



OFFICIAL: Sensitive

## GENERAL ORDER PROPERTY

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<b>Enquiries to</b>	Manager Strategic Operations Section, Physical Assets Services Branch Telephone 822 68015
<b>Corporate Policy Sponsor</b>	Executive Director, Business Service

General Orders provide an employee with instructions to ensure organisational standards are maintained consistent with SAPOL's vision. To this end, General Orders are issued to assist an employee to effectively and efficiently perform their duties. It is important that an employee constantly bears in mind that the extent of their compliance with General Orders may have legal consequences.

Most orders, as is indicated by the form in which they are expressed, are mandatory and must be followed. However, not all situations encountered by an employee can be managed without some form of guidance and so some of these orders are prepared as guidelines, which should be applied using reason. An appendix to a General Order will be regarded as part of the General Order to which it relates. At all times an employee is expected to act ethically and with integrity and to be in a position to explain their actions. Deviation from these orders without justification may attract disciplinary action.

To ensure best practice an employee should be conversant with the contents of General Orders.

The contents of General Orders must not be divulged to any person not officially connected with SAPOL. Requests for General Orders will be managed as follows:

- Civil subpoena and disclosure requests—contact the Information Release Unit.
- Criminal subpoena and disclosure requests—refer to General Order, **Disclosure compliance and subpoena management**.
- Freedom of information requests—contact the Freedom of Information Unit.
- Any other requests (including requests by employees)—refer to instructions provided within General Order, **Corporate policy framework, 5. GENERAL ORDER REQUESTS/RELEASE**.

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## 1. GENERAL ORDER STATEMENT

South Australia Police (SAPOL) is committed to effectively and efficiently managing all property coming into the possession of a SAPOL employee which is referred to as police property.

Police property is described as any item or good that is seized or otherwise taken into the custody of an employee of SAPOL for investigatory or evidentiary purposes, for return to owner, forfeiture or disposal. This includes found property and the personal effects of deceased persons.

This General Order outlines the procedures to be followed by employees regarding the management of property held by SAPOL.

### Scope

This General Order applies to all employees of SAPOL.

An employee is to be aware that the management of property is controlled by provisions within the Police Regulations 2014, General Orders, and Service and Local policy.

In particular, the principles as described in the [Property management manual](#), information technology user guidelines and [Shield online help](#) should be adhered to.

### Commentary

To ensure a professional and consistent approach to property management, it is essential that each employee understands their roles and responsibilities. SAPOL follows a general principle whereby an employee should only seize property where necessary and retain it for only as long as required. It should be returned to the owner or otherwise disposed of according to the appropriate legislation or authority, including this General Order, at the earliest opportunity. Any retention beyond this period must be clearly justifiable.

In general terms, property is handed in, surrendered, confiscated or seized as an exhibit. The property follows a planned course of action whereby it is forensically examined or analysed, stored for a determined period of time and presented to a court and/or disposed of by means of sale, release, returned to owner/claimant or otherwise destroyed. It is during each and all of these stages in the 'life' of police property that an employee is required to adhere to the police property management principles as described in accordance with this General Order and the [Property management manual](#).

An employee should seize property and retain it for court, including any appeal period, when:

- it was used in the commission of an offence
- it is an integral part of the proof
- it is a document that is relevant to proof, and secondary evidence is not allowed or possible
- there is likely to be a dispute in court
- it would be unlawful for the owner to retain the property.

An employee should temporarily seize exhibit property when:

- it is perishable—however, perishable goods should only be seized as a last resort, secondary evidence must be considered and the goods returned to the lawful owner as soon as reasonably possible
- it is property awaiting positive identification and return to an owner.

## 2. DEFINITIONS

The following definitions apply to property management which assists with standardisation and clarity in the management of property.

**Central property store**—refers to the Southern Property Store.

**Data storage devices**—includes any items which have the ability to hold or store data or have in-built memories or information, for example mobile phones, blackberries, digital cameras or film, universal serial bus (USB) devices, smart watches and GPS bike computers.

**Destruction of property**—means to render the item unfit for the purpose it was designed for and incapable of reasonably being rendered fit for that purpose. To destroy, in relation to valueless or unsaleable property, means to render the property unserviceable.

**Disposal of property**—property subject to any order of a court or property that is in the custody of SAPOL for investigatory or evidentiary purposes must not be released or disposed of by SAPOL except:

- for scientific analysis, use as an exhibit or other use in connection with legal proceedings or official investigations; or
- when property is no longer required for use in connection with any legal proceedings or official investigations; and
- one month has elapsed since the end of any relevant legal proceedings (with the exception of firearms that are to be disposed of in accordance with section 63 of the *Firearms Act 2015*).

