

Published Policy excerpts relating to MTIPS prior to Child Q review policy change

Please note this is not the full stop and search policy

Introduction

Instructions, advice and guidance on stop and search for frontline officers and supervisors.

Important

This information is Met policy. Anyone who works for the Met, including contractors and volunteers, must comply with it.

General frontline – checklist

All actions are mandatory

Stop and search

Action

- Formulate reasonable grounds to search (except searches authorised under s.60).
- Apply National Decision Model.
- Set Body Worn Video (BWV) to 'Record' (if issued with BWV).
- Ask questions to confirm or eliminate reasonable grounds for suspicion.
- Consider Human Rights - Are your actions Proportionate, Lawful, Accountable, Necessary?
- Decide to search - If no, person is free to leave. If Stop and Account, complete form 5090 or electronic PDA.
- Apply [safe searching policy](#)
- Decide to search - If yes, give **GOWISELY** (see [Q&A](#)) and complete the steps below.
- Conduct search at or near the place where the person / vehicle was first detained. (For more thorough searches at a police station see the [MTIP room checklist](#)).
- Consider safeguarding and welfare issues.
- If the search is of a child under 10 years old a MERLIN PAC must be completed and the parent / guardian notified.
- Complete search record on form 5090 or electronic PDA version.

- Offer a copy of 5090 or receipt (Form 5090A) to person searched.
- Enter 5090 onto the Crimint 'Stops' database within 24hrs.
- Submit Crimint Information Report where there is additional intelligence value that may assist immediately or help others in the future.
- For searches which result in an arrest, a record of the search must also be entered in the detention log of their custody record by the custody sergeant or DDO inputter.
- Submit 5090 for local filing.
- Where the person appears to resent the stop you have a responsibility to satisfy them that you have acted correctly. Where there still appears to be resentment at the conclusion, you must inform a Supervisor as soon as practicable, complete a full report of the incident in your notebook or EAB and provide the Supervisor with the completed 5090 and notes of incident. If the stop is captured on BWV, indicate on the BWV server that retention of the video clip is required for: MPS - Other policing purpose.

Recording requirements

Action

- Offer the person the opportunity to self define their ethnic background (SDE Code), record their response. There is no obligation for the person stopped to provide this. Officers should make a record of their own perception using the ethnic appearance codes (EA code).
- The person searched is under no obligation to provide their name or address and they should not be asked to provide it for the purpose of completing the record.
- Record an apparent age if date of birth is not given. There is no obligation for the person stopped to provide their date of birth. Where the date of birth or apparent age recorded is under 10 years old, double check in case of an input error.
- Indicate whether more than Jacket, Outer Coat and Gloves removed (JOG) and record further details in the mandatory fields.
- Record the correct search code. Be careful you do not enter the wrong code e.g. Code K (s.60) when an authorisation is not in place at that location or the authorisation has expired.
- Accurately and succinctly record full Grounds for making the search (or a rationale for searches under s.60, together with the fact that s.60 has been authorised and the name of the authorising officer). The grounds for search recorded on F5090 must be entered onto the CrimInt database.
- Ensure the grounds for search reflect the object of the search.
- Record the correct Outcome code (e.g. Code 4 = Arrested).

- Show station / base to which attached in full (a geographical location must be given NOT a unit name).
- Your name and warrant number must be legible.

More thorough searches exposing intimate parts (MTIP)

Action

- A more thorough search involving exposure of intimate parts (MTIP) must not be conducted as a routine extension of a less thorough stop and search simply because nothing is found in the course of the initial search. You must reasonably consider an article is concealed and an MTIP search is necessary to find such an article.
- Follow the National Decision Model.
- Notify your intention and obtain the authority of a supervisor in order to carry out such a search.
- Carry out the search at a nearby police station or other nearby location that is out of public view (but not a police vehicle).
- Only use the identified MTIP search room at the police station (this is not usually in a custody suite).
- If you consider conducting the search at a nearby location that is out of public view, assess the risks vs benefits of that location.
- Arrange for another officer of the same gender (as the person to be searched) to be present.
- Arrange for an appropriate adult to be present in the case of a child or young person or vulnerable adult (except in cases of urgency where there is a risk of harm to the detainee or others).
- If the subject is under 18 and does not wish an appropriate adult to be present during the actual search, ensure they explain this in the presence of the A/Adult and obtain the agreement of the A/Adult.
- If issued with BWV, the camera must be switched off during the MTIP search.
- Secure co-operation of the person to be searched and minimise embarrassment. The removal of all clothes at the same time should not normally be required e.g. require person to remove clothing above the waist, allow person to redress before removing further clothing.
- 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 intimate part.

