

National Security Framework ref: NSF 6.8 SECURITY MANAGEMENT FUNCTION Instructions on Handling Mobile Phones and SIM Card Seizures		
This instruction applies to :		Reference :
Prisons		PSI 30/2011
Issue Date	Effective Date	Expiry Date
8 April 2011	08 April 211	8 October 2014
Issued on the authority of	NOMS Agency Board	
For action by	Governing Governors, Directors of Contracted Prisons (all references to Governors in this PSI include Directors of Contracted Prisons)	
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Associated documents	Annex A: Request for phone / SIM interrogation form Annex B: Example form for written consent from staff, contractors and visitors Guidance for the analysis of mobile phone and SIM card interrogation reports (RESTRICTED) PSO 1100	
Replaces the following documents which are hereby cancelled : All existing instructions and guidance about submitting mobile phones and SIM cards for interrogation.		
Audit/monitoring : This PSI will be monitored by Deputy Directors of Custody and Controllers of Contracted Prisons.		

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1. Executive summary**Background**

1.1 This PSI contains instructions for the handling of seized mobile phones and SIM cards.

Mandatory actions

1.2 *Governing Governors and Directors of Contracted Prisons must ensure that, in accordance with the mandatory actions provided at Section 2, all unauthorised mobile phones and SIM cards found in prisons are submitted for interrogation except in the limited circumstances outlined. Mandatory actions are indicated throughout this PSI in italics.*

Resource Impact

1.3 These instructions may have a resource impact at prisons that currently do not submit items to the National Dog and Technical Support Group (NDTSG) to be interrogated, or do not analyse the information that is returned. Extra resources at NDTSG have been taken on.

(signed)

Danny McAllister
Director of High Security

2. Operational instructions

Text within shaded boxes indicate requirements from the "Security Management" bundle of specifications.

Mandatory actions

Mobile phones found within a prison are interrogated.

- 2.1 *Authorising Officers (in this PSI, the term Authorising Officer refers to the manager or managers designated by the Governor to act in this capacity) must ensure that they have issued a local notice to prisoners, visitors, staff and contractors stating that under the Prison Act 1952, as amended by the Offender Management Act 2007, it is a criminal offence to bring mobile phones or any component part (including SIM cards) into prisons without authorisation, and these items may be subject to investigation on discovery. Authorisation already exists for staff and professional visitors working in fully open prisons to bring in mobile phones (see paragraph 4.15 of [PSO 1100](#)). For further information on the 'prohibited items offences' introduced by the Offender Management Act, please refer to [PSO 1100](#).*
- 2.2 *When designating the Authorising Officer(s), Governors must consider the manager's suitability to both refer phones for interrogation and receive and act upon the subsequent intelligence report, bearing in mind the potential for the report to contain highly sensitive information that may not be appropriate to share widely.*
- 2.3 *The phone must be immediately switched off when found (visitors, staff and contractors must be allowed to switch their own phones off). This means that nothing on the phone can be looked at including contact lists. If it is already off it must not be switched on, dismantled or have the SIM card removed. The item must not be cleaned, and must be sealed in a standard evidence bag, or a biohazard bag if the item may be contaminated.*
- 2.4 *If a prisoner is found in possession of a mobile phone (or SIM card), the Authorising Officer must decide whether to:*
 - o *refer the matter to the police to investigate whether a criminal offence has occurred (particularly where that may be a prohibited item offence - see PSO 1100), OR*
 - o *send the phone/SIM card to NDTSG for interrogation.*
- 2.5 *If a visitor is found in possession of a mobile phone, the Authorising Officer must decide whether to:*
 - o *refer the matter to the police to investigate whether a criminal offence has occurred (particularly where that may be a prohibited item offence - see PSO 1100), OR*
 - o *send the phone/SIM card to NDTSG for interrogation, OR*
 - o *return the phone/SIM card to the visitor at the end of their visit*
- 2.6 *If the decision is made to send the phone/SIM card to NDTSG for interrogation, **written consent** must be sought from the visitor. If this consent is not given, then the visit can be refused or a closed visit offered (see Prison Rule 34, YOI Rule 9), or the case can be referred to the police for consideration as a prohibited item offence (see PSO 1100). Even if consent is given to send the phone/SIM card to NDTSG, a closed visit may be offered*

where there remains an identified risk that contraband could be smuggled if the visit takes place in open conditions.