Disposal of property is in accordance with General Order 8185, **Business management, Procurement and contract management, Disposal of or distributing goods and assets**.

**District or Local Service Area property stores (D/LSAPS)**—each District or LSA will maintain only one D/LSAPS unless otherwise approved by the relevant assistant commissioner. The D/LSAPS will generally be at the District/LSA headquarter station which is capable of providing a managed secure permanent property holding facility. All other property storage facilities are to be considered as a transit property holding facility.

**Evidence lockers**—are to be used for the short-term secure storage of property that is to be taken to the assigned District property store (Southern or Northern Property Store). When all lockers are full, or the exhibit does not fit inside a locker, an interim property room should be used instead.

**Found property**—any personal property that has been lost and whose owner is unknown at the time at which the property is found.

When found property is returned to the finder, the finder does not obtain title to the property as against the owner or the person who lost the property until the end of five years from the day on which the property was returned to the finder by SAPOL.

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

**Lost property**—lost property can be reported online when it meets the following criteria:

- the property was lost in South Australia
- the person making the report is the owner of the property
- a fair estimate of the value of the property is less than \$3000 in total
- the property was not stolen (taken by burglary or theft or by force)
- the property was not abandoned (deliberately left with no intention of reclaiming the item)
- the property was not loaned or given to another person
- police do not need to investigate the loss as suspicious or criminal.

When lost property does not meet the above criteria, for example an expensive piece of jewellery valued at \$3000 or more or numerous items with a joint value over \$3000 are lost, an occurrence must be created.

Where a member of the public attends a police station to report lost property, which can be reported online, an employee should bring this to the person's attention. However, when the member of the public insists upon police taking a report or they do not have Internet access or English is not their usual language the employee should create an occurrence and enter the information in the online lost property website.

The website is available through the Internet at <<http://www.reportlostproperty.police.sa.gov.au>>.

**Owner**—the person lawfully entitled to possession of the property.

**Property storage areas**—recognised property receiving organisational units will maintain a property store. Transit property holding facilities and interim property rooms will be maintained with appropriate approval when necessary. 4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

**Responsible officer**—the employee who is accountable for the receipt and safe custody of exhibit property at the Exhibit Property Section—ensuring the integrity and chain of evidence of such property is maintained and as instructed by the court, they are responsible for the appropriate disposal of such property where necessary.

**Shield**—the SAPOL Records Management System developed by Niche Technology Incorporated.

**Surrendered**—property surrendered by the owner to police. It includes firearms identified for destruction and can also include dangerous articles such as knives and weapons surrendered to police by an owner.

**Transit property holding facility (TPHF)**—TPHFs are used to hold property for the specified maximum time relevant to specific items. Generally, property can only be held in a TPHF for a maximum of 24 hours or until the next working day.

Found property can be stored in either a D/LSAPS or TPHF for a maximum of three months. Deceased property can be stored in either a D/LSAPS or TPHF for a maximum of seven days. In particular circumstances the relevant assistant commissioner may authorise a TPHF to hold property beyond specific times.

**Unclaimed property**—property that has been in the custody of SAPOL for a period of at least two months and in relation to which:

- there is no person who appears, to the satisfaction of the Commissioner of Police, to be the owner of the property
- there is such a person but that person has not been located after reasonable inquiry
- there is such a person but that person has not exercised their right to recover the property.

This does not include found property unless, in addition:

- the finder has not exercised their right to claim the property within 42 days from the time at which they delivered the property to SAPOL
- the finder has relinquished their claim to the property.

**Valueless or low value property**—items found by members of the public and forwarded to SAPOL with a financial value estimated to be less than \$10, either with or without an intention by the finder to claim the item where the item is not returned to the owner.

**Vehicles, impound property**—all vehicles seized under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*. For all vehicles seized for the purpose of impoundment refer to General Order, **Clamping, impounding and forfeiture of vehicles**.

### 3. **PROPERTY AND VEHICLE RECORDS ON SHIELD**

Property is to be managed in accordance with part 13 (property in custody of SA Police) of the Police Regulations 2014.

Property and vehicles (not impound) coming into custody of SAPOL must be entered onto Shield according to their category, with each category containing various property types. All property and vehicles (not impound) must be entered using these property types:

- alcohol
- animal
- bicycle
- boat motor
- drug
- firearm
- general property

- investigative property
- police document
- security/cash.

#### **4. ROLES AND RESPONSIBILITIES**

SAPOL is committed to the best practice for management of property utilising systems for the effective and efficient management of property with an aim to minimise the amount of property seized and retained and to effectively manage the custody, release, disposal and destruction of all property items.