LOOK DON'T TOUCH, BEND DON'T SQUAT

- If articles are found within any body orifice other than the mouth, and the person refuses to hand them over, their removal would constitute an intimate search which must be separately authorised and usually carried out by a registered doctor or nurse.
- Follow guidance on MTIP searches provided within PACE Code C, Annex A.
- Record full details on the CrimInt search record in addition to paper Form 5090 or electronic PDA / iPad record.
- Always complete notes of incident in your notebook or an EAB when conducting an MTIP search, even where the incident does not amount to a 'resented stop'.

General supervisor – checklist

All Actions are mandatory

Action

- Monitor use of stop and search powers by individual officers to ensure they are being applied appropriately, lawfully and fairly (Code A 5.5).
- Ensure that officers are equipped with the best available intelligence which is focused and objective.
- Ensure stop and search activity is aimed primarily at combating neighbourhood crime and the carriage of weapons.
- Ensure stop and search is carried out in accordance with approved OST techniques and control measures, as defined in current risk assessments.
- Provide advice and guidance over the radio, attend the scene (where appropriate), review Body Worn Video (BWV), review reports and provide feedback to the searching officer to enable continuous improvement.
- Supervise the policing activity that led to the completion of the form 5090.
- Conduct a de-brief: Make sure patrol activities match the tasks assigned during the briefing; Ensure a CrimInt Information Report is completed when appropriate.
- Confirm safeguarding procedures have been actioned where appropriate.
- Confirm the parent / guardian has been informed if search of a child under 10.
- Provide training when appropriate.
- Take timely and appropriate action to deal with any improper use of powers, such as performance or misconduct procedures (Code A 5.6).

More thorough searches exposing intimate parts (MTIP)

Action

- Conduct pre-authorisation 3 stage check:

1.

1. Are there **Reasonable Grounds** to **Suspect** the subject **has the item**?
2. Do you **Reasonably Consider** the item is concealed in an area, the search of which will expose intimate parts?
3. Is an MTIP search both **Proportionate** and **Necessary** to find the item?

If MTIP authorised:

- **Is the search going to be conducted at a Police Station?** If so, ensure the search takes place in the identified MTIP search room (this is not usually in a custody suite).
- **Is the search going to be conducted 'nearby' and out of public view (NOT in a Police Vehicle)?** - *Asses risks vs benefits of that location.*
- **Are there at least 2 officers present of the same gender?** If not, what are the *urgent circumstances where there is a risk of harm* and are they documented?
- **Is the person under 18 or vulnerable?** If so, ensure there is an Appropriate Adult (A/Adult) unless there are *urgent circumstances where there is a risk of harm* - Where is this documented?
- **If the subject is under 18 and does not wish an appropriate adult to be there, have they explained that in the presence of the A/Adult and does the A/Adult agree?** - Where is this documented?
- **Remind officers that every reasonable effort should be made to secure co-operation and minimise embarrassment.**
- **Remind officers that the person should not normally be required to remove all clothing at once so as to maintain dignity** - Half and half applies.
- **Remind officers that, if necessary to assist the search, the person can be required to hold their arms in the air or to stand with their legs apart and bend forward** – no squatting.
- **Remind officers that no physical contact is to be made with any intimate part** - visual examination only.
- **Remind officers that if articles are found, the person shall be asked to hand them over** - If articles are found within any body orifice other than the mouth, and the person refuses to hand them over, their removal would constitute an intimate search which must be separately authorised and usually carried out by a registered doctor or nurse.
- **Remind officers that Pocket Book or EAB notes must be made** - in addition to form 5090.
- **If issued with BWV, remind officers of policy regarding recording** i.e. cameras must be switched off during the MTIP search.

