



**Immigration and Border Policy Directorate
Criminality and Enforcement Policy**

Title	Detention Services Order 09/2012 Searching Policy		
Process	Searching detainees, staff, visitors, vehicles and mail in immigration removal centres, pre-departure accommodation, residential and non-residential short-term holding facilities, and under escort		
Implementation Date:	December 2014	Review Date:	December 2016

CONTAINS MANDATORY INSTRUCTIONS

<p>For Action</p> <p>Service providers in immigration removal centres, residential and non-residential STHFs, PDA, and escort service providers</p>	<p>Author and Unit</p> <p>Detention policy, criminality and enforcement policy, immigration and border policy directorate</p>
<p>For Information</p> <p>Immigration removal centres, residential and non-residential STHFs, PDA, escort staff, detention operations' staff, service providers' staff</p>	<p>Owner</p> <p>Assistant director, detention policy, criminality and enforcement policy, immigration and border policy directorate</p>
<p>Contact Point</p> <p>Detention policy</p>	
<p>Processes Affected</p> <p>Searching</p>	
<p>Assumptions</p> <p>All staff will have the necessary knowledge to follow these procedures.</p>	

NOTES

This DSO replaces DSO 9/2012 version 2.0, which is cancelled.

Issued December 2014

Version 3.0



Detention Services Order 09/2012

Searching policy

Contents

[Introduction](#)

[Definitions](#)

[Policy and authority](#)

[Procedures: admission, removal and transfer](#)

[Routine searching and room searches](#)

[Searching detainees: religious/cultural considerations](#)

[Procedures: Rule 40 and Rule 42](#)

[Searching of detained children](#)

[Visitors](#)

[Visiting religious ministers](#)

[Legal advisers](#)

[Establishment staff](#)

[Home Office staff](#)

[Vehicles](#)

[Mail](#)



Detention Services Order 09/2012

Searching policy

Introduction

1. This order informs Home Office staff and service providers of the policy regarding searching detainees, staff, visitors, vehicles and mail in immigration removal centres, pre-departure accommodation, residential and non-residential short-term holding facilities, and under escort.
2. Each establishment's service provider and the escort service provider must inform detainees, staff and visitors that they are liable to search by displaying the information prominently in appropriate locations around the establishment.
3. Each establishment's service provider and the escort service provider must agree their searching procedures with Home Office Immigration Enforcement. These procedures must include how they will conduct the searching of individuals with disabilities (both detainees and visitors), including wheelchair users and those with prosthetic limbs.
4. Please note that a separate DSO covers the searching of transgender detainees. Aspects of this DSO apply to transgender detainees but nothing in it should be regarded as superseding the requirements of the separate DSO on the care and management of transgender detainees (DSO 11/2012, or its successor).
5. The pre-departure accommodation (PDA) operating standards set out the policy on searching that applies at PDA. Aspects of this DSO apply to PDA but nothing in it should be regarded as superseding the requirements of the PDA operating standards.

[Back to contents](#)

Definitions

6. The term 'establishment' is used throughout this DSO to refer to immigration removal centres, pre-departure accommodation, residential and non-residential short-term holding facilities.

7. A 'full search' is a search of an individual that requires the removal and inspection of all clothing and footwear. The search must be conducted by two officers of the same sex as the individual and the individual must not be completely naked at any stage or in the view of others not involved in conducting the search.
8. A 'level A rub-down search' is a search of an individual conducted by a single officer running their open hands over the individual's clothing. In addition, the individual removes their footwear for inspection. The officer inspects the individual's hair by hand and visually inspects the ears, nose and mouth. Hand-held metal detectors and metal detector archways may be used to assist in conducting the search.
9. A 'level B rub down search' is a search of an individual conducted by a single officer running their open hands over the individual's clothing. Footwear will not be removed and no inspection of the hair, ears, nose and mouth takes place. Hand-held metal detectors and metal detector archways may be used to assist in conducting the search.