- 2.7 If the decision is made to return the phone/SIM card to the visitor, the item must be secured by the Authorising Officer and returned to the visitor at the end of their visit. The Authorising Officer will then hand the visitor a written notice confirming the above action, and warning that a second offence may result in referral to the police. The form at Annex A must be sent to NDTSG with the relevant "item not enclosed" box ticked.
- 2.8 If a member of staff or contractor is found in possession of a mobile phone (or SIM card), the Authorising Officer must decide whether to:
- o refer the matter to the police to investigate whether a criminal offence has occurred (particularly where that may be a prohibited item offence - see PSO 1100), OR
 - o send the phone/SIM card to NDTSG for interrogation
 - o return the phone/SIM card to the member of staff/contractor at the end of their shift
- 2.9 If the decision is made to send the phone/SIM card to NDTSG for interrogation, **written consent** must be sought from the member of staff or contractor. If this consent is not given, then disciplinary measures can be pursued, or the case can be referred to the police for consideration as a prohibited item offence (see PSO 1100).
- 2.10 If the decision is made to return the phone/SIM card to the member of staff/contractor, the item must be secured by the Authorising Officer. The Authorising Officer or other relevant manager must then return the item to the member of staff/contractor at the end of their shift with a written notice confirming this action and a written warning that a second offence may result in disciplinary action and/or referral to the police. A copy of the notice should be signed by both the member of staff/contractor and Authorising Officer/relevant manager. The notice should be retained in the member of staff's personnel record for 24 months. The form at Annex A must be sent to NDTSG with the relevant "item not enclosed" box ticked.
- 2.11 If a mobile phone or SIM card is found within the prison which cannot be attributed to a prisoner, visitor, member of staff or contractor, the Authorising Officer must decide whether to:
- o refer the matter to the police to investigate whether a criminal offence has occurred; OR
 - o send the phone/SIM card to NDTSG for interrogation
- 2.12 The police may need to retain items connected to investigations. **The police have priority should they wish to retain a phone or SIM card.** In this case, the phone/SIM card should be placed in an exhibit bag in the normal manner and given to the police according to their instructions. Advice on the treatment of the item must be taken from the police. The form at Annex A must be **completed in full** and sent to NDTSG with the relevant 'item not included' box ticked.
- 2.13 In all cases where a mobile phone or SIM card has been found, a Security Information Report (SIR) must be submitted, detailing the incident and the course of action which has been taken.
- 2.14 Items being submitted to NDTSG must be sent by recorded delivery (address can be found on the [intranet](#)) using the form attached at Annex A, except for specific circumstances outlined below. Under no circumstances should a phone or SIM card be interrogated,

stored or disposed of locally. Equally, mobile phones should not be donated to charities or other organisations.

