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Territorial Policing – Safer Neighbourhoods
Section 44 Terrorism Act 2000
Standard Operating Procedures

Issue 1

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**METROPOLITAN
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How to use Standard Operating Procedures

Structure The section 44 Terrorism Act 2000, Standard Operating Procedure (SOP) has been carefully structured so that it will be easy to use.

Formatted tables Some types of information have been formatted in specific ways to help you find key content quickly and to identify important steps and responsibilities.

A number of the formatted tables have been set up as check lists and can be printed off and used by the person carrying out the role.

These are identified by this symbol:



Red tables Whenever you read content presented in a red table like the one shown below, you can be certain that you will be reading principles, this includes the responsibilities in respect to a particular role or the description of a particular issue.

Item	Responsibility

Yellow tables Whenever you read content presented in a yellow table like the one shown below, you can be certain that you will be reading facts, such as who supplies/to whom/why.

Example	Information Type

Green tables Whenever you read content presented in a green step/action table like the one shown below, you can be certain that you will be reading the procedure of exactly how to do something.

Step	Action

Blue tables Whenever you read content presented in a blue table like the one shown below, you can be certain that your will be reading what processes need to be carried out.

When.....	Then.....

Section 44 Terrorism Act 2000

Overview



Introduction

This Standard Operating Procedure supports the Metropolitan Police Service (MPS) Policy on Stops and Searches and must be read in conjunction with:

- [Principles on Stops and Searches](#);
- [PACE Codes of Practice - Code A](#);
- [Race Relations \(Amendment\) Act 2000 \(RRAA\)](#); and
- [The Terrorism Act 2000](#);

Note: Where legislation has been directly quoted, grammar remains unchanged

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Strategic vision and background



Introduction Stop and search powers under Section 43 and 44 Terrorism Act 2000 are used to improve the security of London and enhance community confidence by demonstrating a visible, responsive and proactive style of policing. The exercise of Section 44 powers is to disrupt, deter and prevent terrorism and to help create a hostile and uncertain environment for terrorists who wish to operate in London. Section 43 powers are used as a tactic to detect terrorists.

Strategic vision Counter Terrorism stop powers, if used appropriately and effectively, will serve to reassure the people of London and in doing so will install trust and confidence of all communities.

Historic evidence Historic evidence on the methodology of National and International terrorists indicates that they operate on a pan-London and a pan-UK basis.

- Terrorists need to travel - meetings, training and planning can take place anywhere.
- Terrorists need transport - they need to move equipment, material and people around.
- Terrorists need to prepare - hostile reconnaissance and surveillance is carried out to plan attacks.

Primary targets The particular areas where they live, plan, meet and store equipment and arms are generally away from the iconic, financial, crowded places and transportation hubs, which they seek as primary targets.

Vigilance All staff must recognise that there is an ongoing daily requirement to remain vigilant and alert to terrorist related activity wherever they may be based or whatever type of policing activity they are involved in.



About the Authority



Power Section 44 Terrorism Act 2000 covers an authority granted by a Chief Officer and confirmed by the Secretary of State.

Chief Officers authority The authority granted by the Chief Officer is significant because it provides the reasonable grounds for officers to carry out stops and searches within a specified area in the Metropolitan Police District during a specified period.

Power differs from S.1 PACE – These stop and search powers differ from those provided under section 1 Police and Criminal Evidence Act 1984.

Reasonable grounds NOT required. **Once authorised, section 44 does NOT require an officer to have reasonable grounds for suspecting the presence of such articles.**

What the Codes of Practice say Code A, 2.25

*“The selection of persons stopped under section 44 of Terrorism Act 2000 should reflect an **objective assessment** of the threat posed by the various terrorist groups active in Great Britain. The powers must not be used to stop and search for reasons unconnected with terrorism. Officers must take particular care not to discriminate against members of minority ethnic groups in the exercise of these powers. There may be circumstances, however, where it is appropriate for officers to take account of a person’s ethnic origin in selecting persons to be stopped in response to a specific terrorist threat (for example, some international terrorist groups are associated with particular ethnic identities). [See Notes 12 and 14 of Code A]”*

Specific areas Officers must be aware that the specified area may vary on each application for an authority because it is subject to information and intelligence.

Advice and guidance The Rainbow briefing site located on the Rainbow website provides details about the power, specific areas and applicable dates.



