

# When and why can the police stop and search you in the street?

This information guide gives you an insight into what the police are allowed to do when they stop and search you.

## STOP

The police have the power to stop you in a public place at any time and ask:

- What are you doing?
- Why are you in the area?
- Where are you going?
- What are you carrying?

(Unless you are being arrested, you do not have to give your name and address.)

## SEARCH

The police have power to stop and search you if they have 'reasonable grounds' to suspect you of having certain items on you, like:

- Illegal drugs
- Stolen property
- Weapons, or
- Tools for use in stealing.

If a violent incident has happened or is anticipated nearby, an order may be issued by the police which gives them the power to stop and search anyone in the area for weapons. They do not need reasonable grounds to suspect that a person might have a weapon on them.

**The fact that someone is a Gypsy, Roma or a Traveller is not a 'reasonable ground' for suspicion, nor is the fact that they may have previous convictions.**

If a police officer is not wearing uniform they must show you their identity card.



Before they search you, the police officer must tell you that you are being stopped for a search and give you the following information:

Why you are being searched	What they are looking for
Their name	The police station they are from
What legal power of search they are using	Your right to have a record of the search

You have the right to this information. If they don't give it to you, ask for it.

If you are stopped **but not** searched, the police officer may not have to give you a copy of the **record of the search**, but it is worth asking for one anyway.

If you are searched, the police officer must give you a copy of the record of the search, or a receipt explaining how you can get a copy of the record.

## CAN I REFUSE TO BE SEARCHED?

No. The police should always seek your cooperation but if you refuse, they can use reasonable force as a last resort. The police do not need your permission to go through your belongings.

## CAN THE POLICE MAKE ME TAKE MY CLOTHES OFF TO SEARCH ME?

Yes. A police officer can require you to take off your outer coat, jacket or gloves.

If the officer wants to remove more than this, they must be the same sex as you.

If the officer asks you to take off other clothes such as your hat or shoes, they must take you somewhere out of public view.



# WHAT SHOULD I DO IF I AM STOPPED AND/OR SEARCHED?

Stay calm and be polite. Don't let anger or fear get the better of you.

Keep good eye contact and be aware of your body language.

Provided you don't obstruct the search, you have the right to respectfully make a video of the search. If you have a camera phone, politely tell the police officer that you are going to get it out and film the stop and search. **IMPORTANT** – do not reach into your pocket without warning them first.

**If you are unhappy about the way the police officer treated you**, contact Traveller Movement which can assist you to make a complaint and support you. See the contact details below.



The information in this information guide refers to the law in England & Wales. It summarises the main points and is intended for guidance only. While every effort is made to ensure it is correct at time of publication it should not be used as a substitute for legal advice or for individual advice about your case. If you have any specific questions about any legal matter you should consult a solicitor.

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