

Strip search of children by the Metropolitan Police Service - new analysis by the Children's Commissioner for England

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Foreword from the Children's Commissioner

I was appalled and shocked to read the Serious Case Review relating to Child Q, which found the system designed to protect and support her had seriously failed. The Metropolitan Police has committed to learning lessons from this incident but the value in lessons being learnt comes from them not being repeated. That's what sorry means, it means it won't happen again. Child Q has been very strong and brave in using her experience to demand changes within the Metropolitan Police. It is beholden on all of us in positions of power and influence to respond to that call.

Part of my response was committing my office to a project about children's experience of policing and how we can rebuild trust between children and those responsible for keeping them safe.¹ I am guided in this by the concerns that I heard from children in The Big Ask, the largest-ever survey of children that I conducted last year.² One girl, the same age as Child Q, told me this about the barriers she sees in her life:

"Racism and discrimination because it makes me feel like an outsider [and] police brutality especially towards black people" – Girl, aged 15.

I wanted to find out if what happened to Child Q was an isolated incident, or part of a more systemic problem with the use of strip searching. To do so, it was necessary to establish how many other children have been strip searched by the Metropolitan Police as part of stop and searches, and the circumstances of and safeguards around those strip searches. In this report, I am publishing Metropolitan Police data that I collected using my powers under the Children and Families Act 2014. It details the Metropolitan police force's practice regarding the strip searching of children during stop and searches between 2018 and 2020.

I am deeply concerned by the information that I have received. I am not reassured that what happened to Child Q was an isolated issue, though it was certainly rare and the context unique. Instead, I believe it indicates more systemic problems around child protection. I remain unconvinced that the Metropolitan Police is consistently considering children's welfare and wellbeing.

A police power that is as intrusive and traumatic for children as a strip search must be treated with the utmost care and responsibility. It must also be accompanied by a robust and transparent system

¹ Children's Commissioner for England, Business Plan 2022/23, 2022. Available at:

<https://www.childrenscommissioner.gov.uk/about-us/corporate-governance/business-plan-2022-23>. Accessed on 04/08/22.

² Children's Commissioner for England, The Big Ask: The Big Answer, 2021. Available at:

<https://www.childrenscommissioner.gov.uk/about-us/corporate-governance/business-plan-2022-23>. Accessed on 04/08/22.

of scrutiny to protect and safeguard vulnerable children. Practice in this area is not currently consistent across England.

I do not believe that any child should be strip searched without an Appropriate Adult present, apart from in the most exceptional cases, and only where there is immediate risk of harm to the child or to someone else.³ I do not accept that such pronounced ethnic disproportionality should exist in the application of such an intrusive practice involving children. I do consider that the police should be able to readily account for the circumstances and appropriateness of every occasion that could put children at risk, because every child has the right to expect to be kept safe when interacting with the police.

I will be continuing to focus on this issue. I am keen to work with the Metropolitan Police and the incoming Metropolitan Police Commissioner to improve practice in London. I will also be replicating this analysis by requesting data from all police forces in England and will be engaging with the national policy framework for police strip searches to ensure that children are properly safeguarded and that searches are only ever undertaken where there is immediate risk of harm to the child themselves or someone else. I will continue to work to ensure that strip searching is only undertaken when absolutely justified, and that appropriate safeguards are in place to protect children, and to ensure that they are fully supported and cared for after a search has taken place.



Dame Rachel de Souza

Children's Commissioner for England

³ Under the Police and Criminal Evidence (PACE) Act (1984), it is a requirement that an Appropriate Adult is present when a child is strip searched, except in cases of urgency where there is a risk of serious harm to the child or others. As defined in the Act, an Appropriate Adult is usually a parent or guardian, but can be a social worker, or representative of a local authority or charitable organisation the child is in the care of. An Appropriate Adult can be any responsible person over the age of 18 who is not a police officer, and local schemes exist for volunteers to play this role.

Introduction

The Serious Case Review into the experiences of Child Q found that the system designed to protect and support children had seriously failed. Following this case, the Children's Commissioner's office initiated an investigation of children's experience of policing, focusing initially on strip searches.