Each item of property will have a nominated Responsible officer attached to the property.

An employee who is nominated as the Responsible officer for a property item holds the responsibility for each property item for the life of the property with SAPOL or until that responsibility is transferred to another employee as Responsible officer.

It is the responsibility of an employee to abide by Police Regulations 2014, General Orders, the [Property management manual](#), and Service and Local policy.

##### **District/LSA/branch manager**

The District/LSA/branch manager is responsible for:

- ensuring the regular review of accountability and provision of appropriate command structures to ensure the property storage areas under their control operate efficiently and effectively
- identifying a person within the District/LSA at supervisor/manager level who will hold the 'portfolio' responsibility for property management within the District/LSA/branch, this person is to ensure property rooms are adequately managed and staffed
- implementing and maintaining systems and processes to identify information necessary to effectively manage property storage area holdings
- implementing and maintaining systems to ensure supervisors regularly review subordinates property receipts and provide evidence of review and resulting action to the District/LSA/branch fortnightly Tactical coordination group meeting
- ensuring that local instructions clearly identify the location and role of the District/LSA/branch property room
- ensuring that local instructions clearly identify the location, purpose and limitations of transit property holding facilities within the District/LSA/branch
- ensuring that upon being advised that an employee is to be absent from the workplace for a period in excess of three months or is separating from SAPOL, that all relevant property receipts are reallocated to another Responsible officer
- ensuring regular audits are undertaken of all property holdings under their command
- ensuring employees under their control are adequately trained to an appropriate level (relevant to their responsibilities) in the efficient use of Shield and the management of property when in possession of SAPOL



- ensuring regular disposal of property with a pending disposal
- ensuring that appropriate induction and departure practices are in place to review and action the property holdings of incoming and outgoing employees—in all cases where an employee is transferring to another location within SAPOL, their property list is to be reviewed.

### **Operations manager, officer in charge of a police station or branch manager with transit property holding facility**

The operations manager, officer in charge of a police station or branch manager of a central property store or a TPHF is responsible for:

- ensuring the safe and secure management and control of all property under their control
- the overall supervision and administration of the TPHF
- ensuring all items being destroyed are correctly disposed of in accordance with the [Property management manual](#)—all items with a pending disposal for destruction are subject to audit by the operations manager, officer in charge of a police station or branch manager who will review items authorised for disposal to ensure the appropriate action is undertaken
- ensuring that local instructions clearly identify the location, purpose and limitations of any transit storage facilities within the work location, including managing found property
- management of audits of the central property store or TPHF
- ensuring compliance with any remedial issues identified by audits
- providing adequate resources to manage the central property stores or TPHF
- arranging for the destruction of found property authorised for destruction where required
- where property is lodged in a TPHF, ensuring that arrangements are in place to transfer the property to the permanent central property store within 24 hours, or other time period as authorised by the assistant commissioner
- ensuring requirements of the induction and departure practices are met.

### **Employees supervising property rooms/stores**

An employee tasked with the supervision of property rooms/stores shall:

- ensure the safe and secure management and control of all property under their control
- ensure all property in the property storage areas is managed and stored in accordance with this General Order and the [Property management manual](#).

### **Employees responsible for managing property**

An employee tasked with duties in the management of property shall:

- conduct the identified duties relative to their responsibility as requested by their supervisor

- conduct the necessary Shield checks to ensure the timely movement, disposal, destruction and release of property in accordance with this General Order and the [Property management manual](#)
- ensure that any physical destruction of property must be completed by two employees—one must be of a rank of senior sergeant or above (or a member acting in the role), except in the case of the Southern Property Store (SPS) where it can be witnessed by a sergeant in the position of SPS (or a member acting in the role)
- in situations where the case officer or their supervisor are unable to do so, amend the expected disposal date
- ensure that any money (held in specie) that is authorised for release or destruction must be dealt with by two or more employees
- ensure that any money (that was previously held in specie) taken from SAPOL storage to a financial institution must be undertaken by two employees—a receipt is to be obtained and provided to the employee's supervisor for audit
- ensure that foreign or old currency (that was previously held in specie) that is considered by a financial institution to be valueless or would cost SAPOL money to exchange is to be donated to UNICEF (or an appropriate charity)—in this instance the bank teller would document this on the appropriate form and it is to be audited by a supervisor
- identify from Shield all property items not deposited within 48 hours and:
  - 'check out' the item on Shield to the Responsible officer for action
  - notify the officer in charge of the police station/branch of any non-compliance by employees regarding property management
- conduct regular reviews of property 'checked out'.

