

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

For more detailed information, translations into alternative languages and different formats go to www.apa.police.uk or contact your local police authority.

Who can stop you?

- A police officer; or
- a police community support officer (PCSO).

A PCSO **must** be in uniform but a police officer does not have to be; however they **must** show you their identity card.

What is a stop?

A 'stop' 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.

What is a stop and search?

You can be stopped and searched **anywhere** when an officer believes that you are carrying:

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

The officer can ask you to take off outer clothing e.g. coat or jacket or anything you wear for religious reasons, such as a face scarf, veil or turban, but they must 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.

Sometimes officers can search anyone within a specific area, for example:

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

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

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. You must receive a written record.

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;

- the station they work at;
- why they stopped you;
- what they are looking for; and
- your right to a stop/search form.

Your right to a stop/search form

If you are stopped or searched the officer must fill in a stop/search form and give you a copy. You should get a copy of the stop/search form straight away unless they are called away to an

emergency, in this case you can get a copy from a police station. It is important for you to keep your copy of the stop/search form especially if you are not happy with the way you were treated.

The officer **must** write down:

- your name or a description of you (only if you are searched);
- how you describe your ethnic background;

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If you are stopped and searched, 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;

Remember – you have the right to complain if you have not been treated fairly.

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YOUR LOCAL POLICE AUTHORITY IS

► CONTINUED FROM OTHER SIDE

- when and where you were stopped or searched;
- 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.

What can I do if I am unhappy about how I was 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 form 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 Commission for Equality and Human Rights; or
- a solicitor.



STOP & SEARCH

KNOW YOUR RIGHTS