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

Reference: N/A

Issue Date: 31st July 2024   **Implementation Date**: 10th January 2025*

**Prisons can choose to implement the policy ahead of this date

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
- NOMS Security Management Specification 1,2,3,13,14,16, 17
- NOMS Prisoner Comms Specification 10
- NOMS Comms Control Room Specification 6,7,8,11,18
- NOMS Gate Services Specification 1,2,4,5,6,7,9,11,12,13,15 & 16

Action required by:

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 implementation date, Governors of open prisons must ensure that their local procedures do not contain 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

Governors must ensure that any new local policies developed as a result of this Policy Framework are compliant with relevant legislation, including the Public Sector Equality Duty (Equality Act 2010).

Section 6 of the Policy Framework contains Guidance to assist implementation of the Requirements set out in Section 4.

Terminology

In this document:
- The word 'unauthorised' relates to items which a person is not authorised by the Governor to have in possession and could lead to disciplinary action.
- The word 'illicit' relates to items for which it is a criminal offence to have in possession and could lead to prosecution.
- The word 'find' 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:

Prison Group Directors (PGDs) will monitor compliance with requirements in their open prisons using the auditing and monitoring tools described in this Policy Framework.

Health and Safety for public sector prisons is undertaken through Health and Safety monitoring and assurance.

Quality assurance for public sector prisons is provided by HMPPS Performance, Assurance & Risk (PAR) Group through the security audit.

Resource Impact:

The identified resource impact for this Policy Framework is staffing within the Security Department. The initial impact will be time taken to update the Local Security Strategy (LSS) in alignment with this Policy Framework. Prisons will have to conduct a whole prison approach evidence-based risk assessment to identify their risks of conveyance and update their LSS to reflect these. Following that, resource implication is not expected to be any different to current requirements.

Contact: security.procedures@justice.gov.uk

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Approved by OPS for publication: Helen Judge, Joint Chair, Operational Policy Sub-board, July 2024

Contents

1. Purpose

1.1 This Policy Framework provides open prisons with the information and guidance needed to manage the conveyance of illicit items into and out of open prisons, ultimately supporting a safe and secure environment for staff, visitors and prisoners.

1.2 The Policy Framework focusses on supporting staff in open prisons to identify and manage the risks of conveyance specific to open conditions, with a view to reducing illicit and unauthorised items entering and leaving the prison.

1.3 The 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."
- 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".
- Prison Rule 70A/YOI Rule 74A introduced to provide a List C of controlled items in accordance with section 40A (6) Prison Act 1952.

2. Evidence

2.1 His Majesty's Prison and Probation Service (HMPPS) seeks to protect prisoners, those working in or visiting prisons, and the general public by taking steps to prevent the conveyance and supply of illicit items into prisons. Illicit items can drive and contribute to violence, debt, bullying, and ongoing criminality in prisons; all of which undermine safety, security, public confidence, and rehabilitation.

2.2 Evidence shows that some people seek to undermine security measures by conveying illicit items into prisons through varying routes, particularly the gate, reception, correspondence, perimeter, and visits. Data on finds of illicit items is published annually via the HMPPS Annual Digest at www.gov.uk.

2.3 HMPPS has undertaken several steps to disrupt the supply of illicit items into prisons. Importantly, security procedures and practices, when carried out effectively can assist in preventing routes of conveyance, helping to create a safer and more secure environment for rehabilitation.

3. Outcomes

3.1 By following this Policy Framework, staff working in open prisons will be able to:
- Detect and deter crimes and threats to the security, order, and control of the prison.
- Identify conveyance risk and improve capability to detect illicit and unauthorised items attempting to enter prisons via the gate, reception, correspondence, perimeter, and visits.
- Deter the exploitation of visitors, staff, and prisoners to convey illicit and unauthorised items into prisons.
- Ensure only authorised persons, vehicles, goods enter and leave the prison.
- Ensure tighter control of items being brought into, taken out of, and possessed within prisons in line with the Prison Act 1952.

4. Requirements

4.1 Management of Conveyance General (see Guidance 6.1 for supporting information)

Local assessment

4.1.1 Governors must ensure that they conduct an annual evidence-based assessment to identify and manage the risks of conveyance locally as per the Local Security Strategy Policy Framework. Any local arrangements decided upon must be consistent with the instructions provided in this Policy Framework and support a rehabilitative culture.

4.1.2 Organised Crime Group (OCG) prisoners can be key drivers of conveyance. Such prisoners and their connections should be factored in as part of any local assessment and mitigating actions. The Serious and Organised Crime Policy Framework and Serious Organised Crime Unit can support prisons in considering actions for the management of such nominals.

4.1.3 Whilst individual measures may not permanently stop a route of conveyance, they can interrupt or reduce it. Prisons however should be aware of the possibility of displacing risks in that by tackling one area, another route of conveyance or risk may arise.

Local Security Strategy

4.1.4 Following an evidence-based risk assessment, Governors must ensure that the Local Security Strategy (LSS) is updated and outlines effective procedures for addressing each conveyance risk area.

4.1.5 Governors must ensure that the LSS is communicated to all staff (including non-directly employed) so they are aware of their role in managing security in respect of conveyance and have access to necessary information to prevent illegal items entering a prison and to help detect those that have already entered.

4.1.6 Governors 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 and changing risks.

Assurance

4.1.7 Governors must put effective assurance processes in place to identify and address any weaknesses or vulnerabilities in procedures that have been identified to reduce the risks of conveyance. Governors must ensure covert testing as an additional assurance measure is carried out as per the Covert Testing Policy Framework (to be published).

Notifications and Communications

4.1.8 Governors must ensure that signs laying out penalties for committing offences under the Prison Act 1952 covered in this Policy Framework are clearly displayed outside the prison, normally at the main points of entry to the prison including any public footpaths that run through the prison. Briefings and information notices must also be made available to prisoners (for example in libraries), staff, and visitors (for example at the gate). See Template Notice – Criminal Acts of Conveyance (Annex C) and Template Notice – Consequences of Conveyance (Annex D).

4.1.9   Governors must ensure that the list of prohibited items is available to staff, prisoners, and visitors on entry to the prison. Only authorised items are permitted in/out gate. Items which are not permitted are set out in List A, B and C items (Annex A) in addition to any local lists.

4.1.10   Governors must ensure that conveyance of unauthorised/illicit items is discussed with managers and staff of contract/service providers including healthcare and education (e.g., during induction, local training), to ensure that the implication for their staff is fully understood and action taken where required.

Reporting and Evidence Management

4.1.11   Illicit and unauthorised items found must be reported via an Intelligence Report (IR) as per the [Intelligence Collection, Management and Dissemination in Prisons and Probation Policy Framework](#). Reporting of illicit and unauthorised items found as part of a search must also include the Incident Reporting System (IRS); see [Incident Management Policy Framework (Restricted)](#). Governors must also consider adjudication procedures for any items found on prisoners in line with [Prison Adjudication Policy Framework](#).

