



Policy name: Use of Drug Trace Detection Equipment in Prisons

Reference: N/A

Issue date: 1 December 2023

Implementation date: 1 December 2023

Replaces the following documents which are hereby cancelled:

- Rapiscan itemiser guidance, Security Risk Unit, December 2018
- Security briefing note: Conveyance of drug laced paper and illicit items via correspondence, November 2018
- Interim drug detection itemiser guidance
- Use of narcotics trace detection equipment on correspondence policy framework

Introduces amendments to the following documents: None

Action required by:

<input checked="" type="checkbox"/>	HMPPS HQ	<input checked="" type="checkbox"/>	Governors
<input checked="" type="checkbox"/>	Public Sector Prisons	<input checked="" type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons	<input type="checkbox"/>	Contract Managers in Probation Trusts
<input type="checkbox"/>	National Probation Service	<input checked="" type="checkbox"/>	Under 18 Young Offender Institutions
<input type="checkbox"/>	HMPPS Rehabilitation Contract Services Team	<input type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)
<input type="checkbox"/>	Other providers of Probation and Community Services		

Mandatory actions: All groups referenced above must adhere to the requirements section of this policy framework, which contains all mandatory actions.

For information: By the implementation date governors¹ of public sector prisons and contracted prisons must ensure that their local procedures do not contain the following:

- Rapiscan itemiser guidance, Security Risk Unit, December 2018
- Security briefing note: Conveyance of drug laced paper and illicit items via correspondence, November 2018
- Interim drug detection itemiser guidance
- Use of narcotics trace detection equipment on correspondence policy framework.

Governors must ensure that any new local policies that they develop, because of this policy framework, are compliant with relevant legislation, including the [Public Sector Equality Duty](#) (Equality Act, 2010) and all relevant legislation outlined in this policy.

[Annex A](#) of this Policy Framework contains guidance to implement the mandatory requirements set out in [section 4](#) of this policy framework. Whilst it will not be mandatory to follow what is set out in this guidance, clear reasons to depart from the guidance should be documented locally. Any

¹ In this document the term governor also applies to directors of contracted prisons.

questions concerning departure from the guidance can be sent to HMPSPDrugStrategy@justice.gov.uk.

This framework must be read together with:

- [Section 42A Prison Act 1952](#) - Disposal of unauthorised or unattributable property
- [Section 40A Prison Act 1952](#) - Sections 40B and 40C: classification of articles
- [Section 40B Prison Act 1952](#) - Conveyance etc. of List A articles into or out of prison
- [Section 40C Prison Act 1952](#) - Conveyance etc. of List B or C articles into or out of prison
- [Prison Rule 23](#) - Clothing
- [Prison Rule 34](#) - Communications Generally
- [Prison Rule 35](#) - Personal Letters and Visits
- [Prison Rule 39](#) - Correspondence with Legal Advisers and Courts
- [Prison Rule 43](#) - Prisoners' Property
- [Prison Rule 44](#) - Money and Articles Received By Post
- [Prison Rule 64](#) - Search of Officers
- [Prison Rule 65](#) - Transactions with Prisoners
- [Prison Rule 70](#) - Prohibited Articles
- [Prison Rule 71](#) - Control of Persons and Vehicles
- [YOI Rule 17](#) - Correspondence with Legal Advisers and Courts
- [PSI 06/2010](#) - Conduct and Discipline (internal document)
- [PSI 14/2011](#) - Management and Security of Gate Services
- [PSI 16/2011](#) - Providing Visits and Services to Visitors
- [PSI 32/2011](#) - Ensuring Equality
- [PSI 49/2011](#) - Prisoner Communication Services
- [PSI 05/2018](#) - Prisoner Discipline Procedures (Adjudications)
- [Searching Policy Framework](#)
- [Prisoners' Property Policy Framework](#)
- [The Management and Handling of Evidence Policy Framework](#)
- [Authorised Communications Controls and Interception Policy Framework](#)
- [Incentives Policy Framework](#)
- [Management of Security at Visits Policy Framework - Closed Estate](#)
- [Management of Security at Visits - Open Estate Policy Framework](#)

Glossary

Word	Meaning in this Policy Framework
Co-alarm	When the drug trace detection equipment has identified a substance but is unable to accurately identify the exact substance present.
Coercive behaviour	Behaviour that may include but is not limited to, assault, threats, humiliation, intimidation, controlling.
Conveyance	The action of bringing illicit substances into prisons.
Correspondence	Letters and parcels.
Drug trace detection equipment	The following equipment: Rapiscan Itemiser 4DN, Rapiscan Itemiser 3E and Smiths Detection IONSCAN600.
Illicit	Items for which it is a criminal offence to be in possession of in a prison.
Illicit enclosure	The term used in Prison Rule 39(6) , to describe where correspondence has been impregnated with illicit substances.
Impregnation	The process of spraying an item with or soaking it in illicit substances.
Ingress	The movement of illicit substances into prisons.
Intelligence	Information which has been collected, analysed and subjected to an

	evaluation of the reliability of the source, the reliability of the information and the value of onward dissemination of the information ² .
Operator	Those prison staff who have successfully completed the official mandatory training and received certification.
Positive indication	When drug trace detection equipment has detected trace elements of illicit substances.
Prison	Includes public sector prisons, contracted prisons and young offender institutions, unless there is a specific need to distinguish between them. Also referred to as an establishment.
Prison estate	The collective term for all prisons nationally.
Reasonable cause	Individual intelligence or evidence upon which an objective risk assessment can justifiably be made.
Social correspondence	All correspondence that is not legal or confidential access correspondence. Also referred to as domestic mail.
Synthetic cannabinoid receptor agonists (SCRAs)	A group of drugs that are synthetic cannabinoids (man-made) and a type of psychoactive substances (PS). Also generally referred to as spice ³ , mamba and PS.

