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## STOP AND SEARCH:

# NEED TO KNOW



1. If you are stopped by a police officer, stay calm, be patient, treat your contact as a conversation. Officers are required to film the interaction, so remember to avoid being verbally abusive as this may be viewed as aggressive and is likely to escalate the situation.
2. Ask for the grounds (reasons) why you are being stopped and searched, and what they suspect they may find. The places they search should match what they are looking for.
3. Ask the officer for a search record. Make a note of his/her shoulder number, location and time of the search, in case you wish to provide feedback.
4. Check that the object of search provided by the officer matches what it says on the search record.
5. You do not have to give your name and address unless the officer suspects that you have done something unlawful that requires further investigation.
6. You can complain if you feel you have been discriminated against, or an officer has abused their authority. Remember that the interaction will be recorded, and you can have access to the record should you wish to complain.

**Stop and Search** is when a police officer stops and detains you to carry out a search if they suspect you are carrying:

A firearm



Something which could be used to commit a crime, e.g. a crowbar



Illegal drugs



A weapon



Fireworks



Stolen property



**Stop and search** normally takes place in public places, particularly in neighbourhoods experiencing problems with crime, but it can happen anywhere. The police have a right and a duty to stop and talk to members of the public and in certain circumstances to search them. This is done in order to protect Londoners, tackle crime and keep our streets safe.

### WHAT GROUNDS DO THE POLICE NEED TO STOP AND SEARCH ME?

Police must have reasonable grounds to suspect. These may be:

- if they are looking for a suspect who fits your description
- if they have reasonable grounds to suspect you're carrying a weapon, drugs or stolen property
- part of anti-terrorism efforts

Without reasonable grounds, they **CANNOT** stop you simply based on:

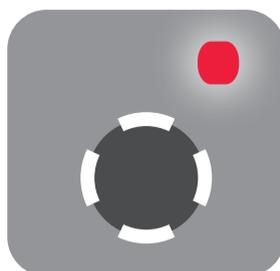
- Age
- Race
- Nationality
- Appearance or what you're wearing
- Religion
- Criminal record

However, if an offence has occurred and you match the description of the suspect for any of the above reasons, you may be searched.

### BODY-WORN VIDEO (BWV)

Police Officers are now using cameras to capture video and audio evidence. Cameras are worn attached to the officers' uniforms (usually on the chest). The video provides visual evidence to use at court. The camera will only be switched on to capture a specific incident and stop filming when it's no longer necessary or proportionate.

Officers are required to switch on the camera when conducting a stop and search, and you will know that it is recording when you see a small flashing red light. All footage will be retained for a maximum of 31 days unless a user decides that it is to be retained for evidence, disclosure or other policing purpose. More information can be found at <http://www.met.police.uk/bwv/>



### WHEN WILL BWV BE USED?

Stop and search • Stopping a motor vehicle • Attending premises to make an arrest • Searching premises/land/vehicles • Critical incidents • Where someone uses force against a person or property • Giving an order to an individual or group under any statutory power • Domestic abuse.

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## CAN THE POLICE DETAIN ME OR CAN I WALK AWAY?

A police officer who has reasonable grounds for suspicion can stop and detain you in order to conduct a search. There should be a basis for that suspicion which must be based on facts, information, and intelligence which are relevant to the likelihood of finding an article of a certain kind.

The detention will only last for as long as it is reasonably required to permit a search. If you are stopped by the police, you are required to stay for the duration of the search. If necessary, you will be prevented from walking away.

## WHAT WILL I BE ASKED FOR?

An officer will ask you: ■ What you are up to ■ Where you have been ■ Your name ■ Your address ■ Your date of birth. You **DO NOT** have to give these if you don't want to, unless the officer says they are reporting you for an offence.

## TO WHAT EXTENT CAN I BE SEARCHED?

If you are in public view, only your outer clothing should be searched:

■ Anything you are carrying such as a bag or wallet ■ Pockets ■ Jackets ■ Hats ■ Gloves ■ Socks.

Officers can place their hands inside the pockets of outer clothing, or feel around the inside of trouser pockets, collars, socks and shoes to look for the object of the search. You **SHOULD NOT** be required to take off any clothing other than **Coat or Jacket / Gloves**. If you are asked to remove anything you wear for religious reasons, you **MUST** be taken somewhere out of public view.