Form 5090 – supervisor checklist

All actions are mandatory

All Stop and Search records (including PDA & iPad records) must be supervised electronically via CrimInt.

Action

- Are the grounds for search sufficient and reasonable? (See 'supervisors matrix for assessing reasonable grounds' in [Useful Resources](#)).
- Are there any indications of stereotyping or inappropriate generalisation?
- Where a more thorough search is conducted, do the grounds support the extent of the search?
- Do the grounds for search reflect the object of the search?
- Is the object of the search permitted under stop and search legislation?
- Ensure any s.60 search is within the s.60 authorisation area and time period.
- Ensure the 5090 is inputted onto CrimInt within 24hrs of the search.
- Ensure a date of birth or apparent age is recorded. (There is no obligation on the person stopped to provide a date of birth.)
- Where the date of birth or apparent age recorded is under 10 years old, ensure this is not an input error.
- Compare the paper form 5090 (if available) with the relevant CrimInt entry to confirm the details are replicated.
- Identify whether there are any training needs and/or management action required and take appropriate action.
- Include any supervisor comments / action in the free text box provided on CrimInt (when applicable).
- If the officer is issued with Body Worn Video, confirm the search was recorded. If not recorded, establish why not (MTIP searches are not to be recorded). If it was a resented stop, ensure the officer indicates on the BWV server that retention of the video clip is required for: MPS - Other policing purpose.

B/OCU SLT lead – checklist

All actions are mandatory

Actions

- Drive stop and search activity on the OCU.
- Scrutinise OCU data, including: effectiveness; proportionality; suspect profiles; crime trends; intelligence; tasking activities; MTIP data; Most Searched Individuals; Most Prolific Officers.

- Ensure up to date and accurate intelligence and information (including crime trends) is communicated to officers to enable them to effectively exercise their stop / search powers.
- Ensure that Superintendents know their responsibilities under Section 60 of the Criminal Justice and Public Order Act 1994.
- Nominate suitable room(s) to conduct searches at police stations (Code A 3.7) and make sure all staff are aware of the nominated search room(s).
- Ensure the input of 5090s onto the CrimInt 'Stops' database within 24hrs.
- Ensure the effective supervision of 'Stops' on CrimInt on a daily basis by local supervisors (similar to CRIS, MERLIN etc).
- Ensure the secure collection, indexing and filing of form 5090 on the OCU.
- Represent the OCU at MPS stop and search performance meetings.
- Attend local stop and search Community Monitoring Group meetings.
- Carry out community consultation and feedback.
- Facilitate lay observation of stop and search (including Ride-Alongs).
- Utilise OCU social media sites to inform local communities about stop and search operations.
- Attend Community Monitoring Network (CMN) meetings.
- Oversee the showing of Body Worn Video to CMG members.
- Carry out monitoring of complaints arising from stops and searches.

Q&As

Why does the Met use stop and search?

Stop and search remains a hugely important police power for protecting Londoners, tackling crime and keeping our streets safe. It is an extremely valuable tool which we need to use in tackling knife and gun crime, resulting in over 3,500 arrests for weapon possession last year.

What is the vision for stop and search in London?

The Commissioner supports stop and search by officers who are acting lawfully, courteously and are held to account. We will continue to work with our communities and stakeholders to improve the quality of interactions and ensure that stop and search continues to protect Londoners.

What is the definition of Fair & Effective?

A stop and search is most likely to be fair and effective when:

- the search is justified, lawful and stands up to public scrutiny;

- the officer has genuine and objectively reasonable suspicion they will find a prohibited article or item for use in crime;
- the person understands why they have been searched and feels that they have been treated with respect;
- the search was necessary and was the most proportionate method the police officer could use to establish whether the person has such an item.

Stop and Search is not a social control tactic;

What are 'reasonable grounds for suspicion'?

