



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART I

POWERS TO STOP AND SEARCH

3 Duty to make records concerning searches

- (1) Where a constable has carried out a search in the exercise of any such power as is mentioned in section 2(1) above, other than a search—
 - (a) under section 6 below; or
 - (b) under section 27(2) of the Aviation Security Act 1982,he shall make a record of it in writing unless it is not practicable to do so.
- (2) If—
 - (a) a constable is required by subsection (1) above to make a record of a search ;
but
 - (b) it is not practicable to make the record on the spot,he shall make it as soon as practicable after the completion of the search.
- (3) The record of a search of a person shall include a note of his name, if the constable knows it, but a constable may not detain a person to find out his name.
- (4) If a constable does not know the name of a person whom he has searched, the record of the search shall include a note otherwise describing that person.
- (5) The record of a search of a vehicle shall include a note describing the vehicle.
- (6) The record of a search of a person or a vehicle—
 - (a) shall state—
 - (i) the object of the search;
 - (ii) the grounds for making it;
 - (iii) the date and time when it was made ;
 - (iv) the place where it was made ;
 - (v) whether anything, and if so what, was found ;

Status: This is the original version (as it was originally enacted).

- (vi) whether any, and if so what, injury to a person or damage to property appears to the constable to have resulted from the search ; and
 - (b) shall identify the constable making it.
- (7) If a constable who conducted a search of a person made a record of it, the person who was searched shall be entitled to a copy of the record if he asks for one before the end of the period specified in subsection (9) below.
- (8) If—
 - (a) the owner of a vehicle which has been searched or the person who was in charge of the vehicle at the time when it was searched asks for a copy of the record of the search before the end of the period specified in subsection (9) below; and
 - (b) the constable who conducted the search made a record of it, the person who made the request shall be entitled to a copy.
- (9) The period mentioned in subsections (7) and (8) above is the period of 12 months beginning with the date on which the search was made.
- (10) The requirements imposed by this section with regard to records of searches of vehicles shall apply also to records of searches of vessels, aircraft and hovercraft.