



Policy name: Managing Conveyance of Unauthorised and Illicit Items Policy Framework (Open Establishments)

Reference: National Security Framework

Issue Date: 17/02/23 NSF Pilot Sites only **Implementation Date:** NSF Pilot Sites will go live in stages during this timeframe, Feb 2023-December 2023

Applicable to: HMP Ford (NSF pilot open site)

Replaces the following documents which are hereby cancelled:

- PSI 10/2012 Conveyance and Possession of Prohibited Items and other Related Offences
- PSI 21/2015 Unauthorised Possession within Prisons of Knives and other Offensive Weapons
- Security Management Specification 1,2,3,13,14,16, 17
- Prisoner Comms Specification 10
- Comms Control Room Specification 6.7.8.11,18
- Gate Services Specification 1,2,4,5,6,7,9,11,12,13,15 & 16

Introduces amendments to the following documents:

- PSI 14/2011 Management and Security of Gate Services

Action required by: (pilot sites only)

X	HMPPS HQ	X	Governors
X	Public Sector Prisons	X	Heads of Group
X	Contracted Prisons		The Probation Service
X	Under 18 Young Offender Institutions		Other providers of Probation and Community Services
	HMPPS Rehabilitation Contract Services Team		

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 full NSF implementation date Governors of Public Sector Prisons, Contracted Prisons and other relevant establishments must ensure that their local procedures do not contain the following references to:

- PSI 14/2011 Management and security of gate services
- PSI 13/2011 Management and security of communication/control rooms and internal prisoner movement
- PSI 10/2012 Conveyance and possession of prohibited items and other related offences
- PSI 21/2015 Unauthorised possession within prisons of knives and other offensive weapons

Any local procedures must be lawful and must follow the Prison Rules 1999 and Young Offender Institution Rules 2000 specified within the framework, the guidance and other linked documents and frameworks or Prison Service Instructions (PSI). Local instructions must be clearly set out and easy to understand.

Any such local procedures must be suitably analysed, or risk assessed to meet the requirements of the Public Sector Equality Duty, the Data Protection Act 2018 the Family Test and required financial and other resources.

Section 6 of the 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 questions concerning departure from the guidance can be sent to the contact details below. In this document the term Governor also applies to Directors of Contracted Prisons

The use of the word 'unauthorised' in this policy in relation to items means items which the person is not authorised by the Governor to have in possession and could lead to disciplinary action.

The use of the word 'illicit' in this policy in relation to items means items for which it is a criminal offence to have in possession and could lead to prosecution.

The use of the word 'find' in this policy relates to the discovery of an illicit or unauthorised item during a search procedure.

An offensive weapon within the Police and Criminal Evidence Act 1984 is defined as "any article made or adapted for use for causing injury to persons; or intended by the person having it with him for such use by him or by some other person". As such, this also includes all makeshift weapons which are manufactured from items within prisons.

How will this Policy Framework be audited or monitored: In Public Sector Prisons, Prison Group Directors (PGDs) will monitor compliance with requirements set out within the Policy Framework in their prisons using the auditing and monitoring tools described in this framework.

In Contracted Prisons monitoring of compliance will be through the standard contract management processes.

Health and Safety for Public Sector Prisons is undertaken through Health and Safety monitoring and assurance. The Health and Safety processes may be different for Contracted Prisons and therefore, Contracted Prisons must have their own Health and Safety arrangements which must ensure, so far as is reasonably practicable, the health, safety, and welfare at work of all employees.

Quality Assurance for Public Sector Prisons and Contracted Prisons is provided by HMPPS Operational and Systems Assurance Group (OSAG) through the Security Audit.

Resource Impact: The identified resource impact for this policy framework document is staffing within the security department. The initial implementation will impact in terms of the time taken to update the Local Security Strategy (LSS) within establishments.

Once the implantation has been completed and establishments have updated their LSS, resource implication is not expected to be any different to current requirements around the management of the NSF policies and establishments LSS.

It is expected that this policy framework will assist establishments in reducing the risk of conveyance. This in turn will be expected to increase safety and reduce instability that arises from the conveyance of drugs and mobiles in respect of violence, self-harm and disorder.

Contact: security.procedures@justice.gov.uk

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1. Purpose

- 1.1 Prisons can be challenging places to live and work. Incidents of violence and disorder cause widespread fear, disruption to daily regimes, psychological harm and undermine efforts toward rehabilitation. Whilst most prisoners do not seek to harm others or challenge authority and rules, a minority do pose risks to staff and other prisoners.
- 1.2 The conveyance of illicit items undermines safety, security, public confidence, and rehabilitation. There are substantial physical and mental health implications for the individuals using illicit substances. High profit margins both facilitate and encourage criminality including organised crime
- 1.3 The Securely Managing Conveyance in Open Prison Establishments Policy Framework introduces important changes to the way we manage security specifically around the conveyance of illicit items into and out of prison establishments. The policy framework provides prisons with the information and guidance needed to maintain high levels of security and maintain a secure and stable environment for staff and prisoners. It applies to all public and contracted out prisons and all parts of all categories of prison’.
- 1.4 The Securely Managing Conveyance in Open Prison Establishments Policy Framework
- Links to Rule 70 of the Prison Rules 1999 (Prohibited Articles) “No person shall, without authority, convey into or throw into or deposit in a prison, or convey or throw out of a prison, or convey to a prisoner, or deposit in any place with intent that it shall come into the possession of a prisoner, any article whatever. Anything so conveyed, thrown or deposited may be confiscated by the governor.”
 - Links to Rule 74 of the YOI Rules 2000 Prohibited Articles “No person shall, without authority, convey into or throw into or deposit in a young offender institution, or convey to an inmate, or deposit in any place with intent that it shall come into the possession of an inmate, any article whatsoever. Anything so conveyed, thrown or deposited may be confiscated by the governor”.
 - Links to Prison Rule 70A/YOI Rule 74A introduced to provide a List C of controlled items in accordance with section 40A (6) Prison Act 1952.
 - Empowers prison staff to identify and manage their own security risks,
 - Provides greater focus on guidance and effective risk management over prescribed behaviours and actions
 - Is applicable to different prison types, categories, and prisoner cohorts
 - Is responsive to live and emerging risks and inclusive of best practice
 - Provides a range of guidance and supporting tools that explain tasks in a clear and concise manner.
- 1.5 The Securely Managing Conveyance in Open Prison Establishments Policy Framework supports the HMPPS vision of working together to protect the public and help people lead law-abiding and positive lives.
- 1.6 The Securely Managing Conveyance in Open Prison Establishments Policy Framework sets out the mandatory requirements that all establishments in scope are expected to adhere to and provides guidance and supporting tools to assist establishments.
- 1.7 Whilst it is important to ensure that all security procedures are conducted appropriately and take into consideration the safety of all in our establishments and of the public, we must always remember to do this alongside a rehabilitative culture ensuring all feel they are being treated fairly, allowing an environment where people feel safe, are treated decently, and have the headspace and opportunity to change. See **guidance** for further information.

2. Evidence

- 2.1 HMPPS is responsible for protecting prisoners, those working in or visiting prisons, as well as the public, by taking steps to prevent the conveyance and supply of drugs and other illicit items into prisons. Since the publication of the White Paper Prison Safety and Reform in 2016, HMPPS has taken additional steps to disrupt the supply of illicit items, such as drugs, into prisons. For example, in 2018 we announced the rollout of specialist search teams to conduct body, property, cell and area searches across the estate.
- 2.2 There is widespread understanding that some prisoners attempt to intentionally undermine HMPPS's security searching methodologies by hiding unauthorised and illicit items on their bodies and in their clothing. National media outlets often report that dangerous and illegal drugs and other items are conveyed into prisons using this method of concealment. Evidence shows that illicit items are routinely conveyed into establishments. Searching of the person, cells, vehicles, external areas and internal buildings/common areas alongside the use of technical aids has been identified as effective in both preventing and identifying these routes of conveyance. In the 12 months to March 2021, searching conducted in the prison estate resulted in 20,295 drug finds, 8,793 mobile phone finds, 3,991 SIM card finds and 7,178 weapon finds. ^[1] This shows how vital it is that searching is carried out safely and effectively, to reduce the number of illicit items conveyed into the estate and create a safer and more secure environment for rehabilitation.
- 2.3 There is widespread understanding that some prisoners, staff, and visitors attempt to intentionally undermine HMPPS's physical and procedural security measures to convey illicit items. This could be via several identified routes and each establishment will vary in terms of the preferred route of conveyance. Evidence from the National Control Strategy shows that illicit items are routinely conveyed into establishments via five different areas, and these form the basis for the Securely Managing Conveyance in Open Prison Establishments Policy Framework. National media outlets report that illegal drugs and other illicit items are conveyed into prisons using these routes. Deaths in custody have been linked to drugs that have been conveyed into the establishment and Ministers have raised the subject of illicit conveyance into prison establishments in several House of Commons Sitings.

3. Outcomes

- 3.1 The Securely Managing Conveyance in Open Prison Establishments Policy Framework and supplementary guidance sets expectations for the security of conveyance within prison establishments. This will be measured against the following standards.
- All incidents which challenge the security, safety, order, and control of a prison are resolved through approved practice, set out in the establishments Local Security Strategy.
 - Security decision making is defensible and utilises an evidence-based assessment process to identify and manage local risks.
 - Security management systems and practice are characterised by strong assurance processes, robust governance (reporting and scrutiny), and a learning culture.
 - Security management systems, practice and governance meets equalities responsibilities, duty of care and human rights obligations and priorities.

^[1] HMPPS Annual Digest 2020/21 (publishing.service.gov.uk)

4. Requirements

4.1 NATIONAL SECURITY FRAMEWORK ASSESSMENT PROCESS

- 4.1.1 In order to inform the Local Security Strategy (LSS), establishments will need to include an evidence-based assessment process which identifies and highlights the risks to their establishment. The assessment must be a whole prison approach which includes input from a variety of stakeholders of varying grades of staff both operational and non-operational. See **guidance** for best practice example.
- 4.1.2 Risks must be assessed annually as a minimum and in addition, whenever risks are perceived to have changed significantly.
- 4.1.3 Governors must ensure they have prepared their LSS for each of the five key threat areas outlined in the National Control Strategy. These must adhere to all the required actions and utilise a methodology that identifies further actions to manage the risk. Governors and directors may choose to develop additional risk assessments to guide a local response to a potential risk that is unique to their establishment, for example, conveyance via visits.
- 4.1.4 Governors must take into consideration emerging risks influenced by changes in population, new build work, changes to regime and any other identified risk factors.
- 4.1.5 Throughout this document reference is made to 'local risk assessment' there are no set templates for these assessments, although they must take into consideration:
- Prison type;
 - Prison Age (build/ structure);
 - Prisoner demographics including category, age etc;
 - Relevant intelligence;
 - Emerging risks;
 - Current mitigation;
 - Local risk factors.

4.2 MANAGEMENT OF CONVEYANCE

- 4.2.1 Governors must ensure that they utilise an assessment process (see **4.1**) to identify and manage the risks locally. Assessments must guide a local response to the risks identified within the establishment. See **guidance** for further information on the assessment process. Local arrangements must be consistent with the guidance and instruction provided within this policy framework.
- 4.2.2 For the conveyance areas identified; Gate, Reception, Correspondence, Perimeter & Visits, the Local Security Strategy (LSS) must outline procedures for addressing conveyance (following an assessment of risk) to include the following;
- Security procedures are in place and are effective at reducing the risk;
 - Procedures are communicated to staff and prisoners;
 - Procedures are monitored effectively.
- 4.2.3 All searching procedures detailed in the LSS as a result of processes identified to tackle to the risk of conveyance must be in line with the [Searching Policy Framework](#).
- 4.2.4 Governors must ensure the LSS is effective and that the frequency of the LSS review is agreed locally and confirmed by the PGD for each establishment. As a minimum this must

be conducted annually. Governors must provide annual assurance to their PGD that the LSS is fit for purpose. See [Managing the local security strategy: PSI 63/2011](#).

- 4.2.5 Establishments must ensure that a nominated person is responsible for updating the LSS. This must include regular oversight of the risk of conveyance and the related assessment process to consider emerging risks influenced by changes in population, regime, significant finds, or any other identified risk factors.
- 4.2.6 Establishments must assure themselves that the measures set out in the LSS to tackle the risk of conveyance are effective and in line with policy. See [guidance](#) for further information on assurance.
- 4.2.7 Governors must ensure that signs laying out penalties for committing offences under the Prison Act 1952 covered in this framework are ordered and displayed outside the prison normally at the point of entrance to the establishment. Briefings and information notices must also be made available to prisoners (for example in libraries), staff, and social and professional visitors (for example at the Gate), see [guidance](#) for template notices.
- 4.2.8 Governors must ensure that the list of prohibited items is available to staff, prisoners and visitors on entry to the establishment. Only authorised items are permitted in/out gate (the items which are not permitted are set out in **Annex A** - List A, B & C items in addition to any local lists).
- 4.2.9 Governors must check that all staff (including non-directly employed) are aware of their role in managing security in respect of conveyance and that they are familiar with the establishment local security strategy including the guidance and supporting tools and the [Counter corruption and reporting wrongdoing](#) policy framework.
- 4.2.10 Governors must ensure a procedure whereby conveyance is discussed with managers and staff of contract/service providers including healthcare & education (for example during induction) to ensure that the implications for their staff in respect of conveyance of unauthorised/illicit items is fully understood and action is taken where required.
- 4.2.11 Organised Crime Group (OCG) prisoners can be key drivers of conveyance; security departments must consider and communicate to staff the role that OCG's may have in the organisation of conveyance into establishments and the distribution of these items within. The [Serious and organised crime policy framework](#) must be considered when setting out actions to address the identified conveyance risks within establishments. See [guidance](#) for further information.
- 4.2.12 Any items found must be reported via an intelligence report. Please refer to [Intelligence collection, management and dissemination in prisons and probation](#) for information on intelligence reports. Reporting of unauthorised items found as part of a search must also include the incident reporting system (IRS), see [Incident Management Policy Framework](#). Establishments must also consider adjudication procedures for any items found on prisoners, [Prison adjudications policy: PSI 05/2018](#)
- 4.2.13 Staff must follow set procedures for the preservation of evidence as set out in [Management and Handling of Evidence Policy Framework](#) and [Prisoners' Property Policy Framework](#) when illicit items are found in a prisoner's possession or within the prison.

4.3 PRISON ACT 1952, CROWN IMMUNITY AND CRIMINAL LIABILITY

4.3.1 The [Prison Act 1952](#) ("Prison Act") sets out the legislation under the section - offences. The Act sets out the penalties for each of the offences listed below.

- **39. Assisting a prisoner to escape**

- **40A.**Classification of articles within 40B and 40C
- **40B.**Conveyance of List A articles into or out of prison
- **40C.**Conveyance of List B or C articles into or out of prison
- **40CA.**Unauthorised possession in prison of knife or offensive weapon
- **40CB.**Throwing articles into prison
- **40D.**Other offences relating to prison security
- **40E.**Section 40D: meaning of “authorisation” and other interpretation
- **40F.**Offences under sections 40B to 40D: extension of Crown immunity

4.3.2 There are three main situations in which criminal liability for the offences listed above will not arise and these are expanded on more fully in the **guidance**.

- When Crown Immunity for Crown Servants is available.
- Under an extension of Crown Immunity which is provided for by the Act for non-Crown Servants.
- Where there is an explicit written authorisation under sections 40B (for list A items) or 40E (for other items) of the prison act.

4.4 AUTHORISATIONS FOR CONVEYANCE OF ITEMS – CENTRAL AND LOCAL

4.4.1 **Section 40B and 40E** of the Prison Act provides powers for the Secretary of State or by a senior official such as Senior Civil Servant to authorise any person or group of people to convey into or out of the prison or use or possession in the prison any item which may be prohibited by Section 40B to 40D of the Prison Act from being so conveyed or used.

