Stop and Search

By the end of this unit you should be able to (AO1):
- Explain the powers of the police to stop and search an individual under s.1 PACE 1984
- Understand the safeguards which exist to protect individual rights.
- Explain what is meant by ‘reasonable suspicion’ under Code A
- Describe a range of the other statutory powers to stop and search

You should also be able to (AO2):
- Evaluate whether the rights of the individual are adequately balanced against the police’s need for investigative powers.
- Apply your understanding to a range of scenarios to be able to conclude on the legality of a stop and search.
- Evaluate the current use of stop and search by the police in England and Wales.

Key Terms:

<table>
<thead>
<tr>
<th>Term</th>
<th>Means</th>
<th>Term</th>
<th>Means</th>
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</thead>
<tbody>
<tr>
<td>Reasonable suspicion</td>
<td>Safeguard</td>
<td>Objective</td>
<td>PACE 1984</td>
</tr>
<tr>
<td>Subjective</td>
<td></td>
<td>McPherson Report</td>
<td></td>
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<tr>
<td>Common Law</td>
<td></td>
<td>Liability</td>
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Research Task: (Independent Study) Do we really need to limit the powers of the police?

You have an hour to complete this (or more if you want to get started earlier!). I would like you to produce between ½ side and a side in response to the question above. You will need to include reference to at least two of the following cases in your argument. This means that you will have to find out what happened in the case:

- Birmingham Six
- Stephen Lawrence
- Guildford Four
- Stefan Kisko
**Starter:**

What do you **already know about stop and search?**

**Task:** Look at the scenarios below.
All of you need to work with the person next to you decide whether or not you think the stop and search is lawful.
Most of you will be able to explain why you have reached that conclusion.
Some of you will be able to use your deductions to work out three general rules covering stop and search.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Lawful?</th>
<th>Reason</th>
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<tbody>
<tr>
<td>Bob, a 27 year old chef, is walking home with his knives in his hand. PC Blue stops him.</td>
<td></td>
<td></td>
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<tr>
<td>Jane, 17, is walking along Dunstable High Street with three cans of spray paint in her hands. PC Blue stops her.</td>
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<td></td>
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<tr>
<td>Sam, 16, is running through the park on the way to a march against tuition fees. PC Blue stops him.</td>
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<tr>
<td>James is in his front garden when PC Blue enters and searches him for items to do with criminal damage.</td>
<td></td>
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</tr>
<tr>
<td>Susan, who has been arrested by PC Blue for drug possession before, is stopped by him on the way back from ASDA with a shopping bag in her hand.</td>
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<tr>
<td>Louis, 19, is walking through the centre of town at 3 am on Saturday. He has his hoodie up when he is stopped by PC Blue.</td>
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<tr>
<td>Dave, 36, is stopped by PC Blue and asked to remove his coat and jumper so that PC Blue can check that there is nothing hidden.</td>
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<tr>
<td>Kyle is stopped. After searching his pockets, PC Blue asks to look through his bag, which he refuses. PC Blue takes it anyway, and searches through it.</td>
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<tr>
<td>Lewis is playing Santa Claus this year. He is stopped by PC Blue who has had a report of Santa Claus robbers in Dunstable and told to remove the hat and beard.</td>
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<tr>
<td>Steven is asked by PC Blue why he is standing outside a school with a bag. He refuses to answer or give his name and address when he is searched.</td>
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</tbody>
</table>

**I think the four key rules on stop and search are...**

1. 
2. 
3. 
Introduction:
Why give the police the powers to stop and search?

Reasons to give the police the power to stop and search:

Reasons to limit the police's power to stop and search:
What does the law actually say?

**The Main Statutory Power to Stop and Search**

A statutory power is one which is created by ________________

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**s.1 Police and Criminal Evidence Act 1984**

(known as **PACE**)

“The police may stop and search a member of the public in a public place, where they have reasonable suspicion that the suspect or their vehicle contains stolen or prohibited articles”

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Some other ‘things’ were added later...

- Criminal Justice Act 2003
- Serious Organised Crime and Police Act 2005
Can you volunteer for a search? Why/why not?