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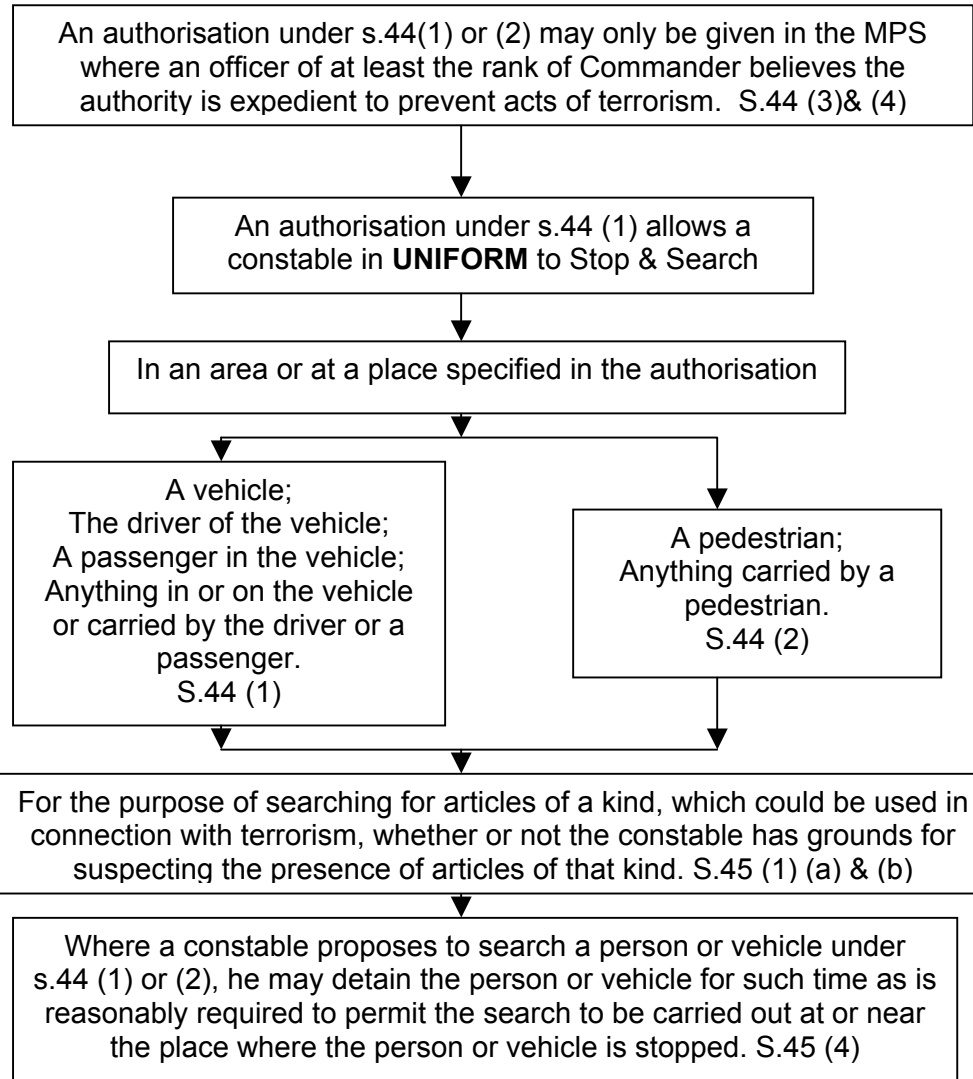
Section 44 & 45 Search and Seizure



Police Officers use of the power

This power gives a constable the authority to stop and search persons and vehicles in order to prevent terrorism. The purpose of the search is to discover articles of a kind, which could be used in connection with terrorism.

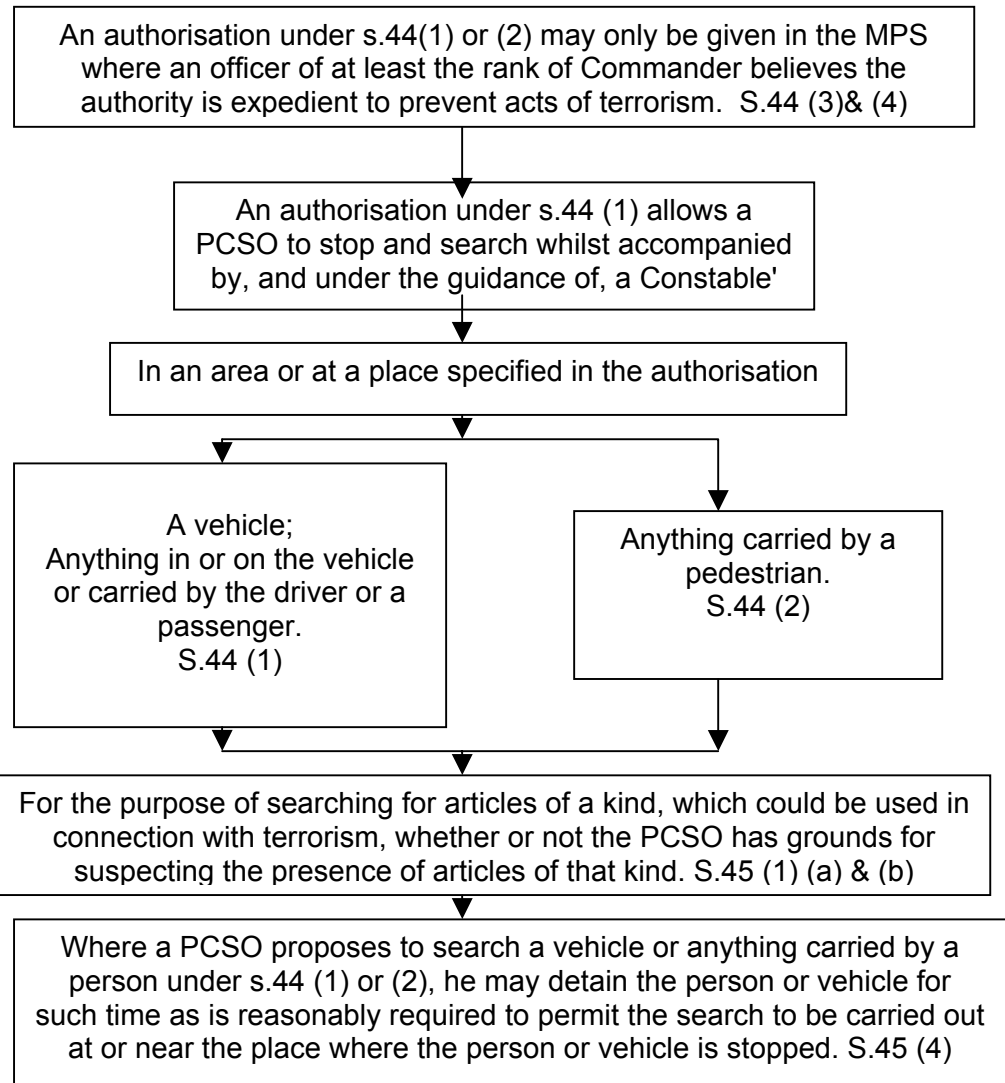
Definition



PCSO use of the power

Police Community Support Officers (PCSO's) can search property when under the direction of an officer holding the authority of a constable.