'Reasonable grounds for suspicion' is the legal test which a police officer must satisfy before they can stop and detain individuals or vehicles, to search them under powers such as s.1 PACE 1984, s.23 Misuse of Drugs Act 1971. The following test must be applied to the particular circumstances in each case:

- An officer must have formed a *genuine suspicion* in their own mind that they *will* find the object for which the search power being exercised allows them to search;

and

- The suspicion that the object will be found must be *reasonable*. This means there must be an *objective* basis for that suspicion based on facts, information and / or intelligence which are relevant to the likelihood that the object in question will be found so that a reasonable person would be entitled to reach the same conclusion based on the same facts and information and /or intelligence.

Reasonable suspicion can never be supported on the basis of personal factors. This means that unless the police have information or intelligence which provides a description of a person suspected of carrying an article for which there is a power to stop and search, the following cannot be used, alone or in combination with each other, or in combination with any other factor, as the reason for stopping and searching an individual, including any vehicle they are driving or being carried in:

- A person's physical appearance (including any of the 'protected characteristics' set out in the Equality Act 2010, or the fact that the person is known to have a previous conviction; and
- Generalisations or stereotypical images that certain groups or categories of people are more likely to be involved in criminal activity.

Reasonable grounds for suspicion should normally be linked to accurate and current intelligence or information, relating to articles for which there is a power to stop and search being carried by individuals or being in vehicles in any locality. Reasonable suspicion may also exist without specific information or intelligence and on the basis of the behaviour of a person.

You MUST be able to justify your grounds for suspicion. The mere appearance of a person is not sufficient - there must be something about their manner, deportment, conversations and the surrounding circumstances which afford that suspicion. A hunch or instinct which cannot be explained or justified to an objective observer can never amount to reasonable grounds.

To further assist understanding, the following guidance has been developed (this list is not exhaustive):

- Known criminal - not to be used as a ground for search. PACE Code A does not allow the fact that someone has a criminal conviction as a reason for searching that person.
- Known drug user - not to be used as a ground for search as it is non specific and if correct, would relate to a criminal conviction and therefore falls under the above bullet point.
- Smell of drugs - insufficient in itself and needs to be expanded with the circumstances / conversation with the individual / their appearance, actions, behaviour etc.
- Anti-Police - not to be used. It is not suspicious to dislike or be uncooperative towards the police.
- High crime area - must have a reference to a specific briefing or tasking location.
- Crime or drugs hotspot - must have a reference to a recent specific briefing, tasking, CAD etc.
- Evasive to questions - include reference to what the questions were about e.g. evasive to questioning about where they had just come from.
- Appeared nervous - needs to be expanded to include specific actions or behaviour e.g. sweating, muscles tensed, pacing, refuses to co-operate, repeats question before answering etc.
- Fitted description of a suspect for a recent crime - must include a summary of the description and the reference (CAD, CRIS etc) e.g. White male, 18yrs, blue hoody, CAD 63 refers.
- Acting as a lookout – needs further explanation. Describe what you saw them doing e.g. observed for 3 minutes at the rear of a closed shop premises; crouching down behind a wall; kept peering over the wall looking left and right down the alley.
- Avoids police - describe what they did e.g. changed direction and/or speed of walking having seen police, or, ran away from police when approached.
- Discarded item when approached by police – describe the item seen to be discarded, and / or what you believed it to be (and why).
- Concealed an article on seeing police – describe the item, and / or what you believed it to be (and why). Describe where / how it was concealed e.g. inside their jacket, up their sleeve, inside their sock etc.

Is there a resource available to assist with formulating reasonable grounds?

