

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

ETHICS AND TRANSPARENCY PANEL

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	STRIP SEARCH OF FEMALES IN POLICE CUSTODY FOLLOWING ARREST
Date	
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Purpose of Report

The purpose of this paper is to provide to the Ethics Committee a:

1. brief summary of the number of females strip searched in police custody following arrest (by month) for the last 6-months
2. how this compares to strip search of males by % for the same period
3. how this compares to first arrivals in custody by % for the same period
4. reason given for the search
5. reason for arrest
6. articles seized as a result of search
7. breakdown by age and ethnicity

Recommendation

- 1) To note the contents of this report

Context

A custody officer may authorise a strip search in custody and the power to do so comes from two sources: -

Section 54 of the Police and Criminal Evidence Act 1984 (PACE) provides a custody officer with a power to search, seize and retain items which have been found during the search of detained persons.

- S54(3) a custody officer may seize and retain any such thing or cause any such thing to be seized and retained.
- S54(4) The custody officer may seize clothing and personal effects if they believe that the person may use them: -

- (i) to cause physical injury to himself or any other person;
- (ii) to damage property;
- (iii) to interfere with evidence; or
- (iv) to assist him to escape; or

has reasonable grounds for believing that they may be evidence relating to an offence.

Code C, Annex A, para. 10 of PACE states that 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.

Paragraph 10 does not identify the types of articles which a person would not be allowed to keep, however since S54 (3) allows a custody officer to seize any article, this paragraph will apply in the same way.

The belief must be reasonably held and may arise as a result of the following: -

- Information from the arresting officer
- Information from the detainee
- Prior information i.e. following intelligence checks
- The offence for which the person has been arrested

The custody officer for the purposes of PACE is the custody sergeant.

Following recent recommendations by the Children’s Commissioner Dame Rachel De Sousa, Leicestershire Police has now raised the authority level for strip searches of children under S54 PACE to that of Inspector.

Summary

Overall, a total number of 238 strip searches following arrest were conducted in Leicestershire Custody suites in the 6-month period 1st February to 31st July 2023.

In the same period, 7,488 persons were arrested and detained in custody, 1,123 were female.

The use of strip search represents 3% of all persons arrested.

	Female	Male	Total
Feb	11	41	52
Mar	10	39	49
Apr	8	31	39
May	2	29	31
Jun	5	26	31
Jul	7	29	36
Grand Total	43	195	238

Of the 238 strip searches conducted, 18% were carried out on females and 82% on males.

Monthly % Strip Search	
Female	Male
21%	79%
20%	80%
21%	79%
6%	94%
16%	84%
19%	81%
18%	82%

Of all female strip searches, 72% were of a White ethnicity and 98% over the age of 18. Statistically these figures show no significant difference to the total number of female detainees by ethnicity/age.

Female Ethnicity	
Asian	1
Black	3
Mixed	1
Not stated	7
White	31

The 1 strip search carried out on a female under the age of 18 was due to a history of self-harming and suspicion that broken glass or similar was secreted upon the body somewhere.

Female Age			
		32	3
		33	4
17	1	34	2
18	2	35	1
19	2	37	2
21	1	38	1
22	2	40	4
23	4	44	1
24	2	45	2
28	1	48	1
29	2	50	1
31	2	53	2

In relation to females subject to strip search, 14 were arrested for drugs related offences (33%) and 20% were arrested for violence offences.

Drug Trafficking	9
Violence With Injury	6
Arrested on Court Warrant	5
Drug Possession	5
Criminal Damage	4
Violence Without Injury	3
Shoplifting	2
Public Disorder	2
Miscellaneous Crime against Society	2
Vehicle Crime	1
Possession Of Weapons Offences	1
All Other Theft Offences	1
Arson	1
Burglary	1
Traffic	1

Of the 43 strip searches carried out on female detainees during this period, below is a table of results showing the sort of items discovered.

Item Found	
£400 in underwear	1
Cash	1
Chain, Key, Cash, Pills	1
Class B in top	1
Glass Shards	1
Knife	1
Lighter, Tin Foil	1
Medication strips	1
Piece of razor blade	1
Suspected Heroin	1
Vape & Crack Pipe	1
Glass in underwear	2

A strip search of a female will always be done by officers of the same sex. Where possible, the search will be done in sections of the body to prevent total exposure and protect dignity of those involved. The search will take place out of view, usually in the police cell. In the case of a juvenile, the authority level for a strip search in Leicestershire is now inspector and in the case of a juvenile and/or vulnerable person, an appropriate adult will be requested (unless the need to conduct the search is urgent and the delay in obtaining an AA creates an unnecessary risk).

Females adversely affected by the impact of a strip search in custody can ask/will be offered to speak to a health care professional and/or mental health practitioner whilst in custody.