**SEARCH PROCEDURE ANNEX R**

**Text

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| CELL SEARCH |

Cell Search programmes and processes will be set out in the LSS for each establishment.

Staff must always consider the potential use innocent items may have in the assembly or construction of firearms, weapons and escape equipment etc.

Prisoners may be issued with, and allowed to cover, holy books and artefacts in a clear plastic pouch to prevent dogs touching them directly. 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 prisoner feels that it has been defiled. See searching policy framework for religious and cultural considerations relating to searching.

See [PSI 49/2011 Prisoner Communications Services](http://home.hmps.noms.root/Intranet/ShowBinary?nodeId=/Repo/HQ/internal_communications/psi/psi_49_2011_prisoner_communication_services.docPSI%20) for instructions on handling legally privileged documents. Prisoners should always be present when searching R39 mail.

It is often difficult to prove that any unauthorised article found in shared living accommodation is in the possession of any particular prisoner. Nevertheless, the discovery and confiscation of an article denies its use to the prisoner, which may be just as important as bringing the prisoner to account.

The following process must be followed for a cell search.

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| **STEP** | CELL SEARCH |
| 1 | Unless the prisoner(s) is not available, i.e., during an intelligence led search, tell him/her that a search of their cell is to be conducted and advise them of the type of body search they will be given (depending on whether a routine or routine plus cell search is conducted). Legally privileged documents must not usually be searched without the prisoner being present, even during an intelligence led search. |
| 2 | Consider communication style, ask the prisoner(s) if they have any unauthorised articles in their accommodation or on their person. Even if articles are handed over, continue with the search |
| 3 | If present, prisoners must be asked to identify legal documentation at the start of a cell search. Staff must not read legal papers; only check that they do not contain any unauthorised articles. Prisoners should be given the option to either have their legal papers sealed whilst they are absent for the remainder of the search or to take them with them. |
| 4 | Carry out the appropriate search of the prisoner(s) either in the living accommodation or some other private area. The prisoner should then be placed in another area (association room) |
| 5 | Search and clear a suitable surface (e.g., bed or table) on which to place all searched items. |
| 6 | Use the door as a starting point, work your way around the accommodation searching all of its contents systematically and thoroughly. Include all known voids, ventilators, ceilings, floors, walls, doors, windows (inside, and where possible, outside) grilles, pipes and fixed furniture and fittings. |
| 7 | If you think items need to be searched outside the cell are, take them to a separate area to search them thoroughly. Technical aids can be used to assist |
| 8 | If you find an unauthorised article during the search, follow the procedures outlined in Evidence Policy Framework.   * Inform Orderly Officer to record on the Incident Reporting System (IRS) * Complete an intelligence report (IR) * Place prisoner on report if required   You may ask for an explanation of the presence of the articles found, but do not continue questioning or take a formal statement. |
| 9 | Ensure the Cell only contains items listed in the cell inventory. |
| 10 | Complete the search form. Declare any damage that may have been caused during the search. In such cases prison management will have procedures in place to ensure that prisoners are informed in writing of what has occurred, and of their right to claim compensation.  Inform the prisoner(s) of any articles that have been removed, even if they are to be returned at a later date. |
| 11 | Leave the living accommodation tidy. |
| 12 | On completion of the search staff must complete all required forms and submit as necessary. |
| 13 | Return any authorised article removed from the accommodation as soon as possible. |