

GCE

LAW:  
RESTRICTIONS, INCLUDING THOSE  
RESTRICTIONS PERMITTED BY  
THE EUROPEAN CONVENTION ON  
HUMAN RIGHTS

STOP AND SEARCH FLOWCHART



## Restrictions, including those restrictions permitted by the European Convention on Human Rights

# POLICE POWERS

## STOP & SEARCH

### PACE s1

Can stop and search persons or vehicles in public place or place to which public have access provided there are **reasonable grounds to suspect** they will find stolen or prohibited articles

S 1(3) CJA 2003 extended power to cover search for articles intended for criminal damage

### CODE A

#### REASONABLE SUSPICION

Can never be based on personal factors alone such as race, age, sex, previous convictions or general stereotypes

Police officer must identify themselves and station where they are based and inform person of grounds for search

Record should be made on spot usually in writing

Suspect can be asked to remove outer coat, jacket and gloves in public – s2(9)  
Headgear and footwear can be removed but in private and in presence of officer of same sex

Do not have to answer police questions but note **Ricketts -v- Cox** and **Rice -v- Connolly** – have to do so politely or it will be obstruction  
Also s 50 Police Reform Act 2002 – person who has behaved in anti-social manner can be required to give name and address or risk arrest under s 25 PACE