



WILTSHIRE POLICE

Force Disclosure Unit

Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 8th March 2024

Ref: FOI 2024/230

I write in connection with your request for information dated 23rd February 2024 concerning release of property.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and after having consulted the Policy Team – I am now able to respond as follows.

You wrote:

Policies for the release of property following an arrest/investigation.

Policies around gathering evidence and issuing warrants.

Polices on handing personal property to the wrong person

Our response:

Question 1

This is covered in following policies (attached):

- Section 9 of the Seizure Storage Retention and Disposal of Evidential Property Policy and Procedure.
- Section 11 of the Seizure and Retention of Money Procedure.
- Section 10 of the Seizure and Retention of Cryptocurrency Procedure

Question 2

We have no general policy on the gathering of evidence as such or issuing of warrants. Section 2.1 of the Seizure Storage Retention and Disposal of Evidential Property Policy and Procedure refers to the legal basis for seizure of evidence.

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Question 3

This is dealt with under Appendix C Property Claims in the Seizure Storage Retention and Disposal of Evidential Property Policy and Procedure.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,
Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

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4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review, they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

WILTSHIRE POLICE FORCE POLICY & PROCEDURE



SEIZURE, STORAGE, RETENTION AND DISPOSAL OF EVIDENTIAL PROPERTY

Date of Publication: April 2023
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POLICY STATEMENT

This document covers the Policy and Procedure for Evidential Property Stores (EPS), formally known as Special Property Register (SPR), and supersedes all previous policy and procedure documents. It is to be used in conjunction with the Wiltshire Police Special Property Instruction/Guidance Manual.

Wiltshire Police recognises that the efficient management of its Evidential Property is necessary to comply with its legal and statutory obligations including the Management of Police Information Code of Practice and other statutory obligations. Effective Evidential Property management will contribute positively to the performance, efficiency, continuity and productivity of the force strategic policing aims and objectives.

Evidential Property seized and managed by Wiltshire Police are its organisational memory, providing evidence of actions and decisions, and represent a vital asset to support the Force's daily functions and operations. The Force will maintain records that are complete, authentic, reliable, secure and accessible, and manage those records and property in accordance with good practice, including legislative requirements throughout their lifecycle.

All property coming into the possession of Wiltshire Police will be dealt with responsibly with due respect for owners' rights and title.

POLICY AIM

To competently seize, store, retain and dispose of Evidential Property held for policing activity in an efficient and consistent manner to support the objectives and vision of Wiltshire Police and ensure that national and local objectives are met.

APPLICABILITY

This policy applies to all staff and officers who handle Evidential Property throughout the course of its lifecycle.

NB – During any national and or local critical incidents, further guidance may override this policy.

LEGAL BASIS AND DRIVING FORCE

To:

- To ensure that Wiltshire Police complies with the legal requirements for the seizure, storage, retention and disposal of property
- To ensure the integrity of all property seized as evidence
- To ensure that property taken into police possession is retained for the minimum amount of time necessary and in compliance with MOPI Guidelines, CPIA, Police Property Act and GDPR
- To ensure that all records related to Evidential Property taken into the possession of Wiltshire Police are accurately recorded and maintained, ensuring a complete audit trail of the items concerned from seizure to disposal.

STRATEGIC PRIORITIES

The Force Priorities linked to this document are set out below.

Force Priorities Linked to this Policy
Drive up standards of customer service

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RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[Seizure and Retention of Money Procedure](#)

[Seizure and Retention and of Cryptocurrency Procedure](#)

[Home Office \(2005\) Code of Practice on the Management of Police Information](#)

[Wilsons Auction for the Disposal of SPR Procedure](#)

[Pava Irritant Spray Procedure](#)

[Cannabis Factory Procedure](#)

[Ad Hoc Information Sharing Form](#)

[Pocket Notebooks \(PNB/ePNB\) and Other Notebooks](#)

[E-Scooter & Powered Transporters](#)

AUTHORISED PROFESSIONAL PRACTICE

The Authorised Professional Practice area relevant to this policy and Procedure is [Information Management](#).

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations (GDPR) and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING AND REVIEW

This policy will be monitored through the,

- Quality of items booked into Evidential Property (and subsequent rejections)
- Judgments made when considering if it is necessary to book items into Evidential Property (and the photographing of evidence in preference to seizure where appropriate)
- Legal compliance relating to the seizure, storage, retention and disposal of Special Property
- Maintaining of integrity and correct management of Evidential Property throughout its lifecycle

This procedure will also be monitored through the quality of property claim investigations and the quality of service that is provided to external customers.

This policy will be next reviewed in April 2026 by the Justice Assets Manager.

WHO TO CONTACT ABOUT THIS POLICY

This procedure is the responsibility of the Evidential Property Department and the Assets Supervisor or Justice Assets Manager.

PROCEDURE

1. Evidential Property Management Within Wiltshire Police

The efficient management of Evidential Property is essential to the policing activities and impacts upon public confidence. Once seized, Evidential Property must be systematically managed according to the management procedure and standard working principles highlighted within this document.

2. Scope

Wiltshire Police will only seize property when it is necessary and either permitted by law or for the protection of property (safekeeping). Property will not be seized solely because of disputed ownership.

2.1 Investigation

Unless another power provides justification, property will only be seized or retained when section 22 Police and Criminal Evidence Act (PACE) 1984 applies i.e.

- For use as evidence at a trial for an offence
- For forensic examination or investigation in connection with an offence
- In order to establish its lawful owner when there are grounds for believing that it has been obtained in consequence of the commission of an offence

Property referred to in the first two bullet points above, need NOT be retained if the following would be sufficient for that purpose;

- A photograph
- Original copy of a document
- Photocopy.

2.2 Arranging to photograph, image or copy, any document or article

The removal of large volumes of material, much of which may not ultimately be retainable, may have serious implications for the owner. Officers must carefully consider when arranging photographing the relevant material it would be satisfactory rather than removing the original property.

The retention of a copy or photograph rather than the original is reasonable in all circumstances except when the evidential weight of the property or evidence contained within it cannot be transferred or captured in a photograph / digital extraction.

In some circumstances, it may be unreasonable or insufficient to photograph property where the original presents information in a more usable format, for example DNA relating to an un-matched major crime or a stained knife used in a crime of murder that clearly presents evidence in a more usable format than a copy or photograph. Special care needs to be taken when deciding to seize original property relating to Major Crime and MOPI Group 1 offences (retain the original when a photograph or copy is not sufficient). Consideration should be given to:

- The physical size of property, for example it is unreasonable to keep an entire mattress that relates to a sexual assault, or a tree trunk used to conceal a body in a murder. A photograph is sufficient following examination and extraction of DNA samples from the material.
- The physical volume of property, for example it is unreasonable to keep all drugs seized from a drugs production operation or all items seized that relate to a theft. A photograph in support of information already held on police systems relating to the crime in question is sufficient.

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- During an investigation a number of items may have been collected that do not have any independent significance. It is not necessary to keep all these items simply because they are attached to a major crime marked for retention.

The Criminal Justice and Police Act 2001 (CJPA), Part 2 gives officers' limited powers to seize property from premises and persons so they can examine it elsewhere. Officers must be careful they only exercise these powers when it is essential, and they do not remove any more material than is necessary.

2.3 Safekeeping

Property will only be taken into Police possession for safekeeping if its value or vulnerability dictates such action. When property is retained, details must be entered into Niche RMS. Where there is no Occurrence, this must be recorded under the Generic Niche for the month and year it was seized and the OEL endorsed.

Occurrences will be reviewed on a case-by-case basis by Evidential Property Officers and resolution sort by way of return to owner or authorised third party to collect or disposal.

When adding property to a Generic Niche, the seizing Officer must ensure that they link the property to the person it was seized from or the owner (if known).

2.4 Sudden Death

In cases of sudden death, it is the responsibility of the police to ensure, as far as practicable, the safe custody of the deceased's property.

When no relatives are known or cannot easily be traced, the responsibility for further enquiries and the disposal of property must be determined by the Officer in Charge (OIC) in consultation with the Coroner's Officer and/or Local Authority.

In the cases of sudden death, the Coroners Officer will authorise the disposal of all property.

2.5 Seizure of Explosive Material

In cases where Explosive Material has been seized or handed into a local enquiry office the priority is correct storage.

If seized by Officers there is a specific storage facility on the HQ site. This is a red explosive store located in The Special Property Assets Cage, contained within the container, the key for this store is held by the ARG Duty Sgt.

If the explosive Material has been handed into an Enquiry office, specific storage has been provided for this;

- The seizing officer or Enquiry Officer must notify the Assets Supervisor that there are explosive materials within these stores. The Assets Supervisor or Firearms SPR SPOC will ensure EOD collect from site.
- Explosive Material must not to be moved unless absolutely necessary. It is necessary then items should only be moved by ARG in the correct storage provided to the Headquarters storage facility as described above.
- Where advice has been sought from a member of the public in relation to the disposal of flares, they must be directed to the coastguard website. The coastguard is now the government funded body with regards to the disposal of all flares. (Maritime and Coastguard Agency).

2.6 Seizure of Mechanically Propelled Vehicles including E-Scooters

This decision should be read in conjunction with the Force policy on E-scooter and Powered Transporters [E-Scooter & Powered Transporters Policy](#).

Whilst an E-scooter may be considered under PACE to be evidence of an offence of money laundering and therefore can be seized as an exhibit, the Force policy states that there is a significantly high risk associated with the transport, storage and sale of such items.

Therefore E-scooters and Powered Transporters ("Powered transporters" is a term used to cover a variety of novel and emerging personal transport devices which are powered by a motor, including e-scooters) should be **evidenced through photographs and body worn camera footage to document the make, model and condition of the item.**

Where possible, **establish the ownership details** of the e-scooter and all information pertaining to the e-scooter must be recorded on the relevant niche occurrence.

If seizure is required, officers must follow the above policy s165 process of getting a separate Storm log created then arranging recovery through the AA system, the contract and s165 rules mean that it MUST be recovered from scene. E-Scooters or Powered Transporters MUST NOT under any circumstances be placed in a Police vehicle or taken to a station / Evidential Property Store / Temp Store pending recovery.

3. Packaging Property

When an item is to be entered into Evidential Property it must be suitably packaged in accordance with force procedure (as listed below). Every item of property, including forensic exhibits must have an exhibit label attached to it. The following packaging rules must be adhered to:

- It is the responsibility of the seizing officer to package, exhibit and label all of their property correctly. When bagging exhibits, the bags used must be proportionate to the size of the exhibit
- Bank notes will be bagged in suitable bags
- In cases of individual seizures above £50,000 the Litigation and Insurance Manager needs to be notified by the OIC. See the [Seizure and Retention of Money Procedure](#)
- Place sharp instruments in knife tubes
- Firearms and their respective ammunition will be bagged separately. Once a firearm has been made safe and a Firearm Clearance Certificate has been completed by an authorised Firearms Officer it will be securely attached to the weapon and made clearly visible
- Place hypodermic needles or syringes into an approved sharps container or knife tube
- Put drugs and frozen exhibits in a self-seal bag (in instances where practicable)
- All other small items must be in a self-seal evidence bag clearly marked
- Staff will wear surgical gloves when dealing with substances they believe to be drugs and they must never intentionally taste or allow the substances to come into contact with their body or any other persons
- The package of clothing and bedding etc. should always be in brown paper evidence bags where practicable
- In respect of footwear paper evidence bags with windows (where practicable) must be used (should photographs be required) Footwear **MUST** be bagged separately – one item per bag
- When brown paper evidence bags are used ensure that the items are placed within a clear bag and sealed with a recordable seal to maintain the continuity/chain of evidence
- Exhibits stained with wet or dried body fluid presents a health and safety risk; therefore, endorse the packaging with health bio-hazard tape

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- All exhibits must be clearly labelled and recorded on Niche. Any exhibits not correctly bagged, labelled and sealed will not be accepted by Evidential Property Officers and the OIC/Seizing Officer informed
 - Exhibits contaminated with accelerants are to be bagged and sealed in Nylon bags
 - Damp/wet clothing (where possible) must be dried before being bagged and sealed. Where clothing needs to be retained for forensic examination, IT MUST be dried and double bagged. If this is not feasible the OIC/Seizing Officer will arrange for its return at the earliest opportunity
 - Mobile phone/media devices submitted to MTU must be exhibited in a self-seal evidence bag
 - Exhibits with strong magnetic fields will have an adverse effect on digital media devices. These exhibits must be bagged, sealed and stored separately and sufficiently insulated to minimise the risk of erasing data from other stored devices. The bag must be labelled accordingly.

4. Use of security seals

When a seal is used to secure an exhibit, it must be entered onto Niche. Any subsequent breaking and re-sealing must be accurately recorded to maintain continuity of the exhibit.

All property taken into police possession must be recorded on either Niche Property, Holmes, or by using MIR Form 21 for MCIT cases. Seized motor vehicles are recorded on Elvis and will be updated by the vehicle recovery contractor.

5. Storage

Newly seized property will initially be held within an authorised Temporary Property Store until it is relocated to a Evidential Property Store. Officers / staff are reminded that each individual has ongoing responsibility for any property / evidence relating to a case they are investigating. Divisional Property Officers are solely custodians of these exhibits.

