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| **Strip Searches in Prisons** |
| **Section** | Section 1. Security and Control |
| **CR Number** | 1.2.3 | **Current Issue Date** | November 2022 |
| **Legislation & Policy**  | Corrections Act 1986Charter of Human Rights and Responsibilities Act 2006Corrections Regulations 2019Gender Equality Act 2020Equal Opportunity Act 2010 |
| **Standard** | Safety and Security Services - Security |
| **Attachments** | Attachment 1 – Removal of Top Half then Lower Half Strip Search Method (Standard)Attachment 2 – Removal of all Clothing Strip Search Method (Alternative) |
| **Forms** | Consent to Search (Non-Prisoner) (Schedule 1.05(3))Prisoner Strip Search Register (Schedule 1.05(4))Register of Searches Requiring the Removal of Clothing (Schedule 1.05(5)) |

1. **PURPOSE**

To define procedures for strip searches in prison.

1. **REQUIREMENT**

A *strip search* is a search of a person that requires:

1. the person to remove any or all of the person’s clothing; and
2. an examination of the person’s body and of that clothing –

but does not require that person to be touched by the person or persons conducting the search.

1. **GUIDING PRINCIPLE**
	1. Section 45 of the *Corrections Act* 1986 authorises searches on the grounds of security and good order of prisons and prisoners. Any person, in or wishing to enter a prison (other than a judge of the Supreme Court or County Court or a magistrate), may be requested to submit to a search. Section 55 of the Act provides that a search can also be conducted on a prisoner during an escort.
	2. Regulations 86, 87 and 89 and 90 of the *Corrections Regulations* 2019 outline the circumstances in which a strip search can be conducted as well as the requirements for conducting strip searches of prisoners and persons other than prisoners.
	3. Strip searches engage rights protected by the *Charter of Human Rights and Responsibilities Act* 2006 (the Charter), in particular, the right to privacy and reputation (section 13), the right to life (section 9), right to security of person (s 21), protection from torture and cruel, inhuman or degrading treatment (section 10), protection of families and children (section 17), the right to equality (section 8) and humane treatment when deprived of liberty (section 22).
	4. Under section 38(1) of the Charter, prison staff have a legal obligation to act compatibly with human rights and give proper consideration to human rights when making a decision. Section 7(2) allows for human rights to be limited only to such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.
	5. Although it forms only one element of contraband management and security, strip searching is considered essential in prisons, to mitigate the risk of contraband being concealed on persons and prevented from entering prisons. It should not be relied upon as the primary means of detecting contraband in prisons.
	6. The General Manager must consider; whether a type of search would assist in mitigating an identified risk, and the options available at the prison for undertaking the least intrusive form of search that would address the identified risk. This includes utilising, alternative searches such as garment, pat down and scanning searches and, technology such as body scanners. These less intrusive forms of search enhance safety and security, provide an alternative to strip searching, and promote trauma informed practice.
	7. An x-ray scan may be used as an alternative to a strip search where available and practical to do so, such as for prisoners returning from contact visits. X-ray technology involves a very low dose radiation scan, which identifies concealed objects on and within the body. Use of such technology may not be practical, for example, for prisoners who are non-compliant.
	8. A Millimetre wave (MMW) scanner may also be used as an alternative to a strip search where available and practical to do so, such as prisoners returning from leave permits. Similar to strip searches – which do not include body cavity searches – MMW scanners identify concealed objects on the body (not within the body). MMW technology is a high level radio frequency security screener, similar to what is in place in most airports. MMW technology emits radio waves that do not penetrate the body. MMW technology is safe for all persons to enter the screener, including pregnant women and people with medical implants, such as pacemakers and defibrillators.

* 1. It is noted that there may be some circumstances where a strip search is required following the use of either MMW or x-ray scanning technology. This is where there is indication that the prisoner may have concealed contraband.
	2. All persons (including visitors, staff and contractors, with the exception of judicial officers) entering a maximum-security or medium-security prison must remove their coats and jackets for x-ray examination (where this equipment is available) or hand scan (where x-ray equipment is not available) by gatehouse staff.
	3. All persons entering prisons (other than a judge of the Supreme Court or County Court or a magistrate), must expect that their property and vehicle, if this is on prison property may also be searched.
1. **CONTEXT**

Strip searching procedures must be aligned to the operating principles for all strip searches, and specified requirements for prisoners, visitors, and children.

