



# SEARCH AND SEIZURE OF USERS

## WHAT YOU NEED TO KNOW

**If an employee wants to search you or seize any of your belongings, there is a policy and procedure they must follow.**

It states that:

- All users **have rights**: the right to privacy, the right to safety, the right to dignity, the right to peaceful enjoyment of their property, etc. **Find out more!**
- The employee must consider **ways to avoid a search and seizure**. You can also suggest options.

For example, you could ask the employee:  
Is there another way we could do this? In some situations, you might suggest giving your personal belongings to your loved ones to avoid being searched.

- If the employee cannot find a way to avoid a search and seizure, they must first obtain **your consent**.

**To do so, they need to explain:**

- The reasons for the search;
- What they are looking for;
- How they plan to proceed.  
The employee must suggest the least intrusive method possible, depending on the situation;
- What will happen if they find the items they are looking for, and if they find any illegal items;
- Your right to accept or refuse to submit to the search, and what could happen if you refuse.

Given all this information, the employee will ask if you consent to a search and seizure.

## According to the law, you have the right to refuse unless:

The care or services cannot be provided safely without first conducting a search and seizure, AND:

- You would be in immediate, serious danger if the care and services were not provided;

OR

- You have a court order requiring you to receive care and services.



## If you refuse:

- If the employee has **reason to believe that your safety or that of another person is at risk** if a search is not performed, they will inform you and explain why.

## You then have two choices:

1. You can discuss the situation with the employee. If you change your mind following this discussion, you may consent to the search and then receive care and services;
  2. You can refuse the care and services if you are authorized to do so.
- If there is **no safety issue**, you would still receive the care and services, and the search would not take place.

## After the search:

- The **seized items** will be securely stored and returned to you when you are discharged. If the items are illegal, they will be handed over to the police without disclosing your name;
- An employee **will record the incident in your file and follow up** with you.
- They will make sure you are all right, and ask if you need support;
- If necessary, they will discuss how the procedure went with you, and whether anything can be done to prevent it from happening again in the future.