



Stop and Search Policy (Surrey and Sussex) (1161/2024)

Abstract

This policy and associated procedures / appendices provide the framework for practitioners to adopt which will ensure compliance with the Police and Criminal Evidence (PACE) Codes of Practice and Best Use of Stop Search Code of Conduct.

Policy

1. Introduction

1.1 This policy document outlines the processes for Stop and Search in Surrey Police and Sussex Police (hereafter referred to as the Forces). Stop and Search Powers must withstand independent public scrutiny, must demonstrate they are proportionate, lawful, accountable, necessary and conducted in compliance with the [Police and Criminal Evidence Act 1984 \(PACE\) Code A](#), [College of Policing \(CoP\) Authorised Professional Practice \(APP\)](#), [CoP Code of Ethics](#), [Equality Act 2010](#), [Criminal Justice and Public Order Act 1994](#) and with due regard to effectiveness and fairness.

2. Scope

2.1 The procedures and appendices associated with this policy detail the Stop and Search framework adopted by the Forces in the exercise of Stop and Search by police officers and Police Community Support Officers (PCSOs) with statutory powers. This policy does not cover street interventions where no search is conducted, other searches conducted under warrants, searches or intimate searches post arrest which are covered in other respective Force policies.

3. Policy Statement

3.1 The Forces seek to deliver fair and effective Stop and Search by:

- Recording the outcome of the Stop and Search in more detail to understand the link between the item looked for in the stated grounds ('object of the search') and its outcome.
- Performing analysis of the full range of outcomes, which show how successful each Stop and Search is. The Forces publish this data publicly through 'police.co.uk'.
- Allowing members of the public the opportunity to accompany police officers and PCSOs on patrol to improve community relations whilst providing an understanding of police procedures. They may possibly have a first-hand experience of the use of Stop and Search Powers.

- Members of the public are invited to join an "Independently Chaired Public Stop Search Scrutiny Panel". The panel explores disparity in activity and ensure that the Stop and Search grounds recorded by the officer are PACE compliant. The scrutiny panel includes representatives of disproportionately searched groups.

- Effectively supervising Stop and Search activity, through internal and external scrutiny and accountability.

3.2 These procedures allow an assessment of how well police officers and PCSOs interpret the “reasonable grounds for suspicion” and how effectively Stop and Search is applied.

Procedure

1. Stop and Search Definitions

1.1 Stop and Search as defined by the College of Policing National Police Chief's Council (NPCC) is most likely to be fair and effective when:

- The search is justified, lawful and stands up to public scrutiny.
- The police officer or PCSO has a genuine and objective reasonable suspicion they will find a prohibited article or item for use in crime.
- The individual understands why they have been searched and feel that they have been treated with respect.
- The search was necessary and was the most proportionate method the police officer or PCSO could use to establish whether the person has such an item.

2. Fairness

2.1 The primary purpose of Stop and Search Powers is to enable police officers to allay or confirm suspicions about individuals without exercising their power of arrest.

2.2 Police officers and PCSOs will not engage in any Stop and Search, purely based on a person's individual characteristic or a group characteristic. The Forces accept that there will be occasions when a physical description may form part of the overall intelligence about a person, or persons suspected to be involved in perpetrating crime or disorder.

2.3 The Equality Act 2010 makes it unlawful for police officers to discriminate against, harass or victimise any person on the grounds of a ['protected characteristic'](#) when using their powers. Please refer to Equality Act 2010 for further guidance.

2.4 There are certain other considerations, the trans community warrant considerate treatment to ensure they are treated with dignity and respect when being searched. For further guidance refer to the Searching Biological Sex Policy (Surrey and Sussex) (1248/2025)

2.5 Officers should also be aware of 'Alert Cards' (i.e., Pegasus Card, Sunflower Lanyard) that a person may be carrying, relating to neuro divergent conditions such as Autism or Attention Deficit Hyperactivity Disorder (ADHD). These cards indicate that a

person may have communication or interaction requirements; for example, touching a person with hyper sensory symptoms could trigger an unexpected negative reaction, which could easily be misinterpreted and escalate unnecessarily.

3. Accountability

3.1 Front line officers / PCSOs are accountable to their first line supervisor who will scrutinise each record and feedback where necessary.

3.2 District / Divisional Chief Inspectors are responsible for oversight of Stop and Search in their area.

3.3 There will be central scrutiny directed by the lead in each Force.

3.4 There will be independently chaired external scrutiny groups in each Force.

3.5 There is strategic oversight by a joint Race Action Plan Insights and Delivery (RAPID) Board which will consider Stop and Search data from both Forces.