1. **INSTRUCTION**
	1. **Operating Principles for all Strip Searches**
		1. A Prison Officer may not conduct a strip search of a person unless authorised by the prison General Manager or an officer delegated by the General Manager. Permission to conduct strip searches includes occasions where searches form part of the prison’s standard practice in circumstances formally approved by the General Manager.
		2. In recognition of of the different security classifications and role of women’s prisons, the use, purpose, frequency and type of strip searching methods used, may differ at the Dame Phyllis Frost Centre (DPFC) and Tarrengower Prison. This also includes the introduction of technology to assist to reduce strip searches in women’s prisons. The frequency of strip searching and differences, will be recorded in Local Operating Procedures. Many of these practices and the technology, are being introduced into other prisons, in recognition of the *Gender Equality Act* 2020 and that prisoners in other facilities may have experienced similar trauma to prisoners at the DPFC and Tarrengower. If there is a less invasive practice available that is suitable for the purpose, this must be used instead of a strip search.
		3. Prison Officers conducting a strip search must consider the individual, particularly in relation to issues of disability, mental health, religion, culture, language, comprehension and previous life experience, as well as any current intelligence.
		4. If a person’s wig or religious headwear, such as a hijab or turban are required to be searched, consistent with guidelines in this policy, the search must be undertaken in private.
		5. The person being searched must be advised of what will take place, ensuring that they understand the nature, process and reasons for the strip search.
		6. The search must be conducted in an objective and professional manner, with regard to the privacy, humanity, dignity and self-respect of the person being searched whilst avoiding any unnecessary force, embarrassment or indignity. Searches must not include vaginal or anal internal searches or the removal of tampons.
		7. Prison Officers conducting strip searches must be trained in the correct application and protocol of strip searching and understand their obligations under the Charter and the *Equal Opportunity Act* 2010. A strip search is considered, when alternatives have been considered and are not an option. Alternatives include pat downs, wands, or technology such as x-ray and MMW technology.
		8. A suitable search area must be used that affords the person being searched privacy from the view of others not involved in conducting the search.
		9. Top/bottom strip searches (referred to as a standard strip search) are to be used as the first option and as specified by this Commissioner’s Requirement and by a prison General Manager through their Operating Instructions/Local Operating Procedures or specific direction. The top/bottom method involves the person being searched with only the top half or the bottom half of their clothes removed at any one time.
		10. An alternative (full) strip search (referred to as the alternative to a top/bottom strip search), may be used for all High Security Prisoners and High Security Escort prisoners residing in a High Security Unit. This type of strip search must be used when a High Security Escort prisoner is going on an escort with the Security and Emergency Services Group (SESG) given the higher security risk of these prisoners. For all other searches of High Security Escort prisoners not residing in a High Security Unit, the prisoner is to be offered the top/bottom strip search option, unless there are compelling reasons or intelligence to support an alternative strip search. Alternative strip searches can also be used for prisoners who prefer this option to the top/bottom method, if applicable. All alternative strip searches must be recorded clearly, including the reason for this type of strip search.
		11. All prisoners and visitors, regardless of their gender, *must* be offered a top/bottom strip search unless there are exceptional circumstances. Exceptional circumstances may include, but are not limited to, an emergency whereby a prisoner may be in danger to themselves due to self-harm or suicide concerns, where reasonable force is required due to non-compliance, or if there is reasonable intelligence which proves offering such a search would pose a significant risk to the safety or security of staff or the prison (refer to paragraph 5.1.10 for High Security Prisoners and High Security Escorts).
		12. A top/bottom search aims to reduce the intrusiveness of alternative strip searching procedures. It involves the prisoner going through the same checks as for an alternative strip search, but with only half of the clothes removed at any one time.
		13. If any prohibited items or contraband are discovered during the top/bottom method, or if an officer suspects that the integrity of this type of strip search has been compromised at any stage, the search is to revert to the alternative strip search procedure. Staff must provide detailed reports why a top/bottom search was not offered or if the top/bottom was escalated to an alternative strip search and this is to be recorded in the relevant registers.
		14. In the absence of technology which may assist to reduce the need for an alternative strip search instead of the top/bottom method of a new reception into prison custody, staff must consider any reasonable intelligence which indicates that offering a top/bottom search would pose a significant risk to the safety or security of staff or the prison.
		15. At least two Prison Officers must attend all searches and unless exceptional circumstances exist, both Prison Officers must be of the same gender as the person being searched.
		16. In the event that a Prison Officer is present who is not the same gender as the person being searched, that Prison Officer must ensure they are able to see the other Prison Officer but are not able to view the visitor or the prisoner.
		17. In an emergency, if no female Prison Officers are available to search females, an Operations Manager must be contacted and authorisation given prior to any male Prison Officers conducting the search.
		18. Prison Officers conducting strip searches must take into consideration any relevant requirements and procedures regarding gender, age, disability, religion, language and culture and any intelligence.
