



Ministry
of Justice

Official



HM Prison &
Probation Service

Policy name: Prison Public Protection Policy Framework

Reference: N/A

Re-issue Date: 11 August 2026

Implementation Date: 4th May 2025*

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

Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled: PSI 18/2016 Public Protection Manual

Introduces amendments to the following documents: N/A

Action required by:

x	HMPPS HQ	x	Governors
x	Public Sector Prisons	x	Heads of Group
x	Contracted Prisons	x	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 identified above must adhere to the Requirements Section of this Policy Framework, which contains all mandatory actions.

For Information: By the implementation date, Governors¹ of Public Sector Prisons and Contracted Prisons must ensure that their prisons are compliant with this Policy Framework.

Governors must ensure that any new local policies which they develop arising from this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

Section 7 of the Policy Framework contains guidance to implement the mandatory requirements set out in section 6 of this Policy Framework. The policy requirements indicate where prisons must follow the processes outlined in the guidance section; any questions as to when it might be permissible or appropriate to depart from the guidance may be sent to the contact details below.

Any reference to 'governor' in this Policy Framework includes any director of a contract managed prison and any reference to 'Prison Group Director' (PGD) means the Head of Prison Contract Group in the Directorate of Contracted Operational Delivery in the case of any contract managed prison.

¹ In this document the term governor also applies to Directors of Contracted Prisons.

How will this Policy Framework be audited or monitored:

In public prisons and Young Offender Institutions (YOIs) PGDs will monitor compliance with requirements set out within the Policy Framework in their prisons. In contracted prisons and YOIs monitoring of compliance will be through the standard contract management processes.

Mandatory elements of this Policy Framework should be subject to local management checks and may be subject to self or peer audit by operational line management/HQ managers, as judged to be appropriate by the managers with responsibility for delivery.

Some mandatory elements of this Policy Framework will be subject to quality assurance checks by HMPPS Performance, Assurance and Risk (PAR) team through the Security Audit.

Associated Documents:

- HMPPS Child Safeguarding Policy Framework
- HMPPS Domestic abuse Policy Framework
- Statutory MAPPA Guidance
- HMPPS ViSOR Policy Framework
- HMPPS Risk of Serious Harm (ROSH) Guidance 2022
- Probation service management of MAPPA level 1 cases Policy Framework
- HMPPS Pre-Release and Resettlement Policy Framework
- Pregnancy, Mother and Baby Units, and Maternal Separation from Children up to the Age of Two in Women's Prisons Policy Framework
- Information Security Policy Framework
- Information Sharing Policy Framework
- Women's Policy Framework
- Women's Estate Case Advice and Support Panel (WECASP) Policy Framework
- Managing Extremism and Terrorism Amongst Offenders in Custody and the Community Policy Framework
- Victim Contact Scheme Policy Framework
- Prisoner communications policy: PSI 49/2011
- Interception, Monitoring and Security of Prisoner Communications Policy Framework
- Social Video Calling Policy Framework
- Strengthening Prisoners' Family Ties Policy Framework
- HMPPS National Partnership Framework with Faith Based Communities
- HMPPS National Partnerships Strategy Policy Framework
- Manage the custodial sentence Policy Framework
- Release on temporary licence Policy Framework
- Intelligence Collection, Analysis and Management Policy Framework
- Intelligence Sharing Policy Framework
- Serious and organised crime policy framework
- Adjudications Policy Framework.
- Prisoners' Property Policy Framework
- Prisoner complaints policy framework
- Management of security at visits Policy Framework: Closed estate
- Management of security at visits Policy Framework: Open estate
- Person Escort Record Policy Framework
- PSI 07/2015 Early days in custody
- PSI 72/2011 Discharge Policy
- PSI 16/2011 Providing Visits and Services to Visitors

Resource Impact:

Operating public protection controls and restrictions within prisons is already an expectation as set out in Public Protection Manual PSI 18/2016, which is being withdrawn and replaced by this Policy Framework. The responsibilities for Prison Offender Managers (POMs) are in line with Offender Management in Custody (OMiC) Framework. The Workforce Modelling team has compared this Policy Framework to the existing Public Protection Manual PSI 18/2016, there is likely to be no additional resource required associated with the new processes and templates. In the medium to long term, consistency across the Estate should ease resource pressures for staff, allowing them to direct their time to ensuring public protection policy is applied accurately and to the desired quality. The Public Protection Policy Lead in Public Protection Policy Group will continue to work with the National OMiC Team and Workforce Delivery Project to review the current resource allocation for public protection work provided for Prison Offender Managers and Case Administrators within the Offender Management Unit.

Contact: Prisonpublicprotectionpolicy@justice.gov.uk

Deputy/Group Director sign-off: Gordon Davison, Public Protection Group Director

Approved by OPS for publication: Alison Clarke and Nick Poyntz, Joint Chairs, Operational Policy Sub-board, September 2024.

Revisions

Date	Changes
31 July 2025	References to the Intelligence Sharing Policy Framework added.
11 August 2026	Updated to reference the Interception, Monitoring and Security of Prisoner Communications Policy Framework.

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1. **Purpose**

- 1.1 This Policy Framework (PF) sets out how His Majesty's Prison and Probation Service (HMPPS) will deliver on its responsibility to implement controls and restrictions to protect the public during the custodial term of an individual's sentence and through to release into the community. It provides operational staff and strategic leads with:
- a summary of their responsibilities relating to Public Protection controls and restrictions including all mandatory actions;
 - clear guidance as to the legal basis upon which controls can be put in place, to ensure compliance with the following:
 - Prison Rule 34 – permits the restriction of communications;
 - Prison Rule 35 – relating to personal letters and visits;
 - Prison Rule 43 – permits governors to confiscate any unauthorised article found in the possession of a prisoner;
 - Prison Rule 73 – permits governors to prohibit visits by a person to a prison or prisoner, in certain circumstances;
 - Young Offenders Institution (YOI) Rules (9-15): Parallels prison rules 34, 35, for young offenders; and
 - Human Rights Act 1998 and the European Convention on Human Rights;
 - detailed guidance in [Section 7](#) on public protection processes and expected practice with links to all the relevant annexes referred to in this Policy Framework.
- 1.2 This Policy Framework applies to public sector prisons, the Youth Custody Service (YCS) and privately-managed prisons; including,
- all permanent and temporary employees and contractors;
 - the Probation Service, particularly staff who are completing assessments on prisoners who should have an awareness of public protection controls and restrictions in prisons.
- 1.3 Prisons need to consider measures to protect the public at all stages of a prisoner's time in custody and as they progress through reception, training and resettlement prisons, and in the Open Estate.
- Reception prisons have an important role in identifying initial public protection concerns and applying measures to protect the public.
 - Training prisons will implement and monitor public protection measures throughout the sentence and need to be alert to any new or emerging risks.
 - Resettlement and open prisons will have a greater focus on preparing for release and ensuring they share all relevant information with the practitioners who will be managing prisoners once they are released.
- The prisons in the YCS and Women's Estate serve each of these functions; staff in these prisons should focus on each of these stages' dependant on length of sentence and progress.

2. **Evidence**

- 2.1 Prisons serve to protect the public which is one of HMPPS's primary objectives; however, prisoners are able to commit further crime(s) and victimise members of the public from within prisons. Whilst we must encourage prisoners to maintain contact with the outside world, there are some contacts that need to be monitored and restricted in order to continue to protect the public. There is some research into the harm prisoners cause from within prisons in the context of organised crime; however, there is a gap when assessing the harm

caused by prisoners continuing to have contact with children which could be harmful or continuing to perpetrate domestic abuse or harassment.

- 2.2 Information sharing is critical to how prisons deliver on their public protection responsibilities. The 2020 Jonathan Hall, QC, MAPPA TACT Review, the HM Inspectorate of Probation Independent review of the case of Joseph McCann and the HM Inspectorate of Probation Independent review of Jordan McSweeney have highlighted the need for greater information sharing between agencies and each have made several recommendations; including, a requirement for *prisons to share all relevant information, including from prison security departments and records of prison behaviour with probation offender managers in prison and in the community to assist with parole reports and recommendations and with planning for release*².
- 2.3 In 2022 there was a joint thematic inspection of Multi-Agency Public Protection Arrangements (MAPPA). This report highlighted a need to improve the understanding of MAPPA in prisons beyond the Offender Management Units to address the gaps in the information supplied by wing staff and security departments. The report recommended *the application of public protection processes in prison, including the monitoring of communications, should be robust to enable defensible decisions to be made about the management of prisoners under MAPPA*. The report also comments on the importance of leadership, accurate identification and recording of MAPPA cases and information sharing during the pre-release phase including the prison's role in contributing to setting the MAPPA management level.

3 Context

- 3.1 HMPPS is responsible for keeping prisoners and staff safe within each prison, taking steps to support the rehabilitation of offenders and to support their risk management on release. Prisons are responsible for managing the risk prisoners may pose beyond the prison environment while they are in custody. Prisons must work with Criminal Justice System (CJS) agencies such as Police and the Probation Service (PS), as well as local authorities (children and adults Social Care) and community providers such as Housing Associations or Voluntary and Community Sector Providers to identify and manage risk. The Prison Service is one of the three agencies that form the MAPPA (Multi-Agency Public Protection Arrangements) Responsible Authority and has a critical role to play in the management of MAPPA offenders at all levels. Individuals managed at MAPPA Levels 2 and 3 make up a small proportion of the entire MAPPA cohort³; at approximately 2.5% of the prison population⁴ these are the critical few, so it is vital that prisons prioritise this area of work. Providing information to those agencies who will manage the prisoner on release during an individual's prison sentence, and prior to release is essential to ensure public safety and confidence in the CJS.
- 3.2 This Policy Framework uses terminology that aligns with the Offender Management in Custody (OMiC) framework, it refers to;

² [HM Inspectorate of Probation Independent review of the case of Joseph McCann](#)

³ [2% on March 2023 MAPPA Annual Report 2022.pdf](#)

⁴ This is an approximate calculation based on the prison population in August 2023 and the number of MAPPA level 2 and 3 cases recorded on NOMIS.

- Prison Offender Managers (POMs) who can be Probation Practitioners or Prison staff working in the prisons Offender Management Unit (OMU);
- Community Offender Managers (COMs) who are Probation Practitioners in the community;
- Heads of Offender Management Services (HOMS) who are prison service OMU managers;
- Heads of Offender Management Delivery (HOMD) who are Senior Probation Officers;
- OMU Case Administrators (CAs) who contribute to public protection work in prisons;
- OMU managers where there is joint responsibility as outlined in the [OMiC Overview of Roles & Responsibilities between the HOMD & the HOMS document on EQuiP](#).

- 3.3 The OMU co-ordinates public protection work and has a central role in risk management during a prisoner's sentence; however, all HMPPS prison staff have a public protection responsibility and contribute to the risk assessment and management of each prisoner. POMs will take a primary role with others such as keyworkers, workplace supervisors, and education staff having an important supporting role. All staff should understand the importance of professional curiosity⁵ which is about staff taking an investigative approach, looking, listening, and questioning, verifying information rather than making assumptions or accepting things at face value.
- 3.4 The Youth Custody Service (YCS) operate under different arrangements to the adult prison service and uses different language. Public protection work is coordinated by the Resettlement Teams and the staff working with children throughout their sentence and planning for release are resettlement practitioners. In Secure Training Centres (STCs), Secure Children Homes (SCHs) and Secure Schools they are Caseworkers; these sites also use different case recording systems to NOMIS/DPS. Where this Policy Framework refers to;
- the prisoner, the YCS will refer to the child in their care;
 - the POM; the YCS will refer to resettlement practitioners or caseworkers,
 - the COM; the YCS will refer to the Youth Justice Service (YJS) case manager,
 - OMU managers (HOMD or HOMS); the YCS will apply to head of resettlement.
- The OMiC framework does not apply to the YCS. The [Safeguarding and child protection in the children and young people secure estate policy framework](#) and [PSI 08/2012: Care and Management of Young People](#) set out additional requirements which apply specifically to children in prison.
- 3.5 This Policy Framework refers to 'public protection controls and restrictions' which includes restricting contact and monitoring communications. These are the restrictive measures the prison can impose to manage specific risks to the public. The OMU will undertake a range of activities to support these measures, including screenings and risk assessments, checking PIN contacts, information sharing, discussion at the IRMM, accurate recording and issuing notification forms.
- 3.6 Public protection is central to all of the work within HMPPS. One policy framework cannot contain all the information that HMPPS staff need to effectively protect the public. This policy framework streamlines the previous Public Protection Manual (PSI 18/2016) by providing;

⁵ [Putting professional curiosity into practice: HM Inspectorate of Probation Academic Insights July 2022](#)

- the mandatory requirements prisons need to comply with to implement public protection controls and restrictions;
- a detailed [guidance section](#) for practitioners and managers delivering these requirements;
- signposts to other relevant policy and guidance.

3.7 It is important that staff involved with managing public protection in prisons are aware of wider policy and guidance; this provides the context and detailed information on a particular risk or offending area. For example, to assess and manage effectively the risk a prisoner may pose to children, prison staff will need to understand the restrictions available as outlined in this Policy Framework, and the wider context contained in the [HMPPS Child Safeguarding Policy Framework](#). Depending on the nature of the offence and risk assessment, other policy and guidance documents will be relevant and important to managing the prisoner's risk, such as the [Domestic Abuse Policy Framework](#) and [The HMPPS Approach to the Management and Rehabilitation of People Convicted of Sexual Offences](#).

3.8 This Policy Framework replaces the Public Protection Manual (PPM) PSI 18/2016; some of the previous PPM chapters are not included as information and mandatory requirements are covered in existing policies and guidance documents. This Policy Framework streamlines other chapters including mandatory actions and directs the reader to the relevant associated guidance. The table below lists those chapters not included in this Policy Framework and provides links to the existing policy or guidance:

PPM Chapter not included in this Policy Framework:	Links to relevant policy and guidance:
Chapter 1 Risk of harm	HMPPS risk of serious harm guidance 2022
Chapter 3 ViSOR	HMPPS ViSOR Policy Framework
Chapter 4 Disclosure and Barring Service (DBS): the barred lists	PSI 05/2014 Checking the barred status of prisoners
Chapter 5a Safeguarding and promoting the welfare of children	HMPPS Child Safeguarding Policy Framework
Chapter 9 Foreign National Offenders	PSI 52/2011 Immigration, Repatriation and Removal Services Foreign National Offenders on Licence, PSS and IS91 Policy Framework

Access to prison public protection resources via EQuIP and the MAPPA Website

3.8 Guidance associated with the mandatory requirements set out in this Policy Framework, and an outline of processes can be found on [EQuiP](#). EQuiP licences are automatically available to all probation staff and prison staff delivering OMiC. To request an account, please use the [NewUserAdditionsALLSTAFF - Power Apps](#). Staff in the YCS cannot access EQuiP but can access annexes and copies of the public protection process maps via the MAPPA website (see below).

- 3.9 The [Prison Public Protection Community on the MAPPA website](#) is a dedicated resource for all prison staff who work within public protection. This is a non-public facing private space; professionals can register with their work email and choose the 'Prison Public Protection' tab under 'my communities' and request to join.
- 3.10 The [guidance section in this Policy Framework](#) will direct readers to the relevant EQuiP and MAPPA website links in the table of annexes provided at the end of the guidance section.

4 **Outcomes**

4.1 This Policy Framework aims to ensure that:

- practitioners take all reasonable steps to protect the public during the custodial sentence;
- prisoners who pose a risk of serious harm are correctly identified and subject to necessary and proportionate restrictions; and,
- information sharing and partnership working, both internally between prison departments, and with community Probation Services, Youth Justice Service (YJS), and other agencies as required is effective.

To achieve this, Managers will need to prioritise and promote the rollout and implementation of this Policy Framework appropriately through different levels of the organisation, and support practitioners to deliver the measures it sets out.

4.2 This Policy Framework sets out clear expectations to ensure prisons are aware of the mandatory procedures designed to protect the public including:

- Identifying prisoners who need to be managed under specific public protection controls and restrictions to effectively safeguard children and adults;
- multi-agency information sharing, both internally across prison departments and with the Probation Service and Youth Offending Service when preparing for release; and
- the Prison Service's responsibilities under Multi-Agency Public Protection Arrangements (MAPPA).

5 **Equality statement**

5.1 The Equality Act 2010 provides protection from unlawful discrimination in relation to the following characteristics: age, disability, gender reassignment, pregnancy & maternity (which includes breastfeeding), race, religion or belief, sex, marriage and civil partnership, and sexual orientation. HMPPS is committed to eliminating all forms of discrimination, to promoting equality and diversity, and to ensuring equal access to services.

5.2 Public protection controls and restrictions ensure that prisons take action to protect victims of crime and other children and adults who could be harmed by continuing contact from prisoners. Staff must apply restrictions that are lawful, necessary and proportionate, having regard to a prisoner's rights to maintain contact with family and friends whilst serving their prison sentence. Staff working in the prison OMU are required to make decisions about public protection risks and resulting restrictions which apply whilst the person is in prison and need to be aware of the impact of bias on decision making. To reduce the impact of unconscious bias on decisions, this policy encourages staff to:

- reflect on important decisions and use the risk assessments, templates, screening tool and checklists described in this policy to inform and structure their decisions; and
- consider a wide range of factors including interdepartmental and multi-agency information sharing and discussion.

Managers should scrutinise and approve decisions in line with this Policy Framework. This approach is particularly important when staff are making decisions about prisoners with protected characteristics. Further guidance is available; [Evidence-Based Practice Team: What works to 'debias' decision making](#).

- 5.3 Prison staff involved with delivering the requirements in this Policy Framework will need to communicate difficult decisions to prisoners who may feel restrictions are unfair. Procedural Justice (PJ) is a useful approach which is encouraged in prisons; this is because people are more likely to respect authority, and comply with decisions, rules and procedures if they perceive them to be procedurally just. The dedicated [HMPPS Intranet page on Procedural Justice](#) provides further resources and explains the 4 principles of PJ and how staff can use this approach in their day-to-day interactions with prisoners. This may involve explaining how processes work, the reasons why decisions are made, and providing prisoners with an opportunity to ask questions. This Policy Framework primarily focuses on the restrictions that need to be applied to protect the public, nonetheless staff should also consider any prisoner who may be the victim of any form of abuse. Members of HMPPS staff can access a range of support and should refer to the [Employee Assist Programme and Post-incident care Policy Framework](#).
- 5.4 This Policy Framework applies to the Women's Estate and whilst it does not apply differently to women in prison, staff need to be aware of the different experiences women have. The impact of parental imprisonment is one consideration. An estimated 312,000 children experience parental imprisonment each year in England and Wales, as found in [Crest Advisory's 2019 report Children of prisoners: fixing a broken system](#). The research literature, whilst limited, suggests having a mother in prison is more damaging for a child's later outcomes. Mothers in prison are more likely to be primary caregivers and sole parents and female offenders are more likely to be in a prison further from home which will impact on visiting arrangements and maintaining family ties⁶. Another consideration may be women's experience of sexual abuse, domestic abuse, and harassment. Staff should refer to the [Women's Policy Framework](#) which sets out the expectations for working with women in custody and the community, enabling staff to be aware of the gender specific issues that affect women, and respond appropriately to ensure their different needs are consistently met. Staff should refer to the [Pregnancy, Mother and Baby Units \(MBUs\), and Maternal Separation Policy Framework](#) if they are working with expecting mothers, mothers applying for and spending time on MBUs with their children, and those experiencing Maternal Separation.
- 5.5 This Policy Framework applies to the Youth Custody Service (YCS) and Children who are in Prison. Whilst the policy does not apply differently to children in prison, staff need to be aware of the different experiences children have and the policies specific to the YCS. This includes thinking about children who have other protected characteristics, for example girls in prison who may have more complex needs⁷.

⁶ [Children of prisoners: fixing a broken system \(crestadvisory.com\)](#)

⁷ [A thematic review of outcomes for girls in custody September 2022 \(justiceinspectorates.gov.uk\)](#)

- 5.6 Prison staff working with transgender prisoners should refer to the [Care and Management of Individuals who are Transgender Policy Framework](#) and communicate with their prison nominated point of contact to share public protection information as this may contribute the transgender Complex Case Board (CCB).
- 5.7 The [HMPPS National Partnership Framework with Faith-Based Communities](#) is about working more collaboratively with faith groups and recognising where faith can be a protective factor. It is important that staff recognise protective factors that can support rehabilitation and can be considered alongside robust risk assessments.
- 5.8 Staff being aware of unconscious bias and applying procedural justice approaches is particularly important when working with Black, Asian or Minority ethnic minority prisoners. Research tells us Black, Asian, and other ethnic minority prisoners are over-represented and there is evidence to suggest differential treatment and poorer relationships with prison staff, in both the adult and youth estates⁸. Similarly, HMIPs thematic review '[The experiences of adult black male prisoners and black prison staff](#)' found problems in the relationships that underpin positive communication were at the heart of their findings.
- 5.9 This Policy Framework applies equally to Foreign National Offenders (FNOs). Whilst the Home Office may seek deportation action, this is not a foregone conclusion and many FNOs will be released into the community even if initially immigration detained by the Home Office. Therefore, the prisons public protection responsibilities should continue in parallel with any immigration enforcement action from the Home Office.
- 5.10 When notifying prisoners about public protection controls and restrictions, the prison must ensure that any decision conveyed to a prisoner is accessible; this may include arranging for an approved translator if the prisoner does not fully understand English, or additional support if there is an identified learning need. Prison staff should access translation services for people who are hard of hearing, deaf, use BSL, signing in any other language, Deaf Relays, Speech to Text Reporters, Lipspeakers and Deafblind Interpreters via [Clarion; Guidance on booking services for Deaf or hard of hearing users](#). For translation into Welsh contact welsh.language.unit.manager@justice.gov.uk and for easy read and other translation services mojtranslation@thebigword.com.
- 5.11 Prisoners who wish to challenge public protection decisions and outcomes can do so via the complaint's procedure. Complaints which highlight discrimination, harassment or victimisation should be handled through the equalities incident reporting arrangements set out in [PSI 32/2011: Ensuring Equality](#).