Using powers under Section 2F of the Children and Families Act 2014, the Children's Commissioner requested information about Metropolitan Police Service (MPS) practice regarding the strip searching of children during stop and searches between 2018 and 2021. The MPS manually reviewed the 2021 data to identify the location of the searches that took place. During this review, the MPS identified problems in data quality due to double-counting of children and the inclusion of both pre-arrest and in-custody searches. As a result, we have removed the 2021 data from our analysis and present only findings for 2018 - 2020.

The term 'strip search' is used within this document in the manner that most members of the general public and children would understand it. 'Strip search' should be understood as the College of Policing's searches involving the Exposure of Intimate Parts (EIP) or the Metropolitan Police Service's More Through searches where Intimate Parts are exposed (MTIP) but does not include More Thorough Searches (MTS). At the end of this document, there is further context on the data that we received. Our figures specifically relate to stop and searches, and do not include strip searches of children that happen when in custody.

This research has found that a significant number of children are being subjected to this intrusive and traumatising practice each year. While the Children's Commissioner accepts there will be rare instances where it is necessary to ensure the safety of the child or others, these findings have left the Children's Commissioner concerned on a number of points. Firstly, that safeguarding protocols do not seem to have been consistently followed. Secondly, about the worrying ethnic disproportionality of these searches, and finally on whether the grounds for these searches really justify the intrusive nature of the practice.

Executive Summary

In summary, the key findings from our review of all strip searches of children conducted as part of a stop and search by the Metropolitan Police between 2018 and 2020 are:

- **Prevalence:** Between 2018 and 2020, 650 children were strip searched, 25% of whom were between 10 and 15 years old.⁴
- **Appropriate Adults:** When the police strip search a child, they are required under statutory guidance to ensure that an Appropriate Adult is present unless in cases of urgency. An Appropriate Adult is usually a parent or guardian, but can also be a social worker, carer for the child, or a volunteer.⁵ Despite this guidance, an Appropriate Adult was not present on 23% of all occasions when the Metropolitan Police strip searched children between 2018 and 2020.
- **Ethnicity and disproportionality:** 58% of boys who were strip searched were Black, as described by the officer.⁶
 - More than half of all boys who were strip searched were Black in each of the years for which data was provided, and in 2018 it was 75%.
 - Black young men aged 16 or 17 made up 42% of strip searches.
 - Ethnicity does not seem to impact the likelihood of an Appropriate Adult being present. Of all boys who were strip searched without an Appropriate Adult present, 57% were Black, and, in 2018, Black boys represented two thirds (70%) of strip searches conducted without an Appropriate Adult present.
- **Outcome of searches:** 53% of all strip searches of children resulted in no further action taken by the Metropolitan Police. This low level of successful searches arguably indicates that this intrusive practice may well not be justified or necessary in all cases.
- **Location (limited data):** Of the 269 searches in 2021 for which the location of the search was recorded, 57% happened at a police station and 21% at a home address. 22% happened at another location – but, due to the low quality of recording practice, it is not possible to determine where these searches took place. This is concerning, as it demonstrates a lack of appropriate oversight of police practice in the strip searching of children. The Metropolitan Police cannot be categorical due

⁴ To prevent disclosure, counts have been rounded to the nearest 10.

⁵ Under the Police and Criminal Evidence Act 1984 (PACE) Codes A and C (the statutory guidance containing the procedures for strip searching children in stop and search and custody, respectively), the presence of an Appropriate Adult is required when strip searching a child except in cases of urgency.

⁶ The MPS record ethnicity as described by the officer and as described by the person being searched. We have chosen to use the officer-observed figures because bias based on ethnicity and adultification bias were considered important in the Child Q Serious Case Review.

to the nature of the records, but do not consider that any strip searches of a child happened at a school in 2021.⁷

The Children's Commissioner has the following ambitions to improve the safeguards for children to ensure that children are kept safe.