4. Recording of Stop Searches

4.1 If an arrest is made, the search must be recorded on the Pronto Stop Search database and as part of the custody record.

4.2 When a search does not result in an arrest, the subject will be offered, or informed where they can obtain a receipt by the searching police officer or PCSO.

4.3 The receipt will have the searching police officers / PCSOs name and warrant / staff number.

4.4 The searching police officer / PCSO will then be responsible for making an electronic record on the Pronto Stop Search database as soon as practicable. When completing the Pronto form please follow these definition guides to ensure consistency of data recording:

CAD: The search occurred primarily due to a "call to service" linked to a particular incident reported to police by a member of the public. This may be by phone or otherwise.

Op Order: The search occurred primarily due to a pre-planned police operation to which the officer was assigned, and the search was relevant to that operation.

Intel Tasking: The search occurred primarily due to an intelligence report / tasking that the officer was aware of when the decision to search was formed.

Self-Initiated: A pro-active search which occurred in the absence of any of the above.

4.5 Where the police officer / PCSO is equipped with Body Worn Video (BWV), they will record the interaction.

4.6 In accordance with the PACE, the Force's search records will contain:

- The object of the search
- The grounds for making the search, objective fact should be combined with what is being seen / smelt / said at the time. The S.H.A.C.K.S. mnemonic is good practice to consider and record:

S Seen – What have you seen including action and behaviours?

H Heard – What Conversations / Alarms have you heard?

A Actions – What you did, what the person did, their response to you?

C Conversation – What have you asked, their response to you?

K Knowledge – Consider all information happening there and then and not just previous convictions.

S Smell – What can you smell?

- The date and time when the search was made.
- The place where the search was made and except in the case of a search of an unattended vehicle, the ethnic origins of the person searched or the person in charge of the vehicle searched (as the case maybe).
- The result of the search.
- If the object of the search was different to the item found.
- If the search went beyond the removal of outer clothing.
- The smell of cannabis alone is not enough to justify the search; however, it is enough to start a conversation and it can contribute to the reasonable grounds to search when recorded in combination with other factors.

4.7 The requirement to record a person's ethnic origins is a requirement to state:

- (a) The ethnicity of the person as described by the person and,
- (b) If different, the ethnicity of the person as perceived by the police officer or PCSO.

4.8 The Forces will seek to additionally record the name, date of birth and address of a person searched (recognising that there is no lawful power to demand these details under Stop and Search laws); or who was in charge of a motor vehicle when it was searched; or the registration number of a vehicle that was searched.

4.9 In both Forces a SIGNS will be completed for every young person under the age of 18 stopped and searched, and a follow up call will be made to the parent / guardian of that young person, Both the SIGNS form and the call to a parent / guardian should be completed at the time where practicable, or in any event prior to the end of the shift of the searching officer.

This is a safeguarding measure to ensure that the parent / guardian is aware of police intervention and allay any concerns they may have, as to why the young person was stopped and searched.

The follow up call details, parents / carers reply / feedback should be added to the Occurrence Enquiry Log (OEL) of the Niche that was created for the SIGNS. This must be completed without exception.

4.10 It should be noted that subjects who are under the age of 18 are not obliged to give their name and address, nor the name, address and/or contact details of their parent / carer / guardian.

A record of all contact and attempted contact should be made on the Stop and Search Form (in the grounds section) or if the subject refused to provide details.

4.11 A printout of a record from the Pronto Manager Stop Search database, can be requested by a person who has been the subject of a Stop and Search, and who present themselves at a police station (in order that their identity can be verified).

However, this must be within 12 months of the date of the search where an arrest is not made.

In PACE there are 3 months to comply with the trigger process. Where an arrest is made, this entitlement is 12 months (in line with the right to apply for a copy of a custody record).

5. Exposing Intimate Parts (EIP) Searches

5.1 This guidance relates to EIP searches under Stop and Search Powers only.

If the outcome of the initial Stop and Search is arrest, and a subject is conveyed to custody, a Custody Officer may approve a further Code C search. This is NOT a continuation of the PACE search power and the EIP search questions within the additional information section of the Stop and Search should NOT be selected. A Stop and Search Form for the initial Stop and Search is still required.

A Stop and Search Form must not be completed for an EIP search of an arrested person in custody, as this is authorised by a Custody Sergeant under different powers with different recording requirements.

5.2 An EIP search is one which exposes intimate parts of the body.

5.3 The power must only be used where it is necessary and reasonable, bearing in mind the object of the search, and must be conducted in accordance with PACE Code A, Paragraph 3.7.