[Back to contents](#)

Policy and authority

10. The authority for the searching of detainees in immigration removal centres and short-term holding facilities and during escort is contained in paragraphs 2 and 3 of Schedule 11 and paragraph 2 of Schedule 13 to the Immigration and Asylum Act 1999 (the 1999 Act), and rules 7, 50 and 55 of the Detention Centre Rules 2001.
11. A detainee custody officer (DCO) or a prison officer certified to carry out this role may search any detained person, in accordance with paragraphs 2 and 3 of Schedule 11 or paragraph 2 of Schedule 13 to the 1999 Act and the Detention Centre Rules.
12. A DCO may search any person who is in, or is seeking to enter, any place where any detained person is, or is to be, held and any article in the possession of such a person. The 1999 Act expressly states that this does not authorise requiring such a person to remove any of his or her clothing, other than an outer coat, jacket or gloves. Accordingly, a full search cannot be carried out on visitors or staff.
13. The purpose of searching is to reduce the risk of:
 - possession of any unauthorised article;
 - harm to the public, detainees or staff;
 - damage to property; and/or
 - escape or assisting an escape from custody.
14. The following procedures are to be followed with the searching of detainees or any other person entering an establishment or for escort. In

all circumstances, the purpose and process of the search must be explained fully before the search commences. The search must be conducted in a sensitive way at all times.

[Back to contents](#)

Procedures: admission, removal and transfer

15. This section applies to searching of adults only. The searching of children is dealt with in a separate section of this instruction.
16. For reasons of security and safety, a DCO must search all detained persons on admission to an establishment.
17. At all establishments apart from pre-departure accommodation, all detainees are to be given a level A rub down search on admission (before they leave the reception area), on removal and on transfer. A hand-held metal detector and/or metal detector archway may be used to assist in conducting the search. In the case of female detainees, staff members conducting the search must be female (and where possible only female members of staff should be present). To avoid the potential for double-searching prior to removal or transfer, the search should usually be conducted by those receiving the individual into their care (usually the escort service provider).
18. If the establishment is able to accommodate, detainees should be given an option on arrival of being searched in private rather than at a reception desk. If this cannot be accommodated, attempts should be made to shield those being searched from the sight of others, using a privacy screen or similar.
19. At pre-departure accommodation, residents should not be subject to excessive searching. On arrival, the family will pass through a security portal. Adults should be given a level B rub-down search on admission by establishment staff, and by escort staff on removal and on transfer. In all cases this search must be undertaken before adult family members leave the reception area, and out of sight of children. In the case of female residents, staff members conducting the search must be female (and where possible only female members of staff should be present).
20. All property that is to remain in detainees' possession must be thoroughly searched. On admission, electrical items must be "PAT" (Portable Appliance Test) tested and x-rayed before being returned to detainees. All other property will be securely stored. All property that is to be stored will be searched or x-rayed and sealed prior to storage. At pre-departure accommodation, property will be x-rayed and only hand searched if prohibited items are identified by the x-ray.
21. On removal/transfer, any property that has been stored and has not been sealed or the seal has been opened, will be searched before being

handed to the escorting service provider for transportation to the final destination.

22. No detainee may be routinely subjected to a full search on admission or when being removed or transferred. See paragraphs 23 and 25-27 below for details of when and how a full search might be authorised and how it should be carried out.

[Back to contents](#)

