

Dyfed-Powys Police

Air Support Unit Policy

HQ Policy Reference. No:

Author:	PS 471 GERAINT JONES	Dept:	HEADQUARTERS OPERATIONS DEPARTMENT
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Human Rights Act Certification:	(Force Legal Advisor)	Date:	
Approved by:		Date:	
Ratified by:		Date:	
Review Date:	1 st November 2006		

Document History

Version	Date	Author	Reason for Change
1.2	23/11/2005	PS 471 G Jones	Review by Insp. Marshall UEO Helicopter Support Unit.
1.3	01/12/2005	PS 471 G Jones	Review by Supt. Davies Operations Dept.
1.4	13/01/06	PS 471 G Jones	Review by B Thomas Solicitor
1.5	15/03/10	PS 471 G Jones	Review by Insp. Richards UEO Air Support Unit
1.6	16/03/10	PS 471 G Jones	Review by Supt. H. Rees Operations Dept.

Consultation Circulation List

Insp. I.Richards (A.S.U.)	
C/Insp. P.Davies (Operations Dept.)	
Supt. H.Rees (Operations Dept.)	
S.Gaynard (Force Solicitor)	

Policy Contents

1. POLICY

1.1 The Police Service has a duty and there is a public expectation to:

Keep the peace,

Maintain law and order,

Protect life and property,

Prevent, reduce, and detect crime,

Apprehend and prosecute offenders, and to

Safeguard the public from situations that can seriously influence their lives, cause concern, or has the potential of increasing their fear of crime.

It also has a duty to provide an efficient and effective service in the discharge of all its functions.

1.2 It is therefore the *policy* of the Dyfed Powys Police in order to support and enhance the efficiency and effectiveness of its ground staff (i.e. foot and mobile patrol) to employ the services of an Air Support Unit, and it will be the duty of all police officers to make full and effective use of this facility and service.

1.3 In the exercise of this duty, every police officer must ensure that:

(a) they follow a clearly defined decision making process by detailing their objective(s), assessing all available and relevant information and feasible options, documenting decisions made, and reviewing outcomes.

(b) They give due regard to the welfare, safety, general well being and human rights of all individuals involved;

(c) They do not unjustifiably discriminate against any individual or groups of individuals;

(d) Actions taken are justified, strictly proportional to, and the least intrusive and damaging option to the achievement of their legitimate aims;

(e) All responses are in full accord with;

This policy,

The guidance contained within Appendix A,

Legislation, and

The Police Air Operators Manual.

1.4 The decision making process, as at 1.3(a) above will be subject of review and scrutiny by the Unit Executive Officer, Supervisors, as well as other relevant parties as appropriate.

2. AIM AND LAWFUL AUTHORITY

2.1 The aim of the Dyfed Powys Police is to maintain an efficient and effective service in the discharge of all its functions, and to provide the best possible support to all staff engaged in operational policing.

2.2 The lawful authorities for the exercise of the powers and duties outlined in this policy are:

(a) Section 17 of the Crime and Disorder Act 1998 and

(b) Section 6 Police Act 1996.

2.3 Dyfed Powys Police consider that these actions are necessary in a democratic society in the interests of:

National Security,

Public Safety,

The economic well being of the country,

The prevention of disorder or crime,

The protection of public order,

The protection of reputations or the rights of others,

The protection of health and morals and

The protection of the rights and freedoms of others.

3 DEFINITION OF TERMS

**Definitions: -
Nil**

4. DEROGATIONS

The Civil Aviation Authority Regulations and Operating Procedures are ancillary to the policy.

5. ENFORCEMENT AND REPORTING

Enforcement

5.1 It will be the responsibility of all officers, supervisors and managers to ensure strict compliance with this policy

Recording

5.2 The deployment, functions, and recording necessities of the Air Support Unit will be subject to examination and evaluation by Her Majesty's Inspector of Constabulary, the Civil Aviation Authority, the Dyfed Powys Police Professional Standards Department; Unit Managers, and / or relevant others.

6. ACCESSIBILITY, REDRESS AND REVIEWS.

6.1 This Document will be published and made readily available to all police officers, support staff and volunteers within the Dyfed Powys Police via the Force Intranet system, or where this facility is not available, and at the discretion of Divisional Commanders / Heads of Departments, through paper dissemination.

6.2 The document will be made available to the general public via the force external Internet Site, (www.dyfed-powys.police.uk) or upon written requests made to the force Policy Co-ordinator.

6.3 The operation of this policy by Dyfed Powys Police Officers will be subject to internal and external review mechanisms. These include the Dyfed Powys Police Professional Standards Department, Her Majesty's Inspector of Constabularies, and other bodies as appropriate.

6.4 Any person (or persons) who has / have cause to feel aggrieved by any matter outlined in this policy may seek redress via the Dyfed Powys Professional Standards Department in either of the following ways:

(a) In relation to the content of this policy any question or complaint will be dealt with in accordance with the Dyfed Powys Police organisational complaints procedures.

(b) Matters relating to the specific conduct of Police Officers will be dealt with using the Police Misconduct Regulations.

6.5 In exercising their right as detailed in 6.4 above, the individual will have a right to make representation to the Dyfed Powys Police Professional Standards Department and in so doing may seek independent legal advice and have equal access to information.

