

ENGLISH



CUSTOMS ACT 1901

*If ENGLISH is not
your first language,
you can ask for an
INTERPRETER.*

INFORMATION FOR A PERSON DETAINED FOR AN EXTERNAL SEARCH

THE LAW

- The Customs Act allows a Customs or Police officer to stop you for an external body search
 - if the officer has reason to think that you are carrying drugs or other illegal goods
 - if you have said "No" to a frisk search.
 - if you would not show the officer anything that was found during the frisk search.
- The process of Customs asking you to have an external search and your answer will be recorded electronically or in writing and you can ask for a copy.

WHAT IS AN EXTERNAL SEARCH?

- This means you will have to **TAKE OFF some or all of your clothes** so that Customs can see if you have any drugs or other illegal goods hidden in your clothes or taped to your body.
- There will be a **paper smock** provided for you to put on at any time.
- The search will be carried out in a private room by an officer of the same sex as you. **You will not be touched during the search.** The officer might wear gloves for health and safety reasons.
- **If you are sick or have an illness** OR if you think there is anything else that might affect the search, please tell the officer.

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INFORMATION FOR A PERSON DETAINED FOR EXTERNAL SEARCH

YOUR RIGHTS UNDER THE LAW

- **You have the right to say "No" to an external search AND have an independent Justice of the Peace decide**
 - if you need to be searched
 - OR
 - if you should be free to go.
- **If you are not happy to wait for a Justice, then a senior Customs officer can review the matter.**
- **Even if you agree to the search, you can change your mind at any time.**
- **You do not have to answer any questions; BUT anything you do say can be used in evidence.**
- **You can talk to another person at any time while you are being held; BUT the officer can stop you if he or she thinks it is necessary.**
- **If you are under 18 years of age, special arrangements will be made to look after you.**
- **If you have any questions or want an interpreter, please ask.**

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INFORMATION FOR A PERSON DETAINED FOR FRISK SEARCH

THE LAW

- The Customs Act allows a Customs officer to stop you for a frisk search
 - if the officer has reason to think that you are carrying drugs or other illegal goods

WHAT IS A FRISK SEARCH?

- This means **an officer will run their hands over the outside of your clothes** so that Customs can quickly check if you have any drugs or other illegal goods hidden in your clothes or taped to your body.
- **You do not have to remove any clothing or shoes if you do not want to;** BUT if you are wearing anything that is easy to take off (like an overcoat, for example) and you want to take it off to make the search easier, then the officer will check it.
- The search will be carried out by an officer of the same sex as you. **The officer will not touch your bare skin.** The officer might be wearing gloves for health and safety reasons.
- **If you are sick or have an illness OR** if you think there is anything else that might affect the search, please tell the officer.

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INFORMATION FOR A PERSON DETAINED FOR FRISK SEARCH

YOUR RIGHTS UNDER THE LAW

- **You have the right to say "No" to a frisk search.** This means that you may then be held for a higher level of search;
 - BUT, you can also say "No" to that higher level of search and then an independent Justice of the Peace will decide if you need to be searched
 - OR
 - if you should be free to go.
- **You can choose to have the frisk search in a private room or in public** at the baggage examination area.
- Even if you agree to the search, **you can change your mind and still say "No" at any time.**
- **If you are under 18 years of age,** special arrangements will be made to look after you.
- **If you have any questions or want an interpreter,** please ask.

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