4.1.12   Governors must ensure that staff follow procedures for the preservation of evidence as set out in the [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.

4.1.13   Any material found that could pose a terrorist risk must be reported via an I.R and seized for review by the prisons Counter Terrorism Unit or Regional Counter Terrorism Team. See [Managing Extremism and Terrorism Among Offenders in Custody and the Community Policy Framework (Restricted)](#) for further information.

4.2   Prison Act 1952, Crown Immunity and Criminal Liability (see Guidance 6.2 for supporting information)

4.2.1   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.

4.2.2   There are three main situations in which criminal liability for the offences listed above will not arise:
- 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.

4.3 Authorisations for conveyance of items – central and local (see Guidance 6.2 for supporting information)

4.3.1 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.

4.3.2 Section 40E of the Prison Act provides powers to governors 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 PGDs) must authorise List A items*.* PGDs must always authorise mobile phones (List B). Other items may be authorised by any person working at the prison who the governor has authorised to grant S40E authorisations on their behalf.

4.3.3 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. This is for possession or use of items which are prohibited under sections 40B, 40C and 40D of the Prison Act.

4.3.4 Further information and examples of when a central or local authorisation is needed can be found in Guidance Table on Central/Local Authorisations (Annex E).

Central (National) authorisations

4.3.5 Central S40B/E authorisation are already provided to several individuals and groups for specific purposes on behalf of the Secretary of State. Security Departments are to maintain a local record of central authorisations. Security and gate staff should be aware of these central authorisations surrounding approved conveyance. A national central authorisations list can be requested via security.procedures@justice.gov.uk or be accessed via the National Security Framework intranet page.

4.3.6 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 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).

4.3.7 Wearable technology (fitness trackers and smartwatches) is prohibited in prisons and all applications for wearable technology must be agreed locally prior to a central authorisation

submission and not over-ride any local rules. Existing and future authorisations are to be reviewed after twelve months of issue.

4.3.8 A central authorisation will be granted for 12 months from the date of the authorisation, unless otherwise specified. After 12 months, a local review should take place to establish whether the authorisation is still required and if so, an extension requested from security.procedures@justice.gov.uk.

Local authorisations/Local lists

4.3.9 Governors/PGDs must ensure that any legitimate activity which has not been authorised centrally is covered by the issuing of a local authorisation. The use of a 'local list' of authorisations related to specific duties of staff must be considered. Guidance Table on Central/Local Authorisations (Annex E) lists examples where this may be appropriate and highlights which staff and items may be covered by Crown Immunity.

4.3.10 Governors must consider local restrictions set out in the LSS against the provisions of the Prison Act to ensure that they are comprehensive, clear, and appropriate. This must ensure that local lists of unauthorised items take into account items set out in Sections 40A to 40F of the Prison Act. Contravention of local lists/regulations will not be a criminal offence unless there is also contravention of the Prison Act.

4.3.11 Local authorisations considered by Governors or by gaining agreement from the PGD must be documented and the process set out in the LSS (see Template Form - Local Authorisation of Items Annex B). These authorisations must be made locally by Governors for their individual prisons or, where considered appropriate in the case of higher risk items, by the PGD on behalf of the Secretary of State. The LSS must specify how often the authorisations will be reviewed.

4.3.12 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. This includes knives, tools, religious artefacts (e.g., 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 phones in open prisons

Professional visitors

4.3.13 A central S40E authorisation for conveying and possession of mobile phones has been provided for professional visitors. This will be subject to the local agreement of the Governor. If Governors do not wish to allow professional visitors to bring in mobile phones and/or possess them within the prison, they should make this clear in a local instruction (outside of the Prison Act) if one is not already in force. Where there is an authorisation in place it will not be a criminal offence for professional visitors to bring mobile phones into the prison or possess them within prisons if they disobey the local instruction.

Staff and visitors

4.3.14 A central S40E has been provided to allow the conveyance and possession of a mobile phones where visitors and staff parking is within the perimeter of an open prison on

condition that mobile phones stay within the vehicle. Visitors and staff must not leave List A items in vehicles and should be discouraged from bringing and leaving other List B items in their vehicles. This is to be reflected within the LSS.

<u>Prisoner drivers</u>

4.3.15   Prisoner drivers may be allowed to have in their possession their personal mobile phones or be issued a prison mobile telephone whilst on ROTL in the same way as any offender on work, or other placement. 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.

4.3.16   Prisoner drivers must adhere to Road Traffic Act 1988 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 undertaken.

4.3.17   Where an HMPPS mobile phone is issued, this is to be of a standard currently held and used by Security Departments for prison escorts or staff van drivers, with no requirement to be restricted.

4.3.18   Governors must maintain records of issuing mobile telephones and update their local LSS to reflect this process.

4.3.19   See Guidance 6.2 for further information.

4.4   Management of Conveyance via the Gate (see Guidance 6.3 for supporting information)

4.4.1   Governors must undertake an evidence-based assessment (see Guidance 6.1) to identify the risk of conveyance and set out within the LSS agreed processes and searching procedures to be carried out on individuals, vehicles, and material through the main gate. Procedures within the LSS for the secure entry and exit of every person, vehicle and item through the main gate must be effectively communicated to gate staff.

4.4.2   The LSS must reflect the individual circumstances of the prison. Governors 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. See the [Searching Policy Framework](#) for more information and guidance on Local Searching Policies.

4.4.3   Where a prison has more than one gate/barrier, 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 considered in the LSS.

4.4.4   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 this Policy Framework.

4.4.5   In accordance with the provisions of the S19(1) of the Prison Act 1952, Prison Rule 79(2), YOI rule 77(2), S20 and S48 of the Health & Safety at Work Act 1974 and S54 of the Food Act 1990, 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.

4.4.6 Identities must be checked, and they may be searched subject to local requirements. Any searching must be in accordance with the Searching Policy Framework.

4.4.7 Governors must ensure that all individuals are aware of the items not permitted within a prison. They must be made aware that it is a criminal offence to convey into a prison and/or use certain items within a prison when Crown immunity does not apply, together with the associated penalties. Model notices are provided in Template Notice – Criminal Acts of Conveyance (Annex C) and Template Notice – Consequences of Conveyance (Annex D).

4.4.8 Governors must provide the use of appropriate storage facilities for staff, professional visitors and visitors who use public transport to secure prohibited items such as mobile phones. Mobile phones and any other unauthorised item must not be stored within any lockers that are located beyond the gate/barrier and/or within the boundaries of the prison. Prisons that don't have the physical capacity to provide storage facilities for staff outside of the perimeter/boundary due to the unique layout of the prison must gain authorisation from the PGD for staff to bring mobile phones into the prison up to the point where lockers are positioned.

