

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

POLICE POWERS: STOP and SEARCH and SEARCH OF PREMISES

Read through the following scenarios and decide whether the police have acted lawfully or not. Give reasons for your answers.

Mark arranged over the internet to sell his motorbike to a woman called Sam. The sale took place in a car park at 10 pm on Saturday night, and Sam paid Mark £800 in cash. After she had driven off, Mark realised she had left her shoulder bag behind. He slung the bag over his shoulder and walked to the bus station, intending to contact her again when he got home. In the bus station, Mark was spotted by an off-duty police officer, PC Angela Jones, who thought there was something suspicious about a lone man carrying a woman's shoulder bag. She pushed Mark against a wall and began to search him.

Iqbal was wandering around a shopping mall, waiting for his girlfriend Jasmine, who was trying on dresses in one of the shops. He was approached by PC Hunt, who ordered Iqbal to turn out his pockets. When Iqbal refused, PC Hunt forcibly searched him. In one of Iqbal's pockets PC Hunt found a diamond ring which Iqbal had been carrying around with him for weeks, trying to pluck up the courage to ask Jasmine to marry him. PC Hunt immediately arrested Iqbal and took him to the nearest police station.

Late one evening, Jane is frightened because she thinks that someone is trying to break into her house so she calls the police. PC Hunt and PC Fox arrive and look around the property. As it is a semi-detached house, they knock on the next door neighbour's door to check whether the neighbours have heard anything. The door is opened by Robbo who is known to the police and has a number of convictions for burglary offences. Robbo lets the two officers in. PC Hunt keeps Robbo talking in the lounge whilst PC Fox goes to search the garden. On the way he also searches the hall and kitchen and finds several brand new mobile phones which he seizes as evidence. Robbo is arrested.