How will this Policy Framework be audited or monitored?

The requirements of this policy framework should be subject to local management checks. Local management checks should be documented in the prison's Local Security Strategy (LSS).

Governors must ensure that compliance with requirements is monitored in their prisons.

The requirements of this policy framework may be subject to quality assurance checks by HMPPS Substance Misuse Group.

Resource impact: Individual prisons will be required to manage the delegation of staff and resources to areas in prisons where items [impregnated](#) with illicit substances are intercepted.

It is difficult to say how many additional drug trace detection tests may be required or even how many are currently carried out, given prisons do not formally record this information. However, an estimate of existing drug trace detection tests and on the assumption that this will double due to the increased testing capability, has led to the possible requirement for this policy framework of an additional 40 Prison Officer or Operational Support Grade (OSG) FTEs⁴ across the estate. Additional staffing is subject to wider prioritisation of staffing resource in prisons.

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Approved by OPS for publication: Sarah Coccia and Ian Barrow, Chairs, Operational Policy Sub-board, June 2023

² [Intelligence collection, analysis and dissemination policy framework](#)

³ [Spice information sheet \(drugwise.org.uk\)](#)

⁴ Please note paragraphs 4.4-4.7

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1. **Purpose**

- 1.1 This Policy Framework specifies how [drug trace detection equipment](#)⁵ should and should not be used in [prisons](#) by prison staff. Governors must ensure that drug trace detection equipment is used correctly across the [prison estate](#) to protect prison staff from the risk of legal challenges which may arise from incorrect use of the equipment.

The purpose of the drug trace detection equipment is to help prevent the [conveyance](#) of [illicit](#) substances into the prison estate. [Positive indication](#) analysis should be used to contribute towards the wider [intelligence](#), help inform further decision making and provide data on changing trends.

Positive results produced by drug trace detection equipment must not be used for legal prosecution, adjudications or staff disciplinary processes (paragraphs [5.3-5.4](#)).

2. **Evidence**

- 2.1 Drug misuse ruins lives, encourages offending behaviours and damages communities⁶. The use of illicit substances is prevalent in prisons and contributes to violence, crime, debt, bullying and [coercive behaviours](#)⁷. This is a significant threat to the security and safety of prisons, and the ability of prison staff to create effective, rehabilitative regimes.
- 2.2 Evidence shows there are individuals within the prison population involved in the conveyance of illicit substances into prisons which is a major security threat, particularly new psychoactive substances (NPS)⁸. The impregnation of items, such as paper and fabric, with [synthetic cannabinoid receptor agonists](#) (SCRAs), is one route used as it is largely undetectable by sight and touch⁹.
- 2.3 Positive indications provided by the drug trace detection equipment can assist in the detection of illicit substances impregnated into items.

3. **Outcomes**

- 3.1 His Majesty's Prison and Probation Service (HMPPS) seeks to protect prisoners, prison staff, prison visitors and the general public, by taking steps to restrict the supply, of illicit substances in prisons¹⁰.
- 3.2 By following the requirements within this Policy Framework prison staff will be able to:
- improve their capability to detect the conveyance of illicit substances on impregnated items.
 - contribute to a reduction in the conveyance of illicit substances into prisons by prisoners, visitors and prison staff.
 - reduce the supply and associated risks of illicit substances in prisons.
 - deter exploitation of vulnerable prisoners, visitors and prison staff to convey illicit substances into prisons.

⁵ Drug trace detection equipment may also be referred to as an itemiser, scanner or Rapiscan.

⁶ [Independent review of drugs by Professor Dame Carol Black](#), 2020-2021

⁷ [HM Chief Inspector of Prisons for England and Wales Annual Report](#), 2019–20

⁸ [New psychoactive substances \(NPS\) in prisons: A toolkit for prison staff](#), 2015

⁹ Paper and fabric can be impregnated with any illicit substances in liquid form. Liquid SCRAs and synthetic opioids are particularly hard to detect.

¹⁰ [HMPPS Prison Drugs Strategy](#), 2019

4. Requirements

- 4.1 Governors must ensure that the use of all drug trace detection equipment is consistent with this policy framework, and other policies concerning [correspondence](#), [security](#), [property](#), [searching](#), [evidence handling](#), [prisoner communication](#), [communication controls and interception](#), [visits](#) ([closed estate](#) and [open estate](#)), [property](#), and [conduct and discipline](#).
- 4.2 Governors must ensure that processes and arrangements for the use of drug trace detection equipment are reflected in the prisons local searching and drug strategies.
- 4.3 Governors must document the role of drug trace detection equipment in their local security strategy (LSS).

