



CUSTODIAL OPERATIONS PRACTICE DIRECTIVE

Search

Version: 4.1

Implement date: 03/08/2017

Availability: In-Confidence

Performance Standard: Processes are established within the corrective services facility that provide for the conduct of searches for the purpose of safety and security of the facility and the safety of persons within the facility.

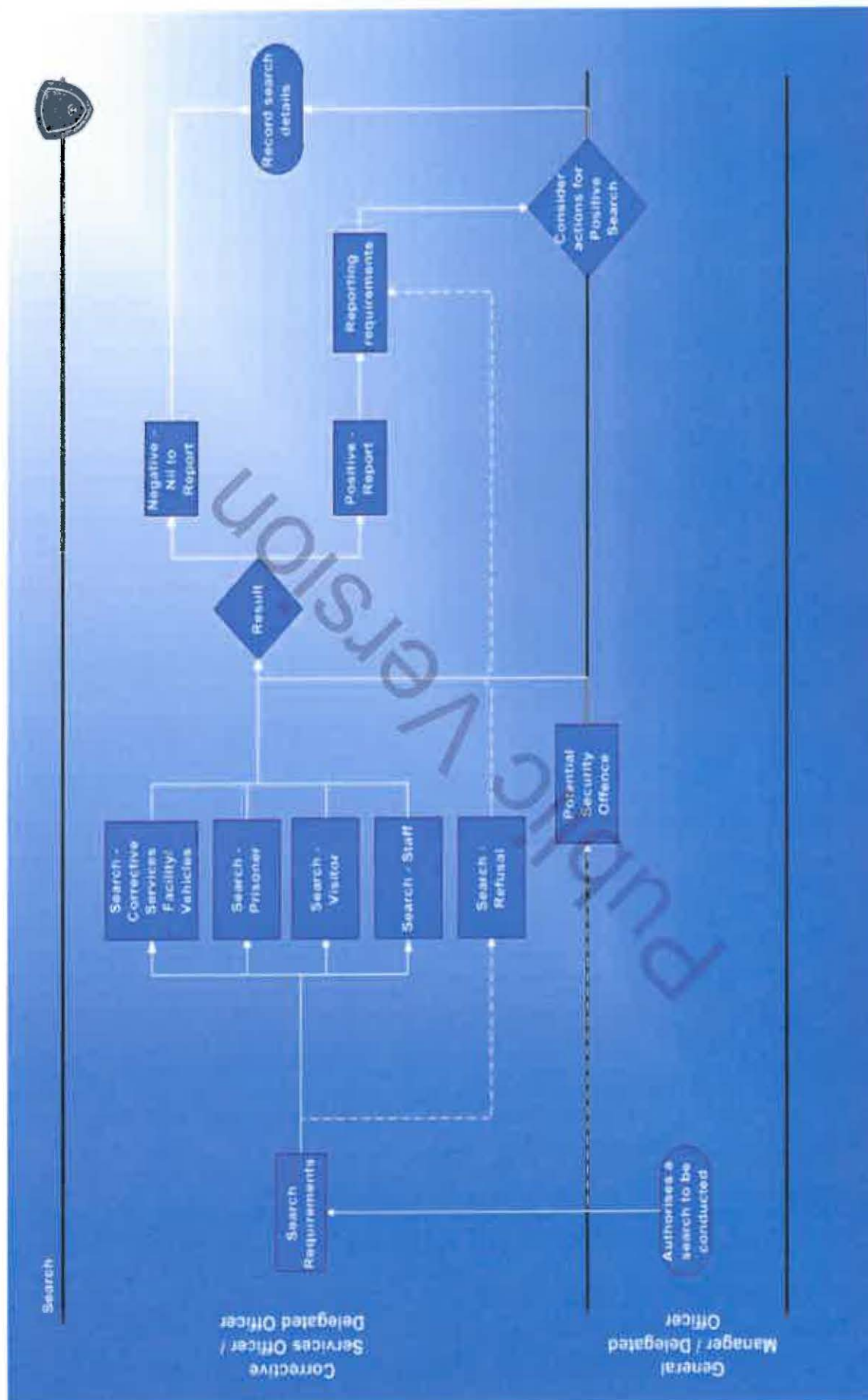
Outcomes:

- Conduct routine and random searches for prisoners, visitors, a corrective services facility and staff members in accordance with legislation.
- Consider all evidence and decide on an appropriate action to be taken.
- Complete all reporting requirements including an incident report as required.
- Record all search details and results accurately and in a timely manner within a relevant register.
- Conduct all searches in accordance with the Code of Conduct to ensure the dignity of the person is maintained.

