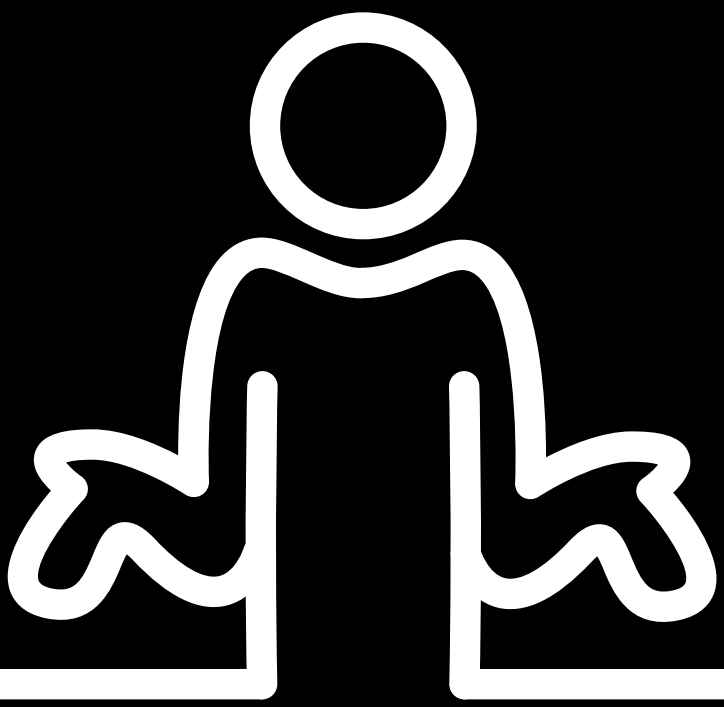
STOP& SEARCH



KNOW YOUR RIGHTS

Everyone has a duty to help police officers prevent crime and catch offenders; public co-operation is essential to make sure that stop and search is used properly. Stop and search is a valuable policing tool which helps to keep our communities safe.

Stop and Search - Know your Rights

You or a vehicle that you are in can be stopped and searched if 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.

Police 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.

Police officers can stop and search you for evidence or articles in connection with terrorism. They will need to have reasonable grounds that they will find what they are looking for, unless particular powers have been authorised under Section 47A of the Terrorism Act 2000.

Police officers don't always have to be in uniform to stop and search you.

Police community support officers can also stop and search you in some situations, but their powers may vary from one force to another.

Any officer who stops and searches you must always explain:

- why you are being stopped and searched;
- what the officer is looking for;
- the law under which you are being searched; and
- your right to a receipt.

You should always be given the name or identity number and the station of the officer searching you.

If you are searched, but not arrested, you have the right to a receipt and the officer must record the following details:

- how you describe your ethnic background;
- when and where you were stopped and searched;

- why you were stopped and searched;
- the name and/or number of the officer carrying out the search; and
- what they were searching for.

You will be offered either a copy of the record, if it was written down on a paper form, or an actual receipt if the record was made electronically or via the officer's radio. You can use the receipt to ask for a paper or electronic copy of the full record from the police station that the officer was from within 3 months of the stop, or to make a complaint.

If you are searched and then arrested, the details of the search will be added to your custody record. You still have a right to a copy of the search record.

You can be asked to take off your coat, jacket and gloves in public (and headgear and footwear if you are searched under Section 47A of the Terrorism Act 2000).

CONTINUED ON OTHER SIDE

CONTINUED FROM OTHER SIDE

If you are asked to remove more than an outer coat, jacket or anything worn for religious reasons, you will be taken somewhere out of public view.

Searches will normally be done by an officer of the same sex as you, although you can be asked to remove headgear by an officer of the opposite sex for searches under Section 47A of the Terrorism Act 2000.

You should always be treated fairly and with respect. If you feel this has not happened you can complain.

You can also complain if you feel you were treated less favourably because of your age, disability, gender reassignment, race, religion/belief, sex or sexual orientation.

It will help if you keep the receipt that the officer gave you.

Remember:

- you must be treated fairly
- you must be told why you are being searched
- you do not have to give any personal information unless you have been arrested
- stop and search is not an arrest - you won't get a criminal record
- you must be offered, and can receive, a copy of the stop and search record
- you have the right to complain

To find out the latest information about your rights when being stopped and searched, or how to complain, log on to **www.apa.police.uk**