

HARLINGEY  
POLICE  
STOPS

KNOW YOUR RIGHTS

This is a guide to the way that stop and search will be done by the police in Haringey.

It does not cover all of the law, but gives you a snapshot of your rights in the event you are stopped and searched or stopped and questioned.

## What is a 'stop and account'?

**This is where the police stop you in a public place – but do not go on to search you**

Although a police officer or Community Support Officer might stop and chat with you for many reasons, including being sociable, this becomes a 'stop and account' if the police ask:

- what you are doing
- why you are in an area or where you are going
- what you are carrying

## Your rights during a 'stop and account'

- You have a right to be treated politely and with respect.
- You don't have to give your name, address, date of birth, or any other personal details – although the police may ask for this information.
- You do not have to answer any questions at all.
- The officers cannot detain you against your will for not answering their questions.

- You should be offered a receipt or record of the stop and account, giving the date, time and place, your ethnicity and the officer's name and details.
- Ask the officer to give you a receipt. If they refuse, take their warrant or shoulder number, in case you wish to make a complaint.

## Advice of Haringey Independent Stop and Search Monitoring Group (HISSMG)

Some people are happy to answer police questions during a 'stop and account'. Others are not. If you prefer not to answer, HISSMG gives the following advice:

- First confirm with the officers that it is a 'stop and account' and not a 'stop and search' – as the police have the right to detain you under a 'stop and search'.
- Tell the police you prefer not to answer their questions, or simply say 'No comment'.
- Calmly walk away. **Do not** run as this might be considered suspicious behaviour and therefore grounds to search you. **Don't be verbally abusive** as this may be interpreted as threatening behaviour and create more problems for you.

## What is a 'stop and search'?

**This is where the police stop you in a public place – and go on to search you.**

Every search must be supported by a specific law. There are several powers of search, but the most frequently used by Police are searches for:

- Stolen goods, articles for stealing
- Offensive weapons, including bladed or sharply pointed articles
- Drugs

## Your rights during a 'stop and search'

Being stopped and searched does not mean you have been arrested.

Although the police will ask, you don't have to give your name, address, age or any other personal information – unless the police arrest you.

You have a right to be treated politely and with respect.

Provided you do not obstruct the search, you can record the encounter. For example, you can ask a member of the public nearby to film it on their phone. If you try to record it yourself, you may have to put the phone down (but not off) while the police are searching you.



If you believe you were treated unfairly, or you believe the police did not have reasonable grounds to stop you, you have the right to complain. In some cases, you might be entitled to compensation.

### **The laws the police can use to stop you**

There are several different laws the police can use to search you, but in the vast majority of cases, the police must have reasonable grounds to stop and search you.

The grounds must be based on information, intelligence or something suspicious about your behaviour.

**An officer must not base their suspicion on your race, colour, age or previous convictions.**

## **The exception - Section 60 'no suspicion' stop and search power**

Where the police reasonably believe that serious violence may take place in a specific area or that weapons are being carried, a section 60 may be authorised by a senior officer. This allows officers to stop and search a person and vehicles for weapons without reasonable suspicion, in the specific area covered by the section 60 and for the period of time covered by the authority.

## What if you are driving and the police stop you?

If you are driving, a police officer in uniform can order you to stop at any time without giving reasons. **It is a criminal offence not to stop.**

The police also have the power to require that you provide them with documents (such as a driver's licence and insurance) and to ask the name and address of the driver.

If you're a passenger, you don't have to give any personal details – unless you are arrested.

If the police wish to search your car they must have reasonable grounds to do so (except in Section 60 cases).

## **What the officer must tell you before the search**

Before the search, the officer must explain the following clearly:

- why you are being stopped and searched
- what specifically the officer is looking for – e.g. drugs, weapons, stolen goods
- the law under which you are being searched
- your right to a record of the search
- who the officer is and where they are based

## What the police officer can ask you to do before the search

- Take off outer clothing, for example your coat, jacket or gloves. You don't have an automatic right to be searched by an officer of the same sex.
- If you are asked to remove any other clothing, like a face scarf, veil, or turban worn for religious reasons, this should be done out of public view – e.g. in a police van or at the police station - and by an officer of the same sex.

