may be deemed to relate to criminal activities.

Also in matters of misconduct (not criminal), PSD will, whenever reasonable and practical invite either a Police Federation/UNISON representative or if the individual prefers another independent person to witness the search. The attendance of other parties will be balanced against any time sensitivity of the search and waiting for the attendance of such parties will be for a reasonable period.

Definition of Special Terms

Linkages

Strategy:

Subsidiary Linked Procedures:

Other Documents:

NYP Suspension of Police Officers from duty policy - Procedure Template 2020

College of Policing Code of Ethics - Code of Ethics | College of Policing

Legal Narrative Detail – Legal Narrative Detail - PNLD

Police and Criminal Evidence Act (specifically S18 & S32) - Police and Criminal Evidence Act 1984

Police Conduct Regulations 2020 - The Police (Conduct) Regulations 2020

Police Complaints and Conduct Regulations 2020 - The Police (Complaints and Misconduct) Regulations 2020

Police Staff Discipline Procedure - Staff-Discipline

NYP Performance Management Framework - Performance-Management-Framework

Locker Search Policy