



Intimate Searches in Police Custody

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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) May have concealed anything that could be used to cause physical injury to him/others or might be used whilst in detention.

or

(b) Class A drug concealed and had appropriate criminal intent.

And cannot be found without an intimate search.

Police officers can carry out an intimate search in **(a)** without consent.

Police officers cannot carry out an intimate search in **(b)** with or without consent.

A doctor or other healthcare professional can carry out an intimate search in (a) & (b) but needs valid and informed consent to do so.

Intimate searches in **(a)** can be carried out in a police station.

Intimate searches in **(b)** must be carried out in a medical facility ideally a hospital with resuscitation facilities.
An X-ray or ultrasound can also be authorised in **(b)** and requires written consent.

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 then 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.*