Ambition 1) Ensure the safeguarding of children is the top priority for the police when undertaking searches, by amending national guidance: The Home Office should amend Police And Criminal Evidence (PACE) Codes A and C to make it clear that strip searches of children should only be used when absolutely necessary. This guidance should also place a greater emphasis on a police officer's duty to safeguard children during strip searches. This should include:

- Clear guidance on making a safeguarding referral whenever a child is strip searched;
- An emphasis on the need for an Appropriate Adult to be present;
- A clear definition of any situation where an Appropriate Adult is not needed, to minimise any ambiguity around the term 'urgency'.

The Home Office should ensure changes are included in both PACE Code A and Code C. The College of Policing should update its guidance to reflect these changes and to recognise changes to practice made by the MPS.

Ambition 2) Improvements to transparency and scrutiny: Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and the Home Office should work together to ensure that the Annual Data Request of monitoring information collected from each police force includes sufficient information on the strip searching of children. This should include whether an Appropriate Adult was present, the specific location of the search, and whether a safeguarding report was made. HMICFRS should also incorporate questions about safeguarding of children when scrutinising stop and search in the framework for PEEL inspections of police forces. Police forces should ensure that mechanisms for independent community oversight, including independent advisory groups and stop and search scrutiny panels, have regular reporting and sufficient guidance to assess the appropriateness of strip searches involving vulnerable children.

Ambition 3) Increased training: All police forces should commit to additional training for officers on safeguarding and for this to be scrutinised by the National Police Chiefs' Council (NPCC). The Children's Commissioners office (CCo) will work with NPCC on the broader framework for child protection in policing practice.

⁷ Note: The incident involving Child Q occurred in 2020. We did not receive location data for the years 2018-2020.

Ambition 4) Build upon the role of safeguarding partnerships: As we have previously recommended, local safeguarding partnerships should become joint enterprises of local authorities, police, the NHS, and also schools. Schools should be formal members with a voice on formulating safeguarding arrangements and an expectation of cooperation.

Full findings

Below are the full findings from the data received from the Metropolitan Police on all strip searches of children between 2018 and 2020 conducted as part of a stop and search.

About this data

Despite being cooperative with this data request, the MPS struggled to answer questions around the extent of strip searching of children due to challenges with record keeping. There are procedural challenges to accurate record keeping; for example, there is no requirement for a person to give their age during a stop and search, so the MPS relies on officers estimating ages. However, it is a matter of concern that the MPS is not able to readily account for the prevalence or appropriateness of strip searches involving children.

The CCo received the following information from the MPS for 2018-2020. This data is from the CrimInt Database, which maintains records relating to criminals, suspected criminals, and protestors that the MPS interacts with, and is based on existing fields in the MPS's 5090 form for recording stop and searches:

- Age: The CCo was provided with age in the following categories: 10-12, 13-15, and 16-17. Most of these figures will be based on officers' assessment of age. A person is not required to provide their age during a stop and search.
- Gender: The CCo was provided data on whether children were male or female.
- Ethnicity: The CCo was provided with officer-observed and self-described ethnicity. We have chosen to use the officer-observed figures because bias based on ethnicity and adultification bias were considered important in the Child Q Serious Case Review.
- Outcome: The CCo was provided data on whether any further action was taken against the child who was strip searched. It is important to note that this does not indicate whether the further action was related to the reason for the stop and search or strip search.
- Appropriate Adult: The CCo was provided data on whether an Appropriate Adult was present. The MPS have advised that the record of whether an Appropriate Adult is present relies on individual officers ticking a box on the form (i.e., the 'do nothing' option will mean that a search is recorded as not having an Appropriate Adult present).

The CCo also requested information on the location of all searches between 2018 and 2021. Because strip searches often happen at a second location, which is not recorded as its own field, it is only possible to access this information by conducting a case-by-case review of strip search files. The MPS has conducted a manual review of case files from 2021, from which they provided the following data:

- Location (limited data): The CCo received location data for strip searches of children in 2021 only; it was not possible to cross-reference this information with the other data that we received.

The MPS have informed us that the manual review of 2021 cases revealed serious data errors in the cases for 2021.

- A quarter (26%) of strip searches in 2021 were incorrectly recorded as pre-arrest strip searches undertaken as part of a stop and search, but were post-arrest custody strip searches. This may mean there is double counting between stop and search and custody strip search figures.
- There were three cases where case notes indicate an Appropriate Adult was present, despite the relevant field having been left unticked.
- There were three cases where post-search checks revealed the subject was aged over 18.