The table below will assist you to formulate your grounds:

Record your POSH grounds		Key points	Examples	Are your grounds linked to		
				Subject?	Object?	Having the object now?
Paint the Policing Picture	Paint the scene	Intelligence	Crimint ANPR Habitual knife carrier Briefing slide			
	What is <u>your</u> Policing Picture?	Information	CAD Officer knowledge From Member of Public Location relevant Time/date relevant			
	What do you know?	Tasking	Daily tasking Predictive policing MPS/ local Priority S60 authority			
Use your senses	Observe What have you seen?	Behaviour	Deviations from baseline Hiding Looking into vehicles/premises Following people			
		Clothing	Unseasonable or Inappropriate To hide identity or property Carrying suspicious bags or items.			
		Restlessness Avoidance Physical signs	Fidgeting, pacing Avoid/ hide from Police Sweating, panting.			
	Smell		Petrol Paint Drugs			
	Hear What have you heard?	Q&A's	Evasive to questions about...			
		Noises	Broken glass Alarms			
		Voices	Conversations Shouts			

Should I ask questions before I conduct a search?

The quality of the encounter with the person being stopped is pivotal to maintaining public support for the use of the power. The use of the power can be provocative for members of the public and it is important that they are dealt with politely and considerately.

Problems often occur when officers use stop and search rather than having a simple conversation first. If someone is behaving suspiciously officers should consider asking them to explain themselves. If they can't give an explanation for their suspicious behavior, officers should tell them they have real grounds for a search (and explain the grounds) and generally people understand that and will co-operate.

What is the Quality of Encounter model?

The Quality Encounter Model has been adapted to suit general police encounters and in particular stop & search. It is encapsulated into four simple headings: **Explain, Ensure, Record, Reassure**.

- Explain** - An appropriate introduction and explain what is going to happen during the encounter.
- Ensure** - Obtain agreement or understanding and thus co-operation.
- Record** - Provide acknowledgement of the encounter (hand over a copy of the search form/receipt).
- Reassure** - A positive departure (explain you are acting to protect Londoners).
For more information see the [stop and search intranet site](#).

Does the National Decision Model (NDM) apply to stop and search encounters?

Yes, you must apply the NDM when conducting stop and search encounters:

> Gather Information and Intelligence > Assess threat and risk and develop a working strategy > Consider powers and policy > Identify options and contingencies > Take action and review what happened >

The NDM puts the Code of Ethics at the heart of all police decision making. This distinguishes the NDM from other decision making models and recognises the need for all police decisions to be consistent with the principles and standards of behaviour set out in the Code.

Should persons be removed from public view when being searched?

PACE Code A provides specific guidance on when a person should be searched out of public view: *Where on reasonable grounds it is considered necessary to conduct a search which is more thorough than a superficial examination of a persons clothing, this should be done out of public view.* However, all stops and searches must be carried out with courtesy, consideration and respect for the person concerned. Every reasonable effort must be made to minimise embarrassment that a person being searched may experience and this may include searching out of public view. The co-operation of the person to be searched must be sought and, depending on the circumstances, officers should consider asking the person to be searched if they want the search to take place out of public view. Where there may be sensitivities (religious or other) about the removal of a head or face covering, the officer should permit the item to be removed out of public view.

Can an officer search a person of the opposite sex?

Yes, it is legitimate for an officer of any sex to stop and search a person of any sex *providing the search is in public and is restricted to a superficial examination of outer garments.* An officer can also place his or her hand inside the pockets of outer clothing, and feel round the inside of collars, socks and shoes if this is reasonably necessary in the circumstances to look for the object of the search. A person's hair may also be searched in public (subject to the restrictions on removal of headgear).

However, every reasonable effort must be made to minimise embarrassment that a person being searched may experience. Therefore, where practicable an officer of the same sex as the person to be searched should conduct these types of searches, unless an officer of the same sex is not readily available and waiting would unnecessarily delay the length of time taken to conduct the encounter or frustrate the object of the search.

Any search involving the removal of more than an outer coat, jacket, gloves, headgear or footwear, or any other item concealing identity, may only be made by an officer of the same sex as the person searched and may not be made in the presence of anyone of the opposite sex unless the person being searched specifically requests it.

Where there is doubt as to the sex of a person, the person will be asked what gender they consider themselves to be. They will then be treated by officers as their elected gender.

Note: The gender of the searching officer may cause offence to the person being searched as would insensitivity by the searching officer towards persons who have undertaken gender reassignment. Failing to respect the confidentiality of the person being searched may be an offence under the Gender Recognition Act 2004.

