

# Searching Young People Procedure

## Essential Summary

### Audience

- Youth Officer (Supervising or Transporting)
- Unit Supervisor – as the person in charge of the unit at the time (the Unit Manager, or Shift Supervisor)
- Duty Manager
- Assistant Manager
- Centre Manager - as the person for the time being in charge of the centre

### When to use this procedure

Use this procedure to identify the need to conduct or approve a search on young people within a Youth Justice NSW centre or court facility

This procedure must be read in conjunction with the *Searching Young People Policy* and *Clause 11A of the Children (Detention Centres) Regulation 2015*

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Please check in the [Operations Manual \(TOM\)](#) to ensure you have the latest version before using this document.



#### DOCUMENT DETAILS

Version:	0.3
Policy Reference:	[REDACTED]
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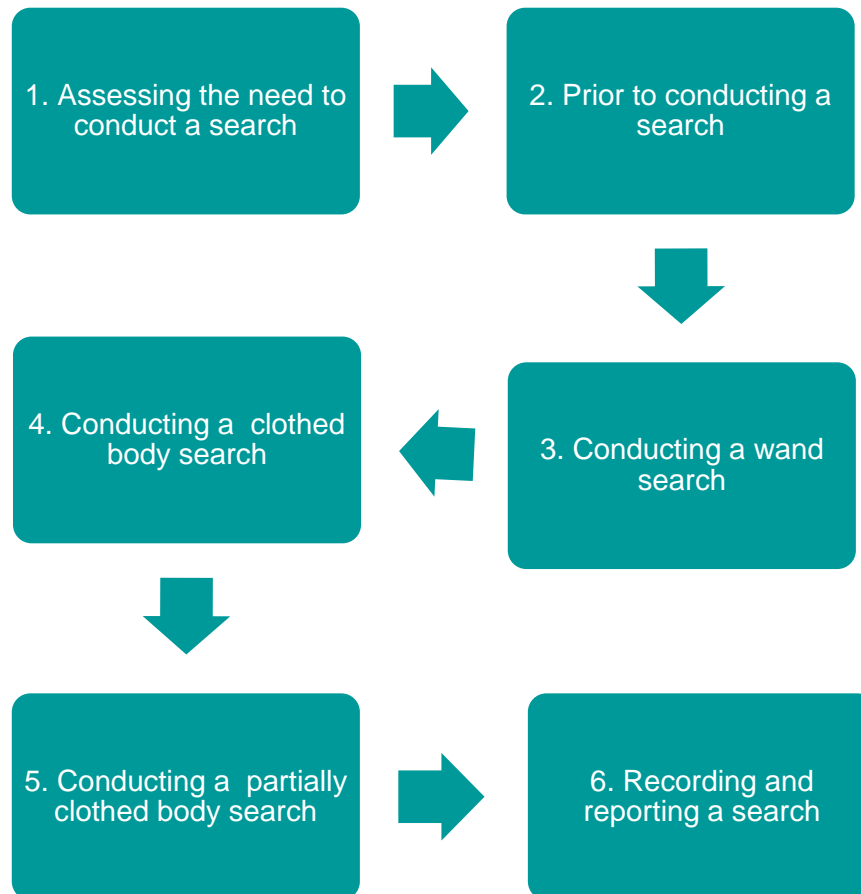
# 1.Purpose

The purpose of this procedure is to provide employees with directions for:

- risk assessing the need to conduct a search on a Young Person
- special considerations to be taken prior to conducting a search
- conducting wand, clothed body and partially clothed searches in a safe and non-harmful manner.

# 2.Process Map

## Searching a Young Person Procedure



### 3.Procedural Steps

<b>Step 1 – Assessing the need to conduct a search</b>
<b>Responsibility: Youth Officer (Transporting / Supervising Officer)</b>
<b>Tasks</b> [Redacted]
<b>Responsibility: Duty Manager (or responsible supervisor)</b>
<b>Tasks</b> [Redacted]



<b>Step 2 – Prior to conducting a search</b>
<b>Responsibility: Duty Manager (or responsible Supervising Officer)</b>
<b>Tasks</b> After a risk assessment has identified the need for a Young Person to be searched take into consideration that searching may be a traumatic or unsettling event for some young people and consider what actions can to be taken to limit the impact on a Young Person. <i>(section 9.1 of the Searching Young People Policy).</i> Consider the age, cultural identity, current psychological state and gender identity of the Young Person when selecting and /or organising searching officers. Provide young people who are transgender, gender diverse or intersex with an opportunity to give preference to the gender of the employee conducting the search. Give young people an opportunity to have different gendered searching officers for upper and lower partial body searches when requested by a Young Person. If a searching officer of the preferred gender identity is not comfortable with a direction to search a Young Person assign another searching officer of the preferred gender to the task. Refer to <i>section 9.1 of the Searching Young People Policy</i> if you require further clarification for assigning searching offices.