6 **Requirements**

6.1 **Governance**

- 6.1.1 There must be a Prison Group Director (PGD) designated to act as the national strategic lead for prison public protection work; they are required to:

⁸ [The Lammy Review \(publishing.service.gov.uk\)](#)

- promote this Policy Framework to all PGDs and encourage them to commit to the responsibilities below; and
- engage with the national policy lead to ensure prisons' views are represented and national developments are communicated to prisons.

All PGDs are required to:

- promote this Policy Framework to staff within their prison group;
- ensure that there is a clear line of accountability for public protection work within prisons;
- ensure governors have established a public protection steering group to oversee the prisons public protection arrangements;
- ensure that prisons undertake quality assurance activity over their public protection work; and
- ensure that learning from local and national case reviews is cascaded to relevant staff groups.

Public Protection Steering Group (PPSG)

- 6.1.2 Prison governors are responsible for public protection within their prisons and will need to demonstrate strategic leadership and have oversight and assurance of public protection arrangements. Governors should have a Public Protection Steering Group to oversee the governance of public protection responsibilities.
- 6.1.3 OMU managers are responsible for the oversight of the public protection arrangements including the screening, identification and assessment process, and the implementation and ongoing management and review of public protection controls and restrictions. Decisions about public protection restrictions and risk assessments should be made jointly between the HOMD and HOMS, including where the HOMS is responsible for the authorisation process⁹.
- 6.1.4 All prison departments have a responsibility to contribute to the prisons public protection arrangements and should contribute to the steering group as directed by the governor and set out the TOR (see [guidance section 7.2 'The prison public protection assurance tool \(PPAT\) and steering group'](#)).

The prison public protection assurance tool

- 6.1.5 PPCSG should use the Prison Public Protection Assurance Tool which brings together information relating to all prison governors' and Directors' Public Protection responsibilities and provides a terms of reference for the steering group, which can be adapted to meet local needs. The tool contains a risk register and action log which the steering group should review. [Guidance section 7.2 'The prison public protection assurance tool \(PPAT\) and steering group'](#) provides further information and a link to the tool.

6.2 Recording and sharing information

- 6.2.1 Governors must ensure that;

⁹ [Overview of Roles & Responsibilities between the HOMD & the HOMS](#)

- information about public protection controls and restrictions is considered in the context of wider risk assessments and risk management plans and shared between departments within the prison, with Community Offender Managers (COMs), the police, and children's services as instructed in this Policy Framework. Sharing information with other agencies may be required and must be necessary and proportionate to manage the risk;
- OMU and security staff share information on ViSOR in line with the [HMPPS ViSOR Policy Framework](#); and that
- staff follow the processes outlined in guidance section 7.3 Recording and sharing information.

6.2.2 The purpose of sharing information is to enable agencies to work together more effectively to protect the public. Specifically, governors must ensure there is a process in place for security departments to share information and intelligence with the OMU¹⁰. Information Sharing will follow the principles in the Data Protection Act 2018 including that it should be lawful, necessary, and proportionate. Guidance for POMs on [Handling Sensitive Information, including Recording, Storing and Sharing](#), is available on EQuIP. General guidance on information sharing and the principles for sharing personal information under the GDPR & DPA 2018 is in the [HMPPS Information Sharing Policy Framework](#).

6.2.3 OMU managers must ensure there are processes in place to:

- record key decisions about public protection controls and restrictions and other safeguarding actions using the relevant NOMIS/Digital Prison Service (DPS) alerts and case-notes;
- share information about public protection controls and restrictions with Community Offender Managers (COMs), YJS case managers, and other agencies as required in preparation for release (this includes prisoners who have been remanded and may be released immediately or at short notice¹¹),
- maintain a record of all prisoners subject to public protection controls and restrictions and track review dates;
- maintain an electronic public protection file on all prisoners subject to any public protection assessments and restrictions; all annexes and related correspondence must be stored in the electronic file;
- share information in a secure way such as using SharePoint when sharing with other HMPPS staff or via secure email addresses;
- ensure the file is stored securely in a shared folder that only OMU staff can access;
- ensure files are sent securely to the receiving prisons Functional Mailbox when transferring prisoners; and
- ensure both electronic and paper records are stored in accordance with [PSI 04/2018 - Records, Information Management and Retention Policy](#).

6.2.4 [Guidance section 7.3 Recording and sharing information](#) provides further information on the prison's roles and responsibilities in relation to sharing information and maintaining public protection records.

6.3 **Risk assessment and risk management**

¹⁰ Intelligence Sharing Policy Framework - GOV.UK (www.gov.uk)

¹¹ For further information on release and discharge processes see; [Prison discharge policy: PSI 72/2011](#) and [HMPPS Pre-Release and Resettlement Policy Framework](#)

- 6.3.1 Good risk assessment and risk management underpin public protection and inform Risk Management Plans (RMPs) that address the risk presented and may include public protection controls and restrictions whilst a person is in prison. The [HMPPS Risk of Serious Harm \(ROSH\) Guidance 2022](#) provides further information and guidance about effective risk assessment. The [OASys risk assessment tool](#) is the primary risk assessment for eligible adult prisoners. The AssetPlus is the primary risk assessment tool for young people in custody. It is important there is consistency between the OASys/AssetPlus and the assessment to implement public protection controls and restrictions in prisons.
- 6.3.2 Governors must ensure that;
- risk assessment and risk management processes are in place to identify and manage prisoners who may need to be subject to public protection controls and restrictions; and that,
 - staff follow the processes outlined in guidance sections [guidance section's 7.4 'Public protection screening and identification'](#) and [7.5 'Interdepartmental Risk Management Meeting'](#).

Public protection screening and identification

- 6.3.3 The HOMS must ensure there is a process in place for screening prisoners as soon as possible and at least within 5 working days of their reception and implement restrictions immediately where there is court order or harassment offence/charge.
- 6.3.4 OMU Case Administrators (CAs) must screen all new receptions to identify prisoners who may need to be managed under public protection controls and restrictions; this is a screening of information rather than a risk assessment.
- 6.3.5 POMs must review the public protection screening within a maximum of 10 working days of the initial CA screening to inform decisions about necessary public protection controls and restrictions. This is a review of the CA's initial screening, and decisions will be based on the information available; during this process POMs may identify further information about a public protection risk. POMs may also identify that public protection controls or restrictions are necessary at various other points during a prisoner's sentence.
- 6.3.6 Guidance section [7.4 'Public protection screening and identification'](#) provides further information on the screening process and a link to the prison public protection screening tool.
- 6.3.7 **Reception prisons** are responsible for the initial identification and screening process and must share information when transferring a prisoner to another prison. **The OMU in the receiving prison** must review the existing information recorded in the screening tool and in the electronic file and NOMIS/DPS alerts.
- 6.3.8 **For prisoners on remand**, The HOMS must ensure there is a process in place for a duty or other allocated POM, or manager, to review the public protection screening, advise on appropriate public protection controls and restrictions and respond to any new information the prison receives during the remand period which may impact on public protection controls and restrictions.
- 6.3.9 **All prisons** must ensure there are processes in place to identify and respond to any new public protection concerns as new information or risks may present at any point during a

custodial sentence. OMU managers must ensure staff update the relevant risk assessments, Annexes and NOMIS/DPS case-notes and alerts.

- 6.3.10 If a child who has been located in a Secure Training Centre (STC) or Secure Children's Home (SCH) moves to a prison in the YCS or YOI estate, the OMU is required to seek information from the STC/SCH and complete an initial public protection screening.

Decisions about public protection controls and restrictions

- 6.3.11 POMs and OMU managers are required to make assessments and decisions to determine if public protection controls and restrictions are necessary to manage the identified risk during the custodial sentence based on the public protection screening and at the following stages of a prisoner's sentence;
- **a prisoner is remanded:** POMs or OMU managers are required to review the information in the CAs initial public protection screening for prisoners who are remanded and make decisions about public protection controls and restrictions based on the information available.
 - **a prisoner is sentenced:** POMs are required to review the information in the CAs initial public protection screening for prisoners who have been sentenced and make decisions about public protection controls and restrictions. This includes reviewing the assessment and decisions made for prisoners who have been in custody on remand, and completing an assessment for those prisoners who are first received into custody following sentencing.
 - These assessments, and any subsequent decisions about public protection controls and restrictions, need to be made before the POM is required to complete the initial OASys or AssetPlus and will be based on the information available. [Guidance section 7.4 'Public protection identification and screening'](#) provides information about the range of sources of information.
 - **completing the OASys or AssetPlus:** Information that has informed decisions about public protection controls and restrictions should feed into the OASys (where applicable) or AssetPlus and the risk management plan whilst the prisoner is in custody. Responsible offender managers should consider decisions about public protection controls and restrictions when completing the initial OASys or AssetPlus, and when reviewing these assessments. This will involve reviewing the information available and any additional sources as part of the assessment.
 - If the POM has not previously applied public protection controls or restrictions and they discover information during their OASys or AssetPlus assessment which indicates they are necessary, they should apply restrictions at this stage and update all records. Where the COM is responsible for the OASys, they should discuss any necessary public protection controls or restrictions with the POM.
 - **new information is received:** The POM may receive new information at any time during a prisoner's sentence which may lead to a review or reassessment of previous judgements and existing controls. If the POM receives information that

changes the public protection controls or restrictions, they should also consider reviewing the OASys or AssetPlus.

- **a prisoner is transferred between prisons:** When a prisoner transfers between prisons, the sending prison must share all information about public protection controls and restrictions to enable the receiving prison to maintain and review those measures. If the receiving prison is unclear about any restrictions, they should contact the transferring prison. It is important to maintain consistency throughout a prisoner's sentence; however, there may be occasions where the receiving prison does not agree with the decisions made previously, or they discover additional information which impacts on that assessment. In these scenarios, the receiving prison should review the assessment to understand why the decision was made and record the rationale for any changes made to public protection controls or restrictions and inform the prisoner in line with procedural justice approaches.

6.3.12 All decisions must be recorded on the relevant templates provided, NOMIS/DPS case-notes and alerts.

Inter-Departmental Risk Management Meeting (IRMM)

6.3.13 Governors must ensure that:

- information about high-risk prisoners is coordinated through an Inter-Departmental Risk Management Meeting (IRMM);
- their prison has a local IRMM and standard agenda which is governed by the Public Protection Steering Group;
- the HOMD, or HOMS in their absence, chairs the IRMM;
- the IRMM takes place at least monthly; and
- security departments, and other standing members, contribute to the IRMM and share information and intelligence with the OMU.

6.3.14 The IRMM is an internal multi-disciplinary operational prison meeting that should be used to monitor and manage those prisoners who present the highest level of risk of serious harm in custody. It will provide oversight of all MAPPA and other high-risk prisoners who are approaching release.

6.3.15 [Guidance section 7.5 'Interdepartmental Risk Management Meeting'](#) provides further information and a suggested Terms of Reference for the IRMM.

6.4 Multi-Agency Public Protection Arrangements (MAPPA)

6.4.1 This section provides a high-level overview of governors' and Prison Group Directors' (PGD) obligations under MAPPA. The Prison Service is one of the three agencies that form the MAPPA Responsible Authority and has a critical role to play in the management of MAPPA offenders including providing information on MAPPA offenders at key points in their sentence and on release.

6.4.2 Governors must ensure their prison carries out its responsibilities under MAPPA as part of the Responsible Authority and in line with the statutory MAPPA guidance.

6.4.3 The statutory MAPPA Guidance is available on the [MAPPA Website](#). Prison staff involved with MAPPA, including the OMU and security departments, should familiarise themselves

with [Chapter 15 \(Custody\)](#) of the MAPPA guidance, and other chapters as referenced below.

Strategic management boards

- 6.4.4 PGDs must ensure the Prison Service are represented at each SMB in its region.
- 6.4.5 Strategic Management Boards (SMBs) are responsible for the strategic arrangements in each of the 42 MAPPA areas. [Chapter 4 of the statutory MAPPA guidance](#) provides further information on the SMB.
- 6.4.6 The membership of the SMB for prisons should be at a level equivalent to the Prison Group Director (PGD). Where responsibility is delegated, the PGD must ensure that their representative has full delegated authority to act on their behalf. The long-term high security estate, YCS and Women's Estate may decide to have separate representatives at the SMB; however, the PGD or person with delegated responsibility for the geographical region may be best placed to represent these prisons, this would need to be agreed locally. It is crucial that there is good liaison between all prisons within a region, and that information is shared with all relevant staff.

Identification of MAPPA offenders

- 6.4.7 The HOMS must ensure there are processes in place to;
- identify MAPPA-eligible prisoners under the correct category as part of the part of the [public protection screening](#) (this is identification only and not setting the level of management);
 - record the appropriate MAPPA and ViSOR alerts on NOMIS/DPS within 3 working days of sentence; and,
 - identify prisoners who may need to be managed at MAPPA Level 3 and as a Critical Public Protection Case (CPPC) and manage under the early allocation process.
- [Chapter 6 \(Identification and Notification of MAPPA Offenders\)](#) of the statutory MAPPA guidance provides detailed information about the MAPPA Categories and the document set provides a list [offences specified in Schedule 15 to the Criminal Justice Act 2003](#).

Levels of management under MAPPA

- 6.4.8 The OMU must contribute to the level setting process. The OMU and security department must share information with the COM to inform their decision on the required level of MAPPA management on release.
- 6.4.9 The lead agency¹² is responsible for setting the MAPPA level of management, this should be confirmed at least 6 months prior to a prisoner's release or parole eligibility date. The HOMS must ensure there are processes in place to;
- record the MAPPA management level once the COM has confirmed it using the appropriate MAPPA alert on NOMIS/DPS;
 - use the [MAPPA S: Level Setting Escalation](#) form available in the MAPPA Document Set if the OMU does not receive the confirmed level of management within this timeframe.

¹² The lead agency is a MAPPA term for the agency with offender management responsibility in the community. For prisoners being released on licence the lead agency will be the Community Offender Manager (COM) or YJS case manager. For MAPPA offenders being released at the end of their sentence this will be the police.

- 6.4.10 [Chapter 7 \(Levels of Management\)](#) of the statutory MAPPA guidance provides detailed information about the MAPPA management levels.

MAPPA Level 1

- 6.4.11 POMs are required to share information for prisoners managed at MAPPA Level 1 with the COM.
- 6.4.12 POMs may also be required to attend professionals' meetings during the pre-release phase for prisoners who will be managed at level 1. The [MAPPA Guidance](#) and [Probation service management of MAPPA level 1 cases](#) Policy Framework provide further information on Level 1 MAPPA management.

MAPPA correspondence

- 6.4.13 The HOMS must ensure:
- there is a functional mailbox set up using a secure address for MAPPA invitations and related correspondence to be sent to;
 - that the mailbox is checked daily; and
 - that information shared under MAPPA which is confidential is stored securely in line with the MAPPA guidance and shared appropriately with the relevant POM and the HOMD.

MAPPA Level 2 and 3

- 6.4.14 The statutory MAPPA guidance requires the MAPPA administrator in the community to request a MAPPA F and invite the prison service to all pre-release Level 2 and 3 MAPPA meetings allowing enough time for the different departments within a prison to contribute effectively to the meeting. For initial meetings, the prison should receive an invitation no later than 15 working days (21 calendar days) in advance of the initial MAPPA meeting unless it is an emergency meeting, or where the MAPPA coordinator has received the referral later than 6-months pre-release *and* there is insufficient time before the meeting to make this possible. For review MAPPA meetings, the prison service should be given at least 10 working days (14 calendar days' notice).

MAPPA F report

- 6.4.15 The allocated POM must provide a comprehensive written report for MAPPA level 2 and 3 meetings, and the security analyst must provide an intelligence assessment¹³ to be included within this report. Intelligence contributions for this report must be requested and completed in line with section 9 of the Intelligence Sharing Policy Framework. The HOMD is responsible for countersigning the MAPPA F to ensure the contributions are of sufficient quality. These reports must be completed on the MAPPA F template which is included in the [MAPPA document set](#). Guidance on each section of the MAPPA F report is embedded within the template.
- 6.4.16 For remand prisoners who are not allocated a POM, The HOMS must ensure there is a process in place for allocating the MAPPA F to a duty or other identified POM.

¹³ [Intelligence](#) Sharing Policy Framework

Attendance at MAPPA Level 2 and 3 meetings

- 6.4.17 The POM must attend¹⁴ all pre-release MAPPA meetings for their allocated prisoners and the author of the MAPPA F must attend MAPPA meetings for remand prisoners who do not have an allocated POM.
- 6.4.18 The Head of Offender Management Delivery (HOMD) should attend all MAPPA Level 3 meetings.
- 6.4.19 Staff need to be familiar with [Chapter 15 \(Custody\)](#) of the MAPPA Guidance which sets out the expectations on OMU attendance, and chapter [13 \(MAPPA Meetings\)](#) sets out the expectations on HMPPS Psychology services or private managed prisons (PMP) attendance at MAPPA meetings.
- 6.4.20 For women managed at MAPPA level 2 or 3, POMs should consider if the prisoner is known to the Women's Estate Case Advice and Support Panel (WECASP), the WECASP case manager can attend MAPPA meetings, where needed, to support the development of the community risk management plan¹⁵.

MAPPA minutes and actions

- 6.4.21 Governors must fully consider and prioritise all MAPPA actions in line with relevant prison policy and guidance.
- 6.4.22 The HOMD should have oversight of MAPPA actions supporting POMs to escalate to senior prison managers when required.
- 6.4.23 The OMU will receive MAPPA minutes and actions via the secure functional mailbox which must be shared with the POM and HOMD and stored securely in line with [MAPPA Guidance](#). The lead agency will also save MAPPA minutes on ViSOR.
- 6.4.24 If the prison decides they cannot complete an action, there must be a defensible rationale which would stand up to scrutiny in the event of any future serious case review. The relevant senior manager in the prison should explain the decision to reject the MAPPA action in writing to the MAPPA Chair.

Notification of Release

- 6.4.25 The OMU must provide information to the COM about a prisoner's release date.
- 6.4.26 Governors must ensure that all staff involved in sentence calculation advise the police and probation service immediately of any unexpected changes to release dates or release arrangements.
- 6.4.27 It is essential that release dates are as accurate as possible, as late changes can adversely affect the risk management plan and the protection of the public. Changes to release dates may also impact on the handover dates for longer term prisoners. This will require staff

¹⁴ Attendance at MAPPA meetings can be in person or remotely via video or telephone conferencing.

¹⁵ See [Women's Estate Case Advice and Support Panel Policy Framework](#)

involved in sentence calculation to re-calculate, as far as is practicable, any last-minute changes that could affect the release date and subsequent release plans.

- 6.4.28 Where prisoners managed at MAPPA Level 2 or 3 are to be released under emergency measures or following a judicial review, the OMU must confirm the release information as a matter of urgency.
- 6.4.29 The initial release date may be adjusted in certain circumstances such as:
- receiving additional days to their time in custody as an adjudication punishment or the remission of those additional days¹⁶;
 - the deduction of days an offender spent on remand or in police custody before being sentenced;
 - the addition of any days an offender has spent unlawfully at large, after recall, to produce a notional Licence Expiry Date;
 - the imposition of a further sentence; or
 - variation of the sentence following appeal or judicial review.

Discharging prisoners subject to MAPPA level 2 or 3 management

- 6.4.30 Governors must consider a pre-release transfer to the prisoner's discharge area where requested.
- 6.4.31 The MAPPA meeting may request a local discharge. Governors of both the transferring prison and prisons within the MAPPA home area must ensure there is a process in place to progress such requests. It is important to consider the feasibility of a transfer to the prisoner's discharge area in cases where the proposed release area is some distance from the prison in which they are held as this will assist in the handling of release arrangements. [Chapter 14 \(MAPPA minutes\)](#) of the MAPPA Guidance provides further information.

MAPPA Level 3 cases - escort to or discharge at, Approved Premises

Escort to an AP

- 6.4.32 The Police may agree to transport a prisoner managed under MAPPA being released where the policy or practice of the relevant force supports them in doing so.
- 6.4.33 The Prisoner Escorting and Custody Services (PECS) can provide escorts to support release arrangements from custody. Eligible cases are those managed under MAPPA Level 3 whereby the escort is part of the risk management plan, and this is supported by a licence condition. This is an interim arrangement; the PECS process should only be applied in those cases that meet the criteria where the police have withdrawn escort provisions.

Discharge at an AP

- 6.4.34 Governors must consider requests to discharge prisoners managed at MAPPA Level 3 at an Approved Premises.
- 6.4.35 In exceptional circumstances and where resources permit the prison can escort prisoners who are managed at MAPPA Level 3 to an Approved Premises and complete the discharge

¹⁶ See and [Adjudications policy framework](#)

process¹⁷ at the Approved Premises. Exceptional circumstances may include CPPC managed prisoners assessed as posing a very high risk of serious harm immediately on release and where there are concerns about their compliance and arrival at the Approved Premises. The MAPPA Chair must consult with the Governing governor and the police to consider if this would be a viable and safe approach that resources can facilitate. Any discharge at an AP must be authorised by the Governing governor.

ViSOR

- 6.4.36 Governors must ensure that prison staff within the OMU and security department comply with the [HMPPS ViSOR Policy Framework](#) and processes are in place to meet the mandatory requirements.

6.5 Public Protection Contact Restrictions

Identifying public protection contact restrictions

- 6.5.1 Governors must ensure;
- prisons prevent prisoners identified in the categories below from contacting identified members of the public; and that,
 - staff follow the processes outlined in [guidance section 7.6 'Public protection contact restrictions'](#).
- 6.5.2 **On arrival** OMU staff must identify prisoners **during the screening process** who need to be managed via public protection contact restrictions. Prisons will restrict contact under the following categories:
- **Victims** – this includes victims of current or previous offences the prison are aware of from the information available. In this context, a victim is defined as someone directly affected by the offence including children¹⁸.
 - **Court Orders** – this includes those who are protected by restraining orders or other court orders, including civil orders, which specify a no-contact condition.
 - **Unconvicted prisoners' contact with victims or witnesses** – this includes those who the police or CPS have identified are at risk of witness intimidation, prisoners remanded for offences under the Protection from Harassment Act 1997 or for the offence of controlling or coercive behaviour under Section 76 Serious Crime Act 2015; prisons must restrict prisoners from making unauthorised contact with their victims from within prison until the end of their trial.