4.4.9 Gate staff are critical to managing the risk of conveyance and improving detection or deterrence of any potential criminal activity. The duties of such 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.

4.4.10 As a minimum, Governors must ensure that gate staff:
- • Check the identification of all people entering the prison.
- • 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 in detail the next scheduled destination of vehicles.
- • Allow only authorised people, items, and vehicles in/out of the gate (items which are not permitted are set out in List A, B and C items (Annex A) in addition to any local lists).
- • Record items leaving or being delivered to the gate.

4.4.11 Governors must undertake a risk assessment to set out arrangements for staff searching in accordance Searching Policy Framework.

4.4.12 Staff working in the gate must be aware of their role in local contingency plans for all types of incidents.

Vehicles

4.4.13 Governors must ensure that there is an effective process in place to provide assurance that staff are following the searching procedures set out in the LSS for both drivers and vehicles.

Vehicles entering

4.4.14 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).

4.4.15 Gate staff must be made aware of relevant centrally issued authorisations and any local authorisations that allow List A, B or C items into the prison. Local authorisations must be recorded by the Security Department. See Template Form - Local Authorisation of Items (Annex B).

4.4.16 Any surplus equipment in the vehicle (such as tools) that is not required to be used must be kept secure in the vehicle.

4.4.17 Where vehicles contain built in cameras, the relevant person has a central authorisation in respect of Section 40C of the Prison Act 1952. Where such camera systems transmit footage electronically in real time to a central server, the relevant person has a central authorisation in respect of Section 40D(1)(b) and Section 40D(3A) of the Prison Act 1952. Where possible, the camera is to be switched off or covered by the driver prior to entering the prison. Where this is not possible, the relevant person has a central authorisation under Sections 40D(1)(a) and 40D (3) of the Prison Act 1952.

Emergency vehicles

4.4.18 There is a central authorisation in place for ambulance staff, who have the authority to the enter the prison with their work and personal devices (including personal mobile phones). 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 Health and Safety Arrangements: Management of Workplace Transport Policy Framework 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.
- Process for escorting emergency vehicles during prisoner movement.

4.4.19 The preservation of life must always take precedence over local procedures in any life threating situation. Arrangements must be in place for the processing and holding of delivery vehicles that have entered unsearched where otherwise the LSS outlines for that vehicle to be searched. A member of staff must remain with the vehicle if it can't be held in a secure area until it is searched. Delivery vehicles must not restrict access through the gate.

4.4.20 Gate staff must ensure ambulance staff lock any personal mobile phones in secure lockers within the ambulance itself, where available or leave them in the glove box and never on display or taken to the scene. The prison must outline the process for accounting of personal devices entering and leaving the prison within the LSS.

Vehicles exiting

4.4.21 Where it has been agreed the vehicle will be searched upon entry and the vehicle has completed the delivery and is ready to leave, the vehicle must be searched on exit in accordance with the Searching Policy Framework to make sure nothing is being conveyed out of the prison. Any searching to be conducted on the driver and passengers is to be determined locally following a risk assessment. The details should be checked against the information provided on entry.

Vehicle searching and supervision

4.4.22 Governors must undertake an evidence-based risk assessment to set out in the LSS which vehicles are to be searched (including any content where applicable) on entry and exit, and the level of searching to be conducted on the driver and any passengers, this can be intelligence led searching only. Searching procedures set out in the Searching Policy Framework must be applied when searching.

4.4.23 Staff must be provided with adequate searching equipment for the search of vehicles. See Searching Policy Framework for details on vehicle searching equipment.

4.4.24 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 prison.

4.4.25 Governors must ensure that if delivery items are escorted through and decanted within the prison, 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 prison. This process is to be outlined in the LSS. See Guidance on Workshop Deliveries (Annex I).

4.4.26 If staff have concerns regarding an upcoming or previous delivery, they must submit an IR.

Vehicle movement

4.4.27 Governors must ensure that the movement of all vehicles in the prison is only done with prior knowledge and/or authorisation of communications/control. The LSS must set out how movements into and around the prison will be managed by the communications/control room and the gate.

4.4.28 Governors must ensure that any circumstances in which a vehicle has been identified as requiring an escort, is documented in the LSS. An evidence-based risk assessment must be used to determine the risks posed by vehicles. This must be completed in conjunction with the Transport Risk Assessment as described in Health and Safety Arrangements: Management of Workplace Transport Policy Framework (Annex A).

4.4.29 Vehicles identified as requiring an escort within the prison must not be allowed to enter until escorting staff are available. It is the responsibility of the vehicle escort to always remain with the vehicle and never leave it unattended. Whilst escorting the vehicle to its location, staff must ensure the vehicle remains in sight. Local safe systems of work which comply with the requirements of Health and Safety Arrangements: Management of Workplace Transport Policy Framework must be available to staff involved in supervising the movements of vehicles.

4.4.30 The responsibility to control and monitor the vehicles of visitors / contractors extends to the prison's own vehicles.

4.4.31 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 programme for vehicle escorts and trainers is provided through HMPPS Learning and Development. See Health and Safety Arrangements: Management of Workplace Transport Policy Framework for further information.

Training

4.4.32 All staff who are deployed to searching at the gate should receive local searching refresher training annually. The training can be delivered locally by appropriate staff, but training records must be made available for audit purposes.

Staff Vetting

4.4.33 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.

4.4.34 The level of security clearance varies according to the security category of the prison and the role of the person entering the prison. Governors must ensure that before being granted access to the prison to work, all Directly Employed (DE) and non-Directly Employed (NDE) staff have acquired the appropriate security clearance for the prison and their specific role. Professional or Official Visitors who do not work for HMPPS in either capacity and do not go through our security vetting, must be deemed as appropriate by the Governor to enter.

Corruption

4.4.35 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. Governors must ensure that all staff (including non-directly employed) are aware of the responsibilities outlined in the Counter Corruption and Reporting Wrongdoing Policy Framework.

4.5 Management of Conveyance via Prisoner Reception (see Guidance 6.4 for supporting information)

4.5.1 Governors must undertake an evidence-based assessment to identify the risk of conveyance in reception (see **Guidance 6.1).** Each prison has a unique reception area and different functions. This must be taken into consideration when undertaking the assessment of the risk including the availability of technical aids and staffing resources for searching.

4.5.2 Where conveyance via this route is an identified, where relevant to the prisoner, Governors must ensure that all necessary procedures for the safety of prisoner and the prison are put in place.

4.5.3 Governors must ensure that all staff working in reception are fully aware of conveyance risks. Risks linked to the pressures on ROTL to convey illicit items must be identified and mitigated where possible. See Support Links for Staff, Prisoners and Visitors (Annex V) for information on support measures.

4.5.4   Governors must ensure that prisoner records that accompany each prisoner are reviewed in reception to identify any immediate risks of conveyance (specifically risks of drug/phone conveyance and concealment of weapons/other items).