Prison staff training

- 4.4 This Policy Framework is to be used alongside the official mandatory training provided by the supplier for use of drug trace detection equipment.
- 4.5 Only prison staff who have successfully completed the official mandatory training and received certification are authorised to operate the drug trace detection equipment. Prison staff **must not** train colleagues in the use of drug trace detection equipment unless they hold the necessary trainer provision certification.
- 4.6 Governors must ensure that prison staff are trained by the official provider. This will minimise inaccurate readings caused by incorrect operation and poor handling of suspect items. Training can be organised by contacting the [HMPPS Substance Misuse Group](#).
- 4.7 Governors must ensure that arrangements are in place to record official mandatory training of prison staff for audit purposes.

Health and safety risk assessment

- 4.8 Governors must ensure that a health and safety risk assessment is completed, maintained and reviewed for the drug trace detection equipment.

Designated location for the drug trace detection equipment

- 4.9 The drug trace detection equipment must be kept in a designated sterile area to operate from to avoid cross-contamination. If there is need to move the drug trace detection equipment to various locations, then the [operator](#) must ensure each location is sterile before operating the machinery. See paragraphs [4.16-4.17](#) and [Annex B\(2\)](#) for further guidance.

Maintenance of the drug trace detection equipment

- 4.10 Governors hold the responsibility for the daily maintenance of the drug trace detection equipment to ensure that the equipment remains in good working order.
- 4.11 Operators must ensure the drug trace detection equipment has regular routine maintenance checks as specified in the machine-specific operator manuals.
- 4.12 Operators must report any drug trace detection equipment faults to the supplier via the fault help desk within the contractual timeframes.
- 4.13 Governors are responsible for the procurement of consumable items required to operate the drug trace detection equipment correctly, which will be available to purchase through the

prison catalogue.

4.14 Operators of the drug trace detection equipment must comply with the expiration dates and storage instructions for the individual consumable items associated with the equipment¹¹.

4.15 See [Annex B\(3\)](#) for further information.

Operation of the drug trace detection equipment

4.16 Prison staff must refer to the official supplier machine-specific operator manuals and training materials for instructions on how to use the drug trace detection equipment.

4.17 To reduce the risk of cross contamination, operators must adopt the following handling techniques:

- Wear sterile, disposable, powder-free, nitrile gloves. Gloves must be changed after each positive indication or if they become contaminated.
- Ensure the test area includes only the drug trace detection equipment, a sterile surface and the item being tested.
- Sterile sheets of paper must be laid on the work area to provide a sterile work surface and changed after each positive indication or if they become contaminated¹².
- The item for testing must be laid on the sterile paper when being swabbed.
- Keep the swab box closed when not in use.
- Only remove a swab from the swab box when wearing a new pair of nitrile gloves.
- Keep the item for swabbing a reasonable distance away from the drug trace detection equipment, to reduce the risk of cross-contamination.

4.18 See [Annex B\(4\)](#) for further information.

Usage of the drug trace detection equipment

4.19 Testing correspondence using drug trace detection equipment must only be undertaken when necessary and proportionate on the grounds of:

- the interests of national security,
- the prevention, detection, investigation or prosecution of crime,
- the interests of public safety,
- securing or maintaining prison security or good order and discipline in prison,
- the protection of health or morals, or in
- the protection of the rights and freedoms of any person,

as specified in [Prison Rule 35A](#). Examples of where this may be the case include, but are not limited to, if a governor has identified there is a threat of illicit substances being conveyed into prisons via correspondence which is supported by local and/or national intelligence; or seized items from prison cells indicate that illicit substances have been conveyed via the post.

4.20 The drug trace detection equipment can be used on the following items where there is reason to suspect they have been impregnated with illicit substances and the above requirements are fulfilled:

- Prisoner, visitor or staff correspondence (letters and packages)
- Prisoner (worn or posted in), visitor and staff clothing (worn)
- Prisoner (worn or posted in), visitor and staff bags (worn)

¹¹ Swabs (may also be referred to as a 'trap'), verification pen and printer paper etc.

¹² After obtaining a positive indication, the paper used to create the sterile area must be disposed of through hazardous waste procedures.

- Legal or other paperwork¹³
- Books, magazines and other paper-based materials
- Items made from fabric e.g. bedding, prayer mats, flannels

4.21 Prison staff **must not use** drug trace detection equipment on:

- People e.g. skin, hair, bodily fluids
- Vehicles
- Wet surfaces e.g. perfume, beverages, liquids and oils
- Pure drug finds e.g. powders, herbs, tablets¹⁴
- Food

4.22 Governors must ensure that a record of all intercepted correspondence is kept in a log. It is the responsibility of the governor to ensure that this log is readily available should it be requested by external bodies¹⁵.

4.23 Following a positive indication prison staff can send the item(s) for forensic testing (paragraphs [4.67-4.70](#)) and must follow the instructions on evidence handling and collection in [The management and handling of evidence policy framework](#).

Testing prisoner social correspondence

4.24 In accordance with [Prison Rule 35A](#), governors must intercept [social correspondence](#) and photocopy¹⁶ it only if deemed necessary and proportionate to prevent the conveyance of illicit substances (see paragraph [4.19](#)).

4.25 The task of restricting or intercepting social correspondence must be undertaken by trained staff in the mail room, unless the governor makes the decision to deploy other staff, as stated in the [Authorised Communications Controls and Interception Policy Framework](#) (14.1-14.7, 15.3).

4.26 See [Annex B\(7\)](#) for a flow diagram that outlines the process for testing social correspondence for illicit substances.