- 2.15 *There must be only one item enclosed in each evidence bag.*
- 2.16 *Only mobile phones and SIM cards can be sent to NDTSG. If an item is found inside some form of container, such as a can or plastic bottle, the item must be removed and that container should be disposed of or retained for evidence locally. It may be possible to interrogate devices such as mp3 players and satellite navigation systems; please contact NDTSG directly for specific advice.*
- 2.17 *Other paraphernalia attributable to prisoners such as charging devices or hands-free kits must however be dealt with in line with Prison Rule 43(4) i.e. any article belonging to a prisoner which remains **unclaimed** for a period of one year or more after he/she leaves prison, or dies, may be sold or otherwise disposed of.*
- 2.18 *Once found, phones and SIM cards must be sent to NDTSG as soon as possible; at most within a week.*
- 2.19 *The first (yellow) part of the "Request for Phone / SIM Interrogation" form must be completed by the Authorising Officer. The form must be completed as directed; items sent with forms completed incorrectly may be returned.*
- 2.20 *All items must be marked either **Priority 1** or **Priority 2**. Staff should use available intelligence to make this judgement. This decision must be agreed with the Authorising Officer - see paragraph 2.39.*
- 2.21 *There are sometimes exceptional circumstances when a phone or SIM card needs to be interrogated within 24 hours. This can be requested where there is an immediate operational risk; such as a suspected imminent escape or threat to life. Any such cases **must** be discussed with NDTSG (the telephone number can be found on the [intranet](#)) before an item is sent. These cases can also be referred to the police. Outside office hours, NDTSG's usual number can be called, and an answer phone message will provide the details of NDTSG's duty officer. In the unlikely event of problems with the answer phone message (e.g. power cut), the NDTSG duty officer's details can be obtained through the single incident line.*
- 2.22 *The data received from NDTSG must be assessed by an appropriate member of staff as soon as is practicable and relevant information should be brought to the attention of the Security Manager (or a more senior manager). For further information on analysing and using the NDTSG reports, please consult the RESTRICTED guidance document entitled 'Analysis of Mobile Phone and SIM card Reports', which has been provided to security departments.*
- 2.23 *NDTSG will store interrogated items. On permanent release, prisoners can request to have these returned. In these circumstances Authorising Officers must comply with the request unless it is considered that another prisoner has a better right to possess the items (e.g. a claim of ownership has been made by another prisoner and his/her property card supports that they were originally in possession of the items). If a claim by a second prisoner has not been made, Authorising Officers must contact NDTSG, who will return the phone to the prison. This is the only circumstance in which items should be requested to be returned by NDTSG. NDTSG require the following details:*

- o Prison
- o Prisoner name
- o Bag number
- o Date sent in
- o NDTSG Interrogation Report Reference Number (on the disk and report)

Detailed instructions

HANDLING

- 2.24 On discovery, an unauthorised phone should be turned off. If it is already off, **DO NOT** turn it on, dismantle the phone, or remove the SIM card, as doing so may result in:
- a) loss of valuable data
 - b) commission of a criminal offence by unlawfully intercepting data
 - c) allegations of tampering with evidence, which could have a detrimental affect on any prosecution or adjudication
- 2.25 Items should be handled carefully, bearing in mind that the phone may have been held in unsanitary conditions, such as being secreted internally. Items will be cleaned by NDTSG.
- 2.26 *Prisons must not attempt to clean exhibits before forwarding to NDTSG.* Where exhibits are heavily contaminated with faecal matter the following procedure applies;
- o Heavily contaminated items should be sent to NDTSG but will not be analysed unless there is an overriding security imperative. **Contact must be made with NDTSG for advice before posting.**
 - o Package in an exhibit bag and mark the bag with biohazard tape.
 - o Seal the exhibit bag in an envelope and mark the envelope as a biohazard i.e. double-bag the exhibit.
 - o Seal the exhibit in a further packet for posting.

PHONES / SIM CARDS INVOLVED IN AN ADJUDICATION

- 2.27 Prisoners found with phones can be placed on report. Where the case has been referred to the police for consideration as a prohibited item offence, an adjudication can be opened and immediately adjourned until the outcome of any police investigation is known. Please see [PSO 2000](#) or the Adjudication Liaison Officer for further guidance.
- 2.28 A photo should be taken of the mobile phone or SIM card. A ruler or tape measure should be placed along the length and width of the article to show dimensions. The item can then be sent to NDTSG to be interrogated as usual. If handling procedures and preservation of continuity for evidential purposes has been adhered to then the item itself DOES NOT need to be retained for evidence in the context of adjudication (please refer to [PSI 51/2010](#)).
- 2.29 Intelligence from the mobile phone or SIM card interrogation report provided by NDTSG may be used to support adjudications. However, before any intelligence from a NDTSG report is used as evidence in an adjudication, consideration must be given to the risks of disclosing that information to the prisoner and their legal adviser. If it is not appropriate to

disclose the information in the NDTSG report to the prisoner and their lawyer for security or operational reasons, then it cannot be used as evidence to support an adjudication.

