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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 94**

**The Prisons and Young Offenders  
Institutions (Scotland) Rules 2006**

**PART 10**

**SECURITY AND CONTROL**

**Searching of prisoners**

**106.**—(1) Every prisoner may be searched by an officer in accordance with the provisions of this rule.

(2) A search of a prisoner may take the form of—

- (a) an examination of the prisoner's person and clothing but without removal of the clothing;
- (b) the removal and examination of the prisoner's clothing;
- (c) the visual examination of the external parts of the prisoner's body following removal of the prisoner's clothing; or
- (d) the visual examination of the prisoner's open mouth without the use of force or any instrument.

(3) A search of a prisoner shall be carried out—

- (a) except in the case of a search mentioned in paragraph (2)(d), only by an officer who is of the same sex;
- (b) as expeditiously and decently as possible;
- (c) in the case of a search of the type mentioned in paragraph (2)(b) and (c)—
  - (i) by 2 officers of the same sex; and
  - (ii) outwith the sight of any other prisoner; and
- (d) in accordance with any other conditions as may be specified in a direction by the Scottish Ministers.

(4) A prisoner may be searched at such times and in such circumstances as the Governor considers necessary.

(5) Subject to paragraph (2)(d), the power to search conferred by this rule shall not be construed as authorising the physical examination of a prisoner's body orifices.