

Other points to remember

If you are uncomfortable with where the search is taking place, ask for more privacy.

If they fail to provide you with either ask them to mention this on the electronic records.

Stop and search is not supposed to be a humiliating experience.

You should always be treated fairly and with respect.

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 and reference number. If you are searched and then arrested, the details of the search will be added to your custody record.

You have the right to complain.

Your co-operation assists in ensuring that stop and search is used properly.

Feedback and Complaints

You should not be stopped or searched just because of your age, race, gender, sexual orientation, disability, religion, the way you dress or because you've committed a crime in the past.

If you believe you were stopped and searched unreasonably, or you weren't treated fairly or with respect, you can complain to:

- West Midlands Police via www.west-midlands.police.uk

- Independent Office for Police Conduct www.policeconduct.gov.uk
- Citizens Advice Bureau www.citizenadvice.org.uk
- Equality and Human Rights Commission www.equalityhumanrights.com

The PCC takes feedback on stop and search very seriously and public feedback is used during policy reviews. For more information on how to give feedback, use of Section 60s or WMPCCs scrutiny of use of stop and search please visit: www.westmidlands-pcc.gov.uk

West Midlands Stop And Search Scrutiny Panels

Would you like to get involved with holding the police to account for how they use Stop and Search?

Do you have an opinion on how it could be improved within the West Midlands, or wish to represent the youth voice for your community?

Come along to one of our stop and search scrutiny panels - we have over 10 panels which take place across the West Midlands, representing the following areas:

Birmingham
Coventry
Dudley
Sandwell
Solihull
Walsall
Wolverhampton

For more details on Scrutiny Panels in your area please contact:

Searchpanel@mail.com
or
wmpcc@west-midlands.pnn.police.uk

STOP & SEARCH



KNOW YOUR RIGHTS



west midlands
police and crime
commissioner

STOP & SEARCH - KNOW YOUR RIGHTS

Stop and Search

A police officer has power to stop and question people at any time. They might ask:

- Your name
- What you're doing
- Where you're going

You don't have to stop or answer any questions. But your co-operation can assist the police in their duties.

A police officer has powers to stop and search you if they have 'reasonable grounds' to suspect you're carrying:

- A weapon
- Stolen property
- Something which could be used to commit a crime, such as a crowbar
- Illegal drugs

Police officers sometimes have the power to stop and search without reasonable grounds if a 'Section 60' has been approved by a senior police officer if it is suspected that:

- Serious violence could take place
- You're carrying a weapon or have used one
- You're in a specific location or area.

Section 60s cover a specific location for a specific time. For further information see the links at the end of this leaflet.

SEARCH

Being stopped and searched by police can be a very uncomfortable situation but is important to stay calm and in control.

STAY CALM– It is important that you stay calm and listen to the information the officer is giving you.

EYE CONTACT– keeping eye contact allows the officer to see you are willing to engage, are focused and paying attention.

ASK QUESTIONS– You can ask any question related to the search, it's important that you and the officer treat it as a conversation.

REFERENCE NUMBER– This is your proof of the search and reasons of the search. If you do not get one take note of the officer's badge number for future reference.

Control / Confidence – It is important to stay in control and focused during the search. Have confidence but not arrogance, police officers have a difficult job to do.

Hold to account– You should be treated fairly and with respect. For more information on holding to account see the links at the end of this leaflet.

GO WISELY

An officer must explain or provide:

GROUND FOR SEARCH - why the officer has stopped YOU

OBJECT OF SEARCH – What the officer thinks they will find on you

WARRANT CARD – If an officer that isn't in uniform but is on duty they can search you but will produce their warrant card first

IDENTITY OF OFFICER - You should always be given the name or ID number of the officer

STATION OF THE OFFICER - You should always be given the name of the station of the officer searching you

ENTITLEMENT– If you are searched, but not arrested, you have the right to a reference number that you should use to claim a copy of your search form from the police

LEGAL POWER USED - The officer should inform you of the legal power that you will be held under for the duration of the search

YOU ARE BEING DETAINED – The office should explain that you are being detained for the purpose of a search.

Other points to remember

You may be asked to describe your ethnic group. This question is to aid in monitoring the stopping of ethnic minorities and to encourage police accountability.

You can be asked to take off your outer coat, jacket or gloves in public. This basic search can be done by a male or female officer.

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 and will only be conducted by an officer of the same sex.

If you are being searched by an officer whose gender makes you uncomfortable, ask them to call for someone more appropriate.