How much force can the police use to get your attention?

**Applying your knowledge:**
Which of the following are lawful under s.1? Why?

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Lawful or not?</th>
<th>Why?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seb’s bag is searched as they think he has a weapon on him.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PC Blue searched Jim in the car park of the Sugar loaf, as he thinks he has fireworks on him.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PC Blue has to complete 8 stop and searches by the end of his shift, so he searches Steph.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Susie is stopped and searched as PC Blue thinks she is about to shoplift.</td>
<td></td>
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</tbody>
</table>
What is meant by

‘Reasonable Suspicion’

Because reasonable suspicion is not defined in s.1, we have to look elsewhere for help.

As well as the sections of the Act, there are a number of Codes of Practice (incorporated under s.66 of PACE) which give the police guidance on how to exercise their power. These are not legally binding, but the police would face disciplinary action if they breached them.

The one that you need to know, because it gives us a little bit more detail on what for stop and search is **Code A**

Before we go any further, you need to be confident with the meaning of the following key legal terms.

**Objective**

**Subjective**

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**Task**: Working with the person next to you, read the section and answer the questions in as much detail as you can!

"**Reasonable suspicion** can never be supported on the basis of personal factors alone without supporting intelligence or some specific behaviour by the person concerned.

For example, a person's race, age, hairstyle appearance, or the fact that he is known to have a previous conviction cannot be used alone or in combination with each other as the sole basis on which to search that person."

**What must** they have to justify reasonable suspicion?

**What may not** be enough to justify a stop and search on its own?

**What problem was this section designed to address?**

**When might** these factors be enough to S&S?

**Extended Thinking**: When **might** it be legal to S&S someone on the basis of clothing or hairstyle?
**Safeguards on the powers of the police...**

There are a number of other limits on the powers of the police when they stop and search a person...

<table>
<thead>
<tr>
<th>Safeguard</th>
<th>From?</th>
<th>Why impose this limitation?</th>
<th>Any problems?</th>
</tr>
</thead>
<tbody>
<tr>
<td>The police must tell you...</td>
<td>Osman v DPP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>They can only ask you to remove...</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>They may only use...</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>They must give you...</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If they are in plain clothes...</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The S&amp;S should be carried out with...</td>
<td></td>
<td></td>
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</tbody>
</table>
Thinking: Which do you think is the most important safeguard and why?

What if the police find something?
Well, the police can seize the items, and may chose to arrest, warn, fine etc. as well.

Do I have to remove my hood?
Well, under a different statute (Criminal Justice and Public Order Act 1994 s.60 (a)(a)) the police may ask the suspect to remove any item he reasonably believes to be concealing their identity.

What kind of thing might this involve?

What issues might this cause?

In addition, under s.47A of the Terrorism Act 2000 the police can ask you to remove headgear and footwear in public in addition to your coat, jacket and gloves. They may take you somewhere out of public view to ask you to remove any headgear worn for religious reasons.

What if the police don't adhere to the safeguards?
Applying the Law:

Have you got it?

You’ve met these guys before... but now you are going to explain why they are lawful stop and searches or not, using the law to reach a clear conclusion.

Example:  
Bob, a 27 year old chef, is walking home with his knives in his hand. PC Blue stops him.

<table>
<thead>
<tr>
<th>Problem</th>
<th>Lawful?</th>
<th>Application and explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jane, 17, is walking along Dunstable High Street with three cans of spray paint in her hands. PC Blue stops her and searches her pockets and bag.</td>
<td></td>
<td></td>
</tr>
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<td>James is in his front garden when PC Blue enters and searches him for items to do with criminal damage.</td>
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<td>Susan, who has been arrested by PC Blue for drug possession before, is stopped by him on the way back from ASDA with a shopping bag in her hand.</td>
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</tr>
<tr>
<td>Dave, 36, is stopped by PC Blue and asked to remove his coat and jumper so that PC Blue can check that there is nothing hidden, as he thinks he may have a gun on him.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lewis is playing Santa Claus this year. He is stopped by PC Blue concerned at reports of Santa Claus robbers in</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Other Statutory Powers to Stop and Search

As well as PACE, there are a number of other statutes which give the police the power to stop and search you. Some of these are more controversial than others.

