Committee Secretary
Senate Legal and Constitutional Affairs Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Crimes Amendment (Prohibiting the Strip Searching of Children) Bill 2026

Dear Committee Secretary,

The Working with Women Alliance (WwWA) strongly supports this Bill and the prohibition of strip searching of children under the age of 18.

WwWA acknowledges and echoes Sisters Inside's decades of advocacy for the abolition of strip searching for all people. Sisters Inside's leadership has made clear that strip searching is an inherently violent practice that causes profound harm to women, girls and gender-diverse people in custody. While this Bill is limited to children, its passage would be an important step towards ending the practice altogether.

Beyond its violence and incompatibility with children's human rights, strip searching has no sound basis as a safety or contraband-detection measure. The evidence shows no relationship between the frequency of strip searches and rates of contraband detection. Strip searches routinely find nothing, and where items are detected, they are rarely dangerous. There is also absolutely no evidence that strip searching deters contraband from entering custodial settings, or that reducing its use leads to an increase in contraband. Less invasive alternatives are already available and have substantially reduced or replaced strip searching in some jurisdictions without compromising safety. The practice therefore cannot be justified as a necessary security measure. It imposes serious and lasting harm on children without delivering the safety benefit used to defend it.

The harms of strip searching are not experienced equally. Aboriginal and Torres Strait Islander children are profoundly overrepresented in youth detention and are therefore disproportionately exposed to this state-sanctioned violence. The continued strip searching of Aboriginal and Torres Strait Islander children must be understood in the context of colonisation, forced child removal and the longstanding use of policing and custodial institutions to exercise control over First Nations people. It also reflects the failure to fully implement the recommendations of the Royal Commission into

Aboriginal Deaths in Custody. Ending strip searching is therefore a necessary step towards reducing institutional harm and upholding the dignity and bodily autonomy of Aboriginal and Torres Strait Islander children.

Strip searching should also be understood within Australia's broader national policy commitments to prevent sexual violence and child sexual abuse. The Australian Government is currently developing the Second Action Plan under the *National Plan to End Violence against Women and Children 2022–2032* (National Plan) and the Second Action Plan under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030* (National Strategy). The Government has deliberately consulted on these action plans at the same time, recognising that people experience interconnected forms of violence and that their lives do not fit neatly within separate plans or systems. During this period of consultation, the women's safety and sexual violence sectors have relentlessly called for sexual violence to be treated as a distinct and urgent national priority. This *must* include state-sanctioned sexual violence in prisons, watch houses, policy custody, immigration detention, and children's prisons. Ignoring this violence allows governments to condemn violence while refusing to confront their own role in producing it.

Strip searching children cannot be treated as separate from these commitments. When the state compels a child to remove their clothing and expose their body under threat of force, punishment or continued detention, it enacts a sexualised violation of that child's bodily autonomy. Institutional language such as "search procedure" or "security measure" does not change the nature of what the child experiences. Nor does it remove the state's responsibility for the harm caused.

This is especially significant for children who have already experienced sexual abuse, family violence or institutional harm. A government cannot credibly commit to preventing child sexual abuse and sexual violence while continuing to authorise practices that reproduce the dynamics of coercion, forced exposure and loss of bodily control. The state does not protect children by reproducing the violence they have already survived.

In passing the Bill, prohibition must not be weakened by exceptions that permit strip searching on the basis of institutional convenience, generalised security concerns or an officer's subjective assessment of risk. A prohibition that can be displaced through ordinary custodial discretion is not an effective prohibition. Similarly, implementation of the Bill should not result in new invasive practices presented as substitutes.

The Committee should recommend that the Senate pass the *Crimes Amendment (Prohibiting the Strip Searching of Children) Bill 2026* and establish an absolute prohibition on the strip searching of all children under the age of 18. Passage of the Bill should be recognised as a concrete action supporting implementation of the Second

Action Plan under the National Plan and National Strategy, and should be accompanied by meaningful accountability and remedy mechanisms.

Yours sincerely,

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