Accountability:

General Manager of a corrective services facility/Delegated Officer	<ul style="list-style-type: none"> • Upon a positive result, considers all evidence and decides upon the most appropriate action. • Notifies relevant stakeholders when a positive result is recorded as a security offence such as Corrective Services Investigation Unit (CSIU), Ethical Standards Team (EST) and/or Queensland Health (QH).
Delegated Officer	<ul style="list-style-type: none"> • Authorises searches to be conducted within the corrective services facility.
Corrective Services Officer	<ul style="list-style-type: none"> • Conducts appropriate search techniques in accordance with legislation. • Upon a positive result, notifies the delegated officer/General Manager of a corrective services facility immediately. • Understands and adheres to the Code of Conduct. • Records all performed search details and results in a register approved by the General Manager of a corrective services facility. • Completes reporting requirements as directed by the General Manager of a corrective services facility.

Process Owner: Statewide Operations maintains ownership and responsibility for review and amendment of this Practice Directive.





Search

Search Requirements

When conducting a search, the delegated officer (refer Instrument of Delegation of Chief Executive Powers – Corrective Services Act) must ensure that:

- **reasonable care is taken to protect the dignity and self-respect of the person being searched and to ensure minimal embarrassment to the person, without impeding the effectiveness of the search, for example:**
 - for searches requiring the removal of clothing, the prisoner should be allowed to remain partially clothed at all times, and the search should be carried out as quickly as possible
- **items seized during a search, where appropriate, are preserved and reported in accordance with Incident Management Practice Directive;**
- **care is exercised when searching private property to avoid damage to the property;**
- **care is taken when searching a prisoner's accommodation to minimise disruption to the prisoner; and**
- **the use of reasonable force to compel compliance with an order given is in accordance with the Facility Security Practice Directive.**

Only those searches prescribed by the *Corrective Services Act 2006* (CSA) may be conducted by corrective services officers within corrective services facilities. Refer Prohibited Things Appendix 1.

Personal Protective Equipment (PPE)

Supplied PPE must be utilised by staff to prevent needle-stick/blood and body fluids exposure e.g. needle-stick resistant gloves or nitrile protective gloves.

Stocks of disposable PPE equipment must be maintained.

Management of Monitoring Device Recording

If a video camera or other monitoring device monitors the area where the prisoner is subject to a removal of clothing search and a person viewing the image produced by the monitoring device is not a corrective services officer of the same sex as the prisoner. A corrective services officer carrying out the search must:

- ensure either or both of the following are turned off while the search is carried out:
 - the device on which the image is produced
 - the monitoring device; or
- carry out the search out of view of the monitoring/recording device.

If a recording is made on a video recorder or visual monitoring device of a search under CSR s10, the recording must be kept in a secure place.

The recording must not be shown to anyone other than persons listed in CSR s11(2).

<p>Additional Considerations – Recording Searches</p>	<p>The General Manager of the corrective services facility must ensure that all personnel operating closed circuit television monitoring and other recording devices are instructed on, and acknowledge the intent of:</p> <ul style="list-style-type: none"> • the Code of Conduct for the Queensland Public Service or; and • Facility Security Practice Directive.
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Security Offence

In accordance with s136(5) of the CSA a security offence poses a risk to:

- the security or good order of a corrective services facility; or
- the security of a prisoner or a prisoner of a court.

Where it is reasonable to suspect a security offence may have been committed, an authorised delegate may, in accordance with s136 of the CSA using reasonably necessary force:

- conduct a general search or scanning search of the person (there is no legislative authority for a corrective services officer to conduct a search requiring the removal of clothing or a personal search of a staff member)
- search anything in the person's possession, including a motor vehicle
- detain the person until the person can be handed over to a police officer; and
- a person must not be detained for longer than four hours (in such an instance, there must be sufficient evidence to justify detaining a staff member - under no circumstances should a staff member be detained with a prisoner).

If a search, other than a general or scanning search, appears to be justified, only the QPS may make this determination whether to do so under the PPRA.

For this section, a person does not include a prisoner, other than a prisoner who is released on parole or a *Dangerous Prisoner (Sexual Offenders) Act 2003* order, refer CSA s125.

Refer Instrument of limitation of Corrective Services Officers' Powers.

The General Manager or delegate of a corrective services facility must be notified immediately if an officer conducting a scanning or general search finds that a person:

- is committing a security offence; or
- is reasonably suspected of having committed a security offence.