Definition



Seizure of articles

Section 45(2) Terrorism Act 2000 – authorises the seizure and retention of articles discovered in the course of a search under section 44(1) or (2) which the constable or PCSO reasonably suspects are intended to be used in connection with terrorism.



Searching



Extent of search

Under section 45(3) Terrorism Act 2000 a person who is searched must not be required to remove any clothing in public except for headgear, footwear, an outer coat, a jacket or gloves.

Headgear

Many people customarily cover their heads or faces for religious reasons - for example, Muslim women, Sikh men, Sikh or Hindu women, or Rastafarian men or women. Any requirement to remove headgear must be carried out with courtesy, consideration and respect. Where there may be religious or cultural sensitivities about ordering the removal of such an item, the officer should permit the item to be removed out of public view (for example in a police van or police station if there is one nearby). Where headgear is required to be removed, the item should be removed where practicable in the presence of an officer of the same sex as the person and out of sight of anyone of the opposite sex. The cooperation of the person searched should be sought, even if the person initially objects. When seeking their cooperation, the officer should fully explain the reason for the requirement and the consequences of failure to remove headgear.

Sensitivities of search

Medical conditions

Whilst the Code of Practice allows for the removal of certain items of clothing, this may expose or highlight medical or other embarrassing conditions, for example:

- loss of hair through chemotherapy;
- false Limbs;
- scarring.

You must always be mindful of the effects of your actions on individuals and the harm that this may cause.

Vulnerability

Whilst you are trying to achieve a lawful purpose you must also be mindful that you may be dealing with someone who is vulnerable due to their age, physical or mental disability, disfigurement, religious or personal reasons.

Balancing potential harm caused

Having considered the sensitivities and vulnerability of the person you will need to balance the likelihood of discovering the article to the potential harm you may cause to the person.

Casual observers

Situations may arise where a person not involved in the encounter wishes to observe the proceedings, every reasonable effort must be made to minimise the embarrassment that the person being stopped or searched may experience.

You will need to use your discretion when dealing with casual observers, taking into account:

- the wishes of the person being stopped or searched; and
- safety of officers and members of the public.

If there is no legitimate reasons to interfere the person should be allowed to observe.

Awareness

Officers are reminded to be alert and act with extreme caution when exercising powers of stop and search under the Terrorism Act.

No power to detain for checks

Police National Computer (PNC) / National Joint Unit (NJU) checks on individuals stopped under the Terrorism Act 2000 may on occasions be desirable, in the absence of any other powers there is no authority to detain for this purpose alone.

Note: Under this legislation there is no obligation on the persons stopped to provide their personal details. - *Code A 4.2*

Recording property seized

Any property seized must be shown on the form 5090.

The property must be recorded on the custody record or form 66 (whichever is appropriate) at the police station and cross-referenced to form 5090

Suspect devices

Where any suspicious packages or suspect devices are found, officers should:

- evacuate the immediate area;
 - set up cordons;
 - call for Duty Officer.
-

Evidence

Officers should also be reminded that when seizing any dangerous article/offensive weapons the items must be handled with care and packaged according to health and safety and forensic requirements.



Community Engagement



Strategy An effective community engagement strategy focuses on building trust and confidence and reducing community tension. The intention is to explain the strategic aim and rationale of why Section 44 and 43 are crucial components of a CT prevention strategy. Fair, measured and proportionate use of these powers is paramount. Key messages will be given to persons who are subject to the use of these powers, these include:

- The threat from terrorism is real and serious
- We have a duty to protect London from terrorism and we believe that these powers are vital to achieve this.
- Our tactics deter, disrupt and prevent terrorism
- By working together we will make London a hostile place for terrorists to operate in
- We have listened to Londoners and heard their concerns. We have looked at our practices to identify where we could improve and we will learn from experience
- We will continue to review the usage of these powers to ensure they are used appropriately
- Our objective is to maintain trust within our communities
- Londoners must be reassured that we are using these powers to defeat terrorism and make our city safe

Accountability Existing channels and mechanisms will be utilised to have a process of accountability, to monitor performance and to obtain feedback e.g. MPS stop and search strategic meeting, MPA & Community Monitoring Network, Operation Pennant, BOCU SMT and Stop and Search Leads.

Equality Impact Assessment Every BOCU need to engage and consult with their community prior to any operation. Every BOCU will need to complete an annual EIA for Terrorism Searches



Information Sharing



Community MPS corporate wide data on stops and searches conducted under section 44 of the Terrorism Act 2000 is available to the public through the MPS Monitoring Mechanism.

Borough data will be available to the public from 2008.

What to share The MPS is keen to be open and transparent.

The MPS will publish information on a borough basis and include numbers, age, ethnicity and gender.

The MPS reserves the right to withdraw data, if releasing it causes counter terrorism operational issues.

Restrictions Only the borough data released through the Monthly Monitoring Mechanism on the MPS website will be shared.

