1. Introduction

These Procedures operationalise Policy Directive 26 – Searches in regards to the search of vehicles, to ensure consistency and application of legislated requirements.

2. Exemptions

Local search provisions shall determine searching requirements applicable to ambulances accessing the prison while being mindful of the emergency nature of the vehicle’s entry and departure from the prison. See also Policy Directive 26 – Procedures – Searches of Staff for details in regard to the possession and use of mobile telephones by paramedics.

3. Definitions and acronyms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Designated Superintendent</td>
<td>The superintendent as defined in s 36 of the Prisons Act 1981 and includes any reference to the position responsible for the management of a private prison under Part IIIA of the Act. Does not extend to the Officer in Charge of a prison.</td>
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<tr>
<td>prison officer</td>
<td>A person engaged or deemed to have been engaged to be a prison officer under s 13 of the Prisons Act 1981 or deemed to have been appointed under s 6 to an office designated by Adult Custodial Rule 12 – Designation of Officers as Prison Officers and suitably trained to undertake searches in accordance with Policy Directive 26 – Searches.</td>
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<tr>
<td>superintendent</td>
<td>The Designated Superintendent or Officer in Charge (OIC) of a public prison, the Director or Officer in Charge of a private prison.</td>
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<tr>
<td>TOMS (Total Offender Management Solution)</td>
<td>An electronic database used by the Department of Corrective Services to record and manage comprehensive information relating to prisoners.</td>
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4. **Vehicle access to prisons and searches**

4.1 The level of vehicle access to prisons and search standards will depend upon the security rating of the prison. Searching standards set by the Designated Superintendent in the prison’s Searching Strategy shall set forth the prison’s vehicle access and searching standards and shall specify:

- the types of vehicles not to enter the prison during general unlock
- the location and level of search of the vehicle
- the searching equipment and techniques
- exceptions for emergency vehicles
- access control for vehicles that may pose a security risk to the prison (e.g., cranes, fork-lifts, cherry pickers)
- the level of search required for goods coming into the prison.

4.2 The prison’s Searching Strategy shall determine the minimum search requirements of the driver and passengers (refer to Policy Directive 26 – Procedures – Searches of Visitors or Policy Directive 26 – Procedures – Searches of Staff).

4.3 As a minimum, prior to entering or departing a prison:

- All vehicle occupants (other than prisoners on a prison escort vehicle) shall be required to alight from the vehicle
- Officers shall confirm the identity of the driver and passengers.

**Note:** Officers on board non-secure prisoner transport vehicles which attend a prison with prisoners in transit (i.e., sedans, wagons, and coaches) are not required to alight from the vehicle, in order to maintain the security of the prisoners on board. Designated Superintendents shall have processes in place to ensure that these vehicles are adequately searched and the vehicle occupants identified prior to permitting such vehicles to enter a prison.

5. **Vehicles search procedures**

5.1 The requirements of Policy Directive 26 – Procedures – General Search Requirements shall apply.

5.2 **Policy Directive 26 – Searches – Appendix B – Search of a person entering/leaving a Prison** shall be completed for the search of a person in a vehicle seeking to enter a prison – refer also Policy Directive 26 – Procedures - Searches of Visitors or Policy Directive 26 – Procedures – Searches of Staff.

5.3 The identity of the driver and passengers is to be confirmed.

5.4 Searching officers are to systematically search the inside driver and passenger area, the boot cargo area, outside engine / engine compartments where appropriate (see below) and outside, underneath and top of the vehicle. Staff should also check the wheel arches and spare wheel well.
5.5 This diagram outlines the 5 key areas to be searched:

A. Check the doors and inside the vehicle including in consoles, glove box, door pockets, etc.
B. Check inside the vehicle
C. Check the engine compartment
D. Check the roof using suitable equipment
E. Check underneath using suitable equipment

5.6 Equipment not required for the purpose of the vehicle’s entry shall be required to be stored at the gate and not permitted entry into the prison.

5.7 If the searching officers find an unauthorised article during the search and the person is likely to be charged in accordance with the *Prisons Act 1981* or by the police, procedures for the continuity of evidence must be followed as stated in *Policy Directive 26 – Procedures – General Search Requirements, Policy for Gathering and Preservation of Evidence, Continuity of Exhibits* and *Procedures for the Preservation of Evidence, Continuity of Exhibits, Drug Movements and Inventory Control*.

5.8 If contraband or unauthorised articles are found, formal questioning or taking of a statement is not to be undertaken.

5.9 If any damage has been caused to the vehicle, the searching officers are to declare such damage and submit a report on TOMS detailing the circumstances of the damage.

5.10 Searching officers are to record the search on TOMS and shall ensure that, in the event that unauthorised articles are found, the process detailed in *Section 8* is followed.

6. **Intelligence led vehicle searches**

6.1 In accordance with *Policy Directive 26 – Procedures - Searches of Visitors*, the Designated Superintendent or delegate may authorise a search of a vehicle brought onto prison property by a visitor.

6.2 In accordance with *Policy Directive 26 – Procedures – Searches of Staff*, the Designated Superintendent or delegate may authorise a search of a vehicle
brought onto prison property by staff after they have assessed and considered whether there are sufficient grounds justifying such action.

7. **Equipment**

7.1 The following equipment may be used for searching vehicles:

- stepladders
- mirrors (including telescopic, trolley and ceiling mounted mirrors in the gate area)
- torches
- drug detection dogs

7.2 The Designated Superintendent shall ensure that appropriate equipment is available to conduct vehicle searches and that the equipment is maintained and replaced as required.

7.3 Staff shall be mindful of the use of drug detection dogs in areas of vehicles which carry bulk foodstuffs.

8. **Contraband finds**

8.1 If contraband is found in a vehicle under the control of a staff member, the staff member shall be detained and interviewed by the superintendent who shall determine the relevant course of action. This may include detaining the person under s 50(5) of the *Prisons Act 1981* and delivering them into the custody of a police officer under s 50(6) of the *Prisons Act 1981*.

8.2 If contraband is found in a vehicle under the control of a visitor, the search officers shall detain the visitor and contact the Western Australia Police (WAPol) to facilitate criminal proceedings (refer Section 8.3 below).

8.3 In the event WAPol cannot attend the prison, the visitor is to be released. The contraband item and the relevant incident reports shall be provided to WAPol upon their later attendance at the prison (refer Section 8.2 above and Policy Directive 6 – Release of Information).

8.4 In all cases where contraband is found the incident must be reported in accordance with Policy Directive 41 – Reporting of Incidents and Additional Notifications.

8.5 The seizure, labelling, evidence continuity, storage and disposal of contraband shall be managed in accordance with Procedures for the Preservation of Evidence, Continuity of Exhibits, Drug Movements and Inventory Control.
9. **Approved**

Commissioner or delegated authority in accordance with PD 26:

Signature: 

Date: 19 February 2015

10. **Policy sponsor**

Assistant Commissioner Custodial Operations

11. **Contact person**

The following persons may be approached on a routine basis in relation to this policy:

Director Security and Response Services

Principal Operational Policy Officer

12. **Amendment history**

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<tr>
<th>Version</th>
<th>Approved</th>
<th>Effective from</th>
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<tbody>
<tr>
<td>3. Amended</td>
<td>19 July 2010</td>
<td>23 July 2010</td>
</tr>
<tr>
<td>4. Amended</td>
<td>8 December 2014</td>
<td>22 December 2014</td>
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