

Y•STOP?

**SEARCH
CARD**

**www.y-stop.org
Helpline: 020 7324 2989**

STAY CALM

If you are calm, you can influence the outcome and end the interaction faster than if you are aggressive or arrogant.

If you start to feel angry, calm yourself down by concentrating on deep breaths; in through your nose and out through your mouth. Stay calm, stay in control.

EYE CONTACT

Maintaining eye contact is crucial. It not only keeps you engaged in the conversation, but importantly makes it harder for the police to bully you as they have to acknowledge and communicate with you as an equal. Try not to let anger or fear get the better of you.

ASK QUESTIONS

Treat it as a conversation not a confrontation. When a police officer asks you reasonable questions, answer them and ask questions, also. You do not have to give them any personal details, but the police need to account for everything they do.

Ask the officer the **4 Ws**:

- **Why are you stopping me?** On what grounds, what legal power are they using;
- **What are you looking for?** The object of the search;
- **Who are you?** The officer's ID number, or see their badge or warrant if they are not in uniform;
- **Where are you from?** The station where they are registered.

It is important to **ask if you are being detained or are free to leave.**

RECEIPT

This is your official proof. If you get a written slip check all sections of the slip have been completed and that it is accurate. If the officer is recording electronically you will get a card with a reference number that you should use to claim your receipt.

The police **must give you a receipt of the search.** Only if the officer is called to an emergency can they leave you without filling the receipt out, but they must tell you how to get a receipt once they have completed it.

If you do not get one at the time, you can still claim it from the police station for up to 3 months. This is easier if you get the officer's ID.

If you do not have any details but need them (to make a complaint, for example) there are ways of doing this. Contact Y-STOP for help.

RECORD

If you have a smart phone, politely inform the officer that you are going to get it out to film the search (reaching for your pocket without warning might be misinterpreted as a threat). Don't get in their way when filming – it is an offence to obstruct. You could also ask a friend or passer-by to film it as a witness. Filming protects everyone's interests.

You are allowed to film, but sometimes officers do not like this so will tell you to stop. They can only take your phone from you if they have reason to suspect it is stolen.

To be prepared for encounters, download the free Y-STOP app for use in recording. If your phone is taken during filming, the footage will automatically be sent to us.

CONFIDENCE

Confidence is easier once you know where you stand so let's clear up some confusing rights:

- **You don't need to give your name and address**

You only need to give this information if the officer is reporting you for an offence you are currently, or have previously, committed. If you are unsure, ask “**are you reporting me for an offence, officer?**”

If you refuse to give your name, the officer will write a description of you instead.

Police cannot demand your parents' contact details or threaten to take you home to them.

- **Police cannot put you in hand cuffs or use force to search you**, unless you physically resist or are physically aggressive towards them (or threaten to be).
- **Only your outer clothing, pockets and bags can be searched in public.** For more information read the “clothing, privacy and strip search” section.

HOLD TO ACCOUNT

By following the above steps the police will be encouraged to behave properly. When they don't you will have proof of it. So make sure you:

- **Request a slip and keep it**

Having to record the whole search commits the police officer to the answers and explanations they have given you. This makes them more likely to follow the law.

- **Film the stop and search**

Filming helps to improve police behaviour; nobody wants to be recorded doing something badly. Record the encounter with the Y-STOP app and let other people know what's going on and how they can deal with it.

- **Report it or complain**

If you are treated badly by the police, you should not accept it. Make an official police complaint within one year, report it anonymously to Y-STOP, or share your experience using the Y-STOP app - via the app you can submit a complaint directly to the relevant police force and we will be copied in. Check out the Y-STOP website for more information.

MORE ON YOUR RIGHTS

Clothing, privacy and strip searches

The officer can only require a person to remove outer clothing in public e.g. a coat, jacket, gloves or another item concealing your identity. They can put their hand inside your shoes, socks or headgear if they believe something is hidden. They will ask you to turn your pockets inside out, or they will pat these items down.

If they want you to remove any other items of clothing, this is either called a '**more thorough search**' e.g. removing a jumper or t-shirt, or a '**strip search**', which involves the removal of all clothing. A **more thorough search** can take place in the back of a police van or somewhere else that is out of public view. A **strip search** can only take place in a police station or a designated area like a police tent. A **strip search** must be done out of public view and by an officer of the same sex, without any officer of the opposite sex able to see.

The officer must provide a reason for needing to search further. The reason

cannot be that nothing has been found, yet.

Removal of any religious items must be treated in the same way as a more thorough search.

If you are uncomfortable, ask for more privacy. If they fail to provide you with this ask them to put this in their records.

Stop and search should not be a humiliating experience.

If you have been strip searched let us know and we will see if there are grounds for a complaint or legal action.

What is reasonable suspicion?

This is not defined in the law. Some examples you may be given are:

- Suspicion of your involvement in an alleged offence;
- Fitting the description of someone who has committed a crime. You can ask for the description, or request that it be radioed over from their station to see if this is true.

These are **illegal reasons** for police to give you:

- They know you have a criminal record or have been caught carrying illegal items before;
- You are in a high crime area;
- They think you look suspicious (without explaining exactly what they are suspicious of).

Reasonable suspicion is hard to prove or disprove. If you think something is unfair or wrong, it is best to get your receipt and report it to Y-STOP. We will help you work out if further action should be taken.

If you have been arrested

The most important thing is not to talk to the police until you have a legal advisor present. This can be a duty solicitor or a specific representative that you ask for. There is no such thing as a friendly chat with the police, as everything you say can be used in court.

If you are 17 or under an adult must be present. This can be a member of your family, a guardian or a social worker.

Contact us immediately if:

- Excessive force has been used against you;

- You have been strip searched;
- If you would like to make a complaint about a police interaction.

contact@y-stop.org



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