4.5.5   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.

4.5.6   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.

4.5.7   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.

Reception searching

4.5.8   Governors must ensure that searching of all prisoners entering and leaving the prison is in line with the searching procedures in the Searching Policy Framework in respect of minimum searching requirements and that this is reflected in the LSS.

4.5.9   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 the LSS.

4.5.10   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. Any item collected as evidence must be preserved and managed in accordance with the Management and Handling of Evidence Policy Framework.

4.5.11   Governors must determine whether a programme of routine area searching in reception is required in addition to intelligence led-searching and following a risk assessment, see Searching Policy Framework. If the need for routine area searches is identified, this must be documented in the LSS including the frequency and to what depth.

4.5.12   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 IR submitted. This is particularly relevant when bullying/coercion is a factor in conveyance.

4.6   Management of Conveyance via Correspondence (see Guidance 6.5 for supporting information)

4.6.1   Prisoner correspondence is used by some individuals as a means of conveying illicit items into prisons. Governors must undertake an evidence-based assessment to determine the risks posed by correspondence, taking into consideration previous intelligence and finds of illicit items within the mail. See Guidance 6.1.

4.6.2   Governors must set out in the LSS the process for managing all correspondence received into the prison (to include legal, confidential and staff correspondence). Any procedures

must be lawful and in accordance with Prisoner Communications Policy: PSI 49/2011 and Authorised Communications Controls and Interception Policy Framework.

4.6.3 Whilst it is recognised that legal and confidential correspondence is one method where prisoners may receive illicit items, prisons must not introduce processes that treat all such correspondence as suspicious without justification.

4.6.4 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.

4.6.5 The Governor must ensure a process is in place that if any documents were to be provided to a prisoner following a legal visit, these follow the same process as legal correspondence being sent into the prison.

4.7 Management of Conveyance via the Perimeter (see Guidance 6.6 for supporting information)

4.7.1 The prison perimeter is used by some individuals as a means of conveying illicit items into prisons and the supply of illicit items/substances via the perimeter can be a significant security threat. Governors must undertake an evidence-based assessment to determine the risks posed by the perimeter (see Guidance 6.1).

4.7.2 Governors must set out in the LSS the process in place for managing conveyance via the perimeter. Actions to be put in place must be in line with the Searching Policy Framework and Use of CCTV (Overt Closed-Circuit Television system) Policy Framework where prisons have this in place.

4.7.3 Governors must be alert to the risks posed to prisoners who may not receive items as a result of items being conveyed via the perimeter. Prisoners can enter into debt which can result in violence, self-harm and suicide.

Perimeter searching

4.7.4 The LSS must outline perimeter security applicable to the prison, together with measures to ensure that levels of security are maintained and remain effective. This includes the processes in place, including the frequency of patrols, and method of searching applicable, based on risk.

4.7.5 Governors must ensure that perimeter checks are completed in line with the procedures outlined in the Searching Policy Framework.

4.7.6 Governors must ensure that any perimeter checks are coordinated by the control/communications and recorded within the communications log. This process must be set out in the LSS.

4.7.7 Some open prisons will use Closed-Circuit Television (CCTV) to monitor activity around the 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.

Control/Communications rooms

4.7.8   The use of a robust communications network to alert to possible conveyance risks can be an effective mitigation. For the effective use of the radio in prisons, the following is required:
- All radio users are trained in the secure handling of the radios.
- When drawing a radio staff must ensure that it is in full working order with sufficient battery.
- 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 log.

4.7.9   The radio net must only be used for official purposes. All users must ensure that the network is used securely.

4.7.10 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.

4.7.11 To achieve the above, Governors must ensure that staff managing radio communications or control room have the required 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 prisons intelligence system. It is recommended that all staff who work in the control room complete: CRFE: Control Room for Future Operatives eLearning (mydevelopment.org.uk) and the face-to-face Prison Radio Control Room Procedure course, particularly if working in the comms room alone.

4.7.12 Local communication instructions to quickly identify a conveyance perimeter threat (e.g. drone activity) may include actions such as seeking a response from specified outstations. This must be documented in the LSS.

4.7.13 The LSS must set out how communication and control room staff are to be kept informed of relevant information about incidents and, in line with the Incident Management Policy Framework (Restricted) they must have an up-to-date and working knowledge of the local contingency plans and be able to always maintain the security of the communication network.

4.7.14 Staff working in communications or control 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 (Restricted), 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.

4.7.15 The LSS must include details of maintenance contracts and the communication or control room should keep a register of emergency call out numbers.

Internal movement

4.7.16 There must be clear guidance set out within the LSS regarding entry of prisoners to areas where prisoners are not routinely permitted as per the Management of Internal Security Procedures (Open Prisons).

External activity areas

4.7.17 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 considering factors such as location to the perimeter and intelligence on conveyance routes. See Searching Policy Framework for further information on searching external areas.

Drone activity

4.7.18 Governors must ensure that the procedures in place to report and tackle drone activity are clearly detailed in the LSS.

4.7.19 Drone activity must be reported via an IR and any seizures handled in accordance with the Management and Handling of Evidence Policy Framework.

4.8 Management of Conveyance via Visits (see Guidance 6.7 for supporting information)

4.8.1 Visits are used by some individuals as a means of conveying illicit items into prison. Governors must ensure that an evidence-based assessment is undertaken to identify any risk of conveyance via visits to inform local procedures (See Guidance 6.1). 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.

4.8.2 The LSS must include instructions to manage, supervise, and review any visits to prisoners, whilst also setting out security procedures to prevent passing of illicit items. This includes prisons where visits may be held on units, during 'family days' and/or include overnight stays for mothers and families as per the Pregnancy, MBUs and Maternal Separation in Women's Prisons Policy Framework.

4.8.3 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 and must be informed of the responses and consequences of such actions. See Template Notice – Criminal Acts of Conveyance (Annex C) and Template Notice – Consequences of Conveyance (Annex D). Governors must ensure that secure facilities are provided for visitors to store any items not permitted to enter the prison for the duration of the visit.

4.8.4 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 Searching Policy Framework.

4.8.5 Legal advisers are permitted to convey certain I.T equipment into prisons. Only if there is a reasonable belief that this equipment is not for legitimate legal use, further restrictions are to be put in place. If there is a reasonable belief, and/or restrictions put in place, an IR must be submitted to record this. See Guidance on IT Equipment Authorisation for Official Visitors (Annex S).

4.8.6 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). Further information can be found in the Management of Security at Visits Policy Framework (Open Prisons).

4.8.7 Governors 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.

4.8.8 The conveyance and/or possession of List A items into a prison must be reported to the police for investigation in line with the Crime in Prison Referral Agreement.

4.9   Conveyance of Medication

4.9.1 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 if 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; and,
  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.

4.9.2 The Head of Healthcare, Head of Security and lead pharmacist are required to work 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 prisons with 24hr healthcare compared to those with healthcare throughout the core day only.