Photocopying prisoner social correspondence¹⁷

4.27 To reduce the risk of cross-contamination governors must ensure there is a procedure in place that minimises illicit substances contaminating intercepted correspondence. See [Annex B\(1e\)](#) for further information.

4.28 Should there be sufficient evidence/intelligence to show that the problem is widespread, and alternative measures have been tried and proven not to be effective, then a wider approach may be considered in accordance with [Prison Rule 35A](#), provided that the need for this is reviewed on an ongoing basis and proportionate to the risk posed.

4.29 In accordance with [Prison Rule 35A](#), governors must justify and evidence the reason to photocopy correspondence addressed to prisoners or a sample of mail arriving at the prison. Before considering this, governors must complete the 'Conveyance of illicit items via correspondence' template ([Annex A](#)) in order to justify their decision to photocopy the mail and must ensure this remains readily available should it be requested by external bodies. This template should be used to outline evidence of threats to the prison and why this approach is necessary. A threat intelligence picture can be developed using data from

¹³ All legal and confidential access correspondence and paperwork must be tested in line with paragraphs [4.39-4.45](#).

¹⁴ Pure drug finds must be sent for forensic testing (paragraphs [4.67-4.70](#))

¹⁵ Please see the [Authorised Communications Controls and Interception Policy Framework](#) for further information on intercepting prisoner correspondence.

¹⁶ Place the correspondence in a clear plastic wallet to avoid contaminating surfaces in the process.

¹⁷ This section applies to prisons that are not operating a 100% photocopying policy unless otherwise stated.

incident and intelligence reporting systems, MDT results and trace detection findings. Where this is in place, the extension of this response must be reviewed periodically, at least every three months, with recorded evidence to support the continuation or discontinuation of this approach.

- 4.30 Based on the level of threat posed and the ability to demonstrate and document this, governors may consider the following photocopying options when processing social mail only.

Either:

Omitting the use of drug trace detection equipment and instead photocopying all social correspondence entering the prison. 100% photocopying of all correspondence must only be considered when the evidence justifies this action as being the necessary and proportionate response to the threat. The level of threat posed to each prison must be evidenced in the 'Conveyance of illicit items via correspondence' template ([Annex A](#)), and governors must ensure this remains readily available should it be requested by external bodies. Where this is in place, the extension of this response must be reviewed periodically, at least every three months with recorded evidence to support the continuation or discontinuation of this approach.

Or

providing photocopies of mail items providing a positive indication which, when assessed alongside the wider intelligence picture suggests that this prisoner may be involved in this route of conveyance.

Storage and secure disposal of original copies of social correspondence

100% Photocopying

- 4.31 Governors who have evidenced and documented that the level of threat posed to their prison is significant enough to deploy 100% photocopying of social correspondence must store original pieces of photocopied mail in the prisons stored property area and in the prisoner's individual container. These will be given to the prisoner on release.

Other prisons routinely using drug trace detection equipment to test correspondence and providing photocopies to prisoners where appropriate:

- 4.32 Under [Prison Rule 35D](#) the governor may not retain any intercepted material for more than three months unless they are satisfied that continued retention is necessary on the grounds below in [Prison Rule 35A\(4\)](#) and proportionate to what is sought to be achieved by the continued retention:
- a) the interests of national security;
 - b) the prevention, detection, investigation or prosecution of crime;
 - c) the interests of public safety;
 - d) securing or maintaining prison security or good order and discipline in prison;
 - e) the protection of health or morals; or f) the protection of the rights and freedoms of any person.
- 4.33 Prior to considering the disposal of correspondence, governors must ensure that prisoners are given a period of 4 weeks from the date the original was processed as incoming mail to the prison in which to appeal the decision. In order to appeal, the prisoner must submit a Prisoner's General Application Form with details of the appeal request to the security governor who will consider the circumstances on a case by case basis.

- 4.34 Extended retention must be kept under review at least every three months, and procedures and justification for retention must be documented in the local policy.
- 4.35 If it is no longer necessary and proportionate to retain the letter, the governor must arrange for the correspondence to be destroyed using appropriate confidential data destruction services. Governors must ensure a destruction log pertaining to correspondence items that have been disposed of is completed and regularly updated. It is also the responsibility of the governor to ensure that this log is readily available should it be requested by external bodies.
- 4.36 Under the [Crime in Prison Referral Agreement](#), prison staff may consider making a referral to the police where necessary if deemed appropriate to be investigated further.

Storage/destruction of original items

- 4.37 Should governors be able to robustly evidence and justify that routine photocopying is proportionate to the current threat, they should consider providing prisoners with the following options in relation to the original seized items:
- 1) Providing consent for the item to be destroyed securely via the prisons current provider for destroying contaminated waste (no response received from the prisoner)
 - 2) Returning the item to the sender
 - 3) Send items to one single address (at the cost of the prisoner).
- 4.38 Prisoners may request for an exception to be made and for the originals to be given. In these instances, the security governor may consider the request and if deemed appropriate, they should conduct a thorough drug trace detection test of the item before delivery. If a positive indication is found, the item should be withheld.

