

Property control and storage

Version 3.0

Archived

Contents

| | |
|---|----|
| Contents | 2 |
| About this guidance..... | 4 |
| Contacts | 4 |
| Clearance | 4 |
| Changes from last version of this guidance | 4 |
| Why property control is important..... | 5 |
| Storing seized property correctly..... | 5 |
| What can happen if you do not handle and store property correctly | 5 |
| Storing seized property which is not evidence | 6 |
| Reviewing seized property | 6 |
| What you can store in a property store | 7 |
| What you can use the property store for | 7 |
| What you must not use the property store for | 7 |
| Property control: the process | 8 |
| Process summary | 8 |
| Property control steps 1 and 2: seizing property..... | 10 |
| Step 1..... | 10 |
| Step 2..... | 10 |
| Property control step 3: property in transit..... | 11 |
| Transit property stores | 11 |
| Property control step 4: putting property in a property store | 13 |
| Property officer (PO) or Deputy Property Officer (DPO)..... | 13 |
| Large or bulky items..... | 14 |
| Property control step 5: opening sealed property | 15 |
| When you can open sealed evidence | 15 |
| Opening or removing sealed evidence..... | 15 |
| Property tracker and property control register | 16 |
| Information property officer or deputy property officer to record on the property tracker when storing property..... | 16 |
| Information property officer or deputy property officer to record on the property tracker when removing property..... | 16 |
| Information property officer or deputy property officer to record on the property control register when storing property | 16 |
| Information property officer or deputy property officer to record on the property control register when removing property | 17 |
| Removing property and then returning it to the property store | 17 |

| | |
|--|----|
| PO or DPO..... | 17 |
| Property store standards..... | 19 |
| Property store standards: security..... | 20 |
| Property store standards: transit property stores..... | 22 |

Archived

About this guidance

This guidance tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about the best practice for property control and storage.

It tells you:

- why property control is important
- what standards property stores must meet
- the processes you must follow

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email: CFI Modernising Guidance Project Team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Clearance

Below is information on when this version of the guidance was cleared:

- version **3.0**
- published for Home Office staff on **26 September 2017**

Changes from last version of this guidance

Minor housekeeping changes

Related content

[Contents](#)

Why property control is important

This section tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about why they must use a dedicated property control system to store seized property.

Storing seized property correctly

You must be able to satisfy the Crown Prosecution Service (CPS) you have stored property correctly. When you store property you must meet the CFI - business assurance standards (BAS).

You must show you have handled the evidence correctly from the moment you seize it until it is no longer required as evidence in your case, or you may not be allowed to use it in court.

The BAS states:

- all seized property is recorded in the premises search book or pocket notebook
- all seized property is entered onto your teams CFI electronic property tracker
all seized property is entered onto the property control register
- all movement of property is recorded on the property tracker and property control register
- all property is stored in a dedicated property store
- each office has a designated property officer and where possible a deputy

For further details please see standard 11.1 to 11.16 of CFI business assurance standards.

The storage and handling system can be checked by the independent chief inspector's team so it is important to make sure you have done everything you can to identify risks and minimise them.

The chief inspector can make recommendations if he feels that improvements are needed.

For more information on the BAS and how to handle and store property, see CFI - business assurance standards.

What can happen if you do not handle and store property correctly

If you do not follow the correct procedures for handling and storing property:

- you may face allegations of:
 - theft
 - mishandling evidence

- the defence may question the Home Office property handling and storage procedures and try to have the:
 - property that is evidence excluded from the criminal proceedings
 - system discredited by the court
- the CPS may decide not to prosecute because the evidence may have been compromised (damaged in some way) which would weaken their prosecution case, for example, if you have not followed correct procedures the defence could claim the evidence has been:
 - tampered with by somebody
 - it has come into contact with evidence from another case making it unreliable
- your cases may fail in court
- the Home Office's reputation may be damaged because of poor procedures
- claims for compensation may be made against the Home Office for lost or damaged property which is also evidence

Storing seized property which is not evidence

You have a duty to securely store seized property you decide, after examination, is not evidence, before you return it to the owner.

If you do not, and the property is lost or damaged, the owner may:

- make a complaint against you for failing to look after their property
- claim compensation for any loss or damage

Reviewing seized property

All property seized as part of an investigation must be reviewed on a monthly basis. This ensures that only property essential to the investigation is kept by you.

Related content

[Contents](#)

What you can store in a property store

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams what items they can put in a property store.

Property stores are part of the property control system you use to make sure you correctly handle property you have seized as part of a criminal investigation.

What you can use the property store for

You must only use a property store to hold property that is:

- criminal property, for example, items an offender has purchased using money from criminal activity
- evidence to be used as an exhibit in your case
- unused material seized as part of your investigation, for example, correspondence or documents which are not actually evidence

What you must not use the property store for

You must not use the property store for items unconnected with your investigation, for example:

- your personal protective equipment (for example, your stab vest)
- office equipment

Related content

[Contents](#)

Archived

Property control: the process

This section tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about the property control process and making sure there is an audit trail for handling the property from the moment they seize it.

