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Executive Summary: Strip search of children in the Welsh context

Dr Rhian Croke (Children's Legal Centre Wales) &

Saqib Deshmukh (Insaafi CiC & Associates)

April 2025

The publication of the "Strip search of children in England and Wales" reports by the Children's Commissioner of England and Freedom of Information requests, have reported on the high frequency of strip searches across England and Wales. There have also been concerns regarding the serious inadequacies in monitoring of strip searches of children by the Police. Research has revealed that, while strip searches are conducted with the intent to uncover dangerous or illegal objects, strip searches rarely uncover these very objects. Children have also been clear about the profound distress and trauma caused by police strip search practices and concerning the data also demonstrates the disproportionate strip searching of Black children.

Children's Legal Centre Wales and Insaafi CIC, have conducted research and advocated against this practice in Wales since December 2022.

Legislation and Policy Landscape

Strip searches fall under the Police and Criminal Evidence Act (PACE) 1984, with specific codes outlining procedures.

The Children's Commissioner for England has called for mandatory monitoring and change in laws regarding strip searches. The Home Office has agreed to collect data and review related legislation.

Current laws and guidelines are unclear and insufficient to protect children's rights.

Devolution

Crime, justice and policing are not devolved to the Welsh government, but there is a desire to pursue the devolution of justice. Currently, the devolved administration (including duty bearers such as the Children's Commissioner of Wales and members of the Welsh Senedd) have limited powers to scrutinise police forces in Wales.

Racial Disparities

Evidence shows that Black children are disproportionately subjected to strip searches, raising concerns about racial inequality and potential violations of the UK Equality Act 2010.

A Freedom of Information (FOI) request from South Wales Police acknowledges a disparity in the number of strip searches among minority ethnic groups compared to White British children.

Data Transparency Issues

Efforts to obtain accurate and comprehensive data on strip searches have faced obstacles.

Numerous challenges in accessing clear data from police forces regarding child strip searches highlight a failure in transparency and accountability.

FOI requests undertaken over the course of 18 months has revealed discrepancies in the reported number of strip searches across different police forces in Wales. Additionally, some of the data on child strip search in Wales contradicts data that has been previously disclosed by Welsh police forces.

The failure for police forces to be transparent with data relating to ethnic and racial disparity creates challenges within the devolved and non-devolved landscape. The Anti-Racism Wales Action Plan, the Criminal Justice Anti-Racism Plan and the Police Anti-Racism Action Plan all called for lowered racial inequality within policing.

Calls for Change

Advocates recommend comprehensive and robust data collection to assess the impact of strip searches on children, which at the very minimum should demonstrate compliance with the existing duties in the PACE legislation and guidance and the Equality Act 2010.

Children's Legal Centre Wales and Insaafi CiC have been advocating for an end to strip searches of children in Wales.

The Children's Commissioner for Wales, Northern Ireland and Scotland have called to end the practice.

The UN Committee on the Rights of the Child and the UN Committee on the Elimination of Racial Discrimination have explicitly recommended prohibiting strip searches of children.

Alternatives to Strip Searches

Strip searches have severe psychological and emotional consequences for children. The use of alternative technologies, like body scanners, is advocated to reduce the traumatic impact of strip searches while ensuring child safety.

Recommendations

Immediate action is needed from Welsh authorities to protect children's rights and explore non-invasive alternatives to strip searches. These include:

1. Amending laws to explicitly prohibit strip searches of children.
2. Investing in alternative technologies to reduce the need for invasive strip searches.
3. Improving data collection and reporting to ensure accountability.
4. Implementing a child-centred and children's rights approach to policing and youth justice.
5. Provide training to police officers and other relevant personnel on the harmful effects of strip searches and best practices for child-friendly procedures.
6. Further research into the practice of child strip search in Wales, exploring the areas of anti-racism, and children's rights within a devolved framework.

Conclusion

The practice of strip-searching children is degrading and contrary to legislative commitments for children's rights in Wales, and an anti-racist Wales.

There is a strong call to end such practices and invest in children's rights and child-centred approaches that stress dignity and respect. Despite challenges, advocates in Wales continue to push for meaningful reforms to protect children's rights and well-being.

Please access the full briefing [Strip Searching of Children in the Welsh Context](#) here.