

An officer who is searching any person or premises under any statutory power or with the consent of the occupier may seize anything: -

- (a) covered by a warrant
- (b) the officer has reasonable grounds for believing is evidence of an offence or has been obtained in consequence of the commission of an offence but only if seizure is necessary to prevent the items being concealed, lost, disposed of, altered, damaged, destroyed or tampered with
- (c) covered by the powers in Part 2, Criminal Justice and Police Act 2001 which allows an officer to seize property from persons or premises and, in certain circumstances, retain it for sifting or examination elsewhere (Codes of Practice. Code B. Para 7.1). If property is seized under this power you will be issued with a notice explaining your rights under the Act. Instead of seizing property an officer may require that the holder of the property retains it. If the holder then disposes of it he may be liable to civil or criminal proceedings (taken from Codes of Practice. Code B. Para 7.41).

Items subject to legal privilege

No item may be seized which an officer has reasonable grounds for believing to be subject to legal privilege, as defined in PACE, section 10, other than under the Criminal Justice and Police Act 2001, Part 2 (Codes of Practice. Code B. Para 7.2).

Photographing and copying

An officer may photograph or copy or have photographed or copied any document which has power to seize (Codes of Practice. Code B. Para 7.5).

Information stored in electronic form

If an officer considers that information stored in any electronic form could be used in evidence, he may require it to be produced in a legible form so that it can be taken away (Codes of Practice. Code B. Para 7.6).

General

A friend, neighbor or other person must be allowed to witness the search if the occupier wishes unless the officer in charge of the search has reasonable grounds for believing the presence of the person

asked would seriously hinder the investigation or endanger officers or other people. A search need not be reasonably delayed for this purpose (Codes of Practice. Code B. Para 6.11).

If any of your property is kept by the police you are entitled, on request, to be provided with a list or description of the property within a reasonable time. Such applications may be made either at the police station shown on the front of this notice or to the address shown below (Codes of Practice. Code B. Para 7.16).

If you wish, you or your representative will be allowed supervised access to your property so that you can examine it or have it photographed or copied. Alternatively, you may be provided with a photograph or copy. In either case you are responsible for the cost. Access will not be allowed if the officer in charge of the investigation believes that this would:

- (a) prejudice the investigation of any offence or criminal proceedings; or
- (b) lead to the commission of an offence by providing access to unlawful material such as pornography.
(Codes of Practice. Code B. Para 7.17.)

Search with Consent

Consent to a search must, if practicable, be given in writing on the front of this notice. Where consent is withdrawn before the search is complete, the search must stop (Codes of Practice. Code B. Para's 5.1 & 5.3).

Search with Warrant

A copy of the search warrant should, if practicable, be given to the occupier before the search begins.

Compensation for Damage

Compensation may be payable in appropriate cases for damage caused in entering and searching premises. An application for compensation may be made either at the police station shown on the front of this notice or to:

The Commissioner of Police for the Metropolis
New Scotland Yard
Broadway
LONDON SW1H 0BG

(Codes of Practice. Code B. Para 6.7.)

THE CODES OF PRACTICE ISSUED UNDER THE POLICE AND CRIMINAL EVIDENCE ACT 1984 ARE AVAILABLE AT ANY POLICE STATION.