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Faculty of Forensic and Legal Medicine

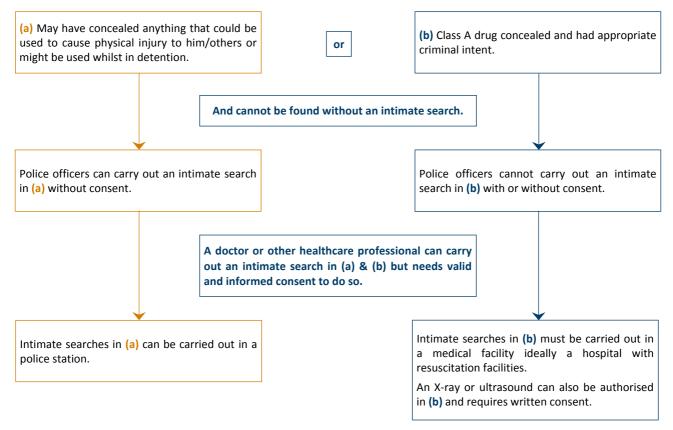
Quick Reference Guide

Intimate Searches in Police Custody

The medico-legal guidelines and recommendations published by the FFLM are for general information only. Appropriate specific advice should be sought from your medical defence organisation or professional association. The FFLM has one or more senior persons from each of the three medical defence organisations on its Board, but for the avoidance of doubt, endorsement of the medico-legal guidelines or recommendations published by the FFLM has not been sought from any of the medical defence organisations.

An Intimate Search is a physical examination of body orifices other than mouth and could therefore include the ear, nose, rectum or vagina.

It requires the authority of an inspector or above, the detainee is arrested, in police detention and:



A doctor needs to

- Ensure that any urgent therapeutic interventions are prioritized
- Ensure and document that proper authorisation has been obtained
- Ensure that the detainee is fully aware of the risks of the search, the risk of not carrying out the search, the possibility that a police officer may carry out the search in certain cases and the fact that refusal may imply guilt
- · If consent is refused no further action in respect of the search should be carried out
- If consent is agreed than the search should take place as detailed above
- A local protocol between the police and local A&E Department should be available to facilitate this
- As sharp objects may be concealed in the rectum or vagina, consideration should be given to undertaking a proctoscopy or speculum examination before a digital examination.

Police sometimes attempt to argue that a Class A drug could be used to cause harm and that an intimate search under (a) could be authorised and carried out by an officer or doctor without consent. THIS IS NOT THE CASE and doctors should explain why and refuse.

For more detailed guidance please see the FFLM/BMA document *Recommendations for Healthcare Professionals asked to perform intimate body searches.*