¹⁷ Under s.13 of the Prison Act 1952, a prisoner being taken somewhere they are required or authorised under the law to be taken is deemed to be in the legal custody of the governor while outside the prison, provided they are under the custody or control of a prison officer; meaning that on the day of discharge the prisoner is still in custody outside the prison until formally discharged. The prisoner will need to be with an escorting prison officer and someone with delegated authority to discharge a prisoner, and despite not being discharged on-site, it is important to follow as far as possible the procedure set out in [PSI 72/2011 Discharge](#).

¹⁸ [The Domestic Abuse Act 2021](#) recognises children as victims of domestic abuse if the child sees, hears, or experiences the effects of the abuse, and is related to either the victim or perpetrator, even if they are not directly a victim of child abuse themselves.

- **Requests for no contact** – this includes anyone who has made a no-contact request.

- 6.5.3 **Thereafter** POMs may also identify necessary restrictions when completing formal risk assessments (OASys and AssetPlus), or if they receive new information. Once a restriction is identified and applied, the OMU should follow the processes set out in this section.
- 6.5.4 Prisons should refer to the Interception, Monitoring and Security of Prisoner Communications Policy Framework when considering communication controls outside of those outlined in this policy framework.
- 6.5.5 Contact includes both telecommunication (telephone, social video calls) and written (letters, emails and messenger systems where they exist) forms, visits or any other means, including indirect contact. This will be made clear in the [Communications Compact](#) prisoners sign before being authorised to communicate in the ways described above and being given a PIN Phone account. Indirect contact includes third party contact such as asking another person to contact someone on their behalf. The Interception, Monitoring and Security of Prisoner Communications Policy Framework contains policy on prisoners' access to the internet and the action prisons should take if there is evidence a prisoner is attempting to contact someone via social media.
- 6.5.6 [Guidance section 7.6 'Public protection contact restrictions'](#) provides further information on identifying public protection contact restrictions in each of the categories above. These restrictions are in line with Prison Rule 34 (2) & (3) and are compliant with Articles 8 & 10 of the ECHR.

Exceptions

- 6.5.7 Governors can allow a prisoner to have contact with their victim if there are exceptional circumstances and a risk assessment concludes this is appropriate.
- 6.5.8 The OMU must contribute to the risk assessment and consider whether approaching the victim for their views would add unduly to their distress. If they conclude it would, the governor should refuse the request.
- 6.5.9 Exceptional circumstances, may include:
- when a victim is defined as a close relative, and they request contact with a prisoner; and
 - circumstances where the prisoner has significant additional needs and contact with their victim would provide support, and the victim wishes to receive contact.
- 6.5.10 [Guidance section 7.6 'Public protection contact restrictions'](#) provides further information and guidance on the process for assessing prisoners contact with their victims.

Restricting contact, recording and notifications

- 6.5.11 Governors and OMU managers must ensure there are processes in place where restrictions apply to ensure:
- OMU case administrators accurately record public protection contact restrictions on the relevant NOMIS/DPS alerts;
 - OMU case administrators complete the [Annex F "Contact Restrictions: Prisoner Notification Form"](#) which details the contact restrictions they are subject to; and

- there is a face-to-face discussion with the prisoner to explain public protection restrictions. Where there are concerns contact restrictions could potentially impact on the prisoner's well-being or risk of self-harm, or the prisoner is currently managed on an ACCT document, staff must refer to [PSI 64/2011 Management of Prisoners at Risk of Harm to Self, to Others and From Others](#) and take appropriate action. This may include notifying wing staff, the keyworker, and safer custody department and considering if an ACCT assessment is required if not already in place;
- staff who are involved with PIN phones, correspondence and visits check NOMIS/DPS alerts to ensure they are aware of public protection controls and restrictions to allow necessary safeguards to be put in place to prevent outgoing correspondence from the prisoner, or a visit booking;
- there are identified prison staff who will check and approve telephone numbers before adding them to a prisoner's PIN phone account; the Interception, Monitoring and Security of Prisoner Communications Policy Framework specifies the mandatory cohorts¹⁹ where checks should include calling the recipient to verify their identity. Where a prisoner does not fall into one of the categories in the Interception, Monitoring and Security of Prisoner Communications Policy Framework, the OMU do not have to be involved with checking telephone numbers or processing the PIN application; PIN clerks, mailroom staff and social visits booking staff should however cross reference victims' names recorded on NOMIS/DPS alerts when processing PIN requests, correspondence and social visit bookings.
- prisons consider barring a telephone number from all PIN phone accounts in the prison, if this is necessary and proportionate to reduce the risk of contact via another prisoner's account. (The call enabling regime across the prison estate allows this and the Interception, Monitoring and Security of Prisoner Communications Policy Framework provides the detailed policy); and
- POMs share information about contact restrictions with the COM/YJS case worker and other relevant agencies, specifically during the pre-release phase.

6.5.12 Where the prison has identified a victim who is a child, they should follow the process as set out in section 6.8 '[Persons Posing a Risk to Children \(PPRC\)](#)'. The prison must still restrict contact with the child who was the victim of the prisoner's offence even if the PPRC assessment concludes the prisoner does not pose a continuing risk to children from custody. The [HMPPS Child Safeguarding Policy Framework](#) includes guidance on family court orders which specify child contact arrangements.

6.6 **Interception and monitoring of prisoner communications**

6.6.1 Governors must ensure;

- prisons follow the policy on interception and monitoring of prisoner communications as outlined in the Interception, Monitoring and Security of Prisoner Communications Policy Framework [Policy Framework](#) and further guidance is available in the Interception and Restriction of Communications Operations Manual²⁰; staff should

¹⁹ See section 7 of the Interception, Monitoring and Security of Prisoner Communications Policy Framework

²⁰ The Interception and Restriction of Communications Operations Manual is a restricted document. The National Intelligence Unit have circulated this to governors for controlled distribution to those undertaking the duties referenced within the Interception, Monitoring and Security of Prisoner Communications Policy Framework.

- consult both of these documents in conjunction with this section and when considering interception and monitoring of communications; and that
- staff follow the processes outlined in [guidance section 7.7 'Offence Related Monitoring \(ORM\)'](#).

Offence Related Monitoring (ORM)

- 6.6.2 The OMU *must consider* ORM when a prisoner is:
- identified as posing a risk or a potential risk to children,
 - identified as a domestic abuse perpetrator or potential perpetrator,
 - identified as posing a risk involving the intimidation of victims/witnesses,
 - convicted or remanded for a harassment offence (including stalking) or court order,
 - convicted currently, or in the past, of stalking; or
 - cautioned, convicted, or otherwise dealt with in respect of a sexual offence listed in Schedule 3 of the Sex Offences Act 2003.
- 6.6.3 Prisoners sentenced under the Terrorism Act who qualify for interception and monitoring of communications are managed separately in line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework ²¹.
- 6.6.4 The OMU *may consider* a period of ORM for prisoners:
- subject to specific no-contact request; or
 - managed under MAPPA levels 2 and 3 providing the request is necessary and proportionate.
- 6.6.5 If the POM decides that monitoring is not necessary and proportionate, they should record the outcome electronically on NOMIS/DPS case-notes.
- 6.6.6 The OMU must follow the processes outlined in the [Authorised Communications Controls and Interception \(ACCI\) Policy Framework](#) when applying for monitoring, authorising the application and the renewal process.
- 6.6.7 The OMU must support monitoring processes through robust record keeping; maintaining a record of all prisoners subject to ORM, including the date monitoring was initiated and the dates of subsequent reviews and of any actions taken following a review or breach of restrictions.

Breaches of public protection controls and restrictions

- 6.6.8 OMU managers must ensure breaches of restrictions are dealt with appropriately and in line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework.

²¹ Commencing monitoring is mandatory for prisoners in particular cohorts outlined in section 11 of the Interception, Monitoring and Security of Prisoner Communications Policy Framework. Cohort-Specific Monitoring includes category A, E-List, and TACT/TACT-connected prisoners. Intelligence led monitoring may be required in Serious Organised Crime cases and should be discussed with the security department.

- 6.6.9 Prisons must report breaches of court orders that are a criminal offence, and breaches concerning witness intimidation, to the police²². In other cases, decisions about referring a breach to the police should be made on case-by-case basis, if for example the contact amounts to harassment or other criminal offence.
- 6.6.10 [Guidance section 7.7 'Offence Related Monitoring \(ORM\)'](#) provides further information about the process of ORM, decisions to intercept and monitor a prisoner's communications and how to deal with breaches.

6.7 **Safeguarding and promoting the welfare of children**

- 6.7.1 Governors must have regard to the need to safeguard and promote the welfare of the children in their custody and other children with whom staff and prisoners have contact. This Policy Framework defines a child as anybody who has not yet reached their 18th birthday. Our duty to safeguard and promote the welfare of children also applies to pre-birth child safeguarding work.
- 6.7.2 The Children Act 2004 places a duty on key people and bodies to ensure that their functions, and any services that they contract out to others, are discharged with regard to the need to safeguard and promote the welfare of children²³. In England, statutory guidance on safeguarding and promoting the welfare of children is set out in [Working Together to Safeguard Children](#).
- 6.7.3 The [HMPPS Child Safeguarding Policy Framework](#) provides information and guidance on the prison service's safeguarding responsibilities and training requirements for all staff. The [OMiC Child Safeguarding guidance available on EQuIP](#) also provides OMU staff with further guidance and support.

Child Safeguarding Enquiries

- 6.7.4 POMs with case management responsibility are required to *initiate or follow up a child safeguarding enquiry with children's services at the earliest opportunity for all newly sentenced/allocated individuals*²⁴. POMs should check the information from court, including any PSR, for evidence that a safeguarding enquiry was made at this stage. In cases where the COM has case management responsibility, they should complete the enquiry and notify the POM if there are any concerns regarding risks to children. The child safeguarding enquiry must inform the risk assessment and any decision to implement public protection controls and restrictions in prison. The [HMPPS Child Safeguarding Policy Framework](#) provides more information on making a child safeguarding enquiry and there is a national template on [EQuIP](#).

6.8 **Persons Posing a Risk to Children (PPRC)**

²² In line with the [Handling crimes in prison: agreement](#)

²³ The statutory duty is set out in s.11 of the Children Act 2004 for England and in s.28 for Wales.

²⁴ [HMPPS Child Safeguarding Policy Framework \(CS PF\)](#)

- 6.8.1 This section sets out the identification, notification, and assessment requirements the OMU must follow when managing Persons Posing a Risk to Children (PPRC), including any PPRCs under 18 years old.
- 6.8.2 Governors must ensure:
- prison staff correctly identify and assess prisoners who pose a risk to children whilst they are in custody as defined in this policy framework; and that,
 - staff follow the processes in guidance [section 7.8 'Persons Posing a Risk to Children \(PPRC\)'](#) which provides detailed guidance of the process and assessment and includes links to the relevant forms and templates.

Identifying PPRCs

- 6.8.3 The OMU must identify prisoners who may present a continuing risk to children whilst in custody during the [public protection screening process](#).
- 6.8.4 Reception prisons are responsible for the initial identification and PPRC assessment and must share this information when transferring a prisoner to another prison. The OMU in the receiving prison should review the existing information and continue the PPRC assessment process if the transferring prison have not already completed it and confirmed the PPRC status.
- 6.8.5 All prisons must ensure there are processes in place to identify and assess prisoners who they may need to manage as a PPRC as prisons may receive new information or risks may present at any point during a custodial sentence.

Potential PPRC

- 6.8.6 The OMU must add the “Potential PPRC” alert to NOMIS/DPS following the initial identification of a PPRC and restrict prisoners contact with children²⁵ until the POM has completed a risk assessment to determine if the prisoner poses a continuing risk to children whilst they are in custody.
- 6.8.7 In line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework, prisoners identified as posing a risk to children (whether potential or confirmed) must have all social numbers checked before being added to their PIN phone account and should be considered for Offence Related Monitoring (ORM).

PPRC assessment

- 6.8.8 POMs must assess whether a prisoner identified as a potential PPRC presents a continuing risk to children whilst in custody and needs to be managed under the confirmed PPRC restrictions.
- 6.8.9 POMs are required to:
- complete the assessment within 20 working days of identifying a potential PPRC;

²⁵ Contact includes social visits, social video calling, telephone calls and correspondence.

- contact Children's Services in the PPRCs home area to make a [child safeguarding enquiry](#)²⁶ (where information is not available as a result of an earlier enquiry, see section 6.7.4);
- where an identified child is at risk, contact Children's Services in the child's home area where this is different to the prisoners;
- request relevant risk information Children's Services may have, which will inform the assessment of continuing risk whilst in custody; and
- ensure that information from OASys and the PPRC assessment feed into each other so that they are consistent.

6.8.10 The HOMS is required to:

- approve all PPRC assessment decisions (decisions about public protection restrictions and risk assessments should be made jointly between HOMD and HOMS, including where the HOMS is responsible for the authorisation process²⁷);
- ensure the details of the assessment and PPRC decision are recorded on NOMIS/DPS case-notes and relevant alerts; and
- ensure all relating correspondence is saved in the prisoner's electronic public protection file.

6.8.11 [Section 7.8 'Persons Posing a Risk to Children \(PPRC\)'](#) provides detailed guidance on the PPRC identification and assessment process, and recording.

Confirmed PPRC

6.8.12 If the assessment concludes there is a continuing risk to children in custody, the OMU must;

- add the "PPRC and Child Contact Arrangements"²⁸ alert to NOMIS/DPS; and
- restrict prisoners confirmed as a PPRC from contacting any child under the age of 18 via social visits, social video calling, telephone calls and written correspondence.

No continuing risk

6.8.13 If the assessment concludes that the prisoner does not present a continuing risk to children while in custody, the OMU must:

- remove all child contact restrictions and deactivate the 'Potential PPRC' alert on NOMIS//DPS;
- cancel any monitoring of communications unless the monitoring is in place for reasons separate from managing risk to children.

Changes in circumstances

6.8.14 The OMU may receive new information, at any point during a prisoner's sentence, which could indicate a change in risk and circumstances may change at any time. Prison staff

²⁶ The child safeguarding enquiry template includes information regarding lawful information sharing and the reason the prison will make safeguarding enquires about prisoners.

²⁷ [Overview of Roles & Responsibilities between the HOMD & the HOMS](#)

²⁸ The 'PPRC' alert has been renamed to 'PPRC and Child Contact Arrangements'.

have an important role in monitoring and responding to any changes appropriately. There will be instances where staff receive information such as a prisoner having new contact with a child, which may require an immediate safeguarding response. Not all changes in circumstances will be unsafe but it is important that staff use their professional curiosity when changes occur and take prompt action to manage any new potential risks. If the change in circumstances causes a safeguarding concern, the POM must immediately review the PPRC status to establish whether the prisoner still presents no continuing risk. The [HMPPS Child Safeguarding Policy Framework](#) provides advice on making a disclosure about a prisoner's history and or current risk assessment.

PPRC review

- 6.8.15 OMU managers must ensure POMs review all decisions on continuing risk in line with OASys/AssetPlus²⁹ at least every 3 years, or earlier if there is reason to believe that circumstances have changed or where there has been a change in risk.

Notification process

- 6.8.16 **Within 3 working days of each decision the OMU should notify:**

- The prisoner:
 - that they are identified as a potential PPRC and will be subject to contact restrictions while an assessment is undertaken;
 - they will be subject to ongoing contact restrictions when the assessment concludes they will be managed as a confirmed PPRC. The allocated POM, or duty POM for prisoners on remand, should explain the reasons for the confirmed PPRC assessment and child contact process;
 - they are no longer subject to child contact restrictions when the assessment concludes there is no continuing risk whilst in prison; and
 - of any change in contact restrictions following a PPRC review.
- The relevant Children's Services:
 - in the prisoner's home area of the outcome of the PPRC assessment where this confirms the PPRC status;
 - in the child's home area, where there is an identified child at risk and their home area is different to the prisoners; and
 - in the prisoner's home area, and planned release area if this is different, about key sentence information and release dates.
- The COM (where allocated) or YJS case manager of the outcome of the assessment.

- 6.8.17 **At the point of handover**, where a COM has not been previously notified, the POM must share information about PPRC assessments and any subsequent child contact arrangements.

²⁹ The YJS case manager is responsible for updating the AssetPlus risk assessment and will notify the YCS of any changes which may impact the PPRC assessment.

6.8.18 Notification forms are available in guidance [section 7.8 'Persons Posing a Risk to Children \(PPRC\)'](#).

6.9 **Child contact procedures**

6.9.1 The governor or OMU manager with delegated authority may permit prisoners who are assessed as a potential or confirmed PPRC to have contact with a child in their immediate family³⁰ following a multi-agency risk assessment which concludes it is in the child's best interests. Governors may only consider contact with children outside the prisoner's immediate family in exceptional cases and following the process below.

6.9.2 There may be circumstances where a child's social worker asks to arrange a visit with a child and prisoner assessed as a PPRC. Governors may permit this outside of the PPRC child contact arrangements where children's services have confirmed they will supervise the visit.

6.9.3 Governors must ensure staff follow the processes outlined in guidance [section 7.9 'Child contact procedures'](#) which provides further detail on the child contact process, the multi-agency assessment and relevant forms.

Application

6.9.4 The OMU must:

- provide prisoners assessed as a potential or confirmed PPRC with an application form for contact with children;
- inform the prisoner and ask if they wish to make an application for child contact if a child's primary carer contacts the prison to request contact;
- explain to the prisoner that the decision will be informed by multi-agency information and the consent of the primary carer; and
- explain to the prisoner that they will be asked to consent to the OMU informing the primary carer of the potential or confirmed PPRC status by providing a summary of the prisoner's risk to inform their views. If the prisoner does not consent to this, the application cannot proceed.

Primary carer support

6.9.5 The OMU must:

- contact the child's primary carer to establish whether they support contact and what type of contact;
- inform the primary carer of the potential or confirmed PPRC status and provide a summary of the prisoner's risk to inform their views. Prison staff must not under any circumstance disclose the name and details of any victims (even if they think the primary carer already knows); and

³⁰ This includes a prisoner's biological children, step-children, foster children, adopted children and the children of the prisoner's partner, provided they were living together as partners in an enduring family relationship before imprisonment. Applications can also be made for grandchildren, siblings, nieces and nephews.

- inform the prisoner their application cannot proceed if the primary carer does not support contact between the prisoner and the child, and advise they seek legal advice if they wish to pursue the matter further.

Multi-agency assessment

6.9.6 The OMU must coordinate a multi-agency risk assessment to inform the child contact decision, this includes gathering information from the following agencies to inform an assessment of risk and what is in the best interests of the child:

- Police
- Children's Services
- Community Offender Manager (if allocated) / YJS case manager
- NSPCC (where applicable)

6.9.7 The OMU must consider any **Family Court Orders** when making their assessment. The Family Court cannot compel a prison governor to comply with an Order that it makes but if the prison does not implement a child arrangements Order made by the Family Court, the prisoner can present a legal challenge in the form of a judicial review in the Administrative Court³¹.

6.9.8 Once the OMU have completed the multi-agency assessment, the POM must provide a risk assessment and recommended level of contact.

Recommendation and decision

6.9.9 The HOMS must authorise the agreed level of contact, or confirm no contact, with the named child. Decisions about public protection restrictions and risk assessments should be made jointly between HOMD and HOMS, including where the HOMS is responsible for the authorisation process³².

Child contact arrangements

6.9.10 The HOMS must ensure the outcome of the child contact assessment, including the rationale for their decision, is accurately recorded on NOMIS/DPS using the appropriate alert and case-notes, and that all correspondence is saved in the prisoners' electronic public protection file.

6.9.11 The HOMS can authorise specific contact arrangements for each child contact application; this could be all types of contact (telephone calls, written correspondence, social video calls and visits) or a specified selection of the different types of contact as deemed appropriate in each case. Each assessment is specific to a particular child and cannot be used to determine contact arrangements with other children. [Section 7.9 'Child contact procedures'](#) provides further details on child contact arrangements.

Children living abroad

³¹ [HMPPS Child Safeguarding Policy Framework](#) provides further guidance.

³² [Overview of Roles & Responsibilities between the HOMD & the HOMS](#)

- 6.9.12 The governor's safeguarding duty applies beyond children living in the UK. The OMU must still undertake a multi-agency risk assessment and make reasonable attempts to obtain the required information, and decisions should be based on the information available. [Section 7.9 'Child contact procedure'](#) provides further guidance for OMUs when assessing contact with children outside of the UK.

Release on Temporary Licence (ROTL)

- 6.9.13 Prisoners assessed as a PPRC can apply for ROTL in line with the parameters set out in the [Release on Temporary Licence \(ROTL\) Policy Framework](#) which includes the necessary safeguarding enquiries.

Notification process

- 6.9.14 The OMU must inform the prisoner of the outcome of the application within 1 working day of the decision. The OMU must also inform the primary carer and any agencies that have contributed to the assessment. Notification forms are available in [Section 7.9 'Child contact procedures'](#).

Prisoner access to records

- 6.9.15 The process of assessing child contact applications should be as open and transparent as possible. The outcome notification of the child contact application provides the prisoner with a summary, but prisoners may seek further information about a decision to restrict contact. [Section 7.9 'Child contact procedures'](#) provides further guidance on subject access requests.

Appeals process

- 6.9.16 Prisoners can appeal against a decision using the complaints procedure set out in the [Prisoner complaints policy framework](#). If the HOMS (in consultation with the HOMD) agree different contact arrangements as a result of an appeal, they must record the reasons on NOMIS/DPS alerts and DPS safeguarding case-notes and inform the prisoner and relevant agencies.

Letterbox Contact

- 6.9.17 Letterbox contact is a form of contact where adoptive and birth families exchange letters, often once a year and usually facilitated through an adoption agency or social services. The adoptive parents receive the letter and decide what they share with their children. This form of contact sits outside of the PPRC child contact procedures. Separate measures will be in place to ensure any contact is appropriate therefore prison staff are not required to assess or approve a prisoner's arrangements to engage with letterbox contact.

