

Legislation on stop and search

What is the law on strip search?

Home Office guidance : The use of powers relating to stop and search 'must be used fairly, responsibly, with respect for people being searched and without unlawful discrimination'.

The Equality Act 2010, section 149 : Officers have 'a duty to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation.

Section 11 of the Children Act 2004 : Requires chief police officers 'to ensure that in the discharge of their functions they have regard to the need to safeguard and promote the welfare of all persons under the age of 18.'

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What powers do police have to strip search children?

The police have a range of legislative powers to search people, with statutory codes of practice – known as PACE codes – outlining the procedures police should follow when exercising these.

PACE Code A deals with stop and search, including searches where the police require a person to remove their clothing. Given the intrusive nature of this type of search and the requirement to expose intimate body parts, PACE Code A sets out rules intended to protect people's dignity, minimise embarrassment and prevent misuse of this power (<https://commonslibrary.parliament.uk/child-q-and-the-law-on-strip-search/>).

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