ARCHIVED 11 AUGUST 2024



Faculty of Forensic & Legal Medicine

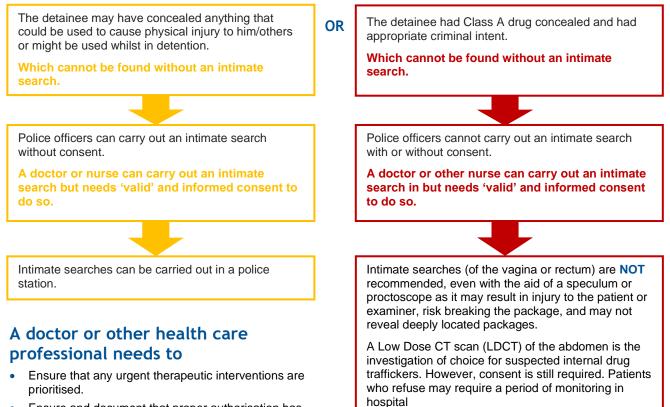
Intimate Searches in Police Custody

March 2021 Review date March 2024 - check www.fflm.ac.uk for latest

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

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

It requires the authority of a police inspector or above, if the detainee is arrested, and in police detention and they believe that:



- 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 Emergency Department should be agreed and available to facilitate this.
- As sharp objects may be concealed in the rectum or vagina, if a digital examination is to be carried out then consideration on should be given to undertaking a proctoscopy or speculum examination prior to it.

Police sometimes attempt to argue that a Class A drug could be used to cause harm and that an intimate search under the left hand column could be authorised and carried out by an officer, doctor, or nurse, without consent. THIS IS NOT THE CASE and healthcare professionals should explain why and refuse.

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

Produced by Dr Margaret Stark and Dr Alex Gorton on behalf of the Faculty of Forensic & Legal Medicine © Faculty of Forensic & Legal Medicine, Mar 2021 Review date: Mar 2024 Send any feedback and comments to forensic.medicine@fflm.ac.uk