

## Know your rights: Stop and Search

**At South Yorkshire Police, we are aware that Stop and Search is a controversial power which we expect our officers to use appropriately. As such, the below criteria should be met when carrying out Stop and search:**

- The decision to stop and/or search a person must be fair
- The search must be legal in basis and in application
- Interaction with the public during the encounter must be professional
- Police use of Stop and Search powers must be transparent

### **Can a police officer stop and search me?**

Yes, a police officer who has reasonable grounds to suspect that you have in your possession: illegal drugs, a weapon, stolen property, something that can be used in crime, or another illegal item may stop and search you.

## **What do police need to tell me before they search me?**

A police officer needs to give you the following information before a search commences:

- Identify themselves (unless the search is in relation to suspected terrorist activity or another incident where giving his or her name may place the officer in danger)
- The station where they work
- What they are looking for (item)
- Why they are searching you (the reasons why they think you have something on you)
- Your entitlement to a copy of the search record
- Tell you that you are being detained and the legal power they are using to search you
- Show their warrant card if not in uniform

## **Can I refuse to be searched?**

No, if the officer is acting lawfully, then you cannot refuse to be searched.

## **Can officers use force to search me?**

As the search is not voluntary, officers do have powers to use reasonable force if necessary to conduct the

search, however they should try and seek your cooperation.

### **Where can I be searched?**

Stop and search most often happens in public places. However, there are some powers, such as searching for firearms or drugs, which allow police to search people anywhere.

### **Can they remove my clothes to search me?**

Whilst in public view, officers can only remove a jacket, outer coat and gloves. If the officer wants to remove more than this, they must take you out of public view. If intimate parts are going to be exposed during the search, this should ideally be done at a nearby police station but must be out of public view.

### **How long can police detain me for a search?**

Officers should keep the amount of time you are detained to a minimum for the search to take place.

## **How can I get a copy of the search record?**

Officers are required to provide you with a copy of the search record if you wish. If this cannot be provided at the time, you have three months to obtain a copy.

Officers will often offer to email you a copy, but this can also be collected from a police station.

## **Can I be searched without reasonable suspicion?**

There are certain times that officers can search without reasonable grounds. But to do this, a senior officer must have preauthorised this under Section 60 of the Criminal Justice and Public Order Act, where the senior officers believes that serious violence has/may occur.

## **Can I, or a friend film the search on my phone?**

You can film the search, however you must not in any way obstruct the officer carrying out their duty. This means you must not do an act that prevents or makes it more difficult for the officer to carry out their duty. This could mean that you are committing an offence.

## **Am I under arrest if I am being searched?**

You are not under arrest, however if you are detained for the purpose of the search, this does mean you cannot leave until the officer has finished the search.

## **Do I have to give my name?**

If you are being stopped and searched, you do not have to provide your details if you don't want to. There may be exceptions to this, e.g. the officer tells you that they will be reporting you for an offence.

## **What can I do if I don't agree with how I have been treated?**

If you are not happy with the way that you have been treated, you are within your rights to make a complaint to police. You can do this by attending a police station or by calling 101. You can also do this online, [here](#).