Child contact review

- 6.9.18 POMs must review all contact decisions in line with OASys/Asset Plus at least every 3 years or earlier if there is reason to believe that circumstances have changed, where there has been a change in risk or following additional information from the COM, VLO or children's services. Circumstances that trigger an earlier review of an approved child contact decision should then trigger an OASys review. A prison transfer will not automatically trigger a review of OASys or the PPRC assessment and any child contact decisions. If a child who has been located in a Secure Training Centre (STC) or Secure

Children's Home (SCH) moves to a prison in the YCS or YOI estate (or other HMPPS site) the OMU must complete an initial public protection screening and review any child contact arrangements if they assess the prisoner as a PPRC.

- 6.9.19 Reviews must be based on updated information from all agencies involved in the original multi-agency risk assessment, and decision-making must be supported by the HOMD. The OMU must inform prisoners of any change in contact restrictions following a review and obtain an updated set of child photographs as part of the review.

Managing social visits and social video calling

- 6.9.20 Governors must ensure prison staff managing social visits and secure social video calls are aware of those prisoners identified as a Person Posing a Risk to Children (PPRC) or a Potential PPRC:

- who are not allowed social visits or social video calls from particular children;
- who are not allowed social visits or social video calls from any child; and also;
- of children who have been approved for social visits and/or social video calls; and
- the possibility that an "approved" child could be substituted with another, possibly more vulnerable child.

- 6.9.21 The HOMS must ensure there are processes in place to;

- notify staff involved with booking and managing social visits and social video calls of agreed child contact arrangements; and
- provide copies of verified child photographs (when contact has been approved) to staff managing social visits and social video calling.

- 6.9.22 Staff facilitating visits and social video calls are required to:

- confirm the identity (in comparison to the approved images provided by the OMU) of any children attending a social visit at a prison or participating in secure social video calling with a prisoner subject to child contact arrangements prior to the social visit taking place or the prisoner joining the social video call;
- not allow the social visit to go ahead if they are not confident that the child attending the social visit is the child with whom the social visit is allowed. Staff must explain the reason the visit cannot take place to the adult visitor being sensitive to the needs of the child, and record via the security incident reporting process; and
- suspend the social video call if they are not confident that the child on screen is the child with whom the video calling is allowed or booked for. Where a call is terminated, staff must explain this to the registered caller and record via the security incident reporting process.

- 6.9.23 Where a social visit or social video call has not gone ahead because the staff member could not confidently identify the child, the OMU should review the PPRCs child contact arrangements before any further social visits or video calls take place.

- 6.9.24 If any member of staff involved with social visits or social video calls has an immediate concern for the safety or welfare of a child, they must notify the prisons safeguarding lead, duty governor, and OMU managers.

- 6.9.25 [PSI 16/2011 Providing Visits and Services to Visitors](#) and the [Management of Security at Visits Policy Frameworks for Open and Closed](#) prisons provide important information for prisons regarding safeguarding of children during social visits. This includes guidance for

staff working in the visits department on appropriate seating arrangements, observing children's appearance and interactions with the prisoner and reporting any signs of neglect, abuse or distress using the security incident reporting process.

6.10 Further information on social video calling policy can be found in the [Secure Social Video Calling Policy Framework](#) and the Interception, Monitoring and Security of Prisoner Communications Policy Framework **Prisoners access to personal photographs of children**

6.10.1 Governors are required to:

- restrict prisoners' access to personal photographs of children³³ as part of the Prison Services duty to protect children where:
 - prisoners are assessed as presenting a risk of a sexual harm to children, and
 - there is an identified risk to a specific child or children, or
 - having the photograph is linked to offending behaviour, and would undermine rehabilitation and risk management work, and potentially increase a prisoner's risk to children generally.
- ensure staff follow the processes set out in guidance [section 7.10 'Personal photographs of children'](#).

Identification and assessment

6.10.2 The OMU must approve access to personal photographs of children for all prisoners identified as PPRCs and who present a risk of sexual offending. This does not include:

- prisoners convicted of Sexual Offending (PCoSO) whose victims are adults, unless a sexual risk to children has been separately identified;
- prisoners who have offended against children not in the context of sexual offending; or,
- prisoners assessed as a PPRC who are not assessed as posing a risk of sexual harm.

6.10.3 Where prisoners meeting these criteria are found in possession of, or are sent via the post, personal photographs of children, the OMU must:

- carry out a risk assessment which involves confirming the child's identity, primary carer consent, and consideration of the potential risk to the child before they authorise a prisoner to have a photograph; and
- notify the relevant local authority Children's Services Department if the risk assessment raises concerns about the conditioning or coercion of the primary carer by the prisoner, or concerns about the capacity of the parent / carer and should consider withholding the photograph in these circumstances.

6.10.4 When establishing the identity of the child in the photograph it may transpire that they are now an adult or even that they have died. In such cases it may be possible to conclude that there is no risk to the subject though the OMU must still carry out a risk assessment.

6.10.5 [Section 7.10 'Personal photographs of children'](#) provides further guidance on the process and risk assessment for approving personal photographs of children.

³³ Personal photographs of children means photographic images intended for individual viewing, as opposed to a photograph published for commercial use.

Risk of sharing personal photographs of children

- 6.10.6 Governors can restrict any prisoners (outside of those described above) access to photographs of children where there is evidence they will share photographs with others who should not have them.
- 6.10.7 If the prison refuse permission on these grounds, they should consider whether it may instead be appropriate to give the prisoner supervised access to the photographs.
- 6.10.8 Where a member of staff finds a photograph the possession of a prisoner for whom it has not been authorised, they must confiscate it and submit a Security Intelligence Report which would trigger an investigation.

Decisions regarding photographs of children

- 6.10.9 The HOMS must ensure:
- staff record decisions about access to photographs on the relevant annex (see [Section 7.10 'Personal photographs of children'](#)) and DPS safeguarding case-notes;
 - where the decision is not to allow a photograph in possession CAs either:
 - return the photograph(s) to the sender where possible, or
 - store it on the prisoner's record.
 - where the decision is to allow a photograph in possession CAs send the relevant annex which informs the prisoner that the photograph has been authorised for their possession only and under no circumstances should they give the photograph to any other prisoner;
 - there are processes in place to review decisions if there is a change in risk or staff receive new information.
- 6.10.10 The [Prisoners Property Policy Framework](#) covers governors powers to restrict the display of material which could cause offence.

Appeals

- 6.10.11 Prisoners who wish to appeal against a decision made by the prison can do so using the complaint procedure set out in the [Prisoner complaints policy framework](#).

6.11 People Convicted of Sexual Offending (PCoSO) and registration and notification requirements

- 6.11.1 [The HMPPS Approach to the Management and Rehabilitation of People Convicted of Sexual Offences](#) Guidance sets out how staff should work with people who have been convicted of sexual offences in a way that supports effective rehabilitation, whilst ensuring that any risk is managed robustly. It is important that POMs are aware of this guidance when making risk assessments and considering public protection controls and restrictions.
- 6.11.2 Governors are required to ensure;
- the OMU identify prisoners subject to sexual offender notification requirements, and those made subject to a court order which specifically manages the risk of sexual offending, during the screening process;
 - that staff remind prisoners of their notification requirements on release; and that

- staff follow the processes in [guidance Section 7.11 'PCoSO: court orders and notification requirements'](#) which provides further information and contains the relevant annexes the OMU must use when notifying the prisoner and other agencies about sexual offending notification requirements.

6.11.3 Prison staff need to be alert to the possibility that requirements may have changed between reception and release. For example, an offender may have been made subject to a Sexual Harm Prevention Order (SHPO) while serving a custodial sentence, as police can apply to the courts for such an order at any point.

6.11.4 In all cases where a period of ROTL has been approved, the OMU must record details of the release period and discharge on ViSOR before the offender is released on ROTL and share the information with the COM or YJS case manager.

6.12 **Terrorist notification requirements**

6.12.1 The Managing Extremism and Terrorism Amongst Offenders in Custody and the Community Policy Framework³⁴ provides detailed guidance and mandatory instructions for managing Terrorist and Terrorist-connected, or Terrorist Risk prisoners. The Interception, Monitoring and Security of Prisoner Communications Policy Framework provides the policy on communication controls for this cohort of prisoners.

6.12.2 This section specifically covers the prison's responsibilities for prisoners who are subject to Terrorist Notification Requirements under Part 4 of the Counter Terrorism Act 2008 which provides a notification requirement for individuals sentenced to 12 months or more imprisonment for a specified terrorism offence or an offence with a terrorism connection.

6.12.3 Governors are required to ensure;

- the OMU identify prisoners subject to terrorist notification requirements during the screening process;
- where the prisoner is to be released on temporary licence, the OMU or security department must update ViSOR with details of the release period and discharge address before the prisoners is released on ROTL;
- that staff remind prisoners of their notification requirements on release; and that
- staff follow the processes in [guidance section 7.12 'Terrorist notification requirements'](#) which provides further information and contains the relevant annexes the OMU must use when notifying the prisoner and other agencies about sexual offending notification requirements.

6.13 **Banned and controlled material**

6.13.1 Governors must ensure:

- there are processes in place to control and restrict prisoners access to, and possession of, material that should be excluded from the prison environment or carefully controlled;

³⁴ This is a restricted Policy Framework which staff can request from their governor or Regional Counter Terrorism Team.

- they identify relevant prison staff who will check material and make the assessment to inform decisions about restrictions;
- staff follow the process in [guidance section 7.13 'Banned and controlled material'](#) when making decisions to restrict materials at an individual level and prison-wide, and when notifying the prisoner.

6.13.2 The OMU must contribute to decisions to restrict material for public protection reasons and should consult with the prison's psychology and programmes staff, particularly for prisoners who are engaged with interventions or are subject to a psychological risk assessment.

6.13.3 The security department must contribute to decisions to restrict material to maintain good order and discipline. Library staff may suggest items for inclusion on any prison-wide restrictions and can advise on content, but they are not authorised to apply restrictions.

6.13.4 Prison staff involved with decisions to control or restrict material must:

- evidence why restricting access to material that is not automatically 'banned' is necessary and proportionate;
- take account of prisoners' right to receive information and the general HMPPS policy of not applying censorship and balance these rights against the potential harm before a decision is taken;
- ensure any restrictions adopted (including completely withholding materials) is necessary and proportionate to the nature of the risk and is the least restrictive measure needed to address that risk; and
- follow the [guidance in section 7.13 'Banned and controlled material'](#) which provides further information about the assessment and decision-making process.

6.13.5 These requirements align with:

- The [Prisoners' Property Policy Framework](#) which states the Governor must temporarily confiscate, pending a decision, any publication where they consider the content presents a threat to good order or discipline or to the interests of prison or national security, or that possession of the material is likely to have an adverse effect on the prisoner's physical or mental health; and
- [PSI 49/2011: Prisoner Communication Services](#) which places several restrictions in the content of prisoners' correspondence.

Definition of material

6.13.6 "Material" includes, but is not confined to, books, periodicals, newspapers, leaflets, catalogues, posters, computer games, DVDs (including films and collected TV series, and other formats such as VHS and Blu-Ray), music, pictures, photographs, and other forms of written, graphic or recorded material. Other items are covered by the relevant policies on security and prisoners' property.

Reasons to control or restrict material

6.13.7 Prisons can control or restrict material where the purpose is to:

- a) regulate prisoners' offending behaviour, to prevent crime and to promote rehabilitation and the reduction of re-offending (of any prisoner not just the prisoner who is seeking access to material); and/or
- b) allow good order and discipline to be maintained.

6.13.8 There are four pathways to restricting access to material:

1. **Banned Material** – This applies to all prisoners regardless of public protection and risk assessments.
2. **Public Protection** - Restricting material in individual cases for public protection reasons; this is applied following individual risk assessments.
3. **Maintaining Good Order and Discipline** - Restricting material in individual cases or applying prison-wide restrictions to maintain good order and discipline; this is applied following individual risk assessments, or an assessment of the impact the material would have on the whole prison (prison level restrictions).
4. **Sharing Material** - Prisons may also restrict a prisoner having access to material if there is evidence:
 - they intend to share that material with other prisoners who may not be approved to have access to it;
 - they may trade the material as a form of currency; or
 - they have obtained material on behalf of a prisoner who has been restricted from accessing it.

6.13.9 The criteria for banned material, and further guidance on restricting material is in [Guidance section 7.13 'Banned and controlled material'](#).

7 **Guidance**

7.1 **Resources**

7.1.1 This section provides prison staff with more detailed guidance on the processes they should follow when implementing this policy. Prison staff should use this guidance for the purposes of understanding and delivering the mandatory actions within this Policy Framework.

7.1.2 All the relevant annexes mentioned within the guidance are available (for internal use) on [EQuIP](#) and the [Prison Public Protection Community on the MAPPA website](#); this is a dedicated resource for all OMU staff who work within public protection. This is a non-public facing private space with a range of other useful resources including:

- community contact details for prisons, MAPPA Coordinators, SMB Chairs, Police, Public Protection Group and Children's Social Services;
- links to other government websites, including Prison Service Instructions and Policy Frameworks;
- General Practice Forum;
- live consultation; and
- Prison Public Protection Lead Bulletin.

7.1.3 A [table of annexes](#) with the EQuIP links and MAPPA website links is provided at the end of this guidance section. Guidance on accessing EQuIP and the MAPPA website is provided in [section 3](#) of this Policy Framework.

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7.2 **The Prison Public Protection Assurance Tool (PPAT) and Steering Group**

7.2.1 The PPAT ([Annex A “Public Protection Assurance Tool”](#)) brings together information relating to all prison governors’ and Directors’ responsibilities relating to public protection and aims to provide a practical solution to enhance public protection practice in prisons. The steering group is the prisons strategic board which governs public protection across the prison in accordance with public protection and other related policy.

7.2.2 How PPAT can help prisons:

- It provides local assurance; identifying any gaps where prisons are not fully compliant with policy obligations and providing the assurance where it does.
- It contains a risk register and action log to enable the Steering Group to address any issues and improve public protection practise across all prison departments.
- Prisons can also use the PPAT to demonstrate progress as required for inspections and audits, external partnership arrangements, line management meetings, or other purposes as they see fit.
- It provides terms of reference for the Steering Group, which can be adapted to meet local needs.

7.2.3 Who is part of the Steering Group:

Core membership:

- Governor or Deputy Governor,
- Head of Offender Management Delivery (HOMD),
- Head of Offender Management Services (HOMS),
- Head of Security.

Optional membership (to be invited as required):

- Police Intelligence/Liaison Officer (PIO/PLO),
- Head of CTU in the LTHSE or Regional CT lead,
- Heads of Reducing Reoffending,
- Heads of Safer Custody,
- Psychology services.

7.2.4 The steering group meeting:

- Is chaired by the governor or deputy governor,
- Occurs quarterly,
- Provides a forum to recognise good practice and escalate concerns.

The TOR is available in the [prison public protection assurance tool](#).

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7.3 **Recording and sharing information**

The importance of sharing information

- 7.3.1 It is important that prisons share information about prisoners' behaviour, risk assessments and risk management plans, and public protection controls and restrictions between departments within the prison, with Community Offender Managers (COMs), the Police, and Children's Services as instructed in this Policy Framework, and other agencies as required when necessary and proportionate to manage the risk. It is particularly important that security departments have processes in place to share information and intelligence with the OMU. Security departments need to consider the most appropriate way to share intelligence and provide handling conditions when disseminating information in line with the [Intelligence Collection, Analysis, and Management Policy Framework](#).
- 7.3.2 The Public Protection Steering Group should encourage a culture of information sharing and have assurance there is effective communication across all departments and with the OMU who are responsible for risk management and pre-release planning.
- 7.3.3 The Interdepartmental Risk Management Meeting (IRMM) provides a formal setting for sharing information; however, all prison departments should develop close working relationships with the OMU and regularly share information outside of formal meetings.
- 7.3.4 As part of ongoing risk management, it is important that POMs:
- seek information from prison departments to inform their assessments and decisions about public protection controls and restrictions. This includes engaging with prison officers and keyworkers (where applicable) who have a valuable insight into prisoners' daily lives;
 - check ViSOR records for information that will contribute to their risk assessment and ongoing management in prison,
 - consider information about a prisoner's behaviour in the context of their risk assessment and analyse its significance; for example, if a prisoner is found with a mobile phone this could:
 - represent a breach of trust,
 - represent an increase in risk if they are involved with criminal activity such as drug supply in prison or if this breaches SHPO requirements,
 - or it could suggest the prisoner is vulnerable and could be holding the phone perhaps in return for drugs or because they are in debt;
 - assess and record any escalating or emerging risks to the public;
 - implement any contingencies necessary to manage public protection risks; and
 - share information with the COM where they are the responsible offender manager, and as part of pre-release planning, and with other agencies as specified in this policy framework.

Electronic public protection files

- 7.3.5 The HOMS needs to ensure:
- there is a secure shared folder dedicated to saving public protection information that only OMU staff can access;
 - there are processes in place to send prisons public protection information to receiving prisons on transfer.
- 7.3.6 OMU CAs are required to:

- create an electronic public protection folder for prisoners subject to public protection controls and restrictions;
- save the folder in a secure shared folder that only OMU staff can access;
- save any relevant forms in the electronic folder;
- send the folder to the receiving prisons secure OMU Functional Mailbox (FMB) following a transfer.

Prison-NOMIS/Digital Prison Service (DPS) alerts

- 7.3.7 A list of public protection NOMIS/ DPS alerts, including guidance on when prisons should use each alert, is available on [EQuIP](#) and the [MAPPA website](#). Accurately recording NOMIS/DPS alerts will allow OMU managers to have oversight of public protection controls and restrictions.

Digital Prison Service (DPS) case-notes

- 7.3.8 POMs should use the dedicated offender management (OMIC) case-notes screens within Digital Prison Services (DPS) to record public protection activity:
- Public Protection Screenings are recorded in the 'Assessments/Reports' case-note.
 - PPRC assessments and decisions on child contact levels are recorded in the 'Assessments/Reports' case-note.
 - IRMM discussions and actions are recorded in the 'Assessments/Reports' case-note.
 - Other public protection information should be recorded in the 'Safeguarding Adults and Children' case-note.
- 7.3.9 EQuIP provides further guidance on case recording; see:
- [OMIC Case Notes Guidance](#)
 - [Handling Sensitive Information - Practitioner Guidance \(POM\)](#)

ViSOR

- 7.3.10 It is a requirement that for prisoners with an active ViSOR record, OMU and security staff share and record information on ViSOR that is relevant to ongoing risk management, this includes information about public protection controls and restrictions. Further guidance is available in the [HMPPS ViSOR Policy Framework](#).

Tracking Public Protection cases

- 7.3.11 The OMU must maintain a record of public protection cases which they will use to identify:
- prisoners subject to public protection controls and restrictions and manage review dates;
 - prisoners who must have telephone numbers checked before being added to their PIN;
 - prisoners who are subject to Offence Related Monitoring (ORM) and manage review dates;
 - prisoners who the Inter-Departmental Risk Management Meeting need to discuss; and

- MAPPA-eligible prisoners and ensure the MAPPA management level is confirmed and the NOMIS/DPS alert changed at least 6 months pre-release.

7.3.12 How the OMU achieve this can be agreed locally and may take the form of a register or excel database which is manually maintained, or by using the NOMIS reporting function.

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7.4 **Public protection screening and identification**

7.4.1 OMU managers need to ensure there are processes in place for;

- CAs to screen all new receptions as soon as possible and at least within 5 working days of a prisoner's arrival;
- implementing restrictions immediately on identification where there is a court order or harassment offence/charge;
- POMs to review the screening within a maximum of 10 working days of the initial CA screening and make decisions about further public protection controls and restrictions;
- reviewing the screening and decisions about public protection controls and restrictions at the mandated stages as outlined in [section 6.3 'Risk assessment and risk management'](#);
- a duty or other allocated POM or manager to review the public protection screening and advise on appropriate public protection controls and restrictions for prisoners who are remanded; and
- identifying and recording any new public protection concerns as new information or risks may present at any point during a custodial sentence.

7.4.2 The OMU CA's role in the public protection screening is to:

- complete (or review if the initial screening has already been completed) part 1 of the public protection screening tool ([Annex B "Public Protection Screening Tool"](#)) for all new receptions to identify prisoners who may need to be managed under public protection controls and restrictions; this is a screening of information rather than a risk assessment; and
- review a range of information to inform the screening, including:
 - Pre-Sentence Reports
 - OASys
 - PNC Previous Conviction Record
 - Court orders and records
 - Prisoner Escort Records
 - NOMIS/DPS alerts
 - ViSOR records
- From reviewing these sources of information and the additional guidance referenced, identify:
 - prisoners eligible for MAPPA management (see [section 7.4.4 'Identifying prisoners eligible for MAPPA management'](#))
 - prisoners presenting a risk to children (see [section 7.8. PPRC](#))

- prisoners presenting a risk of harassment (see [section 7.6.7](#))
- prisoners presenting a risk of Domestic Abuse (DA) (see [section 7.6.11](#))
- prisoners presenting a risk of stalking (see [section 7.6.7](#))
- victim information (see [section 7.6.5](#))
- prisoners with restrictive court orders (see [section 7.6.17](#))
- prisoners convicted of Sexual Offending and/or who are subject to Sex Offender Notification requirements (see [section 7.11](#))
- prisoners convicted of Terrorism Act or Terrorism connected offences and/or who are subject to Terrorist Notification Requirements (see [section 7.12](#))
- Record prisoners identified in any of the above categories on the screening tool and add the relevant alerts to NOMIS/DPS.
- Share the screening tool with the POM.

7.4.3 The POM's role in the public protection screening is to:

- complete (or review if the initial screening has already been completed) part 2 of the public protection screening tool ([Annex B "Public Protection Screening Tool"](#));
- take a more detailed and investigative approach and seek further information where there are gaps, when reviewing the screening information to inform their risk assessment and identify any public protection cases that the initial CA screening did not detect;
- consider information from Pre-release Teams (PRT) who are responsible for completing the BCST2; staff in the PRT should notify the POM if they identify any public protection or safeguarding issues³⁵;
- determine any restrictions which may be necessary to manage specific risks whilst the prisoner is in custody;
- notify the CA if they identify a public protection case or concern the initial screening did not detect to enable the CA to add the relevant NOMIS/DPS alerts and add to any local tracking systems;
- record that the screening has been completed and any outcomes on the OMIC DPS case-note 'Assessments/Reports'; and
- update the screening tool and case-note, and notify the CA, if they identify a public protection case or concern at a later point in someone's sentence, when completing OASys or if they receive new information.

