

Bhatt Murphy Solicitors
Press release

Transgender Discrimination during Strip Search

Avon and Somerset Constabulary have admitted discrimination and apologised to a transgender woman (C), whose identity is protected by an anonymity order, for her treatment in Patchway police station on 15 October 2015.

C was arrested on 15 October 2015 on suspicion of causing criminal damage after a suicide attempt. She was taken to a police station where she requested to be searched by female officers. She was subjected to a strip search by three male officers and two female officers, sprayed with incapacitant spray in cell and was subsequently pushed in the head.

As a consequence C instructed **Bhatt Murphy** solicitors to bring proceedings in a claim before the County Court which has been settled by Avon and Somerset Constabulary apologising, providing admissions of liability for discrimination and an assault, and with C receiving substantive damages.

The police admit that the presence of male officers during a strip search was unlawful discrimination on the grounds of gender reassignment. The police also admit that an officer pushing the claimant in the head was an assault.

C said:

"I should not have been treated the way I was, I am traumatised and I continue to have nightmares about being in cell with men. I am pleased the police have apologised and recognised that they were wrong."

C's solicitor, **Jane Ryan** of **Bhatt Murphy** solicitors said:

"A formal admission of liability for discrimination by a police force on the basis of gender reassignment in a non-employment context is unprecedented in this jurisdiction. It is hoped that this will encourage non-discriminatory practice by police forces nationwide."

C is jointly supported by **Stand Against Racism and Inequality (SARI)** and **LGBT Bristol** via their Bristol Hate Crime Services partnership.

Alex Raikes MBE, on behalf of Stand Against Racism & Inequality who lead the Bristol Hate Crime Services partnership said:

"Whilst our client is still suffering from the impact of this appalling experience, she is relieved that her case has been taken seriously and is pleased to have received an admission of liability and an apology from the Constabulary. Bristol Hate Crime Services and our client now hope that the learning from this case lead to longstanding changes in the way that Transgender people are treated by police officers throughout the UK and that Avon and Somerset Constabulary will make sure this is reflected in their training for officers on how to work with and support Trans people"

Berkeley Wilde, Chair of LGBT Bristol who deliver the LGBT+ casework service for Bristol Hate Crime Services said: *"LGBT Bristol works to ensure that Trans people are treated by public bodies and others, with respect and dignity. We hope that the police,*

along with other services, learn lessons from this case and ensure that staff development and professional practice, reflect the laws that protect LGBT+ people from discrimination in the UK. We hope that our client continues to recover from her experiences and wish her all the very best for the future.”

Notes to Editors

For further information, please contact Jane Ryan on j.ryan@bhattmurphy.co.uk or 020 77291115

PACE Code C, Annex L, provides that that transgender detainees should be treated according to their gender identity.

The Code also provides that all searches and procedures must be carried out with courtesy, consideration and respect for the person concerned. Police officers should show particular sensitivity when dealing with transgender individuals