PHONES / SIM CARDS BELONGING TO PRISONERS

- 2.30 *If a prisoner is found in possession of a mobile phone (or SIM card), it must be sent to NDTSG for interrogation or referred to the police (see mandatory action 2.4).*

PHONES / SIM CARDS BELONGING TO STAFF / CONTRACTORS

- 2.31 Phones and SIM cards belonging to staff/contractors should only be sent to NDTSG to be interrogated if there is some intelligence to suggest that the member of staff / contractor could have intentionally brought the phone / SIM card into the prison. For example; if they have brought a phone / SIM card in previously, if they are carrying a number of phones / SIM cards, or if on interview, the Authorising Officer is not satisfied with the explanation given by the member of staff. *Written consent from the member of staff / contractor must be obtained before the item is sent to NDTSG (see mandatory action 2.9).*
- 2.32 The Local Corruption Prevention Manager must be made aware if a member of staff is found to be in possession of an unauthorised mobile phone/SIM card.
- 2.33 Following interrogation, these items will be returned to the sending prison with the disk of interrogated information. The phone / SIM card should either be referred to the police or returned to the member of staff / contractor.
- 2.34 *If interrogation by NDTSG or referral of the case to the police is not pursued, the member of staff / contractor must be issued with a warning that a second offence may result in disciplinary action and/or referral to the police for consideration as a prohibited item offence (see mandatory action 2.10).*

PHONES / SIM CARDS BELONGING TO VISITORS

- 2.35 Phones and SIM cards belonging to visitors should only be sent to NDTSG to be interrogated if there is some intelligence to suggest that the visitor could have intentionally brought the phone/SIM card into the prison. For example; if they have brought a phone/SIM card in previously, if they are carrying a number of phones/SIM cards, or if the Authorising Officer is not satisfied with the explanation given. *Written consent from the visitor must be obtained before the item is sent to NDTSG (see mandatory action 2.6).*
- 2.36 Following interrogation, these items will be returned to the sending prison with the disk of interrogated information. The phone / SIM card should either be referred to the police or returned to the visitor.
- 2.37 *If interrogation by NDTSG or referral of the case to the police is not pursued, the visitor must be issued with a warning that a second offence may result in referral to the police for consideration as a prohibited item offence (see mandatory action 2.7).*

PHONES / SIM CARDS WHICH ARE NOT ATTRIBUTABLE TO A PERSON

- 2.38 *Unauthorised phones which are found within the prison and cannot be attributed to a prisoner, visitor, member of staff or contractor, must be sent to NDTSG for interrogation or referred to the police (see mandatory action 2.11).*

COMPLETING THE FORM

2.39 *The form must be completed as directed (see mandatory action 2.19). Multiple items must not be submitted together except where they are the same 'find'. In this case, each item found should be **bagged separately**, but only one form should be submitted. An example of multiple items being one 'find', would be if during a cell search a mobile phone is found and a SIM card is also found external to the phone. Similarly, articles found during an area search would be recorded in the same way. However, a number of items found across a number of area or cell searches should not be recorded on the same form. In these cases, a separate form must be submitted with each item.*

PRIORITISING INTERROGATION

2.40 NDTSG aim to complete all interrogations as soon as possible. However, at times of high demand, prioritising items enables NDTSG to ensure that the most important information is delivered first. *All items must be marked either Priority 1 or Priority 2 (see mandatory action 2.20).*

Priority 1: (this category will be expected to include only a small minority of items)

- item linked to a current nominal or operation OR
- indication of valuable intelligence on the phone/SIM card

Priority 2: (this category will be expected to include the majority of items)

- no specific intelligence to suggest that these items contain valuable information

DATE / TIME OF THE FIND

2.41 Please record when the item was found. This information helps us to better understand the problem of phones and SIM cards in prisons, and helps us to build a more accurate evidence base.

WHERE AND HOW THE ITEM WAS FOUND

2.42 If the item was found in possession, please tick in whose possession it was found. Please also tick the relevant boxes to indicate where and how the item was found. This information gives us a better picture of the problem of phones and SIM cards in prisons, and helps us to target our resources.

2.43 Please mark as many of the boxes as applicable. This information assists in our evaluation of existing equipment.

ANALYSIS OF THE REPORT

2.44 The data retrieved from interrogated items will not be analysed by NDTSG. Therefore, the report must be assessed by an appropriate member of staff as soon as is practicable. Separate RESTRICTED guidance – "Analysis of mobile phone and SIM card interrogation reports" – has been issued to security departments to aid staff with the analysis of NDTSG reports. The interrogation service provided by NDTSG is a valuable resource and appropriate assessment of the reports will help ensure that it is not wasted.