### **Supervisor**

A supervisor is responsible for:

- supervision of employees to ensure the efficient and effective management of property
- ensuring that employees under their control only seize property within the property seizure guidelines and consider opportunities for the provision of secondary evidence prior to seizing
- ensuring property is retained by SAPOL in accordance with retention guidelines
- ensuring that they or a field tutor approve all property seizures by probationary constables under their responsibility
- ensuring the reallocation of Responsible officer responsibility of any property receipts for employees who have separated from SAPOL or are expected to be absent in excess of three months
- reviewing every property receipt maintained by employees under their control on a quarterly basis in line with **PD160 Audit report (PD160)** requirements—this will include checking the status of each receipt, the Responsible officer's action regarding the status of each item and that an appropriate occurrence enquiry log (OEL) entry has been added to Shield

- providing regular reporting to District/LSA/branch managers on the compliance of employees in regard to managing property, including compliance with Shield requirements.

## **Employee**

An employee (nominated Responsible officer) is responsible for ensuring that:

- All property is seized and managed according to regulation 69 of the Police Regulations 2014.
- All property is entered onto Shield in accordance with the [Property management manual](#) and Shield requirements.
- Prior to seizure consideration is given to the need to seize property or where the use of secondary evidence (such as oral or photographic evidence) or recalling the property for court is more appropriate.
- Seized property is deposited, on the same shift that it is seized, in an evidence locker or at an approved property storage area.
- Where property is entered on Shield any movement of that property is recorded within Shield and an OEL entry is regularly updated which include the details of any action.
- All retained property is monitored and authorised for disposal at the earliest opportunity.
- Where property is checked out to a member, and deposited to any of the following:
  - Forensic Science SA (FSSA)
  - court
  - Radio and Technical Support Unit,the member is to 'check in' that property to the relevant location on Shield.
- All property 'checked out' is monitored for return to its property storage location at the earliest opportunity.
- Where property for which they are responsible has been moved to another agency or court, they manage the timely return of the property.
- They retain accountability of the seized property until the matter is finalised and the property has been authorised for disposal.
- All property receipts on Shield are checked on a monthly basis and a report is provided to their supervisor on the status of all property.
- Property is deposited at appropriate SAPOL approved property storage locations.
- Prompt action is taken to identify the owner of property when ownership is unknown or is disputed and record the results on Shield.
- At the earliest opportunity an appropriate pending disposal is added to all property for which they have responsibility and take follow-up action to ensure this occurs.
- They complete all Shield property actions as soon as possible and record on Shield any reasons for delay in disposal as an OEL entry on Shield.

- They meet with their supervisor on a quarterly basis in line with **PD160** audit requirements and review each property item.
- They notify their supervisor of any intended long term absence or resignation so that the Responsible officer on Shield is modified to identify another employee responsible for the item.
- At the earliest opportunity identify items for return to owners/return to claimants, and make an appropriate notification to that owner/claimant advising the item is available for collection. This may be done via a 'return to owner letter' on Shield, or other appropriate means (for example a phone call or email). Details of notifications made are to be recorded as an OEL entry on Shield. In some circumstances notifications to owners/claimants may be undertaken by employees responsible for the management of property stores; however, the primary responsibility rests with the Responsible officer.

### **Probationary constables**

In addition to the responsibility of an employee, a probationary constable must also obtain approval from a supervisor or field tutor to seize any item of property. Approval must be obtained at the earliest opportunity and before the property is lodged in an evidence locker, at a property storage area or TPHF.

## **5. REALLOCATION OF RESPONSIBLE OFFICERS**

The following procedures apply.

### **Supervisor**

A supervisor must ensure that all property receipts are reallocated to an appropriate case officer (**PD569 Employee separation checklist**):

- prior to forwarding a **PD89 Advice of separation from South Australia Police (PD89)** to HR Operations and Partnering Branch—refer General Order, **Separations**
- when becoming aware that a nominated Responsible officer has already separated from SAPOL and a new Responsible officer has not been allocated (this is to be done as soon as practicable)
- when they become aware that an employee is to be absent from the workplace in excess of three months, a new Responsible officer will be allocated as soon as practicable.

### **Responsible officer**

A Responsible officer of an active property receipt is responsible for allocating a new Responsible officer and modifying the Responsible officer details when:

- the responsibility for the property transfers to another Responsible officer linked to the investigation
- commencing any period of leave or absence in excess of three months
- terminating employment with SAPOL.