6.6 This policy will be reviewed annually by the Dyfed Powys Police and may, where appropriate, be subject to independent scrutiny by Her Majesty's Inspector of Constabulary, the Civil Aviation Authority and any other relevant bodies or parties.

6.7 Public consultation is an important part of this process and any views or comments will be welcomed.

These should be addressed to:

**The Chief Constable,
Dyfed Powys Police,
Police Headquarters,
P.O. Box 99,
Llangunnor,
Carmarthen. SA31 2PF**

7 HUMAN RIGHTS GENERIC AUDIT COMPLIANCE LIST

POLICY NAME: Air Support Unit.

Policy Owner: Headquarters Operations Department.

Audited by:

Issue	Question	Response	Page Ref
AUDITING FOR POTENTIAL INTERFERENCE AND DISCRIMINATION	Have the contents of this policy (and any attendant powers, authorities and directions contained within it) been audited for potential interference with individuals rights?	YES	Page 7
	Have the contents of this policy been audited for the potential for it to be discriminatory. In relation to the application or provision of such rights?	YES	Para. 1.3(c)
KEY HUMAN RIGHTS PRINCIPLES	Does the policy contain a statement explaining what the legal basis is for the policy (and any attendant powers, authorities or directions given within it)?	YES	Para. 2.2
KEY HUMAN RIGHTS PRINCIPLES	Does the policy provide details of what could be considered a legitimate aim(s) for the potential interference with an individual's right by virtue of exercising the policy and its attendant powers, authorities or directions?	YES	Para. 2.3
KEY HUMAN RIGHTS PRINCIPLES	Are supervisors and practitioners made aware of the need to follow a clearly defined decision making process in considering all information and deciding on courses of action?	YES	Para. 1.3 (a)
KEY HUMAN RIGHTS PRINCIPLES	Is it explicit within the policy what the minimum standards are in relation to the documentation of such decision making?	YES	Para. 1.3 & Para. 5.2
KEY HUMAN RIGHTS PRINCIPLES	Does the policy provide managers and practitioners with clear guidance on establishing the:-	See specific answers below.	Para. 2.2

	<p>Legal basis of their actions</p> <p>The aim of their actions (legitimate aims can only be established by virtue of the exemptions and derogation's given in the act)</p> <p>Whether their actions are justified and proportionate in seeking to achieve their aim(s)</p> <p>Whether the intended action is the least intrusive and damaging option to achieving the aim(s)</p> <p>The need to document clearly the decision making process and outcomes of action.</p>	<p>YES</p> <p>- do -</p> <p>- do -</p> <p>- do -</p> <p>- do -</p>	<p>Para. 2.3</p> <p>Para. 1.3 (d)</p> <p>Para. 1.3 (d)</p> <p>Para. 1.3 (a)</p>
DELINIATING BETWEEN POLICY AND TACTICS	Does the policy incorporate police tactics that would make it impractical to publish the contents? (NB: due to publication requirements it is suggested that tactical material is not included in policy documentation for security reasons).	NO	
RIGHTS, PUBLICATION AUDIT AND INSPECTION	<p>Does the policy contain a statement in favour of public disclosure or, if this is inappropriate, justification of any reservation to this rule on public interest/other grounds?</p> <p>Does the policy contain:-</p> <p>a clearly defined statement of rights when a power, authority or direction is being exercised. Including the right to make representations, access to legal advice etc?</p> <p>a statement about the availability of the policy (method of proposed publication to public). and clearly defined appeals procedure?</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>	<p>Paragraphs 6.1 to 6.7</p>

	<p>a recommendation about maintaining audits and inspection of decision making?</p> <p>a recommendation about the level of independent scrutiny of decision making and complaints?</p>	<p>YES</p> <p>YES</p>	
CERTIFICATION OF COMPLIANCE	Does the policy contain a certification that it has been drafted in accordance with the Human Rights Act and the principles underpinning it?	YES	Page 10
LEGAL VETTING	Has this policy been through legal vetting for human rights compliance?	No. Not at this stage. This will be the next step in the process	
POLICY REVIEW	Has the policy got a review date to ensure ongoing compliance in light of emergent legislation and human rights case law?	No. This will take place after the document has been legally vetted.	

CERTIFICATE OF COMPLIANCE

This policy has been drafted in accordance with the Human Rights Act and has been reviewed on the basis of its contents and the supporting evidence and it is deemed compliant with that Act and the principles underpinning it.

Signed:

(Force Legal Adviser)

Name:

Department: CJU

REVIEW

This policy is due for review by:

Date: 15 March 2011

Legal Appendices		Status:
Appendix	NIL	Public Document

(Note – the above is / are a public document)

Guidance Documents		Status:
Appendix	A	Dyfed Powys Police Air Support Unit Operating Instructions
		Not a Public Document

Public Interest Immunity Material		Status:
(inc. Police Tactics)		
Appendix	Nil	

(Note: the appendices may or may not need to be published as necessary)

Appendix A

Dyfed Powys Police
Air Support Unit
Operating Instructions.

- 1. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.**

2. **Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.**

3. **Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.**

4. **Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.**

5. **Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.**

6. **Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.**

7. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

8. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

9. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

10. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

A. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

B. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

C. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

D. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

E. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

F. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

G. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

H. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

I. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

11. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

12. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

13. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

14. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

15. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

16. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

17. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.

18. Section 31 (1)(a)(b)(c) Law Enforcement exemption applied.