Are school premises deemed to be public places for searches under s.1 PACE?

No, a school is deemed private premises and includes all buildings, corridors, outbuildings and playing fields within the school boundary. The boundary also extends to those premises owned and used by the school that are at a different location.

Can I stop and search persons for controlled drugs within school premises?

Yes, s.23 Misuse of Drugs Act 1971 provides police with the power to search persons for controlled drugs and detain for the purpose of search if they have reasonable cause to suspect unlawful possession. This power is not restricted to public places and therefore can be exercised on school premises.

Should I deal with children and young persons any differently?

Some people, particularly those under 18 years of age, may be more vulnerable and have greater concerns about the encounter when approached or questioned by officers. A negative stop and search encounter can have a long (even lifetime) effect on a child or young person. Officers need to be tolerant, patient and aware of any concerns when seeking co-operation.

In situations where a child under 10 is searched and illegal items are found in their possession, the child should be considered as an exploited victim rather than an offender. An appropriate assessment and action must be put in place as required. The parent / guardian must be notified when a child under 10 is stopped and searched.

In situations where a child over 10 years' old or a young person is searched and illegal items are found, officers have to be aware of the impact of their stop and search but the child or young person will not automatically be treated as a victim.

Does Every Child Matters (ECM) impact on stop and search?

Yes, where a child or young person is stopped and searched officers must consider the requirements of the Children Act 2004. Safeguarding and welfare must be of paramount consideration when undertaking stop and search on a person under 18. In situations where a child is searched and illegal items are found in their possession, the child should *generally* be considered as an exploited victim with no capacity to make their own choices rather than an offender. Where ECM applies a MERLIN PAC must be completed in addition to a stop and search form. Consideration must be given to removing the child or young person to a place of safety (See '[Useful Resources](#)' for more information on Every Child Matters').

Note: ECM does apply to a search of a child under 10 years old and a MERLIN PAC must be completed and the parent / guardian notified in these circumstances.

Can I require the removal of headgear in public?

Under PACE powers, a police officer cannot require the removal of a head or face covering in a public place (only outer Coat, Jacket and Gloves).

However, under s.60AA Criminal Justice and Public Order Act 1994 (s.60AA CJPOA) a police officer can require the removal of a head or face covering in a public place where there is reason to believe that the item is being worn by the individual wholly or mainly for the purpose of disguising identity – but only where a s.60 or s.60AA authorization is in place.

Many people customarily cover their heads or faces for religious reasons - for example, Muslim women, Sikh men, Sikh or Hindu women, or Rastafarian men or women. Where there may be religious sensitivities about requiring (under s.60AA CJPOA) the removal of such an item in public, the officer should permit the item to be removed out of public view. Where practicable, the item should be removed in the presence of an officer of the same sex as the person and out of sight of anyone of the opposite sex.

Do I have to record if I require someone to remove more than their jacket, outer coat and gloves (JOG)?

Yes, further details of more thorough searches (more than JOG removed) must be recorded on the CrimInt search record.

Under what circumstances can I conduct a More Thorough Search where Intimate Parts are exposed (an MTIP search)?

Searches involving exposure of intimate parts 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.

The thoroughness and extent of a search must depend on what is suspected of being carried, and by whom.

In order to conduct a more thorough search, the searching officer must reasonably consider:

- the detained person may have concealed an article for which the officer has reasonable grounds to search for; and
- an MTIP search is proportionate and necessary to find such an article.

More thorough 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. The co-operation of the person to be searched must be sought in every case, even if the person initially objects. The search shall be conducted with proper regard to the sensitivity and vulnerability of the person in these circumstances and every reasonable effort shall be made to minimise embarrassment. Persons who are searched shall not normally be required to remove all their clothes at the same time.

MTIP searches must be conducted in accordance with paragraph 11 of Annex A to Code C (which refers to the conduct of strip searches of detainees in custody).

Do I need authority to take someone back to the police station for an MTIP search?

Yes, you require the authority of a supervisor (Sergeant or above) and it has to be recorded on the CrimInt search record. The person must be offered a copy of the form 5090 before they leave.