Partnership agencies The sharing of information between Partnership agencies will be dealt with centrally.



Intelligence



CRIMINT It is accepted that officers will, on occasions, glean information as a result of a stop and search/encounter that cannot be captured on the Form 5090 or placed on the Stops Database. Officers **MUST** create a separate CRIMINT entry in these circumstances, on all other occasions the stop will be recorded on the Stops Database alone. (*Notice 27/2007*) This will include intelligence of disruption or hostile recognisance.

CRIMINT entries All CRIMINT entries must be completed prior to completion of the tour of duty.

Forms 5090 All form 5090's must be submitted at the conclusion of the tour of duty/debrief to the BOCU where the stop/search was completed.

Form 5090 must record that the driver or pedestrian was stopped by virtue of s.44(1) or (2). The recording requirements of the PACE Codes of Practice must also be complied with.

Informing the National Joint Unit (NJU) The National Joint Unit (NJU) must be informed of:

- **all Terrorism related arrests;**
- any person(s) arrested under different legislation following a stop under the Terrorism Act 2000.

Informing Counter Terrorism Command (SO15) Counter Terrorism Command SO15 Reserve, must be informed via telephone of **any persons arrested** under the Terrorism Act, 2000.

In confirmation, a form must be completed with the accused person's details, and sent as per instructions to Counter Terrorism Command Operational Support Unit (OSU). The form can be obtained from AWARE under Forms - Terrorist Arrest Proforma (Form No. 5189)

Counter Terrorism Intelligence Officers SO15 CT Command is strengthening its links with borough policing by creating a network of Counter Terrorism Intelligence Officers (CTIOs) across London. This has provided SO15 with a more developed understanding of how to work with London's diverse and cosmopolitan communities to combat terrorism and extremism. The CTIOs are based within local police stations and provide patrolling officers with a greater awareness of counter terrorism work through provision of bespoke briefings on developing trends on terrorist activity.

Appropriate Use



Purpose It is important that officers take every opportunity to deter and disrupt terrorist operations and provide public reassurance.

Essence of section 44 Police officers in uniform are authorised to stop and search people/vehicles to see whether they have 'articles of a kind which could be used in connection with terrorism' and when no such articles are found then they must be allowed to go on their way.

Searches must not be random Legal advice suggests that officers must not exercise this power under S44 in a random manner. The choice of persons stopped should normally be based on location, time, intelligence or behaviour by which the person brings himself or herself to the attention of police. Behaviour may include unusual actions or presence near a vulnerable location. The level of behaviour may not amount to 'reasonable grounds' and may be not much more than intuition on behalf of the officer. Any manner of profiling is undesirable where persons from a particular group are targeted by officers without existence of additional credible evidence.

Objective assessment It must be understood that the selection of persons stopped under the Terrorism Act 2000 should reflect '[an objective assessment](#)', of the threat posed by the various terrorist groups.

Choosing people to search The profile of people being searched should reflect the profile of the people in that area. Terrorists come from all ethnic groups and all walks of life. Actions define a terrorist not ethnicity, race or religion.

Terrorists may come from a wide variety of backgrounds and may attempt to change their behaviour to disguise their criminal intentions and blend into their surroundings.

Officers must never use stereotypical images of 'terrorists' when deciding to use their powers of stop and search, to do so could lead to:

- targeting of certain communities or groups;
- disproportionality;
- discrimination,
- terrorists avoiding detection whilst carrying out their objective.

Consequence of misuse Officers who use section 44 powers for reasons unconnected with terrorism may be subject to disciplinary proceedings.

Operation Orders All operation orders are produced by the MPS must give guidance on the correct use of the section 44 power(s) which are currently authorised.



The Encounter



Quality of interaction

The quality of the encounter with the person being stopped is pivotal to maintaining public support for the use of the power. The use of the power can be provocative for members of the public and it is important that they are dealt with politely and considerately.

The MPS Quality of Service Principles underpin all encounters:

- Introduce yourself
- Find out what people need and provide it
- Explain what is going to happen next
- Give a reference and contact number
- Keep people informed by providing regular updates

Notes to officer

The mnemonic GOWISELY applies in relation to the use of section. 44, further guidance is provided below:

- Identify yourself (name or warrant number)
- Explain to the person being stopped that they are being stopped as part of the operation to reduce the risk of terrorism in London. Reassure the individual that the stop is a routine part of counter-terrorist policing and it is a preventative power proven to help make London safer from a terrorist attack.
- Explain which power you are using.
- Remain polite at all times and treat the person with respect and dignity.
- Complete a record of the stop and search on Form 5090 stating the reason for the stop.
- Direct any questions about what is the threat/risk to the Security Service website (www.mi5.gov.uk).
- Provide the person stopped with a copy of the completed Form 5090. Show them the Terrorism leaflet on the back.
- Identify and respond effectively to the individual needs of the person stopped.