Testing and photocopying legal and confidential access correspondence¹⁸

- 4.39 In accordance with [Prison Rule 39\(2-3\)/YOI Rule 17\(2-3\)](#), legal or confidential access correspondence may be opened if the governor has [reasonable cause](#) to believe that it contains an [illicit enclosure](#) as stated in [PSI 49/2011 Annex D \(8-9\)](#).
- 4.40 Legal or confidential access correspondence may be labelled in various ways (e.g. stamped, hand-written, typed, barcode¹⁹) as referenced in [PSI 49/2011 Annex D\(12-15\)](#) and prison staff must comply with the rules regarding legal and confidential access correspondence (paragraph [4.39](#)). Failure to follow the rules may results in a risk of legal challenge.
- 4.41 Where legal or confidential access correspondence is double-enveloped, the outer envelope containing the prison's address must be removed before testing. The inner envelope must not be opened and instead, a sample must be taken through a hole punch or small slit no larger than 2 centimetres in diameter to ensure the content cannot be read.
- 4.42 A swab must be inserted into the envelope and a sample taken across the correspondence.
- 4.43 If there are no traces of illicit substances on the correspondence and there is no reasonable cause to believe that the correspondence contains an illicit enclosure, then prison staff must tape the slit and/or hole closed before leaving the test area.
- 4.44 Legal or confidential access correspondence must be photocopied before being sent for forensic testing and a copy retained.

¹⁸ Confidential access correspondence must be treated in the same way as correspondence falling under [Prison Rule 39/YOI Rule 17](#).

¹⁹ Legal correspondence sent to prisoners via the [send legal mail](#) service requires individuals to register with a Criminal Justice Secure Mail Service.

- 4.45 See [Annex B\(7\)](#) for a flow diagram that outlines the process for testing legal or confidential access correspondence for illicit substances.

Official visits

- 4.46 Official letters and documents handed in person to prisoners during official visits must be subject to the same monitoring procedures used as [Prison Rule 39](#) correspondence as if they had been sent through the post, as stipulated in [PSI 16/2011 \(7.3\)](#), which includes the use of drug trace detection equipment.

Testing staff correspondence

- 4.47 Governors must ensure that all prison staff are made aware that any correspondence addressed to them and sent to the prison may be subject to testing with the drug trace detection equipment and may be opened where there is reasonable cause to suspect the contents and it is proportionate and necessary to do so (paragraph [4.19](#)). Prison staff are advised to redirect confidential mail from the prison.
- 4.48 Governors must use their discretion to determine, on a case-by-case basis, whether there is a need to photocopy staff correspondence to ensure the letter's legitimate contents are received by the recipient.
- 4.49 A positive indication must not automatically trigger any formal investigation. If staff correspondence receives a positive indication, and there is other evidence or intelligence which leads to reasonable suspicion that the prison employee is attempting conveyance, procedures set out in [PSI 06/2010](#) must be followed. Governors must also consult the [Section 40A-C Prison Act 1952](#).
- 4.50 See [Annex B\(7\)](#) for a flow diagram that outlines the process for testing staff correspondence for illicit substances.

Testing prisoner property

- 4.51 Testing prisoner property using drug trace detection equipment must only be undertaken when there is reasonable suspicion that the property is impregnated with drugs.
- 4.52 See paragraph [4.20](#) for examples of property that can be tested.
- 4.53 See [Annex B\(7\)](#) for a flow diagram that outlines the process for testing prisoner property for illicit substances.

Testing visitor property at social visits

- 4.54 The use of drug trace detection equipment on visitor property must be used in conjunction with standard searching procedures (as set out in the [Searching policy framework](#)) or enhanced gate security (as set out in the [PSI 14/2011](#)).
- 4.55 Visitor property must only be tested using drug trace detection equipment if it is suspected that the property is to be passed to the prisoner as stated in the [Incentives policy framework\(5.52-5.55, Annex F\)](#). See paragraph [4.20](#) for examples of property that can be tested.
- 4.56 If a visitor does not consent to their property being tested, they will not be permitted to bring their property into the prison. Visitor refusal should be captured under suspicious behaviour in an intelligence report (IR) (paragraph [4.72](#)).
- 4.57 If, once visitor property has been tested, it receives a positive indication they will not be

permitted to bring their property into the prison. A positive indication on visitor property from drug trace detection equipment alone is not sufficient to refuse the visitor entry to the prison²⁰.

Testing prison staff property

- 4.58 The use of drug trace detection on prison staff property must not be used in place of standard searching procedures (as set out in the [Searching policy framework](#)) or enhanced gate security (as set out in the [PSI 14/2011](#)). Drug trace detection equipment must only be used as an additional measure in conjunction with other searching methods. See paragraph [4.20](#) for examples of property that can be tested.
- 4.59 A positive indication must not automatically trigger any formal investigation. If a positive indication is received on staff property, additional searching methods do not reveal anything further and there is no other evidence, intelligence or reason to suspect the member of staff is attempting to convey prohibited/illicit items, operators must:
- Submit a Corruption Intelligence Report (IR) (see [Annex B\(6\)](#))
 - Ensure the item in question is not taken into the prison
 - Allow staff to proceed with no further action unless further intelligence or evidence comes to light.
- 4.60 If additional search methods do not recover any illicit items, but the positive indication along with other evidence or intelligence leads to reasonable suspicion that the prison employee is attempting conveyance, procedures set out in the [PSI 14/2011](#) and [PSI 06/2010](#) must be followed.
- 4.61 Governors must consult the [Section 40A-C Prison Act 1952](#) in relation to any prison staff found to be conveying controlled illicit substances into the prison.
- 4.62 If prison staff refuse testing of their property with the drug trace detection equipment governors must consult the [Searching policy framework](#) and [PSI 06/2010](#)²¹ for further guidance.

