

Policing in Wales

Report on the strip search of children in Wales

Commissioned by DCC R. Williams.

Police Liaison Unit
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Introduction

There has been widespread attention and scrutiny of strip searches of children and young people following the case of Child Q in the Metropolitan Police area and the work of the Children's Commissioner in England.

Due to this, the Welsh Government asked for Policing in Wales's position on this issue alongside queries from the Children's Commissioner for Wales and the Children's Legal Centre in Swansea University.

Policing in Wales provided a proforma for the four Welsh Police Forces to understand the full picture of strip searches of children in Wales, to develop a consistent baseline for scrutiny and inform future practice and information gathering requirements.

This report provides highlights the themes and responses from the forces and provides analysis on the data and data gaps identified.

Whilst we are unable to pass comment regarding on-going proceedings, it is worth noting that the Independent Office for Police Conduct (IOPC) has since instigated misconduct proceedings against the officers involved in the strip search of Child Q, stating that they have acted outside of both professional standards guidance and legislation.

Background to Strip Searches of Children and Young People

To set this report in the correct context for analysis, Policing in Wales has set out the following as a background of child strip searches according to the powers afforded to the police. Firstly, as part of a **standard search**, police officers can require those being searched to remove an outer coat, jacket, or gloves.

If the police have reasonable grounds for suspecting someone has a dangerous or prohibited item on them, and it was not found during a standard search, officers can require individuals to remove clothing to search them. These are commonly referred to as "strip searches" and there are two distinct types:

1. **More Thorough Searches (MTS searches):** where an officer requires the individual as part of a stop and search to remove more than an outer coat, jacket, or gloves (for example a T-shirt).
2. **Searches Involving Exposure of Intimate Parts of the Body (EIP searches):** where an individual is required to remove all or most of their clothing.

The police also have powers that allow them to conduct '**intimate searches**', where an officer conducts a physical examination of a person's body orifices (other than the mouth). An intimate search may only be carried out on a person after they have been arrested. This type of search is not permitted under any circumstance under stop and search powers.

Any strip search of an individual under the age of 18 that involves the exposure of intimate body parts must take place in the presence of an appropriate adult. The only exception to this is cases of urgency, where there is risk of serious harm to the child or to others, or where the child has said they do not want the adult to be present during the search and the adult agrees. If this is the case, a record must be made of child's decision and signed by the appropriate adult.

Police officers cannot act as an appropriate adult. If no appropriate adult is available at the scene, officers should consider taking the child to another location where one will be available, such as their

home. While conducting the search, officers should always be mindful of the practical and communication needs of children.

	Standard Search	MTS Search	EIP Search	Intimate Search
Items of Clothes Removed	Outer Coat Jacket Gloves	Other Clothes outside of Standard Search like: T Shirt	All or Most Clothing	All or Most Clothing – for Purpose of a Body Orifice Search
Can take place during a Stop Search	YES	YES	YES	NO
Can take place during Custody	YES	YES	YES	YES
Where can it take place	Public Street Out of Public View Custody	Out of Public View Custody	Out of Public View ¹² Custody	Custody

The scrutiny exercise undertaken and being undertaken by all 4 Welsh Forces has added to the well-established governance framework overseeing the strip search of children in Wales.

- All four Forces have supplied the requested data within the agreed timeframe.
- Forces have provided information relating to the strip search of children, including gender, ethnicity, age, location, body worn or CCTV monitoring and outcome of the search.

Type of search and outcomes

- A total of 5428 searches of children were undertaken in Wales over the two-year review period, these searches were predominantly focused on the carriage of offensive weapons or illicit drugs.
- Most of these children had none of their clothes removed at all or only had a standard search undertaken - where a coat, jacket or gloves were removed.
- Just 85 children were dealt with via a more thorough (MTS) or exposure of intimate parts (EIP) search.
- There were no (zero) intimate searches recorded in Wales during the review period.
- The most common outcome within a custody setting was for no items to be found, this reflects the safeguarding requirements and search protocols of ensuring a young person is not in possession of any illicit drugs, articles that could be used to harm themselves or others whilst in the custody suite.

Ethnicity

- Please note that these figures apply to all searches including no clothes removed, MTS (coat, jacket or gloves removed) and not just EIP (exposure of intimate parts).
 - Children of white ethnicity remained the most significant heritage of strip searches in both stop search and within the custody unit setting.
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- In terms of the number of children from other ethnic backgrounds, Gwent strip searched twelve (12) children from a black or minority ethnic background over the two-year period. North Wales and Dyfed-Powys Police just one (1) and three (3) individuals respectively over the same period, South Wales searched 51 individuals across all categories (no clothes removed, MTS & EIP) which, whilst higher than the other Welsh Forces, reflects the much denser population centre and it being the sixth largest Police Force in the UK.
- If we scale the data for every 1000 of each ethnic population, there is evidence of disproportionality however given the numbers are so small for most of Wales, the figures cannot be concluded as statistically reliable. His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), Police and Crime Commissioners, (PCCs) and Forces themselves carefully monitor disproportionality and the context and known reasons behind the data in this area, such as involvement in county lines and child sexual exploitation.
- There also remains a few children that have been strip searched in both stop search and custody where their ethnicity is classed as 'unknown', There were only eleven (11) children recorded under this classification. Individuals are asked to self-identify their heritage but are not legally obliged to do so, and whilst officers may record their observations, this could be incorrect hence 'unknown' presenting as an option.

Age & Gender

- Forces were asked to account for the full age range of those under 18, with 13–17-year-olds accounting for nearly 100% of the children strip searched. Just 6 children were 12 years old or younger.
- Male children are still most likely to be subject to a strip search, with females making up less than 10% of the totals.

Appropriate Adult

- Forces experienced differing levels of appropriate adult attendance for every strip search conducted within the custody suite. North Wales Police were able to confirm an appropriate adult present in around half to two thirds of searches, whilst Gwent, Dyfed-Powys and South Wales Police were able to obtain the services of an appropriate adult on every occasion (100%).
- North Wales Police stated that it is not always possible for an appropriate adult to be present for an urgent removal of clothing when the child poses a danger to themselves or others. DCC Williams is in communication with North Wales Police to support them on this matter.
- Forces were not always able to differentiate from their records when an appropriate adult had been requested but the local authority are unable to service the request.

Training, Safeguarding and Governance

All Forces submitted evidence of their scrutiny and governance frameworks, which included external panels chaired by social services, deep dives, oversight by Independent Advisory Groups, Assistant Chief Constables and Commissioner's Offices.

All Forces had adopted trauma informed practice into their stop search procedures and the individual Forces described several actions designed to maintain and improve staff knowledge, awareness and best practice on stop search and strip search. The practise of utilising body worn cameras is standard and well utilised by all Forces, as was the use of Custody suite CCTV, with the caveat that this would not be utilised where it compromised the privacy of the child concerned.

Safeguarding referrals were regularly submitted across all four Forces for a range of concerns, although this was more likely to be the case for a child in custody. Due to the systems and processes used to submit safeguarding referrals there is no proportionate manner to identify the total number of referrals linked specifically to a strip search, hence figures not being included on this report.

Conclusion

All Forces in Wales can provide comparable data on the strip search of children and will continue to supply data to the Children's Commissioner for Wales, PCC's and HMICFRS.

Police & Crime Commissioners and their Chief Constables will continue to scrutinise existing and future data on the strip search of children to ensure continued compliance with guidance and legislation, reporting into the Child Centred Policing Portfolio, under DCC Rachel Williams.