For AS Law you must be confident describing these in detail, and applying them to scenarios

Power One:

**Criminal Justice and Public Order Act 1994 s.60**

‘in anticipation of violence’

Authorised by a senior police officer who reasonably believes that serious violence has or may take place in that specified area.

The police on the street can then stop and search anyone for any items which may be used in connection with violence. Normally lasts only 24 hours.

This can’t be carried out by officers who are not in uniform.

When might the police employ this power?

Power Two:

**Misuse of Drugs Act 1971 s.23**

The police may stop and search a suspect if they reasonably believe that they have controlled substances in their possession.

Power Three:

**Terrorism Act 2000 s.43**
(as amended by the Protection of Freedoms Act 2012)

Allows a police officer to search a suspect he reasonably suspect or their vehicle, to be involved in terrorism related activities.

**Power Three:**

**Terrorism Act 2000 s.47a**

(as amended by the Protection of Freedoms Act 2012)

Under an Order, this replaces s.44 of the same Act, which was necessary because s.44 was ruled incompatible with article 8 of the ECHR.

**So what are the powers under s.47a?**

They allow police to stop and search people without suspicion for items to do with terrorism, but can only be declared where a senior officer suspects an act of terrorism will take place and so has authorised it within a specific area and for a specific time.

Authorisations have to be confirmed by the Home Secretary within 48 hours, and cannot last longer than 14 days.

Since the law has been changed, there have been no searches under this section!
### Consolidation

To demonstrate your understanding, can you complete the grid below?

<table>
<thead>
<tr>
<th>Statutory Power(s)</th>
<th>Needs reasonable suspicion on the PC’s behalf?</th>
<th>What are they searching for?</th>
<th>Safeguards?</th>
<th>Number of Stop &amp; Searches 2011-12</th>
</tr>
</thead>
</table>
| s.1 PACE 1984 as amended by: Criminal Justice Act 2003 SOCPA 2005 | | Items which may be used in connection with violence | • Senior officer authorised  
• Specific area, and time.  
• Can ask S to remove anything concealing identity. | |
Does the Law on Stop and Search actually work?

In A level law this is known as AO2 (Criticism) and is worth 40% of the marks for each question. You need to be able to discuss the problems or issues and this means looking at both sides of the argument.

The trick here is to develop a discussion, rather than just a list of points.

The main issue for stop and search is whether the current powers correctly balance the need for investigative and protective powers and the need to protect the suspect’s rights (remember he hasn’t been convicted of anything yet!)

Student task:
Read through the articles on stop and search included at the back of the handout. Can you find the answers in the articles? You can use the highlighters if you wish, but don’t highlight the whole thing!

1. **Who** is most likely to be S&S? How do you know this?

2. What problems are there with the use of all stop and search powers by the police?

   **Challenge:** What issues are specific to s.60?

3. Do you think that the new code on stop and search will be effective? Why/why not?

4. What do you notice about the relation between stop and search and arrest? What might this reveal about the effectiveness of the police’s use of stop and search?

**Consolidation:** In your books, produce an answer to the following question:
Using the information you have read, do you think that the laws on stop and search are correctly applied?
Police use of stop-and-search powers criticised by HMIC

Only seven of the 43 police forces in England and Wales recorded whether a searched item was found.

Police in England and Wales failed to record the "reasonable" reasons for stopping and searching people in a quarter of cases, a watchdog has found.

The Inspectorate of Constabulary, in its first review, examined 8,783 cases.

It found that in 27%, either no grounds had been recorded or the officer had entered a reason which would not justify a search, such as speeding.

It warned this could render the power ineffective and lead to a lack of public support for police.

The government has launched a public consultation on stop-and-search powers.

Under the code of practice in the Police and Criminal Evidence Act, the reason must be recorded.