4.4.2 **Section 40E** of the Prison Act provides powers to governors or directors of contracted out prisons to grant authorisation to any person or group of people to convey into or out of the prison or use in the prison any item which may be prohibited by Section 40B to 40D of the Prison Act from being so conveyed or used or possessed. Governors (or PGD’s) must authorise List A items. Other items may be authorised by any person working at the prison who the governor has authorised to grant S40E authorisations on his behalf.

4.4.3 Where the activity does not form part of a person’s normal duties (and therefore Crown immunity would not be available), there must be specific authorisation under the terms of section 40B (for list A items) or 40E (for other authorisations) of the Prison Act. Further information and examples of when a central or local authorisation is needed can be found in the **guidance**. This is for possession or use of items which are prohibited under sections 40B, 40C and 40D of the Prison Act.

Central (National) Authorisations

4.4.4 Central S40B/E authorisation are already provided to several individuals and groups for specific purposes on behalf of the Secretary of State. Security and Gate staff should be aware of these Central Authorisations surrounding approved conveyance. The updated list can be located by contacting security.procedures@justice.gov.uk. A list is also provided at **Annex B**, but it should be noted that this only covers those in place up to date of policy publication.

4.4.5 Central Authorisations do not over-ride reasonable local rules and restrictions set down in an individual prisons’ LSS concerning the bringing in and possession of a wider range of items, but any restrictions applied must be reasonable in the circumstances. For example, it would not normally be appropriate to routinely restrict locally, the conveyance of the following items without justification.

- Books
- Legal correspondence and paperwork
- Items for transgender individuals

- Items to assist disabled prisoners
- Prescribed medication
- Liquids and food
- Baby food
- Food brought in by approved ministers of religion for particular religious festivals if this cannot be provided by the prison. The bringing in of such food should always be agreed in advance by the prison.

4.4.6 A central S40E authorisation for conveying and possession of **mobile phones** has been provided for staff or professional visitors working at open prisons. This must be subject to the local agreement of the governor.

Local Authorisations

4.4.7 Governors/Prison Group Directors (PGD) must ensure that any legitimate activity which has not been authorised centrally is covered by the issuing of a local authorisation to cover the activity. The use of a 'local list' of authorisations related to specific duties of staff must be considered. **Annex 2** lists some examples where this may be appropriate and flags areas where governors might consider clarifying the duties of staff to explicitly state which staff would normally convey or use prohibited items and be covered by Crown Immunity, and which staff would not.

4.4.8 Governors must consider local restrictions set out in their LSS against the provisions of the Prison Act to ensure that they are comprehensive, clear, and appropriate, and must ensure that local lists of unauthorised items take into account as necessary all items set out in Sections 40A to 40F of the Prison Act. See **guidance** for further information on local restrictions. Contravention of local lists/regulations will not be a criminal offence unless there is also contravention of the Prison Act 1952.

4.4.9 Local authorisations considered by governors or by gaining agreement from the prison group director must be documented and the process set out in the LSS. See **guidance** for an example template form for this purpose. These authorisations must be made locally by governors for their individual establishments or, where considered appropriate in the case of higher risk items, by the PGD on behalf of the Secretary of State.

4.4.10 There are circumstances where it is necessary for persons in prison, including prisoners, to have possession of articles which, in another context, may constitute an offence under Section 40CA of the Prison Act 1952. This includes knives, tools, religious artefacts (kirpan) and bladed items necessary for legitimate use. Authorisations must be in place to ensure that those in possession of such items for legitimate purposes are not committing a Crown offence if Crown immunity does not apply. Governors or authorised prison staff must issue local authorisations for any other reason prisoners or staff may need to possess such items.

Mobile Phone Authorisations

4.4.11 Access to personal mobile phones in the open estate to respond to applications, employer requests, family circumstances, etc. in a timely way was identified as beneficial during the Covid period. Authority has been provided which continues to support access to mobile phones for prisoners in the open estate.

4.4.12 Access to mobile phones is not automatic, their use must be risk assessed, supervised and controlled. Establishments are to identify a designated area to facilitate and supervise this service.

4.4.13 Governors must decide locally if their establishment will carry out this service and will be dependent on local resources to manage and facilitate this against the identified need.

- 4.4.14 Governors will have a responsibility for approving access locally and carrying out risk assessments to ensure only those prisoners deemed suitable can access their mobile phone under the agreement (See **Annex C**), The Governing Governor must complete the authorisation form contained in **Annex C** on behalf of the Secretary of State, under Section 40E of the Prison Act, to approve the use of the personal mobiles and the Nokia 105 mobile phones.
- 4.4.15 Governors have responsibility for approving access locally, guided by the established risk matrix see **Annex C**. In particular prisoners who are subject to Restricted ROTL, present a risk to public protection or are being actively managed through the Interdepartmental Risk Management Team (IRMT) would need the risk of access to a mobile phone under this agreement to be more rigorously assessed and any mitigations identified before approval is given. Until this process is completed, they must not be provided with such access.

Mobile Phones – Issuing to Prisoner/Drivers in the Open estate

- 4.4.16 Prisoner Drivers may be allowed to have in their possession their own personal mobile phones whilst on ROTL in the same way as any offender on work other placements and/or issued a prison mobile telephone for the purpose. The Governor will decide locally on what is to be permitted, in all cases the mobile phone number must be shared with the Prison and should be tested prior to the Prisoner leaving the Prison with a vehicle. See **guidance** for further information.
- 4.4.17 Prisoner drivers must adhere to Road Traffic Act requirements, to be hands free when making or answering calls (preferably stopped in a safe place at the roadside). Any offence committed by that individual will be the responsibility of the individual concerned and a review of suitability for that role will be undertaken.
- 4.4.18 Where an HMPPS mobile phone is issued this should be of a standard currently held and used by security departments for prison escorts or staff van drivers, with no requirement to be restricted.
- 4.4.19 Establishments must maintain records of issuing mobile telephones and update their Local LSS to reflect this process.

4.5 MANAGEMENT OF CONVEYANCE VIA THE GATE

- 4.5.1 The gate can be a focal point for conveyance, although this risk is lower in the open estate, conveyance of illicit items via staff and vehicles remains an ongoing risk. Staff working in the Gate must be aware of the importance of professional conduct when undertaking their duties. Busy, chaotic process can undermine security. Managers must ensure unprofessional behaviour is challenged.
- 4.5.2 Establishments must undertake an assessment (see **guidance**) to identify the risk of conveyance in this area and apply effective procedures to mitigate these. Staff awareness, effective searching procedures and unpredictable searching times can all be effective in building resilience to the conveyance of illicit items via the gate.
- 4.5.3 Local Security Strategies must reflect the individual circumstances of the establishment. All prisons, including those in the High Security Estate, must ensure that searching requirements within the LSS are also reflected in their Local Searching Policy for prisoners, staff, and visitors upon entry/exit of the gate. Please see the Searching Policy Framework for more information and guidance on Local Searching Policies. Where an establishment

has more than one Gate, these instructions apply to all Gates, regardless of the nature of operations/function of the Gate (e.g., delivery Gate only). The specific risks posed by the operation of multiple Gates must be taken into account in the LSS.

- 4.5.4 Rules 35A, 41, 64, 70, 70A, 71, 73 & 79 of [the Prison Rules 1999](#), Rules 11, 46, 69, 74, 74a, 75, 77 & 83 of [the Young Offender Institution Rules 2000](#) and sections 8, 8A & 40A-40F of the [Prison Act 1952](#) must be complied with when conducting the gate activities described in the Securely Managing Conveyance in Open Prison Establishments Policy Framework.
- 4.5.5 There are specific people that have a statutory right to enter a prison at any time. This right to enter is under the following legislation.
- S19 of the [Prison Act 1952](#)
 - S20 of the [Health and Safety at Work etc Act 1974](#)
 - S32 of the [Food Safety Act 1990](#)
- 4.5.6 Governors must ensure that the LSS include instructions that cover the way in which security procedures operate within the gate area. E.g., searching of vehicles, entry and exit procedures.
- 4.5.7 Governors must ensure all individuals are aware of the items not permitted within a prison establishment, the fact that it is a criminal offence to convey into and/or use certain items within prison when not benefitting from Crown immunity and the penalties for doing so.
- 4.5.8 Establishments must consider the use of appropriate storage facilities for professional visitors with unauthorised items such as mobile phones. In addition, where staff lockers are just inside the gate lock, governors of public sector prisons may wish to consider requesting an authorisation from the PGD for staff to bring mobile phones into the prison up to the point where lockers are positioned.
- 4.5.9 Agreed processes must be documented in the LSS ensuring that any searching procedures for individuals, vehicles, and materials are set out. See [Searching Policy Framework](#).
- 4.5.10 The duties of gate staff must include:
- Identifying, controlling and recording the authorised entry and exit of prisoners, people, vehicles, and materials/tools.
 - Ensuring that searching procedures, where applicable are carried out for individuals, vehicles, and materials.
- 4.5.11 As a minimum, governors must ensure that gate staff:
- Check the identification of all people entering the prison establishment
 - Record their names of delivery drivers and visitors
 - Record the registration numbers of all vehicles entering/leaving the prison
 - Record the time of arrival/departure of vehicles and visitors entering/leaving the prison
 - Record the next scheduled destination of vehicles
 - Allow only authorised people, items, and vehicles in/out of the gate (the items which are not permitted are set out in **Annex A** - List A, B & C items in addition to any local lists)
 - Record items leaving or being delivered to the gate

- 4.5.12 Governors must undertake a risk assessment to set out arrangements for staff searching in accordance with risk, this must be documented in the LSS. Searching procedures set out in the [Searching Policy Framework](#) must be applied when searching staff.
- 4.5.13 Governors must ensure that staff working in the gate and those escorting vehicles have access to a copy of the published prison procedures (core day). Procedures within the LSS for the secure entry and exit of every person, vehicle and item seeking to enter or leave the prison through the gate must be effectively communicated to gate staff. See **guidance** for further information and supporting tools on vehicle entry and exit processes.
- 4.5.14 Staff working in the Gate must be aware of their role in local contingency plans for all types of incidents.
- 4.5.15 Governors must confirm an effective assurance process is in place to provide assurance that vehicle escorting staff are following the searching procedures set out in the LSS for both drivers and vehicles. See **guidance** for further information on assurance processes.

Conveyance of List A, B & C Items in Vehicles

- 4.5.16 Any surplus equipment in the vehicle (such as tools) that is not required in the prison must be secured at the gate and only returned to the vehicle when it is leaving.
- 4.5.17 Gate staff must be made aware of relevant centrally issued authorisations and any local authorisations that allow List A,B & C items into the establishment. An updated list of central authorisations can be obtained via security.procedures@justice.gov.uk. Local authorisations must be recorded by the security department.

Vehicle Entry

- 4.5.18 Governors must ensure that all locally agreed procedures for handling deliveries arriving at the gate are set out in the LSS considering searching requirements and level of supervision.
- 4.5.19 Governors must ensure there are clear instructions within the LSS about the admission of emergency vehicles and that internal escorts for emergency vehicles are available. The instructions must be in accordance with the Workplace Transport Policy Framework [Health and safety arrangements: management of workplace transport](#) and include:
- Clearing the gate area of any vehicles
 - Procedures for gate staff in respect of any searching requirements
 - Procedures for gate staff in respect of any central or local authorisations
 - Process for identifying a vehicle escort and any additional gate staff to assist with opening of gates on route to the incident area

Vehicles Exiting

- 6.4.20 When the vehicle has completed the delivery and is ready to leave, the vehicle should be searched (where required) on exit to make sure nothing is being conveyed out of the prison. When this search occurs, details should be checked against the information provided on entry.

Vehicle Searching and Supervision

- 4.5.21 Governors must undertake an assessment of risk (to include conveyance and escape) to set out in their LSS which vehicles are searched on entry and exit, and the level of searching to be conducted on the driver and any passengers. In the open estate, this can be intelligence led searching only. Searching procedures set out in the [Searching Policy Framework](#) must be applied when searching vehicles and their drivers.
- 4.5.22 Staff must be provided with adequate searching equipment for the search of vehicles. See [Searching Policy Framework](#) for details on vehicle searching equipment.
- 4.5.23 Governors must ensure that if delivery items are to be decanted at the gate, the process is agreed locally and outlined within the LSS to include the agreed levels of searching and supervision relevant to the establishment.
- 4.5.24 Governors must ensure that if delivery items are escorted through and decanted within the establishment, the same level of searching and supervision (when required) is employed as when delivery items are decanted at the gate. This applies to all activity areas / workshops within the establishment. This process is to be outlined in the LSS.

Vehicle Movement

- 4.5.25 Establishments must ensure that the movement of all vehicles in the establishment is only done with prior knowledge and/or authorisation of the communication / control. The LSS must set out how movements into and around the prison will be managed.
- 4.5.26 Governors must ensure that any circumstances in which a vehicle has been identified as requiring an escort, that this is documented in the LSS. An assessment process (see **guidance**) must be used to determine the risks posed by vehicles taking into consideration the category of the prison, layout, type/size of vehicle and destination. This must be completed in conjunction with the Transport Risk Assessment as described in Annex A of [Health and safety arrangements: management of workplace transport](#).
- 4.5.27 Vehicles identified as requiring an escort within the prison must not be allowed to enter until escorting staff are available. The vehicle escort must always remain with the vehicle and never leave it unattended. Local safe systems of work which comply with the requirements of Health and safety arrangements: management of workplace transport must be available to staff involved in supervising the movements of vehicles. All staff undertaking vehicle escorts must be competent and aware of the appropriate use of personal safety equipment clothing and methods of communication with the driver during the escort.
- 4.5.28 The responsibility to control and monitor the vehicles of visitors / contractors extends to the establishment's own vehicles.
- 4.5.29 The preservation of life must always take precedence over local procedures in any life-threatening situation. Arrangements must be in place for the processing and entry of an emergency vehicle. Any delivery vehicles should be held in an area that does not restrict access.
- 4.5.30 Local safe systems of work which comply with the requirements of health and safety arrangements, management of workplace transport must be available to staff involved in supervising the movements of vehicles.

4.5.31 All staff undertaking vehicle escorts must be trained to a competent level and be aware of the location and appropriate use of personal safety equipment clothing and methods of communication with the driver during the escort. A training program for vehicle escorts and trainers is provided through HMPPS learning and development directorate with content agreed with both Health and Safety and Transport policy leads. See [Health and safety arrangements: management of workplace transport](#) for further information.

Conveyance via Staff – Vetting

4.5.32 Governors must adhere to the requirements set out in [Security vetting: PSI 07/2014](#) and [Security vetting: additional risk criteria for ex-offenders, PSI 27/2014](#). There must be clear local arrangements for adhering to vetting set out in the LSS.

4.5.33 The level of security clearance varies according to the security category of the establishment and the rank or status of the person. Governors must ensure that before being allowed access to the establishment staff, contractors and professional visitors have acquired the security clearance or have been deemed appropriate to enter by the Governor to the environment in which they are to be employed. This must be outlined in the LSS.

Staff Corruption

4.5.34 Governors must ensure that the LSS is communicated to all staff in respect of relevant duties outlined in the [Searching Policy Framework](#) to prevent illegal items entering a prison and to detect those that have already entered the estate. There must be an assurance process in place (see **guidance**) to identify any failure to complete these checks when instructed, or failure to complete them to the required standard as this can constitute corrupt behaviour where there is related information or intelligence to suggest this failure is deliberate.

