

# POLICE STOPS



**KNOW YOUR RIGHTS**

## **This guide tells you what happens if you are stopped by the police.**

For more detailed information, including legal definitions, translations into alternative languages and different formats go to [www.apa.police.uk](http://www.apa.police.uk) or contact your local police authority.

### **What is 'stop and account'?**

'Stop and account' is when an officer stops you and asks you:

- what you are doing;
- why you are in an area or where you are going; or

- what you are carrying.

A police officer or police community support officer (PCSO) does not have the power to force you to stay with them if you are stopped and asked for your actions.

### **Who can carry out a 'stop and account'?**

- A police officer; or
- a PCSO.

A PCSO must be in uniform but a police officer does not have to be. They must show you their identity card if not in uniform.

## What is recorded and your right to a receipt

If you are stopped the officer will only record your ethnicity and you will be given a receipt showing the date and time you were stopped, and the officer's name and details.

## What is 'stop and search'?

You can be stopped and searched when an officer has reasonable grounds to suspect that you are carrying:

- drugs, weapons or stolen property; or

- items which could be used to commit a crime.

Sometimes officers can stop and search you within a specific area without any reasonable grounds if it is believed that:

- serious violence could take place, or offensive weapons are being carried or have been used; or
- a terrorist threat has been identified.

The officer must explain this to you and must be searching for weapons or items which could be used in connection with violence or terrorism.

A screening (knife) arch is not a stop and search. You can't be forced to go through, but refusal may result in further officer action or even a full search.

Please note that an officer can confiscate cigarettes or alcohol in view (even if it is in a container) if you are underage. This is not a stop and search.

### **Who can 'stop and search' you?**

- A police officer who must be in uniform if the search is related to terrorism or serious violent crime – if they are not in uniform, they must show you their identity card; or

- a PCSO, but only if the search is related to terrorism, they are in uniform and with a police officer.

### **How should a stop and search be carried out?**

Before you are searched, the officer must take all reasonable steps to ensure that you understand:

- that you must wait to be searched;
- what law they are using and your rights;
- their name and ID number;
- the station they work at;

- why they stopped you;
- what they are looking for; and
- your right to a receipt.

The officer can ask you to take off more than an outer coat, jacket or gloves, and anything you wear for religious reasons, such as a face scarf, veil or turban, but only if they take you somewhere out of public view. You can ask that the officer who searches you is the same sex as you.

**It does not mean you are being arrested.**

## **What is recorded and your right to a receipt**

If you are searched you have the right to a receipt and the officer must record the following details:

- your name or a description of you (only if you are searched);
- how you describe your ethnic background;
- when and where you were stopped or searched;

**CONTINUED ON OTHER SIDE ►**

## ► CONTINUED FROM OTHER SIDE

- why you were stopped or searched;
- if they are taking any action against you;
- the names and/or numbers of the officers; and
- if you were searched, what they were looking for and anything they found.

The officer will ask you for your name, address and date of birth.

**You do not have to give these**

**unless you are being arrested or reported for an offence.**

You will be given a receipt and it is important to keep this as you will need it if you wish to make a complaint or see the full record of the stop and search at a later date.

### **What if you are in a vehicle?**

Your vehicle can be stopped at any time and you may be asked to show your driving documents.

If searched or asked to account for yourself, you must receive a written record.

## What can you do if you are unhappy about how you were treated?

**The officer should treat you fairly and with respect.** If you are unhappy with how you were treated, you can complain. If you feel you were treated differently because of your race, age, sexual orientation, gender, disability, religion or faith, you can complain. It will help if you keep the receipt that the police gave you.

You can get advice about how to make a complaint from:

- a police station;

- your local police authority;
- a Citizen's Advice Bureau;
- the Independent Police Complaints Commission;
- the Equality and Human Rights Commission; or
- a solicitor.

The police welcome feedback on your experience – contact your local police authority or take the survey at **[www.apa.police.uk/policestops](http://www.apa.police.uk/policestops)**



Published by the APA  
© October 2009



**POLICE**  
**STOPS**  
**KNOW YOUR RIGHTS**

**If you are stopped by the  
police, you have rights**

# **Remember, if you are stopped by the police, you have rights**

## **The officer who stops you must:**

- treat you with dignity and respect;
- give you the reason why you have been stopped;
- give you their details, including name, police number and station; and
- give you a copy of the stop/search form;

## **You have the right to complain if you have not been treated fairly.**

**For more detailed information, translations into alternative languages and different formats go to [www.apa.police.uk](http://www.apa.police.uk) or contact your local police authority.**