A police officer has to have reasonable grounds for stopping and searching someone, such as looking for drugs or a weapon.

Reasonable grounds also include the suspect's behaviour, or they can be stopped on the basis of contextual information - such as a high number of burglaries in an area. Police can also stop people if they match the description of someone wanted.

About one million stops take place each year - but only 9% lead to an arrest.

Home Secretary Theresa May ordered the HMIC review in December 2011, after renewed concern over police use of the powers in the wake of the riots that year.

HMIC said its findings did “not necessarily mean that all those searches were unlawful and carried out without the required grounds.”

But it did suggest that the tactic was often used incorrectly.

The HMIC found that the powers were often used “almost habitually”, but that police chiefs did not regard monitoring the power as a priority.

It said monitoring of stop and search had "slipped down the agenda" since the publication of the report into the case of murdered teenager Stephen Lawrence, which highlighted stop and search as one way in which institutional racism manifested itself in the police.

It concluded that the reasons for 27% of the records not having sufficient grounds recorded on them was “the absence of training for officers about how to judge when they have reasonable grounds, and poor supervision and absence of oversight by senior officers”.

HMIC’s national team inspector Stephen Otter said the failures to record details showed a “real lack of attention” by police, adding that the law was “there to protect the public from abuse” of the powers.

He said: "It's a search for something. You can't just stop and search someone because they look a bit dodgy.

“There’s too much evidence that not enough care is being given to the individual encounters - building reasonable grounds for that individual encounter in that individual situation.

“You are exercising the most intrusive power that you have. You can put your hands in their pockets, you can direct them to remove outer garments. You are doing something very intrusive, and it feels intrusive. Getting officers to care about that is very important.”

Only the so-called Section 60 searches - to prevent serious disorder on the streets - do not require officers to have reasonable grounds.

The report found that only seven of the 43 forces in England and Wales recorded whether or not the item searched for was found.

It also found that less than half of the forces complied with the requirements of the code to make arrangements for stop and search records to be scrutinised by the public.

And half of the forces did nothing to understand the impact of the practice on communities.

A public opinion survey for the HMIC suggested 37% of suspects were not told the reason they had been stopped, 42% did not understand the reason given and 47% felt they had not been treated with respect.
Ken Hinds, who won compensation for being wrongly stopped, told BBC News the police should concentrate on weapons and violent crime.

“Sixty per cent of the police stop and search is for misuse of drugs - that’s where they’re going wrong. That’s where you get the disproportionality happening, because that’s where they target the black community under the misuse of drugs.

“Now I’m saying that it has to stop... there’s serious consequences when they get it wrong. It creates barriers,” he said.

Responding to the report, former Metropolitan Police detective chief inspector, Peter Kirkham, said: “Police officers, like the rest of us, are not psychic. They will sometimes have some background information that they know already, but frequently they’ll just drive round a corner and somebody will emerge from an alleyway or something like that, and they’ll make a judgement on ‘have they got grounds to suspect at that particular moment?’”

But he added the report reflected how some forces were not understanding how to use stop and search effectively.

Earlier this month, Mrs May announced a six-week public consultation on stop and search, saying it could be a vital power in the fight against crime - or a waste of police time which undermined public confidence in the police.

A Home Office spokeswoman said the government would respond to the HMIC report and the replies to the public consultation with specific proposals by the end of the year.
Stop and search: A necessary police power or a form of discrimination?
Tuesday 30 Jul 2013 6:00 am

Police stop and search powers haven’t stopped Barry from breaking the law – he has no criminal convictions.

But they have deterred the 20-year-old who lives on an estate in Kilburn, north London, from spending time in his neighbourhood or even going on shopping trips with his mother.

Despite being stopped more times than he can remember (approximate estimate: more than 100), police have never found anything on him.

When he used to hang around the area, he says he could find himself being stopped twice a day – ‘not including strip searches’.

And he claims that if he tried to record the encounter, his phone could be taken for up to three weeks and returned with the footage deleted.

‘I don’t even want to shop with my mum any more,’ he said. ‘It just looks bad. You’ll just be going to the shops – you’ll be stopped and then taken for a strip search. I feel embarrassed.

