

Police Service of Northern Ireland

HQ Ref: Ops 2005/2402/7

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POLICY DIRECTIVE

POLICE SEARCHES

1. POLICY IDENTIFICATION

POLICY TITLE: Police Searches

POLICY OWNERSHIP:

DEPARTMENT	Operational Support Department
BRANCH	Operations Branch

POLICY APPROVED BY:

CCF REF/OTHER	ACC Operational Support Department
DATE OF APPROVAL	February 2005

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2. POLICY STATEMENT

The PSNI is committed to the prevention and detection of crime and where necessary bringing offenders before the courts. In pursuit of these commitments the PSNI will carry out searches in compliance with legislation and Human Rights considerations. Searches will also be conducted in appropriate cases to locate missing persons and enhance community safety.

3. INTRODUCTION

(1) It is our aim to provide a high quality, effective policing service to all the people of Northern Ireland. We will work to achieve this in partnership with the community and in co-operation with other agencies. In police searches this aim will be to the fore. The human rights of all those affected will be central to police searches and subsequent actions. It is recognised that not all human rights are absolute rights and in some instances the rights of individuals must be balanced with those of others, including those seeking justice through the courts.

(2) In addition to other considerations that are made before any search is undertaken, personnel should contemplate the affects of such a search on relations between the police and the community. Particular reference should be made to PACE Codes of Practice B 3.5 (page 32):

“Except in a case of urgency, if the officer granting the authority for the warrant has reason to believe that a search might have an adverse effect on relations between the police and the community then the local community safety officer shall be consulted:

- (a) before the search; or
- (b) in urgent cases, as soon as practicable after the search.”

(3) DRIVERS FOR CHANGE

(a) Since the publication of the report of The Independent Commission on Policing in Northern Ireland (Patten Report), the Police Service has seen a considerable reduction in human resources. This has coincided with the changing operational environment influenced by the peace process, health and safety requirements and the introduction of new legislation including the Human Rights Act and the Regulation of Investigatory Powers Act.

(b) Operational Support Department responded to these changes by instigating a review of search procedures and equipment.

(c) The review outlined the need for appropriately trained officers to be available to carry out searches in an effective manner. It examined which officers should carry out these searches and highlighted the need for advice to be readily available for search matters.

(4) AIMS

- (a) Only officers trained in search should perform searches.
- (b) Search team officers to be licensed and remain proficient in search.
- (c) Equipment list identified for search teams.
- (d) A graduated response for tasking/searching.
- (e) Criteria for Police Search Adviser consultation has been established.

(5) APPLICATION

Search trained personnel are located as follows:

- (a) Search Aware Officers - All areas of policing with the exception of (Tactical Support Groups) (TSGs).
- (b) Search Team Members - Within TSGs and the PSNI Search and Rescue Team.
- (c) Police Search Adviser (POLSA) - At the discretion of Regional Commands.
- (d) Police Search Co-ordinator (POLSC) - At the discretion of Regional Commands.

(6) EQUIPMENT

Search equipment is only for issue to search team members.

(7) LEGISLATIVE REQUIREMENTS

Whilst there are no legislative requirements for PSNI to adopt procedures and guidance for searches it is considered appropriate for compliance with Health and Safety Regulations, professional investigating and public perception and reassurance. Searches are carried out in compliance with relevant legislation and the PACE Codes of Practice.

4. IMPLICATIONS OF THE POLICY

(1) CONSULTATION

Consultation has taken place with operational police, Combined Operational Training (COT), the Police National Search Centre (PNSC) at Chattenden, and the Metropolitan Police Service (MPS) Search Training (SO13).

(2) TRAINING

As the result of this Policy all PSNI officers carrying out searches must be trained to an appropriate level commensurate with the search to be carried out. This will involve four levels of training as follows:

- (a) Search Aware Officer;
- (b) Search Team Member;
- (c) Police Search Adviser;
- (d) Police Search Co-ordinator.

5. HUMAN RIGHTS/EQUALITY/CODE OF ETHICS/FREEDOM OF INFORMATION

- (1) This Policy Directive and accompanying Procedures and Guidance are deemed to be Human Rights compliant. It has been screened for Section 75 considerations and meets the organisation's Code of Ethics.
- (2) This Policy is suitable for public disclosure in accordance with the Freedom of Information Act 2000 however the accompanying Procedures and Guidance and related PSNI Search Manual are suitable for internal dissemination only.

6. MONITORING AND REVIEW

- (1) This Policy was first approved in February 2005 by Assistant Chief Constable, Operational Support Department.
- (2) The Head of Operations Branch is responsible for reviewing the contents of this Policy on an annual basis.
- (3) Feedback relating to this Policy should be made to Operational Policy and Support Branch, Operational Support Department.