

***Please note, the answers below may apply to other forces, but this response is in relation to West Midlands Police only.***

**1) is it acceptable behaviour for uk police to trespass into peoples private house without a court warrant of entry?**

The Police have specific powers (Scotland are not covered by PACE (Police and Criminal Evidence Act 1984) so different laws and rules apply).

**Section 17 PACE** allows officers powers of entry for different circumstances ranging from making arrests to saving life and limb: this link refers and is accessible by the public: <https://www.legislation.gov.uk/ukpga/1984/60/section/17>.

**Section 18 PACE** gives officers powers of entry after an arrest (usually once in custody, but not always) to search for various reasons. It usually requires an Inspector's authorisation prior to search but this can be done retrospectively for some searches: <https://www.legislation.gov.uk/ukpga/1984/60/section/18>.

**Section 32 PACE:** Allows officers to search an arrested person or their property immediately before or at the time of the arrest again for various reasons <https://www.legislation.gov.uk/ukpga/1984/60/section/32>.

These are the main powers used by the police in day to day policing however there are other powers such as terrorism powers which can be used again for different reasons. All this information can be found on <https://www.legislation.gov.uk>

**2) is entry into peoples house/property generic without a court warrant throughout the uk?**

Please see answer to question 1

**3) is using a mobile phone in public, a generic criminal offence if the conversation is overheard by people passing by?**

Using a mobile phone in public where the conversation is overheard by people passing by is not a specific criminal offence. However, dependant on the circumstances, for example, if offensive or threatening, then a public order offence may apply.

**4) do generic uk police constabularies use/preside statutes/acts of parliament over common law and by who's authority?**

West Midlands Police acts in accordance with the law, whether common law or statutory.

**5) are all uk police constabularies corporate businesses and who instigated the privatisation?**

West Midlands Police is a public authority and not a privately funded corporation.

**6) is it common practice throughout the uk police to place handcuffs behind peoples back and put them in police cars with seat belts on?**

Officers can use various techniques for handcuffs and the rules of the road apply to everyone (including prisoners) unless mitigating circumstances (medical or safety reasons to name a few) are present.

**7) is it common practice for uk police to delete body camera recordings from police and under what circumstance would this be allowed and by who's authority?**

Within West Midlands Police body camera footage is kept for 31 days. If it is deemed to be evidential, it is stored in line with MOPI guidelines (Management of Police Information). The recording or investigation officer will make this decision.