



Demonstrate a systematic knowledge and understanding on why it is essential that the police use the stop search powers fairly, and the impact upon modern society and policing when this is not done effectively.

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What is Stop and Search?

The police have several powers to stop and search, many of which are discussed by the police and criminal evidence act 1984 (PACE). The College of Policing (2023) state that most of these powers require an officer to have **reasonable grounds** for suspicion that an **unlawful item** is being carried by the suspect. These suspected items could be illegal drugs, weapons, stolen property, or something which could be used to commit a crime.

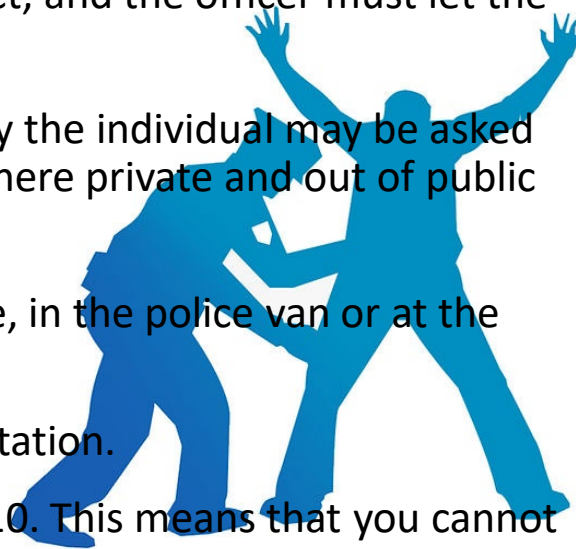
Before the suspect is searched it is essential that the police officer tells the suspect their **name**, the **police station they belong to**, what they **expect to find**, the **reason they want to search** you, **why they are legally allowed** to search the suspect, and the officer must let the suspect know that they are **entitled to a copy** of the search (Metropolitan Police 2023).

During a search, the officer can ask the individual to take off their coat, jacket, and gloves. If it is necessary the individual may be asked to take off any religious clothing for example a headscarf, if this is necessary then it must be done somewhere private and out of public view.

A thorough search could involve the removal of a shirt which must be done out of public view for example, in the police van or at the Police Station (Metropolitan Police 2023).

A strip search involves the exposure of intimate parts of the body and **MUST** be carried out at the police station.

During a stop and search it is important that officers uphold the principles outlined in the Equality Act 2010. This means that you cannot be stopped purely based on your race, age, sex, sexual orientation, disability, religion, or faith.



Necessity Criteria

To ascertain a person's name or address.

To prevent physical harm

To prevent loss of or damage to property

To prevent an offence against public decency.

If there is an unlawful obstruction to the highway.

To protect a child or a vulnerable person.

To prevent the investigation of an offence or the prosecution of the suspect being hindered.

G **Grounds of search**

O **Object of search**

W **Warrant card**

I **Identity of officer**

S **Station of the officer**

E **Entitlement**

L **Legal power**

Y **Your detained!**



Associated Legislation

The Terrorism Act 2000, sections 43 and 47 – If the Police Officer has reasonable grounds to suspect that the suspect may be involved in acts of terrorism, the Officer may stop and search the individual. This search is carried out to ascertain whether the person possesses any items that might serve as 'evidence' of their involvement in terrorist activities.

The Misuse of Drugs Act 1971, section 23 – If the Police officer has reasonable grounds to suspect that the suspect has possession of controlled drugs then the officer may stop and search the individual.

The firearms Act 1968, section 47 – If a Police Officer has reasonable grounds to suspect a person of having a firearm with him in a public place, or to be committing or about to commit, elsewhere than in a public place the officer may stop and search the individual.

The Search

The officer can search a person:

- Standing
- Kneeling
- Seated
- Lying down

Quadrant search

- Imagine a vertical line running from the top of the persons head to in between their feet
- A horizontal line across their waist or belt line

This allows you to search a manageable area at a time.

When conducting a quadrant search the officer should focus on the clothing first:

- Pockets
- Seams
- Waist bands and belts
- Collars, cuffs and trouser turn ups
- Lapels and hoods

Then search the rest of the quadrant!



Why does it matter how the Police use stop and search?

The role of a police officer is to uphold and maintain the law, maintain public safety and foster community trust through crime prevention, investigation and ethical conduct. If used effectively it can be argued that stop and search can help achieve this task. However, if it is used unfairly, unnecessarily or unlawfully it may cause alarm and distress to members of the public and have negative consequences in the long run (Stone and Pettigrew 2000).

It is crucial that Stop and search is used fairly for many reasons:

- Protection of Civil Rights
- Maintaining public trust
- Relationship between the Police and the community
- Preventing discrimination
- Legal and ethical obligations
- Social Cohesion

College of policing (2023)



Advantages of using stop and search

Crime Prevention – Can be a proactive crime prevention tool by targeting individuals who are suspected of carrying weapons or engaging in criminal activity.