5.4 The police officer searching must be of the same sex as the person being searched.

5.5 Unless there is a risk of serious harm to the person or someone else, there must be a minimum of two persons present, in addition to the person being searched. One of those must be the appropriate adult, if the person being searched is a child or vulnerable adult (unless the person and appropriate adult both agree that the appropriate adult should not be present during the search).

5.6 The grounds, justification, and rationale for the EIP part of the Stop and Search must be recorded in the grounds box on the Stop and Search form in addition to the grounds for the original search.

5.7 If BWV is available, officers should record the encounter in accordance with Force policy, but should cover the camera, or direct it away from the person, whenever intimate body parts are exposed. Audio recording should remain activated.

5.8 All EIP searches must be conducted out of public view, in a nearby police station or other suitable nearby location, but not in a police vehicle.

Surrey Police only: The searching officer must consult with an Inspector or above prior to carrying out any EIP search of a person of any age to explain the reasons why it is necessary and proportionate in the circumstances to carry out the search and obtain an authority from the Inspector or above to conduct the EIP search (Exposing Intimate Parts Stop Search Authority). This interaction and ratification must be documented within the grounds box on the Stop and Search Form.

Sussex Police only: The searching officer must seek authority from a Chief Inspector or above prior to carrying out any EIP search of a person of any age. The searching officer should explain the reason why it is necessary and proportionate in the circumstances to carry out the search and obtain an authority from the Chief Inspector or above to conduct the EIP search (Exposing Intimate Parts Stop Search Authority). This interaction and ratification must be documented within the grounds box on the Stop and Search Form.

5.9 All EIP searches of UNDER 18's must take place in the Custody environment to allow for additional protections.

Unless there is a risk of serious harm to the person or someone else, an appropriate adult must be present for an EIP search of an under 18.

Reasonable attempts must be made to contact the parent / carer / guardian of a person under the age of 18 prior to the commencing of an EIP search.

Surrey Police only: The searching officer must consult with an Inspector or above prior to carrying out any EIP search of a person of any age to explain the reasons why it is necessary and proportionate in the circumstances to carry out the search and obtain an authority from the Inspector or above to conduct the EIP search (Exposing Intimate Parts Stop Search Authority). This interaction and ratification must be documented within the grounds box on the Stop and Search Form.

Sussex Police only: The searching officer must seek authority from a Chief Inspector or above prior to carrying out any EIP search of a person of any age. The searching officer should explain the reason why it is necessary and proportionate in the circumstances to carry out the search and obtain an authority from the Chief Inspector or above to conduct the EIP search (Exposing Intimate Parts Stop Search Authority). This interaction and ratification must be documented within the grounds box on the Stop and Search Form.

Ensure the requirements specified at 4.9 and 4.10 are also followed regarding submission of SIGNS and contacting parent / carer / guardian (if they were not the appropriate adult).

6. Retention of Data

6.1 All data maintained on Pronto will be retained for at least six years in compliance with Management of Police Information (MoPI) and as detailed in the Surrey and Sussex Retention Schedule. Refer to the Information Management Policy (Surrey and Sussex) (1187) for further guidance.

7. Lay Observers Scheme

7.1 The Forces will offer the Lay Observer Scheme to enable the public to accompany operational officers on a tour of duty where an opportunity to observe a Stop and Search may occur.

7.2 As part of the Stop and Search Policy, the Forces will adhere to the following policy principles for lay observation.

7.3 Members of the public are provided with the opportunity to escort a police officer and may get to see Stop and Search in action if sufficient grounds present themselves to initiate a Stop and Search. The scheme is suitable for both foot and mobile patrol. Mobility would not be an automatic obstacle. Reasonable adjustments would be considered where possible to allow access to the scheme, however, applicants will be asked for security consent to carry out a check for a criminal record.

7.4 Lay observation provides the Forces the opportunity to demonstrate Stop and Search, should the grounds allow. When attending incidents, officers will explain the nature of the call to the participant enroute and should de-brief the participant when the incident is concluded. This will give an opportunity for a question-and-answer session, which will enable any concerns or observations to be discussed.

7.5 At the conclusion of lay observation, the participant will be asked to complete a feedback form for evaluation by the officer's supervisor. Should a Stop and Search be observed, the questionnaire will allow the Forces an opportunity to analyse the layperson's observations of a witnessed Stop Search procedure. Responses from the participant during the observation would also be considered as part of the feedback.

7.6 Participants will be escorted by a police officer at all times to ensure their safety and a generic risk assessment will be carried out for each participant of the scheme and retained by the District / Borough whenever a lay observation is conducted.