Additional Considerations – Detain Staff Member	The CSIU must be notified when a decision has been made to temporarily detain a staff member in response to that staff member committing a security offence or being reasonably suspected of committing a security offence to determine what further action is warranted.
Additional Considerations – Queensland Health Staff Member	In the case of a staff member of Queensland Health, the General Manager or Deputy General Manager of a corrective services facility must advise the Senior Queensland Health Officer of any actions taken.

Conduct Search – Corrective Services Facility/Vehicles

Section 174 of the CSA provides the power for the Chief Executive to search a corrective services facility. Refer Prohibited Things Appendix 1.

Accommodation Search

Prior to a prisoner, occupying accommodation and following any change in accommodation allocation, the accommodation should be thoroughly searched or inspected for:



- contraband
- interference with fixtures and fittings; and
- structural defects.

Searches of accommodation areas require corrective services officers to search in-cell and common area electrical items (QCS and prisoner owned) and look for any indication that the tamper label has been tampered with.

When searching in-cell electrical items the prisoner's IOMS number on the tamper label must match the prisoner that occupies the cell.

Refer: Prisoner Entitlements Practice Directive.

When searching a prisoner's accommodation the prisoner's personal property and belongings are to be returned, as far as practicable, to their original position.

Additional Considerations – Search of Accommodated Children	<p>The Chief Executive may require a child accommodated with a female prisoner in a corrective services facility to submit to a general search or scanning search before entering the facility.</p> <p>A child accommodated with a female prisoner must not be submitted to a personal search or a search requiring the removal of clothing.</p> <p>A prisoner cell in which a child is accommodated is subject to searching as per this Practice Directive. Refer CSA s32.</p>
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Timeframe	A minimum of 15 per cent of the total number of cells of a secure corrective services facility must be searched each week.
Responsible Officer	The General Manager of a corrective services facility must ensure that a program of searches be established as per the specific timeframes for each type of search.

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Corrective Service Facility Vehicle Search

Section 175 of the CSA provides a general power to search a vehicle before entering or leaving a corrective services facility. An authorised delegate has the power to search anything in a persons possession, including a motor vehicle, anywhere within the relevant designated lot plan area refer Instrument of Delegation of Chief Executive Powers – Corrective Services Act.

Where CSA s136(1)(a) or (b) exist, a direct power under s136(2)(b) provides an authorised delegate the power to search anything in a person's possession, including a motor vehicle, anywhere within the relevant designated lot plan area. Refer Instrument of Limitation of Corrective Services Officers' Powers.

Any person in a vehicle accessing a corrective services facility must be physically questioned in relation to the possession of any prohibited things (e.g. mobile telephones, recording devices, cameras etc), refer CSA ss 123, 156(5)(a); CSR s20. A prohibited thing must not be permitted to enter a corrective services facility unless approval has been provided. Refer Prohibited Things Appendix 1.

All vehicles entering the secure perimeter of a facility must be searched by an officer to establish whether any prohibited things (e.g. firearms or mobile telephones, refer s128 CSA and s20 CSR) or any other item likely to threaten the security of the facility, are in or on the vehicle. Any search of a vehicle must comply with CSA ss 128, 138–142.

Emergency service vehicles (eg QFES or QAS) must receive unrestricted access to a corrective services facility. Where an emergency service vehicle is required to access a prisoner contact area in a facility it must be escorted by a corrective services officer. Refer to the Perimeter Security and Visitors to a Facility Practice Directives.



Officers searching a vehicle entering a facility must direct that any items not being utilised for the purpose of the visit must be locked in the vehicle's cabin or a securable compartment. As far as practicable, all external storage compartments must be secured prior to the vehicle entering the facility. A vehicle entering a facility carrying a ladder must be secured to the vehicle by a chain and padlock when the ladder is not in use.

Search of Staff Work Areas

The General Manager or Deputy General Manager of a corrective services facility may authorise the search of staff work areas. The General Manager or Deputy General Manager of a corrective services facility must ensure a manager or officer who is senior to the officer conducting the search is present.

<p>Additional Considerations – Contractor work sites</p>	<p>All General Managers should ensure that building contractors are made aware of the importance of clearing work areas of all tools and left over materials/waste prior to departing.</p> <p>All efforts should be made to utilise infrastructure such as CCTV cameras to scan contractor work areas to check for left over building materials.</p>
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Conduct Search - Prisoners

The Chief Executive has the power to order a search of a prisoner in accordance with s33-40 of the CSA.

Property

As necessary, a comprehensive search is to be undertaken of individual items, which includes a thorough inspection to ensure nil concealment of prohibited items. Refer Prohibited Things Appendix 1.