‘Often, the local police station is full so they would drive me to Wembley and refuse to bring me back. After about three hours, I’d be released, but have no money on me and be stranded.’

Barry isn’t his real name; he feared he would be targeted yet further by police if they knew he had spoken out.

‘When I have complained, I’ve been told, “shut the f*** up or we’re going to do your door in”. That is their favourite line.’

In January, Stuart Lawrence, brother of murdered teenager Stephen, lodged a formal complaint with the Metropolitan Police, alleging that he had been stopped or searched by officers 25 times since he was 17. But it is not just men.

Janet Hills, chairwoman of the Metropolitan Black Police Association, told Metro: ‘I’ve been stopped and searched when I’ve been on the street more times than I’ve used the actual power.’

And a solicitor who works with youngsters at the sharp end of stop and search says she frequently feels intimidated by police.

Once, she asked for an officer’s badge number to make a complaint on behalf of a client – before he covered it up with his seatbelt and said: ‘I dare you’.

She said: ‘If I had moved it, he would have arrested me for assault, most probably.’

Nor is it only the black community raising the alarm.

Research by the London School of Economics into the 2011 riots identified the operation of the stop and search laws as a key factor behind the unrest.

Earlier this month, the police watchdog said one in four people stopped by officers is searched unlawfully – a week before an inquiry by the Independent Police Complaints Commission found the Metropolitan Police is failing to fairly tackle complaints of racism by its officers.

To pre-empt these findings, home secretary Theresa May announced a consultation into stop and search, which runs until August 13.

She lamented the fact that if you are black, you are still seven times more likely to be targeted, telling parliament: ‘At its best, stop and search is a vital power in the fight against crime. At its worst, it’s a waste of police time and serves to undermine public confidence in the police.’

Metro visited the headquarters of Brent Police in north London to see the procedure in action.

The teenagers on the Kilburn estate may not believe it, but Brent is one of the best London boroughs when it comes to stop and search – in two years, the rate of arrests or ‘cannabis warnings’ being issued as a result from searches has increased from 16 per cent to 30 per cent, while crime is still falling.
There is a focus on intelligence-led policing and establishing correct grounds for searches. Statistics for each officer are carefully monitored and those whose ‘positive outcome rate’ is below par are sent for retraining.

In response to the claims of harassment, Detective Superintendent Simon Rose called on those aware of any abuses to complain.

He said: ‘I can obtain corroboration of any complaint from the GPS on the officer’s radio. If we have anonymous complaints, we can use undercover officers or actors posing as members of the public, create a fictitious call and see if the officers who are sent to the incident behave in the way claimed. If they do, we can prosecute or sack them.’

Police clearly have their work cut out. At the same time as trying to address the disproportionate figures of ethnic minorities being stopped, they are on the receiving end of political and public pressure to seize more weapons and drugs.

And some campaigners, such as actress Linda Robson, whose son was with 16-year-old Ben Kinsella in Islington when he was stabbed to death in 2008, have called for more stops to have a hope of tackling knife crime.

Police also face criminals who are well versed in dropping weapons under cars in anticipation of a search, or popping them down their underpants. Some offenders scoff when stopped by police who detect the smell of cannabis, gloating: ‘It’s too late, I’ve smoked it all.’

Technology may play a crucial part in reforming the system. With a camera in every pocket, officers who don’t behave professionally can end up on YouTube.

There is also an app set up by campaigners – and backed by police – which allows you to find out your rights and provide feedback on how you were treated.

In Greater Manchester, all stops are now processed via radio and no forms are filled out, so time and location are recorded automatically – bringing the average time for a stop and search down from 25 minutes to just three.

Labour’s Diane Abbott, MP for Hackney, has been campaigning on the issue for more than 25 years and said she fears the new consultation is just ‘window dressing’.

She told activists in Brent: ‘What you really want to focus in on is the professionalism, the accountability and the sense the police are able to give people that they are serving them rather than being an army of occupation.