Public Safety – Help find weapons, drugs or prohibited items that could pose a threat to public safety.

Evidence Collection – Assists in gathering evidence for investigations.

Deterrence in high crime areas – Areas with high crime rates, targeted stop and search can be an effective tool.

Counter terrorism efforts

Recovery of stolen property

Maintaining public order – During protests or large gatherings stop and search can help find weapons.

Support for other policing activities – community policing and intelligence gathering.



How does an unlawful Stop and Search impact the community?



Erosion of trust towards the police – If community members feel that they are being targeted unfairly, it undermines their trust in the police which makes them less likely to cooperate with officers in the future. Crime may also increase in an areas where the police are not trusted.

Community division – Unlawful stop and search can increase divisions within the community. When certain groups are targeted, it can foster resentment and tension towards certain groups particularly along racial or ethnic lines.

Fear and anxiety – Community members subjected to an unlawful stop and search may feel fear when encountering the Police in the future.

Reduced reporting of crimes – If there is mistrust in the Police then the community are less likely to report crime or provide information.

Social unrest – If there has been several unlawful Stop and Searches and high-profile incidents then they can lead to public protests and demonstrations against perceived police misconduct.



How does an unlawful Stop and Search impact the Police Officer?

Legal Liability

Disciplinary action – Police Officers who engage in unlawful conduct may face disciplinary action which can range from suspensions to complete termination, depending on the severity of the allegation.

Loss of creditability – Not only will the Police Officer lose credibility, but the whole department may also be at risk. This in turn erodes public trust and confidence in the police.

Reputation damage – Unlawful Stop and searches can result in negative media coverage which can harm the reputation of the police officer. Unlawful Stop and Searches may increase scrutiny on the police.

Community relations – Unlawful Stop and Searches can strain community relations leading to protests and calls for reform. Rebuilding the trust may take significant efforts and time.

Loss of evidence – If evidence is obtained during an unlawful Stop and Search, it may be deemed inadmissible in court, potentially jeopardising the case.

Costs and legal expenses – There may be extreme financial costs from disciplinary proceedings and policy changes.

Career Consequences – An officer who engages in unlawful conduct may face long term career consequences including difficulty finding employment.

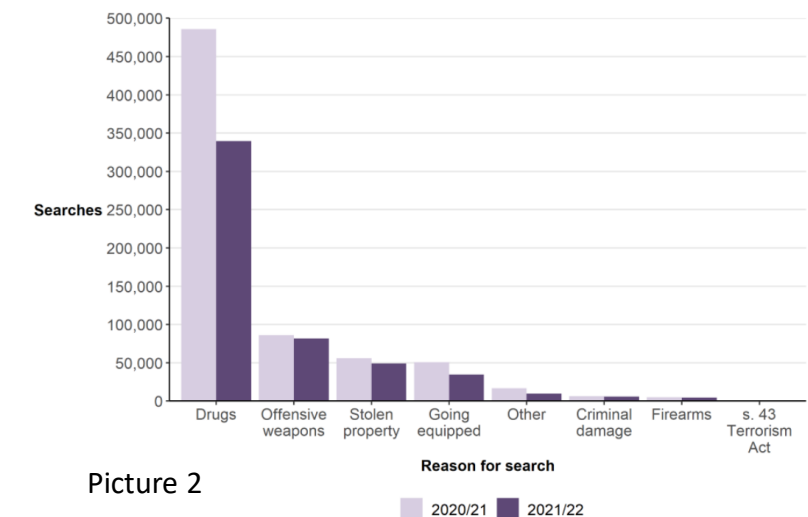
Statistics (England and Wales)

- There were **526,024** Stop and Searches conducted under s1 PACE by Police in England and Wales in the year ending 2022.
- Decrease from 2021 by **25%**
- The increased level of Stop and Searches in 2021 was partly due to the proactive policing during COVID-19.
- Of those **526,024** searches, **66,772** led to an arrest. **71%** of Stop Searches led to 'no further action'.
- The main reason for Stop and searches in England and Wales was for drugs.

