



**TOTAL POLICING**

## **Freedom of Information Request Reference No:**

I note you seek access to the following information:

- 1 - Please provide a copy of any policy/procedure for the strip search of a person in a police cell.
- 2 - Please provide a copy of any MPS training material on the topic.

## **DISCLOSURE**

### **Question1 – Please provide a copy of any policy/procedure for the strip search of a person in a police cell.**

The information requested has been identified as being accessible via other means as it is already published. Where information is already in the public domain we are not required to re-publish the data; instead public authorities are required to direct you to the information, which we have done in this instance. This action is in accordance with section 21 of the Freedom of Information Act.

The relevant Police and Criminal Evidence Act 1984 (PACE) codes of practice can be found by way of this link to Code C. The information you are seeking concerning strip searches can be found at ANNEX A (pages 60 and 61).

<https://www.gov.uk/government/publications/pace-code-c-2014>

### **MPS Custody Toolkit**

Please see ANNEX A below for a copy of excerpt from the MPS Custody Toolkit concerning strip searches.

I can also provide a further link to the MPS Website FOI disclosure log on the subject of strip searches, which can be found by way of this link:

[http://www.met.police.uk/foi/pdfs/disclosure\\_2016/may\\_2016/2016030001296.pdf](http://www.met.police.uk/foi/pdfs/disclosure_2016/may_2016/2016030001296.pdf)

### **Strip search - Policy**

Please find attached copy of relevant MPS Policy concerning conduct of strip search. Please note the authors names have been removed as not relevant to this request.

**Question2 – Please provide a copy of any MPS training material on the topic.**

### **Authorised Professional Practice (APP)**

The training of MPS police officers and staff generally is set by the Authorised Professional Practice (APP) which is developed and owned by the College of Policing as the official source of professional practice on policing. The following statement can be found on the College of Policing website *‘the Authorised Professional Practice (APP) is developed and owned by the College of Policing (the professional body for policing) and can be accessed online. APP is authorised by the College of Policing as the official source of professional practice on policing. Police officers and staff are expected to have regard to APP in discharging their responsibilities. There may, however, be circumstances when it is perfectly legitimate to deviate from APP, provided there is clear rationale for doing so.*

*The College of Policing sets high professional standards to help forces cut crime and protect the public. The College of Policing:*

- *sets standards of professional practice*
- *accredits training providers and sets learning and development outcomes*
- *identifies, develops and promotes good practice based on evidence*
- *supports police forces and other organisations to work together to protect the public and prevent crime*
- *identifies, develops and promotes ethics, values and standards of integrity.*

For further information please see the following link to the College of Policing website and follow link to section 6 ‘Searching detainees’:

<https://www.app.college.police.uk/app-content/detention-and-custody-2/control-restraint-and-searches/#cell-searches>

### **Training - Aims and Objectives**

To provide you with some additional information I have included the Aims and Objectives relevant to this training subject, which can be found at ANNEX B below.

### **ANNEX A**

#### **Extracts from the MPS Custody Toolkit – Detainee Questions and Answers**

##### **D42 - Do 17 year-olds need an appropriate adult?**

Yes.

##### **D50 - What about strip searching [a juvenile]?**

C1.5A extends the requirement to the appropriate adult being present unless the detainee signifies in the presence of the appropriate adult that they do not want them to be present during the search and the appropriate adult agrees.

Code C Annex A allows for a strip search to be carried out prior to the arrival of an appropriate adult in cases of urgency, where there is risk of serious harm to the detainee or others. Attempts to secure the immediate attendance of an appropriate adult must be made prior to the search taking place in order that one can be present. These efforts must be recorded in the detention log using the 'Strip Search – Juvenile – Urgent Search – Risk of Serious Harm' entry.

**D77 - What is the procedure for strip searching of non-detainees?**

Searches brought to the station under Code A 3.6-7 should not be routinely conducted in the custody suite. BOCUs should endeavour to provide more suitable facilities.

**D77A - What is the procedure for strip searching of detainees?**

In line with Code C PACE Annex A para 10, a strip search may take place only if it is considered necessary to remove an article which a detainee would not be allowed to keep and the officer reasonably considers the detainee might have concealed such an article. Strip searches shall not be routinely carried out if there is no reason to consider that articles are concealed. Where a strip search is being conducted in a cell, a 'Cell in Use' magnetic sign should be applied to the cell door to prevent unauthorised or unnecessary access to the cell. Replacement signs are available via Met Detention - email TP Mailbox - Met Detention Business.

**D77B – How many people are required to conduct a strip search?**

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 mentally disordered or otherwise mentally vulnerable person, one of the people **must** be the appropriate adult. For information on strip searches of 17 year olds, see question D50.