Property searches are to be conducted:

- upon admission,
- of approved items prior to issuing to prisoner,
- of items issued to a prisoner immediately prior to a movement external to the facility,
- of clothing prior to issuing to a prisoner for any Court appearance or leave of absence
- when a prisoner returns to custody at a corrective services facility with property following an external movement

Personal Searches

The Chief Executive or delegate may order the personal searching of prisoners be conducted at any time to ensure the security and good order of the corrective services facility and the safety of persons in the facility. This includes whenever prisoners leave a part of the corrective services facility and where prisoners may have access to concealable prohibited things e.g. a kitchen or workshop.

The personal search of a prisoner must be carried out only by a corrective services officer of the same sex as the prisoner.

Refer Personal and Removal of Clothing Searches – Appendix 3.

Searches Requiring the Removal of Clothing

Searches requiring the removal of clothing by prisoners must be conducted:

- on the Chief Executive's written direction. Refer CSA s35(1); Queensland Corrective Services Policy Direction for a Search of Prisoners Requiring the Removal of Clothing;



- *however s.35(3) of the CSA states a direction under subsection (1) does not apply to a particular prisoner if the General Manager or Deputy General Manager reasonably considers it unnecessary for the search to be carried out on the prisoner because of the prisoner's exceptional circumstances. Refer CSA 35(3) for a relevant example.*
- on the Chief Executive or delegated officer's order for the security or good order of the corrective services facility and/or the safe custody and welfare of prisoners at the facility. Refer CSA s36 and Instrument of Delegation of Chief Executive Powers – Corrective Services Act; and
- on reasonable suspicion of delegated officer that the prisoner has a prohibited thing concealed on the prisoner's person. Refer CSA s37 and Instrument of Delegation of Chief Executive Powers – Corrective Services Act. Refer Prohibited Things Appendix 1.

A search requiring the removal of clothing is to be conducted immediately prior to the exit of a prisoner from a corrective services facility for the purposes of an external transfer and immediately upon the prisoner's return to the corrective services facility after an external transfer.

A removal of clothing search of a prisoner must be carried out by at least two corrective services officers, but by no more officers than are necessary to carry out the search. Each corrective services officer carrying out the removal of clothing search must be of the same sex as the prisoner.

When a delegated officer exercises a decision under the CSA ss. 36 or 37 that a search requiring the removal of clothing is to be conducted, this must be recorded in a register.

Refer Personal and Removal of Clothing Searches – Appendix 3.

Additional Considerations – Transgender Prisoners	Staff should be aware, and be prepared for the fact, that a transgender prisoner may not have the genitalia of the gender with which the prisoner identifies.
Additional Considerations – Prisoners Leaving Visits Area	All prisoners entering and leaving a visits area may be subject to a search requiring the removal of clothing.
Additional Considerations – female prisoners	General Managers of corrective services facilities where female prisoners are accommodated must develop a Local Instruction for responding to the individual needs of female prisoners when conducting removal of clothing searches including considerations such as the prisoner's menstrual cycle or pregnancy.

Body Search

The Chief Executive or delegate may authorise a doctor to conduct a body search of a prisoner in accordance with s39 of the CSA if the chief executive or delegate reasonably believes:

- the prisoner has ingested something that may jeopardise their health or wellbeing
- the prisoner has a prohibited thing (refer Prohibited Things Appendix 1) concealed within their person that may potentially be used in a way that may pose a risk to the security or good order of the facility; or
- the search may reveal evidence of the commission of an offence or breach of discipline by the prisoner.

A nurse must be present during the body search and, if the doctor conducting the body search is not of the same sex as the prisoner, the nurse must be of the same sex.



If the doctor reasonably requires help to conduct the body search, the doctor may ask another person to help. Except in an emergency, the other person requested to help in the body search must be of the same sex as the prisoner.

A doctor may seize anything discovered during the body search if:

- seizing the thing would not be likely to cause grievous bodily harm to the prisoner; and
- the doctor reasonably believes the thing may be evidence of the commission of an offence or breach of discipline by the prisoner.

The doctor must give a seized thing to a corrective services officer as soon as practicable after seizing it.

Conduct Search - Visitors

Only those searches of visitors as prescribed under the CSA s159 may be conducted by delegated corrective services officers within the corrective services facility. Refer Instrument of Delegation of Chief Executive Powers - Corrective Services Act.

