



Stop and Search

Policy

1. Introduction

This Policy Document sets out Surrey Police's approach to Stop and Search.

2. Policy Statement

2.1 Surrey Police recognises the importance of the fair and effective use of stop and search to keep the public safe from harm, prevent crime and bring offenders to justice.

2.2 Surrey Police expects stop and search powers to be used fairly objectively and proportionately.

2.3 It must withstand independent public scrutiny and should encourage trust and confidence from our communities.

- You must comply with the requirements of the Surrey Police Stop & Search Procedure.
- Your actions must be justified, lawful and transparent and withstand independent public scrutiny
- You must have a genuine, objective and reasonable suspicion that you will find a prohibited article or item for use in crime
- You must justify that a search was the most proportionate method to use to establish whether such an item was present
- You must treat people with respect and explain why a search is necessary in a way they will understand

3. You must comply with [PACE Code A](#), [Authorised Professional Practice \(APP\)](#) and the [Code of Ethics](#)

Procedure

In conjunction with the Policy (above) this procedural document gives clear instructions on how to deal with Stop and Search. As an overarching point, all stop and searches must comply with PACE Code A and follow guidance available on [Authorised Professional Practice \(APP\)](#)

1. Recording

Stop and search forms must be completed at the time of the search and a copy must be offered to the searched person at the time, unless this is not practicable, and with the exception of arrests below. Where the searching officer has been issued with a Mobile Data Terminal (MDT), this should be used for the recording of the search.

2. Children and Young Persons

- 2.1 Wherever there is concern for a child's welfare a 39/24 should be submitted to the Multi Agency Safeguarding Hub (MASH) by the officer dealing.
- 2.2 Children under 10 - Where an officer believes that exceptional circumstances exist that necessitate him/her conducting a stop and search procedure on a child under 10, a parent or guardian must be informed at the earliest opportunity and a record made detailing the time; date and identity of the person notified.
- 2.3 A copy of the stop and search form must be forwarded to the Multi Agency Safeguarding Hub (MASH) for notification to the relevant child protection team.
- 2.4 In either case the MASH should consider onward referral to children's services where appropriate.

3. Arrests

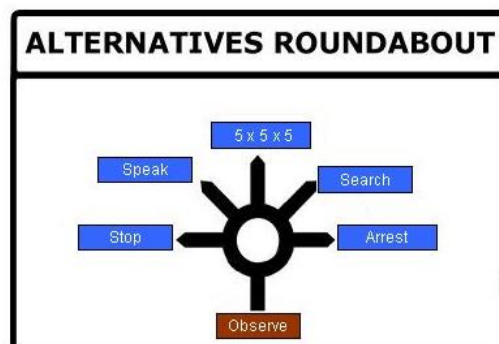
- 3.1 When an arrest results from a stop and search, the same paperwork should be completed but within custody during the booking in process as this will form part of the custody record.
- 3.2 The searched person's hard copy of the search record must be scanned onto Niche (i.e. the 38/30 yellow copy or MDT print out) and this scan must be added to the electronic custody record (within the documents tab). The hard copy must be offered to the arrested person as soon as practicable, and the custody officer is responsible for ensuring this is done.
- 3.3 Police copies of search records (38/30 white copies and electronic MDT records) will be submitted internally in the same way as when no arrest is made.

4. Timeliness

All stop and search forms must be completed and submitted before termination of duty.

5. Supervision

Supervisors are expected to be proactive in checking that the power is being used appropriately, by checking forms and witnessing encounters.



G: Grounds for the search (see below)

O: Object you are searching for

W: Warrant, if in plain clothes you should produce your Warrant Card. If in uniform and the

person asks to see your Warrant Card show them.

I: Identity your name

S: Station, your station/borough/district

E: Entitlement, to record of the search

L: Legislation, the legal power that you are using

Y: YOU are being detained for the search or for the purpose of...essentially informing the citizen in no uncertain terms the purpose and nature of the search

6. Grounds

6.1 To form strong grounds, objective fact should be combined with what is being seen / heard / smelt / said at the time. The following 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?

D Document - Record as much as possible to ensure your grounds are sufficient to a third party.

6.2 Use of the Alternatives Roundabout is also encouraged for an encounter, where individual 'exit' actions may be carried out if circumstances permit, or a range of exits may be covered sequentially as grounds are built.

7. Searches requiring the removal of outer clothing

7.1 Officers are reminded that where on reasonable grounds it is considered necessary to conduct a more thorough search (e.g. by requiring a person to take off a T-shirt), this must be done out of public view, for example, in a police van unless paragraph 3.7 applies, or police station if there is one nearby. [See *Note 6*]

7.2 Any search involving the removal of more than an outer coat, jacket, gloves, headgear or footwear, or any other item concealing identity, may only be made by an officer of the same sex as the person searched and may not be made in the presence of anyone of the opposite sex unless the person being searched specifically requests it.

7.3 Searches involving exposure of intimate parts of the body must not be conducted as a routine extension of a less thorough search, simply because nothing is found in the course of the initial search.

7.4 Searches involving exposure of intimate parts of the body may be carried out only at a nearby police station or other nearby location which is out of public view (but not a police vehicle). These searches must be conducted in accordance with paragraph 11 of Annex A to Code C except that an intimate search mentioned in paragraph 11(f) of

Annex A to Code C may not be authorised or carried out under any stop and search powers.

7.5 The other provisions of Code C do not apply to the conduct and recording of searches of persons detained at police stations in the exercise of stop and search powers.

8. Section 60 Authorisation

When the stop and search power under Section 60(1) of the Criminal Justice and Public Order Act 1994 is authorised, the following procedure must be followed:

[Section 60 Authorisation Procedure](#)

9. Stop and Search Community Complaints Trigger

As part of the Home Office Best Use of Stop and Search Scheme, Surrey Police Professional Standards Department (PSD) flag every complaint which relates to stop and search. At the point of flagging, the complaint is cross referenced with other complaints with a stop and search flag over the previous 12 months to check for any trends with regards to the searching officer, grounds, location, or profile of person searched. Where there is a trend, a bespoke plan will be implemented; this will be reported on through Stopwatch and a communications plan put in place. The PSD representative at each Stopwatch meeting (the force's stop and search oversight meeting, attended by PSD, analysts, operational representatives and IAG members, and held quarterly) will report on the number and details of flagged complaints, even when no trend has been identified.

10. Lay Observers' Scheme

The force runs a lay observers' scheme to allow members of the public to accompany police officers on patrol to witness and feedback on the use of stop and search. The following documents show the briefing for this, the health and safety form, and the template feedback form. Full name, date of birth and address will be needed prior to force agreement for participation in the scheme, to allow for basic security checks.

Supporting Documents

[Lay Observer's Feedback Sheet.doc](#)

[Lay Observer's Scheme Confidentiality Agreement Briefing and Disclaimer](#)

[Attachments with Police - Health and Safety Briefing Form.doc](#)

Further information on the Best Use of Stop and Search Scheme can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346922/Best_Use_of_Stop_and_Search_Scheme_v3.0_v2.pdf

Team: PIYN