4.5.35 Governors must ensure that all staff are aware of the responsibilities outlined in the [Counter corruption and reporting wrongdoing](#) policy framework for all HMPPS staff and non-directly employed persons to report suspicions of wrongdoing and corruption at the earliest opportunity through the appropriate channels. HMPPS defines corruption as a person in a position of authority or trust who abuses their position for benefit or gain for themselves or for another person. See **guidance** for information on support for staff who may be vulnerable to corruption and conveying items into the prison via the gate.

4.5.36 The reporting member of staff must give consideration as to whether a breach is a result of corrupt behaviour when considering reporting the breach. If so, or if in doubt, this must be reported via one of the following routes:

- Submission of a CPIR on the intelligence reporting system
- Talking to the Local Counter Corruption Manager (LCCM)
- Confidential Email: CCU-National@justice.gov.uk
- Confidential mailbox: Counter Corruption Unit, 8th Floor Tower, 102 Petty France, London, SW1H 9AJ
- Calling the independently administered 24/7 Integrity Hotline: 0800 917 6877
- Reporting online: <https://forms.theiline.co.uk/hmppps>

4.6 MANAGEMENT OF CONVEYANCE VIA PRISONER RECEPTION

4.6.1 Each establishment has a unique reception area and different functions. Governors must ensure that when assessing the risk (see **guidance**) for conveyance, that all these considerations are factored in with specific regard to the details of securely managing

conveyance in this area. The availability of technical aids for searching will be unique to each establishment and prisoners may report through reception for several reasons, for example:

- ROTL
- Transfer from another establishment
- HMPPS escort
- Accessing property and parcels

4.6.2 Staff working in reception must be fully aware of conveyance risks. Risks linked to the pressures on ROTL to convey illicit items must be identified and mitigated where possible. See **guidance** for information on risks posed by removal of illicit items and support measures to identify and reduce these.

4.6.3 Where conveyance via this route is an identified risk which applies to the relevant prisoner, governors must ensure that all necessary procedures for the safety of prisoner and the establishment are put in place. As a minimum, establishments must.

- Where permitted by the [Searching Policy Framework](#) and the LSS, the prisoner may be full searched if not already routinely done so, using technical aids where available.
- Where permitted by the Searching Policy Framework and the LSS, the prisoners in possession property may be fully searched using technical aids.
- Update NOMIS including the incident reporting system and submit an intelligence report for any item found to ensure intelligence is communicated to future escorting staff and any future establishments.
- Consider prisoner location. This is particularly important in cases where bullying/coercion is a suspected factor in prisoner conveyance.
- Consider adjudication procedures, [Prison adjudications policy: PSI 05/2018](#)

Reception Arrival and Discharge

4.6.4 Governor's must ensure that all prisoner records that accompany each prisoner are fully reviewed in reception to identify any immediate risks of conveyance (specifically risks of drug/phone conveyance and concealment of weapons/other items). See **guidance** for further information.

4.6.5 Governors must ensure that any security concerns in relation to a prisoner found to be conveying an illicit item during a police production is reported immediately to the duty governor.

4.6.6 Governors must ensure that all information in relation to conveyance, searching and use of technical aids is appropriately communicated to prisoners with protected characteristics, including those with physical or learning disabilities and those who do not speak English. See **guidance** for information on effective communication.

Reception Searching Process

4.6.7 Governors must ensure that searching of all prisoners entering and leaving the establishment is in line with the searching procedures outlined in the [Searching Policy Framework](#) in respect of minimum searching requirements and that this is reflected in the LSS.

- 4.6.8 Governors must ensure that the processes for prisoners discharged on ROTL either from reception or from another location are set out within the LSS. This will include any intelligence led searching arrangements applied.
- 4.6.9 Governors must ensure that all prisoner property processed via reception is searched in accordance with the [Searching Policy Framework](#) and the minimum searching requirements are reflected in the LSS. Governors must ensure that stored and delivered property is, as a minimum, to be seal checked. Additional searching procedures must reflect the current conveyance risk and documented in their LSS.
- 4.6.10 Governors must manage property which has been confiscated as a result of it being illicitly conveyed into a prison in accordance with [Prisoners' Property Policy Framework](#).
- 4.6.11 Governors must ensure that decisions on how to safely manage the location of prisoners found in possession of an illicit item during a reception process are communicated to all staff, recorded on NOMIS and an intelligence report submitted. This is particularly relevant when bullying/coercion is a factor in conveyance. See **guidance** for further details.

4.7 MANAGEMENT OF CONVEYANCE VIA CORRESPONDENCE

- 4.7.1 Prisoner correspondence is used by some individuals as a means of conveying illicit items into establishments. Governors must set out in their LSS the process in place for managing all correspondence received into the establishment (to include staff correspondence). An assessment must be undertaken to determine the risks posed by correspondence taking into consideration the category of the prison, previous intelligence and finds of illicit items within the mail (see **guidance**).
- 4.7.2 Governors must ensure that local procedures are in place for handing correspondence, including legal and confidential correspondence. Any procedures must be lawful and in accordance with [Prisoner communications policy: PSI 49/2011](#) [PSI 49/2011 Monitoring and managing prisoner communications](#); and documented on the LSS. Whilst individual measures may not permanently tackle the issue, they can interrupt, reduce, or possibly displace it. See **guidance** for information on measures to assist with this.
- 4.7.3 Governors must ensure that any equipment used, including trace drug detection technology, must only be used for its intended purpose, see [Use of Narcotics Trace Detection Equipment on Correspondence Policy Framework](#).
- 4.7.4 The Governor must ensure mail including staff mail is received, processed, and checked in one location, for example the mail room before being moved on to other areas.

4.8 MANAGEMENT OF CONVEYANCE VIA THE PERIMETER

- 4.8.1 The prison perimeter is used by some individuals as a means of conveying illicit items into establishments and the supply of illicit items/substances via the perimeter can be a significant security threat. Governors must set out in their LSS the process in place for managing conveyance via the perimeter. An assessment must be undertaken to determine the risks posed by the perimeter taking into consideration the category of the prison, layout & any previous intelligence and finds of illicit items via the perimeter. Actions to be put in place to mitigate and manage any identified risks must be in line with the [Searching Policy Framework](#).
- 4.8.2 Establishments must be alert to the risks posed to prisoners who may not receive items as a result if an intercepted throwover. Prisoners can enter into debt which can result in

violence, self-harm and suicide in extreme cases. See **guidance** for information on risks posed by removal of illicit items and support measures to identify and reduce these.

Perimeter Searching

- 4.8.3 The perimeter security applicable to the establishment must be described in the LSS, together with arrangements to ensure that levels of security are maintained and remain effective. An assessment must be completed to identify strategies (see **guidance**) to maintain perimeter security in respect of conveyance. Conveyance can be detected and deterred through several layers of security. Local security strategies must outline the processes in place, frequency, and method of searching applicable based on risk.
- 4.8.4 Governors must ensure that perimeter checks are completed in line with the procedures outlined in the [Searching Policy Framework](#).
- 4.8.5 Governors must ensure that any perimeter checks are recorded in a central area. This process must be set out in the LSS.

Radio Communications

- 4.8.6 The use of an effective communications network to alert to possible conveyance risks can be an effective mitigation. For the effective use of the radio in prison establishments, the following is required.
- All radio users are trained in the secure handling of the radios.
 - A record of the identities of all out-stations is known by control/communications.
 - Regular net test calls/safety polls are carried out each day and any failures to respond are investigated and documented in the control/communications room log.
 - In closed establishments each separate residential unit have at least one member of staff on duty who has drawn a radio and is logged onto the radio network.
- 4.8.7 The radio net must only be used for official purposes. All users must ensure that the network is used securely and be aware that transmissions may be illegally “scanned” from outside of the perimeter.
- 4.8.8 The role of staff managing the radio communications network in respect of conveyance is to:
- Receive, evaluate, report and act upon information and indications of events.
 - Manage initial responses to events and emergencies.
 - Control and maintain the radio net and ensure secure usage.
 - Maintain secure practices and efficient operating procedures.
- 4.8.9 To achieve the above, governors must ensure that staff managing radio communications have the required aptitude and competence to handle, report and record information received via the radio, alarms, monitoring equipment, or any other source, as well as being conversant to the appropriate degree with the establishment’s intelligence system. Staff must complete as a minimum: [CRFE: Control Room for Future Operatives eLearning \(mydevelopment.org.uk\)](#) available via ‘my learning’.
- 4.8.10 The LSS must include a system through which radio communications staff will be kept informed of relevant information about incidents and/or specific prisoners. It must set out the role to be played in managing conveyance via the perimeter.
- 4.8.11 The LSS must set out how radio communications staff are to be kept informed of relevant information about incidents and, in line with the [Incident Management Policy Framework](#)

they must have an up-to-date and working knowledge of the local contingency plans and be able to maintain the security of the communication network at all times.

- 4.8.12 Staff managing radio communications must have access to local contingency plans in the event of an incident and be aware of their role. Local contingency plans, as required by the [Incident Management Policy Framework](#), must be provided outlining action to take following the positive indication of a conveyance threat to the perimeter, including reference to contingency plans where appropriate.
- 4.8.13 Radio communications staff must be competent in the appropriate use of the radio net during incidents. Local instructions to quickly identify a conveyance perimeter threat may include actions such as seeking a response from specified outstations. This must be documented in the LSS.
- 4.8.14 Local security strategies must include details of maintenance contracts and the communication or control room should keep a register of emergency call out numbers.

Use of CCTV

- 4.8.15 Some open establishments will use Closed-Circuit Television (CCTV) to monitor activity around their perimeter. Systems must only be used for professional and official purposes. The data and imagery captured and/or recorded on any system must be managed, stored, or deleted in accordance with the Use of CCTV (Overt Closed-Circuit Television system) Policy Framework

Internal Movement

- 4.8.16 All internal movement of prisoners must be assessed locally. The LSS must set any agreed level of control and supervision to maintain security and safety in respect of conveyance. There must be clear guidance set out within the LSS regarding entry of prisoners to areas where prisoners are not routinely permitted.

External Activity Areas

- 4.8.17 Any searching of external activity areas must be assessed locally. The LSS must set out the requirements to search relevant to the risk of conveyance via the perimeter taking into account factors such as location to the perimeter and intelligence on conveyance routes.

Drone Activity

- 4.8.18 Establishments should ensure that the procedures in place to report and tackle drone activity are clearly detailed in the LSS. See [guidance](#) for further information.
- 4.8.19 Drone activity must be reported via an intelligence report and any seizures handled in accordance with [Management and Handling of Evidence Policy Framework](#). Please refer to [Intelligence collection, management and dissemination in prisons and probation](#) for information on intelligence reports.

4.9 MANAGEMENT OF CONVEYANCE VIA VISITS

- 4.9.1 Visits to prison establishments are used by some individuals as a means of conveying illicit items into establishments. Governors must ensure that an assessment is undertaken to identify any risk of conveyance via visits to inform the local procedures. The assessment will also identify the searching required. All procedures must be outlined in the LSS to

include searching of any toilet facilities. Any searching requirements must adhere to the [Searching Policy Framework](#). To determine the levels of searching required at the establishment, the assessment of the risk of conveyance will include the following.

- Type of establishment
- Type of prisoners located at the establishment
- Intelligence on conveyance via visits
- Evidence of conveyance via visits
- Intelligence and/or evidence of the risk poses by this route of conveyance to both prisoners and staff safety and wellbeing.
- Availability of technical aids to assist searching (Bodyscanner, Boss, Cell Sense Pole)

4.9.2 Local security strategies must include arrangements to manage, supervise, and review any visits to prisoners, whilst also setting out security procedures to prevent passing of Illicit items. Local searching arrangements must prevent as far as possible the passing of unauthorised articles and other illicit activity by maintaining good order and supervision wherever visits take place. Please also see **guidance** for more information.

4.9.3 All visitors must be made aware that conveying or depositing illicit items in any place in a prison with the intent of coming into the possession of a prisoner is a criminal offence. Governors must ensure that secure facilities are provided for visitors to store any items not permitted to enter the establishment for the duration of the visit.

4.9.4 When searching visitors, consideration must always be made to preserve their decency and dignity. Staff must search visitors respectfully, with due consideration to any cultural and religious diversity or disability. See **guidance** and [Searching Policy Framework](#).

4.9.5 Legal advisers are permitted to convey certain equipment into prisons. Only if there is a reasonable belief that this equipment is not for legitimate legal use, should further restrictions be put in place. Should there be reasonable belief, and/or restrictions put in place, an IR must be submitted to record this. Please refer to [Intelligence collection, management and dissemination in prisons and probation](#) for information on intelligence reports.

4.9.6 Powers to impose restrictions on visits and visitors are set out in [The Prison Rules 1999 rules 34 and 73 \(The Young Offender Institution Rules 2000 Rules 9 and 77\)](#). Please see [Management of security at visits Policy Framework: Closed estate](#) / [Management of security at visits Policy Framework: Open estate](#). This includes acceptable conduct and for model notices to visitors and prisoners on the consequences of conveyance. Governors must ensure that prisoners and/or visitors are informed of the responses that may be put into place in the event of any suspected or proven conveyance of unauthorised/illicit items during visits.

4.9.7 Establishments must be alert to the fact that both visitors and prisoners involved in conveyance via visits may be vulnerable and under pressure to convey in this way. See **guidance** for information on risks posed by removal of illicit items and support measures to identify and reduce these for visitors and prisoners.

4.9.8 The conveyance and/or possession of List A items into a prison must be reported to the police for investigation in line with the [Handling crimes in prison: agreement](#).

4.9.9 Governors must ensure effective assurance procedures are in place and consider the use of covert testing for visits. See [Covert Testing Policy Framework](#) and **guidance** for information on assurance processes.

4.10 CONVEYANCE OF MEDICATION

4.10.1 The following people are authorised by the Secretary of State in accordance with Section 40B of the Prison Act for the following purposes:

- Delivery drivers conveying pharmacy, medical, veterinary, dental supplies into prisons where there is a valid order for those supplies from the prison to whom the delivery is being made. Also, delivery drivers conveying such items intended for delivery at another address provided that there is no intention to bring those items out of the delivery vehicle whilst in prison grounds.
- Staff who need to bring in controlled drugs as part of medication subject to them seeking agreement from the Governor/Director or their nominated representative to do so. This is on the condition that
 - a) the controlled drug has been prescribed for their own use; and,
 - b) it is or may be necessary for them to take that drug whilst on prison premises for healthcare reasons; and,
 - c) they have followed any local rules and authorisations for bringing into prison such drugs.
- Visitors to prisons who need to bring in controlled drugs as part of medication. This is subject to
 - a) the controlled drug having been prescribed or legitimately purchased for their own use;
 - b) the visitor must declare the drug on entry and state that it is necessary for them to take that drug whilst on prison premises;
 - c) the prison must be satisfied that this is the case;
 - d) the visitor must follow any local rules and authorisations required for bringing into prison such drugs.
- Emergency paramedic or ambulance or other emergency medical staff called to the prison conveying controlled medication.

4.10.2 The head of healthcare, head of security and lead pharmacist are required to work closely together in ensuring that arrangements are documented in the LSS describing the procedures for access to the pharmacy and control of pharmacy keys both day and night. As a minimum this must include that the keys are held in a lockable safe and / or secure pouch. There must be an auditable record for the keys being taken out and returned. This may differ for those establishments with 24hr healthcare compared to those with healthcare throughout the core day only.

4.10.3 The LSS must set out a secure method of conveying drugs to units and wings which includes the method of dispensing them safely. Consideration should be given to:

- Times of day
- Routes to be taken
- Secure storage carriers

4.10.4 Controlled drugs must always be kept in a locked cabinet in a secure room and any drugs to be disposed of must to be dealt with in accordance with legally required standards.