Tactical options

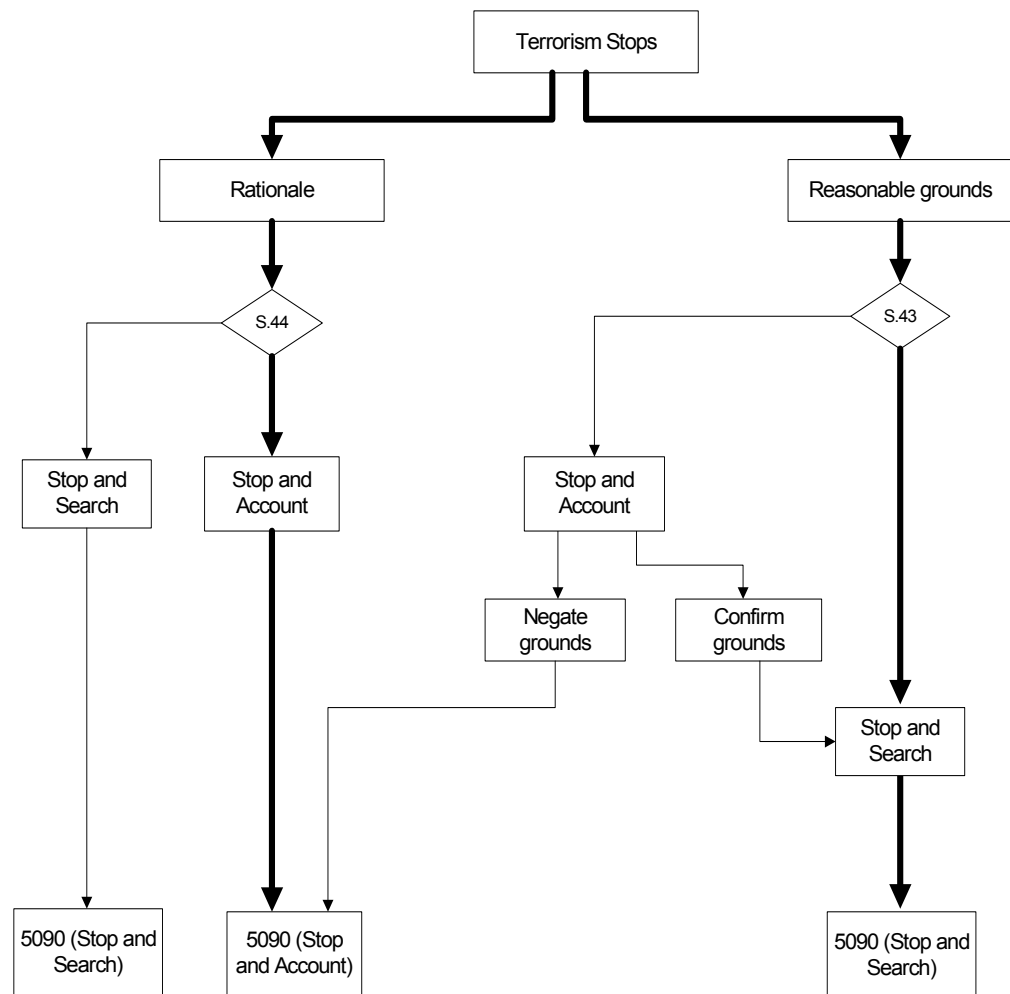
Searches by their very nature are intrusive, officers must first consider Stop and Account before using Terrorism search powers. Officers may satisfy themselves relatively quickly that the person stopped does not represent a threat and as such they must not be inconvenienced further. (A Form 5090 is still required to record this interaction). If after speaking with the person stopped the officer considers a search is still required, then a Section 44 search should be carried out. If the officer has reasonable grounds to search then a section 43 search should be completed.

5 Step Model

The preferred MPS style for terrorist encounters under section 44 should follow the 5 Step Model.

- Introduction
- Information (verbal & written)
- Stop & Account
- Consider Stop & Search
- Record (F5090)

Options Model



Objective Assessments



Threat v stops It is rational to associate a relationship between the current threat levels and the number of persons and vehicles stopped across the entire London area.

It is realistic to expect a rise in the number of section 44 stops as the threat level rises as well as a decrease when it lowers.

Key factors Objective assessments result from the culmination of factors gained from the areas outlined below:

Step	Action
1	The information contained within the current authorisation document;
2	The current threat assessment;
3	Other briefing material, (whether via personal briefings or official police documents);
4	Local areas of vulnerability, (these would be identified locations within each borough);
5	Borough Operational Command Unit (BOCU) counter terrorist profile, (this is an extensive list of the areas of vulnerability which also includes locations where terrorists may live, work, gather, store equipment etc).

Note: The BOCU/OCU Rainbow co-ordinator, Operation Rainbow staff, CO11 (ext: 63126) or the Counter Terrorist Command, SO15 can provide specific details re points 4 and 5 above.

Key component The Terrorism powers now represent a key component of the police counter terrorism (CT) strategy and are seen as necessary to encompass the increased threat from terrorist groups.

Hostile observations Intelligence suggests that prior to any attack terrorists will ALWAYS conduct hostile terrorist reconnaissance on their intended target.

London targets London has a multitude of potential targets for all types of terrorist attack, such as those associated with political leadership, symbolic venues, the embassies of targeted countries and economic locations, in addition to a wide range of public events.

Operation Rainbow



Co-ordinator Each OCU should have a dedicated Operation Rainbow co-ordinator.

Briefing operational officers Rainbow co-ordinators must provide regular and up to date information for inclusion in briefings to operational officers prior to the beginning of shifts or other operations.

Responsibility The Operation Rainbow co-ordinators responsibilities include:

Step	Action
1	Liaising with the central Rainbow unit.
2	Preparing information for briefing officers on a regular basis.
3	Ensuring that intelligence is forwarded to the relevant units.
4	Liaising and advising the SMT stops and searches lead about the setting up of s.44 operations on their OCU.
5	Providing advice re the appropriate use of s.44 powers.

Awareness Officers and Police staff must ensure that they are aware of instructions relating to terrorist activity.