## **Employee**

An employee who becomes the nominated Responsible officer of a property item as a result of a reallocation will be responsible for the item and ensure:

- a detailed OEL entry is added on Shield for the purpose of the reallocation and the status of the item
- they provide their contact details to relevant persons pertaining to the item/investigation including FSSA, Forensic Services Branch, a court or any others as necessary.

## **6. WORK HEALTH AND SAFETY**

SAPOL is committed to ensuring the hazards and risks when dealing with property are either eliminated or minimised to reduce the level of risk, number and severity of incidents and ensure the safety of all persons.

A hazard is anything that has the potential to cause harm to the health and safety of people at work.

Every employee is responsible for identifying hazards associated with property management. This includes hazards which may occur during the handling, seizing, storage and disposal of items.

An employee must manage any identified hazard(s) in accordance with this General Order, the [Property management manual](#) and General Order, **Hazard management**.

## **7. PROPERTY PACKAGING AND LABELLING**

It is the responsibility of all employees handling property to ensure that property items in the custody of SAPOL are safely and correctly packaged and labelled in accordance with the [Property management manual](#) and work health and safety requirements. Refer to the [Property management manual](#) for instructions on principles of property tagging and packaging.

## **8. AUDITING**

Auditing of property will occur in accordance with General Order, **Audit procedures**.

Each District/LSA/branch is responsible for ensuring that regular audits are conducted on all property holdings at the D/LSAPS or TPHF.

Audit officers allocated responsibility for conducting audits are to be competent and experienced, not directly involved in or responsible for the area to be audited—this includes a rotation of auditing employees delegated with audit responsibility to ensure integrity and to avoid complacency.

## **9. ACQUISITION**

All employees are responsible for the legality and necessity to acquire or seize any property items.

### **Property receipts**

In accordance with regulation 69 of the Police Regulations 2014, on all occasions where property is acquired the person from whom the property is acquired must be issued with a receipt.

When access is available to Shield, the details are to be recorded using the Shield received property receipt.

When Shield is unavailable (for example offline) or an employee is away from a police station and the employee receives or seizes property (excluding impounded motor vehicles) they are to record the details on a **PD88 Field receipt book (PD88)**.

When seizing a motor vehicle, which is to be impounded, the property is not entered onto Shield. The seizure must be recorded within the Clamping Impounding Processing System (CLIPS) and on a **PD550A South Australia Police—Notice of motor vehicle impoundment or clamping (PD550A)** in accordance with General Order, **Clamping, impounding and forfeiture of vehicles**.

Specific instructions in relation to Shield are detailed within the [Property management manual](#) and [Shield online help](#).

## **10. INTEGRITY OF PROPERTY**

The integrity of all property items in the custody of SAPOL is paramount.

Every employee is responsible for the security, management and chain of evidence principles relating to the safekeeping of property.

### **Display of items**

An employee must not display exhibits to any person, including legal advisers without consulting with the officer in charge of the District/LSA/branch and when applicable, the prosecutor handling the case.

### **Use of property in police custody**

In accordance with regulation 69(3) of the Police Regulations 2014, an employee must not use any property in police custody (no matter what the classification of the property) for any purpose other than those for which it was received, seized or otherwise taken.

### **Forensic examination**

Where an employee requires scientific forensic examination of an exhibit (for example by FSSA, Forensic Services Branch—Fingerprint Bureau/Forensic Response Section) they must ensure the item is dealt with in accordance with the [Property management manual](#), and each item to be examined is recorded on Shield with its own unique item number. FSSA will not accept the exhibit when this is not done prior to lodgement of the exhibit. For further information refer to General Order, **Forensic procedures**.

## 11. STORAGE

SAPOL aims to safely and efficiently manage all property in its custody. This will include the manner, methods and process in which items are stored. Property will only be held or retained in an approved property storage area (refer to **2. DEFINITIONS** previous in this General Order) and in accordance with the [Property management manual](#).

### Ottoway Exhibit Property Section

Bulky exhibits, which cannot be practically held at a police station, may be stored at:

Ottoway Bulk Exhibit Property Store (4(2)(a)(v) & 4(2)(a)(vi) and  
14 Temple Court  
OTTOWAY SA 5013  
Telephone: 8207 4230

The Shield organisation unit code is 4(2)(a)(v) & 4(2)(a)(vi) and

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

A member of the public wishing to view property should be advised to attend between 8 am and 3.30 pm Monday to Friday (except public holidays).

After-hours contact is through the Communications Centre (ComCen). Refer to the [Property management manual](#) for instructions on after-hours procedures.