4.10.5 The prison pharmacist must comply with the requirements of [Healthcare for offenders](#)

4.11 REFERRAL OF OFFENCES TO THE POLICE

4.11.1 All suspected incidents of conveyance and/or possession of prohibited items must be investigated to establish whether there is a case for further action to be taken and the nature of that action. This will depend on several factors, see **guidance** for further information on these factors.

4.11.2 The [handling crimes in prison: agreement](#) provides guidance on cases which should be referred to the police for prosecution. Serious offences must always be referred to the police for consideration for prosecution once consideration has been given to necessary intent or knowledge. This includes:

- alleged possession/conveyance of any type of controlled substance (class A, B or C) regardless of quantity by staff or visitors since in these cases the suspicion must be of an intent to supply, it is then for the police to investigate further.
- alleged possession/conveyance of class A, B or C drugs by prisoners where the quantity, packaging or other evidence (or intelligence) suggest possession with intent to supply.
- alleged possession/conveyance of class A, B or C drugs by prisoners without evidence of supply or intent to supply where there are
 - (i) other aggravating factors, or
 - (ii) where there is support from the local police and CPS to pursue such prosecutions.

4.11.3 Prisons must take every opportunity to highlight to the police and CPS the damage caused to prisons and society by the presence of drugs within their prison and press for a firmer line on referral for prosecution. Prisons have discretion to refer other conveyance item offences if there is a local agreement to do so or there are other aggravating factors. See **guidance** for further information regarding police referrals.

Referral Type

4.11.4 The following table provides information on incidents of conveyance that require automatic police referral, and those which would only be referred if there is an aggravating factor. Aggravating factors are described fully in the **guidance** section.

Prohibited Item	Prisoners	Visitors	Staff
Drugs with intent to supply	Automatic	Automatic	Automatic
Drugs without intent to supply	Aggravating	Automatic	Automatic
Weapons - Firearms/imitation firearms, explosives, ammunition	Automatic	Automatic	Automatic
Offensive Weapons	Aggravating	Automatic	Automatic
Electronic Items - Any type including mobile phones	Aggravating	Aggravating	Aggravating
Documents – Any Type	Aggravating	Aggravating	Aggravating

5. Constraints

Interdependencies

- 5.1 There are dependencies between this policy framework and the following policy documents:
- [Searching Policy Framework](#) contains requirements for searching of the person & cell, area & vehicle searching. Searching requirements are referred to within this framework.
 - [The Management and Handling of Evidence Policy Framework](#) sets out the requirements for all evidence handling in relation to conveyance.
 - [Escape/Abscond Policy Frameworks](#) sets out the requirements to manage the risk of escape and/or abscond and forms a fundamental part of the NSF
 - [Security of Communications Policy Frameworks](#) sets out the requirements to securely manage all aspects of communication within a prison environment and forms a fundamental part of the NSF.

Data Protection

- 5.2 Any information relating to an identified or identifiable living individual recorded as a consequence of this framework will be processed in accordance with the [Data Protection Act 2018](#), [UK General Data Protection Regulation](#) and [Records information management policy: PSI 04/2018](#). A full Data Protection Impact Assessment has been completed in support of this policy framework.

Freedom of Information Act 2000

- 5.3 This document has been assessed as official and therefore suitable for public release. A small percentage of supporting tools and linked policies have been marked as official sensitive and will not be available for public release.

Diversity and Inclusion

- 5.4 When communicating to staff, prisoners or visitors, establishments are expected to ensure that briefing documents and information is available in a variety of formats including easy read, braille, voice, and other languages.
- 5.5 Actions taken as a result of conveyance allow for an element of discretion and staff should be mindful of biases. These are the underlying attitudes and stereotypes that people unconsciously attribute to another person or group of people that affect how they understand and engage with them. For further information and guidance about what works to debias decision making, please copy and paste the following link into your browser (HMPPS only)
https://intranet.noms.gsi.gov.uk/__data/assets/pdf_file/0005/904361/Evidence-Summary-Debiasing-Decision-Making-20.07.18.pdf

- 5.6 A full Equality Analysis has been completed in support of this policy framework.

Safety

- 5.7 An individual who is involved in conveyance of illicit items may themselves be vulnerable. Staff must be aware of this possibility and the support mechanisms in place for staff, prisoners and visitors in these circumstances. It is important to be alert for any signs that a prisoner's risk of harm to themselves has increased. An individual who has had illicit items removed may also become violent to staff or other prisoners. More details of how to manage these situations are in [Managing prisoner safety in custody: PSI 64/2011](#) with further information set out in the **guidance**.

5.8 A prisoner who has been found in possession of illicit items as part of conveyance procedures set out within this policy may subsequently find themselves in debt. There are a number of measures that can be taken to mitigate the risk of prisoner debt created by the confiscation of property. This is of particular importance for those prisoners who are vulnerable, new or recently returned to custody and/or during early days in custody. See **guidance** for further information

How this Policy will be Reviewed

5.9 The Securely Managing Conveyance in Open Prison Establishments Policy Framework and supporting impact assessments will be reviewed as part of the National Security Framework Review (NSFR) to the point of national rollout. There is expected to be a full NSF review 2 years after National rollout. It is expected that the Securely Managing Conveyance in Open Prison Establishments Policy Framework and supporting impact assessments will be subject to ongoing review after that time, responding to emerging changes. This will ensure updated processes and identified good practice are incorporated into the document guidance.

6. Guidance

The conveyance policy guidance and supporting annexes work alongside the framework to assist governors and security departments in managing the risks of conveyance. The guidance includes information that will guide prisons/probation in implementing the mandatory requirements as set out in Section 4 of this Policy Framework. The guidance includes good practice, supporting tools, operating guidance and suggested templates for establishments to ensure that correct processes are adhered to and the mandatory requirements are achieved. Whilst it will not be mandatory to follow what is set out in this guidance, failure to do so could be challenged and so clear reasons to depart from the guidance should be documented locally.

6.1 ASSESSMENT PROCESS – CONVEYANCE

6.1.1 An evidence-based approach should be used determine the levels and frequency of processes and procedures dependent on the threat to individual establishment and documented in the LSS.

6.1.2 Establishments must take into account known deficiencies in security, good order or discipline and the security aims of the prison. The risk assessment must also include the quality of intelligence received within the establishment and factors which may indicate or pose a potential risk or threat to the security and/or safety of the establishment.

6.1.3 To support the evidence-based approach, establishments are encouraged to complete their own 'state of security' assessments which has been identified as best practice in this area.



- 6.1.4 The concept of State of Security stems from the principle that Governors and Senior Managers know when they have a 'good day' in their prison but may not always be able to break down the essential elements.
- 6.1.5 State of Security aims to look beyond performance measures to establish how we achieve our security objectives against the baseline of a 'good' prison state. To help understand the state of a prison's security, consideration must be given to the components that make it up. This includes allowing prison staff, as experts, to meaningfully self-reflect on their prison's culture, rather than being over reliant on or governed by audit processes.
- 6.1.6 At all times, including during a crisis or extreme pressure, the stability of sites is paramount. When rapid changes are occurring, it has been essential for effective plans to be established to minimise the potential risk to the health of both staff and prisoners whilst ensuring that prisons remain safe, decent and secure.

Rehabilitative Culture

- 6.1.7 A rehabilitative culture not only helps to reduce re-offending. It also helps to make our prisons safer for everyone. The more modern, broader way of thinking about security encourages us to see security as not only tackling drugs, violence and criminality, but also creating an environment where stronger communities grow, and people can make the most of their talents.
- 6.1.8 Traditional definitions of security are narrow, prison security is about the prevention and detection of conveyance threats such as, mobile phones, drugs and other illicit items, and the management of the links with violence and ongoing criminality. This is a central aspect of prison security, but it is not all that security is or can be. People feel secure, not only when they are free from physical threat and violence, but also when they can exercise their rights, they expect to be treated fairly. The nature of the interaction between staff and residents during conveyance related processes can help to calm or inflame a searching situation.
- 6.1.9 A rehabilitative culture incorporates all aspects of our culture being safe, decent, hopeful, and optimistic about stopping offending. This policy framework has been written in a way that supports the integration of security and rehabilitative cultures. The following documents are provided to support establishments:

- [Rehabilitative Culture Handbook:](#)
- [Rehabilitative culture in prisons - GOV.UK](#)
- [Procedural Justice review Guide - July 2021](#)
- [Resource Library for Rehabilitative Culture](#) – (HMPPS Internal Only)

Effective Communication

- 6.1.10 Visitors, prisoners and staff will be diverse and may include the following:
- Individuals with learning disabilities
 - Individuals with physical disabilities
 - Individuals whose first language is not English
 - Individuals with religious and/or cultural sensitivities
- 6.1.11 It may not be possible to have knowledge of every person in respect of their needs but effective communication about security processes and in particular searching of the person will assist in the process and prevent frustration due to lack of understanding. More time may be required to ensure the person fully understands the searching process.

6.1.12 Remember, everybody is unique, so where possible take the time to ask the person you're communicating with what works best for them:

- **In person:** Many people with a learning disability prefer face to face and one to one communication.
- **In writing or pictorial:** Use bigger text and bullet points and try to keep writing at a minimum. Too much colour can make reading harder for someone as well. It may be useful to have pictorial cards present in the search area which will help people understand the process.
- **On the phone:** Speak slowly and clearly, using easy to understand words.

6.1.13 Other effective means of communicating:

- Find a good place to communicate in - somewhere without distraction. Some people may find it difficult to understand if you are talking to them as a group.
- Ask open questions; questions that don't have a simple yes or no answer.
- Check with the person that you understand what they are saying to you. Repeat it back to them if necessary.
- If the person wants to take you to show you something, go with them.
- Watch the person; they may tell you things by their body language and facial expressions.
- Learn from experience - you will need to be more observant and don't feel awkward about asking parents or carers for their help.
- Try drawing - even if your drawing isn't great, it might still be helpful.
- Take your time, don't rush communication.
- Use gestures and facial expressions. If you're asking if someone is happy or unhappy, make your facial expression unhappy to reinforce what you're saying.
- Be aware that some people find it easier to use real objects to communicate, but photos and pictures can help too.

6.2 CRIMINAL LIABILITY AND AUTHORISATIONS

When Crown Immunity for Crown Servants is available

- 6.2.1 Directly employed staff and other public servants (i.e., servants or agents of the Crown) can normally claim Crown immunity for offences under Section 40B and 40D of the Prison Act if they contravene the provisions of the Act whilst carrying out their normal, designated work-related duties. If conveying or use of specific items clearly falls within the scope of a staff member's job, then there need not be any further action for governors to take in setting out authorisations for these cases.
- 6.2.2 The availability of Crown immunity in respect of conveyance, use, and/or possession of prohibited items can avoid a multitude of local and central Prison Act authorisations which would otherwise be necessary.
- 6.2.3 Crown immunity is likely to apply to the circumstances where staff take out prisoner files to work on outside the prison where this is necessary for the fulfilment of their duties. This removes the need for a written authorisation under the terms of the Prison Act whenever a member of staff needs to take out a prisoner file. Staff whose normal duties involve taking out these files will be covered; those whose duties do not involve this activity will be committing an offence if they take out a file without permission.

Under an extension of Crown Immunity which is provided for by the Act for non-Crown Servants

- 6.2.4 Staff working in a prison who are not Crown Servants can have Crown immunity extended to them. Section 40F of the Prison Act allows for the Secretary of State to designate any persons who work at a prison, but who are not Crown servants or agents, to be treated as if they were Crown servants. Once designated, they can claim on Crown immunity but only for purposes of the offences specified in section 40B to D of the Prison Act and if the conduct falls within the scope of their duties. [Prison Act 1952](#)
- 6.2.5 Crown immunity provides protection from prosecution for Crown servants who may commit a criminal offence as a consequence of carrying out their normal lawful duties.
- 6.2.6 The following persons are designated by the secretary of state under section 40F of the Prison Act and as such shall be treated for the purposes of the application of sections 40B to 40D of the Prison Act as if they were doing that work as a servant or agent of the Crown:
- All staff working in contracted out prisons who are employed by the contractor operating the prison or contracted to that contractor for the provision of services within the prison on a regular basis.
 - All healthcare staff who are working in prisons and who are not crown servants.
 - All contract staff working in public sector prisons as part of a contract which is providing services within that prison on a regular basis.
 - All voluntary staff working in public or contracted out prisons who are providing services in that prison on a regular basis.
- 6.2.7 In addition to the above, workers contracted to HM inspectorate of prisons have been so designated as Crown servants for the purposes of the offences specified in section 40B to 40D of the Prison Act by the Secretary of State.

Authorisations

- 6.2.8 Legislation prohibits certain items, referred to as List A, B & C items from being taken into or out of prison establishments but there will be instances in which there are legitimate reasons why staff or professional visitors may seek to do things which would otherwise amount to an offence under the Prison Act 1952, for example:
- Take documentation or transmit information out of a prison.
 - Use cameras or sound-recording equipment within a prison or.
 - Possess a device capable of transmitting or receiving images, sounds or information by electronic communications in a prison.
 - In accordance with - [Faith and pastoral care for prisoners: PSI 05/2016](#)
 - Convey an offensive weapon (kirpan on religious grounds for example)
- 6.2.9 Items listed as A & B items **require** authorisation from the Secretary of State, PGD and/or Governing Governor when they are conveyed into and out of an establishment.
- 6.2.10 The bringing in of items listed under “List C” is only a problem and will only need authorisation if the intention is to give one of these items to a prisoner. This excludes IT equipment which must always be approved via authorisation.
- **List A** Controlled Drugs, Explosives, Firearms, Ammunition, Any other Offensive Weapon
 - **List B** Alcohol, Mobile Phones, Cameras, Sound Recording Devices, Articles designed or adapted for use with mobile telephones, cameras or sound recording devices (including disks, film and memory cards)

- **List C** Tobacco, lighters and matchers, Electronic Cigarettes and Vapes, Money, Clothing, Food & Drink, Letters, Papers, Books, Tools, Information Technology equipment (including component parts).

Central Authorisations

- 6.2.11 National Central Authorisations (CA) are in place and copies can be sourced via Directorate of Security at security.procedures@justice.gov.uk. A list of the current CAs at the point this policy was written is at **Annex B**. Central authorisations are national authorisations that are automatically in place and do not require local approval. A guidance table is provided at **Annex 2** which provides examples of when a National CA is required or when an item can be approved locally.
- 6.2.12 Although not a requirement, establishments may still request the submission of a local authorisation form for any items that have central authorisations in place. This could be to ensure establishments maintain local oversight of the items being conveyed.

