Prison Rule 11 Searching

Prisons

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|  | Rule made by the Chief Executive Officer of the Department of Justice pursuant to section 35 of the *Prisons Act 1981* | | | |  |
|  | | |  | 6 May 2020 | |
|  | Adam Tomison  **Director General** | Signature |  | Date |  |
|  | | | | | |
|  | Rule approved by the Minister for Corrective Services pursuant to section 35 of the *Prisons Act 1981* | | | |  |
|  | | |  | 8 June 2020 | |
|  | Hon. Francis Logan MLA  **Minister for Corrective Services** | Signature |  | Date |  |

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# Purpose

### This Rule provides for the authority to undertake searches of:

* vehicles entering prisons
* prison environments and buildings.

# Scope

### This Rule applies to all prisons.

### This Rule applies to all prison officers and persons employed by the Department of Justice (the Department) designated as prison officers, and to all contract workers authorised by the Commissioner in accordance with s 15I (1) *Prisons Act 1981* to perform a searching function.

# Searching of vehicles entering a prison

### Superintendents must ensure all vehicles are searched when entering or seeking to enter a prison, which the exception of emergency response vehicles.

### Superintendents must specify the location and level of search (e.g. equipment and technique) of the vehicle entering their prison.

### Superintendents must specify the type of vehicles that must not enter their prison during general unlock.

# Environment Searches

## Cell checks

### Superintendents must ensure the fixtures, fittings and items within a cell are safe and secure.

## Cell searches

### Superintendents must ensure that 15% of the prison cells are searched each week.

### The cell searches are to include an inspection and interrogation of all fixtures, fittings and items within a cell.

## Common areas

### Superintendents must ensure that common areas are searched daily. Common areas include dayrooms, ovals, workshops, recreation areas and any other area where a prisoner may be reasonably expected to have access to.

## Perimeter checks

### Superintendents must ensure that searches of prison perimeter fences are conducted randomly at a minimum of twice daily.

# Definitions

Terms used within this document are as defined with the *Prisons Act 1981*and *Prison Regulations 1982*, unless otherwise specified.

# Document version history

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