



Crime and Security Act 2010

2010 CHAPTER 17

Police powers of stop and search

1 Records of searches

- (1) Section 3 of the Police and Criminal Evidence Act 1984 (duty to make records concerning searches) is amended as follows.
- (2) In subsection (1), for “he shall make a record of it” there is substituted “a record of the search shall be made”.
- (3) For subsection (2) there is substituted—
 - “(2) If a record of a search is required to be made by subsection (1) above—
 - (a) in a case where the search results in a person being arrested and taken to a police station, the constable shall secure that the record is made as part of the person’s custody record;
 - (b) in any other case, the constable shall make the record on the spot, or, if that is not practicable, as soon as practicable after the completion of the search.”
- (4) Subsections (3) to (5) (record of search to include person’s name and description of person or vehicle) are repealed.
- (5) In subsection (6)—
 - (a) in paragraph (a), for sub-paragraphs (v) and (vi) there is substituted—
 - “(v) except in the case of a search of an unattended vehicle, the ethnic origins of the person searched or the person in charge of the vehicle searched (as the case may be); and;”;
 - (b) in paragraph (b), for “making it” there is substituted “who carried out the search”.
- (6) After subsection (6) there is inserted—

Status: This is the original version (as it was originally enacted).

- “(6A) The requirement in subsection (6)(a)(v) above for a record to state a person’s ethnic origins is a requirement to state—
- (a) the ethnic origins of the person as described by the person, and
 - (b) if different, the ethnic origins of the person as perceived by the constable.”
- (7) In subsection (7), for the words from the beginning to “it,” there is substituted “If a record of a search of a person has been made under this section,”.
- (8) In subsection (8), for paragraph (b) there is substituted—
- “(b) a record of the search of the vehicle has been made under this section,”.
- (9) In subsection (9) (time within which copy of search may be requested) for “12 months” there is substituted “3 months”.