



## COMMISSIONERS INDEPENDENT SCRUTINY REPORT

### STRIP SEARCH

### 17<sup>th</sup> April 2024

<b>Scrutiny Panel:</b>	Strip Search
<b>Members:</b>	<p>Sophie Norrington Julie O'Connor Penny Rowlands Helen Turner Joshua Whitehurst</p> <p>Also in attendance: Chief Inspector Mark Barlow Michelle Ryan – SCO Holly Sproston – SCO</p>
<b>Purpose:</b>	<p>To ensure that Strip Search procedures have been followed by officers in respect of both adults and Under 18's, with specific focus on:</p> <ul style="list-style-type: none"><li>• Reasonable grounds for Stop Search – If relevant.</li><li>• Strip Search Justification.</li><li>• Appropriateness of the location of Strip Search – if not in a custody facility.</li><li>• Gender of conducting officers.</li><li>• Inspector Authorisations for the Strip Search.</li><li>• Presence of an Appropriate Adult &amp; Parent/Guardian notification prior to search if Under 18.</li><li>• Presence of a safeguarding referral to the Local Authority for Under 18's</li><li>• Use of BWV (Audio Recording Only) in line with force policy.</li><li>• Proportionality of any applied Use of Force.</li></ul>
<b>Panel Findings:</b>	<p>During the period from 1 February – 24 March 2024 there were 286 incidents of Strip Search - 7 as a result of Stop Search and 279 undertaken in Custody. The panel selected 8 custody records to scrutinise and 2 Stop Search incidents that resulted in a Strip Search.</p> <p>When undertaking a Strip Search as a result of a Stop Search, officers are mandated to use their BWV camera to capture the audio only of the search.</p> <p>Of the 2 Strip Search incidents as a result of a Stop Search, audio footage was available for all.</p>



8 custody logs, where Strip Searches were undertaken, were provided for the panel to scrutinise. However, only 3 were scrutinised in the time allocated.

**Stop Search Incident 21240024486**

The body worn video footage of this incident was viewed/ listened to. The detainee was a male who had been observed smoking what appeared to be cannabis whilst talking to occupants of a vehicle. Male detainee made off when approached by officers and ran in to a busy road. He was eventually detained. Intelligence indicated that the detainee had previous convictions for possession with intent to supply and had been detained in an area known for drug supply. The detainee indicated that he has a number of mental health issues and that he has not been taking his medication. The search in the street does not produce anything. The panel indicated it wasn't clear why the decision was then made to Strip Search the detainee. The BWV footage indicates that no police vehicles are available and the detainee is handcuffed and walked to the station some 5 minutes away from the incident. The panel felt that it was inappropriate to walk a handcuffed detainee through a busy town. The officer escorting the detainee tried to make light of the situation and keep the detainee calm during the incident. It was noted that authorisation was given by an Inspector for the Strip Search to be undertaken. The search was undertaken in the police station with two officers present. Unfortunately, the BWV camera was not averted and the Strip Search was visually recorded. Panel members did not view this but were able to listen to the audio of the recording. Drugs were found on the detainee. The panel recommends that the officers are to be reminded to follow policy and avert the BWV camera during a strip search.

**Stop Search Incident 21240029922**

The body worn video footage of this incident was viewed/ listened to. The detainee was male, who was initially detained outside a public house. The security staff at the venue had indicated that the detainee may have cocaine and he was seen by officers persistently messing with the waistband of his trousers. The lead officer explained very clearly what was happening and the panel noted that the officer acted professionally and calmly. The detainee was taken to a local police station. The search was authorised by an Inspector. The search conducted in a private room by two male officers. The BWV camera was averted but not face down. Unfortunately, a reflection in plastic room divider meant that video of the search was visible. However, the panel did not view this but were able to listen to the audio of the recording. The audio was clear and the panel noted that the whole process was handled well with full compliance in a calm manner. The officer continually reassured the detainee and explained every step of the process. Drugs were found during the search. The panel recommends that the officers are to be reminded to follow policy and fully avert the BWV camera during a strip search.



#### **Custody Log C24003334**

The detainee was a male who was under 18. The custody log does not indicate a clear rationale for the Strip Search. The authorisation appears to be given by a Sergeant rather than an Inspector even though the detainee is under 18. It is not clear from the custody log how many officers were present or whether it was a full Strip Search or partial Strip Search. The record does indicate that the detainees track suit bottoms were removed and he was provided with custody tracksuit bottoms. A safeguarding referral was made. The panel felt there was a lack of detail on the custody log which was disappointing for a detainee who was very young. There was no BWV audio recording of the search.

#### **Custody Log C24004757**

The detainee was a female adult. The detainee was arrested at a prison for suspected conveying of a prohibited item into the building. Detainee indicates she will self-harm and has a history of drug abuse/ concealing drugs. This is indicated as the reason for the Strip Search but it was not clear in the log. The search is authorised by a Sergeant. The custody log does not indicate who was present when the search was undertaken. Nothing was found on the search. The panel felt that the custody log was light on detail in terms of the clear rationale for the search. There was no BWV audio recording of the search.

#### **Custody Log C24004070**

The detainee was a male under the age of 18. The detainee had been reported missing previously and had been arrested for stealing bikes. The detainee had markers on his file for self-harm. The rationale is clear on the custody record for the Strip Search but it appears to be authorised by a Sergeant rather than an Inspector. There is no Appropriate Adult present, however the log does indicate that the search is urgent and the decision is made to undertake it quickly due to the self-harm risk already detailed. The custody log indicates that the detainee is wearing tracksuit bottoms with a cord and these are removed and the detainee provided with custody tracksuit bottoms. The custody log only reflects one officer being present during the search. The log also indicates objects found but it is not clear whether this is the cord from his own tracksuit bottoms or whether something else was found. The custody log indicates that relevant safeguarding referrals are made. There was no BWV audio recording of the search.