Identifying prisoners eligible for MAPPA management

7.4.4 Prisons have a responsibility to identify and record MAPPA-eligible prisoners using the correct NOMIS/DPS alerts and to use ViSOR in line with the HMPPS ViSOR Policy Framework. It's important the OMU record these cases accurately as this will:

- enable the OMU to manage the MAPPA cohort during the pre-release phase and run correct NOMIS reports;
- alert the OMU to remand cases currently subject to MAPPA management; and
- allow prisons and the national MAPPA team to collate data about the number and types of MAPPA cases in prisons.

³⁵ [HMPPS Pre-release and Resettlement Policy Framework](#)

- 7.4.5 It is important for OMU CAs involved with public protection screenings to understand:
- the different MAPPA categories and management levels:
 - MAPPA categories are explained in [Chapter 6: Identification and Notification of MAPPA Offenders](#).
 - the levels of MAPPA management are explained in [Chapter 7: Levels of Management](#).
 - how to record MAPPA NOMIS/DPS alerts:
 - The alerts combine the MAPPA Category and MAPPA Level, meaning prisons will only use one NOMIS alert for each MAPPA case. This encourages prisons to only record the MAPPA Level once the community has confirmed it.
 - The MAPPA management level should be confirmed at least 6 months pre-release.
 - Once the community have confirmed the level of MAPPA management, the OMU must deactivate the old alert and add a new alert which identifies the MAPPA Level. This process provides a record of when prisons have confirmed the MAPPA level and can be used as evidence during HMIP inspections and local audits.

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7.5 **Inter-Departmental Risk Management Meeting (IRMM)**

- 7.5.1 The Interdepartmental Risk Management Meeting (IRMM) is an internal multi-disciplinary prison meeting that should be used to monitor and manage the risk of those prisoners who present the highest level of risk of serious harm.
- 7.5.2 The IRMM makes a valuable contribution to risk assessment, risk management plans and sentence planning. This meeting should facilitate information sharing between each department within the prison; each play a key role in contributing to risk management plans and ensuring decisions are proportionate, defensible, and evidence based. This information will contribute to ongoing risk management and pre-release planning activities including:
- OMiC early allocation referrals;
 - OMiC handovers;
 - Pre-release discussions and meetings (including release planning for prisoners not subject to statutory supervision on release);
 - MAPPA level setting (completed by the COM in consultation with the prison);
 - MAPPA F reports for Level 2 and 3 meetings;
 - Manage any specific public protection risks which may include concerns about ongoing harassment, victim contact or serious organised crime.
- 7.5.3 In complex cases the POM and HOMD may consider holding a professionals' meeting to manage a specific risk that requires coordination of agencies and prison departments.
- 7.5.4 Attendance at the IRMM
- Core membership includes:
- Offender Management Unit
- Head of Offender Management Delivery (HOMD) – Chair

- Head of Offender Management Services (HOMS) – Chair in HOMD absence
- Prison Offender Managers (POMs)
- Hub Manager and/or Case Administrator delegated to take minutes.

Security

- Head of Security and/or CM
- Security Analyst
- Prison Prevent Lead (PPL)

Other departments who should be represented:

- Residential (including Keyworkers)
- Reducing Reoffending
- Safer Custody
- Health Care
- Mental Health Team
- Chaplaincy
- Resettlement/ Pre-Release Team³⁶
- Substance Misuse Provider
- Psychology / Programmes
- Prison Prevent Lead
- Others as deemed appropriate by the chair

7.5.5 The role of the POM

POMs should attend the IRMM and provide an update on their allocated prisoners and seek information from other departments to inform their risk assessments and risk management plans.

7.5.6 The role of prison departments

Each department invited to the IRMM should review the prisoners on the agenda and bring any risk information they have to the IRMM. This will enable the meeting to coordinate sharing of all prison information and discuss any concerns, and how those concerns should be managed.

7.5.7 The role of the COM or YJS case manager:

- The COM (where allocated) or YJS case manager should be invited to the IRMM or asked if they have any information to contribute to relevant discussions.
- The OMU need to provide the COM (where allocated) or YJS case manager with relevant minutes of the IRMM whether or not they attend.
- If concerns are raised at the IRMM before a COM has been assigned, the OMU may need to consider the OMiC early allocation process. If the case does not warrant early allocation or the referral is rejected, the POM must ensure the information is shared at the usual handover stage.

IRMM agenda and minutes

7.5.8 OMU managers will ensure:

³⁶ Pre-release team staff will usually contribute to the IRMM via the POM and attend by exception: [HMPPS Pre-Release and Resettlement Policy Framework - GOV.UK \(www.gov.uk\)](#)

- there is an agreed IRMM agenda; (See [Annex C “IRMM TOR”](#) and [Annex D “IRMM Agenda Template”](#));
- the agenda includes the details of the prisoners the meeting will discuss;
- departments attending the IRMM understand the requirement to review individual cases in preparation for the meeting, so they are able to share information and contribute to discussions. The OMU should raise any issues regarding engagement with the IRMM via the steering group;
- there are minutes of the meeting and an allocated minute taker for each meeting to make an accurate record of decisions and actions and that minutes are stored securely as arranged locally (See [Annex E “IRMM Minutes Template”](#));
- information is available to the COM and other prisons on transfer. This should include a case-note summarising the discussion and any agreed actions; for guidance on case-notes and how to manage sensitive information see [section 7.3](#).

7.5.9 Audio Recording of IRM Meetings:

- The OMU can record the IRMM on Microsoft Teams for the purpose of enhancing the quality of meeting minutes.
- The Chair must obtain consent from attendees at the beginning of the meeting. Should a meeting attendee not wish to be video recorded, they may turn off their camera before recording starts so that they are only audio recorded.
- Recordings of meetings must be deleted as soon as the minutes have been completed and approved, usually within one month. It is imperative that minutes are approved as soon as possible.
- Recordings may be requested under Subject Access Request provisions before the minutes are approved.

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7.6 **Public protection contact restrictions**

Identifying public protection contact restrictions

Where to find key information

7.6.1 The Person Escort Record (PER)³⁷:

- For both convicted and remand prisoners, the PER will identify any relevant harassment offences and court orders including Civil orders that specify contact restrictions.
- If the OMU do not have the victim's details or a copy of the court order, they must contact the relevant court to request a copy to enable the prison to manage the risk presented by the prisoner correctly.

³⁷ The PER is an information sharing document for each prisoner that is used for every escort. Some PERs are digital (dPER) including all PECS booked moves whereas HMPPS escorts (such as hospital escorts) may still use the paper PER. For further information see the [Person Escort Record Policy Framework - GOV.UK \(www.gov.uk\)](#)

- Alternatively, the OMU can contact the relevant police force; the prison should work with its police intelligence officer (PIO) to ascertain this information.

7.6.2 The warrant:

- The warrant will detail prisoners remanded for or convicted of current harassment offences or if they are subject to a restraining order or other court order specifying no contact. Copies of any court orders should be attached to the warrant.
- If the OMU does not have a copy of the order, then staff must contact the court or the police to obtain further information within 24 hours of reception or, at weekends, on the next working day.

7.6.3 Court paperwork and digital systems:

- Court paperwork and digital recording systems,
- the police summary of the offence (MG5), and
- any pre-sentence reports.

7.6.4 Unwanted Prisoner Contact Service (UPCS):

- The police may use the UPCS to report victims' details for sentenced prisoners, or to share information about victims and witnesses for unconvicted prisoners.
- Members of the public may use the UPCS to report unwanted contact from a prisoner and request that contact is stopped.

Who counts as a victim for the purposes of public protection contact restrictions

- 7.6.5 The policy on public protection contact restrictions includes restricting prisoners' contact with the victims of their current or previous offences. In this context, a victim is defined as someone directly affected by the offence. This includes victims of offences committed in the context of domestic abuse (see [section 7.6.11](#)).
- 7.6.6 The OMU can only identify and record the names of victims they are aware of from the information available such as court records, prison records and risk assessments. CAs and POMs should be guided by the prisoner's risk assessment and prioritise identifying current victims and any previous victims who the prisoner may continue to pose a risk to.

Victims of harassment or stalking

- 7.6.7 The Protection from Harassment Act 1997 is the main legislation dealing with harassment and stalking. It defines behaviours that provide the basis for criminal prosecution, claims for damages, and civil injunctions. However, this Act is not the only legislation that outlines harassment offences and orders, and the resulting contact restrictions prisons need to apply. The table below gives a summary of legislation which can trigger the need for restrictions on contact to be imposed.

Protection from Harassment Act 1997	various offences, plus restraining orders and injunctions to prevent harassment including, but not limited to, s.2A: stalking
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	s.4A: stalking involving fear of violence or serious alarm and distress
Public Order Act 1986	s.4A: intentional harassment, alarm or distress s.5: harassment, alarm or distress
Crime and Disorder Act 1998	s.31: racially aggravated public order offences s.32: racially aggravated harassment
Family Law Act 1996	s.42: non-molestation orders (civil) s.42A: breach of non-molestation order (criminal offence)
Domestic Violence, Crime and Victims Act 2004	s.12 enables restraining orders to be made on conviction or acquittal for any criminal offence
Serious Crime Act 2015	s.76 offence of controlling or coercive behaviour in an intimate or family relationship
Crime and Security Act 2010	s. 24-33 Domestic Violence Protection Notices (DVPNs) and Domestic Violence Protection Orders (DVPOs)
Domestic Abuse Act 2021	s.22-49 Domestic abuse protection notices (DAPNs) and Domestic abuse protection orders (DAPOs) ³⁸
Criminal Justice and Public Order Act 1994	s.51 Intimidation of witnesses, jurors, and others during criminal cases
Stalking Protection Act 2019	Stalking Protection Order (SPO).

Stalking and the Stalking Protection Act 2019

7.6.8 The Stalking Protection Act 2019 introduces a new civil order; the Stalking Protection Order and 6 criminal offences which came into effect from 20th January 2020. A Stalking Protection Order (SPO) is designed to protect victims of stalking by intervening early. Breach of the order without a reasonable excuse is a criminal offence.

7.6.9 When identifying prisoners who pose a risk of stalking POMs are required to:

- record the 'stalking perpetrator' NOMIS/DPS alert and any details of SPOs including;
 - length of the order
 - prohibitions and or positive requirements posed

³⁸ DAPNs and DAPOs will initially be piloted in selected areas across England and Wales for two years to test the effectiveness and impact of the new model ahead of expected national roll-out; [Domestic Abuse Statutory Guidance](#)

- any requirements geographically restricted or subject to fixed period differing to the length of Order
- discuss and reflect any SPO and its requirements within the risk assessment and risk management plan;
- monitor compliance with SPOs and liaise with Police if concerns arise in relation to compliance with the orders requirements.

7.6.10 Further information on stalking and SPOs is available in the Domestic Abuse Policy Framework and on EQuIP: [Stalking \(justice.gov.uk\)](https://justice.gov.uk/stalking)

Victims of domestic abuse

7.6.11 Domestic abuse, particularly in the form of controlling or coercive behaviour, may continue and even increase from within prison via direct contact (letters, phone calls) or relying on others (peers, family, other prisoners) to maintain contact which could be abusive or controlling.

7.6.12 Identifying victims of domestic abuse can be complex as the offence type does not automatically indicate domestic abuse (except for the offence of controlling or coercive behaviour in an intimate or family relationship under s.76 of the Serious Crime Act 2015.) The [Domestic Abuse Act 2021](#) provides a definition of “domestic abuse” which includes abusive behaviour (as [defined in section 1 of the Act](#)) to those who are personally connected to each other. The definition of “personally connected” (as defined in [section 2 of the Act](#)) includes:

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2)); and
- (g) they are relatives.

7.6.13 [Section 3 of the Domestic Abuse Act 2021](#) recognises children as victims of domestic abuse if the child sees, hears, or experiences the effects of the abuse, and is related to either the victim or perpetrator³⁹. The OMU must restrict prisoners from contacting children who fall within this legal definition and identify the prisoner as a potential PPRC. Where POMs identify children outside of this definition who may be at risk, they should consider this as part of the PPRC assessment process; see [section 7.8 ‘PPRC assessment’](#). Prisoners are able to apply for contact with child victims if they can demonstrate there are exceptional circumstances as outlined in [section 7.6.42 ‘Assessing requests for contact’](#).

7.6.14 To assist with identifying prisoners who present a risk of domestic abuse and their victims, POMs need to consider:

- the relevant HMPPS policy and guidance including:
 - [Domestic abuse Policy Framework](#)
 - [HMPPS Child Safeguarding Policy Framework](#)

³⁹ A child is related to a person if the person is a parent of, or has parental responsibility for, the child, or the child and the person are relatives; see [Domestic Abuse Act Subsection \(2\)](#).

- [Assessing Domestic Abuse within OASys Guidance](#)
- the circumstances of current and previous offences and other unconvicted behaviours/such as police call outs;
- that risk does not necessarily reduce when an individual is in custody;
- information from the prisoner's time in custody; key workers, wing staff, those delivering activities and interventions may have information about the people prisoners are in contact with and apparent new relationships; and
- how to be [professionally curious](#) and monitor information relating to a prisoner's domestic circumstances. The [Domestic abuse Policy Framework](#) outlines the expectations of prison staff when they identify a prisoner who presents a risk of domestic abuse has formed a new relationship. This includes a requirement on POMs to consider if they need to arrange for disclosure via the Domestic Violence Disclosure Scheme (DVDS) often referred to as "Clare's Law".

7.6.15 Where there is known information to suggest that a prisoner has perpetrated domestic abuse but has not been charged or convicted for the behaviour and there is no identified victim as defined in section 7.6.5 above, the POM should:

- consider whether contact with any individual who may be at risk of victimisation should be prevented for public protection reasons as 'a contact of concern' in line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework; this requires a risk assessment and application to restrict contact⁴⁰ in which the POM is required to set out why the restriction is necessary and proportionate; a delegated manager will approve the restriction if they agree⁴¹;
- ensure the prison restrict contact with any potential victims who make a no-contact request in line with [section 7.6.23 'No-Contact Request'](#) and [Section 7.6.27 'Unwanted Prisoner Contact Service'](#);
- consider any no-contact requests as part of their wider risk assessment.

7.6.16 It is important that POMs also recognise when prisoners have been victims of domestic abuse and refer to [PSI 16/2015 Keeping adult prisoners safe](#) when considering any safeguarding measures to support prisoners who may be at risk of contact from a perpetrator.

Court orders

7.6.17 As part of the identification and screening process, OMU CAs and POMs will;

- identify prisoners who are subject to a court order which specifies a contact restriction;

⁴⁰ The Application for the Restriction of Communications is at Annex 1 in the Interception and Restriction of Communications Operations Manual. This is a restricted document the NIU have distributed to managers in the OMU and security department.

⁴¹ This is in line with the *Interception, Monitoring and Security of Prisoner Communications Policy Framework* associated Detailed Guidance and Operations Manual. This policy defines a contact of concern and includes *an individual who is identified through intelligence or a reasonable suspicion as being at risk of coercion, harassment, domestic abuse, or harm by the prisoner, including intimidating a witness and/or threatening a victim.*

- ensure contact is restricted in line with the conditions of the court order;
- consider other requirements of the court order and how they may be relevant whilst the prisoner is in custody; for example, a Sexual Harm Prevention Order (SHPO) may prohibit someone from undertaking certain forms of employment, or from engaging in particular activities on the internet. See section 7.11 [‘People Convicted of Sexual Offending \(PCoSO\): court orders and notification requirements’](#).

Relevant Court orders can include (this is not a definitive list):

- Restraining Order
- Non-Molestation Order
- Domestic abuse protection order
- Modern Slavery Order
- Serious Crime Prevention Order
- Sexual Offences Prevention Order (SOPO)
- Sexual Harm Prevention Order (SHPO)
- Sexual Risk Order (SRO)
- Stalking Prevention Order (SPO)
- Criminal Behaviour Order (CBO)

Further information can be found in the [HMPPS Civil and Ancillary Orders Awareness eLearning](#) and at [Protective measures and civil orders | College of Policing](#).

Unconvicted prisoners’ contact with victims or witnesses

- 7.6.18 Courts cannot impose bail conditions which prevent defendants from interfering with witnesses where the defendant is remanded in custody, despite the possibility of intimidation by telephone or letter. That means prisons may need to restrict unconvicted prisoners from contacting victims or witnesses involved with their court case where the police or CPS have identified they pose a risk of intimidation to them. Where such restrictions are required:
- the Police and/or court will need to notify the prison of a victim or witness;
 - information may be recorded on the Person Escort Record and the Police/CPS MG6 form;
 - the Police may contact the prison directly, via the PIO, or using the Unwanted Prisoner Contact Service (UPCS);
 - the same procedures will apply to prisoners serving a prison sentence who are charged with further offences and subsequently appear at Court and not given bail, if they are then identified as posing a risk of intimidating a victim or witness.
- 7.6.19 Contact restrictions apply automatically (without the Police needing to notify the prison) to prevent prisoners remanded for offences under the Protection from Harassment Act 1997, or for the offence of controlling or coercive behaviour under Section 76 Serious Crime Act 2015, from making unauthorised contact with their victims from within prison until the end of their trial.
- 7.6.20 If there is evidence that a prisoner has made, or attempted to make, contact, including indirect contact, with a victim or witness they are restricted from contacting, OMU or security staff should notify the police and consider whether further communication controls are required; such as, monitoring communications or applying for a communication restriction in line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework .

7.6.21 Reception staff⁴² are required to:

- review the information which arrives with the prisoner to identify any victims or witnesses the prisoner is not permitted to contact;
- notify relevant colleagues in Security and/or the OMU/Public Protection unit, of any victims or witnesses the prisoner is not permitted to contact.

7.6.22 OMU staff are required to:

- review the information which arrives with the prisoner, or is raised subsequently to identify any victims or witnesses the prisoner is not permitted to contact;
- notify relevant colleagues who deal with prisoner communications to ensure the prisoner cannot contact the named victim or witness;
- notify the prisoner that they must not contact the identified victim or witness using [Annex F “Contact Restrictions: Prisoner Notification Form”](#). No details about the victim or witness, other than their name, will be disclosed to the prisoner;
- update the victim/witness contact information on the NOMIS/DPS record and inform staff who undertake pin phone and correspondence checks if police notify the prison of any changes;
- routinely (at least every 6 months) check with the Police that restrictions continue to be necessary and proportionate especially if the restrictions relate to a victim or witness who is a prisoner’s spouse/partner, close family member or close friend;
- put restrictions in place if a victim or witness, or any member of the public, makes a no-contact request.

No-contact request

7.6.23 Members of the public:

- can ask a prison to impose restrictions on the contact they receive from a prisoner; they can do this by contacting the prison directly in writing or by telephone, or by using the Unwanted Prisoner Contact Service (UPCS);
- need to consent to their information being processed under the Data Protection Act (2018) and be informed that the prisoner will be notified in writing that they are not permitted to contact them;
- do not need to give a reason or justification for their request;
- need to tell the prison if they later want to withdraw their request.

7.6.24 Professionals and family or friends:

- can make a no-contact request on behalf of the person requesting not to be contacted providing they have their consent;
- need to be informed the prisoner will be notified in writing that they are not permitted to contact the person subject to the request.

7.6.25 No-contact request regarding children:

⁴² The requirements for reception staff are set out in [PSI-07-2015-Early-days-custody.pdf](#)

- The primary carer of a person who has not yet reached their eighteenth birthday can contact the prison to request a restriction on contact between the prisoner and child.
- A child can contact the prison to request a no-contact restriction themselves. In these circumstances the POM should consider whether their request could indicate a safeguarding concern.
- If there is a family court order in place with specific terms of contact between a prisoner and child refer to the [Child Safeguarding Policy Framework](#) for further guidance.

Changes to a no-contact request

- 7.6.26 If someone who has made a no-contact request wishes to resume contact with a prisoner, they should put their request in writing or email to the UPCS or the prison's secure functional mailbox. Only in very exceptional circumstances, where a request is too urgent to go through the standard procedure, should the prison consider allowing contact to resume without a written request from the individual concerned. For example, if the individual who made the request is taken ill and cannot reasonably put their request in writing.

HMPPS Unwanted Prisoner Contact Service (UPCS)

- 7.6.27 The primary purpose of the UPCS is to prevent any unwanted contact between prisoners and victims or other members of the public who do not want to receive contact from a prisoner.

7.6.28 How the public can use the UPCS:

- Any member of the public can make a no-contact request and report unwanted contact from someone in prison.
- Victims can use the service to report any unwanted contact they continue to receive.
- Family and friends can report unwanted contact and request a no-contact restriction on someone's behalf providing they have the consent of the person not to be contacted.
- Anyone using the service can give specific phone numbers and addresses for the prison to block contact with.

7.6.29 How professionals can use the UPCS:

- All professionals can:
 - report unwanted contact from a person they are working with and request a no-contact restriction providing they have the consent of the person not to be contacted;
 - share victims' details to enable prisons to proactively restrict contact and block specific phone numbers and addresses;
 - share information or intelligence in line with their own organisations policies and request contact is stopped without that person's consent. In these cases the OMU must consider the information or intelligence in line with Section 4 of the Interception, Monitoring and Security of Prisoner Communications Policy

Framework and follow the process outlined when applying for a restriction; this involves assessing whether a restriction is necessary and proportionate.

- Police officers can use the UPCS to share any concerns about witness intimidation and report the details of victims and witnesses not to be contacted.

7.6.30 The UPCS can be contacted in a number of ways:

- Go to: www.gov.uk/stop-prisoner-contact
- Email: unwantedprisonercontact@justice.gov.uk
- Telephone: 0300 060 6699, Monday to Friday, 9am to 4pm

Restricting contact

7.6.31 When implementing public protection contact restrictions, it is important that the HOMS has processes in place to:

- accurately record the restriction and reason for that restriction on NOMIS/DPS alerts and case-notes;
- inform staff who are involved with correspondence, visits and PIN phones of the restrictions;
- ensure there is a secure process in place to inform staff in correspondence and PIN phone of any specific addresses or telephone numbers the prisoner is not allowed to contact;
- ensure there are delegated prison staff who will check and approve all telephone numbers before they are added to a prisoner's PIN phone;
- consider barring a telephone number from all PIN phone accounts in the prison, if this is necessary and proportionate to reduce the risk of contact via another prisoner's account.