7.7 For further guidance refer to Surrey Lay Observers Scheme Form and Sussex Lay Observer Scheme Form.

8. Stop Search Trigger

8.1 The review process acts as an independent filter to assess community impact for individuals who have been Stop Searched. It assesses trends around police officer(s), grounds, location, or profile of person searched, and specifically (but not exclusively) when there are 3 or more Stop Search complaints in a 12-month period about the same police officer, the same policing operation, the same location, or from / about the same person being searched.

9. Section 60 Criminal Justice and Public Order Act 1994 Searches

9.1 The Forces will apply the Section 60 Powers as set out in PACE. In addition, they will also communicate with the communities involved in advance (where practicable) during and afterwards, so that the public is kept informed of the purpose and outcomes of the operation.

9.2 The Forces Section 60 Authority Form.

9.3 Refer to the Forces Section 60 Communication Request Form. This form identifies all of the information required by the media departments to keep the public informed.

9.4 The Section 60 power must only be used where necessary, and in a proportionate manner. Section 60 does not justify the blanket use of Stop and Search Powers. Officers should consider the circumstances which have generated the authorisation and limit their searches to those persons likely to be involved.

9.5 There is a requirement for the briefing of officers tasked to use Section 60 Stop and Search Powers to be recorded. This briefing can be recorded in written form and/or audio / visual, e.g. Teams, BWV camera, etc. The briefing must clearly communicate the following information to officers conducting stop and searches under this power:

- The reason for the Section 60 authorisation, including the relevant information / intelligence, grounds, law, and guidance.
- Any relevant community information and community impact assessment.
- The designated area of application, and timeframe during which Section 60 is in effect.
- The requirement, and importance, of recording all Section 60 encounters in their entirety on BWV.
- How debriefing, including identifying any learning, will be carried out.

Surrey Police only: Confirmation that this briefing has been done and recorded, and a copy of or link to the briefing must be emailed (redacted)

Sussex Police only: The authorising officer must complete the Section 60 and Section 11 Debrief Form.

9.6 Whilst Section 60 is a suspicionless power, when completing a Stop and Search Form under Section 60, the grounds section of the Stop and Search Form MUST still be completed with the grounds / justification for implementing the power. Writing just 'Section 60 authorised' or 'N/A' are not sufficient grounds.

10 Section 11 Public Order Act 2023

10.1 Section 11 [Public Order Act 2023](#) provides a power to Stop and Search without suspicion (it functions as a protest-specific equivalent to Section 60 of the Criminal Justice and Public Order Act 1994).

10.2 Under Section 11, an Inspector or above can authorise 'suspensionless' Powers for up to 24 hours within a specific area if they reasonably believe that the listed offences may be committed, or individuals are carrying prohibited objects. During the authorisation period, officers can Stop and Search individuals or vehicles in the designated area for prohibited objects without requiring the usual 'reasonable suspicion'.

10.3 Inspectors who authorise a Section 11 power must complete a Section 11 Authority Form.

10.4 Officers who complete a Stop and Search under this power, whilst it is 'suspensionless', they must ensure they still document their grounds for the search on the Stop and Search Form.

11. Section 163 / Section 164 Road Traffic Act 1988 Vehicle Stops

11.1 Surrey Police and Sussex Police seek to have the best possible understanding of disproportionality in our policing outcomes. Use of Section 163 (the power to require a driver to stop the vehicle) and Section 164 (the power to require the drivers details) of the [Road Traffic Act \(RTA\)1988](#) is the most complained of use of police powers by ethnic minority communities so it is important that we have a good understanding of when and where we are using the power, as well as with whom and why. This is a “no grounds” power however we must ensure we are using our powers lawfully and legitimately. Both Forces will now record Section 163 and Section 164 RTA usage in the same way we do for Stop and Search Powers.

To prevent reducing operational effectiveness this will not include where only Section 163 RTA is used, i.e., to give safety advice regarding a road hazard etc. However, where the drivers’ details are required, this will lead to recording the use of the power. When deployed as part of a drink drive campaign the operation policy will describe the method and extent of recording.

This will safeguard officers, give both Forces a better understanding of the use of the power, and inform conversations with our communities regarding disproportionate outcomes.

11.2 BWV will be used in all cases for the use of these powers and if a complaint is anticipated the footage will be marked as evidential.

11.3 Following the use of Section 163 and Section 164 RTA legislation if there is a subsequent use of Stop Search legislation this will also be recorded in the normal way.

Team: Local Policing Service Improvement and Engagement