		19. A person being searched who has a known disability must be subject to the standard search regime; however, the impact of the strip search being unduly adverse must be considered. If the person is a prisoner, consideration must also be given to any post support required so that they can discuss any follow up matters. For example, referral to the prisoner’s case worker, advocate or clinical staff.
		20. A person who requires a walking aid should not be without the aid or some other form of support at any time during the search.
		21. Wherever possible, strip searches of people with trans, gender diverse and intersex conditions will be performed by Prison Officers of the gender nominated by the person being searched. Prison Officers conducting such strip searches must refer to the Commissioner’s Requirement – Management of Prisoners who are Trans, Gender Diverse or Intersex.
		22. All details of searches requiring the removal of clothing must be recorded:
* Prisoners – Prisoner Strip Search Register (Schedule 1.05(4)); and
* Persons other than prisoners – Register of Searches Requiring the Removal of Clothing (Schedule 1.05(5)).
	+ 1. During examination of the person’s clothing, staff must wear gloves and if handling soiled clothing, change gloves between searches wherever possible.
	1. **Complaints**
		1. Formal avenues to make a complaint are available and communicated to prisoners and visitors and if a prisoner or visitor raises that they wish to make a complaint about any aspect of the search, staff are to provide information about who and how they can make a complaint.
		2. Complaints must be actioned appropriately and in a timely manner.
	2. **Prisoners**
		1. Where there is no body scanning technology available or it is not considered a suitable alternative, prisoners will generally be strip searched:
* when leaving or returning to a prison, unless the prisoner and all those with whom they have associated (other than prison staff) have not been out of sterile zones (i.e. areas that have previously been searched and cleared as not containing contraband);
* prior to and on completion of personal contact visits with family and friends;
* prior to a urinalysis test and as prescribed in Commissioner’s Requirement 1.2.7 – Drug Testing and Category IDU A;
* prior to being placed in a Muirhead cell to ensure that the prisoner has no implement with which to cause self-harm or harm to others; and
* at any other time the General Manager believes on reasonable grounds, that it is necessary, in order to maintain the good order or safety of the prison, staff or prisoners.
	+ 1. Prisoners will not be strip searched following a professional visit, unless there are exceptional circumstances, or safety concerns, such as a prisoner being identified as at risk of suicide or self-harm or harm to others and staff reasonably believe that the prisoner has concealed a weapon.
		2. Unconscious or incapacitated prisoners travelling on medical escorts are not to be strip searched prior to the escort. Consideration must be given to conducting a pat down search, where a Prison Officer is of reasonable belief that the prisoner may be carrying contraband, such as items to aid in an escape, assault or self-harm or harm to others.
	1. **Visitors**
		1. The General Manager or delegate, may direct a Prison Officer to put to the visitor that, where body scanning technology is not available or considered a suitable alternative, a strip search of the visitor may be required, if there are reasonable grounds to suspect that the person is concealing contraband, or is concealing anything which might be a risk to safety of others or the security or good order of the prison.
		2. The General Manager or delegate, must ensure that notification, such as signage, of the authority to search visitors (or the visitor’s property or vehicle) is clearly displayed near the entrance of every prison and other locations as appropriate.
		3. A suitable search area must be used that affords the person being searched privacy from the view of others not involved in conducting the search.
		4. The visitor, and where necessary the parent/guardian of the person to be searched, must be advised of the exact nature, procedure and reasons for the search, and their right to refuse the search. Prison Officers must take the individual person’s needs into consideration.
		5. The visitor must be advised that the standard strip search is a top/bottom and that they may elect to have an alternative strip search, which is the full method.
		6. The visitor must be advised that refusal may lead to a non contact visit, and/or a fixed term ban from visiting prisoners or Victorian prisons, where there is sufficient evidence to support the ban. The visitor must also be afforded the opportunity to disclose any information that may be considered, such as a valid reason for refusing a strip search. Prison Officers can discuss these reasons with the Operations Manager or Officer in Charge and consider a less intrusive option and allow the visit to occur via a non contact visit.
		7. A visitor may request a person who accompanied them to the prison, or another person of the same gender (who is not a prisoner) to be present at the search.
		8. The visitor must be advised that the search will not occur until after the consent form has been signed – Consent to Search (Non-Prisoner).
		9. If a visitor with cognitive disabilities is unable to give informed consent, their third party representative, such as an adult guardian must sign the consent to search.
		10. A parent/guardian of a child must sign the consent to search (see section 5.5).
		11. Prison Officers conducting the search must be sensitive to visitors’ age, maturity and vulnerability.
		12. Prison Officers must not assist the person being searched in the removal of clothing from their person, or have physical contact with the person being searched while conducting the search of clothing or personal effects.
		13. Prison Officers conducting strip searches of persons wearing religious apparel (e.g. turbans, hijabs or veils) must take into consideration religious observance. Persons wearing such religious apparel must agree to remove these items during a strip search.
		14. In the event:
* of a visitor explicitly or implicitly withdrawing consent;
* the visitor complains, becomes distressed so that it is not clear that consent continues; or
* where there is any doubt in the mind of the searching officer that consent is not given;