During a search support the searching officers to ensure that all steps are taken to cause the least amount of harm to a Young Person.

[REDACTED]

**Responsibility: Youth Officer (Transporting / Supervising Officer)**

**Tasks**

Have a clear understanding of what is defined as contraband and what items are approved for the Young Person to have in their possession.

Approval by the appropriate supervising officer must be gained for the type of search being conducted prior to starting the search (*See Approvals Table Section 4*).

Inform the Young Person that they are about to be searched and explain the reason and process to them, checking their understanding as you go. If the Young Person becomes extremely upset or agitated provide verbal support the young person and inform the supervising officer.

Provide the Young Person with an opportunity to voluntarily surrender or declare any dangerous or contraband items.

Clearly explain that before the Young Person surrenders any dangerous or contraband items, that they may be subject to a consequence as a result of being in possession of these items; however, their cooperation will be considered if a further consequence is required. This consequence is only applicable to searches conducted internally within a centre and does not apply to young people entering a centre for the first time.

Inform a Young Person being newly admitted to the centre, that no action under misbehaviour provisions will be taken against them if they dispose of dangerous or contraband items voluntarily.

Encourage young people returning from court, leave, camps, outings, and in transit from another centre to hand over any dangerous or contraband items on re-entering a centre.

Inform the young people of the level of consequences based on the types of item/s if they do handover the items.

[REDACTED]

For instruction on conducting a:

- wand search proceed to step 3
- clothed body search proceed to step 4
- partially clothed body search proceed to step 5





[Redacted content]

**Responsibility: Observing Officer**

**Tasks**

Observe the employee conducting the search to ensure that the JJNSW searching procedure is followed.



**Step 5 – Conducting a Partially Clothed Body Search**

**Responsibility: Youth Officer**

**Tasks**

[Redacted text block containing multiple paragraphs and bulleted lists of tasks, all obscured by black bars.]

[Redacted text block containing multiple paragraphs of blacked-out content]

**Responsibility: Observing Officer**

**Tasks**

Observe the employee conducting the search to ensure that correct procedure is followed.  
 When observing the search, position yourself so that you have a clear view of the searching officer, however cannot see the Young Person being searched.



**Step 6 – Recording and Reporting a Search**

**Responsibility: Youth Officer**

**Tasks**

[Redacted text block containing a list of tasks for the Youth Officer, with several bullet points and paragraphs of blacked-out content]



<b>Responsibility: Unit Supervisor</b>
<b>Tasks</b>
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<b>Responsibility: Duty Manager</b>
<b>Tasks</b>
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## 4. Search Approvals

All risk-based searches and random partially clothed body searches must obtain the following approvals:

Type of Search	Approval Non-routine (at a minimum)
<b>Wand Search</b>	Shift Supervisors
<b>Clothed Body Search</b>	Shift Supervisors
<b>Partially Clothed Body Search</b>	Unit Manager
<b>Partially Clothed Body Search</b> Where forced is required to be used to eliminate an immediate threat and there is an urgency to do so. (Refer to section 10 of the Searching Young People Policy)	Centre Manager

## 5. Supporting Documents

### Legislation

*Children (Detention Centres) Act 1987*

*Children (Detention Centres) Regulation 2015*

- *Clause 11 A Searching of detainees*
- *Clause 65 Use of force*

*Work Health and Safety Act 2011*

*Children and Young People (Care and Protection) Act 1998*

### Policy

Searching Young People  
DCJ Workplace Gender Transition Policy and Guide.  
Contraband

### Procedure

Contraband Procedure  
Exhibits Procedure

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## 6. Document Information

<b>Title:</b>	Searching Young People Procedure
<b>Business Centre:</b>	Policy & Practice Directorate
<b>Author:</b>	Project Officer, Custody
<b>Approver:</b>	Executive Director; Director, Policy & Practice; Director Custodial Operations
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## 7. Document History

Version	Date	Reason for Amendment
0.1	22/08/2018	<i>Reviewed, updated and transferred into new procedural format in line with new CDC Reg Legislation Clause 11A Searching of detainees</i>
0.2	18/02/2019	<i>Review of delegations in line with new CDC Reg Legislation Clause 11A Searching of detainees</i>
0.3	21/04/2021	<i>Updated to ensure gender identity is more inclusive within the policy and aligned to the new Department of Communities and Justice wide policy the DCJ Workplace Gender Transition Policy and Guide.</i>  <i>Contraband: has been updated with regard to contraband exhibit processes. All references to the use of 'dump bins' has been removed from both the SYP Policy and SYP Procedure, as per advice from the NSW Crown Solicitor's Office stating the use of dump bins is not recommended due to the risks, including potential exposure of personnel to criminal possession offences</i>