4(2)(a)(v) & 4(2)(a)(vi) will not accept cash, firearms, drugs or any hazardous substances. 4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

### Southern Property Store

The SPS is based at Edwardstown, and manages property for the Eastern and Southern Districts and Crime Service. Property that was previously stored at Adelaide (ADPS), Christies Beach (CBPS) or Sturt Police Station (SRPS), has been centralised to the SPS and managed by the Property Management Unit. Property exhibits may be stored at:

Southern Property Store (SPS)  
5 Talisman Ave  
Edwardstown SA 5039  
Telephone: 8291 6100

The Shield organisation unit code for SPS is 4(2)(a)(v) & 4(2)(a)(vi) and

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

A member of the public wishing to collect 'return to owner' property should be advised to attend between 9 am and 4.30 pm Monday to Friday (except public holidays).

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

Property collected for sending to SPS should be booked into 4(2)(a)(v) & 4(2)(a)(vi) and 4(2) except for the following, which should be booked to the local station codes:

- found

- red bag buccal swabs, except comparison samples that can be booked to 4(2)(a)(v) & 4(2)(a)(vi) and

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

- any item that is checked in, and moved straight out again to the investigator.

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

## 12. RETENTION

For any property item to be retained in police custody there must be a genuine need or reason which shall be recorded by Shield.




Property should be retained until such time as the matter it relates to is finalised (through court, limitation of time, charges not proceeding, offence not identified, found or some other reason).

Once the matter is finalised, or the property is no longer required to be held, a pending disposal should be added for appropriate disposal.

Some types of property are required to be held for a defined period of time, regardless of the outcome.

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)



Further clarification about retention periods should be obtained from SAPOL Records Management Unit.

### 13. DISPOSAL, DESTRUCTION OR RELEASE OF PROPERTY

Disposal, destruction or release of property will be completed in compliance with regulation 72 of the Police Regulations 2014, General Order, **Delegations** and the [Property management manual](#).

All official records must be retained for the retention period as determined by the disposal schedules and approval to destroy records must be received before destruction can occur. General Order 8185, **Business management, Information management, Disposal of records** outlines SAPOL's responsibilities for destroying any type of record.

### 14. IDENTIFYING AN OWNER

Regulation 71 of the Police Regulations 2014 requires that all reasonable efforts be made to determine and locate the owner of property that is in the custody of SAPOL.

The receiving officer will follow the guidelines in the [Property management manual](#) and must conduct a final search when processing found property items in an attempt to identify an owner prior to releasing the found property to a finder.

### Determining an owner

In compliance with regulation 71 and 72 of the Police Regulations 2014 the following positions have delegated authority to determine ownership of property, and return the property to the owner:

- the case officer the property has been assigned to as per Shield
- the position of sergeant or above
- the officer in charge of a police station.

Once property ownership is determined the Responsible officer may provide written authority to a Property officer to add the pending release on their behalf within Shield.

### Dispute over ownership

When two or more parties dispute the ownership of property and the employee cannot appropriately determine the lawful owner, advice should be sought from the Office of the General Counsel by following the process described in accordance with General Order, **Legal advice—accessing legal services and advice**. An employee must add an appropriate OEL entry on Shield specifying the details of disputed ownership and action taken.

## 15. SAFEKEEPING

An employee must not receive property for safekeeping.

Property of deceased persons held for next of kin is not considered as property for safekeeping.

## 16. RESTRICTING ACCESS

<sup>4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)</sup> details throughout SAPOL. When the receipt and/or details are sensitive in nature an employee should consider:

- restricting the receipt to <sup>4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)</sup> in relation to all details associated with the receipt; and/or
- restricting the physical access to the items listed on the receipt.

<sup>4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)</sup>  
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## 17. SPECIAL PROPERTY ITEMS

Due to the individual safety, security, forensic or investigational needs of special property items an employee must refer to the information and specific guidelines for each item in accordance with General Orders, the [Property management manual](#) and work health, safety and welfare principles.

<sup>4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)</sup>  
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4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

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**Cultural objects**—an employee dealing with an object suspected of having a cultural or religious significance must be dealt with in a respectful and culturally sensitive manner in consultation with the Cultural Portfolio.

**Deceased property**—the personal effects of deceased persons which may come into possession of SAPOL pending the provision of the property to the executor of a deceased estate and will be entered as deceased property.

All items or documents (including suicide notes/recording) that are relevant to any coronial investigation will be treated as exhibit property for investigatory or evidentiary purposes and must be entered onto Shield as exhibit property.

No release of exhibit property relating to coronial matters can occur until authorisation is received from the State Coroner. Refer also to General Order, **Deaths and deaths in custody** and the [Property management manual](#).

**Data storage devices**—any item with the ability to hold or store data or with inbuilt memory or information. This may include (but not limited to) mobile phones, blackberries, tablets, digital cameras or film, USB devices or 3D printers.