then the search will not be commenced or allowed to continue. The visitor may then be denied access and asked to leave the prison, or be granted a non-contact visit at the General Manager’s discretion. Consideration is to be given to offering the visitor appropriate support.

All details of searches requiring the removal of clothing must be recorded:

* Persons other than prisoners – Register of Searches Requiring the Removal of Clothing (Schedule 1.05(5)).
	1. **Visitor children and young people aged 17 years and younger**
		1. As the searching of children engages the right to protection of families and children (s 17 of the Charter), consideration must be given to what is in the best interests of the child.
		2. Visiting children (those who are 17 years and under) will not be subject to x-ray scanning technology, but may be subject to MMW scanning technology.
		3. Visiting children (those who are 17 years and under) **will not** be subject to a strip search under any circumstances. Where there is reasonable belief that the young person may be attempting/or has contraband on them, they and their adult parent/guardian will be offered a non-contact visit (box or video).
	2. **Removal of Top/Bottom Strip Search Method (Standard)**

The standard strip search method defines the actions of a strip search using the standard process. Refer to Attachment 1 Removal of Top Half then Lower Half Clothing Strip Search Method (Standard).

* 1. **Removal of All Clothing Strip Search Method (Alternative)**

The alternative strip search method defines the actions of a strip search using the removal of all clothing. Refer to Attachment 2 Removal of All Clothing Strip Search Method (Alternative).

