

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Police use of Search
REFERENCE NUMBER	WMP052
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	LOCAL POLICING
BUSINESS AREA	FORCE OPERATIONS

INITIAL IMPLEMENTATION DATE	April 2020
NEXT REVIEW DATE:	May 2022
RISK RATING	HIGH
EQUALITY ANALYSIS	LOW

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please write e-mail contactus@westmercia.pnn.police.uk

1.0 POLICY OUTLINE

- 1.1 This policy explains how West Mercia Police will approach the police use of search.
- 1.2 This will apply to any incident, event or operation where officers are required to serve in a search capacity, whether in West Mercia Police area or whether assisting officers in another Force area.
- 1.3 This procedure is supported by The National Police Chiefs Council (NPCC), The Police National Search Centre Curriculum (NPSC), a policy document and cross border/ multi agency operations protocols.

2.0 PURPOSE OF POLICY

- 2.1 This policy ensures that West Mercia Police maintain an effective resource of appropriately trained and equipped officers and staff to deal with any incident or event where the use of search assets may be necessary.

3.0 GENERAL PRINCIPLES OF THE POLICY

- 3.1 The issue of search and the deployment of search assets will be carried out under rigorous national standards of training, supervision and command.
- 3.2 This document should be read in conjunction with The Police National Search Centre Curriculum (PNSCC).

Legitimate Aim / Human Rights & Race Relations Act Considerations

- 3.3 Consideration has been given to the compatibility of this policy and related procedures with the Human Rights Act; with particular reference to the legal basis of its precepts; the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making processes and outcomes of action.
- 3.4 This policy is relevant to the obligations placed upon the police service to:
 - ◆ Eliminate unlawful discrimination,
 - ◆ Promote equality of opportunity, and
 - ◆ Promote good race relations between people of different racial groups.

Legality

- 3.5 The legal basis for this policy comes from the common law duty of the police to protect life and property, prevent and detect crime, keep the peace and in particular the following statutes: -

1. Criminal Law Act 1967
2. Equality Act 2010
3. Police and Criminal Evidence Act 1984.
4. Human Rights Act 1998.

- 3.6 The Force has a pool of appropriately trained officers, both Police Search Advisors (PolSA) and Licensed Search Officers (LSO's). These staff are trained to a National standard and can perform counter-terrorist, crime (Defensive and Offensive) and missing persons (Misper) searches. A Police Search Co-ordinator (PolSC) will oversee all search related matters and will act as a single point of contact for the Police National Search Centre. The PolSC will liaise with other regional SPOC's for search and ensure best practice for search within the force areas.

A PolSA will always be available to lead any searches that the Forces deem to warrant a PolSA led search either on duty or on call.

Staffing and Training

- 3.7 West Mercia Police are committed to providing search resources which are available for deployment at any time. Search resources will be drawn from trained staff that are on duty across the Force depending on threat, harm and risk.
- 3.8 All search officers will receive the appropriate training in accordance with the Police National Search Centre (PNSC)
- 3.9 Each officer should receive 2 days training per year and has to perform 4 searches with no more than 6 months between searches to remain licensed.
- 3.10 Selection for training within this demanding area of police work will be in line with the Personal Development Review (PDR) framework. Resources will be sourced from SRN, Dogs, TF, and LPPT.

Crime and Disorder Act 2001

- 3.11 Throughout all stages of any incident or operation requiring deployment of search officers, consultation with partner agencies will be considered. Such agencies may be numerous and will include fire, ambulance and local authorities.

Bureaucracy

- 3.12 The contents of this policy, subsequent procedures and manual of guidance ensure that the deployment of police staff, their selection, training, equipment provision, and the recording process is effective and efficient.
- 3.13 The PolSA completing the search will complete a PolSA booklet for it. This will list all resources used on the operation and the search parameters agreed by the PolSA and the SIO in charge of the operation. There are search booklets for West Mercia covering Defensive / Offensive and Missing person searches.
- 3.14 Once complete the original booklet will be given to the SIO or investigation team and a copy will be sent to the Dog Section for recording and analysis. This will be recorded on the PolSA database which is managed and audited by The PolSC.
- 3.15 On High Risk Misper searches, if the on duty PolSA decides it is necessary, then two PolSA's will be utilised. These are potential Critical Incidents for the Force and any resources requested by the PolSA should be actioned as a priority. If two are not on duty then steps will be taken to allow a second to attend the scene at the earliest opportunity. This is in line with NPSC advice. This will also apply to crime scenes and major search operations. The PolSC must be made aware of these type of incidents and escalate the demands for resources accordingly.

During Major investigations where a MIU has been set up consideration will be given to a PolSA being placed in the MIU. This will ensure that there is a consistent approach to all search related matters in the investigation and MIU. This will be managed by the PolSC, as will all requests for extra search resources if required by the first PolSA.