Personal Visitors to Prisoners

The search of a personal visitor to a corrective services facility by a corrective services officer is restricted to a scanning search or a general search and may include:

- screening by Passive Alert Drug Detector Dogs
- use of an electronic metal detection device; or
- screening by an electronic drug detection device.

The only exceptions to the above are those people with a recognised medical condition who may react to electronic scanning devices.

Visitors to a Secure Facility

All personal visitors to a secure facility must be subject to scanning by a static or hand held metal detector. The metal detector may be a hand held device or an automatic target detection device. All personal property of the visitor must be subject to a scanning search by an x-ray device and general search by a corrective services officer.

Personal visitors of a prisoner who enter a secure facility may be required to submit to both a scanning search and a general search where the visit is a contact visit.

Visitors to a Low Custody Facility

The General Manager of a low custody facility or authorised delegate may require a personal visitor to submit to a scanning search or a general search before permitting the visitor to enter the facility or visit a prisoner for a contact visit.

IONSCAN Testing Process

Trained officers are to collect a sample as required from personal visitors. Visitors are not permitted to touch the IONSCAN equipment (including the sample wand) or collect a sample from themselves as this process has been discontinued.

Prior to the IONSCAN test being conducted the visitor must have provided their consent via Version 9 of Approved Form 27 – 'Approval for Access to a Corrective Services Facility and Visit a Prisoner (Personal Visitor)'. Visitors who have already signed the previous version of this form can be provided



with Appendix 8 – 'IONSCAN Testing Process' (Visitors to a Facility COPD) which will cover them until such time as a new Approved Form 27 is completed.

The General Manager of each Centre is to ensure a local process is established to check personal visitors being scanned have provided written consent prior to any testing taking place.

The officer conducting the IONSCAN test must comply with Appendix 23 – 'Operational use of IONSCAN Narcotics and Explosive Device' (Perimeter Security COPD).

If a personal visitor refuses to participate they may be refused entry or have to participate in a non-contact visit.

Visitor Searches Involving Children

The chief executive or authorised delegate may request of an adult visitor who is responsible for an accompanying child, including an infant, that the child undergo a scanning and/or general search.

Powers of Queensland Police Service (QPS) to Search a Person/s Without a Warrant

Officers of the QPS have a discretionary power to determine if and when a search requiring the removal of clothing of a person is warranted, refer *Police Powers and Responsibilities Act 2000* (PPRA) ss. 29, 30.

A QPS officer who reasonably suspects any of the prescribed circumstances for searching a person without a warrant may:

- stop and detain a person; and
- search a person and anything in the person's possession for anything relevant to the circumstances for which the person is detained.

For prescribed circumstances where a QPS officer may search a person without warrant, refer s30 PPRA.

Search of a Visitor at the Direction of a QPS Officer

A person of the same gender as the visitor may be directed by a QPS officer under s624 PPRA, to conduct a search requiring the removal of clothing of a personal visitor if there is no police officer of the same sex available to conduct the search.

If a corrective services officer is directed by a QPS officer to conduct such a search of a personal visitor, the corrective services officer must ensure that the search is conducted in a manner that causes minimal embarrassment to, and protects the dignity of, the visitor.

The following method should be adopted when, at the direction of a QPS officer, a search of a personal visitor requires the removal of clothing:

- the visitor must be instructed to remove all clothing except underclothes and may be allowed to remain partly clothed during the search, however, all clothing, including shoes, must be searched
- the visitor must face the officer and spread their arms and legs for a visual search
- the visitor must spread all fingers and display both open hands at the same time, turning them over for inspection
- the visitor must run their fingers through their hair
- the visitor's mouth and ears must be inspected
- the visitor must raise each foot and wiggle the toes



- the visitor must be instructed to remove upper underclothes as follows:
 - discretion may be used to allow the visitor to face away from the officer; and
 - the upper underclothes must be searched and returned to the visitor who may put them on
- the visitor must then be instructed to remove the lower underclothes as follows:
 - discretion may be used to allow the visitor to face away from the officer
 - the lower underclothes must be searched and returned to the visitor who may put them on; and
- the searched outer clothing must then be returned to the visitor who may put them on.

If an item of clothing is seized during this search, suitable replacement clothing must be provided.

Search of an Accredited Visitor

An accredited visitor may be required to submit to a scanning search before entering a corrective services facility, refer CSA s159(1).

Search of any Other Visitor

Any other visitors may be required to submit to a general search or a scanning search before entering a corrective services facility, refer CSA s159(2).

Conduct Search - Staff

The Chief Executive may require staff to submit to a general search or scanning search prior to entering a corrective services facility and direct the person to leave the corrective services facility in accordance with s. 173 of the CSA and Instrument of Delegation of Chief Executive Powers - Corrective Services Act.