* 1. **Strip Searching Women Prisoners/Visitors**
		1. The *United Nations Rules for the Treatment of Women Prisoners and non-custodial Measures for Women Offenders* (the Bangkok Rules), provides that effective measures are to be taken to ensure that women prisoners’ dignity and respect are protected during personal searches, which shall be carried out by female staff who have been properly trained in appropriate searching methods in accordance with established procedures; and that alternative screening methods, such as scans, shall be developed and introduced.
		2. In recognition of the different security classifications and role of the two women’s prisons, the use, purpose, frequency and type of strip searching methods used may differ for prisoners at the DPFC and Tarrengower Prison. This also includes the introduction of technology to reduce strip searches in women’s prisons.
		3. The requirement to direct the prisoner / visitor being searched to bend over until the hands are about 30 centimetres from the ground, and to part the cheeks of the buttocks with the hands enabling the Prison Officer to ensure that no contraband or unauthorised articles are concealed in this area, is only applicable for **female** prisoners / visitors if a **targeted strip** search has been authorised.
		4. **Note:** for all other prisons, the requirement to direct the prisoner / visitor being searched to bend over until the hands are about 30 centimetres from the ground, and to part the cheeks of the buttocks with the hands enabling the Prison Officer to ensure that no contraband or unauthorised articles are concealed in this area, is also only applicable if a **targeted strip search** has been authorised. The requirement to part the cheeks of the buttocks, is not applicable for strip searches which are required for drug testing.
	2. **Refusal by a Prisoner to Submit to an Authorised Search**
		1. While Prison Officers are to consider a prisoner’s human rights, searching in prisons is necessary and a prisoner who refuses to submit to or co-operate with procedures for a search may be charged with a prison offence.
		2. Where it is necessary in the interests of prison security or good order to conduct a search, and the prisoner refuses to co-operate with the conduct of the search, it may be necessary to use force to carry out the procedure. Staff must consider the seriousness of the threat and under these circumstances only the minimum necessary force may be used, and only after all other avenues of securing the prisoner’s co-operation have failed. The Prison Officers conducting the search must ensure the appropriate records related to use of force are completed.

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| Larissa Strong**Commissioner ACM** |

**Information below this point is administrative supporting detail**

**only and not subject to Commissioner’s review or approval.**

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| **Acronyms** |
| DPFC | Dame Phyllis Frost Centre |
| IDU | Identified Drug User |
| MWW | Millimetre Wave Technology |

| **Definitions** |
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|  | Nil |

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| **Associated Commissioner’s Requirements** |
| 1.2.4 – Barrier Control Procedures1.2.6 - Preservation of Evidence and Management of Seized Contraband1.2.7 - Drug Testing and Category IDU A1.2.9 – Contraband and Controlled Items1.3.1 - Incident Reporting1.4.8 – Conduct and Ethics2.4.1 - Management of Prisoners who are Trans, Gender Diverse or Intersex3.2.1 – Management of Visits to Prisoners |

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**CONSENT TO SEARCH (NON-PRISONER) Schedule 1.05(3)**

SECTIONS 44-46. CORRECTIONS ACT 1986

REGULATIONS 89, 90, CORRECTIONS REGULATIONS 2019

I,..............................................................................................................*(Given name & surname)*

of............................................................................................................*(Address)*

consent to my person, my clothing and articles in my possession, including the contents of my wallet, handbag, purse, briefcase, being searched by

.................................................................................................................... for the

*(Full name of Officer)*

purpose of ascertaining whether I am in possession of any articles of any kind whatsoever which are not permitted to be taken into

......................................................................................................................................

*(Full name of Prison)*

I confirm that the manner of conducting the search has been explained to me, including the top/bottom search (standard) and the option of a full strip search (alternative), as well as the opportunity of requesting an accompanying visitor or other person of the same gender within the prison be present during the search\*. I understand that I am not required to submit to the search, but my refusal to be searched could result in my being offered a non-contact visit if this is appropriate, requested to leave the prison and that I may be banned from visiting Victorian prisons.

\*I wish to have a third party present during the search - Yes or No

Details of third party nominated to be present during search ……………………………...………………………………………………………………….

General Manager or Operations Manager Approval of third party present during search …………………………………………………………………………………………………

Signed: Date:

 *(Visitor)*

in the presence of.......................................................................................................

 *(Signature of Prison Officer who is to conduct the search*)

and...............................................................................................................................

*(A second person who is to witness that consent is given voluntarily and that the search is conducted as prescribed)*

**Schedule 1.05(4)**

**PRISONER STRIP SEARCH REGISTER**

SECTIONS 44-46. CORRECTIONS ACT 1986

REGULATIONS 86, 87 CORRECTIONS REGULATIONS 2019

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| --- | --- | --- | --- | --- | --- | --- |
| **Date & Time of Search** | **CRN** | **Prisoner’s Given Name & Surname** | **Officers Given Name, Surname, Signature & Rank** | **Type (S or A\*) & Reason for****search**  | **Articles found** | **Authorising officer** |
|  |  |  | **1st Officer** | **Signature** | **Rank** | **2nd Officer**  | **Signature** | **Rank**  |  | **Full Description**  | **Full Name & Signature** |
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\* **S** = Standard Strip Search/Top Half then Lower Half and **A** = Alternative Strip Search/Removal of all Clothing

