



Know Your Rights

You or a vehicle that you are in can be stopped and searched if an officer has reasonable grounds to suspect that you are carrying:

- drugs, weapons or stolen property;
- items which could be used to commit a crime.

Police officers can stop and search you within a specific area without any reasonable grounds if it is believed that:

- serious violence could take place;
- offensive weapons are being carried or have been used;
- the appropriate authority from a senior officer has been granted (sec 60 of the Criminal Justice and Public Order Act 1994).

Police officers can stop and search you for evidence or articles in connection with terrorism. They will need to have reasonable grounds that they will find what they are looking for, unless particular powers have been authorised under Section 47A of the Terrorism Act 2000.

Police officers don't always have to be in uniform to stop and search you. Any officer who stops and searches you must always explain:

- why you are being stopped and searched;
- what the officer is looking for;
- the law under which you are being searched;
- your right to a record of the search.

You should always be given the name or identity number and the station of the officer searching you.

If you are searched, but not arrested, you have the right to a receipt and the officer must record the following details:

- how you describe your ethnic background;
- when and where you were stopped and searched;
- why you were stopped and searched;
- the name and/or number of the officer carrying out the search;
- what they were searching for.

You will be offered a receipt of the record. You can use the receipt to ask for a copy of the full record from a Derbyshire Police station within three months of the stop, or to make a complaint.

If you are searched and then arrested, the details of the search will be added to your custody record. You still have a right to a copy of the search record.

You can be asked to take off your coat, jacket and gloves in public (and headgear and footwear if you are searched under Section 47A of the Terrorism Act 2000). If you are asked to remove more than an outer coat, jacket or anything worn for religious reasons, you will be taken somewhere out of public view. Searches will normally be done by an officer of the same sex as you, although you can be asked to remove headgear by an officer of the opposite sex for searches under Section 47A of the Terrorism Act 2000.

You should always be treated fairly and with respect. If you feel this has not happened, Derbyshire Police Professional Standards Department is available to listen to you and address concerns about the contact you have had with the officer.

You can telephone Professional Standards on number 101 or visit www.derbyshire.police.uk for further information.

You can complain if you feel you were treated less favourably because of your age, disability, gender reassignment, race, religion/belief, sex or sexual orientation.

Remember

- you must be treated fairly;
- you must be told why you are being searched;
- you do not have to give any personal information unless you have been arrested;
- stop and search is not an arrest - you won't get a criminal record;
- you must be offered, and can receive, a copy of the stop and search record;
- you have the right to complain.

If you have any questions regarding stop and search please email: stop&search@derbyshire.pnn.police.uk

To find out the latest information about your rights when being stopped and searched, or how to complain, visit: www.derbyshire.police.uk

Derbyshire Police is responsible for policing in your area. We monitor the use of stop and search powers. Information on the use of stop and search powers is available on our website.

If you would like to offer feed-back on your experience please follow the attached link and complete our short survey

<http://www.derbyshire.police.uk/stopandsearchsurvey>



in an emergency always call 999
www.derbyshire.police.uk