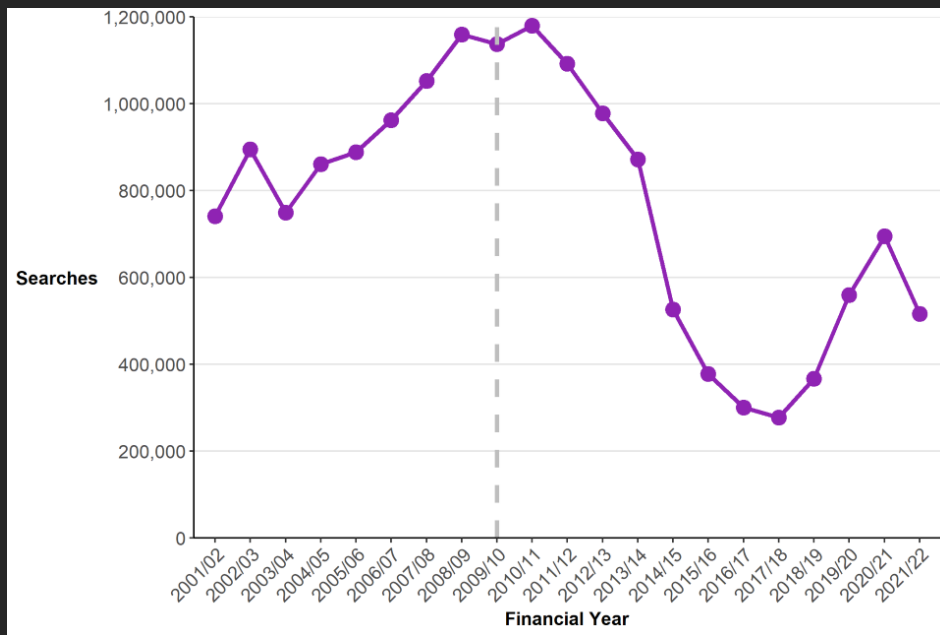
Although there has been a significant decrease from 2020/21 to 2021/2022, drugs is still the highest reason for stop and searches.

(Crime Justice and Law 2022)

Figure 2.9: PACE stop and searches by reason for search, England and Wales, the year ending March 2021 compared with the year ending March 2022



Picture 2



Picture 1

Ethnicity

Year	Black (or Black British)	Asian (or Asian British)	Other Ethnic Group	Mixed
2010/11	6.7	2.0	1.6	1.8
2011/12	6.1	1.9	1.5	1.8
2012/13	4.5	1.6	1.3	1.6
2013/14	4.2	1.4	1.3	1.5
2014/15	4.4	1.3	1.4	1.6
2015/16	6.5	1.8	1.8	2.1
2016/17	8.4	2.0	2.0	2.4
2017/18	9.5	2.3	2.4	2.8
2018/19	9.7	2.6	2.7	2.7
2019/20	8.8	2.5	2.9	2.6
2020/21	7.0	2.4	2.7	2.4
2021/22	6.2	2.1	2.7	2.3

- Based on self - defined ethnicity, individuals from a black or black British background were searched **6.2 times** higher than those from a white ethnic group in the year ending 2022.

- Asian of Asian British were searched **2.1 times** higher than those from a white ethnic group in the year ending 2022.

- Individuals identifying as mixed ethnicity were searched at a rate **2.3 times** higher than those from a white ethnic group in the year ending 2022.

- Around **66%** of all Stop and searches in the year ending March 2022 were on people aged between 10 and 29 years old.

- 89.8% of searches were of males

- 10.2% of searches were of females

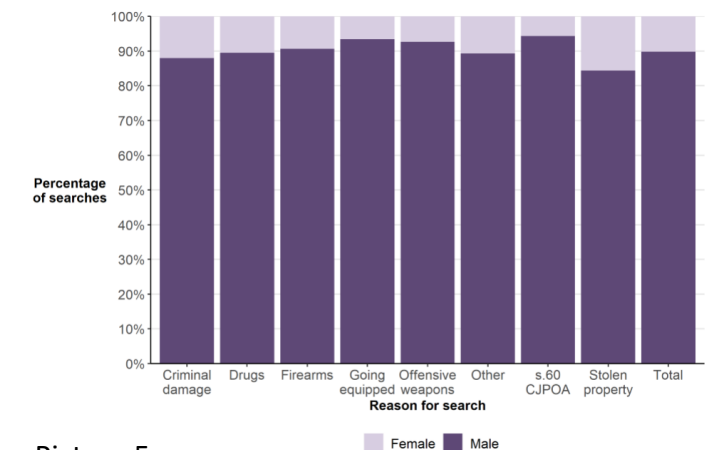
- 10-17 – Criminal damage (54%)