**Schedule 1.05(5)**

**REGISTER OF SEARCHES REQUIRING THE REMOVAL OF CLOTHING**

(PERSONS OTHER THAN PRISONERS)

SECTIONS 44-46. CORRECTIONS ACT 1986

REGULATIONS 89, 90 CORRECTIONS REGULATIONS 2019

|  |  |  |  |  |  |  |  |  |
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| **Given Name and Surname of person searched** | **Date and time of search** | **Given Name, Surname, Signature & Rank****of Officers conducting Search** | **Name and rank of officer authorising search** | **If full strip search (alternative) provide reason**  | **Name & relationship to visitor of 3rd party person requesting or requested by prisoner to be present during search (e.g. mother, accompanying child visitor over 17 years of age)** | **Names and status of other persons present during the search (e.g. medical officer)** | **Details of any articles seized during search** | **Comments** |
|  |  | **1st Officer** | **Signature** | **Rank** | **2nd Officer** | **Signature** | **Rank** |  |  |  |  |  |  |
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**Attachment 1**

**Removal of Top Half then Lower Half Strip Search Method (Standard)**

| **No** | **Prisoner** | **Visitor** | **Action** |
| --- | --- | --- | --- |
| **Male** | **Female** | **Male** | **Female** |
| 1 | ✓ | ✓ | ✓ | ✓ | The person being searched must be informed of the searching officer’s authority to conduct the search. |
| 2 | ✓ | ✓ | ✓ | ✓ | The person being searched is advised of what will take place, ensuring that they understand the nature, process and reasons for the strip search. |
| 3 | ✓ | ✓ | ✓ | ✓ | The person being searched must be asked if they are in possession of any articles or substances (including sharps) threatening the good order or security of the prison and if so, to produce such articles.If required, record the response of the person being searched. |
| 4 |  |  | ✓ | ✓ | Advise the visitor being searched that they may request that an accompanying visitor (where applicable) or other person of the same gender within the prison (excluding prisoners) be present during the search (refer to Consent to Search (Non-Prisoner)). |
| 5 | ✓ | ✓ | ✓ | ✓ | Advise the person being searched that they have the option of an alternative (full) strip search, should they prefer this to the standard top/bottom search. (Note - a top/bottom search may not be an option where there are exceptional circumstances – including intelligence. A top/bottom search is not available for any High Security Escorts undertaken by the SESG. An alternative search may be used for all High Security Prisoners and High Security Escort prisoners residing in a High Security Unit). |
| 6 | ✓ | ✓ | ✓ | ✓ | The person being searched must be instructed to stand facing the first officer. The second officer must remain at a reasonable distance to the side or at the rear of the first officer. The role of the second officer is to witness the conduct of the search and to assist with the searching of garments as required. |
| 7 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to surrender any item carried or in pockets for thorough examination. |
| 8 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to remove clothing on the top half of their body, one piece at a time (including underwear where applicable). |
| 9 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to hand each article of clothing, one piece at a time, to the officer who will examine and search each item individually. |
| 10 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to turn around in order for the officer to inspect their back. |
| 11 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to open their mouth and to remove denture plate if one is worn. The officer will visually examine the mouth, instructing the person being searched to lift the tongue. ‘Aids’ such as torches, lamps and/or portable lights must not be used during this process. |
| 12 | ✓ | ✓ | ✓ | ✓ | Where there are concerns that the person being searched is secreting contraband in their mouth, a more thorough search may be conducted where the person being searched is to be directed to lift their top lip and lower their bottom lip.  |
