

*[To be produced as a laminated card or an electronic aide-memoire. Layout and artwork to be completed by forces' reprographics teams]*

**NPIA/FORCE  
CREST to be  
added**

## Counter-Terrorism Stop and Search

### Officers' Aide-Memoire

#### PURPOSE

The purpose of counter-terrorism stop and search is to prevent, deter and detect terrorism. It supports the CONTEST strategy's pursue, protect and prevent strands.

#### POWERS

##### Stop and search powers other than terrorism.

Terrorists are criminals. In the first instance officers should consider whether there are grounds to support using other stop and search powers, eg, section 1 of PACE, or section 47 of the Firearms Act.

##### Section 43 Terrorism Act 2000:

Requires reasonable suspicion that a person is a terrorist;

The purpose is to discover evidence that the person is a terrorist;

Can be carried out at any time and place;

No authorisation is required;

Officers should be the same gender as the person searched;

Officers do not need to be in uniform.

##### Section 44 Terrorism Act 2000:

No suspicion is required;

The purpose is to search for articles which could be used in connection with terrorism;

Searches must be based on objective criteria about

- The person
- The location of the person
- A combination of the two;

Ethnicity or religion CAN form the basis for selection but only in conjunction with intelligence provided in briefings;

An authorisation MUST be in place to use this power;

Officers must be in uniform;

PCSOs can use this power to search bags and vehicles when accompanied by a constable;

The subject should be given as much information as operationally possible about why they were selected for search.

#### GENERAL POINTS

##### Terrorism powers must never be used for matters that are not related to terrorism.

Officers should take care to correctly record the power used on the record of search.

Officers searching under section 44 of the Terrorism Act 2000 (but not section 43) can require subjects to remove footwear and headgear in public. (Officers should be aware of cultural sensitivities when requiring people to remove headgear.)

There is no power to stop people taking photographs or digital images in public places under the Terrorism Act 2000.

Terrorism powers of search should be conducted in accordance with the principles of Code A of PACE.

**NPIA/FORCE STRAPLINE  
TO BE ADDED**