Local Authorisations

- 6.2.13 Prisons are able to issue local authorisations in certain circumstances although individual written authorisations are not needed in the situations described in **6.2 criminal liability**.
- 6.2.14 Local authorisations are normally issued to individuals and approved at a local level and may include the completion of a risk assessment to approve conveyance of the item. Local authorisations need not be in writing however if there is any risk of uncertainty or there will be a change of duties on an ongoing basis then it would be better to put this in writing.
- 6.2.15 Local authorisations considered by governors or by gaining agreement from the PGD can be documented on a local form with the process set out in the LSS. An example template is provided at **Annex 1** for this purpose.
- 6.2.16 Examples of when local authorisations would be appropriate in relation to List A, B or C Items.
- IT equipment and/or USB for the purpose of delivering training
 - Cameras for use during assurance visits – audit, PGD etc
 - Cameras for use during organised family visit days and/or celebrations (e.g., marriage)
 - Sound recording devices for use by PPO
 - Conveying food into the establishment for prisoners for example during a religious celebration
 - Conveyance and possession of a kirpan (see **Annex 3**)

Local Restrictions (Local Lists)

- 6.2.17 Local restrictions are local lists that include all list A, B & C items set out in sections 40A to 40F of the Prison Act but in addition, each governor may publish additional restrictions and prohibit by local rules, the bringing in of a wider range of items and/or limit the amount of a specific list C item that can be brought in.
- 6.2.18 Local restrictions must still be adhered to although non-compliance will not be a criminal offence. Local lists should be reviewed regularly as part of the security meeting with any removal or addition of items documented changes should be in line with intelligence. Examples of items that can be added to local lists are:

- Establishments may wish to restrict the amount of certain list C items conveyed in to ensure searching measures are quick and effective, particularly in those establishments operating EGS. Examples of local restrictions are limiting the bringing in of more than a certain quantity **money or food** etc.
- The Governor could consider the introduction of paper-free policy for staff entering the establishment in response to the threat of paper based Psychoactive Substance (PS).
- A central S40E authorisation for conveying and possession of **mobile phones** has been provided for staff or professional visitors working at open prisons. If open prisons do not wish to allow staff and/or professional visitors to bring in mobile phones and/or possess them within prisons, then this item can be added to the local list.
- A central S40B authorisation has been provided for staff to bring in controlled drugs as part of **prescribed medication** subject to the member of staff seeking agreement from the Governor/Director or their nominated representative to do so. Local rules may prohibit the amount of medication brought in, for example only the amount required for the day can be conveyed into the establishment.
- Local Lists may restrict the number of **bags** individuals can bring in daily or implement a clear bag policy.
- Local Lists may place restrictions on aerosols, vape liquid, chewing gum and other items that could pose a security risk.
- A prison may require a solicitor to declare in advance that they are bringing in **IT equipment** i.e., sound recording device as part of their local restrictions. If the solicitor does not comply, then administrative action may be taken against the solicitor (assuming he/she was advised of the local regulation), but this doesn't also mean that the solicitor has committed a criminal offence as there is a central authorisation in place to make this action lawful in these circumstances. This includes memory sticks/USB which are component parts of IT.

6.2.19 It's important to ensure that local list restrictions are defensible and based on a local risk assessment led by intelligence. Local lists should be reviewed frequently responding to intelligence around risk. Blanket bans on items where there is no evidence of a local security risk and/or breach should not be considered. This is particularly important where the ban could indirectly affect groups of individuals on equality or other grounds.

Mobile Phones – Issuing to Prisoner/Drivers in the Open estate

6.2.20 With any process, there are risks and the information below provides guidance on how to address and mitigate these risks:

- Approvals - external prison drivers should be assessed for these roles within the ROTL boarding process which will highlight any specific risk associated with mobile telephones and that information can be used to determine suitability for that role, including checks with the Responsible Officer to ensure Victims Charter and that any potential licence restrictions are needed to be included.
- Misuse – There is a potential for misuse to occur, and incidents should be investigated when they arise. Restrictions/actions imposed will be directly levied against those who abuse the trust extended to them on ROTL. Where Prisons suspect that a Prison issued phone has been misused, the usual procedures must be applied for the forensic analysis of the mobile phone.
- Loss - In the event that a prisoner loses a prison issued mobile telephone they should generally be placed on report so that we may recover the cost of the phone and the loss should be reported as a Data Loss to Information Security & Services (InfoSec).

- Suitability - Given the restrictions on driving licences it is reasonable to assume that most prisoner drivers attained their licence prior to 1997, therefore are more likely to be more mature men and women, or persons who have taken the additional qualification. If known risks are such that a mobile phone is unsafe to issue to an individual in a normal ROTL setting, then this should also be justification to reconsider the suitability of the prisoner for that job.

6.2.21 It is not expected that prisoners on internal driving duties will be issued with mobile telephones. Separate arrangements may be in place for assessing suitability of internal drivers, but we would generally expect approval to be at Operational Manager level.

6.3 CONVEYANCE OVERVIEW

6.3.1 Conveyance involves the trafficking of illicit items into establishments which can lead to financial gain and corruption. This could incorporate drugs, mobile phones, USB devices/sticks, SIM cards, tobacco and medication, the list is not exhaustive. Conveyance routes fuel the illicit economy which in turn creates instability affecting levels of violence and self-harm. Conveyance is often a 4 staged process involving:

1. Planning of the event
2. Execution of the event
3. Collection of the item
4. Distribution of the item

6.3.2 Conveyance can occur in varying ways through several different routes. Establishments can identify processes and actions that will help to manage and mitigate the route. For all routes of conveyance, in order to provide assurance of the management of risk, it is important that:

- Effective security procedures are in place,
- Procedures are communicated to staff and prisoners
- Procedures are monitored effectively (see assurance guidance at **Annex 4**)

6.3.3 Whilst individual measures may not permanently tackle the issue, they can interrupt or reduce it. Staff should also be aware of the possibility of displacing conveyance in that by tackling one area, another route of conveyance may arise.

6.3.4 OCG prisoners in particular often have the means and capability to continue their criminal activities in a prison environment, adapting to different routes and are often linked to conveyance. OCG prisoners should be effectively managed and disrupted to assist in managing the risk of conveyance. Early identification, monitoring and management will assist in limiting the opportunities that may be in place to utilise reception, correspondence, deliveries, staff corruption, perimeter and visits as a way of conveying illicit items. Contact regional SOCU team for further support and see the [Serious and organised crime policy framework which](#) sets out several actions for the management of Organised Crime Group (OCG) prisoners within establishments.

6.3.5 Items listed as A, B & C, (see **Annex A**) are referred to in this policy framework as illicit and unauthorised items when the conveyance of them into or out of establishments is undertaken without authorisation from the Secretary of State, PGD and/or Governing Governor. The word 'illicit' in this policy means property for which it is a criminal offence to have in possession and could lead to prosecution. The word 'unauthorised' in this policy in relation to items means property which the person is not authorised to have in possession and could lead to disciplinary action.

6.3.6 Conveyance of List C items only amounts to a criminal offence if the person conveying it intends it to come into a prisoner's possession without authorisation.

6.3.7 In addition to A, B & C items, psychoactive substances are also an offence to possess in prison under section 9 of the psychoactive substances act 2016

6.4 GUIDANCE ON MANAGING CONVEYANCE VIA GATE

6.4.1 The conveyance of illicit items via deliveries and through the gate (via staff) is an area where more can be done to build resilience. The gate can be a focal point for conveyance as it is the part of the prison through which people, vehicles and materials are allowed into and out of the establishment. The gate serves reception, deliveries, correspondence, and therefore multiple conveyance methodologies. It is vitally important that procedures and counter measures are applied at this source to prevent any weakness.

6.4.2 The impression an individual gets out of our physical and procedural security will generally be formed when they enter the Gate area. If it appears chaotic and technology is either lacking or broken, conveyance attempts could increase. Reporting suggests that conveyance via the gate is occurring throughout the estate via two established routes:

- Vehicle Deliveries to include local transport used for laundry (items are hidden inside the laundry).
- On the person – staff and visitors

6.4.3 The following controls can be considered when tackling conveyance:

- Procedural changes to the searching of staff. Regularly change the area that the search takes place in or enhance the search based on risk. This will aid in preventing predictability.
- Use of a clear bag policy
- Limiting the number of items staff/visitors can bring in
- Considering the introduction of paper-free policy for staff entering the establishment in response to the threat of paper based PS.
- Proactive use of staff communications
- Low-cost physical enhancements to refresh the look and feel of a search area
- Temporary or permanent barriers to regulate movement and a perception of control
- Cameras and staff wearing BWVC when searching
- Increased training for staff involved in staff searching
- The presence of a senior manager during the search
- The presence of police and the Police Intelligence Officer (PIO) during staff searching
- Local police assisting in a staff search
- Maximising staff engagement can offer a deterrent to bringing items in
- Searching of staff areas
- Designating a specific group of staff to search

Conveyance through the gate

6.4.4 It is important that all parties coming into a prison are aware of the items that are prohibited in the prison, the fact that it is a criminal offence to convey into and/or use certain items within prison and the penalties for doing so.

6.4.5 Model information notices that can be used and/or adapted for the purpose of displaying in the gate information around conveyance and the related provisions of the Act are detailed in **Annex 5** and **Annex 6**.

Movement through the gate - Statutory Right to Enter

6.4.6 The following people have a statutory right to enter a prison at any time:

- Justices of the Peace for the County or Borough of the prison or the prisoner in question.
- Members of the prison's IMB.
- Health & Safety Inspectors of the Health & Safety Executive (HSE) enforcing Health & Safety legislation.
- Local Authority Environmental Health Officers enforcing the 1990 Food Act or Food Safety (General Food Hygiene) Regulations 1995; and
- Members of the European Committee for the Prevention of Torture.

Gate Staff Duties

6.4.7 The duties of Gate staff will assist in achieving the following desired outcomes:

- Threats to the security, order and control of the establishment are detected and deterred.
- Only authorised persons, vehicles, goods and other items enter and leave the establishment.
- Crime is detected and deterred.
- Movement through the gate is professional, consistent and timely.
- Vehicle movements within prison establishments are conducted safely and securely.

Vehicles arriving at the Gate

6.4.8 Vehicles arriving for delivery should park and report outside of the gate; the delivery arrival slot and process will vary by establishment. Vehicles should be prioritised and processed as quickly as possible.

6.4.9 If staff have concerns regarding an upcoming or previous delivery, they should submit an Intelligence Report (IR).

6.4.10 Security departments may find it useful to gain understanding of the local delivery process or implement a procedure which provides an audit trail for regular deliveries from the point of loading to arriving at the establishment. This might mean the delivery vehicle is secured with a numbered seal which corresponds with a handover sheet to identify any unauthorised access to a vehicle and identification of the driver.

6.4.11 It may be useful for security departments to consider Covert Testing in this area to gain assurance that local delivery procedures sufficiently mitigate the associated risks. See [Covert Testing Policy Framework \(awaiting publication\)](#)

Searching of Vehicles

6.4.12 Staff should be fully aware of their searching responsibilities in this area as part of their job role and induction period. Establishments should identify any necessary equipment and/or further training required to support them in this task. A list of searching technical aids is detailed within the [Searching Policy Framework](#).

- 6.4.13 Searching equipment should always be well maintained and replaced as required. How this is done and by whom should be set out in the LSS. A system of managerial checks should also be in place to provide assurance of compliance in all these areas. See **Annex 4 Assurance Guidance**.
- 6.4.14 Where required and based on intelligence, dogs can also be used to assist in the searching of a vehicle or its contents, see [Prison dogs Policy Framework](#) for information.
- 6.4.15 It is important to remember that communication of the searching process and unauthorised items should be in verbal, written and pictorial form wherever possible. This will ensure that all people entering the establishment are fully aware of the requirements. Individuals who are learning disabled or where English may not be their first language may find it more difficult to understand written communication.
- 6.4.16 Best practice is a process whereby delivery drivers sign to confirm they do not have any unauthorised items prior to the search taking place. This can be completed as part of the entry process through the Gate when details of the driver and vehicle are being recorded.
- 6.4.17 Once the vehicle has entered the gate, staff should move the driver and any passengers away from the vehicle and conduct the level of search (where required) outlined in the Local Security Strategy. See Searching [Policy Framework](#) for searching procedures.
- 6.4.18 Prior to this search, the driver and any passengers should be reminded of the unauthorised Items list and advised that any items not disclosed will lead to a warning being issued.
- 6.4.19 Any items not covered by a central authorisation are to be surrendered to staff and held at the gate until the driver and any passengers leave the gate. Drivers and any passengers should be given access to secure lockers to store any possessions.
- 6.4.20 At this point, the delivery vehicle will be searched (where required) as per the procedures outlined in the LSS. The items in the vehicle will not usually be searched however the security department should direct when the delivery should be searched, on an intelligence led basis.

Vehicle Movement

- 6.4.21 The efficient and secure movement of vehicles depends on Gate staff processing, recording, and searching vehicles in addition to prioritising movements.
- 6.4.22 All staff working in the gate and escorting vehicles should:
- Have received up-to-date security awareness training/briefing.
 - Control and monitor those whom they are escorting from the point of entry to the point of exit.
 - Know the identities of those they are escorting.
 - Possess a thorough knowledge of the geography of the establishment and the areas in the establishment to which those they are escorting are permitted access.
 - Be aware of local contingency plans.
 - Be proficient in the use of the establishment's radio net and any technical aids or equipment associated with the escorting role.
 - Be aware of the security and safety requirements of the establishment and of any vehicles that require escorting.
 - When required, move vehicles to and from required destinations in a timely manner in order to meet the published local regime and requirements of other services.

Finds During Vehicle Searching

- 6.4.23 If an illicit item is located during the search of the person or vehicle and there is no immediate evidence that the conveyance or possession of the prohibited item is deliberate (for example an old lighter located under the driver's seat), then the prison should consider alternatives to issuing a warning or referring to the police (item dependent).
- 6.4.24 Actions will vary depending on the item, the circumstances of the case and the person involved. A deliberate attempt for example a box of lighters found under the driver's seat and concealed by clothing is much more serious and likely a deliberate attempt at conveyance.
- 6.4.25 On discovery of any item and provided the driver has previously been advised on entry of the articles not permitted into a prison establishment, an informal warning should be given as a minimum and an Intelligence Report (IR) submitted by staff.
- 6.4.26 Search staff should seek guidance from a manager on every occasion.

Emergency Vehicles and Gate Procedures

- 6.4.27 In an emergency, it may not always be appropriate to search emergency vehicles on entry to a prison as the preservation of life takes precedence over local procedures in any emergency. Emergency vehicles include Ambulance Service, Fire Service & Police Service. In an incident, this may also include NTDSG & responding tornado staff.
- 6.4.28 Delivery vehicles may sometimes be required to drive directly into prisons prior to any search to allow for access of an emergency vehicle. There should be a local process for the management of this which will vary according to each establishment. The local procedures will be detailed in the LSS.

Ambulances

- 6.4.29 In an emergency/potential life-threatening situation, procedures that would normally apply to vehicles entering an establishment may be suspended for responding ambulances, (see **Annex 7 - QRG Ambulances**). In most cases emergency vehicles will be given immediate access into the Prison establishment. Other measures such as increased supervision and/or searching at the destination can be put in place to mitigate against any risks if considered appropriate:
1. There is a central authorisation which approves for the conveyance into the establishment of the onboard patient device which is a laptop/pad held in the ambulance containing the medical application (JRCALC). This device can be moved from the ambulance. There is no requirement to log this information at the gate especially in an emergency. Preservation of life takes precedent, where possible the device will be accounted for coming in and leaving the establishment by a member of staff.
 2. There is a central authorisation that permits entry of controlled drugs and supply of these to prisoners.
 3. There is a central authorisation which permits ambulances to convey into and out of prisons CCTV cameras that are fitted to their vehicles to record a potential incident.
 4. A central authorisation is also in place for emergency services to enter with their personal mobile phones in situations where it is essential that a response is

provided with minimal delay. These phones are used by the staff to access the same medical apps as the onboard patient device and can be used to enable quick and effective treatment. The following should be noted.

- Only authorised ambulance staff are allowed to enter with phones
- Where possible phones should be accounted both on entering and leaving the prison
- Supervision of the staff should be in line with local processes

6.4.30 Ambulance personnel will be required to secure all phones and personal devices not for clinical use in the emergency vehicle. Airwave radios and pagers can be retained on person.

6.4.31 In most cases, emergency vehicles will be allowed to leave the establishment without the need for a search of the vehicle to take place.