Incoming correspondence from victims or witnesses

7.6.32 There may be circumstances where a victim or witness whom the prisoner is prohibited from contacting, writes to the prisoner. Prison Rule 34 allows prisons to restrict the correspondence prisoners send and receive where this is assessed as necessary and proportionate in pursuit of a listed legitimate aim; e.g. on the grounds of the protection of health or morals and for public safety, or for the prevention of disorder or crime.

7.6.33 In these circumstances, prison staff must consider whether withholding the correspondence from the prisoner would meet a legitimate aim. Reasons may include serious concerns about the prisoner's mental health, self-harm, or suicide, which could be exacerbated by receiving the correspondence, or if there were evidence this would increase the risk to the victim or witness. If prison staff assess that it is necessary and proportionate to withhold the correspondence in pursuit of one of the legitimate aims, they should;

- return to the sender and notify them of the restriction where possible, or place in the prisoner's stored property,
- notify the prisoner that they have withheld the specified correspondence,
- record the decision on the prisoner's record.

7.6.34 If there is not sufficient reason to withhold the correspondence, prison staff should check with the prisoner if they want to receive it. If the prisoner confirms they;

- do not want to receive the correspondence, they can ask to have it stored with their property;
- do want to receive the correspondence, prison staff should give the correspondence to the prisoner and remind them that they are not permitted to contact the victim/witness and if they wish to do so they must write to the governor outlining their exceptional circumstances.

7.6.35 This approach applies equally to;

- victims protected by court orders: legally, prisons are not required to withhold correspondence which is sent to a prisoner from someone protected by a court order. Prisoners should be advised to seek legal advice if they wish to obtain a variation of a court order. The prison should not facilitate any request that would result in a breach of a court order.
- victims and witnesses the prison are restricting contact with because the police or court have reported concerns about a risk of witness intimidation. In these circumstances, prison staff should consult with the police when deciding if there are good reasons to withhold the correspondence from the prisoner.

Recording

7.6.36 Once the OMU have identified prisoners who need to be subject to contact restrictions, the OMU CA must add the Public Protection Contact Restriction⁴³ alert to the prisoner's NOMIS/DPS record. The alert needs to include the name of the person the prisoner is not allowed to contact and the reason for the restriction, no other personal details should be recorded on the alert. Other relevant alerts should be used in conjunction with the Public Protection Contact Restriction alert to highlight specific risks, such as;

- Harassment Offences/Court Orders alert
- Stalking Perpetrator alert
- Domestic Violence Perpetrator alert

7.6.37 The OMU must fully record all requests made for no-contact restrictions and subsequent actions, to provide an audit trail. All requests for no contact should be readily available on the prisoner's file for any subsequent receiving prisons to act on.

Notifications

Informing the prisoner

7.6.38 OMU CAs need to complete the [Annex F "Contact Restrictions: Prisoner Notification Form"](#) for the POM to issue to the prisoner as soon as possible after they have identified prisoners who need to be subject to contact restrictions. The notification does not replace the communications compact but further supports it.

Notifications to others

7.6.39 It is important that POMs share information about public protection controls and restrictions with other agencies who may be involved with managing the prisoner's risk on release, this must include:

⁴³ The previous 'No-contact Request' alert has been renamed to 'Public Protection Contact Restriction'.

- the relevant Community Offender Manager (COM) (if allocated) or YJS case manager for children to allow them to update their records and share any relevant information they may have with the prison;
- the police if the prison identifies an immediate risk to a member of the public;
- children's services if the prison identifies a risk to a child.

Notifications may be required at the start of a prisoners' sentence, or later during their sentence at the point OMU staff identify restrictions are necessary, or if they discover breaches of restrictions.

Information sharing at the pre-release stage

- 7.6.40 Communication is particularly important during the pre-release planning phase when the OMU must share details with the COM or YJS case manager of:
- all contact restrictions applied during the prisoner's sentence, including the reasons for the contact restrictions, and
 - any breaches or attempts to breach those restrictions.

This process should start at the handover stage (where applicable), or least 6 months pre-release or as soon as the restriction is put in place for those serving less than 6 months. This is to allow sufficient time for the COM or YJS case manager to use the information to inform victim safety planning as part of the risk management plan on release.

- 7.6.41 The Police are primarily responsible for protecting the public. Even though it is not mandatory to notify the police on discharge of all prisoners who are subject to public protection contact restrictions, the OMU should consider if this is necessary in individual cases. This may include prisoners who:
- present a risk of harassment or stalking;
 - have persistently or recently attempted to breach restrictions; and
 - will be released at their sentence end date or are acquitted.

The notification of release will allow the police time to consider whether any additional mechanisms are needed to enhance the victim's safety in the community.

Assessing Requests for Contact

Requests from prisoners

- 7.6.42 The default position is that prisoners are not permitted to contact their victims unless there are exceptional reasons. If a prisoner requests contact with a victim of their offence, including where the victim is a child, they must write to the Governor outlining the exceptional reasons for their request. Prisoners are not permitted to request contact with a victim protected by a court order or with people who have made a no-contact request. Exceptional circumstances may include;
- when a victim is defined as a close relative, and they request contact with a prisoner;
 - the prisoner has additional needs and contact with their victim would provide support, and the victim wishes to receive contact.
- 7.6.43 When considering requests from prisoners for contact with a child victim of domestic abuse (as defined in [section 7.6.13](#)), the governor or OMU manager with delegated authority should consider the following:

- unlike adult victims, children cannot themselves consent to contact, and the prison may override any expressed wish of a child victim or their primary carer for contact with the perpetrator should the risk assessment conclude this is in the best interests of the child;
- there may be stronger Article 8 human rights considerations in favour of allowing contact if the perpetrator is the child victim's parent, as opposed to an adult victim's ex-partner;
- that the case for preventing contact may be less compelling for a child victim who has seen or heard domestic abuse, than for an adult victim towards whom the abuse was directed; though prisons must consider individual cases and the impact on the child.

Assessing prisoner requests for contact

- 7.6.44 The OMU's risk assessment will inform the Governor's decision whether contact, either via letters, telephone, social video calling, or visits can be permitted.
- 7.6.45 The POM must contact the COM (where applicable)/YJS case manager and any probation Victim Liaison Officers involved with the victim or victim's family and consider any concerns they raise about the victims receiving contact. Where the victim is a child, the POM should also contact children's social services.
- 7.6.46 The risk assessment should consider whether approaching the victim to seek their views on receiving contact would add unduly to the victim's or family's distress. Where the victim is a child, the child's primary carer must give consent. If the POM or OMU manager considers approaching the victim or their family, or the primary carer for a child victim, would add unduly to their distress the Governor must refuse the request.

Contacting victims

- 7.6.47 Prisons must avoid 'cold calling' a victim when contacting them to ask if they may want to receive contact, as this could add to their distress. Instead, prisons are required to follow the process below:
- The POM should contact the VLO (if there is a VLO involved with the case). The VLO may have already discussed no-contact conditions and may be aware the victim doesn't want contact. In these circumstances, and if the VLO advises it would be inappropriate to contact the victim again, the prison should make their assessment based on the VLOs contribution to avoid adding unduly to the victim's or family's distress.
 - If there is no VLO involved with the case, the POM, in consultation with OMU managers, should decide if approaching the victim to seek their views on receiving contact would add unduly to the victim's or family's distress.
 - If deemed appropriate, the OMU CA should write to the victim using [Annex G "Victim Contact Request: Letter Template to Victim"](#) to ask for their views on contact and any exceptional circumstances providing a return address, functional email address or telephone number the victim can respond to.
 - Where the victim is a child:
 - in all cases: the POM must make a child safeguarding enquiry with the relevant children's service department and if the child is known to them request their view on contact;

- where the prisoner is assessed as a PPRC: follow the process set out in section 6.9 'Child Contact Procedures'; or
- where the prisoner is not assessed as a PPRC, follow the process outlined in this section and write to the primary carer of the child.

Notifying the prisoner

- 7.6.48 It is important that the victim is able to voice their views and refuse contact without fear of further repercussions. When notifying the prisoner of the outcome of the assessment the prison should relay decisions not to allow contact to the prisoner in a way that minimises the risk of victim blaming which could increase the risk to a victim by:
- not referring to the victim and/or VLO;
 - setting out the decision is based on the prison's risk assessment and whether the prisoner was able to demonstrate exceptional circumstances.

Requests from victims

- 7.6.49 The prison must not facilitate any request that would result in a breach of a court order. Victims wishing to contact prisoners while protected by a restraining order, non-molestation order, or other order or injunction, should be advised to seek legal advice in order to obtain a variation of the court order.
- 7.6.50 Victims not protected by a court order can make a request in writing or to a prison secure email address outlining their wishes for contact and any exceptional circumstances.

Assessing victim requests for contact

- 7.6.51 Following a risk assessment, the Governor or OMU manager with delegated authority will decide whether contact, either via letters, telephone, social video calling or visits, can be permitted.
- 7.6.52 POMs and OMU managers should consider the points below when making their assessment:
- If the victim is defined as a close relative and asks for contact to be allowed, the restriction should normally be removed. The only exception to this would be if the prison had compelling evidence that the request for contact with the prisoner was made under duress, this should be discussed with the police intelligence officer and documented via the IRMM. Prisons cannot prevent contact against a victim's (who is a close relative) wishes solely based on their view of the victim's best interests.
 - Where the victim asking for contact is not a close relative, discretion may be applied on a case-by-case basis;
 - The persistent and coercive nature of domestic abuse, harassment and stalking offending, and any signs that would suggest that the victim has made the request as a result of bullying, intimidation, or coercive or controlling behaviour.
 - That a victim may feel safer by having contact with the prisoner whilst they are in custody.
 - Whether any further safeguards or controls, such as monitoring communications or assessment for a contact of concern restriction are necessary and proportionate, in

line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework and associated operations manual⁴⁴.

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7.7 **Offence-Related Monitoring (ORM)**

- 7.7.1 The [Authorised Communications Controls and Interception \(ACCI\) Policy Framework](#) provides the overarching policy and guidance on interception and monitoring prisoner communications. It sets out different types of monitoring including Offence Related Monitoring (ORM) which can form part of the Risk Management Plan in custody. ORM contributes to how prisons manage specific risks to the public by:
- enabling prisons to gather information about identified concerns and manage specific public protection risks;
 - assisting POMs with their risk assessments and risk management plans by identifying specific risks prisoners present whilst in custody and on their release.

When to consider ORM

- 7.7.2 ORM can be initiated at any stage during a prisoner's sentence when identified as necessary and proportionate and may provide a helpful contingency to respond to emerging risks. POMs will consider the need for ORM:
- during the early stages of someone's sentence as part of the public protection screening;
 - when completing the risk assessment and risk management plan;
 - if they receive new information which suggests the prisoner poses a risk to someone they are in contact with;
 - if there is information to suggest the prisoner is attempting to breach existing restrictions.
- 7.7.3 There may be occasions where the OMU identify a risk which could be addressed by one of the other types of monitoring outlined in the [Authorised Communications Controls and Interception \(ACCI\) Policy Framework](#) such as Immediate Response Monitoring (IRM); in these circumstances the POM should refer to the policy and work with their security department to determine what is most appropriate.
- 7.7.4 Monitoring of Terrorist and Terrorist-connected prisoners falls under 'cohort-specific monitoring' as outlined in the Interception, Monitoring and Security of Prisoner Communications Policy Framework.

ORM assessment

- 7.7.5 ORM is not mandatory for any particular group of prisoners, but it must be considered on first entry to prison, or when identified as meeting the relevant criteria, for all public

⁴⁴ The Interception and Restriction of Communications Operations Manual is a restricted document which the National Intelligence Unit have circulated to governors for controlled distribution to those undertaking the duties referenced within the Interception, Monitoring and Security of Prisoner Communications Policy Framework

protection cases that meet the criteria in the Interception, Monitoring and Security of Prisoner Communications Policy Framework. POMs should:

- use the primary risk assessment tools (OASys, or Asset Plus in the YCS) when deciding if ORM is necessary and proportionate;
- use [Annex H “Offence Related Monitoring Checklist”](#) to assist the decision-making process in the absence of a full OASys (for remand and newly sentenced prisoners);
- ensure they capture information from any initial periods of monitoring completed before the OASys or Asset Plus in the risk assessment to inform ongoing decisions about the added value of monitoring.

7.7.6 The POM and OMU managers must ensure:

- decisions consider whether monitoring is necessary and proportionate on one of the grounds cited in the Interception, Monitoring and Security of Prisoner Communications Policy Framework;
- assessments consider if both mail and telephone monitoring is required and provide specific instructions to monitoring staff to only monitor contact with specific telephone numbers or addresses. For example, if there are concerns about domestic abuse within a relationship, staff may only need to monitor the phone number of the prisoners’ partner or suspected partner;
- there are defensible reasons if the decision is made not to commence monitoring in current cases of harassment, breaches of Restraining Orders, or stalking as the behaviour already demonstrates persistent attempts to communicate with the victim.

Application form and timeframes

7.7.7 The process for applying for, renewing, and authorising periods of interception and monitoring of communications is set out in the Interception, Monitoring and Security of Prisoner Communications Policy Framework.

Breach of communication restrictions

7.7.8 The Interception, Monitoring and Security of Prisoner Communications Policy Framework and the Interception and Restriction of Communications Operations Manual provide details as to how prisons should deal with breaches of communication restrictions.

7.7.9 POMs need to ensure they:

- consider breaches of restrictions in their ongoing risk assessments;
- share information about breaches of restrictions with the COM or YJS case manager; especially during the pre-release phase;
- contact the VLO where they are involved with victims affected by the breach;
- work with the prison security department and take action to address the breach and prevent further breaches in line with the Interception, Monitoring and Security of Prisoner Communications Policy Framework. Breaches of court orders that are a criminal offence should be considered in line with the [Handling crimes in prison: agreement](#).

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7.8 **Persons Posing a Risk to Children (PPRC)**

- 7.8.1 Correctly identifying risks to children is important as the assessment leads to a plan to manage the risk. The PPRC assessment process requires the POM to think about whether a prisoner poses a continuing risk to children whilst they are *in* prison. If there are concerns about the prisoner having contact with children from within prison, restrictions on child contact should form part of the Risk Management Plan (RMP).
- 7.8.2 The [OMIC Child Safeguarding Guidance](#) supports POMs in identifying children the prisoner may be in contact with, when to raise concerns, and how to include this information within a risk management plan.
- 7.8.3 Mothers who are primary carers for children may be assessed as posing a continuing risk to children from within custody and may need to have their contact with children restricted in line with the process set out below. Staff should recognise the distinct additional challenges women will encounter in these circumstances and refer to the [Pregnancy, MBUs and maternal separation in women's prisons Policy Framework](#), [Women's Policy Framework](#) and supporting guidance.

Identifying PPRCs

- 7.8.4 Identifying PPRCs and potential PPRCs forms part of the screening process as described in section 7.4 '[Public protection screening and identification](#)'.
- 7.8.5 The CAs role in identifying prisoners who are a potential PPRC:
- review a range of information to look for any information that suggests the prisoner poses a risk to children;
 - identify prisoners who are convicted of (including previous convictions) or charged with (see [Annex I "Identifying Potential PPRC: List of Offences"](#)⁴⁵):
 - a sexual offence against a child,
 - murder or assault against a child,
 - an offence related to domestic abuse where a child was involved or has witnessed domestic abuse,
 - an offence where harm or neglect of a child was involved,
 - an offence whose circumstances indicate the prisoner knowingly placed a child at risk of serious harm, including harm caused to a child by seeing or hearing the ill-treatment of another.
 - add the Potential PPRC NOMIS/DPS alert and record on the public protection screening.
- 7.8.6 The POM's role in identifying prisoners who are potential PPRC:
- take a more detailed and investigative approach when reviewing the screening information; and
 - identify prisoners who pose a potential risk to children where:
 - there is evidence of behaviour outside of convictions or charges that indicates the prisoner poses a risk to children;

⁴⁵ The OMU can identify a prisoner as a potential PPRC despite not having an offence on Annex I where there is information to suggest they present a risk to children.

- a prisoner displays behaviour or makes disclosures indicating a potential risk to children;
- they receive information from another agency about the risk the prisoner presents to children.
- consider new information or emerging risks at any time during a prisoner's sentence;
- notify OMU CAs when they identify a potential PPRC so they can add the NOMIS/DSP alert and update local records;
- confirm the PPRC status without first recording the prisoner as a potential PPRC if there is a complete OASys assessment outlining the risks relevant to the PPRC assessment.

PPRC Assessment Process

7.8.7 The POM will complete a PPRC assessment within 20 working days of identifying the prisoner as a potential PPRC to determine if they pose **a continuing risk to children whilst they are in custody**. The starting point for a PPRC assessment should be OASys or Asset plus; however, POMs will need to complete a PPRC assessment in the absence of an OASys or Asset plus when;

- the prisoner is on remand,
- the prisoner is newly sentenced, and the initial OASys/Asset Plus is pending,
- the prisoner is not eligible for an OASys⁴⁶,
- the prison receives new information, and a swift response is required to manage the risk. This would constitute a significant change so the POM should subsequently review the OASys/Asset Plus.

7.8.8 The POM's role in the PPRC assessment process:

- complete [Annex J "PPRC Assessment Template"](#) to structure and record their assessment;
- seek information from the COM (if allocated) and YJS case manager;
- follow up a child [safeguarding enquiry](#) where there is evidence this was made at court, but they have not received information in response;
- initiate a child [safeguarding enquiry](#) if there is no evidence this has been completed by contacting children's services in the PPRCs home area, and, where an identified child is at risk, contact children's services in the child's home area if this is different to the prisoner's⁴⁷;
- request children's services provide relevant risk information they may have on the individual, which will inform the assessment of continuing risk to children whilst in custody;
- include details of any PPRC assessment and resulting child contact restrictions when they complete the OASys; and
- ensure any concerns about a continuing risk to children in custody are reflected in the OASys risk levels in custody and the RMP.

OASys and the PPRC assessment

⁴⁶ [Guidance on OASys eligibility is available on EQuIP.](#)

⁴⁷ [HMPPS Child Safeguarding Policy Framework provides further information.](#)

- 7.8.9 OASys and PPRC assessments should be consistent; they should be informed by the same information and should be comparable. If following an OASys assessment, the conclusion is that a prisoner poses a:
- low risk of serious harm to children in custody, restrictions on contact with children are unlikely to be necessary or proportionate;
 - medium, high, or very high risk of serious harm to children whilst in custody, a PPRC assessment may determine child contact restrictions need to be in place.

- 7.8.10 If OASys and PPRC risk assessments are not consistent, it can undermine the child contact restrictions process by:
- impacting on children; failure to assess risk appropriately and consistently could lead to children being deprived of legitimate contact with family, whilst others could be exposed to serious risk;
 - sending conflicting messages to prisoners, other professionals, and external agencies about our organisational assessment of the individual's risk to children;
 - undermining our ability to withstand legal challenges from prisoners about our decision to restrict their contact with children;
 - undermining public confidence.

Assessing the risk in custody

- 7.8.11 The [HMPPS Risk of Serious Harm \(ROSH\) Guidance](#), and [HMPPS Child Safeguarding Policy Framework](#) provide overarching guidance on assessing the risk to children and managing safeguarding concerns. The PPRC assessment is specific to the continuing risk the prisoner poses to children whilst they are in prison. This means when a prisoner is assessed as posing a risk to children in the community, POMs need to consider the implications of ongoing contact with children whilst they are in custody. This will inform the 'custody' risk of serious harm level assigned in OASys, and the PPRC assessment.
- 7.8.12 In the YCS, resettlement practitioners may identify many of the children in custody meet the potential PPRC criteria due to offences that are committed against peers who are children. The PPRC assessment should focus on the risks the young person in prison poses to children in the community whilst they are serving the custodial part of their sentence. Where resettlement practitioners assess that prisoners pose a risk to their peers within the custodial setting, they should refer to the [Safeguarding and child protection in the children and young people secure estate policy framework](#).
- 7.8.13 To inform the assessment of continuing risk in custody, POMs should consider:
- the circumstances and nature of the risk in current and previous offending, and any other behaviour indicating a potential risk to children;
 - the implications of contact with children via telephone, social video calling, letters, and visits and whether the risk is reduced because the individual is in prison;
 - any restrictive orders such as a Restraining Order or SHPO which include specific requirements regarding contact with children;
 - whether the offending or behaviour indicates a risk to all children, or children targeted as a particular victim group;

- what contact with children was occurring in the community, whether it was restricted or supervised, and if it could be facilitated in prison;
- the primary carers, or person facilitating contact in prison, capacity to safeguard the child/children;
- whether it is necessary and proportionate to restrict contact during the prison sentence.

Domestic Abuse and the risk to children

7.8.14 [The Domestic Abuse Act 2021](#) recognises children as victims of domestic abuse if the child sees, hears, or experiences the effects of the abuse, and is related to either the victim or perpetrator⁴⁸. In line with [section 7.6.13](#) of this Policy Framework, the OMU must restrict a prisoner's contact with a child if they fall within the legal definition and identify the prisoner as a potential PPRC. As part of the PPRC assessment, POMs will then think more widely about the ongoing risk to all children and consider whether:

- contact restrictions in relation to a child identified as a victim of domestic abuse are sufficient to manage the risk during the prisoner's custodial sentence;
- there is a risk to a child outside of the legal definition (and therefore contact is not automatically restricted), and if ongoing contact between the prisoner and that child would have a harmful impact on them.

7.8.15 POMs may discover a prisoner is in a new relationship and/or is seeking contact with a child at any time during their sentence. It is important that staff ask questions about family relationships and contact with children and verify who the prisoner is having contact with. Prison staff may need to take prompt action to manage any potential risks which could involve a new PPRC assessment. The [Domestic Abuse Policy Framework](#) contains guidance for assessing domestic abuse and considering safeguarding concerns, and the action POMs should take if they identify a new relationship.