| 13 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to remove any hair accessories (e.g. hair clips or bands) and wig and have any long hair loose (i.e. not in a plat or braid), bend forward and with a vigorous combing action run fingers through their hair (consideration must be given to religious and cultural rights).  |
| 14 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to turn their head to the left and right clearing hair from the region of the ears to enable a visual examination of the ear cavities and the area behind the ears.  |
| 15 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to raise their arms up in the air and check the armpits, then direct them to lower their arms horizontal to the ground and turn their hands over, palms facing upwards. The officer will then conduct a visual examination and check (particularly for prisoners) for any fresh signs of intravenous drug use, new tattoos or signs of self harm. Direct the person being searched to fully extend and separate their fingers to also check for any contraband or intravenous drug use at this time and ask the person being searched to turn their palms over so they can visually examine the backs of the hands. |
| 16 |  | ✓ |  | ✓ | Direct female persons being searched, when standing, to lift their breasts.  |
| 17 | ✓ | ✓ | ✓ | ✓ | Upon completing the top half search, the top underwear and top is returned to the person being searched and they will redress before proceeding further. |
| 18 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to remove all clothing from the bottom half of their body including footwear, one piece at a time (including underwear and socks, where applicable). |
| 19 | ✓ | ✓ | ✓ | ✓ | Where long garments are worn, the person being searched is required to secure their shirt/top to allow adequate observation and all aspects of the search to be completed. |
| 20 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to hand each article of footwear and clothing to the officer who will examine it. |
| 21 | ✓ | ✓ | ✓ | ✓ | The underwear and socks must be individually searched. Direct the person being searched to turn these items inside out and shake them thoroughly at knee height, then place them on the floor in front of them. If the underpants have a gusset or pocket in them, the person being searched is to turn them inside out so that the officer can visually inspect this area. |
| 22 |  | ✓ |  | ✓ | Direct persons being searched to remove any sanitary or incontinence pads from their underwear and dispose of appropriately. New sanitary or incontinence pads must be supplied if required. Searches must not to include vaginal or anal internal searches or the removal of tampons. |
| 23 | ✓ |  | ✓ |  | Direct male persons being searched, to lift the scrotum and then lift the penis away from the scrotum. |
| 24 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to turn around facing away from the officer and lift one foot at a time from the ground, then wriggle their toes. Officers are to conduct a visual examination of the soles of the feet. |
| 25 | ✓ | ✓ | ✓ | ✓ | Only if a **targeted strip search**, direct the person being searched to bend over at the waist until the hands are about 30 centimetres from the ground and to part the cheeks of the buttocks with the hands. Officers will then visually examine the person being searched to ensure that they are not secreting any contraband.  |
| 26 | ✓ | ✓ | ✓ | ✓ | Persons being searched must not to be asked to squat or cough as part of the strip search process. |
| 27 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to dress and leave the area. Legislation explicitly states that the person being searched is allowed to dress in private immediately after the search is finished. |
| 28 | ✓ | ✓ | ✓ | ✓ | Place all unauthorised articles discovered during the search in an appropriate evidence bag, seal and label. Consideration should to be given to whether the Police need to be notified. Refer to Commissioner’s Requirement – Preservation of Evidence & Management of Seized Contraband and Commissioner’s Requirement – Incident Reporting.  |
| 29 | ✓ | ✓ | ✓ | ✓ | If clothing is seized during the search, the Prison Officer must ensure that the person being searched is provided with appropriate clothing to wear. Persons being searched must also be provided with sanitary or incontinence items, if requested. |