Communications

- 4.63 Governors must make arrangements for prisoners to be informed that their correspondence, property and their visitors' property may be subject to drug trace detection testing in addition to other standard searching procedures.
- 4.64 Visitors must be made aware that property they bring into the prison may be subject to drug trace detection testing. This information should be provided on visit booking systems and clearly displayed in visitor areas at the prison as stated in the [Management of security at visits policy framework - closed estate\(4.5-4.6\)](#).
- 4.65 Governors must ensure that all prison staff are made aware that their correspondence and property may be subject to drug trace detection testing.
- 4.66 Governors must ensure that all communications are tailored to the individual needs of prisoners, visitors and staff as stated in the [Incentives policy framework\(7.16-7.17\)](#), [Strengthening prisoners' family ties policy framework\(4.7-4.11, 4.28\)](#), and [PSI 32/2011](#).

Seizures

- 4.67 Prison staff should send any items that have received a positive indication from the drug trace detection for forensic testing if:

²⁰ See [Management of security at visits policy framework - closed estate](#) and [Management of security at visits - open estate policy framework](#) for further information.

²¹ This is an HMPPS internal document.

- they require confirmatory testing for adjudications or criminal prosecutions²²
- an item has tested positive for high risk/high harm substances
- when the prison requires further identification to build intelligence as required.

- 4.68 If the drug trace detection equipment has indicated [co-alarms](#) of fentanyl, the item should be handled with caution (see [Annex B\(4\)](#)) and sent for forensic testing
- 4.69 If a seized item is attributable to an individual and the results will be used for an adjudication or criminal prosecution, then a forensic test will be required for confirmation.
- 4.70 See [Annex B\(5\)](#) and [Annex B\(7\)](#) for further information on the process for sending items for forensic testing.

Intelligence and incident reporting

- 4.71 Where a positive indication from the drug trace detection equipment is assessed alongside the wider intelligence picture, prison staff must follow the requirements in [The management and handling of evidence policy framework](#).
- 4.72 Operators must complete and submit an intelligence report (IR) in Mercury with as much detail as possible for **all items that are tested** (see [Annex B\(6\)](#)).
- 4.73 An Incident Reporting System (IRS) must be completed for any item that receives a positive indication with the drug trace detection equipment. All reports must include details of the illicit substance identified by the equipment (if known).
- 4.74 Where a prison has identified an emerging drug threat or have received intelligence that suggests there is a new substance within the prison, they must notify the [HMPPS Substance Misuse Group](#) to ensure that steps can be taken to update drug testing panels²³.
- 4.75 Prison staff must inform their Regional Office, Orderly Officer/Duty Governor and National Incident Management Unit (NIMU) of any positive confirmations after forensic testing. If the intended recipient is within the Youth Custody Services (YCS) estate, a safeguarding referral to appropriate colleagues must be considered and submitted where necessary.

5. Constraints

- 5.1 Drug trace detection equipment may only be used as described in this policy framework.
- 5.2 By following maintenance procedures and the testing practices defined in this policy and machine-specific operator manuals, the risk of drug misidentification will be reduced.
- 5.3 The drug trace detection equipment identification is intended to provide an initial analysis as to the identification of unknown substances; however, this initial analysis is not an absolute or conclusive identification and should be verified by forensic testing (paragraphs [4.67-4.70](#)), where required.
- 5.4 Positive results produced by drug trace detection equipment must not be used on their own for legal prosecution, adjudications, staff disciplinary processes, nor used on their own to determine a prisoner's risk assessment score. They must only be used to contribute towards a wider intelligence picture and inform further action to help solve the [ingress](#) of conveyed items into prisons together with other evidence and intelligence.

²² See [PSI 05/2018](#) for information on the adjudications process.

²³ In this content 'drug testing panel' refers to the drug trace detection equipment's drug library.

- 5.5 There are variances in capability levels of the different drug trace detection equipment makes and models due to different threshold levels of sensitivity. Operators should follow the relevant user guidance provided at the supplier-specific training courses, and machine-specific operator manuals to ensure the correct swabbing techniques are applied. This will help reduce the risk of equipment oversaturation, possible malfunction, error alarms and incorrect readings.
 - 5.6 The drug trace detection equipment has an evidence base for reliability across paper, cotton and ABS plastic. Capability of the drug trace detection equipment was not tested on any other materials.
 - 5.7 All drug trace detection equipment models have an in-built co-alarm feature, which will alert the user if a drug is present, but the equipment is unable to confirm the identity of the specific substance, providing a range of illicit substances on the display screen which may be present. There may also be the possibility that the co-alarm will alert the user to the presence of more than one drug type. Prisons should be alert to the possible presence of each drug and report accordingly (paragraph [4.74](#)).
 - 5.8 Any external law enforcement agencies wishing to use their own drug trace detection equipment on prison property should do so in line with their powers. This should be documented by prison staff through the appropriate intelligence reporting system.
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Annex A – Conveyance of illicit items via correspondence template

Risk assessment: conveyance of illicit items via correspondence

HMP xxxx

[version]

[Month YYYY]

1. Background

- Outline the issue and why the risk assessment is being conducted.

2. Evidence assessment

- Gather and present the evidence around the risk, considering the following:

2.1 Intelligence and sata

- What is the level of intelligence reporting in regards to the risk?
- What are the level of incidents, MDT results and finds?