Property returned to owner(s) must have a completed Form 22 and scanned to Niche. Once completed the Evidential Property Store must then be advised so that the Niche entry can be updated.

NOTE – The Temporary Property Stores are the responsibility of the respective divisions or the nominated Divisional SPOC at each station. All property stored either within the Temporary or Evidential Property Stores remains the responsibility of the OIC or Seizing Officer.

All seized exhibits must be placed within a secure store as soon as practicable. Force policy states that property held in a Temporary Property Store can remain there for a maximum of up to 7 days. After this time period exhibits will be removed and relocated to a Evidential Property Store for storage, unless a longer retention period has been authorised by a Supervisor and a note attached identifying the authorising officer and the date to which the exhibit is required. The extension period can only be for a further 7 days.

The OIC/Seizing Officer must ensure that the exhibit(s) seized have been accurately recorded and all relevant information fields have been completed. Exhibits not correctly bagged, labelled and sealed will be rejected and the OIC/Seizing Officer informed.

6. Accepting property into the property store

Evidential Property Officers will not accept any property into the property store if the following have not been completed:

- The property has not been recorded within the Niche RMS Property system

- It is not packaged correctly or that poses a risk of injury, hazardous to health to property officers – bulky items need not be bagged (unless forensics are required) but they must be
- correctly labelled with a property reference number, a list of content and the OIC clearly identified. This also includes the non-use of Bio-Hazard tape when it is required.
- The property information recorded on Niche does not match the actual property exhibit
- The property bag has not been sealed with a property seal (where required).
- The seal or bag has been broken without explanation
- The information recorded within the Niche RMS Property system does not match the actual property
- Bulky items seized that may require forensic examination must be bagged, sealed and correctly labelled
- Firearms have not been made safe by an authorised Firearms Officer or Firearms Enquiry Officer

Any discrepancies will be brought to the attention of the OIC or their supervisor by the Evidential Property Officer. Property left in the Temporary Property Store or coming into possession of Evidential Property Officers without any identification as to its origins will also be referred to the Divisional SPOC to resolve.

Where the SPOC is unable to establish the origin of the unidentified item, they will create a property entry on the Generic Niche for the current month and complete an OEL entry outlining the action taken and authorise the Evidential Property Officer to dispose of the property.

7. Maintaining the property store

The Assets Supervisor with guidance from the Facilities Manager will ensure that stations are responsible for certifying that sufficient property storage of a secure nature is available within their areas of responsibility. Such storage areas shall be authorised for use only where the security of property and the health and safety of staff is commensurate with the type of property to be stored within it.

- Jewellery, watches, cash and other valuables will be retained in a locked safe or cabinet within an Evidential Property Store. The key to this safe/cabinet will be restricted to the Evidential Property Officer and, **where appropriate**, a local manager/supervisor
- It is essential for both the maintenance of security and the well being of staff that firearms are stored securely, and **in a separate cabinet** from ammunition. A secure cabinet(s) will be provided which enables firearms and ammunition to be stored in this way, and separately from other property. This cabinet will be within a secure property store and the keys to these cabinet(s) will be restricted to the Evidential Property Officer
- Any movement of property (internally) within or to another store must be recorded to ensure continuity
- Any movement of property from the property store will be recorded with details of the individual removing it along with the reason and date. The member of staff removing the property must sign out the property on the Niche record under the Information heading on the property record and endorse the OEL (where appropriate)
- When the property is returned to the Property Store the Evidential Property record will be updated by the Evidential Property Officer

8. Statutory Retention Requirements

The retention of all items of property taken into police possession must be for no longer than necessary and must be fully justified.

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- Officers will be reminded that the Human Rights Act 1998 requires that no one shall be deprived of their possessions except in the public interest and subject to the conditions provided by law
 - Where property can be returned to an owner no retention requirement is usually imposed by legislation
 - Specific retention requirements for certain classes of property are determined by legislation

Various statutory requirements relate to property seized or detained by the police and these are set out in the following subsection of procedure:

- Police and Criminal Evidence Act 1984 and Code of Practice, PACE and Code B.
- The Management of Police Information Guidelines (MOPI)
- CPIA, Criminal Procedure and Investigations Act 1996

9. Disposal

When a case has been concluded or discontinued it is the responsibility of the OIC in charge of the investigation to make sure that property, where there is no power to retain, is returned as soon as reasonably practicable after any examination/investigation. The authority to return or dispose of property will be subject of an OEL entry identifying the exhibits by their individual P tag number(s) and notifying the relevant Evidential Property Store.

Delay is only warranted if very clear and compelling reasons exist, e.g. unavailability of the person to whom the property is to be returned.

If Evidential Property Officers are not notified within 6 months of a case being concluded or discontinued, they will make their own decisions as to the appropriate disposal of the exhibits concerned based on their review of the case. Where an item of property is disposed of by mistake the seizing officer / OIC will be held responsible in that they did not inform Evidential Property Officers within the 6-month timescale.

[Appendix \(A\)](#) provides MOPI guidance for the Evidential Property Officers when undertaking reviews of property held by Wiltshire Police.

In disposing of property in the possession of the police, it is important that the integrity of Wiltshire Police is maintained, and a full audit trail recorded on the relevant database(s), used by Wiltshire Police in relation to the occurrence.

The Evidential Property Officer has the authority to determine the most appropriate method of handling and disposal for all property types held by Wiltshire Police. The general disposal options available to the police are (in order of preference):- Return to owner, Retention and use by the police, Sale by public auction, Donation to charity or Destruction.

In certain circumstances (i.e. disputed ownership, exceptionally high value) the Assets Supervisor will be consulted before property is disposed to ensure that procedure and legal requirements have been correctly applied. Disposal will be effective once authorisation is received, or after the required time period to any force letter has lapsed, with no response being received. All letters must be sent recorded delivery, with the tracking number recorded within Niche either on the letter attached to the reports tab or as an OEL entry for future reference.

In respect of controlled and prescribed drugs etc. Once in receipt of the required authority, Evidential Property Officers will update the database holding the record and then place the item(s) in the correct receptacle for collection by the relevant disposal contractor. This may include the breaking of property seal(s) to allow the Evidential Property Officers to comply with the specific waste contract requirements.

Where controlled drugs have been bagged, prepared and sealed for collection, the Assets Supervisor or other authorised person will have the authority, to perform a random dip sample prior to collection by the contractor for incineration.

10. Receipts

All exhibits (property) being returned to an owner or authorised person/agent will need a completed Form 22, this will then be countersigned by the person returning the item(s) and the Form 22 scanned to the relevant Niche occurrence.

11. Return to owner

Victims Rights Code of Practice, Section 10.5 stipulates that; if the police took any of a victim's property as evidence, victims have the Right to get it back as soon as it is no longer required.

In instances where property can be returned any owners of property will be established and every reasonable attempt made to contact the legal owner. When an item of property is to be returned to an owner, it will be collected by the owner from a Wiltshire Police premises in order to minimise cost and inconvenience to the organisation.

Other means of returning property to the owner may include delivery, courier, by hand or being sent to the nearest operational station for the recipient to collect.

When property is being disposed of by other means an appropriate authority entry must be recorded on Niche.

In instances where authorisation is given for disposal over the phone from the property owner, the caller's details must be obtained including the date and time of when the call was made. These details must be recorded as an OEL entry within the relevant occurrence by the call taker. Where possible the property owner should be asked to send written confirmation via the Special Property email box authorising the disposal.

If items are to be returned via post or courier a record of posting or collection will also be obtained and scanned onto the relevant occurrence on Niche. Wiltshire Police are not responsible for items damaged in the post; whilst items will be packaged sufficiently, they are sent at the owners' risk'.

In instances where property is unclaimed, a letter will be sent to the legal owner, explaining that it will be disposed of accordingly under the Police (Property) Act 1897, as amended as by the Police (Property) Act 1997 if not collected within **28 days**.

After the 28 days, disposal of the property will be acceptable under the Torts (Interference with Goods) Act 1977. Section 12 (3) states that providing the following have been met the property may subsequently be disposed of by sale or other means, in accordance with the guidelines laid down elsewhere in this guide:-

- Notice has been given to the owner, of an intention to dispose of property under this section
- The police have failed to trace or communicate with the owner, with the intention of giving them such notice (having taken reasonable steps to do so)
- The police are reasonably satisfied that the person is the owner of the property.

Wiltshire Police will not store property on behalf of an owner or other third parties if the property is unable to be collected, or not collected following arrangements to collect. Every reasonable attempt must be made to contact owners of property using the most up-to-date contact details available on Niche. Wiltshire Police is unable to accommodate for changes of contact details that they themselves have not been notified of.

In instances where it is judged that the return of property may cause emotional distress to an individual, property will be destroyed in preference to return.

Wiltshire Police will not return property which would, if the packaging holding the items was opened, present a significant hazard to its staff.

12. Force Leavers – Checked Out Property and Crime Files

All officer's and staff leavers are responsible for ensuring that all checked out property or crime files are actioned accordingly prior to leaving the force. This forms part of the 'Exit Checklist' completed by the individuals' line manager.

13. Other Documentation

Paper exhibits must be returned to the Divisional Archivists. The Archivist will then weed the paperwork in line with MOPI guidelines.

DVD and audio copy interview/witness tapes must be returned to the Digital Evidence Officers (formally Tape Librarians) for the appropriate disposal/review in line with MOPI guidelines on return from Court.

All other DVD, video or audio copies will be disposed of in line with the other Evidential property requirements as stipulated in this procedure.

14. Disclaimer

Where an owner has relinquished any rights to the property, the property may only be disposed of once the Form 22 disclaimer has been completed and scanned to Niche. If a disclaimer is obtained in a pocket note book a copy of these records must need to be scanned to the relevant Niche occurrence. In both cases the Evidential Property Store must be informed by email.

15. Property subject to disputed ownership

Where an item of property in the possession of Wiltshire Police is no longer required to be retained for police purposes and ownership is claimed by more than one person, the Evidential Property Officer or (in the majority of instances) the OIC are responsible for arranging disposal of the property in accordance with the following guidelines.

- The Evidential Property Officer or the OIC will arrange for the property to be returned to the person who appears to the officer to be the owner, where the item was not previously reported stolen and no other person appears to have a better claim this may be the person from whom it was originally seized. When an item was originally stolen title remains with the original owner and cannot be transferred to an innocent purchaser
- The officer will advise any other claimant that this will take place within 14 days unless they commence proceedings under the Police (Property) Act 1997 and notifies the police of this.
- When the Evidential Property Officer or OIC considers the value of the property is likely to exceed **£5,000** they will (at time of sending letters to claimants) submit a brief report of the circumstances to the Assets Supervisor
- At the expiration of the 14-day period (unless instructed otherwise by the relevant manager/supervisor) return the property to the owner and obtain a signature from the owner on the Form 22
- When an officer is unable to decide between two competing ownership claims they will seek advice from their immediate supervisor.

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16. Property Claims

Property claims can arise for a number of reasons including alleged damage to property, alleged loss of property and alleged destruction of property. Any claims received by the Evidential Property Store will be dealt with in accordance with [Appendix C](#)

17. Sale by Public Auction / Wilsons Auctions

Property appearing to have some value that could be realised by sale will usually be disposed of by way of Wilsons Auctions. In public auctions the auctioneer accepts liability for compliance with relevant consumer protection legislation and employs suitably qualified staff to check items prior to sale. For information please refer to the [Wilsons Auction for the Disposal of SPR Procedure](#).

18. Retention and use by Police

Regulation 7 of the Police (Property) Regulations 1997 permits the retention by police of items of property that are of such specific use that it would be more efficient to keep them for use in the police service rather than having to sell them at an inadequate price on the second-hand market.

Where an individual considers that an item of property in the possession of the police may be utilised for police purposes, he/she will report the circumstances to the Assets Supervisor or Justice Assets Manager who will consider the matter. A record will be made of the rationale supporting this decision.

The Purpose for which the property is used must be related to training or operational needs and used as a Divisional / Departmental / Force resource. It must not be retained by any one individual. Divisions / Departments must keep a record of property retained for police use.

19. Donations to Charity

In disposing of property that is likely to attract minimal value by way of sale or excessive inconvenience to sell it is only right that Wiltshire Police consider whether a charitable organisation could make effective use of such items. A charitable organisation is, for the purposes of this procedure, an organisation registered under the charities Act 1993 (a Registered Charity) or a non-profit making voluntary organisation approved by the Divisional / Department Commander, engaged in activities in support of communities within Wiltshire Police area.

Certain types of property may not be disposed of to charitable organisations **unless the property officer is satisfied that the organisation routinely repairs / recycles that type of property before it is supplied to any member of the public.**

The types of property to which this procedure applies includes:-

- Any electrical item
- Cycles
- Any other item that may, if not examined by a suitably qualified person, be likely to represent a risk to a future user of the item if it not repaired or refurbished, e.g. children's toys
- Mobile phones
- Any item which contains or could contain (if it cannot be confirmed) personal data

20. Destruction

When it is not the public interest to dispose of property by sale, retention for police use, charitable donation or where it is inappropriate to be returned to the rightful owner, the property will be destroyed.

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Methods of disposal include general rubbish or approved agent(s), incineration and shredding. In disposing of items as waste, wherever possible property will be damaged sufficiently to prevent reuse and dissuade individuals from unauthorised removal of items placed in skips or bins etc. For further information; see [Appendix \(B\)](#)

Any documentation that contains personal data as defined by the Data Protection Act 1998 and GDPR must be destroyed via confidential waste or any other method that will prevent that information being accessed by a third party.