Routine searching and room searches

23. All areas of an establishment and all detainees are liable to ad hoc searching in accordance with the searching procedures of each service provider. The detainee custody officer (DCO) must have an objective justification for the ad hoc search. Detainees must not be routinely subject to a full search whilst resident in an establishment. If a full search is considered necessary, it must not be conducted in the sight or presence of any person not of the same sex as the detainee. Only those members of staff conducting the search may be present.
24. Detainees should be searched on entry to and departure from the visits area in accordance with the searching procedures of each service provider.
25. If there is evidence or intelligence to suggest that a detainee may be attempting to hide an illicit item about his or her person, then a full search may be authorised by the establishment's centre manager or nominated manager in charge or escort service provider's duty manager. The Home Office Immigration Enforcement manager or, if under escort or held at a residential short-term holding facility/holding room, a DEPMU senior manager, must be notified in advance where possible or as soon as possible afterwards. It is not appropriate for a detainee to be searched twice by different service providers for the same purpose on the same occasion.
26. In the event that a full search has been authorised, then proper procedures must be followed to ensure that detainees are not:
 - in view of other detainees;
 - in the sight or presence of any person not of the same sex,
 - completely unclothed at any time.
27. Only those members of staff conducting the search may be present. All authorisations for full searches must be recorded, giving details of the reason for the search and if anything was found. These records must be available to Home Office Immigration Enforcement on request.
28. A search of a detainee(s)' room will be carried out by a minimum of two detainee custody officers (DCO) and the detainee(s) should be invited to

be present during the search. In the case of female detainees, establishments should aim to ensure that both staff members conducting the search, and where possible any others present, are female. If the detainee(s) wish to be present for the room search, they must first undergo a level A rub-down search.

[Back to contents](#)

Searching detainees: religious/cultural considerations

29. For routine searching arrangements, a member of the faith team must be involved with the drawing up of a searching plan for chapels or multi-faith rooms.
30. Male detainees of some faiths may find it unacceptable to be searched by a female member of staff. Male detainees with a religious or cultural objection to being searched by a female member of staff must be searched by a male member of staff. All female detainees must be searched only by female staff.
31. The Qur'an forbids the nakedness of Muslims in front of others. However, full searches are allowed under Islamic law when such a search is necessary for the security and safety of individuals or the establishment.
32. Detainees should normally be allowed to wear religious/cultural headwear (for example, Sikh turbans, Jewish yarmulkes, Muslim caps/headscarves, Rastafarian hats). Such headwear is subject to searching, but care must be taken to treat it with respect. Detainees should be asked to remove, and where necessary unwind, headwear themselves in the first instance. Staff should only intervene if the detainee fails to cooperate with the request. In addition to physical searching of headwear, all persons can have their religious headwear searched by a hand-held metal detector.
33. Sikh detainees are not allowed to carry a Kirpan (small knife). They are only allowed to have a representation of a Kirpan inlaid in metal on a Khanga (comb).
34. The holy books and religious artefacts of any faith, while being subject to search, must be treated with respect. They should not be handled by dirty hands. Gloves must be worn if an officer needs to pick up any religious artefacts. Objects should not be put on the floor or with shoes or underclothes. The detainee should be allowed to point out holy books and religious artefacts before the search. It is preferable for the detainee to show the book or object themselves when subject to a search.
35. Images of the Buddha are a key part of Buddhist religious practice and statues of the Buddha are allowed to be held in possession by Buddhist detainees. Buddha images must be handled carefully and with respect.

They must not be picked up by the head and the enlightenment flame (the point on the head) must not be cut or filed.

36. If search dogs are used in a room search they should not be allowed to touch holy books and artefacts. Detainees may be issued with, and allowed to cover holy books and artefacts in, a clear plastic pouch to prevent dogs touching them directly. The detainee should be allowed to bring out religious artefacts from their room so that the supporting staff can search them by hand before the room is searched. Suspicion that the dogs have conveyed saliva to the book or object would make it defiled in many faiths. Bedding should be changed where the detainee feels that it has been defiled.
37. In some faiths, most notably the Muslim faith, if dog hair or saliva comes in to contact with an individual's clothing or religious artefact, it renders these items defiled. If a search dog touches such a detainee they will wish to make ritual ablutions and change clothes. This must be allowed.

[Back to contents](#)

Procedures: Rule 40 and Rule 42

38. Detainees who are being separated from the normal regime should be subject to a level A rub down search. Metal detecting wands/portals may be used, but detainees should not be routinely subject to a full search. In the case of female detainees, staff members conducting the search must be female (and where possible only female members of staff should be present). If there is evidence or intelligence to suggest that an illicit item has been secreted, or following an individual risk assessment, then the establishment's centre manager (or nominated manager in charge) or escort service provider's duty manager may authorise a full search and the requirements at paragraphs 7, 23 and 25-27 must be met.