#### **Observations and Recommendations:**

#### **Observations:**

- Of the 2 custody logs for under 18 detainees neither had the correct level of authorisation. The panel were instructed by the Force that that authorisation for all Strip Searches of under 18s in custody should be from an officer at Inspector level.



- None of the Strip Searches in custody had accompanying BWV audio recordings. The panel is aware that the allocation of BWV cameras to custody staff has only just commenced and would like to be notified when this is completed.
- The panel are concerned that the custody logs C24003334 and C24004070, for Strips Searches on detainees under the age of under 18, lacked in detail.
- The custody logs viewed also indicated only one officer present and in the case of C240045757 no officers were recorded as being present.
- The panel though the Strip Search undertaken as a result of stop search were conducted well but officers should be reminded to place cameras face down to avoid any embarrassing reflections from surfaces.

**Recommendations:**

- All Strip Searches in custody for detainees under the age of 18 to be authorised at Inspector level as per policy.
- That all officers present for Strip Searches in custody are clearly listed.
- To ensure detailed entries on the custody log for all detainees under the age of 18.
- Officers to be reminded that during Strip Searches BWV cameras should be faced down with the camera averted so that audio only is recorded.
- The Force to use body worn cameras for custody staff when undertaking Strip Searches to record the audio.

**Force Lead Response:**

**Comments from Chief Inspector Mark Barlow:**

I would like to thank the members of the CISP for their time and dedication. The recommendations and observations of the panel has been fed back to the officers and their supervisors in order to improve our delivery of Stop Search.

**Comments from Chief Inspector Lucy Maskew:**

As always thank you to the panel for taking the time to review the records and provide scrutiny.

I have reviewed the comments made in regard to solely the strip searches in custody. There are a number of concerning issues raised so I have, in response, reviewed the custody records myself to gain a better understanding of why these errors in recording have potentially been made and to understand the comments further.

Below are my observations on the records reviewed:

**C24003334**

I believe in the case of this record the panel have not had access to the complete custody record. I believe they have read the detention log alone and been unable to access the strip search tab which is generated in incidents like this. This is



where further detail is provided. Unfortunately, a custody member was not able to join the panel on the day and these issues may have been resolved. However, I am able to report the following from the tab to offer reassurance to the panel.

The tab details that this was a partial search whereby the male had his trousers removed not underwear and was given a replacement because they had a cord in them. The custody sergeant has detailed this has been done as the child has made threats to self-harm at the booking desk and he intended to place him as a level 1 prisoner. As Custody lead, I feel this is an appropriate action to take and not too intrusive. There was one member of staff present for this which was recorded on the search tab, as this was not a full strip search and the staff member wouldn't have been present in the room. Either way there is an appropriate adult marked up as being present throughout. I feel this action was appropriate as to have multiple people in the room when the child undressed in these circumstances would not be necessary. An initial pat down search had already been carried out at the desk. The incident is recorded as a strip search due to the new legislation which was introduced which indicates that all removal of clothing regardless of amount has to be recorded as a strip search. However, when it is not a full removal of clothing in custody and this is just for the purpose of changing clothes for safekeeping the member of staff would not normally accompany them in the room or switch BWV on for this. This is considered a more proportionate response because of the difference in the level of intrusion. Sergeant authority is considered efficient for this type of partial clothing removal as the numbers of this type of activity are also high. It is only when a full strip search is conducted that inspector authority is required for children.

#### **C24004070**

On review this custody record is very similar to the above and similar circumstances. It is a partial clothing removal of trousers to obtain the cord. This was due to a record of self-harm. The placement of the detainee in the cell was required and given the low level of intrusion, they are not observed in this activity. There is one staff member present nearby and no inspector authority required. I am satisfied that the sergeant has again recorded this detail on the search tab and it is in line with custody policy regarding searching. Again, due to these circumstances, there is no need for BWV according to policy.

I feel it is important to clarify with the panel the following policy for strip search within custody and the difference in management of recording of this in comparison to a partial removal of clothing for detainee safety which is less intrusive

- BWV is only to be used to record audio when it is a full strip search not when it is a partial search to obtain clothing items for the detainee's safety.
- An AA may not be requested for a juvenile if the search is urgent and the sergeant just requires partial clothing for safety to place them in a cell as they will be unaccompanied to change.



- For partial removal of clothing for cords and safe keeping, there is only one member of staff as they are not observed whilst changing and it is not as intrusive.
- An inspector authority for juveniles is only required when a full accompanied strip search of a child takes place and there is two people present.
- There is ongoing work in custody performance to separate the recording of this nature of activity in custody more effectively.

I would suggest on review the following actions are taken:

- A custody member is present at all scrutiny panels around strip search when custody records are being reviewed as the policies differ from stop and search and the officer would be able to give support with access to information on the additional tab. Since the panel this has been addressed as custody members assigned for upcoming panels.
- Custody strip search SPOC to remind staff of the force policy around BWV audio for full strip search as I do feel this is an area custody need to continue to work on.

I hope the above comprehensive review and explanation of custody activity offers some reassurance in regard to practice in the custody environment and that following the next panel a clear comprehension of the record detail is obtained.