

'Stop and search' can help the police to detect crime and make our communities safer.

■ **WHAT IS A 'STOP AND SEARCH'?**

Police officers can stop and talk to you at any time. But they should only search you if they suspect you are carrying:

- drugs;
- weapons;
- stolen property; or
- items which could be used to commit a crime.

■ **WHY ME?**

If you are stopped or searched it **doesn't** mean you have done something wrong. But a police officer must have a **good reason** for stopping and searching you and should tell you what this is.

You should not be stopped or searched just because of your age, race, ethnic background, nationality, religion or faith, the way you look, the language you speak or because you have committed a crime in the past.

If you believe this is the case, you can complain. See *How can I complain?*

■ **WHERE CAN I BE STOPPED AND SEARCHED?**

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

If the police have reason to believe there may be serious violence then they can search everyone in an area for weapons – eg near a football ground – without needing a good reason to search each person.

A police officer can stop a vehicle at any time and ask to see the driver's licence. If the police have good reason to think your car contains stolen goods, drugs, or weapons, they could search it even if you are not there. But the police **must** leave a notice saying what they have done.

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

■ **WHAT HAPPENS?**

The police officer must normally 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
- your right to be given a record of the search straightaway.

If the officer is not in uniform, they must show you their identity card.

If you are in a public place, you only have to take off your coat or jacket and your gloves.

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

■ **YOUR RIGHT TO A RECORD**

If you are **searched**, the police must give you a written record of the search straightaway unless, for example, they are called away to an emergency. Or you can get a copy from the police station any time within 12 months.

The police **must** write down:

- your name or a description of you;
- your ethnic background;

- why they searched you;
- when and where they searched you;
- what they were looking for and anything they found;
- if they are taking any action; and
- the names and numbers of the officers who searched you.

The police will ask 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 the list of national census categories at the end of this leaflet. You do not have to say what it is if you don't want to. But this information helps show if the police are stopping and searching people just because of their race or ethnicity.

■ **WHAT IF I AM STOPPED BUT NOT SEARCHED?**

In most parts of the country, if you are stopped but not searched you will **not** be given a written record. But if you are stopped in one of the areas listed, the police should give you a record, at the

time, if they stop you and ask you to explain what you are doing or carrying, even if they don't search you. You will get a record in parts of:

- London
- Merseyside
- North Wales
- Nottinghamshire
- Sussex
- West Midlands
- West Yorkshire

■ 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, nationality or ethnic background, you can complain of direct or indirect race discrimination.

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

You can get advice from, or complain to:

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

■ 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

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



Visit the Association of Police Authorities website at www.apa.police.uk

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