4.9.3 The LSS must set out a secure method of conveying drugs to areas and residential units which includes the method of dispensing them safely. Consideration must be given to:
- Times of day.
- Routes to be taken.
- Secure storage carriers.

4.9.4 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.

4.9.5   The prison pharmacist must comply with the requirements of Healthcare for offenders.

4.10   Referral of Offences to the Police

4.10.1 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. Serious offences must always be referred to the police for consideration for prosecution.

4.10.2 The Crime in Prison Referral Agreement provides guidance on cases which must be referred to the police for prosecution and Crown Prosecution Service (CPS) to pursue such prosecutions.

4.10.3 Prisons must take every opportunity to highlight to the police and CPS the damage caused to prisons and society by the presence of illicit items within their prison and press for a firmer line on referral for prosecution. See Management and Handling of Evidence Policy Framework for impact statements. Prisons have discretion to refer other conveyance item offences if there is a local agreement to do so or are other aggravating factors.

5.   <u>Constraints</u>

Interdependencies

5.1   There are dependencies between this Policy Framework and the following policy documents:
- Authorised Communications Controls and Interception Policy Framework
- Covert Testing Policy Framework (to be published)
- Counter Corruption and Reporting Wrongdoing Policy Framework
- Early Days in Custody
- Crime in Prison Referral Agreement
- Handling Mobile Phone Policy Framework (to be published)
- Health and Safety Arrangements: Management of Workplace Transport Policy Framework
- Incident Management Policy Framework (Restricted)
- Intelligence collection, management and dissemination in prisons and probation.
- Management and Handling of Evidence Policy Framework
- Management of Internal Security Procedures Policy Framework (Open Prisons)
- Management of Security at Visits Policy Framework (Open Prisons)
- Managing prisoner safety in custody: Safety Policy Framework
- Managing the Local Security Strategy Policy Framework
- Pregnancy, MBUs and maternal separation in women's prisons Policy Framework
- Prison Adjudication Policy Framework
- Prisoner Communications Policy: PSI 49/2011
- Prison Dogs Policy Framework
- Public Protection Manual
- Records Information Management Policy: PSI 04/2018
- Searching Policy Framework
- Security vetting: additional risk criteria for ex-offenders, PI 23/2014, PSI 27/2014
- Security vetting: PSI 07/2014, PI 03/2014
- Serious and Organised Crime Policy Framework
- Use of CCTV (Overt Closed-Circuit Television system) Policy Framework
- Use of drug trace detection equipment in prisons Policy Framework.

Data Protection

5.2   Any information relating to an identified or identifiable living individual recorded as a consequence of this Policy 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.

5.3   A full Data Protection Impact Assessment has been completed in support of this Policy Framework.

Freedom of Information Act 2000

5.4   This document has been assessed as OFFICIAL and therefore suitable for public release. A number of supporting tools and linked policies have been marked as OFFICIAL-SENSITIVE and will not be available for public release.

Diversity and Inclusion

5.5   When communicating to staff, prisoners or visitors, prisons are expected to ensure that briefing documents and information is available in a variety of formats including easy read, braille, voice, and other languages.

5.6   Actions taken because 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.

5.7   A full Equality Analysis has been completed in support of this Policy Framework.

Safety

5.8   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. See Support Links for Staff, Prisoners and Visitors (Annex V). 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.

5.9   A prisoner who has been found in possession of illicit items as part of conveyance procedures set out within this Policy Framework may subsequently find themselves in debt. There are several 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. Governors can use the HM Prison Service - Debt-Framework to help manage debt.

Review

5.10   This Policy Framework and supporting impact assessments will be subject to ongoing review, responding to emerging changes and learning.

6.   Guidance

The Guidance and supporting annexes work alongside the Policy Framework to assist open prisons in managing the risk of conveyance and implementing the Requirements set out in Section 4.

6.1   Management of Conveyance General

Rehabilitative Culture

6.1.1   A rehabilitative culture is one where all the aspects of a prison culture support rehabilitation and contribute to a prison being safe, decent, hopeful, and supportive of change, progression and stopping offending. The application of security processes as outlined in this Policy Framework should complement and underpin such a culture to ensure effective outcomes.

6.1.2   Traditional definitions of security are narrow and traditionally based on the prevention and detection of conveyance threats, 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.

6.1.3   Procedural Justice (PJ) is one of the foundational features of a rehabilitative prison. Evidence shows that when people feel treated in procedurally just ways through Voice, Neutrality, Respect, and Trustworthy Motives, it contributes to a host of better outcomes, including well-being, rehabilitation/reduced recidivism, safety, and stability. Examples of how PJ can be considered in areas of conveyance and responding mitigations (i.e., visits, searching activities) can be accessed in the Security-and-Rehabilitative-Culture-Sourcebook. Further information on PJ can be accessed via Procedural justice.

Local Assessments

6.1.4   An evidence-based, prison wide, holistic approach should be used to identify, determine and justify mitigating measures to the threat and risk of conveyance in individual prisons. See Local Security Strategy Policy Framework for further information.

6.1.5   Governors may also choose to develop additional risk assessments to guide a local response to a potential risk that is unique to the prison.

Assurance

6.1.6   Assurance provides prisons with confidence that procedures are consistent and in accordance with policy. A good assurance process will provide confidence that security procedures are compliant with legislation and prisons LSS. See Covert Testing Policy Framework (to be published).

Notifications and Communications

6.1.7   Signage and information on the rights of access can be provided by the RiskandCapabilitiesUnit@justice.gov.uk. These can support prisons in managing the risk of content creators and auditors.

Reporting and Evidence Management

6.1.8 Any finds should be recorded on the IRS under the relevant heading or under the miscellaneous heading. An IR should also be submitted as per the Intelligence Collection, Management and Dissemination Policy Framework. All reports should include details of the illicit item/substance (if known) and location found. See Incident Management Policy Framework (Restricted) for further information.

6.1.9 An IR 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.

6.1.10 Digital evidence such as mobile phones, SIM cards and items that have been used to access the internet should be considered for download via the Digital Media Investigation Unit (DMIU) by contacting dmiuforensics@justice.gov.uk.

6.1.11 Illicit items need to be secured as evidence in line with Management and Handling of Evidence Policy Framework which provides information on seizing evidence, exhibiting evidence, Health & Safety considerations.

6.1.11 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 IR should also be considered for an unexplained indication by a technical aid.

Support

6.1.13 There are several policies and processes that can help support staff, prisoners, and visitors. These should be considered when taking measures to reduce risks should an individual become vulnerable to conveyance. See Support Links for Staff, Prisoners and Visitors (Annex V).

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's no need for 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.

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 for conveyance of items – Central and Local

6.2.8 The Prison Act prohibits certain items, referred to as List A, B and C items from being taken into or out of prison 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, 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 within the List A, B and C include:
- 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).

