


# Strip searching by the police: potential for abuse?

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Before any diagnostic examination of a child, every paediatrician routinely obtains consent or assent from that child, as age appropriate, and ensures that a parent or carer is present and gives informed consent to whatever is proposed. There may be exceptions—for example, an older child who is an inpatient and who knows the medical team well and who is happy to be examined without a parent or carer present. In such a case, remote consent from the parent would be sought, and there would be a chaperone present who is known and trusted by the young person. This is elementary paediatrics. The only exception, which would require the clearest justification, would be if an examination or procedure had to be performed urgently because the child was in immediate danger of serious harm or death. In such a case, a wise paediatrician would, where possible, always first seek the opinion of a senior colleague as to the wisdom of proceeding.

However, this does not seem to have crossed the radar of the Police. A recent report has highlighted the shocking number of strip searches of children in England and Wales.<sup>1</sup> There were a total of 2847 children and young people aged 8–17 who underwent this humiliating procedure between 2018 and mid-2022. More than half took place without an appropriate adult being present and, in nearly half of the cases, the location of the search was not even recorded. Black children were six times more likely to be strip searched than others. Furthermore, experience of racism is health-harming.<sup>2</sup> This further evidence of institutional racism is disgraceful; black children's bodies matter just as much as white children's bodies, and black people have a special right to press for reform in this and many other instances. They should be supported by all decent people of whatever background, especially child professionals and including those many police officers who

would recoil from these practices, to end this traumatic way of searching children.

The time is now for effective reform. Current guidance with regard to searching adults is that “The police can ask you to remove your clothing and to expose intimate parts of your body during a strip search. If you refuse, they can use reasonable force where necessary to carry out the search, but this must only be used as a last resort”.<sup>3</sup> However, an unlawful strip and search constitutes assault and is a violation of child rights and a breach of safeguarding duties. The first step is an immediate ban on all strip searches of minors by the police unless a parent or carer is present, to be followed by legislation enshrining this in law. This would also apply in other circumstances such as immigration. The sole exception is if the child is at immediate risk of physical harm. If an Officer believes this to be the case, every effort should be made to (1) contact the parents and have them present at least virtually by mobile phone, if possible, using any one of several readily accessible platforms; and (2) get a second opinion from a police doctor before proceeding. If the child is not in immediate danger but is believed to be carrying drugs or a weapon, for example, the child should be detained in a safe and age-appropriate facility while arrangements for a search can be made. If a search must be made, it must be in a place of privacy, chaperoned by someone the young person knows and trusts, and documented carefully. It would be wise to involve a senior and experienced paediatrician with experience in gaining consent from minors in this process. The governance around child sexual abuse examinations by paediatricians might usefully be applied here. It is inconceivable that more than 500 children/year needed to be strip-searched to prevent imminent physical harm and, indeed, it is very difficult to think of *any* circumstances whereby an immediate strip search to prevent serious harm is essential. There should be formal guidance issued to the police to protect children in the future.

There must also be teeth; we cannot have vague platitudes. As with an adult, so with a child, removing someone's clothing without consent is sexual abuse.

There needs to be an immediate and clear statement that any police officer who strip searches a child without a parent or carer present will be immediately dismissed and compelled to sign the Sex Offenders Register unless they can justify their actions to an independent panel, including a senior paediatrician and at least one lay person of the same ethnic group as the child. Not merely must the action be fully justified, but it must be shown that every reasonable effort had been made to contact parents or carers. The presumption must be that such a search was abusive until proven otherwise.

There is no reason why these steps cannot be immediately enacted. If the police are serious about regaining the public's trust, which has been further eroded by the recent barrage of evidence-based reports of institutional racism and abuse of power,<sup>4</sup> they should act now, and UK Governments and Assemblies should follow rapidly with legislation.

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