



Freedom of Information request 01/FOI/24/2399
We received your request on the 24/01/2024.

Request

You asked us:

Context

The College of Policing changed the APP relating to: 'Detention and Custody - Control, restraint and searches', with the addition of the section 'the documenting of strip searches in police custody.'

This change to the APP was made on 05.07.2023.
<https://www.college.police.uk/app/detention-and-custody/changes>

It details the legal position and requirements re police custody strip searches / welfare clothes removal / PACE Code C Annex A - citing a legal ruling from 2015, Davis v Merseyside Police (which is sometimes referred to as PD v Merseyside Police).

Please can you tell me:

Whether your force procedure or policy on custody/strip search/documentation was updated to reflect this change to the APP?

(ie - a change or updated version around or shortly after 5th July 2023 which relates to the APP new section on documenting strip searches in custody and / or PACE Code C Annex A and / or removal of clothes for welfare reasons/prevention of self-harm and / or Davies/PD v Merseyside Police).

Please can you provide me with:

A copy of the force's procedure / policy that was in place before the change was made (this would likely be the procedure / policy document that was in use in June 2023)

A copy / copies of any new / updated versions of this procedure / policy document that have been issued by your force since the change to the APP (in early July 2023).

If the change to the APP on this matter was communicated to custody officers / staff in any other way (perhaps an internal email or in an internal newsletter) I'd be grateful if you could also give me details of what was communicated and when.

If your procedure / policy on this issue had already been changed in 2015 as a result of the Davies v Merseyside Police ruling (or as a result of guidance on the ruling issued by HMIC in 2015) then please tell me about these changes (ie what was changed and when).

We have handled your request under the Freedom of Information Act (FOIA)

Our response:

BTP Custody policy on recording was changed at the time the College of Policing Custody APP was amended in August 2023 – we now record all removal of more than outer clothing and divide this into five separate sections (including a separate search outcome template)

- -Strip Search – belief of concealment
- -(Outcome of strip search)
- -Clothing removal- risk of harm- anti rip clothing
- -Clothing removed- compliant – ligature risk-self harm – alternate custody clothing issued
- -Clothing removed- Noncompliant – ligature risk-self harm – alternate custody clothing issued
- -Clothing removed – evidential seizure

BTP work to the College of Policing APP on Custody and PACE.

Changes to method of recording and Custody record templates used was briefed to all custody officers and referred to the College of Policing APP on Custody and PACE