

Our Ref: IM-FOI-2022-0465
Date: 8th March 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Numbers of people subject to strip searches in the last 5 years (2016-2021) by age group and gender. Specifically, how many children were subjected to strip searches in this time.

The Police Scotland Care and Welfare of Persons in Police Custody SOP is publicly available on the Police Scotland [website](#). This provides information about when it is appropriate to strip search a person (adult or child) who has been arrested for a crime and it details appropriate safeguard and support measures that should be considered when it is necessary to carry out a strip search.

Strip searches of arrested persons are carried out when it is deemed necessary to ensure the welfare of the arrested person and the safety of police officers and police staff. The decision to strip search is normally based on information and intelligence, circumstances of the offence and the arrest and previous history of the individual

Prior to the 30th October 2018, all strip searches of persons (including children) arrested for a crime or offence could only take place with the authority of an officer of Sergeant Rank or above.

There was a change in policy on the 30th October 2018 on the recommendation of HMICS whereby a child, arrested for a crime or offence, is required to be strip searched, then this will only take place with the authority of an officer of Inspector rank or above. In addition, unless there is a risk of serious harm to the child or another person, an appropriate adult (parent, guardian, member of social work etc.) should be present when a strip search is carried out. It can only take place in the absence of an appropriate adult if the child has specifically requested this and the relevant adult agrees.

Prior to January 2017, all custody records were created and stored on Legacy Force custody IT systems.

Unfortunately, these systems are not searchable for the information requested and to find this information would involve interrogating every custody record to establish if the arrested person was strip searched. To provide context around what this would involve, in 2016 the custody throughput was circa 150k and in 2015 it was circa 165k. Assuming it would take approx. 1 min to check each individual record, this task would take approx.

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5,250 hours to complete. As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought prior to January 2017.

The data provided below is for of all strip searches carried out in police custody for the period of the 12th January 2017 (when the National Custody System was rolled out across Police Scotland) up to and including the 20th February 2022.

Age of Child	Female	Male
13	1	7
14	10	30
15	15	129
16	87	906
17	239	1,643
Total	352	2,715

It should be noted that The Criminal Justice (Scotland) Act 2016, which came into effect on the 18th January 2018, creates the definition of a child as any person under 18 years of age. It creates 2 distinct categories which are referred to as 'younger' and 'older' children.

- Younger Children – those under 16 years of age and those under 18 who are subject to a Compulsory Supervision Order (CSO).
- Older Children – those who are 16 or 17 years of age and not subject to a CSO.

Prior to the introduction of this Act, only someone under the age of 16 was considered a child.

Numbers of people subject to strip search in the last 5 years (2016-2021) by ethnicity.

Please see the attached document titled 'Applicant Data' which provides the number of persons strip searched in police custody for the period noted above, broken down by ethnicity and age group.

Should you require any further assistance please contact Information Management Dundee, quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions. Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalrnarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

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You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.