

Principles and Procedures for Searching a Student's Body

- a) Such search should only be conducted by a teacher of the same sex;
- b) The student should be informed of the reasons of the search and such search should be witnessed by a third party;
- c) The extent and manner in conducting the search should be proportional to the circumstances by taking into account the age of the child and the seriousness of the matter;
- d) The human dignity and feeling of a student should be protected and respected;
- e) If a teacher discovers any evidence during the search which may lead to a criminal prosecution, e.g. drug, the teacher should call the police immediately. It is because teachers do not have the power to conduct crime investigation and the evidence discovered may be tendered as evidence in court, such evidence should be handled with care; otherwise, it may be inadmissible in court. Furthermore, whether criminal prosecution should be instituted is a matter for the police and the Department of Justice to determine; and
- f) It is also advisable for a teacher to obtain co-operation from the student and under no circumstances should a teacher force a student to be searched. Otherwise, the teacher may be sued for assault.