Pan London Centrally co-ordinated security operations will be controlled by Public Order branch (CO11) through the Operation Rainbow.

Guardian Forces Where a security operation is being conducted at a location where Guardian Forces cover, then they must be notified. Guardian Forces are British Transport Police, City of London Police and Ministry of Defence Police.

Current information Current information concerning section 44 search authorisations, and threat levels can be found on the Operation Rainbow intranet site.



Event Briefings



Formal briefings – good practice It is imperative that supervisor’s underline the message that section 44 is an effective tool to disrupt, deter and prevent terrorism. Formal briefings should be the rule, as opposed to the exception, but where this is not possible, due to operational necessity an informal briefing may take place.

Responsibility for briefings It is the responsibility of the authorising officer (or nominated officer) to carry out formal briefings before the operation begins.

Officers Role It is important that all officers taking part in the operation are fully aware of their role and responsibilities. The effective use of leaflets to members of the public is essential to ensure public reassurance.

Restrictions It should be emphasised at the briefing that all stop and search activity must be carried out in accordance with the:

- Principles on Stops and Searches,
- Code A of the Codes of the Practice PACE Act 1984;
- Race Relations (Amendment) Act 2000 (RRAA); and
- Appropriate legislation.

Use of s.44 power During the briefing officers should be reminded when a power of search is exercised under a section 44:

- the search does not require reasonable grounds for suspicion.
- the expectation of the use in relation to the specific operation.
- the Encounter Guidance Notes are followed.
- the profile of people being searched should reflect the profile of the people in that area.

Provide maps Officers should be provided with maps, which clearly show the boundaries within which the section 44 operation/event will take place.

Health & Safety Consideration should always be given to addressing issues concerning:

- officer safety;
- personal protection equipment;
- finding [suspect devices](#).

De-briefing De-briefing is good practice and should be conducted as soon as possible after the conclusion of the specific operation, critical incidents and at the conclusion of shifts.

Metcall/Integrated Borough Operations



Information

Intergrated Borough Operations (IBO's) and where appropriate GT and Information Room (IR) or Metcall, should be supplied with details of the authorisation (including briefing papers and maps etc.) and should maintain a working knowledge of the operation.

Level of response

Officers and police staff involved in call handling should ensure that they are up to date with current threat levels and Rainbow briefings.

This will allow for the appropriate level of priority to be applied to what might otherwise appear to be a low priority request for assistance.



Requirement to Provide Form 5090



Written record Where a person/vehicle is stopped and/or searched under section 44 Terrorism Act 2000, the person or the driver will be entitled to obtain a written statement that they or their vehicle was stopped and/or searched under this power.

Rationale for stop/search Officers must consider using the grounds section of the form to note any specific factors, which influenced their decision to stop/search a particular person or vehicle under this power. Examples may include: Unusual behaviour, being near a vulnerable location (iconic sites, crowded places, transport hubs etc) or other actions, which fall short of reasonable grounds. It is not sufficient for officers to just say, "I have the power", there needs to be something extra.

When to provide the record The Form 5090 must be provided to the person searched at the time unless exceptional circumstances make it wholly impractical to do so. In such cases they are entitled to a copy up to 12 months after the date they were searched.

Officers must refer the person stopped to the terrorism notice on the rear of the Form 5090.

Officers copy Form 5090 must be handed in (before booking off duty) to a supervising officer.

It is important the correct Search reason codes are entered on Form 5090:

5090 CODES
Search Reason Type
H - S.44(1) Terrorism (<i>Vehicle and occupants</i>)
J - S.44(2) Terrorism (<i>pedestrians</i>)
N - S.43 Terrorism Act 2000

PCSO Ensure that the detail of the PC present is in the 'other officers present' box on the 5090 when searching under section 44.

Supervisors The Supervisor is responsible for ensuring that all form 5090's are:

responsibility

Step	Action	√
1	Supervised;	
2	Correctly coded;	
3	Referenced with the CRIMINT number where applicable;	
4	Inputted onto the Stops database, on the BOCU on where the search took place.	

Further guidance

For comprehensive guidance on the completion of a form 5090 see Principles for Stops and Searches.



Contents

Internal Monitoring



Overview An ACPO officer is responsible and accountable for the use of section 44 as part of the counter terrorism strategy. The performance of section 44 is monitored through the following forums: Security Review Committee, Op Pennant, CCSM's

Security Review Committee This group meet weekly and co-ordinate all counter terrorism activity across the MPS and guardian forces. The use of stop and search powers is monitored by this group.

Operation Pennant Op Pennant meetings are held quarterly. Op Pennant is a stop and search performance framework, which will be extended to include data in relation to counter terrorism. The meetings are chaired by the ACPO lead who reports to the Security Review Committee.

Crime Control Strategy Meetings (CCSM's) These performance meetings are chaired by an ACPO officer and attended by BOCU Commanders. Counter terrorism stop and search performance is discussed as an agenda item.

Repeat Stops The Stop & search team will periodically review section 44 data to establish who has been repeatedly stopped. These individuals will be sent a letter explaining the rationale as to why section 44 powers are necessary and to thank them for their patience and understanding.

Line Supervisors Effective supervision is a fundamental necessity, drawing on leadership skills and knowledge. A supervisor's role is pivotal in ensuring that counter terrorism stop and search procedures are conducted in line with these SOP's.



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Public reassurance



Communication Strategy MPS Directorate of Public Affairs will co-ordinate all media activities in relation to public counter terrorism reassurance.