Conduct Staff Searches

When a staff search is conducted the manager or officer who is senior to the officer conducting the search must ensure that:

- the search is conducted in an area to prevent avoidance or prior identification that the search is in progress to prevent prior removal of unauthorised articles (e.g. secure centre staff sign on area)
- care is taken to respect the dignity of the person being searched and to ensure minimal embarrassment to the person, without impeding the effectiveness of the search
- hand luggage carried by staff is to be screened visually or by x-ray equipment. The owner may be asked to empty the content of the bag for further inspection or clarification
- the staff member and hand luggage are subject to a search by an electronic drug detection equipment and/or Passive Alert Drug Detection (PADD) dog where available
- prohibited thing or non-approved items or substances identified during a search are to be seized and dealt with in accordance with CSA s138-142, refer Prohibited Things Appendix 1 and Incident Management Practice Directive.

Routine Scanning and General Searches

A General Manager or Deputy General Manager of a corrective services facility may require a staff member at a corrective services facility to submit to a general search and/or scanning search before entering the facility, refer Instrument of Delegation of Chief Executive Powers - Corrective Services Act.

<p>Additional Consideration – Princess Alexandra Hospital Secure Unit</p>	<p>In the case of the Princess Alexandra Hospital Secure Unit, the General Manager, Escort and Security Branch must determine the frequency of routine scanning and general searches.</p>
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Random and targeted scanning and general searches

The authority to conduct a staff search extends to any place within a prison reserve refer CSR s22.

The General Manager or Deputy General Manager of a corrective services facility may require a staff member to undergo a:

- scanning and/or general search upon entry to the facility; and
- random or targeted scanning and/or general search at any time while in the facility, however the dignity of the staff member must be maintained and minimal embarrassment caused to the staff member without impeding the effectiveness of the search.

A random or targeted scanning search may include:

- screening by Passive Alert Drug Detector Dogs
- use of an electronic metal detection device; or
- screening by an electronic drug detection device.

Random and targeted searches of staff members must be supervised by an officer senior to the officer conducting the search.

The General Manager or Deputy General Manager of a corrective services facility should subject a staff member to a general search if a scanning search:

- reveals that a staff member is committing a security offence; or
- causes the General Manager or Deputy General Manager of a corrective services facility to reasonably suspect the staff member of having committed a security offence.

Refer CSA s263.

Timeframe	The General Manager or Deputy General Manager of a corrective services facility must provide for random scanning and general searches of staff members in the facility which must: <ul style="list-style-type: none"> • be conducted at minimum of once each quarter • have the location of the staff search varied; and • be conducted at different times.
Responsible Officer	General Manager or Deputy General Manager of a corrective services facility
Approval and Review	In accordance with the Operational Order - Administrative Form 263.

Operational Planning

The General Manager of the corrective services facility must ensure that when planning for random and targeted scanning and general searches of staff that it is done in-confidence with the Deputy General Manager, Intelligence Adviser and essential staff only. This ensures that the integrity and performance standard of the staff search is achieved.

The General Manager of a corrective services facility must delegate the Deputy General Manager to develop an operational plan prior to the commencement of the staff search, which outlines the situation, mission, execution, administration/logistics, and command and communications (SMEAC). The



Operational Order – Administrative Form 263 must be utilised when planning a staff search in a corrective services facility.

To ensure the integrity and covert objective of the staff search, the Deputy General Manager or nominated officer must conduct an operational briefing, prior to the staff search commencing with those staff who have been delegated a role in the operation. This will ensure the operation achieves its mission to maintain the integrity, safety and security of the corrective services facility, whilst also ensuring reasonable care is taken to protect the dignity and self respect of the person being searched.

The Operational Plan, once completed, must be approved by the General Manager of a corrective services facility prior to the staff search commencing. A scanned copy of the approved operational plan must be stored in a secured electronic folder nominated by the General Manager of a corrective services facility.

Officers to be Present When Staff Searches are Conducted

Random and targeted searches of staff members must be conducted with a manager or officer who is senior to the officer conducting the search present.

Where available, the following staff should also be present:

- intelligence officer
- PADD dog and dog handler

Search - Refusal

Refusal to Submit to Search - Prisoner

In the event a prisoner refuses to submit to a search the following Practice Directives may assist when deciding on an action to be taken:

- Risk Management
- Incident Management
- Facility Security (use of force).

Refusal to submit to search - Staff

A staff member should not refuse a direction to submit to a search process as prescribed in this Practice Directive without a reasonable excuse.