- 3.16 The use of volunteer organisations is an integral part of search. These should be considered at an early stage on High Risk Misper searches. Relevant Volunteer Organisations (RVO), such as WMSAR (West Midlands Search and Rescue) and SARA (Severn Area Rescue Association) may offer additional specialist skills relating to land and water-based searches. A list of RVO plus memorandum of understandings (MOU) can be found in the appendix of this policy. All requests for RVO's must be authorised by the relevant Fire and Rescue Service (FRS) as there is an agreed Water Related Protocol that covers all water related search and rescue matters within WMP. WMSAR, SARA, and MREW are part of this protocol.

There are many other RVO's who can provide specialist search assistance besides WMSAR, and SARA. However, the 2 aforementioned RVO's are currently the only groups who are signed

up to the water protocol within West Mercia. This does not preclude other RVO's from assisting with search, but the PolSA must manage and be clear with search parameters with these RVO's.

Relevant FRS will always be able to provide technical advice around search where appropriate. In essence where a search is a normal land based search i.e. walking across open fields it is unlikely that specialist resources will be required. However, when technical issues arise for Police search around water, caves, heights etc advice can be sort by the PolSA from appropriate FRS.

A new procedure has been created which now utilises all FRS as part of initial missing person searches.

- 3.17 It is important that resources are used which allow PolSA's to concentrate on the strategic aspects of the search. Accordingly, LSO team leaders are now in existence and PolSA's should utilise them when dealing with searches. They can take pressure off the PolSA by taking specific, pre-defined tasks and dealing with them in their entirety. Use of a scribe by the PolSA should also be given consideration.

Internal Policy Links

- 3.18 The following existing internal policies are linked to this policy;

- ◆ Managing Diversity Policy Statement
- ◆ Dog Section Policy: (Reviewed April 2021)
- ◆ Police Response to Reports of Persons Missing and Found

Risks

- 3.19 The success of this policy will require the corporate support of communication staff, search trained staff and all members of Operations and LPA. Additionally, individual search officers have the professional responsibility of maintaining their individual skills and qualification by seeking training and through active deployment.
- 3.20 Specific risks associated to this policing activity are the subject of Generic Risk Assessments (GRA). GRA's will be applied on all occasions.
- 3.21 The following Force Risk Assessments will apply to this policy,

- FRA 15 Searching
- FRA 28 Cannabis Farm Risk Assessment
- FRA Searching Scrapyards
- FRA17 Working Near Water
- FRA18 Working at Height
- FRA19 Confined Spaces
- FRA25 Railways

- FRA 34 Dangerous Dogs
- FRA 09 CBRN

3.22 Supervisors are reminded that the situation remains dynamic and they are required to constantly apply the National Decision Making Model (NDM) and thereby;

- ◆ Look for hazards
- ◆ Decide who may be harmed and how
- ◆ Evaluate risks
- ◆ Implement control measures
- ◆ Record findings and review assessment from time to time and revise if necessary

Distribution / Publication

3.23 This policy is suitable for public disclosure and forms part of the West Mercia Force Operations Department Policy portfolio published within the publication scheme on the Internet.

3.24 Publication to staff will be via the Force Intranet.

3.25 Advice on the application of this policy is available from the West Mercia Force Operations Department.

Monitoring / Evaluation

3.26 Monitoring and evaluation of this policy is the responsibility of the Superintendent, Force Operations Department, who will review bi-annually. Its effectiveness will be established through;

- ◆ Regular scheduled meetings with the PoISC and PoISA
- ◆ Command seminars and training
- ◆ Maintaining contact with practitioners
- ◆ Incident review procedures under the management of Chief Inspector Tasking and Training.
- ◆ Evaluation of issues raised during incident debriefs
- ◆ On-going review of national guidance and best practice
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4.0 CONSULTATION

<i>Business Lead Consulted</i>	<i>Date Consulted</i>
Supt Mel Crowther	April 2021

A formal consultation process took place with representatives of Staff Associations, Health and Safety and Risk officers, Training School (Learning and Development), Equality and Diversity Officers and Legal Services.

5.0 DOCUMENT HISTORY

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
		Previously approved at JNCC meeting	JNCC 14/04/2014
March 2020	S Bradley PS 1181 POLSC	Reviewed – No changes reverted to West Mercia Policy	April 2020
April 2021	S Bradley Ps 1181 PolSC	Reviewed – minor admin changes.	May 2021

6.0 PROCEDURE

Available on a separate document

NB: This policy is supported by a procedure document, the National Police Search Centre Curriculum (NPSC) and cross border/multi agency operations protocols.

7.0 ASSESSMENT AND ANALYSIS

An Equality Analysis (EA), Health and Safety Assessment (HAS) and Risk Assessment (RA) has been carried out and is available on a separate document.

8.0 MONITORING / EVALUATION

The monitoring and review of this policy is the responsibility of the policy owner