## WHERE CAN I BE SEARCHED?

You can be searched in public view or in private depending on the circumstances. If the police wish to search a house or someone in a house they have to use different powers and are subject to greater restrictions.

## CAN I FILM THE POLICE?

**YES.** The police do not have powers to stop filming/photographing of incidents or police personnel in a public places. If you are planning on filming a person being searched, ask for their permission and keep a reasonable distance ensuring you do not obstruct the officer.

## STOP AND SEARCH:

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## WHAT IS A STRIP SEARCH?

A full 'Strip Search' can only take place in a police station after arrest and must be performed by an officer of the same sex. A 'More Thorough Search' (e.g. requiring the removal of a shirt, but not exposing intimate parts of the body) can take place in a police van.

More Thorough searches involving exposure of intimate parts of the body may be carried out only at a nearby police station or other location which is out of public view (but not a police vehicle).

## CAN AN OFFICER FROM THE OPPOSITE SEX SEARCH ME?

**YES.** An officer of any sex can stop and search a person of any sex providing the search is in public and is restricted to an examination of outer garments.

Any search involving the removal of more than outer clothing (eg a t-shirt) must be conducted by an officer of the same sex as the person searched, and may not be made in the presence of anyone of the opposite sex.

## OTHER TYPES OF STOP

**Vehicle search:** Under the Road Traffic Act 1988, an officer does not need a reason to stop a person driving, or attempting to drive, for a check. They can ask you to provide your name, date of birth, driving license, insurance certificate or MOT certificate. Passengers are not required to give their details unless suspected of an offence. Vehicles can be searched where there is reasonable suspicion that the vehicle is carrying a person who has committed, or is about to commit, an offence.

**Cycling:** If you ride carelessly or dangerously, you may be stopped and fined. If the officer suspects a separate criminal offence, they may conduct a Stop and Search.

**Section 60 (Criminal Justice and Public Order Act 1994):** This power allows officers to conduct stop and searches in a defined geographical area, or on occasion borough-wide. This is usually a result of intelligence to suggest there is an immediate concern of serious violence or the widespread carrying of weapons.

If you are stopped in an area that has a section 60, officers do not have the same requirement to provide individual grounds when conducting a search. The search will still be recorded on the officer's body-worn video.

## WHEN IS A SEARCH RECORD GIVEN?

When a police officer conducts a search, a written or electronic record must be made and you should receive a copy. This should be offered at the time unless it is not practical to do so. You must be told that you are entitled to a record of the search. If it is not given to you at the time you should be informed that you can obtain it from any London police station by applying up to 3 months after the search has taken place.

## BEFORE THE SEARCH

Police must provide or explain:

- G:** grounds for search
- O:** object/purpose of search
- W:** warrant card (if in plain clothes)
- I:** identity of officer
- S:** station to which they are attached
- E:** entitlement to a copy of search record
- L:** legal power used
- Y:** you are being detained for purpose of search.

## RESPECT AND FAIR TREATMENT

Police officers should behave appropriately at all times. The use of Stop and Search and Stop and Account must be used fairly with respect and without unlawful discrimination. Where an officer has failed to meet these standards – for example, if you think they have been rude or abused their authority – you can complain about their conduct.

## COMMUNITY MONITORING

Local independent members of the community monitor police use of stop and search in every London borough.

You can take part by:

- Contacting your local Community Monitoring Group (CMG), for which you can obtain contact details through MOPAC at [stopandsearch@mopac.london.gov.uk](mailto:stopandsearch@mopac.london.gov.uk). The role of these groups is to hold police to account and scrutinise the use of stop and search. They can provide communities with a voice into their local police to communicate their experiences of street encounters.
- Viewing the stop and search performance of all 32 London boroughs online: <https://www.met.police.uk/sd/stats-and-data/met/stop-and-search-dashboard/>
- Accompanying police and observing how they carry out their work including stop and search.

Members are not able to offer legal advice on Stop and Search.

## MAKING A COMPLAINT

- Via the Met Police website: [www.met.police.uk/fo/feedback/tc/thanks-and-complaints/](http://www.met.police.uk/fo/feedback/tc/thanks-and-complaints/)
- Dial 101 to make a complaint by phone
- Contact your local Citizens Advice Bureau, a solicitor, MP, or through the IOPC at [www.policeconduct.gov.uk](http://www.policeconduct.gov.uk)
- Attend your local police station. Ask to see the duty officer.