How do I record an MTIP search?

Form 5099 is obsolete. You must now record full details of more thorough searches where intimate parts are exposed on the CrimInt search record.

NOTE: Until software changes are implemented, users of electronic recording devices (PDA / iPad) must separately log into CrimInt when they return to the police station and manually update their electronic search record with further details of whether more than JOG was removed.

Do I have to complete notes of incident for an MTIP search?

Yes, you must always complete notes of incident (in addition to Form 5090 and CrimInt search record) in your notebook or an EAB when conducting a more thorough search where intimate parts are exposed, even where the incident does not amount to a 'resented stop'.

Can I conduct an MTIP search in the back of a police van?

No, more thorough 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). You can complete a more thorough search in a police van (e.g. by requiring a person to take off a T-shirt), but you cannot expose intimate parts of the body.

How do I establish the gender of a person for searches which are 'more thorough'?

A transgender person being searched in the street can be searched by any officer as long as that search is necessary and carried out in accordance with the provisions of PACE Code A, i.e. removal of no more than jacket, outer coat and gloves and restricted to a superficial examination of outer garments.

When establishing whether the person concerned should be treated as being male or female for the purposes of 'more thorough' searches (removal of more than jacket, outer coat, gloves, headgear, footwear or any item concealing identity), the following approach which is designed to minimise embarrassment and secure the person's co-operation should be followed:

(a) The person must not be asked whether they have a Gender Recognition Certificate;

(b) If there is no doubt as to whether the person concerned should be treated as being male or female, they should be dealt with as being of that sex.

(c) If at any time (including during the search) there is doubt as to whether the person should be treated, or continue to be treated, as being male or female:

(i) the person should be asked what gender they consider themselves to be. If they express a preference to be dealt with as a particular gender, they should be asked to indicate and confirm their preference by signing the search record or the officer's notebook. Subject to (ii) below, the person should be treated according to their preference;

(ii) if there are grounds to doubt that the preference in (i) accurately reflects the person's predominant lifestyle, for example, if they ask to be treated as a woman but documents and other information make it clear that they live predominantly as a man, or vice versa, they should be treated according to what appears to be their predominant lifestyle and not their stated preference;

(iii) if the person is unwilling to express a preference as in (i) above, efforts should be made to determine their predominant lifestyle and they should be treated as such. For example, if they appear to live predominantly as a woman, they should be treated as being female; or

(iv) if none of the above apply, the person should be dealt with according to what reasonably appears to have been their sex as registered at birth.

Once a decision has been made about which gender an individual is to be treated as, each officer involved in the search should, where possible, be advised before the search starts of any doubts as to the person's gender and the person informed that the doubts have been disclosed. This is important so as to maintain the dignity of the person and any officers concerned.

The gender of the searching officer may cause offence to the person being searched as would insensitivity by the searching officer towards persons who have undertaken gender reassignment. Failing to respect the confidentiality of the person being searched may be an offence under the Gender Recognition Act 2004.

What is the policy in relation to transgender officers conducting more thorough and MTIP searches?

(i) Those officers who identify as transsexual, (transgender being an overarching term) can go through a process of transitioning and be granted a Gender Recognition Certificate (GRC). If an officer holds a GRC she or he can conduct more thorough and MTIP searches in the way that others can.

(ii) If a person identifies as transsexual but hasn't started the processes of transitioning or is on their journey, but has not yet been granted a GRC, then they can apply for an exemption certificate which will preclude them from carrying out more thorough and MTIP searches.

(iii) Officers who identify as bi-gender or non-binary or gender fluid can only conduct more thorough and MTIP searches on those who have the same gender assigned at birth (same sex).

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How do Supervisors supervise stop and search records?

All Stop and Search records must be supervised electronically via CrimInt

I have a suggestion, how can I feedback?

Policy toolkits are a way of developing and sharing best practice. If you have any suggestions, questions, useful documents for the 'Useful Resources' etc, please contact the Central Stop and Search team on the following e-mail - CPIC Mailbox - Stop & Search Team.