

# DYFED POWYS POLICE



## Destruction of Controlled Drugs

### FORCE POLICY DOCUMENT

## **POLICY IDENTIFICATION PAGE**

THIS POLICY HAS BEEN DRAFTED IN ACCORDANCE WITH THE PRINCIPLES OF HUMAN RIGHTS LEGISLATION, PUBLIC DISCLOSURE IS APPROVED UNLESS WHERE OTHERWISE INDICATED AND JUSTIFIED.

**POLICY TITLE: Destruction of Controlled Drugs Policy Document**

**POLICY REF. NO: 04/05**

**POLICY OWNERSHIP: Dyfed Powys Police**

**Portfolio / Business-area Owner:**

**Department Responsible: Community Safety**

**Person Responsible: Chief Inspector**

**Links or overlaps with other policies:**

**POLICY IMPLEMENTATION DATE: 01/04/05**

**REQUIRED FREQUENCY OF REVIEW Annually**  
**e.g. SIX MONTHLY/ANNUALLY:**

**DATE POLICY LAST REVIEWED: 23/06/08**

**POLICY REVIEW DATE: 01/06/09**

## **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.

Name: **Samantha Gainard**

Department: **Commercial Services Department**

Signed: .....*S. Gainard*..... (Force Legal Advisor)

### **REVIEW**

This policy is due for review by: June, 2009

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### APPENDICES

*Appendix 'A'* - Form 565 – Transfer Form

**REVIEW OF DOCUMENT**

<b>Date of Review</b>	<b>Reviewed By</b>	<b>Amendments made</b>
01/04/07	Chief Insp. N. George	No changes
23/06/08	Chief Insp. N. George	No Changes

# POLICY DOCUMENT STATEMENT

This policy has been drafted in accordance with the Human Rights Act 1998

## 1. GENERAL PRINCIPLES

It is the policy of Dyfed Powys Police:

- To deliver guidance in respect of the procedures and processes for the destruction of controlled drugs.
- To clearly define administrative duties in support of destruction of controlled drugs.
- To provide key information to all officers involved in this process.

All staff, in the adoption of this policy, and in the exercise of their daily duties, must ensure that:

- (a) They give due regard to the welfare, safety, general well being and human rights of all individuals;
- (c) They do not unjustifiably discriminate against any individual or groups of individuals;
- (d) Actions taken are justified, strictly proportional to, and they least intrusive and damaging option to the achievement of their legitimate aims.

## 2. AIM AND LAWFUL AUTHORITY

The purpose of this policy is to provide direction to police personnel on the procedures to be adopted for the destruction of controlled drugs.

The legal basis for the exercise of powers and duties outlined in this policy are:

- Police and Criminal Evidence Act 1984
- Special Waste Regulations Act 1996 as amended
- Environmental Protection Act 1990.
- Human Rights Act 1984

Dyfed Powys Police consider that these actions are necessary in a democratic society in the interest of, and in order to safeguard public safety.

### **3. INITIAL SEIZURE AND PACKAGING OF CONTROLLED DRUGS**

All drugs whether controlled or not that come into Police possession will be recorded in the Property Register.

Protective gloves should be worn at all times when handling controlled drugs to prevent any absorption through the skin. The risk of contracting infectious diseases from drug contaminated items is also high.

All drugs seized will be placed in tamper evidence bags, paraphernalia and items too large will be placed in existing exhibit bags and labeled accordingly. Refer to Standing Orders for procedure documenting, weighing and forensic submission.

Cannabis plants must be placed in a brown paper bag/sack not plastic as this causes the plant to decompose with the associated health risks. These bags should not be sealed thereby enabling the plants to dry.

### **4. STORAGE AND SECURITY OF CONTROLLED DRUGS**

Each BCU is responsible for storage and security of drugs and associated items seized by them. Drugs must be stored in designated property stores in the BCU. At no time must any controlled drugs be stored or left in and around police stations, i.e. on desks unsupervised or for collection in corridors.

The property register and the property label will accurately record the description of the articles/substances including the weight of the sealed packages, the movement of drugs for forensic submission etc and the final disposal details.

A nominated person on each BCU will be responsible for operating the system of storage, and in the absence of the nominated person the duty supervisor holding the property store keys will be responsible for receiving the property into the drug store/cabinet.

Found drugs handed to the Police where the owner cannot be traced will be dealt with in the same manner as seized drugs. This includes when drugs are recovered at nightclubs and the staff hand in the drugs to the Police.

### **5. SELF INSPECTION**

BCU commanders will ensure that monthly audits are carried out, by an officer not below the rank of inspector, of the drug store/cabinet. On a quarterly basis the nominated BCU chief inspector will be responsible for examination of the drugs held and he or she will ensure all drugs are properly recorded and accounted for and that they are expeditiously disposed of /destroyed.

### **6. USE OF MEDI BINS**

All main property stores within BCUs will be supplied with Medi Bins. These are specially designed containers with self-sealing lids. All drugs requiring destruction will be placed in these bins.

Only controlled drugs are to be placed in the Medi Bins. Any paraphernalia and other associated items must not on any account be placed in the bins.

## **7. TRANSFER OF DRUGS TO SSU**

Any movement of controlled drugs items within the force must comply with this policy and should involve the use of Police Officers/Staff nominated by the duty Inspector. Drugs must never, under any circumstances, be placed in the force internal mail system.

