



Working together for a safer London

## Stops and Searches

This form is to be completed for each stop and account and search performed after 1.7.2005. No search should occur without the officer:

- having the support of a legal provision
- having a firm belief that items referred to in the relevant legislation will be found – see new PACE code A (applies 1.8.2004).

### Police powers to stop and search

- The law gives Police Officers powers to search you, anything you are carrying and any vehicle you are in.
- Police must use their powers of stop and search fairly and without unlawful discrimination. They will try to be considerate and courteous but they also need to be aware of their personal safety and the safety of the public.
- In some circumstances, Police Officers can use reasonable force to detain and search you.

### What must a Police Officer tell you?

Before making a search, the Police Officer must take reasonable steps to tell you:

- that you are detained for the purpose of a search;
- their name (except for Anti-Terrorism searches or otherwise where the officer reasonably believes that giving their name might put them in danger, in which case their warrant number or other identification number shall be given) and the police station they are from;
- what they are searching for in general terms (the items they are looking for);
- what reason they have for searching you (excluding Terrorism powers and Powers under Section 60 Criminal Justice Act – see elsewhere in this form);
- what authority they have for searching you under Terrorism or Sec 60 CJA;
- that you are entitled to a full copy of this record now or at any time within the next 12 months.

If not in uniform they must show you their warrant card – all officers in uniform should be displaying a name badge.

### How far can a Police Officer search?

- If the search takes place in public, the Police Officer can usually only ask you to remove your outer coat, jacket and gloves – except for Terrorism and Sec 60 CJA searches – see elsewhere in this form.
- Out of public view you may be asked to remove your headgear, footwear or any item concealing identity.
- If the Police Officer needs to perform a more thorough search, it must be done out of public view by a Police Officer who is the same sex as you and out of view of any person of the opposite sex to you.

Further advice may be obtained from the Metropolitan Police internet site (at [www.met.police.uk](http://www.met.police.uk)), local Citizens Advice Bureau, Metropolitan Police Authority website (at [www.mpa.gov.uk](http://www.mpa.gov.uk)) or a local community group. The Metropolitan Police is committed to increasing community confidence in its use of stops and searches.

## Know your rights!

### A short guide to commonly used Police powers of stop and search

A Police Officer can speak to you at any time during the course of their duties. It does not mean that they suspect you of doing anything wrong. If a Police Officer decides to stop you and search you, they can only\* do so if they have 'reasonable grounds' (good reason) to suspect that you have with you:

- Stolen goods.
- A knife, an item with a blade or point, or some other offensive weapon.
- Things that can be used to commit burglary, theft or deception or taking a motor vehicle without authority.
- Articles to commit criminal damage.
- Controlled drugs.
- Guns or other firearms.

Or if they have:

- Reasonable suspicion of being concerned in terrorism.

\*'reasonable grounds' are not required for searches under Sec 60 Criminal Justice Act or Sec 44 Terrorism Act.

'Reasonable grounds' does **not** usually include personal appearance. A Police Officer cannot lawfully stop and search you just because of your age, skin colour, style of clothing or hairstyle, etc. (unless reliable information or intelligence is available linking a distinctive item of clothing or other means of identification to membership of a group or gang which habitually carries knives unlawfully, weapons or controlled drugs.) There is no such thing as a 'voluntary search'. If you are stopped and searched, the Police Officer must follow the correct police procedure. This means recording the event on this form and giving you a copy at the time unless wholly impractical to do so.

Your vehicle can also be searched on 'reasonable grounds' and for the same reasons. If you are not with the vehicle at the time, the Police Officer must leave a copy of this form in or on the vehicle giving their name and which police station they work at. You can apply for compensation at the police station (or by writing to the Commissioner of Police of the Metropolis, New Scotland Yard, Broadway, London SW1H 0BG) if any damage is caused during the search.

The Police get these powers to stop and search from several different Acts of Parliament, some of which are:

- Sec. 1 Police and Criminal Evidence Act 1984
- Sec. 23 Misuse of Drugs Act 1971
- Sec. 47 Firearms Act 1968
- reasonable suspicion of being involved in terrorist activity

The Police have several other powers to stop and search you or your vehicle, which do not require 'reasonable grounds', some of which are:

#### **To prevent serious public disorder—**

Section 60 Criminal Justice and Public Order Act 1994 says that Police Officers, who must be in uniform, can stop and search people and vehicles for offensive weapons and other dangerous articles, if it is believed that serious violence is going to take place in the area or that persons are carrying dangerous instruments or offensive weapons without good reason in the area to which the power to stop and search applies. A senior Police Officer must authorise the use of this power and their written authorisation will be kept at the local police station.

