

Stop and Think before you Stop & Search?



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Stop and Search

It must be

➤ **Fair**

and encourage

➤ **Trust** from the community

What is effective stop and search?

➤ **Primary objective: lawful and based on sound grounds**

➤ **Secondary objective: finding items which lead to crime reduction / detection**



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Discrimination

Discrimination?

- Showing preference to group / individual, often to their disadvantage – can be from stereotyping
- May result in the proportion of searches on some communities being disproportionately high
- If we carry out a disproportionately high number of searches on specific communities, it could damage their trust in the police – and therefore our ability to police effectively, with consent



Stop and Search

- Stop and Search is a valuable tool in tackling criminality
 - 1163 arrests in 2011/12 in Surrey as a result of Stop & Search!
- Its use must be carefully applied to ensure it is lawful and justified on every occasion
- It is essential that all Officers understand the legislation, are familiar with Surrey Police Stop & Search Policy and are confident, respectful and fair in the use of their powers
- Sergeants are accountable for the searches carried out by their teams and for the decisions they make when signing Stop and Search forms
- Paper forms **MUST** be submitted before end of duty



Stop and Search - Arrests

- Upon arrival at a custody centre, the arresting officer **MUST** complete an Initial Detention Log (Stop & Search Form)
- These forms are held in custody centres and will be located in visible & obvious locations

Surrey Police – Initial Detention Log (Stop & Search Form)			
.....Custody Centre		Custody Number	
Station Code: 45		Cell Number	
Detainee:	Surname	Title	
	Forenames		

16-1 Self Declared Ethnicity 8-1 PNC code: Surrey Resident Y N
 Location (State road and nearest junction)

Time (24hr) Date Borough Code

Object 1 Stolen Property 2 Drugs 3 Firearms 4 Offensive Weapon
 5 Going Equipped 6 Criminal Damage 7 Terrorism
 8 Sec 60 Criminal Justice & Public Order Act 1994 9 Stop only
 10 Other - Specify

Grounds (or Authorising Officer e.g. Sec 60 CJ&PO Act 1994, Sec 44 Terrorism Act 2000)

Searching Officer(s): (Print Name, Rank, PIN, Station, Team, Rota)

ARRESTING OFFICER

PACE Code A

The officer **carrying out a search** is responsible for ensuring that a record of the search is made as part of the detained person's custody record.

To comply with PACE Code A, you **WILL** hand this **completed** form to the custody officer documenting your detainee.



Stop and Search

Items to Stop and Search for by police officers.....

S Stolen Articles

O Offensive Weapons

A Articles in connection with

P Pointed or bladed articles

F Fireworks

C Criminal Damage



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Grounds (Important!)

THIS IS A LEGAL REQUIREMENT

Always consider and record where relevant.....

S Seen - *What have you seen including action and behaviours?*

H Heard – *What Conversations / Alarms have you heard?*

A Actions - *What you did, what the person did, their response to you?*

C Conversation – *What have you asked, their response to you?*

K Knowledge – *Consider all information happening *there and then* and not just previous convictions*

S Smell – *What can you smell?*

D Document - *Record as much as possible to ensure your grounds are sufficient to a 3rd party*

For your grounds use your senses around what's happening there and then – then combine with objective facts (e.g. crime hotspots, previous convictions)



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Stop and Search

GOWISELY (Reminder)

- Grounds
- Object / purpose of the search
- Warrant card if in plain clothes
- Identity of the officer
- Station to which attached
- Entitlement to a copy of the search record
- Legal power used
- You are detained for the purposes of the search



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

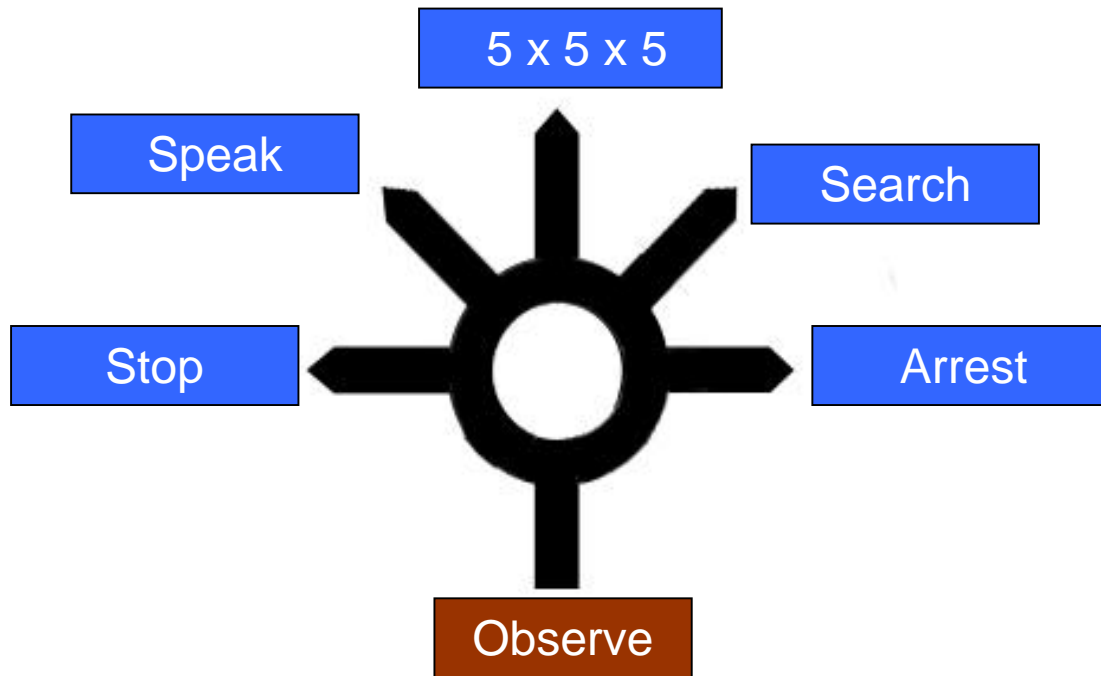
Stop and Search Powers

Another Reminder – main powers...

