



Independent Office
for Police Conduct

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Dear Craig

Complaints following strip-searches of children

I am writing to suggest that we convene a meeting between the IOPC, NPCC leads and others across the policing sector to discuss and address the increasing concerns around the strip-searching of children in custody.

Our concerns were initially raised once we became aware of the Child Q complaint which, despite clearly being of significant public interest, was not referred to us at the earliest opportunity by the Metropolitan Police Service (MPS). A subsequent review of similar cases by the force has identified at least nine more complaints about the strip-search of children. Those not previously referred have now been sent to us and decisions taken on which cases we will investigate.

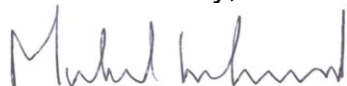
We have identified that the majority of those strip searches of children took place without an Appropriate Adult being present. We are therefore issuing a Section 10 learning recommendation to the MPS to take immediate steps to ensure that strip searches of children (undertaken as part of a stop and search or following an arrest) are being carried out in line with relevant legislation, national guidance and local policy. In particular, that the strip search of a child is conducted in the presence of an Appropriate Adult. Such searches should only be conducted without an Appropriate Adult in limited circumstances where a valid exception exists (as set out in PACE Code C). I have attached the full details of our learning recommendations to this letter.

Returning to the suggested meeting, what we do not have sight of, is whether this is a wider issue than just in the MPS. In the past we have often seen something that may arise in the largest force, then raises questions and other forces also identify cases. It would be helpful to discuss this, and the concerns and practices identified through the Child Q case and others now referred. By coming together as a sector in a co-ordinated, systemic way we can address increasing concerns about the use of strip search powers in England and Wales, in order to provide assurance and confidence that they are only being used when absolutely essential. We know the NPCC and CoP have been interested in entering discussions and we would offer to host such a meeting with relevant stakeholders.

We are already working with the NPCC and CoP leads on PACE Code A as a result of our work around stop and search. The meeting suggested presents an opportunity for us to bring this strand of work together with any action needed in relation to the use of or guidance supporting the strip search sections of PACE Code C. It is an opportunity to take a collegiate approach to broader developments and activities around the use of powers the police have to stop and/or search members of the public.

If you agree with our proposal, please contact [REDACTED] in our Private Office who will make the necessary arrangements and contact the other potential attendees.

Yours sincerely,



Michael Lockwood
Director General
Independent Office for Police Conduct

Cc: Kathie Cashell – IOPC Director of Strategy and Impact
Amanda Rowe – IOPC Interim Director of Operations

Annex: Section 10 recommendation to the Metropolitan Police Service: Strip searches conducted on children

Subject**Section 10 recommendation to the Metropolitan Police Service: Strip searches involving children****Recommendation**

The IOPC recommends that the Metropolitan Police Service (MPS) should take immediate steps to ensure that any strip searches of children are being carried out in line with relevant legislation, national guidance and local policy.

In particular, the MPS should ensure that:

- a) The best interests¹ and safeguarding needs of the child are a primary consideration when deciding whether to conduct a strip search.
- b) The strip search of a child is conducted in the presence of an appropriate adult. Such searches should only be conducted without an appropriate adult in limited circumstances where a valid exception exists (as set out in PACE Code C).
- c) The strip search of a child is conducted in such a way which, as far as possible, maintains their dignity and takes into account their health, hygiene and welfare needs.

Notwithstanding the above recommendation, as part of our ongoing investigations involving strip searches of children, we shall consider whether existing guidance and policies remain appropriate. This may lead us to issuing further recommendations designed to bring about improvements in this area.

Notes to recommendation

This recommendation follows the IOPC receiving 11 referrals from the MPS involving strip searches of children². These cases involve children aged between 14 and 17 years-old who, between December 2019 and March 2022, were strip searched. Of the 11 children who were searched, two were White, five were Black and three were of Mixed ethnicity. The ethnicity of one child was not recorded. Nine of these strip searches resulted in no items being found on the child³.

¹ Article 3.1, The United Nations Convention on the Rights of the Child (UNCRC), 1990, states that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

² Article 1, The United Nations Convention on the Rights of the Child (UNCRC), 1990, states a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.

³ In one incident the child handed over a Stanley knife prior to the strip search. No further items were found during the search.

In the majority of these searches there was a suspicion the child was in possession of drugs or weapons. While such searches can assist to identify harmful items and prevent harm, any consideration of whether to strip search a child should also concentrate on their safeguarding needs. Concerns have also been raised about the risk of adultification bias⁴, which must be better understood and tackled to ensure children receive a child-rights based response from the police.

PACE Code A states that searches involving exposure of intimate parts of the body (otherwise known as strip searches) must be conducted in accordance with paragraph 11 of Annex A to PACE Code C. This states that except in cases of urgency, where there is a risk of serious harm to the detainee or to others, whenever a strip search involves a child then one of the people who must be present during the search is an appropriate adult.

Of the 11 children who were strip searched, nine did not have an appropriate adult present during the search. In some incidents it appears there was no attempt made to understand if and/or when an appropriate adult could attend before proceeding with the search. In other cases it appears an appropriate adult was not present as the child indicated they did not want that person present. Appropriate adults are a key procedural safeguard that support, advise and assist children to ensure their rights, entitlements and welfare are safeguarded.

PACE Code C highlights that except in cases of urgency, a search of a child may only take place in the absence of an appropriate adult if the child 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 should be made of the decision which should be signed by the appropriate adult.

PACE Code C states strip searches must be carried out with proper regard to the dignity, sensitivity and vulnerability of the person, and that every reasonable effort shall be made to minimise embarrassment. In some cases concerns have been raised that the children involved were menstruating. In addition, some of the children strip searched had additional vulnerabilities, including neurodevelopmental conditions (such as ADHD and Autism) and/or mental health conditions.

⁴ Adultification bias is a concept where adults perceive children from a Black, Asian or other minority ethnic background being older than they are. It is a form of bias where such children are perceived as being more 'streetwise', more 'grown up', less innocent and less vulnerable than other children. This particularly affects Black children, who might be viewed primarily as a threat rather than as a child who needs support.