Code C Annex A allows for a strip search to be carried out prior to the arrival of an appropriate adult in cases of urgency, where there is risk of serious harm to the detainee or others. Attempts to secure the immediate attendance of an appropriate adult must be made prior to the search taking place in order that one can be present. These efforts must be recorded in the detention log using the 'Strip Search – Juvenile – Urgent Search – Risk of Serious Harm' entry.

**D77C – Can I require a detainee to 'squat' during a strip search?**

**No.** Cases have recently been lost at court where a detainee has been requested to squat as the search has been deemed to be unlawful. Code C PACE Annex A para 11 (e) states *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 anybody orifice.*

The search shall be conducted with due regard to the sensitivity and vulnerability of the detainee.

**D77D – Can I conduct a strip search in a cell that is equipped with CCTV?**

Directorate of Legal Services (DLS) advice on this is that there may be occasions when the conduct of a strip search in a CCTV cell is desirable for the protection of staff, however, a CCTV cell should not be regarded routinely as a suitable place for a strip search unless suitable control measures are implemented. Conducting a strip search in a CCTV cell is not precluded by legislation, however consideration must be given to PACE Code C, Annex A 11(b).

The recording of the search must be shown to be necessary and proportionate in the circumstances. The advice from DLS is that strip searches can lawfully be conducted in cells covered by CCTV monitoring, provided control measures are implemented to ensure the requirements of Code C Annex A are met. The custody officer will ensure that cells equipped with CCTV are not be routinely used to conduct a strip search without justification.

**D77E – What control measures are available to me when conducting a strip search in a CCTV cell?**

- If CCTV is in operation in a cell or room utilised for such searches, then the custody officer, whenever practicable, should explain to the detainee that CCTV operates within that room but that the detainee will not be remotely monitored during the search.
- To avoid accidental monitoring of the cell used for the strip search the monitor should be deselected from the cell where the search is taking place. Where this is not possible no one of the opposite gender to the person being searched will be able to view the monitor. This should also be explained to the detainee. Monitors should not be turned off or covered.
- The custody officer will ensure full justification for conducting the strip search in a CCTV cell is recorded in the detainee’s custody record. The custody officer must record in the custody record the control measures taken to protect the detainee's privacy and dignity.

**ANNEX B - Training Aims and Objectives**

<b>Course</b>	<b>Aims/objectives</b>
<b>Foundation course: Total War on Crime</b>	<b>AIM:</b> To revisit the key points of the legislation in respect of this subject

<p>Day 6 Detention procedure lesson</p>	<p>area and practice its application in a policing scenario.</p> <p><b><u>OBJECTIVES:</u></b></p> <ul style="list-style-type: none"> <li>• Explain the procedure of conveying a detainee/ prisoner to a custody suite in a safe and controlled manner.</li> <li>• State the necessary information to be provided when presenting a detainee to the Custody Officer (ROAST).</li> <li>• Explain the procedure should there be a delay in booking in a detainee.</li> <li>• Understand who is responsible for searching a detainee presented to the custody officer.</li> <li>• Explain how detainee's property/evidential property is recorded.</li> <li>• List some of the other processes to be carried out (and by whom) once a detainee's detention has been authorised.</li> <li>• Demonstrate how to present a detainee to the custody using the ROAST mnemonic.</li> </ul>
<p>Custody course:</p>	<p><b><u>AIM:</u></b> To enable understanding of search powers and authorities and how to record further property found</p> <p><b><u>OBJECTIVES:</u></b></p> <ul style="list-style-type: none"> <li>• Explain the procedure to be followed in the proper conduct of searches.</li> <li>• Explain the powers available to custody staff to search detainees when detention has been authorized.</li> <li>• Explain the circumstances where a strip search or intimate searches are appropriate.</li> <li>• Specify the procedure for seizing clothing from a detainee.</li> <li>• Identify the circumstances when replacement clothing should be provided for a detainee.</li> <li>• Explain the procedures to deal with property belonging to the detainee.</li> <li>• Explain the circumstances that may prompt a cell search.</li> <li>• Complete the 'Property' screens and Strip Search Authority on NSPIS.</li> </ul>
<p>Custody Refresher course:</p>	<p><b><u>AIM:</u></b> To enable students to have an awareness of current Custody Procedures and related legislation to enable them to support Met Detention Custody Staff when required.</p> <p><b><u>OBJECTIVES:</u></b></p> <ul style="list-style-type: none"> <li>• List the responsibilities of a Custody Officer.</li> <li>• Understand the roles / legal powers of the DDO/Inputter and</li> </ul>