Media Borough communication officers are expected to contact local media and communities to explain the rationale of MPS counter terrorism activity.

Information Leaflet 'Protecting you from terrorism' A leaflet has been provided to all boroughs to ensure effective communication between the police and the public. The leaflet outlines stop and search powers under the Terrorism Act. It explains why it is necessary this activity takes place and provides reassurance to people who live, work and travel in London.

This leaflet should be provided to people who have been stopped or searched under the Terrorism Act. Leaflets should also be distributed to public in the vicinity of any stop/search activity to enhance community reassurance.

Notice boards, posters and Signage Various options are available to communicate counter terrorism operational activity, which inform and reassure the public.



Contents

Training



Supporting information

Officers who are confident and knowledgeable in the use of their terrorism stop and search powers produce a more positive encounter. They are better equipped to communicate the reassurance message, which is essential when using these powers.

Training Techniques

There is a national counter terrorism E-learning package which is compulsory for all new recruits. An MPS training product is being developed and will be delivered to all operational officers, this will be supported by a central briefing programme.

Briefings

Officers receive daily briefings through MetBats, encompassing the current threat level and powers to stop and search.



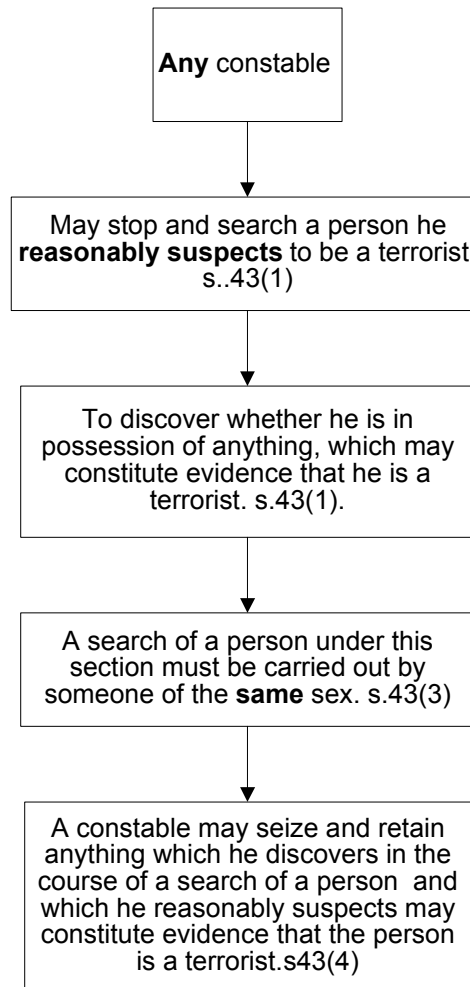
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Section 43 Stop and Search



Who can use the power Section 43 Terrorism Act 2000 gives a Constable the power to stop and search. **This power does not apply to PCSO's.**

Definition



Reasonable grounds This power can be used at anytime BUT you must have **reasonable grounds** similar to other search powers prior to arrest. The authority of a Chief Officer is NOT required in relation to this power.

Who can search A search of a person under this section must be carried out by someone of the SAME gender.



Offences under Stop & Search Powers



Definition
s.47
TAct 2000

A person commits an offence under section 47:

- if he fails to stop a vehicle when required to do so by a constable in the exercise of the power conferred by an authorisation - Section 44(1)
- if he fails to stop when required to do so by a constable in the exercise of the power conferred by an authorisation - Section 44 (2)

if he wilfully obstructs a constable in the exercise of the power conferred by an authorisation – Section 44 (1) or (2)

Power of arrest

Arrest without warrant, Section 24 PACE Act 1984

Penalties

Summary offence punishable with a maximum of six months imprisonment and/or a fine not exceeding level five on the standard scale.

DPP authority required

The consent of the Director of Public Prosecutions is required before proceedings for an offence against this section.

PCSO

The powers under section 47 **do not** apply to a PCSO.

As a PCSO would be accompanied with a constable it would be the responsibility of that officer to intervene if a person or vehicle were not to comply with the PCSOs directions under S44.

There is a specific offence of resisting/obstructing a PCSO under the Police Reform Act, which may be considered.



Contents

Useful Links



Further guidance

Further guidance can be found under the Terrorism Act 2000:

Act	Gives Meaning To
Section 1 TAct 2000	Interpretation of the term 'terrorism'.
Section 40 TAct 2000	Interpretation of the term 'terrorist'.

Definitions

Section 121 of the Terrorism Act 2000 states:

Term	Definition
'Act' & 'Action'	Include omission.
'Article'	Includes substance and any other thing.
'Explosive' means;	(a) an article or substance manufactured for the purpose of producing a practical effect by explosion; (b) materials for making an article or substance within paragraph (a); (c) anything used or intended to be used for causing or assisting in causing an explosion; and (d) a part of anything within paragraph (a) or (c).
'Firearm'	Includes an air gun or air pistol.
'Organisation'	Includes any association or combination of persons.
'Premises'	Includes any place and in particular includes: (a) a vehicle; (b) an offshore installation within the meaning given in section 44 of the Petroleum Act 1998; and (c) a tent or moveable structure.
'Property'	Includes property wherever situated and whether real or personal, heritable or moveable, and things in action and other intangible or incorporeal property.
'Public place'	Means a place to which members of the public have or are permitted to have access, whether or not for payment.
'Road'	Has the same meaning as in the Road Traffic Act 1988 (in relation to England and Wales).
'Vehicle',	Except in sections 48, 49, 50, 51, 52 and Schedule 7, includes an aircraft, hovercraft, train or vessel.