- Section 1 PACE 1984
- Section 23 Misuse of Drugs Act 1971
- Section 60 Criminal Justice and Public Order Act 1994 – Anticipation of violence, following at least Inspector authority
- Section 43 Terrorism Act 2000 - Suspicion of being a terrorist



ALTERNATIVES ROUNDABOUT



Scenario – Part 1

Part 1

Pc Smith has been allocated late turn foot patrol of Beat A. He has been briefed that Beat A has a burglary hotspot / tasking area, where gold jewellery has been stolen.

At 3pm he sees Bob Jones walking down a residential street carrying a sports bag. He has received an intelligence briefing that Bob was released from prison about a month ago having served a sentence for residential burglary.

Bob is moving around in temporary accommodation and has been spotted in the company of heroin dealers.

Should PC Smith exercise his powers of search?



Scenario - Part 1

Should PC Smith exercise his powers of search?

Not at this time as he hasn't even spoken to him yet. Previous convictions cannot be used on their own as grounds for search.



Scenario - Part 2

Part 2

Pc Smith observes Bob as he walks down the road. He decides to stop him and speak with him. Bob is uncooperative, does not like police officers and sees no reason why he should answer any questions. Bob says 'mind you own business, I want nothing to do with you lot, I am trying to sort my life out and go straight, just leave me alone'.

What should PC Smith do?



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Scenario Part 2

What should PC Smith do?

Keep asking key questions, keep trying to engage...

Based on what is said, there may be grounds to search – however a key point is to include the process you've gone through when recording your grounds



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Scenario - Part 3

Part 3

PC Smith persists with his questions

Bob Jones begrudgingly replies that he is living in temporary accommodation a few streets away and he is on his way to get his methadone script (confirmed).

He opens his bag and shouts aggressively at PC Smith
'search me if you like, just get on with it'

Can PC Smith search Bob voluntarily?



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Scenario - Part 3

Can he search him voluntarily?

No, voluntary searches are not allowed



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Scenario - Part 4

Part 4

PC Smith does not voluntarily search Bob. However, as Bob stands up from closing his bag, PC Smith notices that he has something gold-looking visible in a back pocket, possibly jewellery.

He asks Bob about this, and Bob appears evasive as to what it is and how he has it.

Can he search Bob now?



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

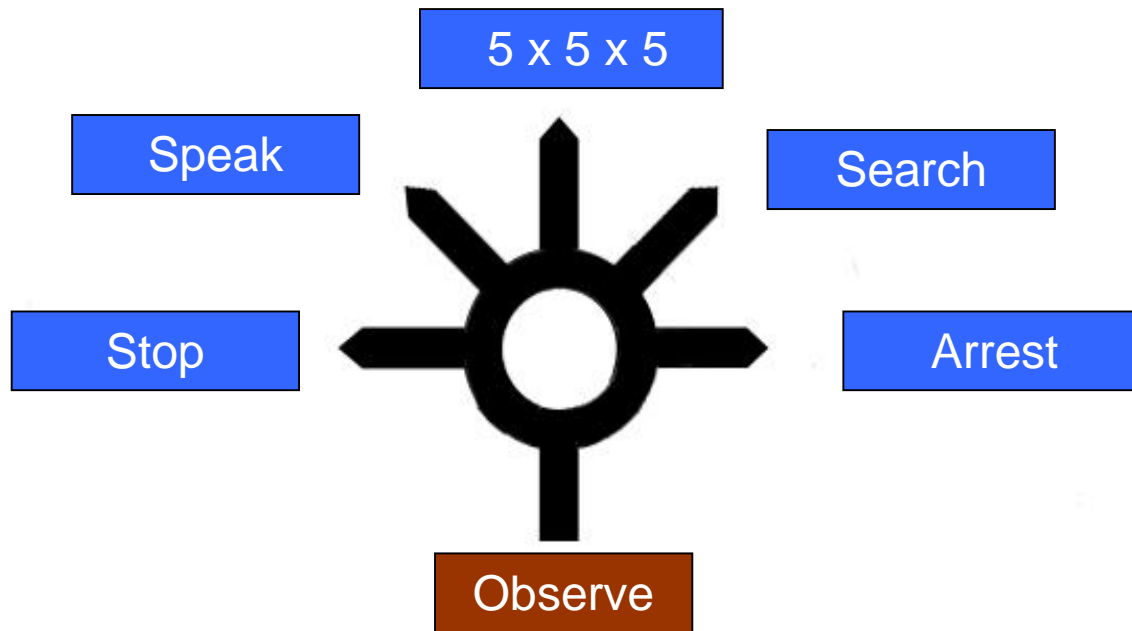
Scenario - Part 4

Yes, Bob should be searched – there are enough grounds for this.

Following a search, further gold jewellery is found which Bob cannot account for and he is arrested.



ALTERNATIVES ROUNDABOUT



Different parts of the roundabout are evident throughout the scenario. Had a search not been justified, a 5x5x5 would have been expected.



**SURREY
POLICE**
*With you, making
Surrey safer*

www.surrey.police.uk

Summary

To reiterate

- Stop and search is a valuable tool to tackle crime – it should be used!
- Accurate & detailed completion of the form is essential
- Sgts must lead from the front to demonstrate how powers are used correctly, and monitor officers' use of the power.