**Attachment 2**

**Removal of all Clothing Strip Search Method (Alternative)**

| **No** | **Prisoner** | **Visitor** | **Action** |
| --- | --- | --- | --- |
| **Male** | **Female** | **Male** | **Female** |
| 1 | ✓ | ✓ | ✓ | ✓ | The person being searched must be informed of the searching officer’s authority to conduct the search. |
| 2 | ✓ | ✓ | ✓ | ✓ | The person being searched is advised of what will take place, ensuring that they understand the nature, process and reasons for the strip search. |
| 3 | ✓ | ✓ | ✓ | ✓ | The person being searched must be asked if they are in possession of any articles or substances (including sharps) threatening the good order or security of the prison and if so, to produce such articles.If required, record the response of the person being searched. |
| 4 |  |  | ✓ | ✓ | Advise the visitor being searched that they may request that an accompanying visitor (where applicable) or other person of the same gender within the prison (excluding prisoners) be present during the search (refer to Consent to Search (Non-Prisoner)). |
| 5 | ✓ | ✓ | ✓ | ✓ | Advise the person being searched that they have the option of the alternative (full) strip search, should they prefer this to the standard top/bottom search. (Note - a top/bottom search may not be an option where there are exceptional circumstances – including intelligence. The top/bottom search is not available for any High Security Escorts undertaken by the SESG. An alternative search may be used for all High Security Prisoners and High Security Escort prisoners residing in a High Security Unit).  |
| 6 | ✓ | ✓ | ✓ | ✓ | The person being searched must be instructed to stand facing the first officer. The second officer must remain at a reasonable distance to the side or at the rear of the first officer. The role of the second officer is to witness the conduct of the search and to assist with the searching of garments as required. |
| 7 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to surrender any item carried or in pockets for thorough examination. |
| 8 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to remove footwear and all clothing, one piece at a time (including underwear and socks, where applicable). |
| 9 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to hand each article of footwear and clothing to the officer who will examine and search each item individually, including underwear and socks. |
| 10 |  | ✓ |  | ✓ | Direct persons being searched to remove any sanitary or incontinence pads from their underwear and dispose of appropriately. New sanitary and incontinence pads must be supplied if required. Searches must not to include vaginal or anal internal searches or the removal of tampons. |
| 11 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to open their mouth and to remove denture plate if one is worn. The officer will visually examine the mouth, instructing the person being searched to lift the tongue. Aids such as torches, lamps and/or portable lights must not be used during this process. |
| 12 | ✓ | ✓ | ✓ | ✓ | Where there are concerns that the person being searched is secreting contraband in their mouth, a more thorough search may be conducted where the person being searched is to be directed to lift their top lip and lower their bottom lip.  |
| 13 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to remove any hair accessories (e.g. hair clips or bands) and wig and have any long hair loose (i.e. not in a plat or braid), bend forward and with a vigorous combing action run fingers through their hair (consideration must be given to religious and cultural rights).  |
| 14 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to turn their head to the left and right clearing hair from the region of the ears to enable a visual examination of the ear cavities and the area behind the ears.  |
| 15 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to raise their arms up in the air and check the armpits, then direct them to lower their arms horizontal to the ground and turn their hands over, palms facing upwards. The officer will then conduct a visual examination and check (particularly for prisoners) for any fresh signs of intravenous drug use, new tattoos or signs of self harm. Direct the person being searched to fully extend and separate their fingers to also check for any contraband or intravenous drug use at this time and ask the person being searched to turn their palms over so they can visually examine the backs of the hands. |
| 16 | ✓ |  | ✓ |  | Direct male persons being searched, to lift the scrotum and then lift the penis away from the scrotum.  |
| 17 |  | ✓ |  | ✓ | Direct female persons being searched, when standing, to lift their breasts.  |
| 18 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to turn around facing away from the officer and lift one foot at a time from the ground, then wriggle their toes. Officers are to conduct a visual examination of the soles of the feet. |
| 19 | ✓ | ✓ | ✓ | ✓ | Only if a **targeted strip search, d**irect the person being searched to bend over at the waist until the hands are about 30 centimetres from the ground and to part the cheeks of the buttocks with the hands. Officers will then visually examine the person being searched to ensure that they are not secreting any contraband.  |
| 20 | ✓ | ✓ | ✓ | ✓ | Persons being searched must not be asked to squat or cough as part of the strip search process. |
| 21 | ✓ | ✓ | ✓ | ✓ | Direct the person being searched to dress and leave the area. Legislation explicitly states that the person being searched is allowed to dress in private immediately after the search is finished. |
| 22 | ✓ | ✓ | ✓ | ✓ | Place all unauthorised articles discovered during the search in an appropriate evidence bag, seal and label. Consideration should to be given to whether the Police need to be notified. Refer to Commissioner’s Requirement – Preservation of Evidence & Management of Seized Contraband and Commissioner’s Requirement – Incident Reporting.  |
| 23 | ✓ | ✓ | ✓ | ✓ | If clothing is seized during the search, the Prison Officer must ensure that the person being searched is provided with appropriate clothing to wear. Persons being searched must also be provided with sanitary or incontinence items, if requested. |