Due to these errors, we have removed the 2021 data from our analysis. We welcome the MPS to provide updated data once this has been reviewed and incorporated into their official figures.

Prevalence of searches

Age:

- 650 children aged 10-17 were subjected to a strip search from 2018 to 2020.
- Of these, 75% were aged 16-17 and 25% were aged 10-15.

Gender:

- The overwhelming majority of strip searches were carried out on boys (over 95%) with under 5% of searches carried out on girls.
- Boys aged 16-17 were the most likely to be searched, with 73% of searches carried out on boys in this age group.

Year:

- The number of searches increased between 2018 and 2020, 18% of all searches were carried out in 2018, 36% in 2019 and 46% in 2020.

Ethnicity and disproportionality:

- Across 2018-2020, of boys searched, looking at the officer described ethnicity, 58% were Black, 20% were White, 16% were Asian, 5% were 'other' ethnicity and 2% did not have their ethnicity recorded. These figures should be compared against the ethnicity of 10-17 years olds in Greater

London in 2021: Black 19%, White 44%, Asian 22%, Mixed 10%, and Other 5%.⁸

- In every year between 2018-2020, over half of boys searched were Black. In 2018, 3 in 4 boys searched were Black (75%).

Appropriate Adults

Under the PACE Act (1984), it is a requirement that an Appropriate Adult is present when a child is strip searched, except in cases of urgency where there is a risk of serious harm to the child or others. As defined in the Act, an Appropriate Adult is usually a parent or guardian, but can be a social worker, or representative of a local authority or charitable organisation the child is in the care of. An Appropriate Adult can be any responsible person over the age of 18 who is not a police officer, and local schemes exist for volunteers to play this role.

A child has the right to refuse the presence of an Appropriate Adult during the strip search itself, but an Appropriate Adult is still required to be present in order to sign a statement in the presence of the child stating that they do not wish them to be present for the search. The CCo has not been made aware of any case of a child refusing the presence of an Appropriate Adult during a strip search. This is not information that the MPS regularly reports on. Because there is no field for an officer to record this on the stop and search form, it is necessary to perform a manual review of the case file and searching officer's notebook to confirm that the child refused, and this was witnessed by an Appropriate Adult.

- An Appropriate Adult was confirmed to be present in 77% of strip searches, and was not confirmed to be present in 23% of searches.
- There was no difference in presence of an Appropriate Adult by gender.
- The ethnicity of the child did not seem to impact the likelihood of an Appropriate Adult being present. Of the 25% of strip searches of boys where an Appropriate Adult was not confirmed to be present: 55% were Black, 20% were White, 14% were Asian, 5% were recorded as 'other' ethnicity and 2% did not have an ethnicity recorded.⁹
- In 2018 and 2019, Black boys were the most likely to be subjected to a strip search without a confirmed Appropriate Adult present. In 2018, Black boys represented two thirds of strip searches conducted without an Appropriate Adult present (70%).

⁸ Greater London Authority, Ethnic group population projections, 2017. Available at: <https://data.london.gov.uk/dataset/ethnic-group-population-projections>. Accessed on 04/08/22.

⁹ Ethnicity based on officer description.

Outcomes of searches

The outcomes for children from strip searches are recorded as either further action (e.g., arrest, community resolution, penalty notice, postal charge requisition summons to magistrate's court, simple caution and cannabis warnings) or no further action.¹⁰

It is important to note that this does not indicate whether the further action was related to the reason for the stop and search.

Note that the number of searches of girls was too few to report a gender breakdown by outcome.

- Police took further action against a child they had strip searched in 47% of cases. The other 53% of children who were strip searched were released without any further action being taken against them by police. We question whether this low level of successful searches indicates that this intrusive practice is justified or necessary in all cases.
- Across 2018-2020, 51% of searches of boys where an Appropriate Adult was not present resulted in further action, compared to 60% of searches where an Appropriate Adult was present.
- Of all Black boys searched, 48% of searches resulted in further action. Comparatively, 45% of White boys searched resulted in further action and 49% of Asian boys searched resulted in further action.