The General Manager or Deputy General Manager of a corrective services facility must be immediately advised if a staff member refuses to undergo a search detailed in this Practice Directive.

The General Manager or Deputy General Manager of a corrective services facility must determine what action, if any, is to be taken including whether the staff member should be allowed to enter the facility and on what conditions.

If the staff member does not submit to a general search when directed to do so, the General Manager or Deputy General Manager of a corrective services facility may direct the staff member to leave the corrective services facility.

Staff members employed by Queensland Corrective Services (QCS) as public service officers may be disciplined under the *Public Service Act 2008*, s187.



If a staff member employed by an engaged service provider refuses to submit to a search the service provider must be notified. The person refusing to be searched may be refused entry by the General Manager until they comply with departmental procedures.

Other staff members or visitors not covered by the above may be refused entry to the corrective services facility.

Additional Considerations – Queensland Health Staff	Where the General Manager or Deputy General Manager of a corrective services facility has not authorised entry for a staff member of Queensland Health as a result of the staff member's failure to comply with a direction to undergo a search, the General Manager or Deputy General Manager of a corrective services facility must advise the Senior Queensland Health Officer to discuss any further action in relation to the staff member.
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Refusal to submit to search - Visitors

If a visitor does not submit to a scanning or general search when required to do so by the General Manager of a corrective services facility or authorised delegate, the visitor may be refused access to the facility and the visitor's access approval may be revoked.

Refer CSA s159(3) and Instrument of Delegation of Chief Executive Powers.

If a personal visitor does not submit to a scanning or general search when required to do so, the Chief Executive may revoke the visitor's access approval or the visitor's approval for the visit to be a contact visit.

Refusal to allow Searches Involving Children

Where an adult visitor, responsible for an accompanying child, refuses to give permission for the child to submit to a scanning and/or general search or to provide assistance for the child to be searched:

- neither the visitor nor any child accompanying the visitor may be permitted to proceed with a contact visit

Response to a Negative Search – Nil to Report

When the result of a search is negative, the only further requirement is to record the results in the relevant log book/register. A negative search result does not limit or impact upon the implementation of any other processes within a corrective services facility.

Response to a Positive Search - Report

Preservation of Evidence and Disposal of Seized Property

All articles, substances or things located during a search are to be handled in accordance with the Incident Management Practice Directive and disposed of in accordance with CSA s138-142.

Corrective Services Facility

The officer controlling access to a facility is authorised to remove any prohibited thing or non-approved item from any visitor or vehicle. Officers may also remove any item from visitors or a vehicle that may not be permitted to be taken into a facility as a condition of entry to that facility. Refer CSA ss. 128, 138, CSR s20 and Prohibited Things Appendix 1.

Any non-approved item removed must be returned on the exit of the visitor and a verbal warning issued to prevent re-occurrence unless the items are seized. Secure storage facilities must be provided for items not permitted to be taken into a corrective service facility.



Refer Visitors to a Facility and Perimeter Security Practice Directives.

Additional Considerations – Health Centres	In the case of a health centre located in a corrective services facility, the General Manager of the corrective services facility or Deputy General Manager must advise the Senior Queensland Health Officer of any non-approved item or prohibited thing located within the health centre.
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Prisoner deemed in possession of prohibited thing

If a prohibited thing is located in a prisoner's cell that is occupied solely by that prisoner, or is located on a prisoner, it is deemed evidence that the thing was in the prisoner's possession when it was found. Refer CSA s123(4), Prohibited Things Appendix 1 and the Incident Management and Risk Management Practice Directives.

Staff in possession of prohibited thing/non approved item

The General Manager or Deputy General Manager of a corrective services facility must be notified if a search reveals that a staff member is in possession of a non-approved item and/or prohibited thing or if there is reasonable suspicion that a staff member is in possession of a non-approved item and/or prohibited thing. Refer Prohibited Things Appendix 1.

Reporting Requirements

An incident report must be completed if a prohibited thing, or a thing which poses a risk to the safety and good order of the facility including on persons within the facility is found. Refer Prohibited Things Appendix 1.

Refer to the Incident Management Practice Directive for incident reporting details.

Consider Actions for Positive Search

The General Manager of a corrective services officer and/or delegated officer must consider all evidence when deciding upon the action to be taken in the event a security offence is identified or is reasonably suspected and/or upon identification of a prohibited thing as a result of a search.

Non-compliance - Corrective Services Facility

The General Manager or Deputy General Manager of a corrective services facility must be notified as soon as possible, if during a search of work area reveals:

- a non-approved item or a prohibited thing; or
- there is evidence to suggest that a security offence may have been committed.

