



Women in detention: Body searches

What do the Bangkok Rules say?

- 19.** Effective measures shall be taken to ensure that women prisoners' dignity and respect are protected during personal searches, which shall only be carried out by women staff who have been properly trained in appropriate searching methods and in accordance with established procedures.
- 20.** Alternative screening methods, such as scans, shall be developed to replace strip searches and invasive body searches, in order to avoid the harmful psychological and possible physical impact of invasive body searches.
- 21.** Prison staff shall demonstrate competence, professionalism and sensitivity and shall preserve respect and dignity when searching both children in prison with their mother and children visiting prisoners.



What are the key issues?

Body searches are a severe **infringement of a person's privacy.**

Body searches **undertaken by men staff** can be traumatising for women.

Risk of **gender-based violence** through inappropriate body searches.

Body searches can also deter women's **family members** and friends from visiting their loved ones.

Invasive body searches can cause immense humiliation even when undertaken by women officers if **conducted arbitrarily.**

Moments of accrued risk include arrival, return to or transfer from a detention facility, following a visit, or during a cell-search.

What are the types of body searches?

Frisking

person remains dressed

Visual inspections

person must undress and is subjected to a visual inspection

Invasive body searches

person is subjected to a physical examination of body cavities

Who faces heightened risks?



Ethnic minorities and Indigenous peoples



LGBTQI+ women



Juveniles

What can oversight bodies do?

- Review laws and policies to ensure they comply with international standards.
- Monitor places of detention to
 - Identify if alternative methods of searching are available to replace invasive body searches or strip searches
 - Check if records of searches are being kept, including the identities of those who conducted them
 - Check if prison procedures define the circumstances in which searches are allowed
 - Identify if they stipulate that women should be searched by staff of the same gender
- Reporting after every monitoring visit. Reports should identify issues of concern and propose recommendations.
- Engage in constructive dialogue and advocacy with authorities.



Recommendations for change

1. Body searches of persons deprived of liberty and visitors should be replaced, as far as possible, with other alternative methods, such as body scanners.
2. Body searches of persons deprived of liberty and visitors should be carried out according to the criteria of legality, necessity and proportionality.
3. Invasive body searches of detainees and visitors should be prohibited by law.
4. Body searches of LGBTQI+ persons should be carried out with respect for the dignity and privacy of the individual and by appropriately trained personnel.
5. LGBTQI+ persons in detention and visitors should have the right to choose the gender of the staff who carry out the body searches.
6. When body searches involve nudity, and it cannot be avoided for good reason, searches should be conducted using a two-step process (first from the waist up, and then from the waist down) to avoid the person being completely naked.



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