The BCU Commander or in his or her absence the nominated deputy will decide when the controlled drugs stored in their BCU should be destroyed. This decision will normally be based on time expired, i.e. found property, court orders where offenders have been dealt with allowing for the statutory period of appeal, and controlled drugs seized from persons who have been cautioned.

All controlled drugs on BCU requiring destruction will be sealed in the Medi Bin. The Chief Inspector, Communities and Partnerships will determine when the Medi Bins should be transferred to the Scientific Support Unit, HQ. The Chief Inspector will communicate directly with BCU property officers and advise when the Bins can be delivered to HQ. Prior to transfer, the duty Inspector will personally witness steps (b) to (d) as set out below and ensure that the following procedures are complied with.

- a) All entries in the property register are correctly listed and endorsed.
- b) The controlled drugs as listed in the register are placed into the Medi Bin.
- c) The Medi Bin is sealed by fixing the self sealing lid.
- d) Each Medi Bin is labeled with a self adhesive numbered label, which are available on BCU (These labels are in use by SOCO for transfer of forensic exhibits)
- e) A member of staff is nominated to transport the drugs.
- f) The Force record of transfer Form 565 (Appendix A) is commenced and handed to the nominated driver.

Prior to transporting the controlled drugs to HQ the duty Inspector will ensure that a risk assessment is undertaken.

The nominated driver will then deliver the Medi Bins to the reception area of the Scientific Support Unit.

## **8. ACTION UPON RECEIPT OF DRUGS AT SSU**

When drugs requiring destruction are brought to the SSU, the consignment will be received by a support staff member who will check the Medi Bins to ensure they are sealed and the transfer Form 565 has been correctly completed. If satisfied that all the containers are in order he/she will sign the continuity section of the transfer

form and will be responsible for ensuring that the consignments are stored within the secure storage area at HQ SSU awaiting onward transfer to **Section 31 Law Enforcement** over a three/four day period. The record of transfer form will be retained in a register at SSU and details of the number of Bins in storage must be forwarded to the Scientific Support Manager.

If any of the containers are found to be insecure then an officer of at least the rank of Inspector will be summoned to review the items and take the appropriate action.

#### 9. **TRANSFER OF DRUGS FROM HQ TO Section 31 Law Enforcement**

All controlled drugs must be disposed of in licensed incinerators. Dyfed Powys Police will therefore destroy all controlled drugs at approved facilities at **Section 31 Law Enforcement**.

All deliveries of controlled drugs will be made to **Section 31 Law Enforcement** from Force Headquarters as detailed below.

The arrangements for transfer of controlled drugs to the incinerator at **Section 31 Law Enforcement** must be made after consultation with the Chief Inspector, Communities & Partnerships. A designated Inspector from each BCU on a rotational basis will have the responsibility for arranging the transportation and escorting the consignment of controlled drugs from Force Headquarters to **Section 31 Law Enforcement**.

The frequency of the deliveries of the controlled drugs to **Section 31 Law Enforcement** will be dependant upon the amount of Medi Bins held on Divisions. The Divisional Property Officers must update the Chief Inspector Communities & Partnerships, on a quarterly basis (or more frequent if large seizures occur) of the number of sealed Medi Bins held within their BCU. The weight of a single delivery must not be in excess of 50Kgs.

The Scientific Support Manager will liaise with the Chief Inspector, Communities and Partnerships to arrange a time and date for the delivery which must be mutually convenient for both the Nominated Inspector and **Section 31 Law Enforcement**.

The nominated Inspector will assess the risk in transporting the illegal substances to the incinerator **Section 31 Law Enforcement** In these circumstances the authority of the manager at **Section 31 Law Enforcement** must be sought at least 7 days before transportation. **Section 31 Law Enforcement**.

#### 10. **DOCUMENTATION REQUIREMENTS**

The destruction of controlled drugs is governed by the Special Waste Regulations Act 1996 and the EEC Direction on Hazardous Waste [91/689/EEC]. This legislation requires the police to notify the Environment Agency of the movement of all special waste, which includes controlled drugs. The Manager at **Section 31 Law Enforcement** will arrange notification to the Environmental Agency's of the destruction and prepare all relevant documentation.

The Inspector who attends at **Section 31 Law Enforcement** must ensure that he/she is in possession of the record of transfer Form 565 and the Inspector must witness the destruction of the drugs. Following the destruction the Inspector will endorse the Form 565 ensuring that it is fully completed. This form should then be filed centrally in Operations Room with a copy being forwarded to the BCU Chief Inspector.

## **11. HEALTH AND SAFETY ISSUES ARISING DURING DESTRUCTION**

Personnel involved in the destruction process must be aware that the resinous material that exudes from 'Cannabis Sativa' is a poisonous substance, which contains tetrahydrocannabinals and can be harmful even in small quantities. The resin is found in its highest concentration in the female flowers and is still active when the plants have been dried. The use of a garden shredder to reduce the bulk of plants prior to incineration presents a high degree of risk when the exuded resin will be difficult to control and not easy to clean safely from the moving parts of the machine. If inhaled or ingested the resulting effects may be irreversible therefore the **PROCESS SHOULD NOT BE UNDERTAKEN.**

It is important that all relevant procedures are carefully followed to reduce the risk of injury or ill health and to ensure compliance with the 'duty of care' placed on the Force by environmental legislation.

On no account must the Medi Bin containers be opened during the destruction process. The containers plus contents are to be placed in the incinerator in their totality.