**Digital photographic evidence**—digital photography is real evidence and to be accepted by a court it must conform to the rules of evidence. Maintaining a chain of evidence is of major importance and procedures in the [Guidelines for Digital Imaging Processes](#) must be followed.

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

[Redacted]

[Redacted]

[Redacted]

**Emergency positioning radio beacons (EPIRBs)**—EPIRBs are not to be received into any SAPOL property room or police station. Members of the public are to be referred to their local maritime safety agency or battery store for safe destruction of EPIRBs.

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

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- [Redacted]
- [Redacted]

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

**Fireworks/flammes**—SAPOL is called upon by members of the public to dispose of flammes and fireworks. Where SAPOL accepts out-of-date flammes for destruction an employee acts as an agent and provides a service to the public. Flammes received under this circumstance will not be added to Shield and are to be placed into the appropriate storage box pending conveyance to the relevant property store.

Flammes and fireworks which have been acquired as exhibits will be released according to the Shield guidelines and the [Property management manual](#).

Further information can be found in the [Property management manual](#).

**Found**—property found by the public and handed into police, with or without a view to reclaiming the property.

Police regulations require that reasonable enquiries must be made to identify the owner. Where the identity of the owner is known the employee must make reasonable efforts to contact the owner and return the property to the owner.

Where the owner cannot be identified or contacted, the finder may claim the property no later than 42 days from the day the property was delivered to SAPOL.

When found property is not returned to the owner the property must be retained by SAPOL for a period of two calendar months commencing the day after the property was received and must not be returned to the finder until after this period.

At the completion of two calendar months the finder shall be given 14 days to collect the property. When the finder does not collect the property within 14 days or arrangements have not been made for the property to be collected within a reasonable time period, the property will be treated as unclaimed property and disposed of in accordance with General Orders.

**Forensic material**—in order to ensure compliance with the legal requirements imposed by the *Criminal Law (Forensic Procedures) Act 2007* (CLFPA), destruction of all forensic material gathered as a result of a simple identity procedure (buccal swab or finger prick) will be coordinated by DNA Management Unit. This includes all samples rejected and samples contaminated through error during the procedure.

Disposal and destruction of other forensic material obtained through the CLFPA and crime scene material obtained by means other than the CLFPA is to be managed by the relevant District/LSA/branch in consultation with the relevant Responsible officer.

**Gas cylinders**—careful consideration should be given when deciding whether gas cylinders should be seized, given the inherent dangers associated with their storage in enclosed spaces. Further information on hazardous items is available through the [Health, Safety and Wellbeing Branch intranet site](#) (hazardous substances).

**Hazardous items**—a hazardous item is anything that has the potential to cause harm to the health and safety of employees or members of the public. An employee is to identify any hazardous items in the workplace and deal with them in a safe and appropriate manner in accordance with WHS principles and guidelines. Further information on hazardous items is available through the [Health, Safety and Wellbeing Branch intranet site](#) (hazardous substances).

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

**Laser pointer devices**—laser pointer devices seized in breach of Summary Offences (Weapons) Regulations 2012 are to be forwarded to Radio and Technical Support Unit for testing while maintaining the chain of evidence. The cost of testing should be included in the prosecution file for the recovery of costs where possible.

**Mobile telephones**—mobile telephones received as general property will be managed in accordance with the [Property management manual](#). All reasonable effort must be made to identify the owner of found mobile phones which are received into police custody and the mobile telephone dealt with in accordance with found property guidelines. The receiving employee will advise the finder that the owner of the phone will be attempted to be located by SAPOL.

**Motor cycle helmets**—motor cycle helmets related to vehicle collisions will be managed in accordance with General Order, **Vehicle collisions** relative to fatal and serious vehicle collisions.

**Number plates**—surrendered South Australia number plates should be surrendered by the owner to a Service SA centre direct. Outside a 100km radius of a Service SA centre, the plates may be surrendered to police. The surrendered number plates are to be entered onto Shield and returned to Service SA as instructed in the [Property management manual](#).

Surrendered interstate number plates should not be accepted by SAPOL with the owner directed to contact the appropriate authority in the State from which the plates originate from.

Found or recovered stolen number plates should be managed through Shield in accordance with the [Property management manual](#).

**Perishable goods**—perishable goods should only be seized as a last resort. Secondary evidence must be considered and the goods returned to the lawful owner as soon as reasonably possible.

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

**Radar detectors/jammers**—radar detectors/jammers forfeited pursuant to section 53B of the *Road Traffic Act 1961* must be forwarded to Radio and Technical Support Unit once the appeal period has expired or the fine has been expiated.