21. Special Disposal Provisions

Certain property will be given evidential disposal provisions, see below for details.

21.1 Computers and computer media

Computers and computer media will be destroyed in the following circumstances:

- Computers containing personal data as defined by the Data Protection Act 2018 / GDPR
- Computer media such as discs, tapes and hard drives that contain confidential or privileged material, personal data or unlicensed or defective software.

The Evidential Property Officers will only dispose of this property if they are in possession of a 232 report (signed off by an authorised Inspector) or relevant Court Order. If no Court Order exists authorising disposal. In addition to the 232 report the Evidential Property Officer will need to serve a S.39 Forfeiture Notice on the owner who has one month to respond. A copy of the S.39 Notice must be scanned to Niche and the letter will be served by recorded delivery.

21.2 Mobile phones

Like computers mobile phones are likely to contain personal data, (both on the SIM card and on the phone memory itself) and adequate steps must be taken to ensure that the Data Protection Act 2018/GDPR principles are not transgressed.

21.3 Firearms, Ammunition and Pyrotechnics

Surrendered firearms, ammunition and fireworks together with any firearms, ammunition and fireworks subject to a forfeiture order under the Police (Property) Act 1897 will be forwarded to the Evidential Property Officer for destruction once such destruction is permitted or, where authorised.

- Firearms authorised for disposal are to be handed over to a Divisional Armourer as required and are to be destroyed by smelting and witnessed by a Police Officer
- Firearms of historic interest will be brought to the attention of the Manager of the Firearms Licensing Department who may dispose of these weapons via a Museum or other such organisation
- Ammunition authorised for disposal are to be transferred to the possession of the Army Bomb Disposal, RLC, EOD, for disposal
- Where items are being destroyed by a third party, a list will be signed by the person taking possession of the property and this list will be retained by the Evidential Property Officer
- Storage and disposal of PAVA incapacitant spray will conform to the instructions given in the Force Procedure
- Fireworks that are seized will be immediately transferred to Headquarters or enquiry offices that have suitable explosive storage boxes on site to facilitate safe temporary storage
- Any seized or surrendered flares must be immediately referred to the Assets Supervisor and placed in explosive storage boxes located as above.

21.4 Explosives Material

Explosive Materials consists of items such as Black Powder, Flares, Grenades etc... These items will be placed in the storage provided either at HQ when handed to an officer. Or if handed into the Enquiry Offices, in the explosive storage provided. Until such time as the EOD can collect from site. These items will **not** be moved around the Wiltshire Police estates unless necessary.

21.5 Knives dangerous instruments and offensive weapons

Knives, dangerous instruments and offensive weapons surrendered or subject to forfeiture order will be destroyed in accordance with legislation. Please consult relevant contract supplier as per [Appendix B](#)

21.6 Drugs

Controlled drugs will be disposed of appropriately via incineration which includes dried cannabis plants.

Fresh Cannabis Plants for Destruction (only)

It is the OIC's responsibility to secure all sample plants for evidence. All remaining 'bulk' cannabis plants must be placed in sealed bags with P.No's and recorded on Niche for storage in Evidential property Store.

After a minimum of 14-days the bags will then be removed and destroyed by EPS staff, irrespective of the OIC authorising disposal. The Niche property record(s) will then be updated to show that the cannabis plants have been destroyed.

The Waste Skip will be secured at all times and covered by 24-hour CCTV.

The Assets Supervisor will arrange collection of the skip once full to be taken to green waste landfill. Contact the Assets Supervisor for further details.

With respect to the disposal of the Cultivation equipment please see the [Cannabis Factory Procedure](#) which details the procedure involved.

With the exception of Cannabis plants and syringes all drugs seized **MUST** be bagged, tagged, sealed and weighed by the Officer.

TESTING – Drugs that are not immediately identifiable require further testing. Advice can be sought by the force Drugs Expert Witness Co-ordinator.

21.7 Alcohol / Intoxicating Liquor

Where it is considered necessary to retain evidence of alcohol, a photograph must be taken by the OIC, recorded onto Niche and booked into Evidential Property Store. Such alcohol will be disposed of following a period of 28 days from the date of seizure, unless advised to retain for longer period by the OIC. If the alcohol is appropriate for resale, this will be disposed of via public auction.

NB – If an officer seizes intoxicating liquor from under 18's or in non-designated areas, this will be dealt with in accordance with current SOP.

21.8 Perishable Goods

Evidential Property Officers in general **will not** accept perishable goods unless required for forensic testing. In instances where there is no alternative, unclaimed foodstuffs will be destroyed within seven days by Divisional Property Officers.

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Perishable goods that become objectionable may be destroyed at any time. Where practicable, the OIC will endeavour to have a photograph taken of any perishable items before destruction or return to owner (where circumstances allow).

21.9 Propane / Butane Gas Cylinders and Fuel

Propane / Butane Gas Cylinders will be handled with care and stored in designated areas. Once retention is no longer required the relevant supplier will be contacted for assistance in disposing of these items. British Oxygen Company (BOC) gas cylinders will be returned to them.

Fuel should not be seized unless absolutely necessary. If seizure is required, fuel should be stored in its relevant container(s) and immediately requested to be collected by the dedicated contractor for appropriate storage.

Where the supplier is unidentified, disposal will be undertaken by the Force Waste Contractor – See [Appendix B](#)

21.10 Money and Cryptocurrency

For further information see [Seizure and Retention of Money Procedure](#)

For further information see [Seizure and Retention and of Cryptocurrency Procedure](#)

22. Continuity of Exhibits

Evidential Property coming into police possession must be recorded using the correct process. It is imperative that the continuity and integrity of all property is maintained throughout the property process and that records are kept accurately and in accordance with MOPI. All movements and actions in relation to any exhibit(s) will be recorded in Niche to provide continuity until the exhibit(s) leaves force possession.

23. Functions and Responsibilities Summary

23.1 The Assets Supervisor

The Assets Supervisor is to ensure the proper administration of the Evidential Property Offices on behalf of the Management Team. This includes the following,

- Confirming items for disposal have the appropriate authorisation (where appropriate/necessary)
- Auditing records to ensure accurate correlation between computer, paper records and the physical storage of the items
- Overseeing the sale of property via auction or local disposal
- Provide reports/feedback to the Justice Assets Manager regarding the performance and running of the Evidential Property Stores
- Ensure the design and function of the Evidential Property Store complies with Health and Safety Regulations
- Provide line management support for the Evidential Property Officers.

23.2 Evidential Property Officer

Evidential Property Officers are responsible for the proper administration of the various functions in respect of seized property, and for ensuring that all items of property entering the store are;

- Accurately recording all movements of property
- Secure storage and disposal of any possible hazards
- Undertake evidential property reviews and the disposal of in accordance with Force Policy.

23.3 The Justice Assets Manager

The Justice Assets Manager has responsibility, ownership and overall decision-making powers in respect of property within the force storage centres.

The Justice Assets Manager will ensure that all legal requirements as stipulated in this procedure document are adhered to. The Justice Assets Manager will delegate such responsibilities and duties to the Assets Supervisor and Evidential Property Officers as he/she deems fit.

23.4 Officer Booking In (OBI) / Officer in the Case (OIC)

It is the responsibility of the OIC or seizing officer to ensure that property is;

- Booked on Niche as soon as is practicable, ensuring accuracy
- It is bagged, sealed and labelled correctly
- That an exhibit label is completed for each exhibited item
- The integrity and continuity of the evidence is maintained
- Property is either placed into the Temporary Property Store or taken directly to the Main Property Store
- Authorise appropriate disposal of all the property relating to their investigation(s).

24. Retention and Disposal of Special Property (Seized Property)

During an investigation evidential property is collated in a variety of forms and booked onto Niche as an exhibit. Some items will contribute to the understanding of the circumstances of an offence or the risk the defendant poses to society.

A distinction is made between property that provides information about an individual and property that provides information towards an investigation. The former contributes to enhance the ability of the police service to undertake future operational detections and apprehension of crime; such information will need to be retained for the time period specified by the CPIA & MOPI Code of Practice.

Conversely, records that provide information towards an investigation are useful as long as Wiltshire Police is likely to further that enquiry. Following the closure of an investigation, that record becomes historic. **The greatest bulk of Evidential Property and exhibits will become historic once the likelihood of their future use has ceased and the case has been closed.**

[Appendix \(A\)](#) provides guidance for the Evidential Property Officers when undertaking reviews of property held by Wiltshire Police.

25. Storage and Retention of Pocket Notebooks (PNBs) and Blue Books (BBs)

All PNB's and BB's must be securely stored / retained when no longer required. Please ensure the following criteria are met before transferring PNBs or A4 BBs to **Salisbury EPS** for storage: -

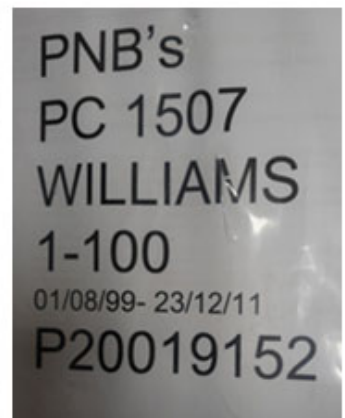
- Using **only** the **Salisbury** Generic Niche Occurrence (see below instructions) for the **month of transfer** – create a Niche Property ('P' ref) entry within the 'Involved police generated data' property category – provision for separate general or MCIT-related PNB & BB descriptions are available.
- Use only **EPS-supplied** cardboard storage boxes (see picture below) when transferring **more than** 40 PNB's or 5 BB's. Place each storage box within a separate outer plastic bag & secure with a recordable seal – provided.
- **1 x Niche 'P' ref for each storage box/bag.**
- Only books for the **same Officer to be within a sealed box / bag.**

- Clearly label the storage box/bag with: **Niche Property 'P' Ref, Officer Name, Shoulder Number, Contents (i.e. PNB's or BB's), Start & End Date of Officer's Service to which the books refer, Op. Names** if applicable (see example below).
- Record box/bag label details in the Niche Property 'remarks' box.
- Record the outer seal on the newly created Niche Property entry.
- SPR Transfer Form 918 to be completed by the sender & forwarded with boxes/bags listing: each transfer box/bag 'P' ref & seal (exhibit ref optional); SPR will check & sign on receipt & scan the transfer form onto the relevant Niche Occurrence.

All the above represent the minimum recording & packaging standards deemed essential by EPS to ensure & prove secure transfer & for consistent & efficient long-term storage. Failure to comply will result in items being refused by Divisional Drivers or returned to the sender by EPS.

The screenshot shows the Niche Property system interface. At the top, there's a message: "Please ensure that where property is seized and there is no existing occurrence - this is a NEW! REPORT. Where there is a correct occurrence then that must be used - use of these generic occurrences will be monitored and abuse will be strictly policed. Thank you". Below this is a navigation bar with tabs: Involvements, Reports (Filtered), ID numbers, Tasks/Flags, Current Officers, Property, Case, Related, Events, Occurrence MO. The main area displays a table of items with columns: Type, Class, Desc, Serial #, State, Location, Tag #, and Notes. The table lists various items like 'Machinery or tools: Hand tools', 'Personal accessories: Cosmetics/Ta...', 'Weapons: Knife/Dagger/Broken bot...', 'Machinery or tools: Hand tools', 'Police form/Document: Pocket note...', 'Personal communication device: Mo...', 'Personal accessories: Bags/Handba...', 'Weapons: Knife/Dagger/Broken bot...', 'Police form/Document: Pocket note...', and 'Cannabis plants: Cannabis plant 3000'. A context menu is open over the 'Police form/Document: Pocket note...' entry, showing options like 'Arrange scans', 'Filter', 'Link new', 'Data', 'Properties...', 'Print', and a list of involved items including 'Involved alcohol', 'Involved animal', 'Involved bicycle', 'Involved cash, securities & id', 'Involved drug & paraphernalia', 'Involved firearms, ammo & explosives', 'Involved general property', 'Involved investigative samples/forensics', 'Involved police generated data', and 'Involved watercraft boat motor'.

The screenshot shows the Niche Property system interface with the 'Property' tab selected. The 'Property' section displays fields for 'Id #', 'Type', 'Start', 'End', 'Common name', 'Police id', and 'Label desc'. A red arrow points to the 'Type' field, which is labeled 'F3'. The 'Selector' window is open, showing a list of items to select from. The list includes: 'Major crime-HOLMES records - Major Crime - Original Documents Folder', 'Major crime-HOLMES records - Major Crime - Pocket Notebook', 'Major crime-HOLMES records - Major Crime - Police Suspect Extradition', 'Major crime-HOLMES records - Major Crime - Seized Property/Exhibits Regit', 'Major crime-HOLMES records - Major Crime - SIO Journal', 'Major crime-HOLMES records - Major Crime - Other Major Crime/HOLMES R...', 'Police form/Document - Firearms register', 'Police form/Document - First contact notes', 'Police form/Document - Hand copy file', 'Police form/Document - Interview notes', 'Police form/Document - Lost/Found property register', 'Police form/Document - Pocket note books', 'Police form/Document - Prosecution file', 'Police form/Document - Seized property/Exhibits register', 'Police form/Document - Statements M11', 'Police form/Document - Threat register', 'Police form/Document - Warrant register', and 'Police form/Document - Other Police Form/Document'. The 'Select' button is highlighted.



