



AXIELPD

Core Legislation Guide

FE21 EJU



Stop & Search



Stop & Search

Section 1 Police and Criminal Evidence Act (PACE) 1984

This piece of legislation gives a police constable the power to stop and search any persons or vehicles they wish, provided they have reasonable grounds to believe they are carrying stolen or prohibited items.

It is important to note that this piece of legislation is different from stop and searches under the Terrorism Act 2000. This is because to stop and search someone under the Terrorism Act you must get authority from a senior officer, and must have suspicion of an act of terrorism could or has occurred.



Stop & Search

Section 60 Criminal Justice & Public Order Act 1994

This piece of legislation gives authority to a constable in uniform to stop and search anyone when its authorised in a particular area. Section 60's are authorised by the rank of Inspector or above. This is usually done in writing, however can also be done verbally. If it is done verbally then the Inspector authorising it must inform the Superintendent as soon as possible. The Superintendent should then decide whether to continue with it, or ultimately revoke it.

Section 60's can only be authorised if:

- It is believed that incidents involving serious violence may take place in any borough in the officers patrol area and it is expedient to use there powers to prevent their occurrence.
- That persons are carrying dangerous instruments or offensive weapons without good reason.
- That an incident involving serious violence has taken place, a dangerous instrument or offensive weapon has been used and it is suspected that there is a person carrying it and it is expedient to use this power to assist finding that instrument or weapon.



Stop & Search

Section 23 Misuse of Drugs Act (MODA) 1971

This piece of legislation produced by the government gives a police constable the power to search persons and/or vehicles if they have reasonable grounds to it has a controlled substance within them. Additionally, it also gives them the power to enter premises if persons carrying on business as a procedure of supplier of any controlled drugs. They can also demand the production of any articles relation to dealings in any such drugs.

If a constable has reasonable grounds to suspect that any person is in possession of a controlled drug, they may detain and search them and any vehicle in which they suspect the drug may be found.



Stop & Search

Section 43 Terrorism Act 2000 / Section 47 Firearms Act 1968

Section 43 Terrorism Act gives a police constable the power to stop and search a person who they reasonably suspect to be a terrorist, to discover whether they have in their possession anything which may constitute evidence that they are a terrorist.

Unlike the other stop and searches, a senior officer (duty SGY/INSP) must be informed that this type of search is taking place alongside the officers grounds to this search.

Section 47A Firearms Act gives a police constable the power to stop and search a person or a vehicle in which they believe is carrying a firearm, with or without ammunition in a public place.



Search After Arrest



Search After Arrest

Section 32, 54 & 55 Police and Criminal Evidence Act (PACE) 1984

Section 32 PACE gives a police constable the power to search premises and individuals who are on those premises following an arrest.

Section 54 PACE gives a warranted custody officer the authority to conduct a search of a detainee in police custody. This search is often carried out to find any items that could pose a risk to the detainees safety, items that might aid escape, or anything prohibited by custody rules.

Section 55 PACE gives the power of a police constable to conduct a more intimate search with offenders if they believe they have reasonable grounds that it items cannot be found without being intimately searched.



Assaults



Assaults

For more information:
[Click Here](#)

Offences Against Person Act 1861

Section 18, Grievous Bodily Harm (GBH) with Intent. This section deals with causing grievous bodily harm with the intent to cause serious harm or injury. It's more a more severe offence than section 20.

Section 20, Unlawful and Malicious Wounding or Inflicting Grievous Bodily Harm. Although this is a less severe offence than section 18 it still involves serious harm and should be dealt with in a serious and professional manor.

Section 47, Actual Bodily Harm. This section covers less severe harm or injury that is not classified as GBH but still involved some level of physical harm or injury.



Powers of Entry



Powers of Entry

Overview

Search Warrants (Section 8 PACE 1984). If the police have obtained a warrant from a court, usually based on reasonable suspicion and evidence, they can enter a property to conduct a search for evidence related to a crime. Section 8 PACE outlines the procedures for obtaining search warrants.

Arrest Warrants (Section 17 PACE 1984). With an arrest warrant issued by a court, officers can enter a property to arrest a person named in the warrant. Section 17 PACE covers the powers of entry to execute arrest warrants.

Section 17(1) PACE. This section allows a constable to enter a premises to save life or limb, or to prevent serious damage to property.

Property Search with an Arrest (Section 18 PACE 1984). Following an arrest, police may also have the power to search the premises where the person was arrested or immediately before the arrest if it's necessary to find evidence related to the offence or to prevent harm or escape.



Road Traffic Act 1988



Road Traffic Act 1988

For more information:
[Click Here](#)

Overview

Section 6 RTA gives a police constable the power to administer preliminary tests.

- Section 6A gives a police constable the power to administer preliminary breath tests.
- Section 6B gives a police constable the power to administer preliminary impairment tests.
- Section 6C gives a police constable the power to administer preliminary drug tests.

Section 163 RTA gives a police constable to stop any vehicle or cycle on UK roads.

Section 164 RTA gives a police constable the power to obtain driving licence.

Section 165 RTA gives a police constable the power to obtain names and address of drivers and others, and to require the production of evidence of insurance as well as (if applicable) test certificates.

- Section 165A gives a police constable the power to seize vehicles driver without licence or insurance.



Public Order Act 1986



Public Order Act 1986

Overview

For more information:
[Click Here](#)

For certain offences, governed by the public order act a constable must give 3 warnings when they believe an individual is breaching a public order. If someone fails to comply after 3 warnings, then section 4a gives police constables the power to arrest.

However, other means of disposal are highly recommended for low level public order offences. Constables can fine individuals who breach public order under section 5.



End of document.

Disclaimer: Any information on this document is created for the purposes of AxielPD only. Under no circumstances can this information be copied, edited or used elsewhere without direct permission prior. AxielPD is not in any way affiliated with any emergency service in real life. This document is solely fictional and created for roleplay purposes only.

© Axiel Gaming Community