Process summary

Below are the steps in the property control process. You may not have to complete all the steps yourself, as it depends on your role in the investigation:

- any property you have seized must be sealed in a correctly labelled tamper evident bag. For more information see: Tamper Evident Bags
- record the seized property in:
 - the premises search book
 - your personal notebook
- place the property in a suitable property store, for example:
 - police station custody suite
 - transit property store
 - Home Office property store
- complete your teams CFI property tracker
- complete the property control register for each case
- hand responsibility for the property to the designated property officer (PO) or deputy property officer (DPO)
- maintain an audit trail using the property tracker and property control register when property is:
 - opened or moved
 - disposed of or returned to the owner

Each CFI team must have a designated PO to lead on property and take charge of the property store. Each CFI team where possible also have a DPO. A key requirement is that only the PO or DPO have access to the property store. It is best practice that the PO or DPO are not directly connected with investigations.

If you complete these steps you will have a full audit trail and you will maintain the chain of evidence. For more information see your teams CFI property tracker.

If you are handling and seizing cash, there are specific procedures you must use.

During office hours cash seized by an Immigration Compliance and Enforcement (ICE) team that has been accepted by CFI, must be handed to the PO or DPO who updates the property tracker. Outside of office hours, cash seized by an ICE team that has been accepted by CFI must be placed in the drop safe. When the cash is required to be banked it will be booked out by the PO or DPO and handed to the officers taking the cash to be banked.

For more information, see cash seizure

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Related content

[Contents](#)

Archived

Property control steps 1 and 2: seizing property

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about the steps they must take to follow the property control process when seizing property.

Step 1

You are most likely to seize property:

- during a search of premises
- on arrest

You must put any property you seize in a tamper evident bag. For more information, see tamper evident bags.

Step 2

If you are the premises search book officer you must record in the premises search book:

- any relevant events which occur while property is being seized
- details of all property seized

If you seize property anywhere else and there is not a premises search book officer present you must record details in your personal notebook instead.

For more information, see:

- Notebook guidance
- Premises search book

What you do next depends on where you are taking the property. For more information, see: [Property Control Step 3: Property in Transit](#)

Related content

[Contents](#)

Property control step 3: property in transit

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about property in transit.

Any time you take property from one location to another it is classed as 'being in transit'.

When you first seize property it is 'in transit' until you take it to either a:

- Home Office property store, where you must complete your teams CFI property tracker and property control register and then hand the property to the property officer (PO) or deputy property officer (DPO)
- Home Office property transit store, if it is out of hours and the PO and DPO are off duty. In these circumstances you must:
 - complete the property tracker and property control register with details of the property
 - leave a message to let the PO or DPO know it is in the transit property store

You must always ensure you put property in the property transit store if the PO or DPO is not on duty. If PO or DPO is on duty you must hand it to them to put in the property store. You must never:

- keep it beyond the end of your shift
- lock it in your pedestal
- take it home with you

The transit property store will normally be a lockable cupboard. The key to the cupboard must be stored securely in a key safe.

If you have seized evidence out of hours that is bulky and cannot be placed in the transit property store it must be placed in the Home Office property store at the earliest opportunity.

Property stops 'being in transit' when:

- you have taken it to one of the above stores
- it has been recorded in the relevant:
 - transit property book
 - property tracker
 - property control register

Transit property stores

If you use a transit property store you must ask the PO or DPO to transfer the property into a normal property store:

- as soon as reasonably practicable
- immediately after a weekend if there is no PO or DPO on duty during this time

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For more information on transit property stores, see [Property Store Standards: Transit Property Stores](#)

Related content

[Contents](#)

Archived

Property control step 4: putting property in a property store

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams what they must do when arranging for property to be put in a property store by the property officer (PO) or deputy property officer (DPO).

You must enter details of each item onto a blank property tracker which is an Excel spreadsheet. You must email the completed property tracker to the PO or DPO. You must complete a case specific property control register. The property control register asks you to provide the following details:

- date in
- exhibit reference number
- bag or seal number
- seizing officer
- description of property
- where found or produced
- store (location)

You must not store the following items in the Property Store:

- controlled substances
- dangerous material – including bio hazardous material

Alternative facilities must be used. Advice on storage of these items must be sought from local police or Queens Warehouse. See: Queens Warehouses

Property officer (PO) or Deputy Property Officer (DPO)

If you are the PO or DPO, you must:

- take possession of the property but only if the tamper evident bag:
 - is packaged and labelled properly
 - has sufficient information on the packaging and labelling
 - has been sealed
 - or if seal broken there is an explanation for this
- check details on the tracker against what is written on the tamper evident bag and property control register to ensure accuracy
- save the details on the property tracker completed by the criminal investigator to the master tracker
- 'lock' the master tracker so it can only be edited by you
- store property for each case in a separate area of the property store, but exceptions are set out immediately below

The PO or DPO may store all property relating to Level 1 immigration crime in the same location. If this is done they must make sure the property is clearly labelled.

