



# 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- (4) Subsections (3) to (5) (record of search to include person's name and description of person or vehicle) are repealed.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—

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*Changes to legislation: There are currently no known outstanding effects for the Crime and Security Act 2010, Section 1. (See end of Document for details)*

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“(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 ”.

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**Commencement Information**

**II** S. 1 in force at 7.3.2011 by [S.I. 2011/414](#), **art. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Crime and Security Act 2010, Section 1.