



Media Release

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It's time to reform strip search law

Redfern Legal Centre (RLC) is calling on the NSW Government to amend strip search law alongside other proposed reforms being considered to penalties for the possession of small amounts of illicit drugs for personal use.

With the Law Enforcement Conduct Commission (LECC) set to soon release its final report into NSW Police strip searches, RLC is of the view that it is a timely opportunity to examine this harmful policing practice, which has potentially been occurring unlawfully.

The NSW Government announced last week that it will consider the possible introduction of warnings and fines for minor drug possession to divert non-repeat offenders from the criminal justice system.

Samantha Lee, a solicitor with Redfern Legal Centre's police accountability practice said, "The majority of strip searches in NSW are conducted on the suspicion of minor drug possession, which was never Parliament's intent."

"If the Government's aim is to address unnecessary harms caused by penalties for minor drug possession, strip search law must be amended in lockstep with these reforms.

"Legislation needs to provide clearer guidance to police that suspicion of minor drug possession does not meet the legal threshold of 'serious and urgent' required to conduct a strip search," Ms Lee said.

The Deputy State Coroner, Harriet Grahame, also recommended that strip searches be limited to suspicion of drug supply, and not minor drug possession, as part of her recommendations into the death of six patrons of NSW music festivals.

Since October 2019, a series of public hearings conducted by the LECC have revealed allegations involving strip searches on minors, including allegations that children as young as 10 years old had been strip searched, with nothing found.

Recent statistics obtained by RLC under access to information laws revealed that over a two-year period, 270 children had been strip searched and police conducted over 9,000 strip searches.

"With the state set to open up to major events including music festivals, there is no better time to put an end to this invasive and harmful practice," says Ms Lee.

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