Conveyance via Deliveries guidance

6.4.32 There are some supporting tools to assist staff with work in the Gate and/or deliveries:

- **Annex 8**–Vehicle Gate Security (This guide is applicable to all staff who work in the vehicle gate. It includes the key responsibilities of your job in the vehicle gate, helpful tips, and minimum requirements that you must follow. It is for staff who are new to the vehicle gate, or as a reminder for more experienced staff.)
- **Annex 9** –Workshop Security (This guide is intended for **staff members who work in prison workshops**. The guide includes an overview of how workshops can be used as a route of conveyance of illicit/unauthorised items. There are useful tips on how to detect suspicious behaviour, your key security responsibilities, and how to contribute to a strong impression of security.
- **Annex 10** – Deliveries - Managers Guide (This guide includes the key responsibilities and minimum requirements that all managers who oversee vehicle gate processes must ensure the vehicle gate follows. It also provides some helpful tips to ensure that a strong impression of security, professionalism and efficiency is always maintained.

Staff and Conveyance via the Gate

6.4.33 Vetting is crucial in the protection against staff corruption. The Governor will maintain ultimate authority in relation to decisions made concerning individual's, their level of access to the prison and if normal security vetting checks are merited in cases where visits to the establishment are frequent.

6.4.34 The conveyance of illicit items via staff is a criminal offence and a vulnerability to the organisation. For most prisons across the estate, both male and female, the supply of illicit items/substances via corrupt staff remains an ongoing risk.

6.4.35 Lack of staff awareness, pressure from prisoners, financial incentive and predictable searching times can all lead to a weakness in this area and increase conveyance of illicit items via this route.

6.4.36 Within this guidance section, 'staff' refers to those directly and non-directly employed. Non-directly employed workers, include (but not limited to):

- General Contractors (catering, healthcare, maintenance and education)
- Consultants

- Agency Workers
- Sessional Workers
- Fee Paid Workers
- Voluntary and Charity Workers
- Locum staff

6.4.37 The Prison Act 1952 sets out the offences in relation to the security of prison establishments when List A, B & C items are conveyed into an establishment without authorisation. Staff should be regularly reminded of the items they are not allowed to bring into the prison and the consequences of breaching these rules. Best practice could include an annual reminder as part of the staff performance process. New staff should be told of these restrictions in advance of coming to the prison and briefed again on arrival.

6.4.38 Model information notices for staff on conveyance and the related provisions of the Act which establishments can use or adapt can be found at **Annex 5** and **Annex 6**.

6.4.39 Staff including agency and contracted services should also be reminded of the appropriate reporting methods should they be concerned about other staff bringing in illicit items. Correct methods of reporting include:

- Corruption Intelligence Report (CPIR)
- Direct reporting to Local Counter Corruption Manager (LCPM) or Deputy Counter Corruption Manager (D-LCPM)
- Calling the independent integrity hotline on 0800 917 6877 or reporting online

6.4.40 Staff should also be advised that they can seek advice from the LCPM, D-LCPM or regional counter corruption team at any time.

Staff Corruption

6.4.41 Staff engage in corrupt activities such as conveyance for several reasons and usually as the result of organisational, situational and personal factors. In addition to staff conveying illicit items on their person or in their personal belongings, governors must be aware that staff may also facilitate the conveyance of illicit items indirectly through improper searching of prisoner mail, cells, property and by sharing official information with prisoners that enables them to bring in illicit items.

6.4.42 There are a number of measures that can mitigate the risk posed by staff conveyance, and some examples of these are listed below;

- Staff searching can be vital in preventing staff from becoming a risk for conveyance. Robust practices in this area are a deterrent to items being brought in on the person or in personal property. See [Searching Policy Framework](#) for searching requirements in this area.
- Before anyone is searched, they should be advised of those items that are prohibited inside a prison and any locally agreed lists. Staff should be invited to check themselves and any baggage for these items.
- Establishments should ensure, wherever it is practical to do so, that staff are provided with lockers or other means in which to store prohibited items such as mobile phones within the gate area prior to entry.

- Staff mail should be processed in one area alongside all other mail. Where possible, establishments can consider the use of the Trace Detection itemiser and dogs to search this mail.
- Staff Awareness and Communications - Staff should be reminded regularly of the requirements to disclose vulnerabilities and not just in the induction period.
- Security communications can also provide awareness of key concerns and support around corruption. Notices to staff, an effective induction process, corruption awareness training and initial officer training can all be used effectively to mitigate risk.
- Information should also include the importance of managing staff media presence given that digital capability is increasing within prison establishments and prisoners can access the internet illicitly and view social media which may provide vulnerable personal details. See **Annex 11** - QRG Staff Guidance
- Managers should model impeccable professionalism and integrity. All staff should use pro-social modelling where employees act as a good motivating role model in order to bring out the best in people.
- Establishments should develop a learning culture where mistakes are used as learning points and staff are supported when they come forward about being pressured to convey items.
- Known and suspected corruptors (prisoners) within establishments should be managed effectively to consider activity locations, residential accommodation and effective monitoring.
- Areas where prisoners may work closely with staff should be considered for regular activity reviews.

Conflicts of interest

6.4.43 HMPPS staff and non-directly employed persons must declare private interests that interfere or could interfere with the proper discharge of their duties.

6.4.44 Staff may find themselves acting corruptly and conveying illicit items for prisoners due to themselves being vulnerable. This can occur when certain vulnerabilities may not have been declared for example.

- Secondary employment opportunities
- Family members or close friends who have been sentenced or are awaiting sentencing
- Previous association or good knowledge of a sentenced prisoner (school friends etc)
- Non-removal of contacts on Facebook who have prisoner links
- Significant debt
- Family issues that are impacting on work

6.4.45 Staff should refer to the [Counter corruption and reporting wrongdoing](#) for relevant policy and guidance relating to professional standards, reporting wrongdoing and disclosing conflicts of interest.

Search Finds Staff

6.4.46 Searching staff should be as careful and detailed as possible in dealing with someone who is found with a prohibited item. If the item is controlled i.e., vape liquids or chewing gum, there should be clear guidance on the process to be followed. This could include any or all of the following:

- Retaining the item for collection at the end of the day
- Issuing a verbal warning
- Issuing a written letter of guidance
- Documenting the find on a staff search log (to identify repeat offenders)
- Initiating a managerial inquiry

6.4.47 In the case of both illicit (drugs and weapons) and controlled items (excessive prescribed medication), staff should note all the circumstances of the find and the reaction of the person. This will all be important evidence if the case is referred to the police.

6.4.48 A supervisor should be called as soon as practicable to assist in dealing with the person and to act as a second witness to events. The primary issue to be dealt with is whether there is sufficient evidence to notify the police at this stage. Discussions with the person should be limited to determining this issue.

6.4.49 If staff reasonably believe the person did know that they were in possession of the item at the relevant time and that the item was prohibited (i.e., that there was no authorisation in place in respect of the item), then this is a sufficient basis on which to call the police if the nature of the crime is such that it warrants police involvement see [Handling crimes in prison: agreement](#) .

6.4.50 All evidence should be preserved in line with the [Management and Handling of Evidence Policy Framework](#) . Establishments can also use the police referral from the policy framework which provides guidance on completing one.

6.4.51 The person should be held and isolated pending the arrival of the police or decision of the police to attend.

6.4.52 For cases which are not clear the factors to consider include:

- where the item was found – was it found in an unusual place, did it appear to be deliberately concealed.
- did the person attempt to hide or mask the item when searched?
- what was the reaction of the person when the item was found?
- what did they offer in way of explanation for bringing in the item?
- Is this a new staff member and could they, therefore, have been unfamiliar with the procedures?
- if persons are first asked to check themselves for prohibited items, then why was this not discovered by the person.
- if the item was a component part of a prohibited article (mobile phone battery, SIM card, etc) then what was the explanation for having these in a disassembled form.

6.4.53 Any information of the type above will be valuable in directing police inquiries. All information should be passed to the police on arrival.

6.4.54 All finds should be reported on the intelligence system to inform regional counter corruption teams.

6.4.55 Staff support services can be found through the [Counter corruption and reporting wrongdoing](#) policy framework. The counter corruption unit prevent team offer early intervention services and are based regionally. Additionally, there are local services for support such as the care team and TRIM. PAM Assist can also be used and provide

services such as counselling. These support services can provide both practical and emotional support to staff, and signpost to relevant support services following incidents.

6.4.56 Staff of contracted service providers and non-directly employed persons should refer to their employer to identify relevant support services.

6.5 GUIDANCE ON MANAGING CONVEYANCE VIA RECEPTION

6.5.1 The Control Strategy identified the conveyance of illicit items through prisoner reception, as a significant vulnerability to the organisation. A busy chaotic reception process and lack of structured searching process may lead to increased confidence in prisoners conveying items via reception.

6.5.2 When assessing the security measures to tackle conveyance, consideration of the layout, staffing & size of the reception area will be required. Technical aids (BOSS, Cell Sense Pole) will need to be considered to address and identify routes of conveyance.

6.5.3 The LSS should include local processes on managing prisoners at risk of conveyance and/or found to be conveying illicit items into the establishment. This may include the use of dry cells in some establishments.

Identified Routes of Conveyance via Reception

6.5.4 Reporting suggests that conveyance via prisoner's property and/or on the person is occurring throughout the estate via three established routes:

- Prisoner transfers and ROTL returns (on the person and in personal property)
- Property handed in on visits or brought back from ROTL
- External parcels (clothing and other items to include excess property sent on)

6.5.5 In addition to this, prisoners returning from external escorts has also been identified as a route of conveyance when packages are picked up at the hospital.

6.5.6 During discharge or reception of a prisoner as part of a police production, any security concerns in relation to conveyance should be immediately highlighted to the Duty Governor and any actions taken should be consider the requirements outlined in [Escape/Abscond Policy Framework](#) for external escorts.

6.5.7 Illicit items found within prisoner property are varied, please see **Annex 16** - QRG Illicit Finds Reception for examples.

Prisoner Transfers

6.5.8 Prisoners have concealed illicit items and substances in their property in possession (IP) and stored property. Concealment can be in radios, clothing and canteen items.

6.5.9 There have also been incidents of prisoners taking legitimate devices, such as PlayStation or Xbox consoles, and modifying them to enhance the device capability, such as the ability to access the internet, see **Annex 17**.

Property handed in on a Visit

6.5.10 Illicit items and substances normally drugs, SIM cards and tobacco have been concealed in items handed in on a visit. All property handed in on a visit should go via reception to ensure correct searching processes are applied.

External Parcels

6.5.11 Ad hoc parcels sent in by associates may contain illicit items, but false excess property parcels are a more common way of illicit items entering the establishment. This occurs when a prisoner is transferred to another establishment and excess property is left behind. Associates may then use this method as a way of sending in a false parcel alleged to be the excess property sent on from the previous establishment. False parcels are often constructed in a similar way to legitimate parcels to prevent detection.

6.5.12 Best practice for preventing conveyance is to ensure that all excess property packages purported to have been sent on by another establishment are searched fully even in respect of stored property. Please refer to [Searching Policy Framework](#) for the process of searching property and supporting tools and **Annex 18** False Property Parcels (Official Sensitive) for further information.

External Escorts

6.5.13 Reports suggesting some prisoners are actively trying to engineer a visit to hospital to convey illicit items back into establishments. It is also possible that some vulnerable prisoners in debt are being targeted to bring back illicit items. Finds in hospital areas e.g., toilets and bins support this.

Catalogue Property

6.5.14 There have been some instances where companies claim to be a legitimate part of HMPPS providing and ordering service for prisoner's products. Check that the ordering company is HMPPS approved. Companies may claim that HMPPS have approved their products however several items available are not on the facilities list.

6.5.15 To reduce the risk of impregnated clothing coming into the prison, consideration should be given to having a robust risk assessment in place for items permitted into the establishment. A move towards catalogue mail order for prisoners clothing prevents the current risk and threat.

Assessing a Prisoners risk of Conveyance

6.5.16 By assessing a prisoner's risk of conveyance on reception, it can help to identify associates and organised criminality prisoners involved in other means of conveyance e.g., via visits.

6.5.17 Any prisoner may be at risk of conveying illicit items via reception however prisoners on ROTL may be more vulnerable or those with previous history to include:

- Prosecuted for conveying items
- Known to, but not prosecuted for conveying items
- Suspected of conveying items
- Known to be vulnerable to the conveyance of items

6.5.18 The following can be checked to identify if a transferred prisoner may pose a risk of conveyance:

- **Person Escort Record (PER)** The PER has a section specifically relating to known risk of phone/drug conveyance and the concealment of weapons/other items. It will also highlight when a prisoner is a risk to themselves or others.
- **Prisoner NOMIS account** - This can be checked for adjudications relating to conveyance and can be done so **before the prisoner arrives**.
- **Communication** - this prisoner may be known to colleagues at your establishment, at the transferring establishment, or by escort staff as posing this risk.
- **Security Department** - The security department at your establishment may have intelligence that the prisoner is concealing illicit items on transfer. Checks should be made, where possible, before the prisoner enters the prison to avoid distribution of illicit items. The OCA department should circulate details of transfers to a number of areas within the establishment to include Safer Custody, OMU, Security & Healthcare. Where possible, checks should be made 24 hours before the prisoner arrives to provide an up-to-date picture of the risk.
- If it is not possible to check in advance of arrival these checks should be made while the prisoner is in reception.

Measures to take if a prisoner poses a risk of conveyance

6.5.19 You should ensure that any intelligence regarding conveyance is updated onto the PER, prisoner's NOMIS and an IR is submitted. This ensures that the incident is communicated to all escort staff and any future establishments:

- The prisoner may be offered amnesty upon entering reception if your establishment operates this process.
- The prisoner should be full searched if not already routinely done so, using technical aids where applicable.
- A CSIP referral should be considered for prisoners with a positive indication on the BOSS or other technical aid. This provides the opportunity to support the individual by creating an 'intervention plan' to identify next steps
- The prisoner's property should be fully searched and held back if required for this process (the prisoners can be offered 48hrs of initial kit). Searching of the property should be detailed, please see the Searching Policy Framework for further guidance.
- Additional staff should be allocated to reception to assist in the property search.
- Staff should be made aware of the County Lines model and reporting. Organised criminals are exploiting vulnerable individuals to convey items into prisons.

Reception Searching Processes

6.5.20 Searching processes will be agreed locally based on an assessment of risk and detailed in the LSS. The types of searches that may apply are:

- **Sterile Area Search** the sterile areas is a secure area in which to decant prisoners before entering reception. When staff are confident that the area does not contain any illicit items, the area is sterile. Where searching of the sterile area is required, it should be conducted before prisoners arrive and using a systematic method. For more information on sterile area search and systematic search methods, see the [Searching Policy Framework](#)

- **Holding Area Search**, A full search of holding and waiting areas in reception should be conducted where required to ensure that these areas are sterile upon reception of prisoners. For more information on searching of holding areas, see [Searching Policy Framework](#)
- **Searching of Person and Property** Please refer to [Searching Policy Framework](#) for specific guidance, technical aids and instructions on searching prisoners and property in reception in all circumstances and establishments.

6.5.21 A multi-layered security approach in addition to searching can be successful in mitigating the risk of conveyance of illicit items. This includes:

- X-ray scanning to detect object and high volume of substances
- Search of the person
- Property cards check to verify if a property has been logged and belongs to a prisoner.
- Contact with sending prisons to verify if a parcel originated from them.
- Checking parcel's tracking number to establish if it came from another prison or a person
- Using official courier services and appropriate labelling to mark a parcel as a legitimate

Health & Safety

6.5.22 When dealing with the searching of incoming and outgoing prisoner property, staff should wear Personal Protective Equipment such as nitrile gloves. This is vital for personal protection and preservation of evidence.

Amnesty Process

6.5.23 Receptions in establishments may wish to operate an amnesty process for all prisoners arriving in reception. Please see **Annex 19** - Guidance on Reception Amnesty Process

Confiscation or Withholding of Items

6.5.24 All establishments should ensure that staff working in reception are fully informed of the local facilities list in respect of prisoner's property and procedures are in place to ensure any updates to this are communicated appropriately.

