

WILTSHIRE POLICE FORCE PROCEDURE



WILSONS AUCTIONS FOR THE DISPOSAL OF SPECIAL PROPERTY

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PROCEDURE

PROCEDURE OVERVIEW

This procedure identifies how Wiltshire Police utilises Wilsons Auctions to sell items no longer required for a policing purpose and where no legal owner is identifiable. This procedure identifies how Wiltshire Police complies with its legal and statutory requirements with regards to the sale of items. This procedure applies to the persons dealing with the sale of items on via Wilsons Auctions.

GLOSSARY OF TERMS

Term	Meaning
Wilsons Auctions	Name of the auction site which property is sold through
SPR	Special Property

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

Seizure, Storage, Retention and Disposal of Special Property Policy & Procedure

The SPR Wilsons Auctions spreadsheet

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 procedure will be monitored through feedback from Wilsons Auctions.

This procedure will be next reviewed in February 2019 by the Special Property Supervisor.

WHO TO CONTACT ABOUT THIS PROCEDURE

If there are any queries with regards to this document please contact the Special Property Supervisor.

1. **Wilson's Auctions site**

Wilson's Auctions offer a complete national coverage and are therefore able to take full advantage of regional price trends on behalf of vendors across the UK and Ireland.

2. **Source of auction items**

The main bulk of items sold via Wilson's Auctions are obtained as a consequence of Police investigations. This includes items which have been stolen or seized as evidence (for example used in the commission of an offence). Any items sold via Wilson's Auctions have been judged by Wiltshire Police to be no longer required for a policing purpose.

3. **Wiltshire Police duty of care**

Wiltshire Police will take all reasonable steps to return property to its legal owner, or find the legal owners of property in instances where they are not immediately known, before items are considered for auction.

4. **Compliance with relevant legislation**

Wiltshire Police will ensure that it complies with all relevant legislation (including the Data Protection Act /GDPR) when selling items. Any data will be removed from items that are judged, or are at risk of, containing it. If this is not feasible or financially viable then the items will be destroyed.

5. **Suitability for auction**

Found and detained property appearing to have some value that could be realised by sale will usually be disposed of by way of public auction. Public auctions are those conducted by a reputable auctioneer acting in the course of his/her business and to which the general public may attend. In such auctions the auctioneer accepts liability for compliance with relevant consumer protection legislation and employs suitably qualified staff to check items prior to sale.

SPR will ensure that items are suitable for auction. The following items will not be sold on Wilson's Auctions;

Foodstuffs, Weapons (including knives), Drugs (including prescription medication and drug paraphernalia), Fuel (including diesel and unleaded), Rented gas canisters (**i.e. BOC canisters**), Counterfeit goods (Wiltshire Police will take all reasonable steps to corroborate an item's authenticity), Cosmetics (unless sealed), Items that could be classified as hazardous, Any indecent/pornographic material, Any items that could cause offence to persons, Any items that could compromise the integrity of Wiltshire Police, Firearms, ammunition replicas, Aeroplane tickets, Artefacts, Dirty/Soiled clothing, Event tickets/Train tickets, Gaming machines (slot or fruit machines), Plants and seeds, Tobacco (unless sealed and marked duty paid).

If further clarification is required with regards to an item(s) suitability for auction, the Special Property Supervisor will be consulted and will make the final decision whether the item can be sold or is to be destroyed.

Wilson's Auctions will also provide a valuation for any item(s) using an Asset Valuation Form

Any item(s) put forwards for auction must be added to the Retained Property Disposal Form, once full, Special Property will then email the completed form to Wilson's Auctions (see form for email details) and they will arrange collection. The form / spreadsheet must be completed detailing the following,

- PL Reference (provided by Wilson's Auctions)
- Description of the Property
- Niche Reference
- 'P' number or Exhibit number
- Reserve Required Y/N (enter amount)

Once the sales invoice is received from Wilson's Auctions, update the **SPR Wilson's Auctions** spreadsheet with the following information,

- Sale No. and Date sold (provided by Wilson's Auctions)
- Lot No. (provided by Wilson's Auctions)
- Sale Price (provided by Wilson's Auctions)
- Total Charges (provided by Wilson's Auctions)
- Net Settlement (provided by Wilson's Auctions)
- Notes (provided by Wilson's Auctions)

6. Basis of sale – Wilson's Auctions

All item(s) are sold 'as they lie' with all faults and imperfections and errors of description.

Illustrations in catalogues, digital displays or brochures are for identification only. Buyers should satisfy themselves prior to sale as to the condition of each Lot and should exercise and rely on their own judgment as to whether the item(s) accords with its description.

No warranty (written or oral) or other term (whether express or implied and whether implied by statute, common law, custom or otherwise) as to the age, correctness of any description, suitability, fitness for purpose, or satisfactory quality of the item(s) is given by Wilson's Auctions, their servants or agents or by any Seller to any Buyer in respect of any lot, and any express or implied conditions or warranties are excluded to the fullest extent permitted by law.

For the avoidance of doubt, the item(s) are not sold by sample, and the Buyer shall be deemed to have inspected the item(s) he/she buys.

In the event of a third party proving to have a superior title or right to custody or possession of any item(s) Wilsons Auctions may rescind the contract of sale and upon return of any Deposit and/or Hammer Price to the Buyer, neither the Seller nor Wilsons Auctions shall be under any further liability to the Buyer.

Where any item(s) fails to sell, Wilsons Auctions will notify the Seller accordingly. The Seller will make arrangements either to re-offer the item(s) for auction or to collect the item(s).

7. Money generated from auction sales

All money generated from the sales via Wilsons Auctions is paid directly into the Police Property Fund and Finance will be notified with invoice, less any fees/deductions provided by Wilsons Auctions.

8. Staff Responsibilities

The **SPR Officer(s)** will ensure that,

- All reasonable steps have been taken to return property to its legal owner
- Property considered for auction is no longer required for a Policing Purpose
- The property is suitable for auction
- Property not suitable for auction via Wilsons Auctions is disposed of appropriately

The **SPR Administrator(s)** responsible for sending items to Wilsons Auctions will,

- Complete the **SPR Wilsons Auctions** spreadsheet detailing all pre and post-sale information

The Special Property Supervisor will,

- Make the final decision on an items suitability for auction (if required)

9. Forms

- Asset Valuation Form
- Retained Property Disposal Form