

1. Policy Identification:

**Policy Title: The police use of search teams.**

**Policy Reference No: 46/01**

**Policy Ownership: Uniform Operations**

**Department Responsible: HQ Operations**

**Person Responsible: Head of Operations.**

**Policy Implementation Date: 5<sup>th</sup> June, 2001**

**Date Reviewed: January, 2007**

**Next Review Date: February, 2008**

2. Policy Statement:

- 2.1 This policy has been drafted and audited in accordance with the principles of Human Rights Legislation, Race Relations (Amendment )Act 2000 and the Freedom of Information Act 2000. Public disclosure is approved unless otherwise indicated and justified by relevant exemptions.

3. Legal Objectives:

Dyfed Powys Police is committed to implementing procedures that protects individual's Rights under the European Convention on Human Rights as provided for by the Human Rights Act 1988.

The objectives of this policy is to maintain public safety and minimise crime and disorder in accordance with Articles 1, 2, 3,5,6,7,8,9, 10,11and 14 of the Human Rights Act.

Dyfed Powys Police have a positive obligation under Article 2 to take preventative operational measures protect an individual whose life is at risk from the criminal acts of others. This duty requires positive action and the Force will be in breach if it fails to do all that could reasonably be expected of it to avoid a 'real' and immediate risk to the life which it knows or ought to have known about. It is therefore vitally important that all officers and police staff carefully consider the legal parameters of each of these rights and freedoms at every stage of policing. . The procedures of Dyfed Powys Police aim to uphold an individual's rights under Articles 5, 6, 8, 9 and 13 in accordance with the positive obligation to implement such procedures. However, there may be circumstances where the procedures will infringe individual human rights. Where this occurs, the impact on those rights and the lawfulness of the proposed actions must be considered by each Police Search Advisor, Police Search Coordinator, individual searchers and the Force when implementing this policy.

#### 4. Police Objectives and Aims:

- 4.1 Dyfed Powys Police has a duty and a public expectation to :
- keep the peace,
  - maintain law and order,
  - protect life and property
  - investigate, prevent, reduce and detect crime,
  - identify, apprehend and prosecute offenders AND
  - provide an efficient and effective service in the discharge of its' functions.
- 4.2 In order to fulfil these functions and particularly where there is a requirement for specialist search skills e.g. following a major crime, counter terrorist defensive measures, or locating a missing person, Dyfed Powys Police will use trained Search Team Officers under the direction of a trained Police Search Advisor (POLSA) and it will be the duty of police commanders to use such resources when the situation demands their use for this purpose.
- 4.3 The primary aim of Dyfed Powys Police is to achieve the objectives at 4.1 and to ensure that the skills acquired by Search Trained Officers are effectively used for the benefit of the Service and the Public.
- 4.4 The principal lawful authority for the exercise of the powers and duties outlined in this policy are :
- Common Law
  - Section 117 Police and Criminal Evidence Act 1984
  - Section 6 Police Act 1996
  - Health and Safety at Work Act 1974 ( and subsequent Regulations introduced thereunder)

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

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- 6.5 Section 31(1) (a)(b)(c) Law Enforcement exemption applied
- 6.6 Section 31(1) (a)(b)(c) Law Enforcement exemption applied

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