‘What is it all for? Maybe what it’s for is not so much to find more knives but for the police to impose themselves on the community, to say “who run tings”.’

Ms Abbott told Metro: ‘The amount of crime picked up by stop and search is so small, relatively speaking, it’s hard to escape the conclusion that the level of stop and search among black and Muslim communities is driven by some assumptions about young people on the street.’

Does she mean racist assumptions?

‘I’m saying assumptions. People must judge for themselves what those assumptions are.'
9% of the 1.2m searches in England and Wales in 2011/12 resulted in arrests...

9% fewer people were stopped and searched last year compared to 2011.

Black people were 7 times more likely than white people to be stopped and searched in 2009/10.

7.3 x more likely in 2008/09.

6 x more likely in 2006/07.

... In Cumbria, the figure was 3%.

In London, it was 8%.

In Kent, it was 19%.

71% of the public think the police should be able to use stop and search.

74% think it is used fairly.

It takes on average 16 minutes to conduct a stop and search and process details. That is 312,000 hours each year and the equivalent time of 145 full-time police officers.

Sources: Home Office, Metropolitan Police’s Public Attitude Survey.
Police say stop and search can be important in crime fighting

Police looking for weapons are more likely to use stop and search powers against black, Asian and mixed-race people than white people in some parts of England, research suggests.

More than 300,000 incidents between 2008 and 2011 were examined by the Equality and Human Rights Commission.

It said the West Midlands, Greater Manchester and Met forces had all acted “disproportionately”.

Police say the practice targets knife and gang crime but is under review.

The EHRC research looked at the use of Section 60 of the Criminal Justice and Public Order Act 1994, which was originally introduced to tackle football hooligans.

Unlike stop and search powers under the Police and Criminal Evidence Act, officers are not required to suspect a crime is about to be committed when they search pedestrians or vehicles but they must work within a specified area and during a set period of time.

The EHRC previously successfully campaigned for an end to anti-terrorism stop and search legislation and has worked with police forces and the Home Office to bring about changes to other stop and search powers after expressing similar concerns about the targeting of ethnic communities.

In January the Met Police announced a radical overhaul of all its stop and search powers.

Simon Wooley, lead commissioner on race for the EHRC, said: “It has been encouraging that some forces, such as the Metropolitan Police, have recognised the need to end disproportionate stop and search.

“Evidence-led policing is much more effective, and avoids alienating the very people who should be helping the police to catch criminals.”

‘Critical powers’

Data supplied by 24 out of the 40 forces in England indicated that ethnic minority people made up 64% of all those stopped in 2010-2011 under Section 60, up from 51% two years earlier. However, the overall number of searches fell in the period.

British Transport Police officers were found to be 31 times more likely to search black people than white people in 2010-2011. Black people were 28 times as likely to be stopped by West Midlands Police and 21 times as likely by the Greater Manchester force.

Asian people were eight times more likely to be searched than white people in the West Midlands, and twice as likely under Greater Manchester Police last year.

The EHRC said the Met and Merseyside forces carried out more than 90% of all Section 60 stop and searches over the three years.
Black people were 3.3 times as likely to be stopped as white people on Merseyside in the 2010-11 period but Asian people only marginally more. Black people were 11 times as likely and Asian 4.5 times as likely as white people to be stopped in the London area last year, the EHRC said.

The EHRC figures showed stop and searches under Section 60 led to 4,230 arrests in England in 2008-09 but only 527 of these were for offensive weapons. Last year there were 1,364 arrests, of which 220 were for weapons.

The EHRC acknowledged that some Section 60 stops were directed at criminal activity involving ethnic minorities. However, it said police officers could be exposed to discrimination claims unless there was greater transparency about such operations.

Deputy Commissioner Craig Mackey, the Association of Chief Police Officer’s lead for stop and search, said the EHRC report was a “welcome step in further understanding the impact that stop and search can have within our communities”.

He added: “Chief officers support the use of stop and search as these powers are critical in our efforts to tackle knife, gun and gang crimes.