The screenshot shows the Niche Property system interface with the 'Property' tab selected. The 'Property' section displays fields for 'Id #', 'Type', 'Start', 'End', 'Common name', 'Police id', and 'Label desc'. The 'Type' field is set to 'Police form/Document', the 'Common name' is 'PNB's', and the 'Label desc' is 'PNB's 1-100 01/08/99- 23/12/11 belonging to PC 1507 WILLIAMS'.



To search for a Generic Niche Occurrence: -

- Go to the Launch Pad and select 'Detailed Find' Occurrence Tab
- Using capital letters in the 'Summary' field, enter the **Station Code**, first 3 letters of the **Month**, the last 2 figures for the **Year** you wish to search and then the wildcard asterisk (*) in the summary field and select 'Find Now' – **Example: - DDFEB14***
- When the 'Please Confirm' message this box appears select – **YES**, your search will then reveal the Generic Niche Occurrence.

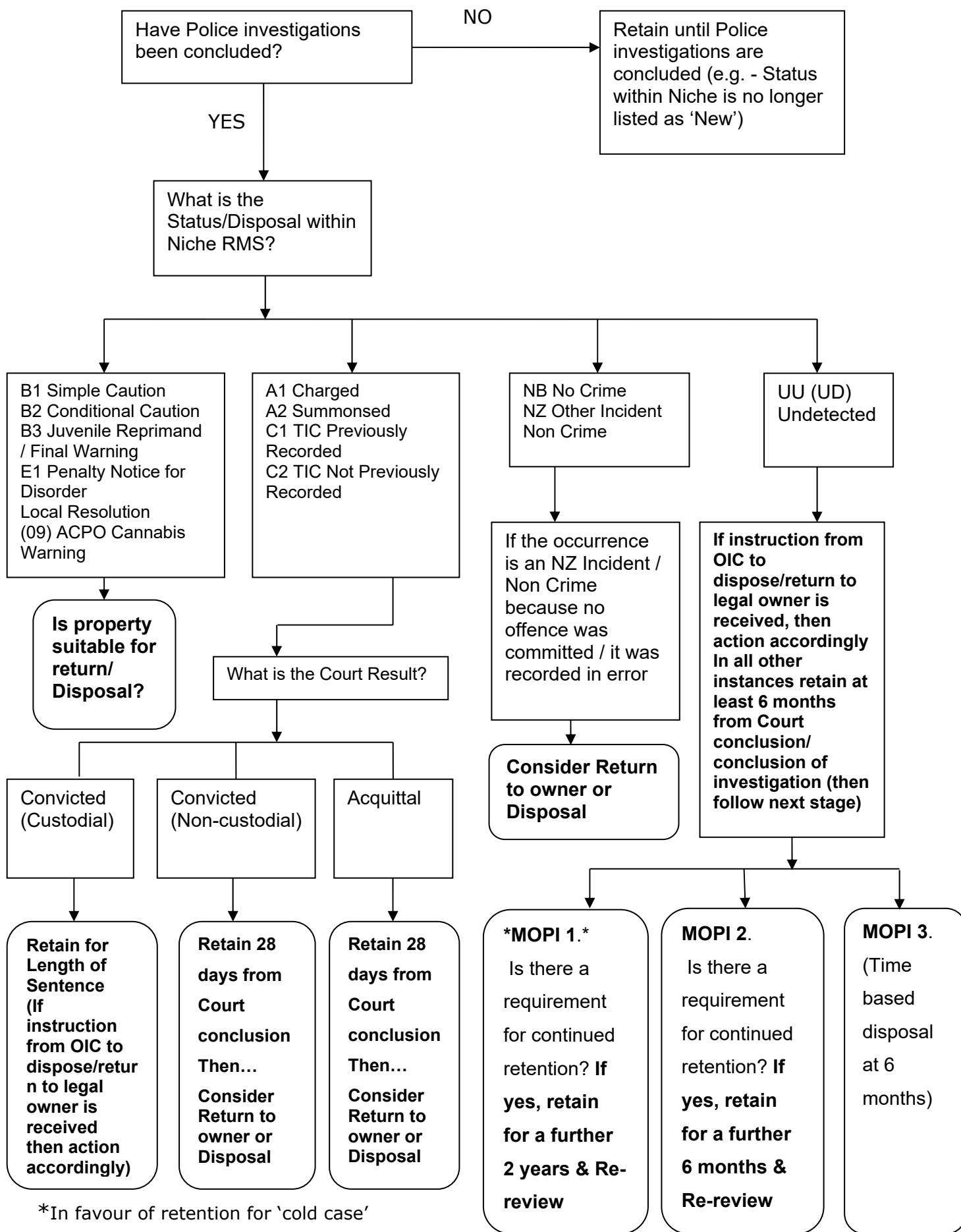
26. Out of Force Sharing Requests

The [Ad Hoc Information Sharing Form](#) is to be completed where information held within Evidential Property is to be shared outside the organization. This will include other forces requesting Evidential Property (or part of it) or other agencies and partner organizations being provided with information outside the normal criminal Justice process involving transfer of material to Crown Prosecutions (CPS).

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Appendix (A)

Review, Retention and Disposal of Special Property Guide (Decision Making Flow)



Review, Retention and Disposal of Special Property Guide (Guidance Notes)

The suitability of an item for return to the legal owner will need to be judged on a case by case basis. Evidential Property Policy and Procedure states that:-

- **In instances where it is judged that the return of property may cause emotional distress to an individual, property will be destroyed in preference to return**
- **Wiltshire Police will not return property which would, if the packaging holding the items was opened, presents a significant hazard to its staff.**

Wiltshire Police will make every reasonable attempt to return property to its legal owner. Evidential Property Policy and Procedure states that:-

- **Wiltshire Police will make every reasonable attempt to contact owners of property, using the most up-to-date contact details available within Niche RMS. Wiltshire Police is unable to accommodate for changes of contact details that they themselves have not been notified of.**

Property Review

The severity, circumstances and MOPI Grouping of the incident need to be considered when judging if there is a requirement to retain exhibits at this point. Special care needs to be taken specifically when accessing the retention of exhibits linked to MOPI Group 1 offences and in line with CPIA legislation.

Requirement for Retention – The retention number (in years) is from the date the incident occurred.

In instances where there are queries or further advice is required contact the Assets Supervisor.

Appendix (B)

Supplier Disposal Contact Details and Guidance Notes

The Southwest Police Procurement Department completed an open tender process for the provision of Waste Management Services for Devon and Cornwall, Dorset and Gloucestershire, Wiltshire, Gwent and South Wales Police. This procurement was run in accordance with the Open procedure set out in the Public Contracts Regulations 2006. The Contracts start date is 1st April 2020 and will run until 31st March 2029. Supplier details are listed below:

PHS Group – Clinical Waste – Sharps receptacles (incl. contaminated knives), medical waste, biohazard bags, miscellaneous contaminated waste, pharmaceutical waste.

Contact Information – Gina Barthus, M: 07867 162395, Email: ginabarthus@phs.co.uk Main contact no. 02920 809750 or SWWPolice@phs.co.uk

WasteCare – Hazardous Waste (incl WEEE) – Fluorescent tubes, WEEE, appliances, mattresses, tyres, batteries, liquid waste (incl. interceptors & tanks), animal faeces and vehicle waste, oil / coolant disposal.

Contact Information – Jon Hayns, M: 07552 163687, Email: jon.hayns@wastecare.co.uk Main Wastecare Email: www.wastecare.co.uk Main contact no. 0113 3854321

MITIE – Specialist Waste – Drugs (incl. seized drugs), associated drug equipment and soil, sharp edged weapons, firearms and lead shots

Contact Information – Cara Williams, T:0844 800 3980, M:07880 043956

Email: cara.williams@mitie.com or waste.sales@mitie.com Main contact no. 03306780710

TIER 1 – IT Disposal – Computers, Laptops, Sat Navs, Mobiles etc.

(Note: Tier 1 cannot accept any biohazard items for disposal, these item types must be disposed of via WasteCare).

Contact Information – Jonny Cainer, M:07967 961884, Email: jcainer@tier1.com Main contact no. 01617771025

SITA UK – Metal Waste / Skips – Brass, aluminium, steel, bicycles, engines, furniture, filing cabinets and miscellaneous metal waste. **NB** – Whilst we should use SITA UK for this Wiltshire Force has remained using **Wiltshire Waste (now the Grist Group) – Scrap Metal**, this is due to them providing a free skip / collection service and they then keep the money they make and has no costs to the force.

Contact Information (GRIST) – Main contact no. 01380 730411 Email: info@gristenvironmental.com

Guidance Notes

For all of the above contract services, the following process must be adhered to:

All SPR hubs have a budget code for waste disposal – **CD426 G1402**. You will also need to annotate a location code with this depending on which site the waste is at; **Old Sarum – 4113, Gablecross – 1401, Melksham – 1012**.

- Collate a listing/volume of the waste products you want to dispose of; then email this to the relevant contractor supplier above requesting a quote for the works. They may also request photos
- Once you have received the quote back, email this to Assets Supervisor / Justice Assets Manager for spend approval. Once received email the BuyingCoordinators@wiltshire.police.uk attaching the quote provided along with approval from the Justice Assets Manager. Please also annotate the specific budget and location code details noted above. Request them to raise a Purchase Order for the attached quote and send Purchase Order back to 'you' so you can raise the order with the relevant supplier (this is to enable you to coordinate the details of collection)
- Once you have received the Purchase Order from the Buying Coordinators, email the Purchase Order to the relevant supplier and arrange a mutually agreeable date for collection
- You will need to inform the enquiry office of their intended arrival so that the relevant arrangements can be put in place to allow them access to the rear yard.

All consignment notes and hazardous waste notes must be retained on file for 3 years – this is a statutory requirement.

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1. Property Claims

The Evidential Property department operates a robust approach to any incident resulting in a property claim. It is acknowledged, however that there is a requirement for a procedure to be set in place should a property claim arise. Property claims can arise for a number of reasons including alleged damage to property, alleged loss of property and alleged destruction of property.

2. Claims dealt with

The Evidential Property department will only deal with compensation claims relating to Evidential Property that are suspected or alleged to be the fault of the Evidential Property department. The Insurance and Litigation Manager will be consulted with regards to compensation claims relating to other areas of the business.

3. Initial claim process

In the first instance the Evidential Property Officer must attempt to resolve any person's enquiry **before** it is established that a property claim can be made. If the matter cannot be resolved by the Evidential Property Officer, the claimant will be advised to put their claim in writing to the address below and complete a detailed OEL entry (where the Niche Occurrence is known),

Litigation and Insurance Manager
Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN

Email – InsuranceandLitigation@wiltshire.police.uk

The claimant will be advised that the claim must contain details of,

- The claimants correspondence address
- The claimants contact telephone number
- Details of the property involved (including make/model and date when originally purchased)
- The purchase price (original receipts will be sent)

The property claim cannot progress until the above has been completed and received.

At no time will any member of staff confirm property has been lost or damaged until the claim has been investigated. At no time will any member of staff confirm that compensation will be paid until the claim has been investigated.

The Evidential Property Officer will contact the Assets Supervisor giving them prior warning of the claim and explain the circumstances with regards to the claim. If damaged property is subject of a claim this will not be destroyed until the claim has been investigated and finalised.

4. Receipt and recording of claim

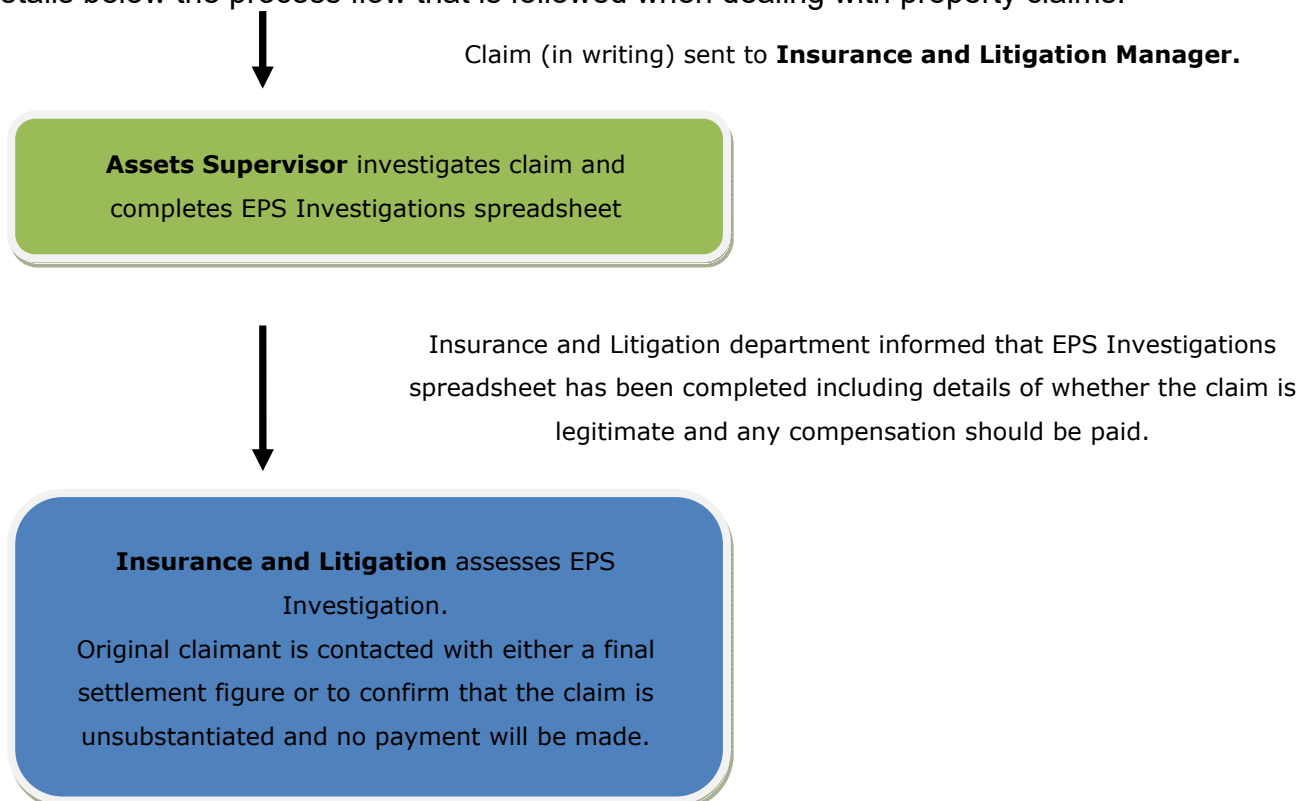
The Assets Supervisor will deal with the investigation of all claims. To ensure that an audit trail is completed all investigations are recorded; the EPS Investigations spreadsheet will be completed fully in each instance.

