

Quick reference guide: legal application – search options

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5 mins read

No more than JOG in public

Ask yourself if:

- you can find the item by just asking the person to remove jacket, outer coat and gloves (JOG)
- it is reasonably necessary, bearing in mind the item being looked for, to put your hand in the inside pocket of an outer garment, feel around the collar, socks and shoes, or search hair

You can do these in public. However, if you want someone to remove their headgear so you can search their hair, you should consider if it is being worn for religious reasons. If it is, you should allow removal to be done out of public view, if possible with an officer of the same sex as the person being searched.

Under [paragraph 7, Schedule 4 of the Police Reform Act 2002](#), a designated police community support officer (PCSO) can search to the extent reasonably required to find the object of the search, and cannot require the removal of more than JOG in public.

More thorough search

Ask yourself whether it is necessary for you to require more clothing to be removed.

If it is necessary:

- you need to take the person out of public view – police station, police van, elsewhere out of public view – as the street is always public, even when empty
- the search needs to be done by an officer of the same sex as the person being searched, unless only headgear or footwear is being removed in addition to JOG

- the search should not take place in the presence of the opposite sex unless specifically requested by the person

Remember to be sensitive to religious considerations if requiring the removal of headgear.

Search exposing intimate parts (EIP) of the body

Bearing in mind what you are looking for, is it reasonable and necessary for you to require removal of clothing that would expose intimate parts of the body?

This APP requires you to consult a supervisor prior to carrying out a search exposing intimate parts of the body (EIP), to explore the reasons why it is necessary and proportionate in the circumstances. It is recommended the supervisor is an officer of at least inspector rank and this interaction is recorded for transparency and accountability purposes. The final decision to search remains yours unless the supervisor gives you a lawful order not to proceed. If you cannot contact a supervisor within a reasonable timeframe, you should balance the need for a consultation against the need to conduct the EIP search without further delay. You must be able to explain your reasons for extending the search and the steps you took to contact a supervisor.

Conduct of the EIP search

The EIP search must be done:

- at a nearby police station or other place out of public view (not a police vehicle)
- by an officer of the same sex as the person
- out of sight of anyone of the opposite sex (unless it is the appropriate adult specifically requested by the person) or of people who do not need to be there
- in the presence of at least two persons other than the person being searched (unless there is a risk of serious harm to the person or someone else)
- in the presence of an appropriate adult if the person is a child or vulnerable adult (unless there is a risk of serious harm to the person or someone else) – a child may not want the adult present but the adult needs to be there for that to be agreed upon

You should encourage cooperation and minimise embarrassment to the person – for example, by not making them take everything off at once unless it is necessary. You should conduct the search as quickly as possible, letting the person get dressed straight afterwards.

You may only make a visual examination of the genital area if it is necessary to assist the search. You must not touch the area and you must not search any further under stop and search powers, even if you see something in a body cavity.

Intimate search

An intimate search may only be conducted after arrest, never under stop and search powers.

Stop and search – three levels of intrusiveness

- JOG – jacket, outer coat and gloves
- MTS – more thorough search
- EIP – search exposing intimate parts of the body

On the street	Out of public view (for example, a police van)	Out of public view, in a nearby police station or other nearby location, but not in a police vehicle
JOG A search involving no removal of clothing other than an outer coat, jacket or gloves.	? Yes Police officer of any sex can search. PCSO of any sex who is designated under the PRA can search for alcohol and/or tobacco.	? Yes Police officer of any sex can search.

On the street	Out of public view (for example, a police van)	Out of public view,in a nearby police station or other nearby location, but not in a police vehicle	
MTS	? No	? Yes	? Yes

A search involving the removal of more than JOG but not revealing intimate parts of the body.

Police officer must be of same sex as person being searched, unless only headgear or footwear is removed.

Police officer must be of same sex as person being searched, unless only headgear or footwear is removed.

On the street	Out of public view (for example, a police van)	Out of public view, in a nearby police station or other nearby location, but not in a police vehicle
<p>EIP</p> <p>A search involving the removal of more than JOG which exposes intimate parts of the body.</p>	<p>? No</p>	<p>? Yes</p> <p>Consultation with a supervisor required prior to searching (APP requirement). It is recommended the supervisor is an officer of at least inspector rank.</p> <p>Police officer must be of same sex as person being searched.</p> <p>Must be conducted in accordance with <u>paragraph 11 of PACE Code C, Annex A.</u></p>

Tags

Stop and search