Location (limited data)

Of the 269 searches in 2021 for which we know the location, 57% happened at a police station, 21% at a home address, and another 22% happened at an 'other location'.

The Metropolitan Police cannot be more specific about the latter category, due to the nature of the records, but do not consider that any strip searches of a child happened at a school in 2021.¹¹

It is a matter of concern that the Metropolitan Police is not able to readily provide information for the location of searches in a fifth of cases, or to confirm whether any children were stripped searched at school between 2018 and 2020. It is possible that all strip searches of children occurred in an appropriate location out of public view, but there appears to be no system of oversight to ensure that this is the case.

¹⁰ Note on terminology: MPS uses the term 'positive outcome' for what we have referred to as 'further action.'

¹¹ Note: The incident involving Child Q occurred in 2020. We did not receive location data for the years 2018-2020.

Safeguarding Children

Given the findings of this investigation, the Children's Commissioner is not reassured that what happened to Child Q was an isolated issue. Instead, this research indicates that her experiences may in fact be part of a more systemic problem around child protection within the MPS. The Children's Commissioner remains unconvinced that the Metropolitan Police is consistently considering children's welfare and wellbeing.

The Children's Commissioner is deeply concerned that the MPS has been strip searching children as young as 10 on an almost daily basis. Additionally, this practice is happening regularly without an Appropriate Adult present as required in statute, and the Metropolitan Police have not been able to readily account for why this safeguard was not applied in these cases. The Children's Commissioner was also concerned about the lack of information that the MPS were able to provide about the location of searches in a fifth of cases, or to confirm whether any children were stripped searched at school between 2018 and 2020. As was indicated in the Child Q case, the strip searching of children displays an extremely worrying ethnic disproportionality that particularly affects Black boys.

The Children's Commissioner accepts that there are rare situations where it may be necessary to strip search a child to ensure the safety of the child or others. However, a police power that involves compelling a child to remove their clothes and expose their intimate parts must be treated with the utmost care and responsibility. When a police officer searches any child, they should be taking a safeguarding first approach, as set out in 'Working Together to Safeguard Children' guidance, which does not currently appear to be the case.¹² This data request and examination of the current guidance suggests that the system as it stands is providing insufficient safeguards for children.

Such an intrusive practice, if ever appropriate, must also be accompanied by a robust and transparent system of scrutiny to protect and safeguard vulnerable children. It is not clear that this system currently exists. If the threshold for strip searching a child is met – that there is sufficient evidence to suggest they are involved in serious criminal activity – then these children are, by definition, at risk of serious harm, including risk of child criminal exploitation (CCE).

The Children's Commissioner acknowledges that the MPS have committed to several changes to policing practice since the Child Q case and welcomes this action. These include:

- Raising the level of approval needed to authorise a strip search of a child to a local Basic Command Unit (BCU) Inspector.

¹² Department for Education, Working Together to Safeguard Children, 2015. Available at:

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>. Accessed on 04/08/22.

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- A Computer Aided Dispatch (CAD) record must now be created for every strip search, ensuring that a unique record is made for each strip search.
 - If a child is strip searched, a Merlin safeguarding referral must be made, ensuring the relevant Multi Agency Safeguarding Hub (MASH) team is notified of the child's vulnerability.
 - Adultification bias training for officers in the relevant Borough, which aims to prevent racial bias leading to children, particularly Black children, being inappropriately treated as adults during interactions with police.

However, it is concerning that the Independent Office for Police Conduct (IOPC) has found grounds to investigate several further self-referred cases of potentially inappropriate strip searches of children and has found it necessary to issue a binding recommendation to the MPS to ensure that it meets the relevant guidelines in this area.¹³ This investigation cannot meet the level of detail of the IOPC investigation on individual cases, yet the findings in this report indicate wider problems, for example, with compliance with statutory guidance on the presence of Appropriate Adults during searches.

¹³ Independent Office for Police Conduct, IOPC Recommendations to Met over Strip Searches of Children, 2020. Available at: <https://www.policeconduct.gov.uk/news/iopc-recommendations-met-over-strip-searches-children>. Accessed on 04/08/22.