2.2 Financial cost

- What is the average cost of a risk related incident? I.e.
 - *Average time to manage risk related incidents*
 - *Number of operational staff needed to deal with an incident*
 - *Average time spent by ambulance, nurses and healthcare's time to deal with each patient in the prison*

3. Options

- Outline what options can or have been deployed to mitigate the risk (e.g. photocopying a sample of mail, increasing number of drug trace detection tests, intelligence led monitoring).
- If any of these options have been tried, highlight the outcomes, especially those that have not proven to be effective.

4. Proposal

- Outline the intended action, considering the following:

4.1 Counter-measures

- What countermeasures are being put in place to mitigate the risk
 - *Nationally issued testing kit*
 - *UV Light*
 - *Drug dog searches of mail*
 - *Physical search of mail*
 - *Intelligence systems*
 - *Drug trace detection equipment*
 - *PIN monitoring*
 - *Mail monitoring and photocopying*

4.2 Health and safety

- What precautions are being taken (e.g. PPE, special equipment)
- Outline any health and safety risk assessments undertaken and recommendations.

4.3 Benefits and consequences

- Outline intended benefits.
- Outline potential negative consequences (e.g. complaints, displacement to other methods of conveyance) and actions to address them.

5. Review

- How often will the risk assessment be reviewed? [A new risk assessment should be conducted to assess the effectiveness of proposed measures. Risk assessments should be

reviewed regularly to ensure that only appropriate and proportionate measures are implemented to mitigate the risk.

1) Good practice for use of drug trace detection equipment in prisons

- a) **Trace Detection Supervisors:** We recommend that the governor considers designating a member(s) of staff who has completed the official mandatory training as a 'trace detection supervisor' to be the person(s) responsible for the operation of the drug trace detection equipment. It is also recommended this staff member also keeps a log of all staff permitted to use the trace detection equipment following their official mandatory training and received certification. For further information please contact HMPPSDrugStrategy@justice.gov.uk.
- b) **Health and safety:** All staff handling correspondence, or items suspected to be impregnated with illicit substances need to take the necessary precautions. Due to the extreme potency of some illicit substances, staff conducting searches, handling post or using the drug trace detection equipment must wear nitrile gloves during cell searches, change them regularly and be cautious when removing them to ensure skin contact is limited. It is recommended that staff in these situations also wear a fluid-resistant surgical mask (FSRM) (type IIR) face covering.
- c) **Hooch in prisons:** Alcohol-based solvents can be used in the production of prison manufactured substances and the extraction of drugs impregnated into paper and other materials. It should therefore not be assumed that a high level of 'hooch' finds means less availability of drugs within a prison, unless there is substantial further evidence that supports this.
- d) **Solvents** can be used to extract illicit substances impregnated paper and fabric in custody. There should be restrictions and control measures in place to ensure prisoners have limited access to items that contain solvents. Prisoners should not have these substances within their cells.
- e) **Intercepted correspondence should** either be photocopied after it has been tested using the drug trace detection equipment or if the volume of intercepted correspondence is too great, then it should be inserted into a new, transparent plastic wallet prior to photocopying to prevent cross contamination. Once photocopied the intercepted correspondence should then be removed from the plastic wallet prior to testing with the drug trace detection equipment.

2) Designated location for the drug trace detection equipment

- a) Governors may consider locating the drug trace detection equipment in locations where it is convenient to access the following items for testing:
 - i) Prisoner, visitor or staff correspondence (letters and packages)
 - ii) Prisoner (worn or posted in), visitor and staff clothing (worn)
 - iii) Prisoner (worn or posted in), visitor and staff bags (worn)
 - iv) Legal or other paperwork.

3) Maintenance of the drug trace detection equipment

- a) **Machine accuracy:** The next generation Smiths IONSCAN600 drug trace detection device has a higher reliability for accuracy and is a replacement for the Rapiscan Itemiser models. Where possible the Smiths drug trace detection device should be used as the primary trace detection countermeasure at your site.
- b) **Daily maintenance checks:** Prison staff are responsible for carrying out daily maintenance checks, to ensure the optimum performance capability, and for maintaining a trained cohort of staff capable of using the equipment.
- c) **Machine cleaning:** Infrequent or inconsistent cleaning methods can result in cross-contamination which can result in reduced detection reliability.

- d) **Preventative maintenance checks:** Through national maintenance agreements, which are held centrally, the machine specific suppliers will carry out planned preventative maintenance visits on the drug trace detection equipment as a minimum every 6 months. These visits will include an update to equipment drugs libraries where applicable, to ensure that the equipment is updated to detect the latest drug threats to prisons. The supplier will contact prisons to confirm dates and arrangements prior to each preventative maintenance visit.
- e) **Reactive callouts:** There is a central budget to support the ongoing maintenance of drug trace detection equipment, which include repairs and call out charges.
- f) **Queries:** For queries relating to the maintenance or support of the drug trace detection equipment, please contact HMPPSDrugStrategy@justice.gov.uk.