[Back to contents](#)

Searching of detained children

39. Children will be searched on arrival at an establishment, or on return to an establishment. Searches may also be conducted during their stay if deemed necessary to maintain safety and security.
40. Searching of children should be undertaken using a metal detecting wand or with the child being asked to walk through a metal detector archway first. Only where a risk assessment indicates that it is necessary or if the wand/archway alarm is set off may a child be given a level B rub down search. In the first instance, the child or parent should be asked to remove the item setting off the alarm. If they refuse, the officer should endeavour to verbally persuade them to cooperate. If they continue to

refuse, the child should be given a level B rub down search by two officers of the same sex as the child. Where practicable, a parent/carer should be present during the search.

41. Babies should only be searched in exceptional circumstances and, wherever possible, two female DCOs must conduct any search. If two female DCOs are unavailable, then one female and one male DCO may conduct the search. A search by one female and one male DCO will require manager's authority and a note should be made of the reasons for the exception to the two female searchers policy. Where practicable, a parent/carer should be present during the search.
42. Staff must ensure, as far as practicable, that children understand the reason for the search, which must be explained in a language and in age appropriate terms that they understand. Where practicable, a parent/carer should be asked to assist in giving the explanation. Children should be reassured before and throughout the search.
43. Further details are in the pre-departure accommodation operating standards.

[Back to contents](#)

Visitors

44. All social and official¹ visitors are liable to a level B rub down search. The 1999 Act prohibits requiring a visitor to remove any clothing other than an outer coat, jacket or gloves. Metal detecting wands/portals may be used and possessions may be searched as a condition of entry to an establishment. **On no account should any visitor be subjected to a full search.** Notices must be clearly posted at the entrance to any establishment informing visitors that they are liable to be searched on entry and the establishment's policy on the searching of religious headwear and restrictions on the carrying of Kirpans.
45. Child visitors should be searched in the same way as the search used for children resident at pre-departure accommodation (see paragraphs 39-42). The establishment has the right to refuse entry if either the accompanying adult will not permit the search or will not cooperate to establish the source of any alarm.
46. Where male visitors have a religious or cultural objection to being searched by a woman, a male member of staff must carry out the search. All female visitors must be searched by a female member of staff.

¹ Persons whose visits are being hosted by the centre manager or a Home Office member of staff or as otherwise defined in the DSO on official visitors.

47. If there is evidence or intelligence to suggest that a visitor is attempting to bring an illicit item into the establishment, then admission may be refused and/or the police advised. Where access is refused, a record of the reasons must be kept. Home Office Immigration Enforcement should be informed.
48. Visitors should only be asked to remove religious headwear if there is an alarm that cannot be accounted for or if there is suspicion of concealed items. This must be done in private and by officers of the same sex as the visitor. An officer should not attempt to unwind or remove headwear. The visitor must be given the opportunity to remove or unwind it themselves. Following the removal of headwear, the person must be given the opportunity to use a mirror, and to have privacy and time to put it back on.
49. Some female visitors, particularly those of the Muslim faith, may wear veils or other face coverings for religious reasons. They must not be made to uncover their faces or hair in public or in front of a man as this could cause serious offence and distress. When required for security or identification purposes, the removal of the veil or face covering must be done in private with only female staff present.
50. Sikh visitors are not allowed to wear their Kirpan inside the establishment (unless they are a minister of religion or legal adviser, see below). Restrictions on visitors wearing Kirpans should be publicised in an appropriate notice and in the visitors' centre.
51. Care must be taken that search dogs do not touch a visitor whose religious beliefs would make this offensive to them.