#### **Anti-terrorism (needs authorisation at an appropriate senior police level)—**

Section 44 Terrorism Act 2000 allows a Police Officer, who must be in uniform, to stop and search:

- any pedestrian;
- any person in a vehicle;
- any vehicle; and
- any articles carried by a person or in a vehicle

in order to prevent acts of terrorism. This power can only be used if it has been authorised by a senior Police Officer.

In anti-terrorism cases officers may not require a person to remove any clothing in public except for headgear, footwear, an outer coat, a jacket and gloves.

#### **To check your driving documents—**

Section 163 Road Traffic Act 1988 says that a Police Officer, who must be in uniform, can stop and speak to any driver. This power to stop a vehicle does not include a right to search the vehicle. The officer does not need to suspect the driver of an offence to stop the vehicle. The officer can ask to see the driver's documents (usually their driving licence, insurance and the vehicle's test certificate if it has one). If the driver cannot show them, they will be given a form HQ/RT1 (sometimes called a 'producer') to produce the documents at a police station of their choice within 7 days.

Stop Code  Search Code  Outcome Code  Arrest Code

Person Only  Vessel Only  Vehicle Only   
Person and Vehicle  Person and Vessel

Date of Stop/Search: 20/05/06 Time (24 hrs): 1724

EXACT LOCATION (OS, near, post code): UPPER POOL, BURE THAMES

GPS

Location Searched (if different): AS ABOVE

Time Searched: Start: 1724 End: 1734

Ref. Source (CAD, PATP, Briefing, Tasking): 7965

Family name: \_\_\_\_\_  
Other Name(s): \_\_\_\_\_

Male  Height: \_\_\_\_\_ DoB or A/Age: \_\_\_\_\_  
Female  IC Code: \_\_\_\_\_ SDE Code: \_\_\_\_\_ Other: \_\_\_\_\_

House Name/Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Post Code: \_\_\_\_\_

Clothing (including any branding)  
Headwear: \_\_\_\_\_  
Upper Body: \_\_\_\_\_  
Lower Body: \_\_\_\_\_  
Footwear: \_\_\_\_\_  
Hair: \_\_\_\_\_  
Marks/Scars/Other Details: \_\_\_\_\_

Vehicle Details: NARROWBOAT 'FALBOURNE'  
Make/Model: \_\_\_\_\_ Colour: \_\_\_\_\_ VRM: \_\_\_\_\_

Additional Details: \_\_\_\_\_  
(Attended/Unattended/Driver/Passenger)

Accompanied by: \_\_\_\_\_

Grounds for Search or Reason for Stop  
APPROX 500 GUNS ACQUIRED FOR TERRORISM  
SECTION 44 PREVENTION OF TERRORISM  
ACT 2000 AS AUTHORIZED BY AIC  
HAYMAN.

Damage Caused  Injury Caused   
Property Recovered/Seized  Offensive Weapon

Give Details: \_\_\_\_\_

Custody Ref.: \_\_\_\_\_ Arrest Reason: \_\_\_\_\_

Warrant No.: 18725 Officer Name: Paul RYORE

Rank/Shoulder No.: 425 B(OCU): ASU Team/Unit: 'ATEAM'

W9	Any other white background
W2	Irish
W1	British
	White (W)
M9	Any other mixed background
M3	White and Asian
M2	White and Black African
M1	White and Black Caribbean
	Mixed (M)
O9	Any other ethnic group
O1	Chinese
	Chinese or Other Ethnic Group (O)
B9	Any other Black background
B2	African
B1	Caribbean
	Black or Black British (B)
A9	Any other Asian background
A3	Bangladeshi
A2	Pakistani
A1	Indian
	Asian or British Asian (A)
<b>Self Defined Ethnicity (SDE) Code</b>	

#### Outcome Codes

1	No Further Action	6	Part 4 CJ – removed from designated area
2	Advised		
3	Verbally warned	7	Part 4 – under 16 taken to appropriate adult
4	Arrested		
5	Other (please specify)		