4) Testing items with drug trace detection equipment

- a) **Testing timescales:** Drug trace detection equipment should be used within the earliest reasonable opportunity of receiving or identifying suspicious correspondence or property within the prison. This will help to avoid delays with individuals receiving their belongings that are no longer deemed a security risk.
- b) **Testing prioritisation:** Operators should prioritise testing of time-sensitive correspondence (legal or confidential access correspondence) before social correspondence or property.
- c) **Unintentional trace:** Operators should be aware that testing high traffic areas increases the likelihood of a positive indication of an unintentional trace and/or cross-contamination e.g. the cotton strap of a bag. This should be considered, along with the type of material, when a decision is made on whether to test that area, and any action following testing.
- d) **Uneven distribution of drugs:** There is no guarantee that illicit substances will be evenly spread across correspondence or fabric. They will only be detected on drug trace detection equipment if the area the illicit substance has come into contact has been swabbed and scanned. Spray bottles, which are often used to impregnate paper, do not spray evenly across a surface area.
- e) **Greeting cards:** Some greeting cards are known to provide a false positive indication on trace detection equipment, likely due to the make-up of the paper used. It is still recommended that prisons test for the presence of an illicit substance on greeting cards however, consideration is given to this limitation and the wider intelligence picture before a decision is made on whether to seize the item for further analysis/ action.
- f) **Parcels:** Where there are multiple items in a parcel, and not all items have been impregnated with illicit substances, the disposal of the entire parcel will be at the Governor's discretion.
- g) **Detection of pure drugs:** The machine is designed to detect traces not neat substances. A direct swab of powders, crystals or herbal matter may overload the detector and give a false reading. It could also cause delays in use whilst the equipment carries out a self-clean and damage the machine. It is possible to for any powders, crystals, herbal matter or liquids to be sent for forensic testing analysis.
- h) **Nitazenes:** These substances can be mixed with other drugs, such as heroin. It is possible that items could contain traces of nitazenes where drug trace detection equipment is indicating for other drugs, or not indicating at all.
- i) **Fentanyl:** Trace Detection equipment is programmed to indicate for fentanyl. Any indication for fentanyl is indicative only, and it is highly likely that not all fentanyl indications will be or contain fentanyl. However, due to risks posed by this substance, all fentanyl indications must be confirmed with forensic testing. Fentanyl is a powerful synthetic opioid and the risk of harm to users is extremely high. Due to the extreme potency of these substances, staff conducting searches, handling post or using the trace detection equipment must wear nitrile gloves during cell searches, change them regularly and be cautious when removing them to ensure skin contact is limited. It is recommended that staff in these situations also wear a fluid-resistant surgical mask (FSRM) (type IIR) face covering face covering.

5) Seizures

- a) **Costs:** The forensic testing contract is available to all prisons and is paid for centrally.

The contract will be accessible by private prisons but will be funded by the individual private prison.

- b) **Forensic testing:** Prison staff will need to complete a 'request form' in advance of sending an item for testing. The following documents can be requested from HMPPSDrugStrategy@justice.gov.uk
- i) **Request form:** Form required to send items for testing
 - ii) **Request form EXAMPLE:** An example to assist with filling in the request form.
 - iii) **KFS and HMPPS process flow:** Clear step by step guide
 - iv) **KFS packaging guide:** A guide to assist in how to package and volumes of seizures to send.
 - v) **HMPPS results report form:** An example of the report you will receive following analysis.

6) Intelligence and incident reporting

- a) An intelligence report must be completed by the individual who conducted or observed the search and should contain the following information:
- i) **Location the item was found** - where were you when this happened? Where was the item found (e.g., on an individual's person, amongst belongings, within correspondence etc.)?
 - ii) **Full description of the item tested** - what was the item? What was the size/colour/material of the item? How was it concealed? What was the condition of the item? What packaging was the item in (if relevant)? Any distinguishing features e.g., branding? If posted what stamps were included, what did the envelope look like, what type and colour of ink was used.
 - iii) **Trace detection results** - the information provided by the drug trace detection equipment (list all substances that have indicated on the display screen).
 - iv) **Model** - trace detection equipment model name.
 - v) **Intended recipient** - was there any evidence that indicates who the intended recipient of the item was? If so, include their name, prison number and location.
 - vi) **Searches undertaken** - the level of search undertaken, if applicable, and any additional search based on intelligence or observations e.g., a squat search.
 - vii) **Seizures** - was the item sent for forensic testing?
 - viii) **Grounds for suspicion** - why did you test for drug traces on the item? How was the individual behaving prior and after you tested their belongings? How were you alerted of the impregnated item?
 - ix) **Evidence bag number** (if applicable)
 - x) **Person description** (if applicable) and/or sender details i.e., name, address, courier information or tracking details, stamps, envelopes
 - xi) **IRS number** (if applicable)
 - xii) Any other information that is considered relevant
- b) If any items relate to a member of staff a **Corruption Intelligence Report** must be completed ([Counter corruption and reporting wrongdoing policy framework \(Annex C\)](#)).
- c) Under the [Crime in Prison Referral Agreement](#), prison staff may consider making a referral to the police if seized items are deemed appropriate to be investigated further i.e. those that have a positive result from forensic testing.

7) Testing process flow diagrams

- a) See [drug trace detection equipment flow diagrams](#)
- i) **Tab 1** -Testing social correspondence and property process
 - ii) **Tab 2** -Testing legal and confidential access correspondence process

For further information contact: Drug and Alcohol Testing Team, Substance Misuse Group

Email: HMPPSDrugStrategy@justice.gov.uk

Use of Drug Trace Detection

Equipment in Prisons PF

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