Why is it done?

'Stop and Search' can help the police detect **crime** and make our communities **safer**.

Who can stop you?

- A police officer; or
- a police community support officer.

A police community support officer **must** be in uniform. A police officer does not have to be in uniform, but if they are not wearing uniform they **must** show you their identity card.

You should not be stopped or searched just because of:

- your age, race, gender, sexual orientation, disability, religion or faith;
- the way you look or dress, the language you speak; or
- because you have committed a crime in the past.

If you believe this is why you were stopped or searched, you can complain (see ***How can I complain?***).

What is a stop?

A 'stop' is when a police officer or police community support officer stops you and asks you **to account for yourself**. That is, if they ask you to tell them:

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

Because of the Stephen Lawrence Report, the officer must fill in a form saying why you were stopped and give you a copy (see ***Your right to a form***).

Not every time a police officer or police community support officer talks to you will count as a stop. For example, if the officer

- is looking for witnesses;
- asks you for general information about an incident; or
- is giving you directions.

this **does not** count as a stop and the officer would not normally fill in a form. **But even in this case if you want to you can ask for a form and the officer must fill one out and give it to you.**

What is a stop and search?

This is when a police officer stops you and searches you, your clothes and anything you are carrying.

Only a police officer (not a police community support officer) can search you.

You can only be stopped and searched if a police officer has good reason to suspect you are carrying:

- drugs, weapons or stolen property; or
- items which could be used:
  - to commit a crime;
  - to commit an act of terrorism; or
  - to cause criminal damage

This good reason should be based on facts, information or intelligence or could be because of the way you are behaving.

There are times however when police officers can search anyone within a certain area, for example:

- when there is evidence that serious violence could take place there; or
- where a terrorist threat has been identified.

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

Where can I be stopped and searched?

- In a public place; or
- anywhere if the police believe you have committed a crime.

If you are in a public place, you only have to take off your coat or jacket and your gloves, unless you have been stopped in relation to terrorism or where the officer believes you are using clothes to hide your identity.

If the police officer asks you to take off more than this or anything you wear for religious reasons, such as a face scarf, veil or turban, they must take you somewhere out of public view. This **does not** mean you are being arrested. In this case, the police officer who searches you must be the same sex as you.

What if I am in a vehicle?

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

The police can search your vehicle if they have good reason to think it contains:

- stolen goods;
- drugs; or
- weapons.

They can search your vehicle at anytime, even if you are not there but must leave a notice saying what they have done.

If the search causes damage to your car, you can ask for compensation but only if the police didn't find anything to connect you to a crime.

What happens if I am stopped and searched?

Before you are searched, the police officer should tell you:

- that you must wait to be searched;
- what law they are using and your rights;
- their name;
- the station they work at;
- why they chose you;
- what they are looking for; and
- that you have a right to be given a form straightaway showing details of the stop and search.

Your right to a form

If you are stopped or searched the officer must fill in a form and give it to you straightaway

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unless, for example, they are called away to an emergency. In this case you can get a copy from a police station anytime within 12 months.

The officer **must** write down:

- your name or a description of you (only if you are searched);
- your self-defined ethnic background;
- when and where you were stopped or searched;
- why you were stopped or searched;
- if they are taking any action;
- the names and/or numbers of the officers; and
- if you were searched, what they were looking for and anything they found.

The police will ask you for your name, address and date of birth. You **do not** have to give this information if you don't want to, unless the police say they are reporting you for an offence. If this is the case you could be arrested if you don't tell them.

You will also be asked to say what your ethnic background is from a list of the national census categories which the officer will show to you *(see the **National census categories** list at the end of this leaflet)*. You **do not** have to say what it is if you don't want to. But this information is used to show if the police are stopping or searching people just because of their race or ethnicity.

How can I complain?

The police 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, sexuality, gender, disability, religion or faith, you can complain of unlawful discrimination.

It will help if you keep the form that the police gave you.

You can get advice from, or complain to:

- a police station;
- your local police authority;
- a Citizen's Advice Bureau;
- your local Race Equality Council
- the Independent Police Complaints Commission;
- the Commission for Racial Equality; or
- a solicitor.

If you have difficulty understanding English, or if you are deaf, then the police must take reasonable steps to ensure that you understand your rights.

This is a guide to the 'stop and search' procedures. It does not cover all of the law.

National census categories

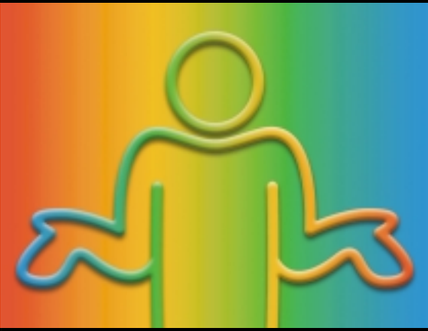
Asian or Asian British
– Indian
– Bangladeshi
– Pakistani
– Other Asian background

Black or Black British
– Caribbean
– African
– Other Black background

Chinese or other ethnic group
– Chinese
– Any other ethnic group

Mixed
– White and Black Caribbean
– White and Black African
– White and Asian
– Any other Mixed background

White
– British
– Irish
– Any other White background



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