Considering the risk to all children and identified children

7.8.16 As part of OASys and PPRC assessments, POMs should be specific about those children at risk; this will support decisions about child contact arrangements. The [Annex J "PPRC assessment template"](#) guides POMs to assess and record if the risk relates to:

- an identified child or children. These are children who are known and can be recorded by name or another identifier;
- all children as an indiscriminate victim group regardless of their characteristics or the circumstances; or
- children with certain characteristics or in specific circumstances that would increase the risk to a child.

Authorising the PPRC assessment

7.8.17 The HOMS role in the PPRC assessment:

- Approve the PPRC assessment decision;

⁴⁸ A child is related to a person if the person is a parent of, or has parental responsibility for, the child, or the child and the person are relatives; see Domestic Abuse Act Subsection (2).

- Ensure the decision is recorded on the relevant case-note and NOMIS/DPS alert;
- Ensure the completed PPRC assessment template is saved in the prisoner's electronic folder and shared with the receiving prison if the prisoner is transferred.

PPRC Notification process

Notifying prisoners

- 7.8.18 OMU CAs must send the relevant notification form to the prisoner within 1 working day of each decision:
- when the prisoner is identified as a potential PPRC (See [Annex K "Potential PPRC: Prisoner Notification"](#));
 - following the outcome of the PPRC assessment: (See [Annex L "Outcome of PPRC Assessment and Review: Prisoner Notification"](#));
 - following the outcome of a PPRC review (See [Annex L "Outcome of PPRC Assessment and Review: Prisoner Notification"](#)).

Notifying the COM, YJS case manager and children's services

- 7.8.19 OMU CAs must notify the COM (if allocated⁴⁹), YJS case manager, and the relevant Children's Services⁵⁰ (See [Annex M "Confirmed PPRC: Notification to COM / YJS and Children's Services"](#)) following the outcome of:
- the PPRC assessment where the PPRC status is confirmed;
 - a PPRC review if there are any changes.

OMU CAs do not need to send a potential PPRC notification to the COM (if allocated), YJS case manager and children's services as the POM will consult with them as part of the assessment process.

Ongoing information sharing

- 7.8.20 The POM should share information about PPRC assessments and restrictions with the COM and YJS case manager throughout the prisoner's sentence and specifically when planning for release. Where the POM is responsible for the management of the case until the point of handover to a COM, they will share this information via the OASys and handover processes during the pre-release phase.
- 7.8.21 OMU CAs must notify the relevant Children's Services; of the following stages while the PPRC is in custody using [Annex N "Change in prisoner circumstances: Notification to Children's services"](#):
- conviction following remand status
 - acquittal
 - release from court on bail or following an appeal
 - transfer to another prison
 - release on temporary licence

⁴⁹ Under OMiC, prisoners serving longer sentences who have more than 10 months left to serve will not have a COM allocated until the handover phase.

⁵⁰ Children's Services in the PPRC's home area, and, where an identified child is at risk contact should be made with Children's Services in the child's home area where this is different to the prisoners.

- release on licence or Post Sentence Supervision (PSS)
- release at end of sentence
- death of prisoner

7.8.22 In response to the above notifications, Children's Services may provide the prison with information about the prisoner or children connected to them. POMs should incorporate this information into their risk assessment and risk management plan.

7.8.23 OMU CAs should inform Children's Services of a prisoner's release date at least six weeks, or as soon as is practicable where the sentence is shorter than 3 months, before a PPRC is discharged from custody.

Restricting contact with or about children

7.8.24 The HOMS must ensure processes are in place to restrict prisoners assessed as PPRC from contacting children via telephone, social video calling, written correspondence, and visits, as set out in this policy framework. These restrictions remain in place whilst the prisoner is assessed as a PPRC. Contact can only be permitted with named children where an assessment concludes this is appropriate (see section 7.9 Child Contact Arrangements).

7.8.25 Contact includes indirect contact with children which will usually be interpreted as a prisoner asking the person they are speaking or writing to, to relay messages to a child, or sending correspondence, such as a letter or card, to a child via a third party. This Policy Framework does not restrict prisoners assessed as a PPRC from making a general reference to children or enquiring about children in their communication. Prisoners are subject to individual risk assessments and classifying all references to children as indirect contact could lead to a disproportionate restriction on their conversations. However, a prisoner's risk assessment and what is known about their offending behaviour may indicate they intend to groom or cause indirect harm by referring to or enquiring about children in their communications, even where this does not constitute indirect contact. Where practitioners identify such risks, they may decide to put in place exceptional restrictions on references to children and classify such references as inappropriate contact about children. This is in line with Prison Rule 34. If the HOMS decides there is evidence that such exceptional restrictions are necessary and proportionate, they must ensure this is documented and communicated to the prisoner.

PPRC assessment reviews

7.8.26 The POM's role in the PPRC assessment review is to:

- review all PPRC assessments and decisions on continuing risk in line with OASys/Asset Plus at least every 3 years or earlier if circumstances have changed or where there has been a change in risk. Circumstances that trigger an earlier review of a prisoners PPRC assessment should then trigger an OASys/Asset Plus review. A prison transfer will not automatically trigger a review;
- contact the agencies who contributed to the original assessment and seek contributions from other agencies or prison departments who may have information to share; and,
- record a NOMIS/DPS case-note confirming they have completed a review and details of any changes.

7.8.27 The HOMS must authorise PPRC assessment review decisions and ensure records are updated.

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7.9 **Child contact procedures**

Child Contact Arrangements

- 7.9.1 Prisoners who are assessed as a PPRC can apply for contact with a child following which the OMU will carry out a risk assessment to determine what contact, if any, may be in the child's best interests.
- 7.9.2 Previously, the PPM (PSI 18/2016) directed the OMU to assign agreed *levels* of contact following the assessment. This Policy Framework moves away from the hierarchical levels of contact and introduces a menu of contact arrangements including; written correspondence, telephone calls, social video calls and visits (see para 7.9.30). Existing child contact arrangements using the levels can continue until the scheduled review at which point the OMU should then apply the child contact arrangements outlined in this Policy Framework.
- 7.9.3 This approach to child contact arrangements allows prisons, and those involved with the child contact assessment, more discretion over which types of contact meet the safeguarding needs in individual cases. The HOMS can approve one type of contact, a combination of types which best meet the child's needs, or all contact types where this is suitable. For example, social video calls may offer a unique opportunity for a prisoner to gradually build a relationship with a young child who may not be able to engage with letters and this may be a more effective safeguard for the child than for example allowing telephone calls which could be made at any frequency and potentially at any time of day.

Child contact process

- 7.9.4 The OMU must follow the child contact process below for all prisoners who apply for contact with a child if they are managed as a potential or confirmed PPRC. The child contact process is in 4 stages:
- Stage 1: Application
 - Stage 2: Primary Carer Support
 - Stage 3: Multi-Agency Assessment
 - Stage 4: Recommendation and Decision

Stage 1: Application

- 7.9.5 OMU CAs should provide a copy of [Annex O "Application for child contact"](#) to prisoners when they notify them they are subject to restrictions and thereafter on request.
- 7.9.6 Prisoners identified as a potential or confirmed PPRC who wish to have contact with a child can usually only apply for contact only with children in their immediate family⁵¹. To make an application they must;

⁵¹ This includes a prisoner's biological children, stepchildren, foster children, adopted children and the children of the prisoner's partner, provided they were living together as partners in an enduring family

- complete [Annex O “Application for child contact”](#) and return to the OMU;
- submit the [Annex O “Application for child contact”](#) together with an explanation of exceptional circumstances if they want contact with a child outside of their immediate family for the Governor to consider;
- outline any exceptional circumstances as described in [section 7.6.39](#) if they are requesting contact with a child who is the victim of their offence;
- consent to the OMU informing the child’s primary carer of their potential or confirmed PPRC status and providing a summary of the reasons why they are assessed as posing a risk to children. The risk summary will enable the primary carer to make an informed decision about contact. If the prisoner does not consent to the OMU sharing this information, the application cannot proceed.

7.9.7 If a child’s primary carer contacts the prison to request a child be allowed contact with a prisoner, the OMU must:

- tell the primary carer they will notify the prisoner, and that the prisoner must decide whether they wish to apply for contact;
- explain that the process requires the prisoner to make an application but that the prison will decide whether to allow contact considering the view of the primary carer but also those of other agencies including children’s services;
- inform the prisoner and ask if they wish to make an application for child contact.

Stage 2: Primary Carer Support

7.9.8 Following the prisoner’s application for child contact:

- POMs will provide a summary of the prisoner’s risk in the [Annex P “Child contact application: Letter to primary carer”](#) to ensure the primary carer is aware of the prisoner’s potential or confirmed PPRC status and reasons why;
- OMU CAs will send [Annex P “Child contact application: Letter to primary carer”](#) to the child’s primary carer to establish whether they support the application and of so what type of contact. If a prisoner is requesting contact with a looked after child, the POM must contact the child’s social worker;
- The HOMS must ensure there are processes in place to coordinate the child contact application and ensure the [Annex P “Child contact application: Letter to primary carer”](#) does not disclose the name and details of any victims.

7.9.9 Where prison staff have identified the primary carer is a victim of the prisoners offending, or where they have made a no-contact request (regarding themselves but not the child) this does not prevent the prison from progressing the child contact application and asking the primary carer for their views on contact with the child. In these circumstances, staff should include a covering letter to acknowledge the particular sensitivities and reiterate the primary carer does not have to support contact with the child but if they did, the prison would consider suitable alternatives about who might facilitate any contact as part of the risk assessment and decision.

relationship before imprisonment. Applications can also be made for grandchildren, siblings, nieces, and nephews.

- 7.9.10 If the primary carer does not support contact between the prisoner and the child, the application cannot proceed. OMU CAs must inform the prisoner of the outcome of their application using [Annex T “Outcome of Child Contact Assessment: Prisoner Notification”](#) and advise prisoners to seek legal advice if they wish to pursue the matter further, for example through the family courts.
- 7.9.11 Where the primary carer supports contact, they are asked, in order for the request to proceed, to return their response on [Annex P “Child contact application: Letter to primary carer”](#) and provide either:
- a digital passport-style photograph which can be emailed to the OMU functional mailbox, or
 - four passport-style photographs of the child taken via a photo booth or shop. The prison can reimburse the cost of the photographs up to the value of £10.00⁵² with a receipt.
- 7.9.12 OMU CAs will save a copy in the prisoner’s electronic file and will share a copy of the digital photograph, or one of the original photographs with:
- other agencies as part of the risk assessment process (see below); and
 - staff managing visits and social video calls.

Stage 3: Risk Assessment

- 7.9.13 POMs must undertake a child contact risk assessment to determine what contact, if any, may be appropriate and complete [Annex S “Child Contact Assessment”](#).
- 7.9.14 In all cases, and where available, POMs should consider:
- OASys or AssetPlus risk assessments
 - static risk assessments for sexual re-offending (OSP)
 - pre-sentence reports
 - previous convictions
 - behaviour in custody
 - progress with offending behaviour programmes
 - family court orders

Multi-agency contributions

Children’s Services:

- 7.9.15 In all cases, POMs must contact the children’s services department in the child’s home area using [Annex Q “Safeguarding Enquiry: Child Contact Assessment”](#):
- the POM must complete the prisoners risk summary and information about additional safeguards in Annex Q; and
 - the CA must complete the remaining sections of Annex Q and send it with the specified accompanying documents to the local authority Children’s Services area in which the child lives.

⁵² This is relevant at the time of writing however prisons should allow for inflation.

- 7.9.16 [Annex Q “Safeguarding Enquiry: Child Contact Assessment”](#) acts as both an enquiry to check if the child is known to children’s services, and asks children’s services to carry out an assessment of the best interests of the child and provide a written report, in line with the assessment framework set out in [Working Together to Safeguard Children](#). In response to the prisons request, children’s services are required to;
- contribute to the prisons’ child contact risk assessment where a child is known to children’s social care, or has previously been known, by providing a report on the child’s best interests and verifying the child’s identity; or
 - where the child is not known to children’s social care, provide a view on child contact and advise the prison to complete a child safeguarding referral if one is required.
- 7.9.17 The OMU can progress the application without a full assessment from children’s services where the child is not known to them unless the POM assesses the prisoner poses a risk to the child whilst they are in custody, they should make a referral to children’s services and request an assessment.
- 7.9.18 Before contributing to the prison’s child contact assessment, Children’s services may require the prison to make a safeguarding enquiry via their website and/or may request a formal referral. The POM should make the enquiry or referral in line with the local authority’s processes (which will be outlined on their website) and arrange to send the Annex Q to the social worker dealing with the request. The [HMPPS Child Safeguarding Policy Framework](#) and [OMiC Child Safeguarding guidance available on EQuIP](#) both provide further guidance on making a referral to children’s services.
- 7.9.19 The governor (or OMU manager with suitable delegated authority) is ultimately responsible for assessing whether to permit contact, and if so what type. If the response from Children’s Services is not sufficient in line with [Working Together to Safeguard Children](#), the governor should refer the matter back to Children’s Services with an express request for this information.

Police:

- 7.9.20 For Category 1 MAPPA prisoners the OMU should contact the police offender management team whose details will be listed on the prisoners ViSOR record. In other cases, the OMU should consider using the OPT2⁵³ form to contact the Police safeguarding or public protection team in the area where the child lives if they think the police may have relevant information.

Community Offender Manager (if allocated) / YJS case manager:

- 7.9.21 The POM must inform the COM (where allocated) or YJS case manager about the child contact application and request any new risk information, comments, or concerns about the prisoner’s application.

Verifying the child’s identity

⁵³ The OMU should consult with their security department for guidance.

- 7.9.22 As part of the risk assessment process, the OMU must verify the child's identity. In all cases, valid passports are an acceptable form of ID, OMU managers have discretion to accept other forms of recognised photo-ID the primary carer may be able to provide.
- 7.9.23 Where the child is known to children's services, the OMU will ask them to verify the child's identity as part of their response to the Annex Q "Safeguarding Enquiry: Child Contact Assessment". If the child is not known to children's services, OMU CAs should;
- ask the primary carer if the child has a passport or other recognised photo-ID;
 - if the child does not have the required photo-ID, send [Annex R "Child Photograph Verification Form"](#) to the primary carer and request they have the photograph verified by an approved professional. This must be someone who knows the child in their professional/work role; it could be a teacher or other professional working in an education setting, a healthcare professional, youth worker or nursery worker.

Children Living Abroad

- 7.9.24 A multi-agency risk assessment can be more difficult to complete for contact with children who are living abroad. The governor's safeguarding duty is not exclusive to children living in the UK; the duty applies equally to all children who may come into contact with a Prison. The OMU should follow the procedures set out in this policy as far as is practicable by;
- making a child safeguarding enquiry with Children's Services if the child previously lived at an address in the United Kingdom, to establish any previous involvement they may have had with the child;
 - enquiring with the police to establish if they any hold relevant information;
 - contacting the embassy of the child's country of residence to seek information; and
 - contacting Children & Families Across Borders (CFAB). This is the UK branch of the International Social Service (ISS) network and can provide international casework services and advice; <http://cfab.org.uk/>.
- If following reasonable attempts (a telephone and written request allowing 4 weeks to respond) to obtain the information there is no response, OMU managers should base decisions on the information available and in the best interests of the child; if permitting any contact, as a minimum, the primary carer must have approved the request for contact.

Stage 4: Recommendation and Decision

- 7.9.25 The ratification process will vary according to the prison structure and the level of risk presented by the prisoner. In some cases, e-mail consultation may be sufficient, while in more complex and potentially high-risk cases it may be helpful to have a forum for further deliberation to consider the child contact assessment and inform the decision on child contact arrangements; this could be via the IRMM or a specific risk meeting.
- 7.9.26 Based on the multi-agency contributions and other sources of information available, the POM must provide their assessment and recommendations on contact using [Annex S "Child Contact Assessment"](#).
- 7.9.27 OMU managers are required to:
- review the POMs assessment and relevant contributions from other agencies and consider what is in the child's best interests;

- have an agreed forum to discuss any complex cases that require further deliberation; and,
- the HOMS will authorise the agreed type of contact, or decision not to approve contact, and record their rationale on [Annex S “Child Contact Assessment”](#).

Recording child contact arrangements

7.9.28 Prisoners may have different contact arrangements agreed with different children; under the PPM PSI 18/2016 these were recorded via separate alert levels for each child contact application and are in addition to the PPRC alert. Under this policy, child contact arrangements must be recorded in the free text box of the PPRC and Child Contact Arrangements⁵⁴ alert. The alert text should include the child’s name and the types of contact that has been agreed and signpost to the relevant case-note which details the child contact decision. Existing child contact arrangements that are recorded in the separate alert levels must be transferred to the PPRC and Child Contact Arrangements alert free text box when the arrangements are reviewed.

7.9.29 The HOMS must ensure there are processes in place to;

- accurately record all new child contact arrangements on the PPRC and Child Contact Arrangements alert as described above;
- record all existing child contact arrangements on the PPRC and Child Contact Arrangements alert when they are reviewed;
- ensure staff involved with PINs, correspondence and visits understand how child contact arrangements are recorded;
- notify staff involved with booking and managing visits and social video calls of agreed child contact arrangements and provide the child’s verified photograph. A [suggested template](#) is provided on the prison public protection community on the MAPPA website;
- save all correspondence in the prisoner’s electronic public protection file;
- share this information with the receiving prison on transfer, and
- with COMs when planning for release.

7.9.30 POMs are required to record the child contact decision and rationale on DPS ‘Assessments/Reports’ case-notes.

7.9.31 CAs are required to record;

- the child contact decision and rationale on the relevant notification forms; and
- the child contact arrangement on the PPRC and Child Contact Arrangements NOMIS/DPS alert in the free text box including the name of the child and the types of contact approved.

Notification process

7.9.32 CAs are required to;

- record the summary of the reasons for the child contact decision in the relevant notification forms; and
- within 1 working day of the child contact decision, send notifications to:

⁵⁴ The ‘PPRC’ alert has been renamed to ‘PPRC and Child Contact Arrangements’.

- the prisoner, using [Annex T “Outcome of Child Contact Assessment: Prisoner Notification”](#);
- the primary carer, using [Annex U “Outcome of Child Contact Assessment: Primary Carer Notification”](#);
- the COM/YJS case manager and children’s services, using [Annex V “Outcome of Child Contact Assessment: COM/YJS and Children’s Services Notification”](#).

Review of child contact arrangements

7.9.33 POMs must review all child contact arrangements if circumstances change or where there has been a change in risk and when an OASys is being reviewed; this must be at least every 3 years. The review of child contact arrangements involves:

- POMs contacting the agencies involved with the original decision;
- CAs contacting the child’s primary carer to check they are content with the current contact arrangements and obtain new photographs of the child; these must be obtained at least every 3 years and may be required earlier than the scheduled review date if visits staff notify the OMU the child’s appearance has changed significantly;
- POMs considering the suitability of the agreed contact and whether they should recommend any additional or alternative forms of contact and recording this on [Annex S “Child Contact Assessment”](#);
- The HOMs authorising any recommended changes to the agreed type of contact;
- CAs using the notification forms in section 7.9.32 if there are changes to the child contact arrangements following the review.

Prisoners’ access to records

7.9.34 The OMU must inform the agencies that contribute to the child contact assessment that they will share information with the prisoner and ask those contributing to highlight any information which cannot be shared with the prisoner. The [Information Requests Policy Framework](#) provides guidance about how to comply with information legislation and how to respond to requests for information under the data protection laws (the Data Protection Act (2018) and UK General Data Protection Regulation (UKGDPR)).

7.9.35 If a prisoner seeks further information about the reasons for a decision, OMU managers should follow the process for Subject Access Requests⁵⁵ and will need to determine if they can share additional information with the prisoner safely. This may include either:

- sharing the information in full; or
- a redacted version of the information - this is suitable where sensitive details are omitted while still providing the prisoner with the information that they need to know; or
- a gist or summary of information - this applies where a redacted version does not meet the need for withholding the information.

⁵⁵ The [Information Requests Policy Framework](#) provides further information about managing Subject Access Requests.

7.9.36 Decisions to withhold information from the prisoner must be necessary and proportionate in line with the following criteria:

- in the interests of national security; or
- for the prevention of disorder or crime; or
- for the protection of information the disclosure of which may endanger the safety or the physical or mental health of any individual; or
- if, on medical or psychiatric grounds, it is felt necessary to withhold information where the mental and/or physical health of the offender could be impaired; or
- where the source of the information is a victim or any person to whom a duty of confidence is owed, or anyone else who has provided information on a confidential basis, and disclosure without their consent would breach that duty, or would generally prejudice the future supply of such information.

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7.10 **Personal photographs of children**

7.10.1 The OMU must follow the 4-stage process below to approve access to photographs of children for all prisoners who are identified as a PPRC and who present a risk of a sexual offending against children.

- Stage 1: Confirming the child's identity and consent to the approval process
- Stage 2: Consent of the primary carer
- Stage 3: Risk assessment
- Stage 4: Recommendation and decision

Stage 1: Confirming the child's identity and consent to the approval process

7.10.2 POMs are required to;

- ask the prisoner to confirm the name of the child in each photograph and the name and contact details of the child's primary carer;
- ask the prisoner to consent to the OMU sharing a brief summary for the prisoner's risk information with the child's primary carer.
- record this information on [Annex W "Personal photograph of child: Prisoner notification"](#).
If the prisoner cannot provide this information or withholds consent, OMU staff must withhold the photograph, return to sender where possible or store on the prisoner's file, and record the decision on a NOMIS/DPS case-note.

Stage 2: Consent of the primary carer

7.10.3 CAs are required to check if the prisoner has already made a child contact application for the child in the photograph; where the OMU has already approved contact with the child in the photograph, and the primary carer indicated they consent to the prisoner having photographs of that child (as recorded in Annex P Child contact application: Letter to primary carer) OMU staff do not need to make further checks.

7.10.4 Where the primary carer has not already consented to photographs of the child via a child contact application, the OMU must follow the process below:

- POM completes the risk summary in [Annex Y “Personal photograph of child: Letter to primary carer”](#).
- CA sends Annex Y to the primary carer which asks them whether they want the prisoner to have the photograph(s). OMU staff cannot assume a primary carer has consented to the prisoner having the photograph(s) even if they think the primary carer has send the photographs to the prisoner.
- If the OMU is not able to contact the primary carer, or if the primary carer does not want the prisoner to have access to the photograph, the photograph must be withheld and returned to the sender where possible or stored with the prisoner’s records.