- 2.45 Prisons must ensure that the reports are stored appropriately and the disc should be clearly labelled, attached to a hard copy of the report and stored in the appropriate security file. If the disc contains more than one case it is good practice to record where the relevant disc is being stored on the hard copy of the report.

RETURNING MOBILE PHONES TO A PRISONER

- 2.46 NDTSG will store interrogated items. On permanent release, prisoners can request to have these returned. *In these circumstances Authorising Officers must comply with the request unless it is considered that another prisoner has a better right to possess the items (e.g. a claim of ownership has been made by another prisoner and his/her property card supports that they were originally in possession of the items). If a claim by a second prisoner has not been made, Authorising Officers must contact NDTSG, who will return the phone to the prison.* NDTSG require the following details:

- o Prison
- o Prisoner name
- o Bag number
- o Date sent in
- o NDTSG Interrogation Report Reference Number (on the disk and report)

- 2.47 Where a prisoner seeks the return of his/her phone, we advise that you follow the course of action below:

- Ask the prisoner to write to the Governor, including a statement that the phone belongs to him / her.
- IF PRISONER NOT DUE TO BE RELEASED, the response should include the lines:

"The mobile phone in your possession was lawfully confiscated as an unauthorised article contrary to Prison Rule 51. We are not permanently depriving you or disposing of this property, but will not return the phone unless you make a request once you are entitled to be permanently released from prison. Mobile phones threaten the safety and security of prisons, and to convey a phone or component part into prison is a criminal offence punishable by two years' imprisonment and/or an unlimited fine. It is also a criminal offence to take a photograph or make a sound recording within a prison; or to transmit any image or sound electronically from within a prison for simultaneous reception outside a prison. These offences are also punishable by two years' imprisonment and/or a fine."

- IF PRISONER DUE TO BE RELEASED, Authorising Officer to forward letter to NDTSG
- NDTSG to send to phone to the Authorising Officer, to be forwarded to the prisoner. The response should include the lines:

"The mobile phone in your possession was lawfully confiscated as an unauthorised article contrary to Prison Rule 51. Mobile phones threaten the safety and security of prisons, and to convey a phone or component part into prison is a criminal offence punishable by two years' imprisonment and/or an unlimited fine. It is also a criminal offence to take a photograph or make a sound recording within a prison; or to transmit any image or sound electronically from within a prison for simultaneous reception outside a prison. These offences are also punishable by two years' imprisonment and/or a fine."

3. **Guidance**

Annex A: Request for phone / SIM interrogation form

Annex B: Example form for written consent from staff, contractors and visitors

Guidance for the analysis of mobile phone and SIM card interrogation reports.
(RESTRICTED) has been sent by Global Email to all Prison Governing Governors.

REQUEST FOR PHONE / SIM INTERROGATION

Items must be sent by recorded delivery to the National Dog and Technical Support Group (NDTSG) within a week, in line with the PSI. The only exceptions are phones retained by the Police, and some staff, contractor and visitor phones – please refer to the PSI for more details.

Please ensure that the instructions in the PSI are followed. This form must be authorised by the Authorising Officer, and sent with the mobile phone/SIM card. Ensure that only one mobile phone or one SIM card is enclosed in each evidence bag. If the SIM is inside the phone, it should be left there and they should be sent together. Multiple items can be sent with one form if they constitute one 'find' (see the PSI). Returns will be by registered post.

Where items are not sent to NDTSG, the form must be filled out in full and sent to NDTSG with the 'item not enclosed' box ticked.

TO BE COMPLETED BY THE AUTHORISING OFFICER

(Authorising Officer refers to the manager or managers designated by the Governor to act in this capacity)

Full name of the Authorising Officer	
Grade	
Position	
Telephone number	
E-Mail address	

Declaration by the Authorising Officer: -

In authorising this form I confirm that:

- I have checked the details in this form and authorise NDTSG to conduct the interrogation.
- The procedures set out in the PSI for mobile phone interrogation requests have been followed.
- The download provided by NDTSG will be reviewed locally to identify relevant intelligence for the security of the establishment, or for law enforcement partners.
- The prison will make appropriate arrangements for the handling of any intelligence or personal data obtained, including any collateral intrusion to other individuals.