6.2.10 Items listed as A and B items require authorisation from the Secretary of State, PGD and/or Governing Governor when they are conveyed into and out of a prison.

6.2.11 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 where an authorisation is always required.

Central authorisations

6.2.12 Central authorisations are national authorisations that are automatically in place and do not require local approval. Guidance Table on Central/Local Authorisations (Annex E) provides examples of when a central authorisation is required or when an item can be approved locally.

6.2.13 All wearable technology requires a central authorisation under Section 40D and 40E of the Prison Act. They are classed as List B item and due to their functionality, smart watches are prohibited in prison unless prior authorisation is granted. A central authorisation will only be considered in exceptional medical circumstances where supporting medical documentation is supplied.

6.2.14 Although not a requirement, Governors may still request the submission of a local authorisation form for any items that have central authorisations in place. This could be to ensure prisons maintain local oversight of the items being conveyed.

Local authorisations

6.2.15 Prisons can issue local authorisations in certain circumstances although individual written authorisations are not needed in the situations described in Guidance 6.2 Criminal Liability.

6.2.16 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 considered by Governors or by agreement from the PGD can be documented on a local form (see Template Form - Local Authorisation of Items Annex B) with the process set out in the LSS.

6.2.17 Examples of when local authorisations would be appropriate in relation to List A, B or C items could be:
- 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 prison for prisoners for example during a religious celebration.

- Conveyance and possession of a kirpan (see Guidance on Authorisation for the Kirpan Annex F).

Local restrictions/Local lists

6.2.18 Local restrictions are local lists that include all list A, B and 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.

6.2.19 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 local lists might be:
- Restricting the amount of certain list C items conveyed in to ensure searching measures are quick and effective. Examples of local restrictions are limiting the bringing in of more than a certain quantity money, drink or food etc.
- Introduction of paper-free policy for staff entering the prison 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 professional visitors working at open prisons. If open prisons do <u>not</u> wish that 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 prison.
- Restricting the number of bags individuals can bring in daily or implement a clear bag policy.
- Restricting on aerosols, tobacco, vape liquid, chewing gum and other items that could pose a security risk.
- 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 they were 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.

6.2.20 It is 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

6.2.21 The following considerations can mitigate risks of issuing mobile phones to prisoners and prisoner drivers:
- 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 will be directly imposed against those who abuse the trust extended to them on ROTL. Where prisons suspect that a prison issued phone has been misused, following seizure and preservation of evidence they should contact the Digital Media Investigation Unit (DMIU) by contacting dmiuforensics@justice.gov.uk for the forensic analysis of the mobile phone. Prisoners' personal mobile phones should not be routinely seized by the prison. The prison should have justification for any phones which are seized. This could include the belief that it has been used to commit a criminal offence or other misuse. In such instances the device should be sent to either DMIU or the police, as required. All submissions from prisons to DMIU must lay out the justification and demonstrate proportionality.
- 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.
- 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 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.

6.2.22 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   Guidance on Managing Conveyance via the Gate

Vehicle entering

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

6.3.2   Managing Vehicle Gate Procedures (Annex H) includes key responsibilities of gate staff, helpful tips, and minimum requirements. It can be used for staff who are new to the vehicle gate, or as a reminder for more experienced staff.

6.3.3   Guidance for Managers on Managing Deliveries (Annex J) includes key responsibilities, helpful tips, and minimum requirements that all managers who oversee vehicle gate processes must ensure the vehicle gate follows.

6.3.4   See Security Risk & Capability Learning Hub for more information and resources on conveyance via deliveries.

Vehicle searching and supervision

6.3.5   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.

6.3.6 Dogs can also be used to assist in the searching of a vehicle or its contents, see Prison Dogs Policy Framework for information.

6.3.7 Communication of the searching process and prohibited items should be in verbal, written, and pictorial form wherever possible. This will ensure that all people entering the prison 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.

6.3.8 Once the vehicle has arrived at the gate/barrier entrance, staff should move the driver and any passengers away from the vehicle and conduct the level of search (where required) outlined in the LSS. See Searching Policy Framework.

6.3.9 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.

6.3.10 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.

6.3.11 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.

6.3.12 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).

6.3.13 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.

6.3.14 On discovery of any item and provided the driver has previously been advised on entry of the articles not permitted into a prison, an informal warning should be given as a minimum and an IR submitted by staff.

6.3.15 Search staff should seek guidance from a manager on every occasion an illicit item is discovered.

Vehicle movement

6.3.16 All staff working in the gate and where required to escort 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 prison and the areas in the prison to which those they are escorting are permitted access.
- Be aware of local contingency plans.
- Be proficient in the use of the prisons radio net and any technical aids or equipment associated with the escorting role.
- Be aware of the security and safety requirements of the prison and of any vehicles that require escorting.

- When required, move vehicles to and from required destinations in a timely manner to meet the published local regime and requirements of other services.

Emergency vehicles

6.3.17 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 Operational Response and Resilient Unit (ORRU) staff vehicles & responding tornado staff. In some cases, emergency vehicles will also be allowed to leave the prison without the need for a search of the vehicle to take place.

6.3.18 Procedures that would normally apply to vehicles entering a prison may be suspended for responding ambulances. In most cases emergency vehicles will be given immediate access into the prison (see Quick Reference Guide - Emergency Vehicles Annex G). 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.

Gate staff need to be aware there are central authorisations in place for when ambulances are required to enter the prison:
1. There is a central authorisation which approves for the conveyance into the prison 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 prison 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 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.

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

Staff Vetting

6.3.20 Vetting is crucial in the protection against staff corruption. All Directly Employed (DE) and non-Directly Employed (NDE) staff must go through vetting. The Governor maintains ultimate authority in relation to decisions made concerning professional and official visitors only, their level of access to the prison and if normal security vetting checks are merited in cases where visits to the prison are frequent.

6.3.21 Information notices for staff on conveyance and the related provisions of the Prison Act should be displayed in the main gate and in other staffing areas. See Template Notice –

Criminal Acts of Conveyance (Annex C) and Template Notice – Consequences of Conveyance (Annex D).

6.3.22 Staff should also be regularly reminded of the items they are not allowed to bring into the prison and the consequences of breaching these rules. This should be done as part of any induction process, as well as an annual reminder as part of the staff performance process.

