



What is 'stop and account'?

'Stop and account' is when a police officer or police community support officer (PCSO) stops you and asks you:

- what you are doing;
- why you are in an area or where you are going;
- or what you are carrying.

A PCSO must be in uniform, but a police officer does not have to be. The police officer must show you their identity card (warrant card) if they are not in uniform.

A police officer or PCSO does not have the power to force you to stay with them if you are stopped and asked to account for your actions. However, if a police officer suspects from the stop and account that you might be carrying drugs or a weapon, he/she may require you to stay to be searched.

What is recorded and your right to a receipt

The Government withdrew the requirement for officers in all forces to make a record of stop and account encounters with effect from 7 March 2011. Instead they have left it up to individual police forces to choose whether they want officers to continue recording them.

Some forces have stopped recording stop and account; others, like Norfolk Constabulary, have decided to continue. Forces that have stopped making a record can start again if there are any concerns raised by communities or their police authorities about disproportionate use of the power. They can also choose to limit recording to certain geographic areas.

If you are stopped in Norfolk, the police officer or PCSO will record your self-defined ethnicity and the date and time of the stop on their radio. You will be given a Customer Contact Card as a record of the encounter, showing the date and time you were stopped, and the officer's name and details.

What is 'stop and search'?

'Stop and search' is when a police officer stops you and searches you, your clothes and anything you are carrying. In some police force areas, Chief Constables give powers to PCSOs to carry out some types of stop and searches, but in Norfolk only a police officer (not a PCSO) can search you.

Why might I be stopped and searched?

You can be stopped and searched when an officer has a good reason to suspect that you are carrying:

- Drugs, weapons or stolen property;
- Or items which could be used to commit a crime or act of terrorism, or to cause criminal damage.

This good reason should be based on accurate and current intelligence and information. Unless you match a description of a suspect, officers must not base their grounds for a search on your appearance, ethnic background, age, sex, sexual orientation, gender identity, religion, disability, or the fact that you may have committed a crime in the past.

There are times, however, when police officers can search anyone within a specific area, for example:

- when there is evidence that serious violence could take place there;
- or where a terrorist threat has been identified.

Where can searches be carried out?

Searches can only be carried out in a public place, unless the police believe you have committed a crime. If they think you are a suspect, then you can be searched anywhere.

What if I am in a vehicle?

Your vehicle can be stopped by an officer at any time and you may be asked to show your driving documents, such as your licence. The police can search your vehicle if they have good reason to think it contains:

- stolen goods;
- drugs;
- or weapons.

They can search your vehicle at anytime, even if you are not there, but they must leave a notice saying what they have done. If the search causes damage to your car, you can ask for compensation, but only if the police didn't find anything to connect you to a crime.

How should a stop and search be carried out?

Before you or your vehicle are searched, the officer must take all reasonable steps to ensure that you understand:

- that you must wait to be searched;
- what law they are using and your rights;
- their name and identification number;
- the station they work at;
- why they stopped you;
- what they are looking for;
- and your right to a form showing details of the stop and search.

The officer will try to get your co-operation for the search, but may use reasonable force if necessary. Searches will normally be carried out close to where you were stopped. You should only be detained for as long as necessary to carry out the search. Extensive searches must only be carried out when the circumstances suggest it is necessary.

If you are searched and you are not arrested as a result, you have the right to a form, unless there are exceptional circumstances which make it impracticable for the officer to make a record of the search. The officer will record the following details:

- how you describe your ethnic background;
- when and where you were stopped and searched;
- why you were stopped and searched;
- his/her name and identification number;
- what he/she was looking for and anything he/she found.

You will normally be given a form at the time of the search, however because of operational demands (public order situations, large public events or if an officer is called to an emergency), you may be told where to collect the form later. Forms from stop and searches must be made available for up to three months. Police may use their record of the search at a later date to contact you about anything that may have happened in that area around the time that you were stopped.

If you are searched and then arrested and taken into custody (in Norfolk you will be taken to a Police Investigation Centre (PIC)), the officer must record details of the search on the custody record in the PIC. You have a right to receive a copy of the search record.

What can you do if you are unhappy about how you are treated?

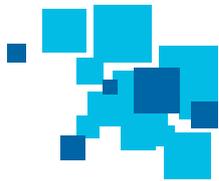
The officer should treat you fairly and with respect. If you are unhappy with how you were treated, you can complain. If you feel you were treated differently because of your ethnic background, age, gender identity, sexual orientation, disability or religion you can complain. It will help if you keep the form or Customer Contact Card the police give you.

You can get advice about how to make a complaint from:

- Norfolk Constabulary, at a police station or telephone 101;
- Office of the Police & Crime Commissioner on (01953) 424455;
- a Citizens' Advice Bureau;
- the Equality and Human Rights Commission - www.equalityhumanrights.com;
- the Independent Police Complaints Commission - www.ipcc.gov.uk;
- a solicitor.

Your views and experiences

If you have any views or experiences of stops in Norfolk, the Police and Crime Commissioner would be pleased to hear from you. This will support his ongoing monitoring of Norfolk Constabulary's use of stop and account/ search.



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

Get in touch with the PCC:

Telephone: (01953) 424455

Email: opccn@norfolk.pnn.police.uk

Website: www.norfolk-pcc.gov.uk

 twitter.com/norfolkpcc  facebook.com/norfolkpcc