The spreadsheet contains details of,

- **Evidential Property/Offence details;** includes person investigating the claim, which division the claim originated from, EPS reference linked to the claim, offence linked with the claim, date the property linked with the claim was seized and the progression of the police investigation at the point of disposal – if the property was disposed
- **Details of decision;** includes the circumstances of the claim (i.e. – disposal or damage) following investigation, staff involved, any relevant dates or rationale recorded and if the property was disposed – was disposal justified
- **Action taken;** includes details of any action taken (including process reviews), the date the action was taken and whether the circumstances were explainable – this is a key point as an auditable trail ensures lessons can be learnt and there is accountability for actions/decisions made
- **Claimant details;** includes claimant details, details of the property associated with the claim (including total claim cost), whether after investigation the claim has been judged as legitimate, payment status, agreed payment amount (if justifiable) following investigations and the estimated payment date
- **Overall comments column**
- **Insurance and Litigation column**

5. Dealing with claims – process

It details below the process flow that is followed when dealing with property claims.



6. Dealing with claims – timescales

Wiltshire Police will endeavour to finalise each claim (from the receipt of the initial claim in writing) within a **28 day** turnaround.

Evidential Property Officers have up to **7 days** (from the receipt of the enquiry) to resolve it in the first instance (before the claimant is advised to put the claim in writing).

WILTSHIRE POLICE FORCE PROCEDURE



Seizure and Retention of Money

Date of Publication: September 2020
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PROCEDURE OVERVIEW

The aim of this document is to ensure the same procedure is undertaken in all circumstances, with the exception of Lost/Found property, and Money seized pursuant to Section 1 to 3 of the Anti-Terrorism, Crime and Security Act 2001. All money coming into the possession of the Wiltshire Police will be treated as an exhibit seized as part of a formal Police investigation.

This procedure details:

- the manner in which money will be seized and counted
- the manner in which the seizing or detention of any money will be recorded
- when it will be retained in its original form
- when it will be treated as unused material
- when it will be placed in an appropriate bank account
- the safeguards surrounding the handling of money
- the manner in which money will be returned, confiscated or forfeited
- the manner in which money will be seized under civil proceedings
- the manner in which contaminated money will be treated

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[Seizure, Storage, Retention and Disposal of Special Property](#)
[Sudden Death Procedure](#)

AUTHORISED PROFESSIONAL PRACTICE

[Investigation > Investigation Strategies > Financial Investigation](#) > Cash Seizure.

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING and REVIEW

This procedure will be monitored through the,

- Quality of items booked into Special Property (and subsequent rejections)
- Legal compliance relating to the handling storage, retention and disposal of Money seized,
- Maintaining of integrity and correct management of Special Property throughout its lifecycle

This procedure will be next reviewed in September 2022 by the FAIT Manager.

WHO TO CONTACT ABOUT THIS PROCEDURE

This procedure is the responsibility of the Financial and Asset investigation Team.

1. DEFINITION OF MONEY

This section describes the way that money comes into Police possession and how it will be classified.

1.1 Category 1 - Money Treated as Found Property

Money is treated as found property when it is handed into the Police via Police Officers or Members of the Public and there is no apparent owner or connection with any police investigation.

Money that is treated as found property will:

- be retained at the Police Station concerned
- be recorded as Found Property within the Found Property Register
- be returned to owner / finder (after relevant period of time)
- **not** be placed in any bank account

1.2 Category 2 - Money Taken from Sudden Deaths (Non Criminal)

Money in this category is defined as:

- money found on a person, vehicle or premises of an individual that is:
- the subject of a sudden or unexpected death, and
- where the matter is **not** being treated as a major crime

Money seized in this category will be:

- collected and recorded in accordance with the 'Seizure and Retention Procedure' section
- initially stored in an appropriate safe or secure cabinet in accordance with the ['Storage'](#) section
- will be dealt with under the instructions of the relevant Coroners Officer in accordance with the ['Retention and Banking'](#) section

1.3 Category 3 - Money Taken from Sudden Deaths (Criminal)

Money in this category is defined as:

- Money found on a person, vehicle or premises of an individual that is the subject of a suspicious death and
- Is being treated as a major crime

Money seized in this category will be:

- collected and recorded. (See [Seizing and Recording Procedure](#))
- initially stored in appropriate safe. (See [Storage](#))
- dealt with under the instructions of the relevant Coroners Officer ONLY on the authority of the Senior Investigating Officer. (See [Retention and Banking](#)).

1.4 Category 4 - Money Seized Subject to the Recovery of Cash in Summary Proceedings

Money in this category is dealt with under Section 294 of the Proceeds of Crime Act 2002 and is defined as money that is reasonably suspected of being:

- Recoverable property, or
- Intended by a person for use in unlawful conduct

Money seized in this category will be:

- collected and recorded. (See [Seizing and Recording Procedure](#))
- initially stored in appropriate safe. (See [Storage](#))
- collected and banked. (See [Retention and Banking](#))

1.5 Category 5 - Money Seized Subject of a Police Investigation

The table below describes the various ways money comes into police possession and the way it is defined in respect of a criminal investigation:

Definition	Description
Seized from an offender or scene and treated as an exhibit of evidential value.	• Money seized from an offender and is of such significant evidential value that it must be retained in its original state • The display of the actual money seized will be of significance in any court proceedings
Seized from an offender or scene and treated as an exhibit for forensic examination.	• Money seized from an offender to be forensically examined <u>Example:</u> Fingerprint examination, handwriting examination or hoovering (drug analysis) as part of an investigation.
Seized from an offender or scene and treated as an exhibit of evidential value, or as the proceeds of crime for confiscation purposes, or retained for safe keeping.	Money seized from an offender or scene either: • as evidence into the lifestyle of the individual or the extent of their dealings, or • believed to be the proceeds of a crime under investigation, or • required to be retained for safe keeping pending the identification of a true owner. • Police and Criminal Evidence Act 1984 (PNLD Ref S2) • Proceeds of Crime Act 2002 (PNLD Ref S477)

2. POLICE POWERS

2.1 Powers of Seizure

Specific civil power of cash seizure in excess of £1,000 can be found in [Section 294\(1\) and 294\(2\) Proceeds of Crime Act 2002](#)

The general power to seize money can be found in [Section 19\(2\) and 19\(3\) Police and Criminal Evidence Act 1984](#)

2.2 Powers of Retention

Specific detention of cash in excess of £1,000 can be found in Section [295](#) and [296](#) Proceeds of Crime Act 2002

The general power to retain money can be found in [Section 22 Police and Criminal Evidence Act 1984](#)

3. INITIAL SEIZURE and COUNTING

Any money seized has the potential of being a source of significant forensic evidence in relation to any police investigation. The restricted handling of the money must be considered.

Officers should not count cash unless it is decided at an early stage that the money is not to be forensically examined. There may be circumstances where it is necessary to remove the cash from a container, this should also be completed without counting the money. The container should be preserved in the same manner as the cash.

Counting cash is likely to cause forensic contamination, spoil subsequent tests, and may result in the integrity of the officer being called into question.

It is also advisable to avoid the following:

- taking the cash to a custody suite that is potentially contaminated with drugs, explosives or other substances
- placing property on floors or contaminated surfaces
- using officers who have recently been, or could have been, in contact with drugs, explosives or other substances
- handling the cash any more than necessary
- letting the person found in possession of the cash touch it
- removing the cash from its wrapping, container or bag.

3.1 Photographing, Videoing or Witnessing the Process

Initial seizure should be photographed / video recorded or witnessed by a supervisor.

When no supervisor is present the process must be witnessed by either:

- A Police officer or Wiltshire Police designated investigator.
- The person from whom the money has been seized.

The process will be recorded in pocket notebooks together with witnessing signatures.

3.2 Large Amounts of Money

The purpose of this section is to highlight what can be called a large amount of money.

A large amount of money does not necessarily mean the total value of the money concerned but the quantity and ensuing difficulty in handling/counting it.

Example: £5000 in £50 notes is small in volume and quantity of notes (100). £2000 in coins is a large volume amount (2000).

4. COUNTING OF MONEY

4.1 Counting Procedure – General

The counting of money must be carried out in a controlled environment to ensure the accurate recording of the money and reduce the risk of forensic interference.

The following procedure will be carried out when money is counted and recorded:

- Clean rubber gloves to be worn
- The counting will be carried out in a cleared room
- Plastic covering to be placed on desk prior to counting
- At least two persons will count the money
- The persons counting will be employees of Wiltshire Police
- The total amount with a breakdown of denominations will be recorded in a pocket notebook
- Both persons counting will endorse the pocket notebook
- A money label will be endorsed
- Consideration MUST be given to the photographic/video recording of this process
- The plastic covering and gloves must be submitted as exhibits if money is to be subjected to further forensic examination

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- Consideration MUST be given for further forensic examination of money by way of Mass Spec examination following discussion with CSI or FAIT.

Note: If there is a need for deviation from this procedure the reason must be recorded in a pocket notebook and endorsed by both counters.

4.2 Independent Institution Counting Procedure

Where money is of large volume either total value or small denominations consideration should be given for it to be counted by an independent institution such as a Building Society or Bank:

- It will be with prior arrangement via the FAIT
- Money will be conveyed in a sealed bag by 2 members of Wiltshire Police
- On arrival at the building society or bank the seals will be checked
- If the seals are not correct the escorting person will record this
- It will be reported by the escorting person to a supervisory officer as soon as practicable to instigate an investigation
- All details will be recorded by the escorting officer as per [Broken Seals and Bags](#)

5. BAGGING AND SEALING

5.1 Exhibit Label Details

As the money is an exhibit an exhibit label shall be prepared in accordance with the standard practice:

- the location where the money was found
- the exact amount of money seized (If counted)
- the name and signature of the seizing officer
- the name and signatures of the counting officers or counting officer and owner
- in terrorism cases collar numbers will suffice

5.2 Placing Money in Sealed Bag

When bagging and sealing the cash, it is advisable to ensure that:

- gloves are worn
- photographs are taken
- cash is double bagged and sealed, using clean bags
- the amount of cash found is estimated
- the cash is sealed in the presence of the subject and an entry is agreed in the officer's notebook and countersigned by the subject, if possible
- two officers are present and both sign the exhibit labels
- the cash is lodged in a safe until it can be sent for analysis (e.g., mass spectrometry for drugs, contamination from explosives, or for fingerprints) or paid into the bank
- if cash is found during a search, it is logged as recovered property on the record of search form.

5.3 Broken Seals and Bags

If a bag is found to be broken or the seal is damaged it will be:

- brought to the attention of a supervisory rank as soon as practicable, who will
- instigate an investigation where necessary

5.4 Procedure for Recounting and Resealing

The following procedure will be undertaken to reseal damaged and broken seals and bags:

- the money will be re-counted in the presence of at least two police members of staff and re-sealed as directed in the '[Placing Money in Sealed Bag](#)' section above
- the broken seal number and reason for the re-counting will be recorded on the money label within the sealed bag.
- the details will be recorded in the police members pocket book and within Niche.

6. SPECIAL PROPERTY

6.1 Procedure for Placing of Money in the Special Property Store

The following procedure will be undertaken in respect of money placed in the Special Property Store:

The bag of money already sealed in accordance with the [Bagging and Sealing](#) section and whether counted or not, will be placed:

- in a clear plastic bag and sealed as soon as practicable
- as an item of Special Property into the Special Property Store

Money details will be entered into the SPR **separately** to any other item but cross referenced to the:

- officer seizing
- defendant
- Niche Occurrence Number
- identifying exhibit number
- amount (if counted) "Not Counted" (if not)
- location of item

Note: In terrorism cases collar numbers only will be recorded for officer seizing

7. RECORDING OF ACTIONS

Following the Seizure, Counting and placing of articles within Special Property the actions of the Wiltshire Police member must be documented.