**Valueless or low value items (including keys)**—valueless or low value items are of a financial value of less than \$10 determined by at least two employees taking into consideration the market value of the item. Valueless or low value items intended to be claimed by the finder must be added to Shield.

**Vehicles, exhibit vehicles**—vehicles seized for any reason other than impounding are to be dealt with and managed according to the purpose for which they were seized in accordance with general property management policies.

**Vehicles, impounded vehicles**—when seizing a motor vehicle which is to be impounded due to clamping and impounding of vehicles legislation the seizure is not tagged as an exhibit item on Shield but must be recorded within CLIPS and on a **PD550A** in accordance with General Order, **Clamping, impounding and forfeiture of vehicles**.

## 18. REFERENCES

[Audit – Property Management Local Auditor Instructions](#)

*Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

*Criminal Law (Forensic Procedures) Act 2007*

General Order 8185, **Business management, Financial management, Financial management compliance**

General Order 8185, **Business management, Procurement and contract management, Disposal of or distributing goods and assets**

General Order 8185, **Business management, Information management, Disposal of records**

General Order, **Audit procedures**

General Order, **Cash**

General Order, **Clamping, impounding and forfeiture of vehicles**

General Order, **Deaths and deaths in custody**

General Order, **Delegations**

4(2)(a)(vi) & 4(2)(a)(vi) and 4(2)(b)

[Redacted]

[Redacted]

General Order, **Forensic procedures**

General Order, **Hazard management**

General Order, **Information—access and release**

General Order, **Intervention/restraining orders**

General Order, **Legal advice—accessing legal services and advice**

General Order, **Separations**

General Order, **Vehicle collisions**

[Guidelines for Digital Imaging Processes](#)

Police Regulations 2014

[Property management manual](#)

Road Traffic Act 1961

[Shield online help](#)

4(2)(a)(v) & 4(2)(a)(vi) and 4(2)(b)

Summary Offences (Weapons) Regulations 2012

## 19. FURTHER ENQUIRIES

For further information contact Manager, Strategic Operations Section, Physical Assets Services Branch, telephone 822 68015.

## 20. DOCUMENT HISTORY SINCE 15/11/00

Gazette reference (SAPG)	Date	Action (amendment/deletion/new/review/temporary variation)
262/00	15/11/00	Amendment—due to PPMS being implemented.
300/00	27/12/00	Amendment—Property room security.
Nil	16/11/04	General Order uploaded to CMS for first time.
225/06	13/09/06	Amendment—Case officer responsibilities.
381/07	19/12/07	Amendment—reference to General Order 8185, <b>Business management, Procurement and contract management, Salvage and disposal of surplus goods.</b>
116/12	02/05/12	Review 2010, 2011 and 2012—major re-write of entire General Order. This General Order deletes and replaces General Order, <b>Exhibits.</b>
247/12	03/10/12	Amendment—Communications Branch has been renamed Communications Group.
64/13	20/03/13	Amendment—to clarify the terms 'perishable goods' and 'impound property'.
177/13	21/08/13	Amendment—reference to General Order, <b>Deaths</b> amended to General Order, <b>Deaths and deaths in custody.</b>
6/15	07/01/15	Amendment—at <b>17. SPECIAL PROPERTY ITEMS</b> regarding the receiving of Emergency positioning radio beacons (EPIRBs).
172/15	02/09/15	Amendment—at <b>11. STORAGE</b> regarding long term storage of firearms.
6/16	06/01/16	Review 2015.
106/19	22/05/19	Review 2019.
240/23	13/12/23	Review 2023—including changes to reflect Shield; definition of <b>Data storage devices</b> expanded; at <b>4. ROLES AND RESPONSIBILITIES</b> bullets added in relation to the destruction of property (including money held in specie) and associated procedures and auditing requirements; at <b>14. IDENTIFYING AN OWNER, Determining an owner</b> text added in relation to the responsible person authorising a property officer to release the property; at <b>17. SPECIAL PROPERTY ITEMS</b> regarding the receiving of emergency positioning radio beacons (EPIRBs) and pipes and bongs, and the removal of references to the <b>PD555</b> and <b>PD556.</b>

General Order, **Property**

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**APPROVED BY COMMISSIONER/DEPUTY**

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*Print Full Name*

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*ID Number*

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*Signature*

29/11/23  
*Date*

**Documentation certification and verification**

General Order draft—prepared by: Tom Pontt, Manager, Strategic Operations, Fleet and Stores  
General Order—verified by: Stephen Johnke—Executive Director, Business Service