



	FREEDOM OF INFORMATION ACT PUBLICATION SCHEME
Protective Marking	Official
Publication Scheme Y/N	Yes
Title	MPS Stop and Search Policy
Version	4.0
Summary	This document outlines the policy that must be applied to all encounters carried out under Stop and Search and Stop and Account.
(B)OCU or Unit, Directorate	Territorial Policing (TP) Capability & Support
Author	MPS Stop and Search Team
Review Date	August 2020
Date Issued	August 2016

	Freedom of Information Publication Scheme
Protective Marking:	OFFICIAL
Publication (Y/N):	Y
Title:	MPS Policy on Stops and Searches
Summary:	This document outlines the policy that must be applied to all encounters carried out under Stop and Search and Stop and Account.
Version:	4.0
Branch / OCU:	TP C&S Stop & Search
Date created:	11 August 2016
Review date:	August 2020
Author:	TP Stop & Search Team

Application

When? This Policy applies with immediate effect.

Who? All police officers and police staff, including the extended police family and those working voluntarily or under contract to the Mayor's Office for Policing and Crime (MOPAC) or the Commissioner must be aware of, and are required to comply with, all relevant Metropolitan Police Service (MPS) policy and associated procedures.

This policy applies to all police officers, Metropolitan Police Special Constabulary (MSC) and Police Community Support Officers (PCSOs)

What? This policy relates to use by police officers of the statutory powers to stop and search a person or a vehicle without first making an arrest, and the use of stop and account by police officers and PCSOs.

The main search powers to which this policy applies are set out in Annex A, of Code A, of the Police and Criminal Evidence Act 1984, together with sections 43 and 43A of the Terrorism Act 2000 and the authorisation and exercise of stop and search powers relating to section 47A of, and schedule 6B to, the Terrorism Act 2000. Stop and account is outlined in Recommendation 61 of the Steven Lawrence Inquiry Report.

Changes to the authorisation and use of powers to stop and search under section 60 Criminal Justice and Public Order Act 1994 were introduced under the Home Office voluntary '*Best use of Stop and Search Scheme*' which the MPS signed up to and implemented on Tuesday 26th August 2014.

Policy Principles

Asking individuals to account for their presence or behaviour is an important part of everyday policing. Stop and search is an additional and legitimate power that is used by the MPS to protect Londoners, tackle crime and keep our streets safe.

We are committed to ensuring stop and search is used in a fair and effective way that supports public confidence and is independently scrutinised.

A stop and search is most likely to be fair and effective when:

- the search is justified, lawful and stands up to public scrutiny;
- the officer has genuine and objectively reasonable suspicion they will find a prohibited article or item for use in crime;
- the person understands why they have been searched and feels that they have been treated with respect;
- the search was necessary and was the most proportionate method the police officer could use to establish whether the person has such an item.

Purpose and Benefits

The purpose of this policy is to ensure that all officers comply with the law and the Home Office Code of Practice and use their powers to stop and search fairly and effectively.

We do not underestimate the impact stop and search has on communities and individuals. This policy is designed to:

- Promote fair and effective use of powers
- Increase public confidence
- Protect Londoners by taking weapons off the streets.

Health and Safety Impact Statement

This policy and associated toolkit have been developed with appropriate consultation with the MPS Safety and Health Risk Management Team to ensure that all significant Health and Safety risks have been quantified.

There are no additional significant health and safety risks associated with this policy that are not the subject of existing risk assessments and controls.

Associated Documents and Policies

MPS Stop and Search Toolkit

The Police & Criminal Evidence Act 1984 Code of Practice - Code A

Code Of Practice for the exercise of stop and search powers under sections 43 and 43A of the Terrorism Act 2000 and the authorisation and exercise of stop and search powers relating to section 47A of, and schedule 6B to, the Terrorism Act 2000.

Crime and Security Act 2010

Knives Act 1997

Crime and Disorder Act 1998

Psychoactive Substances Act 2016

Equality Act 2010

Human Rights Act 1998

- Article 3 – the prohibition of torture and inhumane treatment;
- Article 5 – the right to liberty;
- Article 8 – the right to respect for private life;
- Article 14 – the prohibition on discrimination.

National Personal Safety Manual

HMIC stop and search inspection reports and recommendations on - 2013 & 2015.

HMIC Peel report - Police legitimacy 2015

Home Office 'Best Use of Stop and Search Scheme'

London Assembly Police & Crime Committee report on stop and search (2014)

London Policing Ethics Panel report on Police Encounters with the Public (July 2015)

Home Office consultation on police powers of stop and search (2013)

All Party Parliamentary Group for Children report 'Children and the Police' (2014)

Metropolitan Police Authority (MPA) Scrutiny of MPS stop and search

College of Policing stop and search Authorised Professional Practice

Notices to be Cancelled / Amended

Cancel Item 2 of Notices 26/12 of 27th June 2012

Enquiries about this Policy should be made to:

Inspector Andy Walker, TP C&S Stop and Search Team, 780967 (020 7161 0967).