## **Advice of Haringey Independent Stop and Search Monitoring Group**

Stops and searches can be intrusive and embarrassing, but it is important that you stay calm. Even if you think the stop and search is unfair, do not be verbally or physically aggressive. This can lead to you being arrested for obstructing a police search, or assaulting a police officer.

If you feel you were unfairly treated, take the officer's shoulder number or warrant number if in plain clothes – and follow up with a formal complaint. Request that the police officer records your concerns about unfair treatment. Although they are not required to do this by law, HISSMG are recommending the police in Haringey do this.

## What is recorded during a stop and search

- how you describe your ethnic background
- when and where you were stopped and searched
- why you were stopped and searched
- the name and/or number of the officer carrying out the search
- what they were searching for
- what action the police are taking, if any, against you

You do not have to give your name and other personal details, but if you do, this will also be kept on record.

## Your right to a record of the encounter

You have a right to a record of the 'stop and search'. You should be offered either a copy of the full record, if it was written down on a paper form, or a receipt if the record was made electronically.

The police should give you a receipt straight away unless they are called to an emergency. You can use the receipt to ask for a paper or electronic copy of the full record from the police station that the officer was from within 3 months of the stop.

A copy of the receipt and record will be useful if you want to make a complaint about unfair treatment, for example if you feel you've been stopped too many times or discriminated against.



## **What you can do if you felt the stop and search was unfair**

If you feel you were treated unfairly - for example, that the officer was aggressive, or stopped you because of race, or had no reasonable grounds for stopping you - then you should complain.

## Who can help you make a complaint?

You or an adult/guardian can complain on your behalf in the following ways:

1. Call 101 and state that you wish to make a complaint
2. Report the matter online either as a complaint or as feedback - [www.met.police.uk/contacts/yourvoice.htm](http://www.met.police.uk/contacts/yourvoice.htm)
3. Write to the Police - DPS Complaints Support Team, 22nd Floor, Empress State Building, Lillie Road, SW6 1TR
4. Report it online or in writing to the Independent Police Complaints Commission - [www.ipcc.gov.uk/complaints](http://www.ipcc.gov.uk/complaints)

## You can also get free advice from:

- Haringey Independent Stop and Search Monitoring group  
[www.haringeystopandsearch.co.uk](http://www.haringeystopandsearch.co.uk)
- Citizens advice Bureau  
[www.haringeycabx.org.uk](http://www.haringeycabx.org.uk)
- Equality and Human Rights Commission  
[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## **For more information about the law on stop and search, and how it is used**

- StopWatch – promotes fair and accountable policing  
[www.stop-watch.org](http://www.stop-watch.org)
- Metropolitan Police – general information:  
[content.met.police.uk/Site/stopandsearch](http://content.met.police.uk/Site/stopandsearch)
- Met Police, stop and search monthly monitoring statistics, by borough [www.met.police.uk/foi/units/stop\\_and\\_search.htm](http://www.met.police.uk/foi/units/stop_and_search.htm)

**For free advice - including help in making a complaint about stop and search contact:**

Haringey Independent Stop and Search Monitoring Group  
[www.haringeystopandsearch.co.uk](http://www.haringeystopandsearch.co.uk)

Or phone or text on **07986 297542**

Whatever your age, gender, or ethnicity, if you feel the police stopped you without reasonable grounds, or treated you unfairly, then let us know. By complaining, you can change things for the better. HISSMG is a grass-roots community group who monitor the Haringey Police to help ensure they use their stop and search powers fairly, effectively and without discrimination.

We listen – we don't judge. We respect confidentiality.  
And we welcome suggestions.





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