Access to the property store is restricted to the PO or DPO. If a CFI officer requires access to the property store they must be accompanied at all times by the PO or DPO while in the property store. The PO and DPO must keep a log with the following information:

- date officer granted access
- name and signature of officer granted access
- time in
- case number or reference
- time out
- accompanying officer name and signature

Large or bulky items

You may be able to store large or bulky items in the Queen's warehouse which is part of Her Majesty's Revenue & Customs.

If you need to arrange this you must contact them first: see Queens Warehouses for contacts. This will be subject to local agreement with Border Force.

Related content

[Contents](#)

Archived

Property control step 5: opening sealed property

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about opening sealed evidence bags once they have been put in a property store.

When you can open sealed evidence

You can only open sealed evidence which has been placed in a property store for these reasons:

- to sift items seized under sections 50 and 51 of the [Criminal Justice and Police Act 2001 Part 2](#)
- for forensic testing
- to examine the item further
- if the defence or prosecution want to use it at the trial
- to return it to the owner see: Property Disposal

Opening or removing sealed evidence

If you open sealed exhibit bags or ask the property officer (PO) or deputy property officer (DPO) to remove any property from the property store you must:

- follow the procedures for opening and resealing tamper evident bags
- note in your record of investigation why you have done this
- update the property control register and the PO or DPO will update the property tracker before you:
 - hand the property back to the PO or DPO to be put back in the property store
 - send it elsewhere

Access to the property store is restricted to the PO or DPO. If a CFI officer requires access to the property store they must be accompanied at all times by the PO or DPO while in the property store. The PO and DPO must keep a log with the following information:

- date officer granted access
- name and signature of officer granted access
- time in
- case number or reference
- time out
- accompanying officer name and signature

Related content

[Contents](#)

Property tracker and property control register

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about the property tracker and property control register.

Both must be completed when property is put into or removed from a property store by the property officer (PO) or deputy property officer (DPO).

Information property officer or deputy property officer to record on the property tracker when storing property

Your teams CFI property tracer requires the following information when you put property into the property store:

- exhibit number
- exhibit reference number
- description of exhibit (as per evidence label)
- seal number
- re-seal number (if applicable)
- date seized and produced
- time seized and produced
- producing officer
- related name (if know name of person property belongs to)
- address seized
- location stored

Information property officer or deputy property officer to record on the property tracker when removing property

When you remove property from the property store you must update the property tracker with:

- date evidence booked out
- reason for booking out evidence
- disposal details
- date evidence booked back in
- officer returning evidence
- notes

Information property officer or deputy property officer to record on the property control register when storing property

The property control register requires the following information when you put property into the property store:

- date in

- exhibit reference number
- bag or seal number
- seizing officer
- description of property
- where found or produced
- store (location of property store)

Information property officer or deputy property officer to record on the property control register when removing property

- signature of officer removing property
- date out
- reason
- date return
- signature of property officer receiving property back

Removing property and then returning it to the property store

- If you want the property officer (PO) or deputy property officer (DPO) to remove a piece of property for it to be examined and then return it to the PO or DPO you must still go through these processes above
- as officer in charge (OIC) you must update your record of investigation with what you have done

PO or DPO

If you are the PO or DPO, the officer in charge (OIC) may ask you to provide an MG11 witness statement to confirm:

- you have received the property
- it has been stored in the property store

For a blank MG11 form, see mg11: witness statement (blank)

Access to the property store is restricted to the PO or DPO. If a CFI officer requires access to the property store they must be accompanied at all times by the PO or DPO while in the property store. The PO and DPO must keep a log with the following information:

- date officer granted access
- name and signature of officer granted access
- time in
- case number or reference
- time out
- accompanying officer name and signature

Related content

[Contents](#)

Archived

Property store standards

This section tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about security standards and the preferred locations for property stores.

Criminal investigators must be able to deposit and access property easily but must not have unaccompanied access to the property store.

Regional directors are responsible for making sure there are suitable property stores in the areas they cover. There must also be a:

- temporary drop safe
- transit property store for out of hours use

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Related content

[Contents](#)

Property store standards: security

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) about the level of security required for a property store.

Home Office property stores must be of a minimum standard to make sure the property held in them is not compromised in any way.

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Related content

[Contents](#)

Archived

Property store standards: transit property stores

This page tells criminal investigators in Immigration Enforcement Criminal and Financial Investigations (CFI) teams about transit property stores.

You must arrange for the property officer (PO) or deputy property officer (DPO) to put property in a property store as soon as possible.

If the property store is closed, you can use a transit property store instead. This is most likely to happen at night or at the weekend when there may be no PO or DPO on duty.

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If you place items in a transit store you must notify the PO or DPO as soon as possible, so they can transfer the property into the property store at the first opportunity. Your team must agree locally how you do this.

Related content

[Contents](#)