#### Identity Code (IC) (officers' perceived ethnicity code)

1	White – North European
2	White – South European
3	Black
4	Asian

5	Chinese, Japanese, or any other South East Asian
6	Arabic or North African
0	Not recorded/Unknown

#### N Self Defined Ethnicity Not Stated

N1	Officer's presence is urgently required elsewhere
N2	Situation involving public order
N3	Person does not understand what is required
N4	Person declines to define their ethnicity

#### Reasons for Search/Arrest Code

A	Stop and Search for Stolen Property (s1 PACE)
B	Drugs (s23 Misuse of Drugs Act)
C	Firearms (s47 Firearms Act)
D	Offensive Weapons (s1 PACE)
E	Offensive Weapons (s139 – CJA, Schools)
F	Going equipped (s1 PACE)
G	Other Power (see Annex A of Code A)
H	Terrorism 44(1) (vehicle/occupants)
J	Terrorism 44(2) (pedestrians)
K	Anticipated violence (s60 CJPO)
L	Articles to cause criminal damage (s1 PACE)
O	Arrested other offence(s) (please specify)

#### Reasons for Stop Code

A	To enforce suspected traffic violation
B	To check personal details/documents
C	To check if wanted on warrant/bail conditions
D	To investigate suspected crime/disorder/anti-social behaviour
E	To follow up call for service/information received
F	To follow up intelligence report
G	To check on welfare
H	Part of a pre-planned police operation
J	Other (please specify)
K	Part 4 Criminal Justice Act
L	Going equipped to cause criminal damage

### Complaints Procedure:

If you believe that you have been treated unfairly or unlawfully during stop and account or stop/search, you may make a complaint about any specific officer(s). Powers exercised under stop and search are controlled by the Police and Criminal Evidence Act 1984 and the accompanying Codes of Practice. This can be viewed at any police station or library, via the internet or at a solicitor's office. To make a complaint:

- Go to any police station, where you will be seen by the senior officer on duty (usually an inspector).
- Contact the Independent Police Complaints Commission.
- Seek advice from a Citizen's Advice Bureau (CAB), local community group or the Metropolitan Police Authority.
- With your consent through another person.

### Recording of a 'Stop and Account' Recommendation 61 of the Stephen Lawrence Enquiry

When an officer requests a person in a public place to account for themselves, *i.e.* their actions, behaviour, presence in an area or possession of anything, a record of the encounter must be completed at the time and a copy given to the person who has been questioned (unless it is wholly impractical to do so).

### Glossary of terms

CAD = Computer Aided Despatch (system used by police to record information on officer deployments to calls for assistance)

DoB = date of birth

GPS = global positioning system

O/S = outside

PATP = proactive tasking of officers based on intelligence

SDE = self defined ethnicity (what ethnic group **you** say your origins are from)

Stn. = station or unit to which the officer is attached

VRM = vehicle registration mark

Wt. No. = warrant number of officer (unique)



### Protecting you from terrorism

London has been the target of some of the worst terrorist attacks in Britain and we must all be alert to, and aware of, the risk of terrorism. Our successful strategy against terrorists has included taking away their element of surprise. Routine checks on vehicles travelling in London has been part of this. We understand that it can be inconvenient to be stopped, but we hope that you agree that the inconvenience is worth it if it restricts terrorists' chances of planting bombs. With your support, we can make life much more difficult for those people who are trying to ruin life for everyone in London.

**The police have been given powers to help in the fight against terrorism. You can find out more about these powers below.**

### The Terrorism Act 2000

#### Stop and Search Powers

Section 44 of the Act allows police to stop and search vehicles and persons for the purpose of preventing terrorism. The power can only be used on the written authority of a senior police officer of or above the rank of commander, and only in an area or at a place specified in the authorisation. Under this legislation a police officer in uniform may stop and search:

- any vehicle;
- its driver;
- any passenger;
- anything in or on the vehicle or carried by the driver or passenger, to look for any article which could be used in connection with terrorism.

An officer may also stop and search pedestrians and anything carried by them for any article which could be used in connection with terrorism. When a driver of any vehicle or pedestrian is stopped they are entitled to a written statement that they were stopped under the powers given in Section 44(1) and (2) of the Terrorism Act 2000. This form is that written statement.