



24700 POLICY – STOP AND SEARCH

Version	6.5	Last updated	07/08/2015	Review date	27/05/2017
Equality Impact Assessment	High				
Owning department	Prevention & Neighbourhoods				

1. About this Policy

- 1.1. The aim of this policy is to provide a framework within which all stop and search are conducted and to ensure they are done in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code A or other relevant legislation.
- 1.2. This policy relates to the powers to:
 - 1.2.1. Stop and Search: As defined by the list of powers contained in Annex A to Code A (See 24701 Procedure – Stop and Search & Use of Forms C12A, C12B and C12C).
 - 1.2.2. Section 44 Terrorism Act 2000 (now repealed by 47A Terrorism Act 2000). This authority is only available when ratified by the Home Secretary. Officers will be advised when it is in place; it is usually at times of increased terrorist threat.
 - 1.2.3. Section 60 Criminal Justice and Public Order Act 1994
- 1.3. This policy is primarily aimed at police officers, Special Constables and Police Community Support Officers (PCSOs) conducting the type of stops outlined above, officers supervising staff carrying out these functions, and staff responsible for monitoring the use of these powers within the Hampshire Constabulary.

2. General Principles

- 2.1. The Police Service has a key ministerial priority to provide a citizen focused service to the public which inspires confidence in the police particularly amongst minority ethnic communities. Stop and search is a valuable tool in tackling criminality, however its use must be carefully applied to ensure lawfulness and minimise any disproportionate use.
- 2.2. The intention is:
 - 2.2.1. To ensure the fair and effective use of Stop and Search;



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- 2.2.2. To ensure the use of Stop and Search is communicated and understood to the communities of Hampshire and the Isle of Wight.
- 2.3. This policy supports the principle of intelligence led policing, with the use of stop and search as an important tactical option for police managers.
- 2.4. Hampshire Constabulary is committed to the fair treatment of people in line with the protected characteristics of the Equalities Act 2010; our policies are designed so as not to discriminate against any group or individual.
- 2.5. The primary purpose of Stop and Search powers is to enable officers to allay or confirm suspicions about individuals without exercising their power of arrest.
- 2.6. A stop and search is most likely to be fair and effective when:
 - 2.6.1. The search was a justified and lawful use of the power that stands up to public scrutiny;
 - 2.6.2. The officer genuinely believes the person has an item in their possession;
 - 2.6.3. The member of the public understands why they have been searched and feels that they have been treated with respect;
 - 2.6.4. The search was necessary and was the least intrusive method a police officer could use to establish whether a member of the public has a prohibited article or an item for use in crime with them and
 - 2.6.5. More often than not the item is found.
- 2.7. Exceptions to this are when officers are:
 - a) Authorised under section 44 Terrorism Act 2000 (now repealed by section 47A);
 - b) Authorised under section 60 Criminal Justice and Public Order Act 1994.
- 2.8. The number of Stop Searches conducted will not be taken into consideration as a performance indicator.



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3. Statement of Policy

3.1. Operational Officers

- 3.1.1. All stop and searches must be conducted in accordance with Police and Criminal Evidence Act 1984 Code A.
- 3.1.2. Officers will follow the procedures laid down in FPP 24701 – Procedure Stop and Search & use of Form C12A, C12B & C12C.
- 3.1.3. [Guidance notes](#) are available to support that procedure.
- 3.1.4. Further guidance is provided in the [Stop and Search \(House Of Commons paper 2014\)](#)

3.2. Risks

- 3.2.1. The failure of the police to use their powers of Stop and Search in accordance with the law can seriously affect the trust and confidence of the police service with the public, especially people from BME communities.

3.3. Consultation

- 3.3.1. The following individuals, groups and departments were previously consulted in the writing of this policy:
 - a) The Fairness and Equality Strategy Group;
 - b) The Silver Group;
 - c) Assistant Chief Constable 'Territorial Operations';
 - d) Area Commanders;
 - e) Force Performance Review Team;
 - f) Criminal Investigation Department, Headquarters;
 - g) Criminal Justice Department;
 - h) C12A Bronze Focus Group;
 - i) BME Managerial Group;
 - j) Strategic and Area IAGs;
 - k) Operational Support Department;
 - l) RMS Business Support;
 - m) Training Department.

4. Monitoring & Evaluation

- 4.1. The lead officer for Stop and Search is the Assistant Chief Constable Territorial Operations.



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- 4.2. To monitor the effect and use of 'Stop and Search', Hampshire Constabulary will undertake ethnicity monitoring of the data recorded from officers carrying out their powers under Code A.
- 4.3. Stop and Search data recorded is available at individual officer level on RMS.
- 4.4. The District Commander is responsible for ensuring that this data is monitored for both evidence of disproportionately and quality assurance.
- 4.5. The Performance & Consultation Team is responsible for gathering the monthly 'Stop & Search' data for Force reporting requirements. This provides information for the Force and District monthly profiles.
- 4.6. The Stop and Search portfolio holder, ACC Local Policing will be responsible for ensuring the completion of an Equality Impact Assessment on this policy and supporting procedures, and for monitoring the implementation of this policy for the Hampshire Constabulary.
- 4.7. The Police and Crime Commissioner for Hampshire, through the Community Engagement Committee will monitor Stop and Search use in Hampshire and the Isle of Wight.
- 4.8. Members of the District IAGs also complete dip sampling of stop and search records and feedback their findings to District Commanders.

5. Review

- 5.1. The review of this policy will be conducted on an annual basis.
- 5.2. The policy will be updated and amended where appropriate to take account of any national initiatives or legislative changes.

6. Related Procedures and Information Sources

6.1. Procedures

- 6.1.1. 24701 Procedure - Stop and Search - Use of Forms C12A and C12B
- 6.1.2. 24703 Procedure – Community Observers Scheme



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- 6.1.3. 23902 Procedure - Employment of Transsexual / Transgender Staff;
- 6.2. Other Information Sources
 - 6.2.1. Sir William MacPherson – [The Stephen Lawrence Inquiry](#)
 - 6.2.2. Police & Criminal Evidence Act 1984 (s.60 (1)(a) and s.66 (1)) – Codes of Practice A Revised Edition (2011)
 - 6.2.3. Equality Act 2010
 - 6.2.4. Home Office [Circular 2/2005](#)
 - 6.2.5. ACPO - [The Gender Recognition Act 2004](#)
 - 6.2.6. [AD203 - Equality Impact Assessment](#)

Origin: Prevention & Neighbourhoods