6.5.25 [Prisoners' Property Policy Framework](#) set out situations when governors may temporarily or permanently confiscate any item found in the possession of a prisoner not authorised to have it.

6.5.26 Any items confiscated by the governor must be handed back upon the prisoner's permanent release.

6.5.27 Please see [Handling crimes in prison: agreement - GOV.UK \(www.gov.uk\)](#) for confiscated items that may require police reporting.

6.6 GUIDANCE ON MANAGING CONVEYANCE VIA CORRESPONDENCE

6.6.1 Correspondence is used by some individuals as a means of conveying illicit items into establishments. For most prisons across the estate (both male and female) the supply of illicit items/substances via prisoners domestic (personal correspondence), legal and confidential correspondence is a significant risk.

Risk	Examples
Drug Supply	Drugs soaked on paper and secreted within paperwork
Violence and intimidation	Correspondence, bank details, telephone numbers that may not be on approved list
Escape	Maps of the establishment, personal identification documents
Extremism	Books, articles, letters
Sexual/ CSAE offences (MCOSO)	Explicit Pornographic material

6.6.2 Conveyance can be attempted when limited security processes, searching and detection methods are applied. Whilst individual measures may not permanently tackle the issue, they can interrupt, reduce, or possibly displace it.

Continuity of Processes

6.6.3 All mail (prisoners and staff) must be received into one location, ideally this will be the correspondence / mail room, however some establishments may use an alternative area such as the gate or reception for initial searching purposes. Where this is the process, a member of staff should remain with the mail until it reaches the correspondence / mail room to ensure consistency in the searching and handling procedures for all correspondence.

Searching of Correspondence

6.6.4 Whilst it is recognised that legal and confidential correspondence is one method where prisoners may receive illicit items, we must not introduce processes that treat all such correspondence as suspicious.

6.6.5 Searching of correspondence is essential in the prevention of the conveyance of illicit items into the establishment. Tackling the conveyance of illicit items, in particular Psychoactive Substances (PS) can include:

- Visual search to look for markings to the paper, addition of blank pages or suspicions about the sender
- Physical search to feel for concealed items or thicker paper (sometimes PS-soaked paper is concealed within 2 other pieces to prevent detection by the itemiser)
- Monitor the situation (attempt to identify associated intelligence gaps for targeted intervention)
- Narcotic trace detection technology used for all mail as a deterrent
- Targeted mail monitoring (risk of increased bullying of the vulnerable to receive mail)
- Photocopy all prisoner mail
- Use trace detection equipment on all legal mail and percentage triangulation with legal companies in line with the [Use of Narcotics Trace Detection Equipment on Correspondence Policy Framework](#)
- Implement a register for incoming staff mail

- Pin phone monitoring
- X ray machine to identify items hidden inside (SIM cards for example)

6.6.6 See also **Annex 20** - Examples of Fake R39/Confidential Mail

Health & Safety

6.6.7 Before any member of staff handles or inspects an item of correspondence that is considered to contain unauthorised items or substances, they should protect themselves by wearing Personal Protective Equipment (PPE) for health and safety reasons and evidence preservation. PPE is all clothing and equipment which is intended to be worn or held by a person at work and which protects them against one or more risks to their health & safety, and any addition or accessory designed to meet that objective. PPE for handling correspondence will include:

- Nitrile Gloves
- Eye protectors and apron (via risk assessment)

Measures to Tackle Conveyance via Correspondence

6.6.8 **Photocopying Mail** - The authority to photocopy mail can be found in Prison Rule 35.

6.6.9 When an establishment is considering implementing the photocopying of domestic mail the measure must be reasonable, proportionate and necessary to reduce the risk to the prison. Any decision to implement the photocopying of domestic mail must be reviewed every 3 months, taking into consideration the demand aspect of PS, not just the supply reduction.

6.6.10 When introducing photocopying of domestic mail, the following should be considered:

- Clear communications to staff, prisoners and visitors.
- The promotion of a digital approach in the form of emailprisoner.com
- Consideration of the use of an internet-based company for photographs and cards
- Consideration of an initial increase in debt related violence as supplies are reduced and debts are called in.
- Ensuring that the move to photocopying is reflected in your LSS and live Drug Strategy.

6.6.11 Should establishments be able to robustly evidence and justify that routine 100% photocopying of domestic mail is proportionate to the current threat, security governors should consider providing prisoners with the following options in relation to the original seized items:

- Providing consent for the item to be destroyed securely via the establishments current provider for destroying contaminated waste (This would apply if no response received from the prisoner within 28 days)
- Returning the item to the sender/hand out on visits
- Send items to one single address (at the cost of the prisoner).

6.6.12 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 Itemiser test of the item before delivery. If a positive indication is found, the item should be withheld.

6.6.13 Further information specifically around the interception of legal correspondence which can only take place when authorised by the governor according to specific criteria can be found in the [Authorised Communications, Control and Interception Policy Framework](#).

Storage and disposal of original copies of social correspondence

6.6.14 Under Prison Rule 35D the governor may not retain any intercepted material for more than three months unless he/she is satisfied that continued retention is necessary on the grounds below in 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.

6.6.15 Prior to considering the disposal of correspondence, establishments must ensure that prisoners are given a period of 4 28 days from the date the original was processed as incoming mail to the establishment 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.

6.6.16 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. [Use of Narcotics Trace Detection Equipment on Correspondence Policy Framework](#)

Trace Detection and Photocopies of Contaminated mail

6.6.17 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. Establishments should 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 establishment to ensure that this log is readily available should it be requested by external bodies.

6.6.18 Under the Crime in Prison Referral Agreement, establishments may consider making a referral to the police where necessary if deemed appropriate to be investigated further.

Legal/Confidential Correspondence

6.6.19 Prison staff must not open legal or confidential correspondence unless we have reason and evidence to do so – this, as directed in Prison Rule 39, see [Prisoner communications policy: PSI 49/2011](#).

6.6.20 Good practice identifies incoming legal correspondence should be in a double envelope enclosing a letter sealed in an unstamped envelope, the outside of which will be annotated with the prisoner's name and prison number (if known).

6.6.21 Where legal or confidential correspondence is received from one source for several prisoners (in bulk), this should not be returned to the sender but encouraged. This is a quick way to identify that the correspondence has been received by an official source.

- 6.6.22 There should be the name, address and telephone number of the law firm and a reference number. The words "Prison Rule 39" or "YOI Rule 17" should be stamped; and the signature of the legal adviser or his or her clerk (or appropriate official in the case of confidential access correspondence). Alternatively, this information may be given in a covering letter to the governor rather than written on the envelope addressed to the prisoner. The solicitor company official stamp should be on the envelope.
- 6.6.23 Any letter that appears to be Rule 39 and is not double enveloped or clearly marked as such, should **not be returned to a sender automatically** and contact should be made with a legal firm to confirm its origin. Returning mail that is not double enveloped is not acceptable as double enveloping is guidance and not mandatory.
- 6.6.24 Selecting a percentage of the legal mail (the number depending on your threat) and contacting the companies to confirm the client and the fact that a letter has been sent.
- 6.6.25 Cross checking on NOMIS to see if the identified legal visitor matches the marked envelope received. Please refer to Annex D of PSI 49/2011 on handling of mail. Prisons have a duty to investigate and liaise with legal advisers/confidential access originations to ensure that the system is not being abused. This is particularly relevant to the current threat of PS.
- 6.6.26 Evidence has found PPO mail has been utilised by conveyors for the ingress of impregnated paper into establishments, despite the PPO hologram on the envelopes. This supports the assessment that mail is one of the current methods of ingress of substances.
- 6.6.27 Some prisons are introducing the use of a unique reference number (URN) to support legal companies and the prison on addressing the current threat. If you wish to adopt this approach and would like some guidance, then please email hmppsdrugstrategy@justice.gov.uk. Those prisons that adopt this approach must consider that some legal companies may not be local and as such would not have the URN, therefore legal and confidential mail should still be processed as per PSI 49/2011 – annex D.
- 6.6.28 Further information specifically around the interception of legal correspondence which can only take place when authorised by the governor according to specific criteria can be found in the [Authorised Communications, Control and Interception Policy Framework](#).

Testing Legal and Confidential correspondence

- 6.6.29 Where available, it is recommended that testing of all legal and confidential correspondence takes place with a trace detection machine. When testing such correspondence using the trace detection technology, establishments should ensure that their LSS is updated to reflect the use of the technology.
- 6.6.30 When using this technology, swabs should be obtained by pin punching or making a small slit in envelopes, the slit should be small enough that staff could not read the text of the letter inside and taped closed before being released to the prisoner to avoid allegations that the letter has been opened in breach of Rule 39. It is recommended that swabs are taken from the middle of the envelope for greater accuracy. It must be noted that Trace Detection machines are subject to updates and may not detect a current strand of PS.

Visually Suspicious Correspondence

- 6.6.31 Some legal and confidential mail may appear visually suspicious, therefore prior to testing the correspondence the mail staff should, in addition to above:
- 6.6.32 Check postal marks/franking stamps to see if these are old and inconsistent with the receipt of the letter; prisoners often recycle official mail to attempt to circumvent the system.

- 6.6.33 Maintain a correspondence log for suspicious legal mail so that patterns can be identified and investigated, ensuring that information is passed to security via an IR. Where there is reason to believe that the letter has not originated from a genuine source, the prison should check directly with the firm or body, or individual concerned. Check with the security department for information about the prisoner if he/she is named on the envelope.
- 6.6.34 Ensure post room staff have up to date intelligence about known current threats in the establishment regarding legal and confidential mail, intelligence gaps to fill and are passing any information that may be useful.

Opening or Stopping Legal and Confidential Correspondence

- 6.6.35 Correspondence staff must contact the security governor or duty governor for a decision on how to proceed if there is a positive indication. See [Prisoner communications policy: PSI 49/2011](#).
- 6.6.36 If the mail has been marked as legal and confidential correspondence and the security governor or the duty governor is satisfied that the letter is likely to be from a legal representative or confidential access organisation, then the prisoner to whom it was addressed must be given the opportunity to be present when the envelope is opened. There must be an audit trail supporting defensible decision making. This should include the name of governor giving the authority to open the letter, the assessment of reasonable cause, and whether the prisoner was present or declined to be so. These instances should be reported on the intelligence system and appropriate correspondence logs. Follow up action may include a letter to the sender of the letter to ensure that they send in correspondence appropriately in the future.
- 6.6.37 If the governor believes that there is no possibility that the letter is a genuine legal or confidential letter, having taken at least the steps set out above in the section on 'visually suspicious correspondence', they can decide to open the letter without the prisoner being present. In effect, it is being dealt with as normal domestic mail. Again, audit trails must be maintained.
- 6.6.38 Where the letter is likely to be from a legal representative or confidential access organisation, but has tested positive for drugs, the governor must discuss with the legal representative if the letter is to be stopped due to the presence of drugs. Referral to the police should be considered.

Further Considerations - Staff

- 6.6.39 Due to the nature of organised crime and the fact that we are in a battle with an illicit economy, the threat and reality of corrupt staff is prevalent. The Counter Corruption Unit (CCU) continue to support establishments in pursuing corrupt individuals who are engaged in corruption.
- 6.6.40 Corrupt staff may seek to exploit the system and post PS to themselves or have PS posted into them – therefore bypassing staff searching. Best practice is that establishments put in place a system where staff must sign to receive a letter/parcel that is posted into them and all mail including staff mail is received into one area. Establishments will be able to note a pattern if certain staff are regularly receiving post to inform an intelligence picture.

Other Measures

- 6.6.41 Intelligence has identified that PS has been found on certificates which had been sent to an establishment education provider and on leaflets to be issued to prisoners. This gives an example of the measures taken by organised crime to bypass security systems exploiting

potentially weak areas. Establishments should put in place systems to combat this. Further advice is available from the Drugs Strategy and Delivery team who can be contacted via email: hmpdrugstrategy@justice.gov.uk

6.6.42 **Effective Communication** - Intelligence on prisoners known or suspected to be involved in conveyance via correspondence should be communicated to staff working in the correspondence room. This could include:

- Any prisoner with a prosecution for conveyance
- Any prisoner with known involvement in conveyance but not prosecuted
- Any prisoners with suspected involvement in conveyance
- Any prisoner suspected to be or a confirmed victim of bullying and/or vulnerable individuals who may be under pressure to receive items this way

6.6.43 **Inform Knowledge** - Note a pattern if certain staff are regularly receiving personal post to build an intelligence picture & be aware that lawyers may be complicit in conveyance, or some law firms might be fake.

6.6.44 See also **Annex 20**- Suspicious Correspondence Guidance.

Suspicious Correspondence in Prisoner Possession

6.6.45 There will be occasions when prisoner correspondence enters the establishment and is observed during an AFC, cell search or in reception and thought to be suspicious. There are a number of actions to take should this occur. The [Searching Policy Framework](#) provides some guidance on searching of paperwork to include correspondence. Key indicators that correspondence may be soaked in an illicit substance for distribution are:

- It is concealed within something else for example inside a stereo or pen
- It is wrapped inside something else
- It is torn into smaller sized pieces or similar sized sections have been removed
- It is hidden somewhere on the person or secreted internally
- It is being used to smoke or vape
- It has been hidden within the fabric of the cell

6.6.46 **What** to do if you suspect a prisoner is conveying illicit items via correspondence?

- Report suspicions to security or orderly officer and request a cell search to be carried out
- See when search dogs are available to detect any drugs that may be soaked on correspondence
- Ensure colleagues are aware of what you suspect the risk the prisoner to be conveying
- If you suspect correspondence during a cell search, inform manager to send the items to security for testing

6.6.47 See also **Annex 21** QRG – Searching of cells for illicit correspondence.

Seizing of Illicit Items or Impregnated Correspondence

- 6.6.48 If correspondence tests positive via the itemiser there are no grounds to retain it, unless an internal investigation is pending or there is a criminal investigation, in line with the [Handling crimes in prison: agreement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61222/handling_crimes_in_prison_agreement_-_gov.uk)
- 6.6.49 If a letter is received that contains an illicit item, there is no requirement to withhold the letter in addition to the illicit item unless it contains evidence that is relevant i.e., information on the route and/or item being conveyed. The illicit item should be exhibited as evidence in accordance with the [Management and Handling of Evidence Policy Framework](#).

6.7 GUIDANCE ON MANAGING CONVEYANCE VIA THE PERIMETER

- 6.7.1 The prison perimeter is used by some individuals as a means of conveying illicit items into establishments. For most prisons across the estate the supply of illicit items/substances via the perimeter is a significant security threat.
- 6.7.2 CCTV, signage and staff presence can all aid in the reduction of conveyance via this route. Whilst individual measures may not permanently tackle an issue of throw overs or drone incursions, they can interrupt, reduce, or possibly displace it.
- 6.7.3 Please see **Annex 24** for examples of actions that can be taken to mitigate the risk of conveyance via the perimeter for the Open Estate.

Perimeter Searching

- 6.7.4 It is important that the perimeter of an establishment is visually checked by staff. This will reduce the chances of successful conveyance via this route.
- 6.7.5 The frequency of searching of the perimeter will be set out in the LSS and will be dependent on the level of risk that this type of conveyance brings to the establishment. The [Searching Policy Framework](#) provides guidance on how to effectively search the external and internal perimeter of a closed establishment.

Control/Communications Rooms

- 6.7.6 In order to maintain correct radio discipline:
- Approved operating procedures for the network should be maintained.
 - Areas of limited/nil reception should be identified and managed.
 - Spare handsets should be securely stored.
 - Only equipment from approved suppliers is used and the storage, issue, use, return and maintenance of radio network handsets is managed.
- 6.7.7 In order to effectively protect the establishment from the risks posed by conveyance, all radio equipment should be designated as essential security equipment and be regularly and professionally maintained.