7.1 Recording of Actions – Process

Records of action taken by individuals will be recorded detailing:

- Time and Date of Seizure
- Location of seizure
- Amount (if known)
- Location of storage, including the SPR number
- The reason for storage

7.2 Recording of Actions – Location

The records of actions carried out by a Wiltshire Police member must be made within:

- A Police Officer's Pocket note book
- The NICHE Investigation log

8. STORAGE

The table below indicates the method of storage of Special Property during and outside office hours:

IF the money is seized in...	THEN money will be...
office hours	- recorded in SPR, and - will be stored as soon as possible within an appropriate secure Special Property cabinet or safe held for the storage of valuables within the Special Property room or cupboard at each Police Station
out of office hours	- recorded in SPR and, - entered as soon as possible into the secure cabinets or safes at Police Stations under the control of: - Duty Sergeant - Custody Centre Sergeant - Transferred to SPR as soon as possible - Consider contacting the Special Property Supervisor to attend if money is large

8.1 Responsibility for Special Property Storage

The responsibility of placing an item within a secure cabinet or safe lies with the seizing officer or exhibit officer in association with the Special Property Clerk.

8.2 Removal from Storage

If money is removed from Special Property the following will be applied:

- Any removal for examination and return will be by way of SPR continuity movement
- The breaking and resealing of bags will be in accordance with the 'Bagging and Sealing' section
- The breaking and resealing of bags will be recorded in pocket note books, SPR records and NICHE Records

9. RETENTION AND BANKING OF MONEY

This section describes the way money will be treated in different circumstances. In general terms all money seized will be banked unless one of the following conditions apply.

9.1 All Seized Money Treated as an Exhibit

All money initially seized will be treated as an exhibit and will be retained in its original form and entered in to Special Property.

Following initial seizure consideration will be given as to how the money will be retained in accordance with the section relating to [Money seized subject to a police investigation](#).

Note: Once the need for retention in SPR has ceased it must be banked.

9.2 Money taken from Sudden Deaths (Non Criminal)

Money taken from sudden deaths, which are not being treated as a major crime, will be retained within SPR and:

- returned to approved next of kin, or
- dealt with under the instructions of the relevant Coroners Officer

9.3 Money taken from Sudden Deaths (Criminal)

Money taken from a suspicious death treated as a major crime will be retained within SPR as an exhibit.

Senior Investigating Officer will consider:

- evidential value
- unused material
- disclosure

If not relevant it will be:

- returned to approved next of kin, or
- dealt with under the instructions of the relevant Coroners Officers

9.4 Money Seized Subject to the Recovery of Cash in Summary Proceedings

Following authority of further detention of seized cash issued by a magistrate Court the money will be counted (see [Initial Seizure and Counting](#)) and banked by the FAIT staff at Swindon and Salisbury, subject to forensic considerations.

9.5 Money Seized Subject to a Police Investigation

Where money is seized that is subject of a police investigation it will be retained within SPR. As soon as practicable the officer in charge of the case will notify the FAIT by report via FAIT e-mail Inbox as to whether the seized money:

- can be removed and banked by the FAIT
- will be retained in its original form, or
- will be retained following forensic examination as unused material

Note: This information **must** be provided **within 7 days**. In the case of cash totalling **£1,000+** the information **must** be provided **immediately**

9.6 Decision to Retain

Any requirement to retain any money must be entered within the NICHE record detailing:

- Why it is being retained
- Who has made the decision for retention
- When the decision to retain is to be reviewed

10. FINANCIAL and ASSET INVESTIGATION TEAM

10.1 General Role of Financial and Asset investigation Team (FAIT)

The FAIT is responsible for the investigation and application of confiscation proceedings in relation to criminal investigations. Money seized as part of a police investigation must be taken into consideration during the confiscation proceedings.

The department is also responsible for the investigation and application of civil proceedings in accordance with [Recovery of Cash in Summary Proceedings](#).

10.2 FAIT Responsibility

The FAIT is responsible for facilitating:

- the removal of money from SPR and endorsing the SPR records
- the banking of the money
- the recording of the removal and banking of money with the Finance Dept, Police HQ.

11. RETURN OR DISPOSAL OF SEIZED MONEY

11.1 Who Money will be returned to

Money will only be returned to the:

- person from who the money was seized or any other person named by that person
- legal representative of above
- approved Bank Account (Confiscation/Forfeiture/Police Property Act)

11.2 Return Following Police Investigation (Suspect)

At the conclusion of any police investigation monies will be returned to the person from who it was seized:

- where there is no further action to be taken
- following court proceedings where there is no confiscation/forfeiture proceedings

11.2.1 Investigating Officers Responsibility

The investigating officer must, as soon as practicable notify the Force Finance Office or where appropriate the FAIT via the FAIT e-mail inbox:

- in writing of the outcome of the police investigation detailing action in respect of the money held
- provide details of:
 - name, address and SPR number in relation to the seized money
 - name in which a cheque should be made out
 - name and address of the person to who any money should be returned (If different)
 - if there is more than one interested party, the ratio of any split

11.3 Return to Legal Representative of Owner (Suspect)

The money can be returned to the legal representative acting on the behalf of the Owner (Suspect) as per the process for suspect (See above).

11.3.1 Investigating Officers Responsibility

The investigating officer must, as soon as practicable notify the Force Finance Office or where appropriate the FAIT via the FAIT e-mail inbox:

- in writing of the outcome of the police investigation detailing action with regards to the money held
- provide details of:
 - name, address and SPR number in relation to the seized money
 - name and address of legal representative
 - name in which a cheque should be made out

11.4 Remittance to Specified Bank Account (Confiscation/Forfeiture)

Money will be disposed of by the Wiltshire Police where at the conclusion of any Court proceedings:

- there are Court Orders issued or instructions given as to the disposal of any seized money, and
- there is an onus on the Wiltshire Police to satisfy the instruction

11.4.1 Investigating Officers Responsibility

The investigating officer must, as soon as practicable notify the Force Finance Office or where appropriate the FAIT via the FAIT e-mail inbox:

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- in writing of the outcome of the criminal investigation detailing action with regards to the money held
- provide details of:
 - name
 - address
 - SPR number in relation to the seized money
 - specific details regarding the disposal of money

11.5 Accrued Interest

Any interest accrued on the initial money deposited will be treated as being part of the money.

Example: Money to be paid into specified account will be money plus interest.

11.6 Police Seized Cash Account

Where money has been forfeited under [Section 27 Misuse of Drugs Act 1971](#) at Magistrates or Crown Court it will be transferred to the Police Seized Cash Account to form part of the Drug Forfeiture Fund for approved use in the 'Fight against drugs'.

Where money has been forfeited under [Section 143 of the Powers of Criminal Courts \(Sentencing\) Act 2000](#) it will be transferred to the Police Seized Cash Account to form part of Wiltshire Polices finances.

11.7 Contaminated Money

Money that has been subjected to contamination during forensic examination is covered with harmful chemicals preventing the return of the money to any individuals

All contaminated money will be returned to the Bank of England for destruction and a bank transfer will be undertaken transferring the value of the contaminated notes to the Police Seized Cash Account.

11.8 Contaminated Money – Process

Any money which has been subjected to forensic examination, i.e. fingerprinting, and is therefore contaminated, must be sent to the Bank of England.

The submission to the bank can only be undertaken by authorised officers.

- Contact FAIT, SPR or Finance to establish who is an authorised officer
- Money to be removed from SPR in accordance with the SPR movement procedure.
- Bank of England Form BEMN to be raised. Confer with the authorising officer in the completion of the form
- This form to be downloaded from Bank of England Leeds website (15/04/2012). Follow Key Resources



[Bank of England Mutilated Notes Claim form](#)

(Form ref: BEMN)

Download PDF

The Bank of England submission form BEMN is to be completed and MUST include:

- Applicant details to be that of the authorising officer
- Address to be the officers police station
- Damage details will be "Ninhydrin Examination"
- Name of account holder **Wiltshire Police**, by arranged Direct Debit. (Bank of England have the account no.)
- Applicants signature will be the authorising officer

-
- Contaminated money and BEMN to be sent to the Bank of England by insured special delivery (seek Administration or FAIT assistance)
 - Address Bank of England, Dept MN, King Street, Leeds, LS1 1HT.
 - E mail to '**Finance Returns**' advising of Form BEMN, amount and date sent to Bank of England.
 - Direct Debit payments are made to Wiltshire Police – anticipated return within 2 working weeks.
 - On receipt of notification from Bank of England of Direct Debit payment case officer is to contact FAIT, regarding the arrangements for the received funds to be redirected to specific accounts or returned to a third party.

11.9 Dispatch

Depending on amount seized it is best practice to contact Bank of England to identify required form of dispatch to their offices.

Liaison with local administration officers may be required prior to dispatch.

For additional security where large quantities of Currency is involved it may be necessary to forward the Currency in separate packages and on different dates.

In all cases Recorded dispatched by below methods is required:

- Registered Post
- Recorded Delivery

12. REMOVAL OF MONEY FROM APPROVED ACCOUNT

12.1 Money Held in Corporate Account

All money banked by the Wiltshire Police will be held in a Corporate Account with HSBC.

12.2 Removal of Money

The following applies to any money removed from the corporate account:

Money removed from the HSBC account will be by way of an issued cheque, personalised to an individual, firm of solicitors or recognised account (HM Court Service).

12.3 Procedure for Drawing Money from Corporate Account

The following procedure must be followed when withdrawing monies from the corporate account:

A written application must be submitted to the Finance Department, Police HQ endorsed by The Head of FAIT or any member of staff W10 or Inspector rank detailing:

- The circumstances of the initial seizure
- Full name of subject
- Niche or SPR number
- The reason for disposal (Police Power)
- Details to whom the cheque should be made payable
- Details of any specific instructions

SCOTTISH BANK NOTES

Scottish Mutilated/Damaged Bank Notes

All raised and printed Scottish Bank Notes are dealt with separately by each Scottish Banking Institution. The Bank of England will not accept these notes.

1. Clydesdale Bank

Clydesdale Bank PLC.

Cash Services, 2nd Floor, 51 West George St. Glasgow. G1 2HL

Email cash.services.glasgow@eu.nabgroup.com

Procedure.

- Telephone or email above to discuss
- Clydesdale Bank will e mail Form and instructions for dispatch
- On receipt of Currency examination will take place
- Full Police contact details required.
- Following Examination cheque will be sent to applicant.
- Cheque Payable to Wiltshire Police, Finance Dept, Police Headquarters, London Road, Devizes, Wiltshire SN10 2DN.

2. Bank of Scotland

Bank of Scotland, Cash Desk, 35 South Gyle, Crescent, Edinburgh EH12 9HP

E mail [\\$edinburghcashcentre](mailto:$edinburghcashcentre)

- Telephone or email above to discuss
- Bank of Scotland will Fax or post Mutilated Declaration Form and instructions for dispatch
- On receipt of Currency examination will take place
- Full Police contact details required.
- Following Examination cheque will be sent to applicant.
- Cheque Payable to Wiltshire Police, Finance Dept, Police Headquarters, London Road, Devizes, Wiltshire SN10 2DN.

3. Royal Bank of Scotland Bank

Royal Bank of Scotland,

Cash Services

Drummond House, 1, Redheughs Avenue, South Gyle, Edinburgh. EH12 9JN

Procedure.

- Telephone to discuss
- Royal Bank of Scotland will e mail Form and instructions for dispatch
- On receipt of Currency examination will take place
- Full Police contact details required.
- Following Examination cheque will be sent to applicant.
- Cheque Payable to Wiltshire Police, Finance Dept, Police Headquarters, London Road, Devizes, Wiltshire SN10 2DN.
- Note1: All Scottish Bank submission forms plus explanatory notes and correspondence will be retained on case file and if appropriate forwarded to FAIT.
- Note2: A number of local and affiliated Banks may accept Scottish Bank Notes with completed relevant documents. These are few in number but advice can be given to members of the public who are making enquires and who can identify a local Bank.

Local Procedures

- Money to be removed from SPR in accordance with the SPR movement procedure.
- All notes (where practicable) to be serialised (calculated as per denomination) on the appropriate Scottish Financial Institution Form by the returning/submitting officer.
- The following to be included:
 - **Applicant details** to be that of the officer submitting.
 - **Address** to be the officers police station
 - **Damage details** will be identified and where SOCO/CSI examination has taken place marked "Ninhydrin Examination"
 - **Name of alternative account holder** will be and cheque made payable to.
Wiltshire Police, Finance Dept, Police Headquarters, London Road, Devizes, Wiltshire SN10 2DN
 - **Applicants signature** will be the officer submitting
 - **Completed Submission forms** and money will be examined by a supervising officer
 - E mail to Francesca Beale, Finance Dept HQ advising of submission, amount and date sent to Financial Institution.
 - **All returned cheques are forwarded to Wiltshire Police - anticipated within 4 working weeks.**

COUNTERFEIT CURRENCY

Guidelines For The Submission Of Counterfeit Currency To The United Kingdom National Central Office (UKNCO) AT NCA

All suspected counterfeit currency brought to the attention of the Police or other law enforcement agency must not be destroyed locally. The currency (sterling or foreign) **must be submitted** to the National Central Office (UKNCO) at NCA within **seven days** of seizure, where possible.