“It is important that there is a debate about the effectiveness of these police tactics as we seek to balance the impact of powers, like section 60, on our communities with the need to protect communities from serious crime.”
Stop and search: Police code of conduct launched

All 43 police forces in England and Wales have agreed to adopt a new government code of conduct on the use of their powers to stop and search members of the public.

Home Secretary Theresa May had said the technique was being misused so often that it was damaging relations between the public and police.

Police will now record every outcome resulting from stop and search.

There will also be more limits on using the controversial "Section 60" stops.

Used unlawfully

Officers will need higher authorisation than at present to deploy Section 60 powers, under which someone may be stopped without grounds for suspicion in a situation where serious violence is anticipated.

Police will also soon allow public observers to watch stop and search in operation.

Next year, police will start mapping where the practice is used so people can see if one area is targeted more than others, and the public will be entitled to know why this is the case.

The changes are being brought in after Her Majesty's Inspectorate of Constabulary found that 27% of stop and searches did not satisfy the requirement that there be "reasonable grounds for suspicion", meaning more than 250,000 of the one million searches conducted last year could have been illegal.

The adoption of the Best Use of Stop and Search code comes as the Metropolitan Police said it used Section 60 powers after violent incidents at the Notting Hill Carnival in London on Monday.

Ken Hinds, a member of the London borough of Haringey's stop and search monitoring group, does not believe the new code will be enough to change attitudes in some areas.

Mr Hinds says none of the 125 stop and searches he has been subjected to in the last 30 years has resulted in police finding he has done anything illegal.

He told BBC Radio 4's Today programme: "After 40 years of abuse of stop and search, we now refer to it as stop and scarred in our community. It has alienated whole swathes."

Best Use of Stop and Search code

- Record the outcome of stops in more detail to allow assessment of how forces interpret the rules
- Record a broader range of outcomes, including penalty notices and cautions, to help understand how successful each stop and search is
- Allow members of the public to apply to accompany officers on patrols
- Make forces explain publicly how stops are used if they receive complaints over a set "trigger" level
- Only use the "no suspicion" Section 60 power when it is "necessary" to prevent serious violence
- Raise the level of authorisation required for Section 60 powers from police inspector to an officer above the rank of chief superintendent
- Limit the initial use of Section 60 powers to 15 hours, from the existing 24 hours, and "communicate with communities" about the purpose and success of such use

Ethnic differences
Last year, an Equality and Human Rights Commission report said black and Asian people were still far more likely than white people to be stopped and searched by police.

Black people were six times as likely to be stopped overall - but this was as high as 29 times in some areas.

A black police inspector, Nick Glynn of the Leicestershire force, has already been chosen to lead reform of the way stop-and-search powers are used nationally.

He said he had been stopped and searched himself about 30 times while off duty by officers from other forces.

Metropolitan Police Commander Adrian Hanstock said the new code supports the force's "ongoing drive to make stop and search more intelligence-led and effective".

He added: "The Met has made significant improvements to stop and search over the last two years to not only reduce the total number of people we search, but also to ensure that our officers focus on those areas and types of crime that the public are most concerned about.

"Our work with communities and monitoring groups is helping to ensure we are more transparent than ever in how stop and search helps to reduce crime and keep people safe."

The Met, the UK's largest force, says 251,161 people were subject to stop and search in the 12 months to July 2014, and 47,141 arrests made.

It said 115,270 of those stopped were white, 72,016 were black and 34,267 were Asian, with men accounting for 94% of all searches.

Chief Constable Alex Marshall, who heads the College of Policing, told Today that stop and search was an important power to protect communities and the changes were intended to address its "difficult history".

He said people would support its use if searches well targeted and carried out with respect.

'Sviolent incidents'

Scotland Yard said Section 60 and Section 60AA orders were used under the Criminal Justice and Public Order Act at this year's Notting Hill Carnival.

Section 60AA gives police powers to order the removal of disguises in places where Section 60 is in use.

The Met said the measures were taken "in response to incidents of violence, and intelligence received, which have taken place within a short period of time".

Three men were stabbed and two police officers were injured in a series of violent clashes at the carnival on Monday evening.