Incident Management

- 6.7.8 Establishments should consider set terminology for radio use to alert all staff to a possible perimeter breach.

6.7.9 All persons to include staff, contractors, visitors and prisoners should be made aware of the systems in place in the event of a find near the perimeter.

6.7.10 Radio communications staff should be trained in the appropriate use of the radio net during these incidents. Local instructions may provide further details including guidance of seeking a response from specified outstations, e.g., Victor, Oscar and Sierra, dependant on type of incident. They should also provide the process for summoning external emergency assistance.

Use of CCTV

6.7.12 The use and management of any CCTV system should be outlined in the LSS.

6.7.13 In order to effectively protect the establishment from the risks posed by conveyance, all CCTV equipment should be designated as essential security equipment and be regularly and professionally maintained.

Activity Areas

6.7.14 Establishments should assess the risk and likelihood of illicit items being left near activity areas close to the perimeter. This should take account of the following:

- Current or previous intelligence
- Proximity of the area to the perimeter
- Type of prisoners able to access the area
- Level of staff supervision in the area
- Bushes, foliage and other things that could enable items to be hidden

Risk of Drone Activity

6.7.15 Drones are used to convey items into prison and can be a significant security risk. An Unmanned Aerial Vehicle (UAV) often referred to as a drone is an unmanned system that can be flown autonomously or by a remote human pilot at distance. Most drones of this type are supplied with an on-board camera that transmits live images back to the control unit and its connected ground control station.

6.7.16 Drones may be used by criminals to scope the area for planned criminal activity, surveillance and/or the conveyance of items in and out of prison establishments. For information regarding how to deal with drone incursions, please see [Management and Handling of Evidence Policy Framework](#)

6.7.17 For information on how to securely evidence a drone, please see [Management and Handling of Evidence Policy Framework](#)

6.8 GUIDANCE ON MANAGING CONVEYANCE VIA VISITS

6.8.1 Visits to prison establishments are used by some individuals as a means of conveying illicit items into establishments. For most prisons across the estate, both male and female, the supply of illicit items/substances via social visits is a major security threat.

6.8.2 The consequences of conveyance and the criminal offence that may be committed by the conveyance of illicit items into the prisons should be communicated via notices placed in

the visitor's centre and searching areas for both prisoners and visitors. All prisons should clearly display up-to-date information on local policies and procedures, specifically regarding restricted items (**Annex A** List, A, B & C). See also [Management of security at visits Policy Framework: Open estate](#) and [Management of security at visits Policy Framework: Closed estate](#) for further information.

- 6.8.3 Contracted staff working to support the services to visitors should be aware to discuss this information with the families.

Approved Conveyance

- 6.8.4 Official visitors are permitted to take into the establishment items considered vital for the visit. Only if there is sound intelligence that this facility is being misused (i.e., one that could be defended in court), should restrictions be put in place.
- 6.8.5 A central authorisations is in place for the approved conveyance and use of IT and other equipment by official visitors. See **Annex 25** for guidance on how this applies to official visitors.

Tackling Conveyance of Illicit Items

- 6.8.6 Visitors may attempt to convey items during visits that are intended to assist in the facilitation of crime. This may include:

- Mobile phones and/ or accessories
- Additional clothing
- SMART technology such as watches
- Swapping of shoes that contain concealed items
- Extremist material

- 6.8.7 There are a number of ways visitors may convey items to prisoners during visits. Staff can refer to the [Management of security at visits Policy Framework: Open estate](#) for further guidance.

- 6.8.8 Staff should be fully aware of the risks associated with conveyance via visits and the measures required to tackle this. **Annex 26** provides a quick reference guide on how to manage a pass on visits **Annex 27** provides information on best practice, risk areas and how to identify conveyance. To prevent conveyance, staff working in visits should:

- Place an amnesty box outside the prison creating a clear 'point of no return'.
- Search all visitors before entering the visits area. Please see the [Searching Policy Framework](#) for searching instructions and use of technical aids.
- Search prisoners upon leaving the visits area. Establishment's LSS should set out the requirements for the level of searching following visits.
- Search visits areas before and after visits take place.
- Check the bins for the disposal of items that may later be brought into the prison
- Ensure that shared toilet facilities are not used by prisoners and visitors at the same time and that following the use of shared facilities, those facilities are searched before the visit is allowed to continue
- Ensure that where refreshments are purchased during visits, they are served without packaging, for example on plates or in transparent cups.
- Ensure that prisoners and visitors are not swapping clothing or footwear and that prisoners are wearing the same clothing when leaving the visits area.

- Ensure that staff are able to supervise all visitors and prisoners at all times with correct positioning of staff, furniture, use of CCTV and/or Body Worn Video Cameras (BWVC).
- Adopt a digital approach to official visits only allowing the entry of laptop computers by official visitors with a view to stopping paper. This would minimise the threat from PS and there is a central authorisation in place for lap top computers.
- Consider a contactless payment option in the visit's canteen. restricting the use of cash.
- Submit intelligence reports where there has been suspected/proven conveyance of such items.
- Ensure that policies and procedures are communicated to staff and followed in respect of any internal secretion of illicit items to include swallowing. This will include medical attention where appropriate.

6.8.9 A controlled visits area will assist establishments in reducing passes of illicit items during the visit session. Each establishment will have a different process for the allocation of staff working in visits. Where conveyance via visits is a significant threat, establishments should consider the use of a dedicated visits group where this is achievable.

6.8.10 Visits staff should be briefed on any potential threats or persons of interest, before visits commence. Staff can then ensure that any persons of interest are seated appropriately and in clear view of CCTV (where applicable).

6.8.11 The implementation of an acceptable standard of dress by visitors is also a good deterrent to passing of items. Some clothing items can all allow for a quicker and more discreet method of removing illicit items ready to pass. A notice should be clearly displayed advising prisoners and visitors of any local policy information regarding acceptable behaviour and physical contact in the visit areas. This should include the consequences of non-compliance. Staff should be fully briefed on this.

6.8.12 Establishments should ensure that all staff are clear on the agreed process for breaching any local policy on physical contact. This can be any of the following but is not limited to this list alone:

- Prolonged or excessive physical contact
- Moving of furniture to obscure view
- Contact with children where a prisoner is restricted from doing so
- Passing of prohibited items
- Swapping clothing
- Drinking from an unlidded cup
- Drinking from the same cup as your visitor (sharing cups).
- Use of abusive/foul language or behaviour to staff, visitors or prisoners
- Aggressive/ violent behaviour
- Refusal to comply with searching and other local policy and procedures.
- Any behaviour which facilitates or engages in criminal activity
- Prisoners having visits with other prisoner's visitors during the visit session, unless agreed in advance by the Governor.

6.8.13 Searches of the person both prisoners and visitors are paramount to deter people from conveying items via visits. The LSS should set out the level of searching of all visitors and prisoners during the visits process. This should be subject to local review as any new risks are identified and in line with [Searching Policy Framework](#).

6.8.14 An awareness of equality issues during the visit process specifically regarding religious clothing and individuals who are learning disabled is fundamental to ensuring an inclusive process. Please see the following for further guidance - [Searching Policy Framework \(religious & disability considerations\)](#)

Assurance Process

6.8.15 Preventing conveyance via visits to staff is most effective when staff are trained in searching procedures and carrying out their duties in line with the LSS. There should be management oversight in place to ensure the process is compliant. See **Annex 4 Assurance Guidance**. Visits should also be considered for covert testing to gain assurance on processes in regard to the prevention of conveyance of illicit items. See [Covert Testing Policy Framework \(awaiting publication\)](#)

6.9 SAFETY CONSIDERATIONS

6.9.1 There is no specific group of staff or prisoners susceptible to undertaking conveyance of illicit items however evidence tells us that conveyance and/or possession of illicit items is often linked to staff, visitors or prisoners who are vulnerable. This means that due to certain factors they are more likely to be exposed to the possibility of involvement in this process. There are many factors that may make people vulnerable and in addition to this, vulnerability can be fluid. This means that individuals who may not be susceptible one day could find themselves vulnerable due to actions or events that have occurred.

6.9.2 Several factors may make individual vulnerable to holding illicit items or being involved in the conveyance of these, some of these are listed below (this list is not exhaustive):

- Individuals with disabilities particularly those who are neurodivergent
- Individuals with mental health conditions
- Individuals with substance misuse issues
- First time offenders with no knowledge of prison environment
- Individuals in debt
- Individuals seen as vulnerable due to physical factors such as height, weight and appearance.
- Individuals seen as vulnerable due to limited social skills.

6.9.3 For prisoners who are vulnerable, the impact of sanctions (adjudications, Incentives Scheme and/or police referrals) that occur when illicit items are found in their possession and/or the threat of violence against themselves and/or family members can have significant consequences in relation to self-harm and suicide.

Debt Considerations

6.9.4 If a prisoner starts to borrow, the debts can cascade as interest often means paying back double. One of the only options a prisoner has to pay their prison debts is to ask friends and relatives to pay the debt or to undertake actions (holding illicit items and conveyance of these) to pay off the debt. The consequence for non-payment often leads to coercion and violence.

6.9.5 Debt is something prisoners can quickly fall foul of due to the payback amounts, bubble and a half, meaning the return of the item loaned, plus 50 percent, or double bubble, which

is the original loan plus the same again on top. Repayment is often scheduled to coincide with canteen delivery day. It's easy for a prison debt to double, double again and keep doubling.

- 6.9.6 Prisoners who have items removed that they are illicitly conveying will often fall into debt as a consequence of this. Prisoners may be pressured to bring items through reception on transfer or recall to custody. The threat of violence in the early days of custody as a result of this and lead to self-harm or even suicide in extreme cases.

Violence Considerations

- 6.9.7 For prisoners who are vulnerable, the threat of violence for unpaid debts or to become involved in the illicit economy is very real. This can even extend to threats of violence to family members.

Support

- 6.9.8 There are several policies, processes and key areas that can help support staff, prisoners and visitors. Some of these are listed are in **Annex 28** and should be considered when taking measures to reduce risk should an individual become vulnerable to conveyance.

6.10 MANAGEMENT OF ORGANISED CRIME GROUP (OCG) PRISONERS

- 6.10.1 The [Serious and organised crime policy framework](#) sets out several actions for the management of OCG prisoners within establishments. Organised Crime Group prisoners often have the means and capability to continue their criminal activities in a prison environment.
- 6.10.2 It is important for staff and security departments to ensure that all staff understand the role that OCGs may have regarding the organisation of conveyance into establishments and the distribution of these items within. The [Serious and organised crime policy framework](#) sets out actions to ensure that OCG prisoners are effectively managed and disrupted to assist in managing the risk of conveyance. Early identification, monitoring and management will assist in limiting the opportunities that may be in place to utilise reception, correspondence, deliveries, staff corruption, perimeter and visits as a way of conveying illicit items. Contact your regional Serious Organised Crime Unit (SOCU) lead for further support.

6.11 FINDS AND EVIDENCE

- 6.11.1 If an illicit or suspected illicit item has been found during a search of any area, it is important that staff are aware of what to do next.
- 6.11.2 Illicit items will need to be secured as evidence in line with with [Management and Handling of Evidence Policy Framework](#) which provides information on:
- Seizing evidence,
 - Exhibiting evidence
 - Health & Safety considerations
 - When to refer evidence to the police
- 6.11.3 For items that are considered a criminal act, see also:
- Crime in Prisons Referral Agreement

- Security Briefing Note TACT & TACT Connected Individuals (HMPPS intranet only)
- Security Learning Bulletin TACT Offenders (HMPPS intranet only)

6.11.4 Items found must be recorded on the Incident Reporting System (IRS) and on an Intelligence Report (IR).

6.12 CONSISTENT INFORMATION REPORTING

6.12.1 The [Searching Policy Framework](#) provides guidance on positive indications provided by a technical aid. As a minimum the orderly officer should be contacted for further guidance in these circumstances. An Intelligence Report (IR) should also be considered for an unexplained indication by a technical aid.

Intelligence Reports

6.12.2 An intelligence report should be completed by the observing member of staff and should contain the minimum following information to assist in intelligence development:

- Location item found - Where were you when this happened? Where was the item secreted on the person or their belongings? Where do you think the person was intending on taking the item?
- Grounds for suspicion - Why did you do what you did? How was the person behaving prior and afterwards? How were you alerted?
- Full description of the Item conveyed (if applicable) - How was it concealed? What packaging did it have? Any distinguishing features?
- Evidence bag number (if applicable)
- Person description (if applicable)
- IRS Number (if applicable)
- Actions taken
- Any other information that is considered relevant

6.12.3 It is essential that this information is accurately recorded. HMPPS uses this information to build a wider intelligence picture, which enables key themes and trends to be easily identified.

Incident Reporting System (IRS)

6.12.4 Any finds should be recorded on the Incident Reporting System (IRS) under the relevant heading or under the miscellaneous heading. All reports should include details of the illicit item/substance (if known) and location found. See [Incident Management Policy Framework](#) for further information

6.13 AGGRAVATING FACTORS TO CONSIDER WITH POLICE REFERRALS

6.13.1 To establish whether there is a case for further action to be taken and the nature of that action, several factors will need to be considered. Any links to any aggravating factors should always be discussed with police to decide if a referral is appropriate. Aggravating factors can include (but is not limited to) the following:

- There is intelligence or evidence to suggest the prisoner has links to organised crime and organised crime groups
- There is intelligence to suggest the prisoner is a TACT or TACT related nominal.
- There is evidence that the crime is part of or linked to wider criminal activity than this offence alone.

- The victim is vulnerable, for example learning disabled or the crime was motivated by discrimination
- Offences which have resulted in a high degree of damage, or danger to life such as arson or assault with a weapon.
- Offences which mirror the prisoners index offence or there is an ongoing risk.
- There are grounds for believing that the offence will be repeated – e.g., by a history of recurring conduct
- The scale of the find (i.e., large quantity of drugs or SIM cards) and any other evidence that the accused was in possession of the item for supply or hire to others (such as drugs in multiple wraps)
- The offence is linked in some way to staff corruption
- Type of prison and/or prisoner – prisons such as open and juvenile establishments, for example, may decide to channel resources into dealing with offences locally rather than pursuing prosecutions if it is believed that illicit items, such as mobile phones, are largely being used for non-criminal purposes; High security prisons might chose to discuss with CJS partners the referral of all mobile phone offences to the police on the grounds that there is greater likelihood that such items are being used for criminal purposes;
- Evidence of conspiracy to commit offence (e.g., more than one person operating together at visits).
- The likely sentence the offence will attract if found guilty at court; it may be that establishments decide to refer cases where there is a likelihood of a substantial sentence with a greater deterrent effect than punishments available through adjudication or other disciplinary action. Consideration should also be given to referring to an independent adjudicator in these cases.
- Cases involving weapons where the prisoner has a history of violence within prison;
- Weapons in cases where there are grounds for believing that violent/criminal behaviour is likely to be repeated or continue or that that the accused prisoner has been engaged in persistent criminal behaviour that puts the safety and lives of others at risk;
- Any evidence of a weapon being used to attack or threaten another person;
- Cases where multiple weapons are found in possession;
- Cases where the weapon found has potential for causing particularly serious injuries;

6.13.2 The list of aggravating offences is not exhaustive, and local arrangements based on current threats and risks to the prison should take place between the prison and local police force. These should be reviewed regularly due to the changing nature of the environment.

LIST OF ANNEXES

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Annex C	OFFICIAL SENSITIVE - Open Prisons Mobile Phone Protocol
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Annex 4	Assurance Guidance
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Annex 28	OFFICIAL SENSITIVE - Support Links for Staff, Prisoners and Visitors