If the amount seized is a large quantity of counterfeit currency in the region of £5,000 face value or more the Operational Support Unit at the UKNCO should be notified **as soon as possible** or in any case within 48 hours.

The counterfeit currency will be retained by (UKNCO) either as an exhibit (to be presented in any subsequent Court case) or as an item used to develop any intelligence surrounding the currency's presence, creation or circulation.

.....

The below information provides clear instructions regarding the process to be adopted by everyone within Wiltshire Police. Further information and relevant documentation can be found in First point Forms and Templates entitled "Counterfeit Currency"

1. All suspected counterfeit currency (known as live utterings) must be submitted the National Central Office (UKNCO) together with a completed NCO form (available on Firstpoint). The counterfeit currency should be exhibited and packaged in exhibit bags. All counterfeit currency tendered or passed, or found in possession of a person or identified in 'commercial retail' premises must be submitted to the UKNCO. Any counterfeit currency received without an NCO form will be returned to the submitting force.
2. All recovered counterfeit currency coming into the possession of police or other law enforcement agencies should normally be submitted to the UKNCO as soon as possible or in any case within **seven days**. This period can be exceeded if it is necessary for the effective investigation. If requested the UKNCO will return the notes to the officer whilst the investigation is ongoing i.e. for fingerprint / DNA treatment, CCTV review and circulation(s) of wanted person(s). Counterfeit currency submitted to the UKNCO will be analysed, retained for one year and then disposed of.
3. Recoveries of large quantities of counterfeit currency in the region of £5,000 face value or more should be notified as soon as possible or in any case within 48 hours to the Operational Support Unit at the UKNCO.
4. NCO forms should be submitted to **UKNCO, PO Box 8000, London, SE11 5EN**. In the event of a submitting force wishing to employ a courier service a delivery address can be supplied if requested.
5. The National Central Office will accept counterfeit currency deposited by hand, these submissions should be made by prior appointment with the office.

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6. The relevant forms submitted to UKNCO will consist of **three copies** of the NCO. One for retention at UKNCO; one for onward submission to the relevant bank; and one to be returned to Force after processing at UKNCO. The Counterfeit Currency will be bagged and tagged appropriately and an information letter sent to accompany the articles being sent. The receipt copy will be returned with a unique reference number in the 'SOCA Use Only' box. This reference number indicates that the NCO form has been processed and that the currency is counterfeit. Should the counterfeit be required at a later date, this number should be quoted.
 7. The **NCO 1A** part is to be used for the submission of all counterfeit currency. This form will be marked to show whether a statement is required and related forensic examination for fingerprints or DNA.
 8. The **NCO 1B** part is to be used in addition to the NCO 1A where a statement for court is required or where there has been a judicial disposal of the case i.e. caution. **The form should also be completed to show details of any suspected persons**
 9. The **NCO 1C** part is to be used only as a continuation sheet in addition to the NCO 1A. Ensure that if submitting more than one form relating to the case, that they are securely fastened together and attached to the exhibit bag.
 10. Complete as much of the form as possible including:
 - Force, station and PNC code
 - Incident date, address and postcode
 - Full suspect details: name, occupation, date of birth, age, place of birth race code, PNC ID code, address (partial details should be included re suspects) & description.
 - Method (which only needs to be a few lines in length) including details of any motor vehicle involved. If there is insufficient space a separate sheet can be attached. To include '*Return to officer ongoing investigation*' if required for further enquiries
 - Full details of the counterfeit currency being submitted to include all serial numbers
 - Exhibit reference number(s)
 - Officer details (including collar number, contact number(s) and e-mail address if available)
 11. Suspected counterfeit notes should not be marked counterfeit before being submitted to the UKNCO.
 12. The notes submitted should be **fully described** including details of all the serial numbers and quantity of each on forms 1A and 1C if necessary. Do not submit an NCO form with only the denomination and quantity or 'face value' of the currency indicated.
 13. Any currency found to be genuine will be returned to the submitting officer.
 14. Fingerprint examination is not carried out at the UKNCO but by submitting agencies own fingerprint services or forensic science laboratory. It is preferable that the notes are submitted to the UKNCO prior to fingerprint treatment so that they can be confirmed as counterfeit. Notes that require fingerprint examination should be in exhibit bags and the requirement for fingerprinting marked at point 6 on form 1A and they will be handled accordingly. The UKNCO are able if necessary to arrange statements for counterfeit notes after they have been subject to treatment to locate latent fingerprints. If a statement and fingerprint examination is required, submit the currency to NCA first. If they have been treated to develop latent fingerprints this should be clearly marked and also indicated on the form by ticking the 'already tested' box.

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15. If a statement is required this should be marked on form 1A. If fingerprint or DNA testing is required or has been already taken place this should also be marked on form 1A. The Court date or bail to return date should be completed on form 1A. Every effort will be made to provide the necessary statement by that time
 16. The UKNCO require the suspect(s) details are on form 1B and the exhibit(s) or production(s) correctly detailed on form 1A when requesting a statement.
 17. If a statement is required for court purposes, it will take approximately 2 weeks from receipt at the UKNCO to provide a statement for Bank of England notes, Euro notes and US Dollar notes. It will take approximately 8 weeks to provide a statement for the other sterling notes: Scottish and Northern Irish notes.
 18. The necessary witness statement (MG11) and submitted exhibits will be returned directly to the officer detailed on form 1A
 19. For suspected counterfeit coins the UKNCO at NCA does not provide statements; these are obtained by means of submitting them to an appropriate forensic laboratory, The Forensic Science Service (FSS), London Government Chemists (LGC). A copy of the submission form (MGFSS) should however be faxed to the UKNCO (0207 238 8049). Once the case is complete the coins should be sent to the UKNCO with completed NCO forms 1A & 1B for disposal. Bulk coin exhibits require special arrangements in consultation the UKNCO
 20. All counterfeit currency is a potential court exhibit and should be dealt with accordingly. The exhibit should be clearly labelled with its own reference number and it should be correctly packaged in a 'self seal' evidence bag. Where more than one counterfeit is seized at a time, they may be treated as one exhibit if this appropriate to the investigation of the case. Where counterfeit currency is seized with other material it should be clearly identified as a separate item or items. Only the counterfeit currency should be submitted to the UKNCO
 21. If possible where more than one type of counterfeit currency is recovered it should be separated according to the following list:
 - Bank of England sterling notes
 - Other sterling notes i.e. Scottish and Irish issuing Banks
 - European Central Bank Euro notes
 - US Dollars
 - Other currency not detailed above
 22. By separating the counterfeits on this basis the UKNCO will be able to expedite any statement requests that are made.
 23. In the event that forces submit counterfeit currency to the UKNCO via a central point of contact (SPOC) it essential that appropriate steps are taken to ensure the continuity of the exhibit. This is of particular importance since it is possible that the same denomination and serial number may be present in more than one seizure.
 24. On the completion of a case (including any criminal appeal procedure) or investigation, all counterfeit currency should be returned to the UKNCO for disposal. The original UKNCO reference should be quoted when returning counterfeit currency.
 - a. The result of the case or investigation should be shown.
 - b. The counterfeit currency will be retained at the UKNCO for one year.
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25. Enquiries relating to the completion of NCO form(s), the submission of counterfeit currency or the progress of submitted case should be directed to any of the following numbers:
- 0207 238 8017 or 0207 238 8018 or 0207 238 8444 (General Office)
 - 020 7238 8010 (Section Manager)
 - 0207 238 8016 (Head of Unit)
26. In order to expedite any enquiries either your NCO reference number or suspect details should be quoted.
27. The Operational Support Unit for advice regarding large seizures can be contacted on **0207 238 8003**.
28. **No press statements by Police Forces or other law enforcement agencies regarding counterfeit currency should be made without consultation with the UKNCO at SOCA.**
29. Security features and guidance on genuine banknotes can be found at the following websites:

Bank of England – <https://www.bankofengland.co.uk/banknotes/current-banknotes>

Bank of Scotland - Clydesdale Bank - Royal Bank of Scotland - <https://www.scotbanks.org.uk/counterfeit-notes.html>

Euro – <https://www.ecb.europa.eu/euro/banknotes/security/html/index.en.html>

US Dollar – <http://www.moneyfactory.com>

WILTSHIRE POLICE FORCE PROCEDURE



Seizure and Retention of Cryptocurrency

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PROCEDURE OVERVIEW

The aim of this document is to ensure the same procedure is undertaken in all circumstances. All cryptocurrency coming into the possession of the Wiltshire Police will be treated as an exhibit seized as part of a formal Police investigation under the Proceeds of Crime Act 2002.

This procedure details:

- the manner in which cryptocurrency will be seized and recorded
- the manner in which the seizing or detention of any cryptocurrency will be recorded
- when and where it will be retained in its original form
- when it will be placed in an appropriate holding wallet
- the safeguards surrounding the movement and holding of cryptocurrency
- the manner in which cryptocurrency will be returned, confiscated or forfeited

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

Seizure, Storage, Retention and Disposal of Special Property
Seizure and Retention of Money Procedure

AUTHORISED PROFESSIONAL PRACTICE

There are no associated Authorised Professional Practice areas at present.

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING and REVIEW

This procedure will be monitored through the;

- Quality of seizures and retention of the cryptocurrency asset
- Legal compliance relating to the handling storage, retention and disposal of cryptocurrency seized,
- Maintaining of integrity and correct management of the Property throughout its lifecycle

This procedure will be next reviewed in 12 months by the FAIT Manager and a cryptocurrency trained officer from the DIU.

WHO TO CONTACT ABOUT THIS PROCEDURE

This procedure is the responsibility of the Financial and Asset investigation Team and the Digital investigation and intelligence unit.

1. DEFINITION OF CRYPTOCURRENCY

This section describes what a cryptocurrency is and the way that cryptocurrency comes into Police possession and how it will be classified.

1.1 Definition of a cryptocurrency

The term cryptocurrency is a generic term for a multiple and ever growing list of digital coins and currency which can be realised into a fiat currency or other asset. The dictionary definition states “a digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank”. For Policing the importance of cryptocurrency is that there are no central governing body or a central body to make enquires with or place orders on. Cryptocurrency allows users to move large amounts of money across borders with no central government or banking controls.

Cryptocurrency can be held in a number of formats online and offline, there are a number of key features of the storage of cryptocurrency, which will allow law enforcement opportunities to seize and investigate it.

1.2 Category 1 – Cryptocurrency Treated as Found Property

Cryptocurrency is to be treated as found property when the public keys, seed words or other control identifiers are handed into the Police via Police Officers or Members of the Public and there is no apparent owner or connection with any police investigation.

Cryptocurrency that is treated as found property will:

- be transferred to a Police controlled wallet and held by a insured party (Wilson's)
- be recorded as Found Property within the Found Property Register
- be returned to owner / finder (after relevant period of time), if not linked to criminality

1.3 Category 2 - Cryptocurrency Taken from Sudden Deaths (Non Criminal)

Cryptocurrency in this category is defined as:

- Cryptocurrency found on a person, vehicle or premises of an individual that is:
- the subject of a sudden or unexpected death, and
- where the matter is **not** being treated as a major crime

Cryptocurrency seized in this category will be:

- collected and recorded in accordance with the 'Seizure and Retention Procedure' section
- transferred to a Police controlled wallet and held by a insured party (Komainu)
- will be dealt with under the instructions of the relevant Coroners Officer

1.4 Category 3 - Cryptocurrency Taken from Sudden Deaths (Criminal)

Cryptocurrency in this category is defined as:

- Cryptocurrency found on a person, vehicle or premises of an individual that is the subject of a suspicious death and
- Is being treated as a major crime

Cryptocurrency seized in this category will be:

- collected and recorded. (See Seizing and Recording Procedure)
- transferred to a Police controlled wallet and held by a insured party (Komainu)
- dealt with under the instructions of the relevant Coroners Officer **ONLY** on the authority of the Senior Investigating Officer.

1.5 Category 4 – Cryptocurrency Seized Subject of a Police Investigation

Cryptocurrency subject to police investigations will be seized from an offender or scene and treated as an exhibit of evidential value, or as the proceeds of crime for confiscation purposes, or retained for safe keeping.

Cryptocurrency seized from an offender or scene will either be:

- as evidence into the lifestyle of the individual or the extent of their dealings, or
- believed to be the proceeds of a crime under investigation, or
- required to be retained for safe keeping pending the identification of a true owner.
- [Proceeds of Crime Act 2002](#) (PNLD Ref S477)

2. [POLICE POWERS](#)

2.1 Powers of Seizure

Cryptocurrency is seen as property and therefore should be seized under the Proceeds of Crime Act 2002 (POCA). This legislation can be used to achieve digital currency seizures in part due to the definition of property provided in Section 84(1) of the Act. Property is all property wherever situated and includes:

- Money
- All forms of real or personal property
- Things in action and other intangible or incorporeal property.

This method assumes that a subject has been arrested and that a cryptocurrency recovery phrase or key words have been identified within their possession.