The General Manager or Deputy General Manager of a corrective services facility will then inform:

- the Ethical Standards Unit if a non-approved item or prohibited thing is located; or
- refer the matter to the CSIU if there is evidence to suggest that a security offence may have been committed.

Non-compliance - Prisoner

For prisoner searches the following Practice Directives may assist when deciding on an action to be taken:

- Risk Management
- Incident Management.



Non-compliance – Staff

The General Manager or Deputy General Manager of a corrective services facility when responding to a positive search on a staff member should base decisions on:

- an assessment of the likelihood or possibility that the staff member's deliberate actions led to the search result;
- an assessment of the level of risk posed to the facility; and
- any other relevant factor.

All determinations must be made on a case by case basis.

The General Manager or Deputy General Manager of a corrective services facility should exercise caution when deciding to detain a staff member, and must ensure that the decision is made in accordance with CSA s136. For example, if electronic drug detection equipment has indicated a threshold alarm, the General Manager or Deputy General Manager of a corrective services facility should take into consideration that a positive result does not necessarily indicate any wrongdoing on the part of the scanned person. A threshold alarm from electronic scanning equipment, without any supporting evidence, would not normally justify the detention of a staff member under CSA s136.

The General Manager or Deputy General Manager of a corrective services facility must interview the staff member to determine any reasons for a positive indication, refer Staff Search Positive Indication Questionnaire Administrative Form 288.

The General Manager or Deputy General Manager of a corrective services facility, after considering all circumstances (including any explanation provided by the staff member), may determine that the staff member be:

- allowed to commence or complete their duties as normal and/or approve the item in accordance with Approved Items for Staff Appendix 2;
- where the item is not a prohibited thing, instructed to leave the item outside the facility and retrieve it at the completion of the shift;
- directed to carry out duties that do not involve contact with prisoners for part or all of the shift;
- allowed to commence or complete their duties and that a warning be issued to the staff member;
- prevented from entering the facility; and/or
- referred to the Corrective Services Investigation Unit (CSIU) and the Ethical Standards Unit. The matter may subsequently be referred to the Crime and Corruption Commission.

<p>Additional Considerations – Queensland Health Staff</p>	<p>In the case of a staff member of Queensland Health, the General Manager or Deputy General Manager of a corrective services facility must advise the Senior Queensland Health Officer of any action being taken.</p>
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Recording Details of a Search

Mandatory Requirements

Details of all scan, screening and search activities conducted and the outcome must be recorded in a register determined for that specific purpose only. The occurrence of the search is to be recorded in the relevant log book (e.g. accommodation unit log book or reception store log book). Refer Facility Security Practice Directive, Gate Books Log Books and Registers Requirements Appendix 11.

Details to be recorded include:



- all search details and results including accommodation searches - common areas and cells;
- removal of clothing or body search details must include the reason and approval for the search, the names of all persons present during the search and details of anything seized from the prisoner in accordance with the CSA s40 and CSR s11;
- all items that are found within a vehicle and are to be utilised must be recorded against the visitor in the appropriate register or logbook.

Visitors - When a Corrective Services Officer is Directed by a QPS Officer

When a corrective services officer is directed by a QPS officer to conduct a search requiring the removal of clothing of a visitor, the search must be recorded in a hard copy format register or log book relevant to that occurrence. Refer Search of Person/s Under Authority of a Queensland Police Service Officer Administrative Form 289.

Staff Searches

The General Manager or Deputy General Manager of a corrective services facility must:

- establish a hardcopy register for recording the details of searches of staff members; and
- ensure that the details of each, random or targeted search (for the purpose of this procedure) of a staff member, are recorded in the hardcopy register as soon as practicable after the search is conducted.

Details of each search must include the:

- date of the search;
- time of the search;
- staff member's name;
- staff member's position held at the time of the search;
- type of search conducted;
- officers present and the name of the officer who conducted the search;
- location where search conducted;
- reason for the search;
- results of the search;
- relevant statements made by the staff member; and
- any relevant post search action taken.

When a positive indication has occurred the staff search register must record an entry reflecting the occurrence and details of the search.

The General Manager or Deputy General Manager of a corrective services facility must record the decision and the reasons for the decision to detain a staff member in the search register.

Additional Considerations – Staff Search Register	The register and its contents is a confidential document. The General Manager or Deputy General Manager of a corrective services facility must ensure that the register is kept in a secure place and that no access to the register is gained without their authority.
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