Key Operations and Contacts



Counter Terrorism Command (SO15)

Counter Terrorism Command (SO15) Counter Terrorist Intelligence Officers (CTIO's) – These officers have a specialist knowledge relating to counter-terrorism. Their advice should be considered with particular regard to operational briefings etc. They should also be informed of any Section 44 activity where the officers conducting the search identify any relevant information arising from the search. The Counter Terrorism Command Intelligence Brief - Published bi-weekly is for the attention of all personnel within the MPS.

National Joint Unit (NJU)

The National Joint Unit (NJU) is a Counter Terrorism Command facility staffed by officers from Forces around the country. It operates 24 hours a day throughout the year and, apart from giving advice and guidance on the Terrorism Act, it has access to a variety of intelligence that is available to police in the fight against terrorism. It is an essential function of the NJU to act as a single point of contact with both the Home Office and the relevant judicial authorities on all terrorism related arrests. That is irrespective of the length of detention under that legislation or the degree of seriousness of the offence.

The Joint Terrorism Analysis Centre (JTAC) Intelligence Reports

Under the name 'Operation Fairway'. JTAC produces a variety of reports tailored to meet the needs of individual customer departments. These are sanitised intelligence reports that are disseminated to a wide range of Police customers via Special Branches. They are predominantly intended for use as background briefing documents amongst officers and staff engaged in operational duties, in order to heighten awareness of the current international terrorist threat. Reports at 'Restricted' level can be accessed via the Rainbow homepage.

Counter Terrorism Command (SO15)

Counter Terrorism Command gives practical advice regarding police officer action when dealing with persons suspected to be concerned in terrorist related activity. They are also the owners of the following key operations:

Operation Lightning

- A national intelligence gathering operation designed to record, research and analyse suspicious sightings or activity at or near to any prominent or vulnerable structure or building.
- It is also to take account of such incidents surrounding the travel infrastructure of the UK.

Operation Trammel

- An operation designed to identify criminals linked with terrorist groups by the use of key indicators.
 - These may include credit card related fraud and forged documents used to raise money for terrorist organisations.
-

Key Operations and Contacts, Continued



**Counter
Terrorism
Command
(SO15)**
(continued)

Operation Camion

- This operation is designed to identify and deal with the individuals who support international terrorist groups linked to the AQ network that are engaged in theft of vehicles containing hazardous materials and theft of marked Emergency Services vehicles or identifiable Military vehicles, which would normally not attract suspicion.

Operation Kratos

- There are 4 phases of Operation Kratos, each designed by SO15 as a co-ordinated response to suicide attacks.

**Operation
Rainbow
(CO11)**

[Operation Rainbow \(CO11\)](#) Operation Rainbow is primarily a uniform policing response to counter terrorism.

It can be used in support of activities related to covert tactics and deployments by other specialist branches/departments that are deliberately overt and high profile.

It is the gateway through which intelligence about counter terrorist activity informs uniform policing.

The Operation Rainbow intranet site gives information on the contemporary threat and advice on the application of an authority under section 44 of the Terrorism Act 2000, information about building alert states, guidance and reminders on methods of response to certain types of incidents, information about previously published materials and useful contact details.



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Responsibilities



Ownership The commissioning, ownership and approval of this SOP resides with the Stop & Search Strategic Committee.

Development of document This SOP was developed by the Territorial Policing Safer Neighbourhoods unit.

Implementing This SOP will be implemented by:

- Operational Officers;
- Supervisors;
- SMT Leads on Stop and Search;
- Duty Officers;
- Superintendents;
- Borough Intelligence Units (BIU);
- Management Information Units (MIU);
- Quality Assurance Officers; and
- Diversity & Citizen Focus Directorate.

Review of document The review of this SOP will be the responsibility of the Territorial Policing Safer Neighbourhoods unit.



Associated Polices and Documents



Legislation

The Police & Criminal Evidence Act 1984 Code of Practice - Code A
Police (Property) Regulations 1997
Human Rights Act 1998
- Article 3 – prohibition of torture, inhuman or degrading treatment;
- Article 5 – the right to liberty;
- Article 8 – the right to respect for private life;
- Article 10 – the freedom of expression;
- Article 14 – the prohibition on discrimination).
Police (Health & Safety) Act 1974
The Management of Health & Safety at Work Regulations 1999
The Provision & Use of Work Equipment Regulations 1998
Manual handling Operations Regulations 1992
Personal Protective Equipment Regulations 1992
Race Relations Act 1976
Race Relations (Amendment) Act 2000; (RRAA)
Freedom of Information Act 2000

Polices

MPS Principles on Stops and Searches



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Feedback – s.44 TAct 2000 SOP



Continued review

This SOP will be reviewed on a regular basis.

Information to be provided

If you would like to provide feedback about this document your e-mail must include the following information:

Step	Action
1	Name.
2	Rank/Post.
3	The department/unit/OCU/community group you represent.
4	Contact information.
5	The title of the section being commented on.
6	The label of the block(s) being commented on.
7	The benefit(s) of your suggestion.
8	Details of the changes suggested, (at this point it will be necessary for you to type exactly the words you are suggesting for replacement).

Submitting comments

Send your comments to:

StopsandSearches-TPHQ@met.police.uk

Where possible you will be sent an acknowledgement.

Making changes

Your comments will be taken alongside those of others submitted and your changes may or may not be implemented.



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