	<p>Gaoler and Custody Assistant, including any limitations.</p> <ul style="list-style-type: none"> <li>• Explain the importance of effective supervision of the DDO/Inputter Gaoler and Custody Assistant in the discharge of their duties, including the effective supervision of Detention Log entries.</li> <li>• Describe the custody suite inspection and maintenance that should be conducted daily.</li> <li>• Explain what is required for an effective 'custody handover'.</li> <li>• Explain the importance of an effective handover.</li> <li>• Describe the handover procedure, including the completion of 'Incoming Custody Officer' Detention Log entry.</li> <li>• State the responsibility of the 'Outgoing' Custody Officer.</li> <li>• Complete Handover entries in line with Custody Policy.</li> <li>• Explain the levels of observation for supervising detainees; how they might be applied.</li> <li>• Describe the stages of the rousing procedure as described '4R's'.</li> <li>• Define 'Constant Supervision', the role of the 'Constant Supervision Officer' and the Custody Officer's responsibilities.</li> <li>• Understand when a HCP should be called for a detainee under the influence of drink.</li> <li>• State what information must be given to a HCP when they are contacted and what information they must brief the Custody Officer on. (STRIPE and ROAM)</li> <li>• Review detainees risk assessments and observation levels in line with Custody Policy. Adjust as necessary.</li> <li>• Explain the detainee's six main rights as provided by PACE.</li> <li>• Understand when an Appropriate Adult is required and who can act as one.</li> <li>• Understand Common Law Disclosure and what action is required by the Custody Officer.</li> <li>• Authorise detention for a detainee, complete their risk assessment and record their Rights and Entitlements on NSPIS.</li> <li>• Understand that the power to retain samples has changed following the introduction of Protection of Freedoms Act 2012.</li> <li>• Understand how to establish if a DNA sample is required and the key points in relation to taking fingerprints.</li> </ul>
<p><b>DDO course:</b> DDO Powers lesson</p>	<p><b><u>AIM:</u></b> To enable students to understand their powers and the law regarding searches, sample taking, fingerprints and photographs and DNA.</p> <p><b><u>OBJECTIVES:</u></b></p>

	<ul style="list-style-type: none"><li>• Recognise the powers granted in their designation</li><li>• Explain your power to use reasonable force</li><li>• State the circumstances in which a search may take place</li><li>• Outline the procedure to be followed when conducting a search</li><li>• Discuss the role of the Appropriate Adult or supporter during Code D procedures and welfare issues</li><li>• Identify two reasons why we take samples</li><li>• State examples of intimate and non-intimate samples</li><li>• Discuss the legal requirements in relation the taking of footwear impressions</li><li>• Discuss the legal requirements in relation the taking of finger prints</li><li>• Explain the considerations when taken a photograph under Section 64a of PACE</li><li>• Explain the power to photograph a detainee in custody for identifying marks (Section 54a PACE)</li><li>• Outline the considerations for collecting a non-intimate sample</li><li>• Demonstrate the procedure for the taking of DNA</li><li>• State the recording procedure for DNA on NSPIS</li><li>• State the procedure for recording finger prints on NSPIS</li></ul>
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**Information Rights Unit**

# D7

## Strip Searching Young People



# POLICYPages



METROPOLITAN  
POLICE

TOTAL POLICING

APP | PRACTITIONER TOOLKITS | POLICY  
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D7.1 The conduct of strip searches is governed by Annex A, Code C of the PACE Codes of Practice. A strip search is one that requires more than the removal of outer clothes (outer clothing includes shoes and socks in custody). A strip search is authorised by the Custody Officer only if it is considered necessary to remove an item which the detainee would not be allowed to keep and the officer reasonably considers the detainee might have concealed such an item. Any strip search must be proportionate to the need to conduct such a search.

D7.2 A young person is anyone under the age of 18. The safeguards afforded to juveniles were extended to include 17 year-olds in October 2013. These safeguards are necessary to ensure that the interests and welfare of the young person are protected.

D7.3 A young person can be strip searched, however Code C contains safeguards which must be followed. An appropriate adult must be present unless the young person states in the presence of the appropriate adult that they do not want them present and the appropriate adult agrees – both must sign the custody record to that effect using the 'Consents' > Appropriate Adult Presence Declined/Strip Search.

D7.4 An urgent strip search may only be conducted prior to the attendance of an appropriate adult where there is a risk of serious harm. Prior to an urgent search taking place the Custody Officer **must** identify whether an appropriate adult is present at the police station or whether one will be attending imminently. Conducting an urgent strip search without an appropriate adult could be intimidating hence the need must be proportionate and justified. When an urgent strip search is authorised the detention log entry 'Strip Search - Juvenile - Urgent Search - Risk of Serious Harm' must be used and the actions taken to obtain an appropriate adult recorded.

D7.5 In all cases the young person and appropriate adult must be told the reason for the strip search, this would include an urgent search – the appropriate adult must be informed retrospectively. The officers/DDOs conducting the search must be briefed appropriately concerning the need, conduct and extent of the search.

D7.7 The same principles would apply if more than an outer clothing were to be seized for evidential reasons from a young person.