[Back to contents](#)

Visiting religious ministers

52. Ministers are subject to search but must be treated as official visitors. Refusal on their part to allow a proper search should normally mean that they are refused entry. However, the manager of religious affairs (or equivalent) should be advised and the establishment's centre manager or duty manager must be consulted before they are refused.
53. A Sikh minister may wear a Kirpan (a small religious knife) within the establishment. This policy applies to both a Sikh minister appointed to the establishment and any other visiting Sikh minister. The Kirpan must be small (not more than approximately six inches or 15cm long including the handle). Large Kirpans are not acceptable. The Kirpan must be secured to the body under clothing. Gate/security staff should confirm that the Kirpan is being carried when the Sikh minister enters and leaves the establishment. If a Sikh minister is required to remove his Kirpan as part of the search he must be allowed to do so in private and it should not

be handled by anyone apart from the Sikh minister. He should be allowed privacy to put the Kirpan back on.

[Back to contents](#)

Legal advisers

54. Detention Centre Rule 2 defines 'legal advisers' in relation to a detained person as his/her "counsel, representative or solicitor, and includes a clerk acting on behalf of his/her solicitor".
55. A Sikh legal adviser may be allowed to wear a Kirpan when visiting a detainee in a designated visits area, subject to risk assessment. The Kirpan must comply with the requirements on size and being secured to the body set out in paragraph 53 above. Gate/security staff should confirm that the Kirpan is being carried when the legal adviser enters and leaves the establishment. If a Sikh legal adviser is required to remove his Kirpan as part of the search he must be allowed to do so in private and it should not be handled by anyone apart from the Sikh legal adviser. He should be allowed privacy to put the Kirpan back on afterwards.

[Back to contents](#)

Establishment staff

56. All establishment staff are liable to a random search if the establishment manager so directs, in accordance with the searching procedures of each establishment agreed by Home Office Immigration Enforcement. This may include a level A or level B rub down search. Female staff must only be searched by other female staff. **On no account may a member of staff be subjected to a full search.** If there is evidence or intelligence to suggest that a member of staff is attempting to bring an illicit item into the establishment then the police may be requested to attend. A record must be kept of all searches of staff together with the outcome.
57. Sikh members of staff are not allowed to wear their Kirpan inside the establishment.
58. Independent Monitoring Board (IMB) members should be treated the same as establishment staff.

[Back to contents](#)

Home Office staff

59. All Home Office staff entering the establishment for the purposes of work are liable to the same level of random search as establishment staff. This may include a level A or level B rub down search. Female staff must only be searched by other female staff. **On no account may a member of Home Office staff be subjected to a full search.** If there is evidence or intelligence to suggest that a member of Home Office staff is attempting to bring an illicit item into the establishment then the police may be requested to attend. A record must be kept of all searches of staff together with the outcome.
60. Sikh members of Home Office staff are not allowed to wear their Kirpan inside the establishment.

[Back to contents](#)

Vehicles

61. All vehicles should be searched on entry to and exit from an establishment in line with the local searching policy.

[Back to contents](#)

Mail

62. All parcels sent in for detainees/residents will be checked using an X-ray machine (where available) prior to being issued to the detainee. If the X-ray indicates that the parcel may contain a prohibited item, the DCO should open the parcel in the presence of the detainee, and should explain to the detainee the reason(s) why this is necessary.
63. Where an X-ray machine is not available but there is nevertheless reasonable cause to believe a parcel may contain a prohibited item, a DCO will open the parcel in the presence of the detainee.
64. Letters for detainees will be scanned using a hand-held metal detector (HHMD) and/or an X-ray machine prior to being handed unopened to the detainee. If the HHMD or the X-ray indicates that the letter may contain a prohibited item, a DCO should open the letter in the presence of the detainee, and should explain to the detainee the reason(s) why this is necessary.
65. Where there is sufficient intelligence to suggest that a detainee may be receiving prohibited items through the post, a DCO will open the parcel or letter in the presence of the detainee, and should explain to the detainee the reason(s) why this is necessary.

Revision History

Review date	Reviewed by	Review outcome	Next review
12/2014	Detention Policy	Outdated terms replaced; provision concerning legal advisers and Kirpans added.	12/2016