Ambitions

The Children's Commissioner has the following ambitions to improve the safeguards for children.

Ambition 1) Ensure the safeguarding of children is the top priority for the police when undertaking searches, by amending national guidance: The Home Office should amend Police And Criminal Evidence (PACE) Codes A and C to make it clear that strip searches of children should only be used when absolutely necessary. This guidance should also place a greater emphasis on a police officer's duty to safeguard children during strip searches. This should include:

- Clear guidance on making a safeguarding referral whenever a child is strip searched;
- An emphasis on the need for an Appropriate Adult to be present;
- A clear definition of any situation where an Appropriate Adult is not needed, to minimise any ambiguity around the term 'urgency'.

The Home Office should ensure changes are included in both PACE Code A and Code C. The College of Policing should update its guidance to reflect these changes and to recognise changes to practice made by the MPS. The Children's Commissioner's office will send this report to the Minister for Policing and work with the Home Office to achieve these changes.

Ambition 2) Improvements to transparency and scrutiny: Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and the Home Office should work together to ensure that the Annual Data Request of monitoring information collected from each police force includes sufficient information on the strip searching of children. This should include whether an Appropriate Adult was present, the specific location of the search, and whether a safeguarding report was made. HMICFRS should also incorporate questions about safeguarding of children when scrutinising stop and search in the framework for PEEL inspections of police forces. Police forces should ensure that mechanisms for independent community oversight, including independent advisory groups and stop and search scrutiny panels, have regular reporting and sufficient guidance to assess the appropriateness of strip searches involving vulnerable children.

Ambition 3) Increased training: All police forces should commit to additional training for officers on safeguarding and for this to be scrutinised by the National Police Chiefs' Council (NPCC). The Children's Commissioners office (CCo) will work with NPCC on the broader framework for child protection in policing practice.

Ambition 4) Build upon the role of safeguarding partnerships: As we have previously recommended, local safeguarding partnerships should become joint enterprises of local authorities,

police, the NHS, and also schools. Schools should be formal members with a voice on formulating safeguarding arrangements and an expectation of cooperation.

Next steps

The Children's Commissioner will continue to hold the MPS and the incoming Metropolitan Police Commissioner to account to ensure that comprehensive and force-wide changes are made.

From this investigation, the Children's Commissioner is not reassured that a robust system of safeguarding for children strip searched by police across all forces in England. The Children's Commissioner considers that further change is needed at the national level to ensure appropriate safeguards are in place and applied consistently.

The Children's Commissioner's office will therefore request further data on the strip searching of children from all police forces in England. This data will be published later this year, which will provide more information about the extent of poor safeguarding practice and inform the proposals laid out above.

Annex: Notes on police powers and procedures

The House of Commons Library has produced briefings of police powers for strip searches and for stop and search.¹⁴¹⁵ Searches performed by the police fall are of the following types:

- Search: A less thorough search that involves removal of no more than the jacket, outer layer, or gloves.
- More Thorough Search (MTS): A search that includes the removal of anything other than the jacket, outer layer, or gloves.
- 'Strip search': Referred to by the College of Policing as searches involving the Exposure of Intimate Parts (EIP) and by the Metropolitan Police Service as More Through searches where Intimate Parts are exposed (MTIP). A search must occur outside of public view, but not in a police vehicle; with no more than two people of the same gender as the person being searched present, one of whom must be an Appropriate Adult, except in cases of urgency where there is a risk of serious harm to the child or others; and the search must be conducted with regard for dignity, sensitivity, and vulnerability, and in a way that minimises embarrassment.
- Intimate search: A search of any orifice other than the mouth, conducted by a medical professional at a police station or in a medical setting.

Police are able to strip search a child as part of a stop and search, or when the child is in custody. There is different, though inter-related, guidance for each case and the strip search is recorded and monitored in different systems.

The following guidance applies to strip searches conducted under stop and search:

- PACE Code A¹⁶
- PACE Code C¹⁷

¹⁴ House of Commons Library, Police Powers: Stop and Search, 2022. Available at:

<https://researchbriefings.files.parliament.uk/documents/SN03878/SN03878.pdf>. Accessed on 04/08/22.