Section 47C of POCA creates a seizure power that is available to an 'appropriate officer' to seize 'realisable property' if the officer has reasonable grounds to suspect that:

- The property may otherwise be made unavailable for satisfying any confiscation order that has been or may be made against the defendant
- The value of the property may otherwise be diminished as a result of conduct by the defendant or any other person. Digital currency fits well into this definition as it is realisable (has a tradable value) and is intangible.

In order to exercise this power a level of authority is required, in cases where the seizure is pre-planned then authority should be obtained from a Magistrate. In Urgent cases a senior officer (Inspector for Police) can authorise a seizure under this power, or it can be authorised by the appropriate officer themselves if a senior officer is unavailable.

The appropriate Officer must satisfy one of the below 7 conditions in order to apply for the seizure authority, these conditions cover scenarios both before and after charge. In most cases the first condition will be appropriate. This requires that a criminal investigation has been started in England and Wales with regard to an indictable offence. A person has been arrested for the offence, proceedings for the offence have not yet been started against the person in England and Wales, there are reasonable grounds to suspect that the person has benefited from conduct constituting the offence, and a restraint order is not in force in respect of any realisable property.

- First condition – a criminal investigation has been started in England and Wales with regard to an indictable offence, a person has been arrested for the offence, proceedings for the offence have not yet been started against the person in England and Wales, there are reasonable grounds to suspect that the person has benefited from conduct constituting the offence, and a restraint order is not in force in respect of any realisable property.

-
- Second condition – a criminal investigation has been started in England and Wales with regard to an indictable offence, a person has been arrested for the offence, proceedings for the offence have not yet been started against the person in England and Wales, and a restraint order is in force in respect of any realisable property.
 - Third condition – proceedings for an indictable offence have been started in England and Wales and have not been concluded, there is reasonable cause to believe that the defendant has benefited from conduct constituting the offence, and a restraint order is not in force in respect of any realisable property.
 - Fourth condition – proceedings for an indictable offence have been started in England and Wales and have not been concluded, and a restraint order is in force in respect of any realisable property
 - Fifth condition – an application by the prosecutor has been made under section 19, 20, 27 or 28 and not concluded, or the appropriate officer believes that such an application is to be made, and there is reasonable cause to believe that the person has benefited from criminal conduct
 - Sixth condition – an application by the prosecutor has been made under section 21 and not concluded, or the appropriate officer believes that such an application is to be made, and there is reasonable cause to believe that the court will decide that the person's benefit is to be increased.
 - Seventh condition – an application by the prosecutor has been made under section 22 and not concluded or the appropriate officer believes that such an application is to be made and there is reasonable cause to believe that the court will decide that the person's available amount is to be increased.

2.2 Powers of Retention

Once technical seizure of any assets is achieved under the section 47C authority an application must be made for detention of the seized cryptocurrency.

Once seizure has been made the property becomes held under section 47J POCA for a maximum period of 48 hours. During this time Officers must seek authorisation for further detention of the seized cryptocurrency from a Magistrates Court. The next step will be determined by the strategy for realisation and a further authority must be granted under either: Section 47K (for detention pending the granting of a restraint order), 47L (pending variation to an existing restraint order) or 47M (for other cases where a detention period is specified). This further detention power will allow for the detention of the cryptocurrency until such time as it can be either realised, returned to held under another power such as a POCA restraint order.

2.3 Powers of Realisation

There are several strategies for realisation which include consent from the suspect, a Repatriation Order within a POCA Restraint Order or a specific order made as part of a restraint to allow the Police to convert the Cryptocurrency to Sterling without the consent of the suspect.

The preferred option for Wiltshire police will be to realise any value of the cryptocurrency with the consent of the owner at the first opportunity due to the volatile value. Any person who has cryptocurrency seized from them will be given the following options:

- At the first POCA hearing, within 48 hours of seizure. A written document is to be given to the owner requesting their consent to realise the cryptocurrency into sterling. If they do not give their consent, the document will inform them that they are responsible for the risk of the amount remaining in cryptocurrency.

-
- At the second POCA hearing, normally at 6 months after seizure. A written document is to be given to the owner requesting their consent to realise the cryptocurrency into sterling. If they do not give their consent, the document will inform them that they are responsible for the risk of the amount remaining in cryptocurrency.

3. INITIAL SEIZURE and DISCOVERY

Any discovery of cryptocurrency or items believed linked to cryptocurrency are likely to be on a search. Due to the seizure and retention of cryptocurrency being a specialist skill if items are discovered that are believed linked to cryptocurrency the DIU and FAIT should be contacted as a matter of urgency.

A cryptocurrency wallet can be accessed from multiple platforms and from multiple locations. Due to this if seed words or public keys are located it is time critical that the seizure process is started. If an offender has a partner with access to the seed words they could transfer the cryptocurrency to an unknown account whilst officers are seizing or transporting it.

Any officer who locates cryptocurrency seed words or private keys should immediately contact DIU and FAIT for advice.

3.1 Photographing, Videoing or Witnessing the Process

The seed words and private keys to a person's cryptocurrency account are all that's needed to empty a person's account. The seed words will be a list of 12 or 24 words and the private key a long hexadecimal code. If these items are discovered the below points should be followed:

- The seed words should not be photographed, unless the officer is directly instructed to by a member of the DIU or FAIT
- The seed words should not be written down or recorded anywhere in documentation
- Two officers should seize the seed words, place them in an envelope and then place them inside a sealed signed exhibit bag, this should then be placed inside a second signed and sealed exhibit bag.

The process will be recorded in pocket notebooks together with witnessing signatures. This process will not be recorded on body camera so to protect the seed words.

3.2 Seizure of Cryptocurrency

Once authority is granted a cryptocurrency Wallet platform can be used to create a new cryptocurrency wallet for the purposes of the recovery. This process will be completed on a sterile laptop held within the DIU, this laptop will be fully up to date on security patches. The platform of choice for the rebuild of wallets from Seed words will be Electrum. After each wallet rebuild has been completed, Electrum will be removed from the laptop and reinstalled. If it is a currency not supported by electrum another platform will be researched to rebuild the required currency.

During the process of setting up the new wallet an option is provided to allow the new wallet to be created using an existing recovery phrase. Entering the identified recovery phrase during this process will create the new wallet and draw all of the cryptocurrency associated with that recovery phrase into the new wallet. Once the new wallet has been created and the suspect cryptocurrency seized into it then the cryptocurrency should be moved to a predetermined wallet. This wallet would have been setup by the designated insured holder of the crypto currency (Komainu). This transfer of the crypto currency should happen as soon as possible once discovered. Once it has been transferred to the police assigned wallet it be held there whilst it is retained and potentially realised.

When the transfer is made there will be fees attached to the transfer, the highest possible fees should be paid when transferring into police held wallets. This will ensure the transfer is completed and confirmed on the next block. If a low transaction fee is paid there is a possibility someone else could move the crypto currency after the police but get their transaction to be confirmed prior to the police transaction. This would mean that the police transaction would fail as the crypto currency had already been moved elsewhere.

4. CONTINUITY of HANDLING CRYPTOCURRENCY

All physical items seized in connection with cryptocurrency, seed word lists and hard storage wallets should be seized and packaged as described in this policy or it a digital device according to the normal seizure policy for such a device.

Continuity of the exhibits should be as policy with all handling officers recording their handling of the exhibits and signing all required documentation.

The rebuilding of wallets and seizure of cryptocurrency should always be conducted by 2 officers, details notes recording all actions taken should be kept and written up in a statement format when required. The continuity of the movement of the cryptocurrency will be reorded publically on the block chain which will show the continuity of the transfer to the police wallet where the it is held.

5. SPECIAL PROPERTY

5.1 Procedure for Placing of cryptocurrency exhibits in the Special Property Store

Officers who have seized cryptocurrency exhibits that have not be dealt with by specialist DIU and FAIT officers should deal with them as if they are cash exhibits.

The [cash seizure policy](#) will be followed and the exhibits will be placed in the temporary cash safe at the relevant property store.

These exhibits will remain in the temporary safe until an officer from the DIU or FAIT have reviewed them and established if any cryptocurrency is held on the connected wallets. Once this has been established and any cryptocurrency transferred the exhibits will be moved to the main store.

6. RECORDING OF ACTIONS

Following the Seizure, transferring and placing of articles within Special Property the actions of the Wiltshire Police member must be documented.

6.1 Recording of Actions – Process

Records of action taken by individuals will be recorded detailing:

- Time and Date of Seizure
- Location of seizure
- Amount (if known)
- Location of storage, including the wallet number cryptocurrency was sent to

6.2 Recording of Actions – Location

The records of actions carried out by a Wiltshire Police member must be made within:

- A Police Officer's statement
- The NICHE Investigation log

7. STORAGE

The table below indicates the method of storage of Special Property during and outside office hours:

If the cryptocurrency exhibits are seized in...	THEN cryptocurrency exhibits will be...
office hours	• recorded in SPR, and • will be stored as soon as possible within an appropriate secure Special Property cabinet or safe held for the storage of valuables within the Special Property room or cupboard at each Police Station. This will need to have 24 hour access until a member of the DIU or FAIT can evaluate if the exhibit has cryptocurrency on it. After this process the exhibit can be held in a safe that has office hours access.
out of office hours	• recorded in SPR and, • entered as soon as possible into the secure cabinets or safes at Police Stations under the control of: • Duty Sergeant • Custody Centre Sergeant • Transferred to SPR as soon as possible

7.1 Responsibility for Special Property Storage

The responsibility of placing an item within a secure cabinet or safe lies with the seizing officer or exhibit officer in association with the Special Property Clerk.

7.2 Removal from Storage

If cryptocurrency exhibits are removed from Special Property the following will be applied:

- Any removal for examination and return will be by way of SPR continuity movement
- The breaking and resealing of bags will be in accordance with the 'Bagging and Sealing' section
- The breaking and resealing of bags will be recorded in pocket note books, SPR records and NICHE Records

8. RETENTION and Realisation of cryptocurrency

All cryptocurrency seized as an exhibit will be transferred to the secured wallet held by an insured party (Komainu).

The realisation of any cryptocurrency into sterling will be completed through the process described in section 2.3 of this document, powers of realisation.

Any realisation of cryptocurrency will be completed by the holding company (Komainu), who are insured to hold cryptocurrency. Realisation of cryptocurrency will be through the agreed Komainu realisation process.

9. FINANCIAL and ASSET INVESTIGATION TEAM

9.1 General Role of Financial and Asset investigation Team (FAIT)

The FAIT is responsible for the investigation and application of confiscation proceedings in relation to criminal investigations. Cryptocurrency seized as part of a police investigation must be taken into consideration during the confiscation proceedings.

9.2 FAIT Responsibility

The FAIT is responsible for facilitating:

- Issuing the documents requesting the realisation of cryptocurrency to the suspect at each POCA hearing
- Arranging the realisation through auction of any cryptocurrency
- the recording and banking of money after the realisation of cryptocurrency with the Finance Dept, Police HQ.

10. RETURN OR DISPOSAL OF SEIZED CRYPTOCURRENCY

If cryptocurrency has been realised into sterling and requires to be returned it will be done so as outlined in the [cash seizure policy](#).

10.1 Who Cryptocurrency will be returned to

Cryptocurrency will only be returned to the:

- person from who the Cryptocurrency was seized or any other person named by that person
- legal representative of above
- a suitable Cryptocurrency wallet identified by the owner
- The transfer will be completed to the owner from the insured party holding the Cryptocurrency (Komainu)

10.2 Return Following Police Investigation (Suspect)

At the conclusion of any police investigation Cryptocurrency will be returned to the person from who it was seized:

- where there is no further action to be taken
- following court proceedings where there is no confiscation/forfeiture proceedings

10.2.1 Investigating Officers Responsibility

The investigating officer must, as soon as practicable notify the FAIT via the FAIT e-mail inbox:

- in writing of the outcome of the police investigation detailing action in respect of the Cryptocurrency held
- provide details of:
 - name, address and SPR number in relation to the seized Cryptocurrency
 - name and address of the person to who any Cryptocurrency should be returned (If different)

10.3 Return to Legal Representative of Owner (Suspect)

The Cryptocurrency can be returned to the legal representative acting on the behalf of the Owner (Suspect) as per the process for suspect (See above).

10.3.1 Investigating Officers Responsibility

The investigating officer must, as soon as practicable notify the FAIT via the FAIT e-mail inbox:

- in writing of the outcome of the police investigation detailing action with regards to the Cryptocurrency held
- provide details of:
 - name, address and SPR number in relation to the seized Cryptocurrency
 - name and address of legal representative
 - Unique wallet address ID the Cryptocurrency should be transferred to

10.4 Remittance of Cryptocurrency (Confiscation/Forfeiture)

Cryptocurrency will be disposed of by the Wiltshire Police where at the conclusion of any Court proceedings:

- there are Court Orders issued or instructions given as to the disposal of any seized Cryptocurrency, and
- there is an onus on the Wiltshire Police to satisfy the instruction

10.4.1 Investigating Officers Responsibility

The investigating officer must, as soon as practicable notify the FAIT via the FAIT e-mail inbox:

- in writing of the outcome of the criminal investigation detailing action with regards to the Cryptocurrency held
- provide details of:
 - name
 - address
 - SPR number in relation to the seized Cryptocurrency
 - specific details regarding the disposal of Cryptocurrency

10.5 Accrued Interest

Where any cryptocurrency has been realised to sterling through the investigation any interest accrued on the initial money deposited will be treated as being part of the money.