Signature	
Date Authority Given	

Priority

☐ **Priority 1:** Item linked to a current nominal or operation, or likely to be of high intelligence value. NDTSG will aim to complete the investigation within 72 hours.

☐ **Priority 2:** All other cases. NDTSG will aim to complete the investigation within a week.

Urgent interrogations: Phones and/or SIM cards can be interrogated within 24 hours. This can be requested where there is an immediate operational risk; such as a suspected imminent escape or threat to life. Any such cases **must** be discussed with NDTSG (the telephone number can be found on the intranet) before an item is sent. These cases can also be referred to the police. Outside office hours, NDTSG's usual number can be called, and an answer phone message will provide the details of NDTSG's duty officer. In the unlikely event of problems with the answer phone message (e.g. power cut), the NDTSG duty officer's details can be obtained through the single incident line.

Item not enclosed (Please tick): Mobile phone ☐ SIM card ☐ Other item ☐

Please tick if the form is being sent without an item enclosed (please see the PSI):

Item retained by the police: ☐

Item belongs to visitor / staff / contractor and not being sent for interrogation: ☐

Multiple items

Write here how many items are enclosed with this form (multiple items can be sent with one form if they constitute one 'find' – please see the PSI): ☐

Item heavily contaminated

Please tick if the item is heavily contaminated and not to be analysed (please see the PSI): ☐

Offender Management Act

Tick here to confirm that you have considered action under the Offender Management Act, where appropriate (please see the PSI): ☐

Copy form

Please tick if a form has already been sent with the "item not enclosed" box ticked: ☐

(to be used where an item is being sent following consideration by the police)

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TO BE COMPLETED BY THE APPLICANT			
Establishment local reference		Evidence bag number	
Establishment name		Date item was seized	
Full name of the applicant			
Grade			
Position			
Telephone number			
E-Mail address			
Phone/SIM owners' name (if known)			
If a prisoner or young offender, their ID (if known)			
If the item was found in possession, please tick in whose possession it was found.	<input type="checkbox"/> Prisoner/Young Offender <input type="checkbox"/> Staff <input type="checkbox"/> Contractor <input type="checkbox"/> Visitor		
If the item was found in possession of a member of staff, contractor or visitor , tick here to confirm that written consent has been given to interrogate this item: <input type="checkbox"/> (If consent is refused, the case can be referred to the police – please see the PSI)			
Please tick where it was found.	<input type="checkbox"/> Prisoner Accommodation <input type="checkbox"/> Reception <input type="checkbox"/> Post or parcel <input type="checkbox"/> Internal communal area <input type="checkbox"/> External area <input type="checkbox"/> Staff area <input type="checkbox"/> Other – Please state: 		
Which, if any, of the following tools contributed to the finding of the mobile phone / SIM card? <u>Please tick as many as apply.</u>	<input type="checkbox"/> BOSS chair <input type="checkbox"/> High sensitivity 'wand' <input type="checkbox"/> Mobile phone signal detector <input type="checkbox"/> Mobile phone detection dog <input type="checkbox"/> Physical search <input type="checkbox"/> Other (e.g. intelligence-led, suspicious behaviour) Please state:		
OPTIONAL: you can enter other relevant details here.			

OFFICE USE ONLY:	Date received by NDTSG	
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	Date analysed by NDTSG	
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Annex B

Example form for written consent to interrogate mobile phones and SIM cards of staff, contractors and visitors

<p>Request for Mobile Phone and/or SIM card to be sent for analysis</p> <p>(Please delete as applicable)</p>
<p>I am willing to allow my phone and/or SIM card to be sent for analysis.</p>
<p>I am not willing to allow my phone and/or SIM card to be sent for analysis. I understand that my phone may instead be analysed by the police.</p>
<p>Signed.....</p> <p>Print name.....</p> <p>Date.....</p> <p>Witness signature.....</p> <p>Print name.....</p> <p>Date.....</p>