¹⁵ House of Commons Library, Child Q and the Law on Strip Search, 2022. Available at:

<https://commonslibrary.parliament.uk/child-q-and-the-law-on-strip-search>. Accessed on 04/08/22.

¹⁶ Home Office, Police and Criminal Evidence Act 1984 (PACE) Code A (Revised): Code of Practice for the exercise by: Police Officers of Statutory Powers of stop and search; Police Officers and Police Staff of requirements to record public encounters, 2015. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903810/pace-code-a-2015.pdf. Accessed on 04/08/22.

¹⁷ Home Office, Police and Criminal Evidence Act 1984 (PACE) Code C (Revised): Code of Practice for the detention, treatment and questioning of persons by Police Officers, 2019. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903473/pace-code-c-2019.pdf. Accessed on 04/08/22.

- APP: Stop and Search¹⁸
- APP: Children and Young Persons¹⁹
- BUSSS²⁰

PACE Code A:

Code A Annex A Paragraph 3.7: Searches involving exposure of intimate parts of the body must not be conducted as a routine extension of a less thorough search, simply because nothing is found in the course of the initial search. Searches involving exposure of intimate parts of the body may be carried out only at a nearby police station or other nearby location which is out of public view (but not a police vehicle). These searches must be conducted in accordance with paragraph 11 of Annex A to Code C except that an intimate search mentioned in paragraph 11(f) of Annex A to Code C may not be authorised or carried out under any stop and search powers. The other provisions of Code C do not apply to the conduct and recording of searches of persons detained at police stations in the exercise of stop and search powers. (See Note 7.)

PACE Code C:

11. When strip searches are conducted:

- (a) a police officer carrying out a strip search must be the same sex as the detainee (see Annex L);
- (b) the search shall take place in an area where the detainee cannot be seen by anyone who does not need to be present, nor by a member of the opposite sex (see Annex L) except an Appropriate Adult who has been specifically requested by the detainee;
- (c) except in cases of urgency, where there is risk of serious harm to the detainee or to others, whenever a strip search involves exposure of intimate body parts, there must be at least two people present other than the detainee, and if the search is of a juvenile or vulnerable person, one of the people must be the Appropriate Adult. Except in urgent cases as above, a search of a juvenile may take place in the absence of the Appropriate Adult only if the juvenile signifies in the presence of the Appropriate Adult that they do not want the Appropriate Adult to be present during the search and the Appropriate Adult agrees. A record shall be made of the juvenile's decision and signed by

¹⁸ College of Policing, Authorised Police Practice (APP): Stop and Search, 2016. Available at: <https://www.college.police.uk/app/stop-and-search>. Accessed on 04/08/22.

¹⁹ College of Policing, Authorised Police Practice (APP): Children and Young Persons, 2013. Available at: <https://www.college.police.uk/app/detention-and-custody/detainee-care/children-and-young-persons>. Accessed on 04/08/22.

²⁰ Home Office and College of Policing, Best Use of Stop and Search Scheme, 2014. Available at: <https://www.gov.uk/government/publications/best-use-of-stop-and-search-scheme>. Accessed on 04/08/22.

the Appropriate Adult. The presence of more than two people, other than an Appropriate Adult, shall be permitted only in the most exceptional circumstances;

(d) the search shall be conducted with proper regard to the dignity, sensitivity and vulnerability of the detainee in these circumstances, including in particular, their health, hygiene and welfare needs to which paragraphs 9.3A and 9.3B apply. Every reasonable effort shall be made to secure the detainee's co-operation, maintain their dignity and minimise embarrassment. Detainees who are searched shall not normally be required to remove all their clothes at the same time, e.g. a person should be allowed to remove clothing above the waist and redress before removing further clothing;

(e) if necessary to assist the search, the detainee may be required to hold their arms in the air or to stand with their legs apart and bend forward so a visual examination may be made of the genital and anal areas provided no physical contact is made with any bodily orifice;

...

(g) a strip search shall be conducted as quickly as possible, and the detainee allowed to dress as soon as the procedure is complete.



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