6.3.23 There are several measures that can mitigate the risk of staff conveyance via the gate, examples of which may include:
- Robust staff searching as set out in the Searching Policy Framework.
- Before anyone is searched, advising them 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.
- Providing staff, where possible with lockers or other means in which to store prohibited items such as mobile phones within the gate area prior to entry.
- Considering mandating a bag for prison staff to carry their belongings into the prison.
- Processing staff mail in one area alongside all other mail. Where possible, Governors can consider the use of the Trace Detection Equipment and dogs to search this mail.
- Reminding staff regularly of the requirements to disclose vulnerabilities and not just in the induction period.
- Raising awareness of key concerns and support around corruption via security communications. Notices to staff, an effective induction process, corruption awareness training and initial officer training can all be used effectively to mitigate risk.
- Raising staff awareness of the importance of managing media presence given digital capability is increasing within prison and prisoners can access the internet illicitly and view social media which may provide vulnerable personal details.
- Pro-social modelling by all staff, including managers where employees act as a good motivating role model to bring out the best in people.
- Developing a learning culture where mistakes are used as learning and staff are supported when they come forward about being pressured to convey items.
- Effectively managing known and suspected corruptors (prisoners) within prisons to consider activity locations, residential accommodation, and monitoring.
- Regular activity reviews for areas where prisoners (especially OCG) may work closely with staff, e.g., kitchen/café areas.

6.3.24 If a staff member is found with a controlled item i.e., vape liquids or chewing gum, there should be clear guidance on the process to be followed. This could include any or all 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.

6.3.25 Governors are to refer to the Crime in Prison Referral Agreement for guidance on which offences to refer for a criminal investigation.

6.3.26 All finds should be reported on IRS via a Corruption Prevention Intelligence Report (CPIR).

6.3.27 The [Counter Corruption and Reporting Wrongdoing Policy Framework](#) outlines further information and actions.

6.3.28 See Staff Guidance on Reporting Corruption (Annex K) which outlines actions for staff to take if they are asked by a prisoner to bring in illicit items.

Training

6.3.29 Operational Support Grades (OSGs) should attend and complete the two-week foundation OSG training package provided by Learning and Development. A record who has undertaken the training should be held by the prison.

6.4   Guidance on Managing Conveyance via Reception

6.4.1   When assessing the security measures to tackle conveyance, consideration of the layout, staffing and size of the reception area will be required. Technical aids (hardware detection pole) will also need to be considered to address and identify routes of conveyance.

Reception searching

6.4.2   Where reception has been identified as an area of conveyance, as a minimum, Governors should:
- 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 completing an IRS and submit an IR for any item found to ensure intelligence is communicated to future escorting staff and any future prisons.
- Consider prisoner location; this is particularly important in cases where bullying/coercion is a suspected factor in prisoner conveyance.
- Consider adjudication procedures as per [Prison Adjudication Policy Framework](#).

6.4.3   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 see [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 see [Searching Policy Framework](#).
- Searching of person and property - refer to [Searching Policy Framework](#) for specific guidance, technical aids and instructions on searching prisoners and property in reception in all circumstances.

6.4.4   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.

- Use of drug trace equipment.
- 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.

6.4.5 Prisons can use the services of thebigword to ensure that all information in relation to conveyance, searching and use of technical aids is communicated to those who don't speak English.

6.4.6 Receptions in prisons may wish to operate an amnesty process for illicit and unauthorised items for all prisoners arriving in reception. See Reception Amnesty Process (Annex O).

Prisoner property and parcels

6.4.7 Governors 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.

6.4.8 Prisoners' Property Policy Framework sets out situations when Governors may temporarily or permanently confiscate any item found in the possession of a prisoner not authorised to have it. Any items confiscated by the Governor must be handed back upon the prisoner's permanent release.

6.4.9 Illicit items found within prisoner property can be varied, see Illicit Finds via Reception (Annex L). Prisoners may have concealed illicit items and substances in their property in possession and stored property. Concealment can be in radios, clothing, and canteen items. 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 Guidance on Games Consoles (Annex M).

6.4.10 Illicit items and substances normally drugs, SIM cards and tobacco can be 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.

6.4.11 Ad-hoc parcels sent in by associates may contain illicit items, however false excess property parcels are a more common way of illicit items entering the prison. This occurs when a prisoner is transferred to another prison 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 prison. False parcels are often constructed in a similar way to legitimate parcels to prevent detection.

6.4.12 Where it has been identified through intelligence that false excess property parcels are being used to convey illicit items, Governors are to ensure that all excess property packages purported to have been sent on by another prison are searched fully, even in respect of stored property. Refer to Searching Policy Framework for the process of searching property parcels, supporting tools and False Property Parcels (Annex N) for further information.

6.4.13 Prisons can utilise the use of drug trace equipment within reception areas for suspected presence of illicit substances and the drug seizures contract. See Use of drug trace detection equipment in prisons Policy Framework.

Prisoners at risk of conveyance and/or found to be conveying

6.4.14 The LSS should include local processes on managing prisoners at risk of conveyance and/or found to be conveying illicit items into the prison, this may include the use of dry cells in some prisons.

6.4.15 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 consider the requirements outlined in Prevention of Escape: External Escorts Policy Framework.

Assessing a prisoner's risk of conveyance

6.4.16 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.

6.4.17 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.

Be aware that risks and ways of checking the risks may be different for a prisoner on initial (including repeat) reception, and prisoners being transferred from another prison.

6.4.18 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.
- Digital Prison Service (DPS) – this can be checked for adjudications relating to conveyance and can be done before the prisoner arrives.
- Communication – the prisoner may be known to colleagues at the receiving prison, the transferring prison, or by escort staff as posing this risk.
- Security and intelligence - the Security Department 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 Offender Management Unit (OMU) department should circulate details of transfers to several areas within the prison to include Safer Custody, Security and 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

6.4.19 The following actions should be taken:
- Any intelligence updated onto the PER, prisoner's NOMIS and an IR submitted. This ensures that the incident is communicated to all escort staff and any future prisons.
- The prisoner may be offered amnesty upon entering reception if the prison operates this process.
- Staff should interview prisoners who may be under threat to convey illicit items into the prison to ensure the appropriate support is put in place.

- The prisoner should be full searched if not already routinely done so, using technical aids where applicable.
- The prisoner's property should be fully searched and held back if required for this process (the prisoner can be offered 48hrs of initial kit). Searching of the property should be detailed, 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.

6.5 Guidance on Managing Conveyance via Correspondence

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 prison, personal identification documents
Terrorist risk	Books, articles, letters, posters, artwork
Sexual/ Child Sexual Abuse & Exploitation offences	Explicit Pornographic material

Correspondence searching

6.5.1 Searching of correspondence is essential in the prevention of the conveyance of illicit items into a prison. Measures 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 trace detection equipment).
- Monitor the situation (attempt to identify associated intelligence gaps for targeted intervention).
- Trace detection equipment used for all mail as a deterrent.
- All mail subject to a dog search as a deterrent.
- Targeted mail monitoring (risk of increased bullying of the vulnerable to receive mail).
- Photocopying social prisoner mail.
- Use of trace detection equipment on all legal mail and percentage triangulation with legal companies in line with the Use of drug trace detection equipment in prisons Policy Framework.
- Implementing a register/log for recoding incoming staff mail.
- X-ray machine to identify items hidden inside (SIM cards for example).