- 18-24 – Public order/drugs

- 25-29 – Drugs

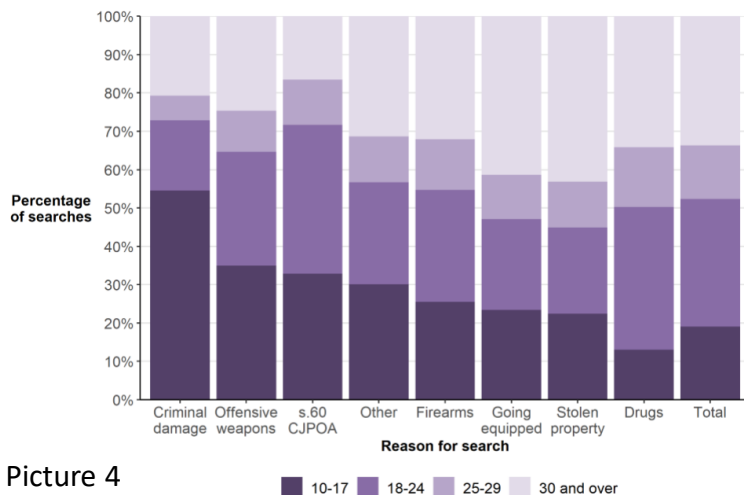
- 30 and over – Stolen property (43%)

Figure 2.21: Proportion of stop and search by sex of person searched and reason for search, year ending March 2022



Picture 5

Figure 2.20: Proportion of stop and search by age of person searched and reason for search, year ending March 2022

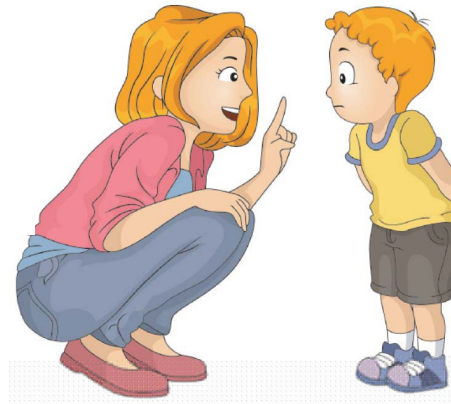


Picture 4

Outcomes of Stop and Search

Since the year ending March 2021, the Home Office (2021) have expanded the list of viable outcomes for individuals who are Stop and Searched, these include:

- Voluntary attendance
- Verbal warnings
- Words of advice
- Seizure of property
- Guardian intervention
- Community resolutions
- Penalty notices



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Stop and search: Ethnic minorities unfairly targeted by police - watchdog

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- A black boy from London has stated that he was searched more than 60 times between the ages of 14 and 16 (BBC News 2022). He was never found with anything let alone charged with anything.
- Another case highlighted a 15-year-old black boy who was stopped in a high crime area because he smelled of cannabis. The video that went viral showed the child being punched and kicked by an officer. No drugs were found, and the officer was later found guilty of assault (BBC 2022).
- Huugo was stopped and searched by police in June 2020. He was handcuffed and threatened with a taser. His father is a youth counsellor and states that ‘young people are feeling increasingly traumatised by these kinds of incidents’.

Case Study



- On July 4, 2020, Bianca Williams a team GB athlete and her husband Ricardo Dos Santos a Portuguese sprinter were pulled over by Jonathan Clapham and Sam Franks and stop searched.
- The couple described the stop and search as ‘highly distressing’.
- The hearing found that the police officers had lied about smelling cannabis when they pulled the couple over.
- Ex officers Jonathon Clapham and Sam Franks were sacked earlier this week after they were both found guilty of gross misconduct.



Calls of reform

The IOPC (2022) published a report which includes 18 recommendations aimed in improving policing practice so that individuals from black, Asian or other minority ethnic background are safeguarded from stop and searches.

- Some of the key areas where the IOPC has called for reform in stop and search:
- **Transparency and accountability** – monitor patterns of bias and abuse.
- **Racial profiling and bias** – encouragement of training programmes for officers in recognising and addressing unconscious bias.
- **Community Engagement** – Encouraging the community to come forward with their concerns.
- **Body worn cameras** – Support for the use of BWV.
- **Review of police procedures** – Review of stop searches to ensure that they are consistent with legal standards and human rights.
- **Data collection and reporting** – Encouragement for agencies to collect and report data on the ethnicity of individuals subjected to bias.
- **De – escalation training** – Promotion of training on communication skills and respectful conduct.
- **Legal standards and guidance** – Collaboration with agencies to establish clear and consistent legal standards and guidance.

Conclusion

It is essential for police to use their Stop search powers correctly because of the profound impact such practices have on modern society when used unlawfully. The consequences of unnecessary, unlawful and unfair stop and searches break public trust in the police and destroy community relations. This erosion of trust can lead to decreased cooperation from the public when dealing with the police, making it more challenging to address and prevent crimes in the community.

In modern society, where inclusivity, diversity, and social justice are highly valued, unfair stop and searches exacerbate existing disparities. When communities feel they are being wrongfully targeted, it can lead to resentment and a breakdown in the relationship between the police and the public.

The impact of unlawful of Stop and Searches is not limited to individuals and communities. It also effects the reputation of the police force, potentially making it more challenging to recruit officers.

To build a stronger, safer and more cohesive society, the police should use their stop and search powers with fairness, transparency and a commitment to upholding the principles of justice and equality.

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