6.5.2 Policy requirement 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 Controls and Interception Policy Framework.

6.5.3 The authority to photocopy mail can be found in Authorised Communications Controls and Interception Policy Framework.

6.5.4 Prisons are to refer to Public Protection Manual for those prisoners that are subjected to restrictions and information on banned material that applies to all prisoners.

Visually suspicious correspondence (legal and confidential)

6.5.5   Some legal and confidential mail may appear visually suspicious, therefore prior to testing the correspondence the mail staff should, in addition to the above:
- Check postal marks/franking stamps to see if these are old and inconsistent with the receipt of the letter.
- 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 they are named on the envelope.
- Ensure post room staff have up to date intelligence about known current threats in the prison regarding legal and confidential mail, intelligence gaps to fill and are passing any information that may be useful via an IR.

6.5.6   See Guidance on Suspicious Correspondence & False R39 (Annex P).

6.5.7   Prisons should consider the use of a unique reference number (URN) to support legal companies and the prison on addressing the current threat. For further guidance 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 Prisoner Communication Services: PSI 49/2011.

Suspicious correspondence in prisoner possession

6.5.8   There will be occasions when prisoner correspondence enters the prison and is observed during an accommodation fabric and decency check, cell search or in reception and thought to be suspicious. There are several 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.

6.5.9   If it is suspected a prisoner is conveying items via correspondence, the prison should report suspicions to security via an IR, inform the orderly officer and request a cell search to be carried out and consider the use of search dogs, use of trace detection equipment and use of seizures contract. See Searching of Cells for Illicit Correspondence (Annex Q).

6.6   Guidance on Managing Conveyance via the Perimeter

6.6.1   See Control Measures Against Conveyance via Perimeter (Annex R) for examples of actions that can be taken to mitigate the risks of conveyance via the perimeter.

Control/Communications rooms

6.6.2   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.

6.6.3 Staff working in the communications room should complete as a minimum: CRFE: Control Room for Future Operatives eLearning (mydevelopment.org.uk) and the face-to-face Prison Radio Control Room Procedures course. The eLearning is a pre-requisite for the face-to-face course.

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

Incident management

6.6.5 Governors should consider set terminology for radio use to alert all staff to a possible perimeter breach.

6.6.6 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.

6.6.7 Communications and control room 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.

External activity areas

6.6.8 Governors 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.

Drone activity

6.6.9 Drones are a growing threat which are used to convey illicit items into prison and can be a significant security risk. Drones are used by criminals, including those involved in Serious and Organised Crime (SOC), to deliver contraband into prisons. Drones can carry large payloads of contraband which can cause sudden deteriorations in the safety and security of prisons. New legislation came into effect on the 25th January 2024 making it an offence to pilot a drone within the vicinity of Prisons and Young Offender Institutions without an exemption. Guidance can be found at - Drone Restricted Airspace around Prisons & Young Offender Institutions in England and Wales - GOV.UK (www.gov.uk).

6.6.10 It is an offence under 40D of the Prison Act 1952 for a person who, without authorisation takes a photograph, or makes a sound-recording, inside a prison, this includes images taken by drones.

6.7 Guidance on Managing Conveyance via Visits

6.7.1 The consequences of conveyance and the criminal offence that may be committed by the conveyance of illicit items into 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 (List, A, B and C Annex A). See also Management of Security at Visits Policy Framework (Open Prisons) for further information.

Approved conveyance

6.7.2 A central authorisation is in place for the approved conveyance and use of IT and other equipment by official visitors. See Guidance on IT Equipment Authorisation for Official Visitors (Annex S). 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.

Tackling conveyance of illicit items

6.7.3 There are several ways visitors may convey items to prisoners during visits. Refer to the Management of Security at Visits Policy Framework (Open Prisons) for further guidance.

6.7.4 There is a promising practice learning guide on managing visits and preventing conveyance which can be accessed here Security Risk & Capability Learning Hub - Domestic Visits Promising Practice Learning Guide.

6.7.5 Staff should be fully aware of the risks associated with conveyance via visits and the measures required to tackle this. Managing a Pass on Visits (Annex T) provides a quick reference guide on how to manage a pass on visits. Tackling Conveyance via Visits (Annex U) provides information on best practice, risk areas and how to identify conveyance.

6.7.6 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. See the Searching Policy Framework for searching instructions and use of technical aids.
- Search prisoners upon leaving the visits area. Prisons 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 can 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 laptop computers.
- Consider a contactless payment option in the visit's canteen. restricting the use of cash.

- Submit IRs 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.

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

6.7.8 The member of staff in charge of visits 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).

6.7.9 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.

6.7.10 Governors should ensure that all staff are clear on the agreed process for breaching any local policy during a visit. 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.

6.7.11 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. See Searching Policy Framework.

Assurance

6.7.12 Preventing conveyance via visit 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.

7. **Annexes**

7.1   Official Sensitive annexes can be accessed here National Security Framework (NSF).

Annex A	List A, B and C Items
Annex B	OFFICIAL-SENSITIVE - Template Form - Local Authorisation of Items
Annex C	Template Notice – Criminal Acts of Conveyance
Annex D	Template Notice – Consequences of Conveyance
Annex E	OFFICIAL-SENSITIVE - Guidance Table on Central/Local Authorisations
Annex F	OFFICIAL-SENSITIVE - Guidance on Authorisation for the Kirpan
Annex G	OFFICIAL-SENSITIVE - Quick Reference Guide – Emergency Vehicles
Annex H	OFFICIAL-SENSITIVE - Managing Vehicle Gate Procedures
Annex I	OFFICIAL-SENSITIVE - Guidance on Workshop Deliveries
Annex J	OFFICIAL-SENSITIVE - Guidance for Managers on Managing Deliveries
Annex K	OFFICIAL-SENSITIVE - Staff Guidance on Reporting Corruption
Annex L	OFFICIAL-SENSITIVE - Illicit Finds via Reception
Annex M	OFFICIAL-SENSITIVE - Guidance on Games Consoles
Annex N	OFFICIAL-SENSITIVE - False Property Parcels
Annex O	OFFICIAL-SENSITIVE - Reception Amnesty Process
Annex P	OFFICIAL-SENSITIVE - Guidance on Suspicious Correspondence and False R39
Annex Q	OFFICIAL-SENSITIVE - Quick Reference Guide - Searching of Cells for Illicit Correspondence
Annex R	OFFICIAL-SENSITIVE - Control Measures against Conveyance via Perimeter
Annex S	OFFICIAL-SENSITIVE - Guidance on IT Equipment Authorisation for Official Visitors
Annex T	OFFICIAL-SENSITIVE - Managing a Pass on Visits
Annex U	OFFICIAL-SENSITIVE - Tackling Conveyance via Visits
Annex V	OFFICIAL-SENSITIVE - Support links for Staff, Prisoners and Visitors