7.10.5 If the photograph is of a child who is the victim of the prisoner’s offence, staff must first consider if approaching the child’s primary carer would add unduly to their distress, if they assess it would, they should not pursue the request or authorise the photograph.

7.10.6 If a photograph includes more than one child, the OMU must confirm the identity of each child. If it not possible to do this, or if any carer objects to the prisoner having the photograph, staff can either crop the photograph to show only the child / children of whom images can be allowed or withhold the photograph.

Stage 3: Risk assessment

- 7.10.7 POMs are required to consider the prisoner’s risk assessment and complete [Annex X “Personal photograph of a child: Assessment”](#) which includes further guidance regarding;
- The risk to the child in question,
 - The role of the primary carer,
 - Risk to other children,
 - Risk of sharing photographs of children; If the OMU refuse possession of a photograph in these circumstances, they should consider whether it may instead be appropriate to give the prisoner supervised access to the photographs,
 - Subjects who are no longer children.

7.10.8 The overriding principle is the child’s wellbeing. If at any stage of the process staff become aware of concerns regarding a child’s safety and wellbeing, they should make a referral to children’s services.

Stage 5: Recommendation and Decision

7.10.9 POMs are required to make a recommendation as to whether it is appropriate to give the photograph(s) to the prisoner and record this on the [Annex X “Personal photograph of a child: Assessment”](#).

7.10.10 The HOMS must authorise the decision and record their rationale on the [Annex X “Personal photograph of a child: Assessment”](#).

7.10.11 POMs must then record the decision and rationale on DPS safeguarding case-notes and notify the prisoner by updating [Annex W “Personal photograph of child: Prisoner notification”](#) and issue with the photograph/s; this informs the prisoner that the photograph has been authorised for their possession only and under no circumstances should they give the photograph to any other prisoner.

- 7.10.12 Where the decision is not to allow the prisoner to have the photograph the CA should return the photograph to the sender where possible, or store on the prisoner's record.

Appeals

- 7.10.13 Prisoners who wish to appeal against a decision not to allow possession or access to a photograph, can use the complaints procedure set out in the [Prisoner complaints policy framework](#).

Prisoners identified as a PPRC *and* who present a risk of a child sexual offending in possession of photographs

- 7.10.14 Prisoners might possess photographs that have not been approved via a number of routes:
- Prisoners bringing photographs in on reception.
 - Prisoners receiving photographs given to them on visits.
 - Photographs found in possession: photographs discovered in a prisoner's possession or in their cell may have been obtained from another prisoner, or they may have been sent to the prisoner and not intercepted.
- 7.10.15 Prison staff who discover personal photographs of children for prisoners identified as a PPRC *and* who present a risk of a sexual offending should:
- check the prisoner's records to establish whether they are authorised to have the photograph;
 - confiscate any photograph the prisoner is not authorised to have and ask the prisoner how they obtained it;
 - store any unauthorised photographs of children on the prisoner's record;
 - submit a security intelligence report and notify the OMU so staff can assess if the prisoner can have access to those photographs.

If prison staff are unsure whether the prisoner is assessed as a PPRC or of posing a sexual risk to children, they should check with the OMU.

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7.11 People Convicted of Sexual Offending (PCoSO): civil orders and notification requirements

- 7.11.1 Notification requirements apply to anyone who has been cautioned, convicted or otherwise dealt with in respect of a sexual offence listed in Schedule 3 of the Sexual Offences Act 2003. Notification requirements also apply to anyone subject to a sexual harm prevention order (SHPO) for the duration of the order. The [Home Office Guidance on Part 2 of the Sexual Offences Act 2003](#) provides further information about the notification requirement, the offences that trigger registration requirements, and sentencing and age thresholds. The guide also sets out changes to legislation since the act was passed.

Sexual Offences Notification Requirements

7.11.2 For all prisoners subject to Notification requirements of the Act, prison staff are required to complete the following activity at key stages during the sentence:

Following sentence OMU CAs are required to:

- identify prisoners who are subject to sexual offences notification requirements as part of the public protection screening process; and add the correct NOMIS/DPS alert;
- identify and record the relevant MAPPA category on NOMIS/DPS alerts;
- where there is a court conviction notice, place a copy on the prison file and send another copy to the offender manager;
- make a timely ViSOR partnership request and enter all relevant information on the nominal in line with the [ViSOR Policy Framework](#);

On transfer (to another prison, hospital or Immigration Removal Centre) OMU CAs are required to:

- transfer the court notice and all relevant documentation to the receiving prison.

Preparing for release and on discharge from prison:

- POMs and COMs should ensure they discuss notification requirements with prisoners' subject to them as part of release planning;
- Prison staff involved with the discharge process⁵⁶ are required to:
 - explain the details of [Annex Z "Sexual offender registration – Prisoner Notification"](#) to the prisoner during the discharge process;
 - sign, and ensure the prisoners signs, Annex Y "Sexual offender registration – Prisoner Notification";
 - provide the prisoner with all original court notices and any SHPOs, and a copy of [Annex AA "Sexual offender registration – Notification of release"](#);
- OMU CAs are required to send copies of [Annex Z "Sexual offender registration – Prisoner Notification"](#) and [Annex AA "Sexual offender registration – Notification of release"](#) to the police area where the prisoner is being discharged.

Release on temporary licence (ROTL):

- In all cases where the prison has approved a prisoner subject to notification requirements for a period of ROTL, the OMU or security department must ensure staff update ViSOR with details of the release period and discharge address before the prisoners is released on ROTL.

Foreign National Offenders (FNOs)

7.11.3 FNOs who are subject to notification requirements must be issued with an [Annex Z "Sexual offender registration – Prisoner Notification"](#), at the sentence end date whether detained under immigration powers in prison or transferred to an Immigration Removal Centre (IRC). A copy must be available on file for the IRC to re-issue should the FNO be bailed or

⁵⁶ [Prison discharge policy: PSI 72/2011 - GOV.UK \(www.gov.uk\)](#)

otherwise discharged into the community. The transferring prison must update the ViSOR record with details of the transfer to the IRC and contact the ViSOR record owner to relinquish partnership to the record.

Civil Orders

7.11.4 The [Home Office Guidance on Part 2 of the Sexual Offences Act 2003](#) provides further information about Sexual Harm Prevention Orders (SHPO) and Sexual Risk Orders (SRO). Where prisoners are subject to a court order;

- OMU CAs must obtain copies of any civil orders and store them in the prisoner's electronic file;
- POMs must ensure they consider the specific restrictions court orders contain when managing the risk posed by the prisoner, and
- ensure the necessary contact restrictions are in place if an order specifies a prisoner is restricted from contacting an individual.

7.11.5 Sexual harm prevention orders (SHPOs) and/or Sexual Risk Orders (SRO) can include requirements that may prohibit someone from undertaking certain forms of employment or from engaging in particular activities on the internet. If a prisoner (who is subject to a SHPO/SRO) is found in possession of a mobile phone, and/or there are other behaviours which may be offence paralleling, the POM should:

- consider this in the context of their risk assessment, and any other intelligence that is available; and,
- assess whether the prisoner's behaviour may be evidence of further offending or non-compliance with restrictions whilst in custody.

Any breach of a SHPO/SRO or interim SHPO/SRO, without reasonable excuse, is a criminal offence; if prison staff discover a breach or potential breach, they should liaise with the police offender manager for prisoners with a SHPO/SRO and jointly consider a referral to the Police in line with the [Handling crimes in prison: agreement](#).

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7.12 Terrorist notification requirements

7.12.1 Part 4 of the Counter-Terrorism Act 2008 and regulations made under it impose requirements for up to 30 years, depending on the offender's age at conviction and on the length and type of sentence. The [Notification requirements and serious crime prevention orders factsheet](#) and [Counter-Terrorism Act 2008 Explanatory Notes \(legislation.gov.uk\)](#) provide further information about the requirements and the offences and sentences that trigger them. In summary they are:

- terrorist offences; these are offences under the Terrorism Act 2000, the Anti-Terrorism, Crime & Security Act 2001, and the Terrorism Act 2006, to do with (among other things) directing, preparing and training for terrorism, and membership of proscribed organisations; and
- offences where a terrorist connection has been determined by the court. For offences committed on or after 29 June 2021, any offence which is punishable on indictment with imprisonment for more than 2 years and is not specified in schedule A1 of the Sentencing Code may be deemed to have a terrorist connection. Prior to June 2021 a range of common-law offences (such as murder and manslaughter)

and statutory offences (such as causing explosions, hijacking, and hostage-taking) could be considered for terrorism connection.

- 7.12.2 The notification period depends on the sentence received and on the prisoner's age at conviction. The details are provided under section 53 of the Act; [Counter-Terrorism Act 2008 \(legislation.gov.uk\)](#)

Part 4 (TACT) Notification Requirements

- 7.12.3 For all prisoners subject to part 4 notification requirements of the [Counter-Terrorism Act 2008](#), prison staff are required to complete the following activity at key stages during the sentence:

Following sentence OMU CAs are required to:

- identify prisoners who are subject to part 4 notification requirements as part of the public protection screening process; and add the correct NOMIS/DPS alert;
- identify and recorded the relevant MAPPA category on NOMIS/DPS alerts;
- where there is a court conviction notice, placed a copy on the prison file and sent another copy to the offender manager;
- make a timely ViSOR partnership request and entered all relevant information on the nominal in line with the [ViSOR Policy Framework](#).

On transfer (to another prison, hospital, or Immigration Removal Centre) OMU CAs are required to:

- transfer the court notice and all relevant documentation to the receiving prison.

Preparing for release and on discharge from prison:

- All terrorist offenders are managed under MAPPA and the OMiC early allocation process meaning there should be extensive preparation and planning for release. The relevant police force and COM will remind the prisoner of the notification requirements and explain their licence conditions.
- Prison staff involved with the discharge process⁵⁷ are required to:
 - explain the details of [Annex BB "Terrorist Notification Requirement – Prisoner Notification"](#) to the prisoner during the discharge process;
 - sign, and ensure the prisoners signs, [Annex BB "Terrorist Notification Requirement – Prisoner Notification"](#);
 - provide the prisoner with all original court notices.
- OMU CAs are required to send copies of [Annex BB "Terrorist Notification Requirement – Prisoner Notification"](#) and [Annex CC "Terrorist Notification Requirement – Notification of release"](#) to the police area where the prisoner is being discharged.

Release on temporary licence (ROTL):

⁵⁷ Prison discharge policy: PSI 72/2011 - GOV.UK (www.gov.uk)

- In all cases where the prison has approved a prisoner subject to notification requirements for a period of ROTL, the OMU or security department must ensure staff update ViSOR with details of the release period and discharge address before the prisoners is released on ROTL.

Immediate release from remand on conviction

- 7.12.4 In rare cases where a prisoner is released on conviction after receiving a sentence qualifying for notification requirements to apply, the prison should ensure that the Counter-Terrorism Unit have arranged a first notification appointment for the prisoner post-release.

Changes to notification requirements

- 7.12.5 Prisons must have processes in place to identify and deal with any changes to the notification requirements; there are four ways these can change on appeal which will affect the notification requirements:
1. The sentence is reduced or a conviction for a different offence is substituted, taking the sentence below the 12-month threshold at which notification requirements apply. In these cases, the effect is that the notification requirements have never applied. The prison do not need to issue a Notice to Prisoner on discharge.
 2. The sentence is increased, or a conviction for a different offence is substituted, taking the sentence beyond 12 months and making the notification requirements apply. In these cases, the effect is that the notification requirement does now apply and applies from the point where the change occurred.
 3. The sentence changes, and notification requirements apply both before and after the change. In these cases, the notification period may change. If it does, it is treated as starting at the original decision, not the point where the change occurred.
 4. A conviction for a different offence is substituted, and notification requirements apply to both convictions. In these cases, the notification period may change. If it does, it is treated as starting at the original decision, not the point where the change occurred.

Notification and Foreign Travel Restriction orders

- 7.12.6 [Schedule 4 of the Counter-Terrorism Act](#) also makes provision for a civil order – the Notification Order which applies the notification requirements to persons dealt with outside the United Kingdom for corresponding foreign offences. If a prison receives an offender from abroad who has a conviction for a terrorism offence, the governor must inform the police in the area where the prison is situated. They will then consider whether to apply for a Notification Order. The Act also provides for a Foreign Travel Restriction Order, which can prevent an offender travelling to specific countries or outside the UK. Prisons must explain both orders to prisoners on release and provide any original court documentation and retain a copy on file.

Foreign National Offenders (FNOs)

- 7.12.7 Where a FNO prisoner is being transferred to an IRC and is subject to Part 4 terrorist notification requirements, prison staff involved with the discharge process must;
- serve [Annex BB "Terrorist Notification Requirement – Prisoner Notification"](#) to the prisoner and send a copy the IRC to re-issue if release is directed;
 - provide a copy of the Court Conviction Notice to the offender and retain the original on file for the IRC to return to the offender when discharged.

- 7.12.8 The OMU or security department must update the ViSOR record with details of the transfer to the detention estate and contact the lead agency to relinquish partnership to the record.

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7.13 **Banned and controlled material**

Banned Material

- 7.13.1 All prisoners are restricted from accessing material that:

- **is obscene** within the meaning of the Obscene Publications Act 1959. This covers the publication of material that has a tendency to “deprave and corrupt” those likely to read, hear or see it. No absolute definition of “obscene” is possible; each individual item has to be judged on its own merits. The CPS website has a list of the *types* of content that might be prosecuted, but this is not exhaustive. It is important to note that obscenity is not confined to images. Written material can be obscene as well, e.g. graphic descriptions of child abuse. Also, obscenity is not limited to material of a sexual nature.
Section 85 of the Postal Services Act 2000 also prohibits the sending through the post of indecent or obscene material. If there is any doubt about whether material falls within this legislation, legal advice should be sought from MoJ Legal Advisors.
- **uses threatening words and is intended to stir up racial or religious hatred** contrary to the Public Order Act 1986 and the Racial and Religious Hatred Act 2006.
- **features children inappropriately.** It is an offence under the Protection of Children Act 1978 (as amended) and section 160 of the Criminal Justice Act 1988 to make, take, distribute or possess indecent photographs and pseudo-photographs of children under the age of 18. It is also an offence to possess tracings or other derivatives of indecent photographs. “Indecency” is not defined in the statute; it is ultimately a question of fact whether the material would be regarded as indecent based on “recognised standards of propriety”. The Coroners and Justice Act 2009 creates an offence of the possession of prohibited images of children. The definition is that they:
 - are pornographic (defined as below);
 - focus solely or principally on a child's genitals or anal region, or portray a number of sexual acts; and
 - are grossly offensive, disgusting or otherwise of an obscene character.
 “Image” excludes indecent photographs and pseudo-photographs as these are the subject of other offences.
- **is extreme pornography.** Sections 63-67 of the Criminal Justice and Immigration Act 2008 create a new offence of possession of extreme pornographic images. These are images that:

- are pornographic - that is, of such a nature that they must reasonably be assumed to have been produced solely or principally for the purpose of sexual arousal; **and**
 - are explicit and realistic; **and**
 - are “grossly offensive, disgusting or otherwise of an obscene character”; **and** portray:
 - an act that threatens a person’s life;
 - an act that results, or is likely to result, in serious injury to a person’s anus, breasts or genitals;
 - an act that involves sexual interference with a human corpse; or
 - a person performing an act of intercourse or oral sex with an animal.
- **is otherwise sexually explicit.** This restriction applies even though the material in question may be legal and/or no longer classified as obscene. “Explicit” means any image of:
- ejaculation;
 - penetration (whether oral, vaginal or anal);
 - a young person (whether naked or clothed, and including both instances where the subject can be identified as under 18 and those where the subject appears to be under 18) if the image appears to be exploitative. This applies even if the image would not lead to a conviction under the Protection of Children Act 1978;
 - a sexual act that depicts rape, restraint, coercion or violence, even if the image would not be classed as extreme pornography under the Criminal Justice and Immigration Act 2008.
- Written material that depicts child or adult sexual abuse, or that describes something, which if it was an image would fulfil the above definition of extreme pornography.
- **promotes or supports acts of terrorism, extremism or radicalisation.** The Managing Extremism and Terrorism Amongst Offenders in Custody and the Community Policy Framework⁵⁸ provides policy and guidance on how HMPPS staff can identify, assess and remove extremist material. A central list of inappropriate material managed by the Joint Extremism Unit (JEXU) is available upon request from the Regional Counter Terrorism Team, which is subject to regular review and updates. **This list must not be made available to prisoners.** Staff should also consider there may be some cases where material is not automatically restricted under JEXUs Inappropriate Materials policy but may still be inappropriate for a prisoner who poses a terrorist risk; in these circumstances prisons can assess and restrict such material for public protection reasons or to maintain good order and discipline as described below.

⁵⁸ This is a restricted Policy Framework which staff can request from their governor or regional counter terrorism unit.

- **is a film, video game or other material to which the BBFC has refused a certificate.** Further guidance on film classification is at 7.13 below.
- **is an 18-rated film and or video game** - See Incentives Policy Framework, Annex C National Facilities List.

Restricting material for public protection reasons:

7.13.2 Prisons can restrict material that is not automatically banned in individual cases for public protection reasons where the prisoner's risk assessment and offending behaviour evidence it is necessary and proportionate.

7.13.3 The OMU can assess and restrict any prisoners access to material if there is evidence it is necessary and proportionate regardless of their offence type; however, there are certain offence types and risks which may suggest it is more pertinent. Prisons should consider access to material where prisoners are assessed as posing a risk of sexual or serious violent offending and/or are remanded or convicted of:

- sexual offences against children or adults;
- serious violent offences⁵⁹;
- stalking;
- controlling or coercive behaviour;
- Terrorist Act (TACT), or TACT-connected offences and prisoners assessed as a terrorist risk. For this cohort prisons must refer to the Managing Extremism and Terrorism Amongst Offenders in Custody and the Community Policy Framework.

7.13.4 It is not possible to cover all possible instances where it would be necessary and proportionate to restrict access to material; however, some examples are provided below:

- Prisoners who pose a risk of sexual harm to children may not be allowed catalogues, or pages of catalogues, that depict children. Catalogues that are allowed for the legitimate placing of orders may need to be edited.
- Prisoners who have sexually offended against children, may not be allowed to possess certain children's literature if it is likely to be used for grooming purposes; however, prisons should consider if the prisoner has any learning difficulties or challenges and whether there is a legitimate reason for requesting such material.
- Prisoners who have sexually offended against adults should not be allowed access to material (that is not otherwise listed in the banned material) that depicts adult sexual abuse.
- Prisoners who have committed stalking offences should not be allowed access to material that depicts, encourages or rationalises stalking behaviour.
- It may be unsuitable for prisoners who have committed serious violence to possess violent films, magazines or video games about weapons or extreme violence especially if they have demonstrated sadistic violence or have violent fantasies.

⁵⁹ Prisons should refer to offences specified in Schedule 15 to the Criminal Justice Act 2003

Prisoners who present a terrorist risk may not be allowed access to video games involving warfare; the material may not be automatically restricted under JEXUs Inappropriate Materials policy but may still be unsuitable for some prisoners because of their risk assessment.

7.13.5 In each case OMU staff, in consultation with others involved with the decision making (as delegated by the governor) need to make a judgement over whether the material will:

- reinforce the prisoner's offending behaviour;
- encourage criminogenic fantasies;
- lead to the prisoner attempting to commit offences while in custody;
- or otherwise undermine the aim of rehabilitation and reducing re-offending.

All decisions to restrict materials **must** be based on an assessment of the material in question using [Annex DD "Controlled Material Checklist"](#); this provides further guidance on the necessity and proportionality considerations.

Restricting material to maintain Good Order and Discipline:

7.13.6 Prisons may restrict material that is not automatically banned in individual cases or prison-wide (where the prison restricts certain material across the whole prison) to maintain good order and discipline. Material that might be regarded by some as acceptable in one context can cause problems in other contexts. Examples include:

- religiously provocative literature or posters, particularly in a prison with a large population of one particular religion; or
- material that might promote intolerant attitudes or beliefs.

In some circumstances material will be covered by JEXUs Inappropriate Materials policy, particularly if the material promoting intolerant attitudes/beliefs is likely to lead to use of violence and is targeted at a particular group because of a characteristic they have.

7.13.7 Governors, security departments and other staff involved with the decision making (as delegated by the governor) need to consider:

- the characteristics of that prison's population and an assessment of the item's effect on them;
- the context and whether prisoners taking offence at others' material may lead to disorder or a threat to security;
- whether displaying such material is more likely to create offence and disorder than merely possessing it, and in these circumstances, prisons should consider alternatives to prohibition and follow the process below;
- whether it is proportionate to restrict whole categories of material in preference to individual items if they are sure that:
 - a category can be defined precisely, so that whether an item falls within it is clear and not open to challenge; and
 - every item in that category needs to be restricted, without exception.
- when restricting periodicals, whether they restrict specific issues, or the title as a whole; the prison can do this if they are satisfied that all future issues will share the same characteristics;

- the possibility that prisoners may seek to use material to recruit others to organisations that are illegal or, if not illegal, would not be conducive to good order or crime prevention if they gained a foothold in the prison and whether such material may pose a threat to prison security, or even to national security.

7.13.8 When considering prison-wide restrictions, governors have discretion over what can be allowed within their prison and can take account of the nature of the population. A prison specialising in people convicted of sexual offences (PCoSOs) may have a different approach from one with a more mixed population; if governors decide to have a different approach this must be clearly set out alongside their rationale. Decisions on prison-wide restrictions must be reasonable, and any restrictions must be necessary and proportionate.

7.13.9 When implementing prison-wide restrictions prisons should not adopt an approach whereby they:

- restrict items based on notoriety of the item; this brings two risks:
 - basing the prison's response on reports and impressions of an item's content, as opposed to an informed assessment of it; and
 - focusing too narrowly on one item where there might be many others that are similar and so need to be considered with it.
 - restrict items based on the material being considered by some to be offensive as this is too subjective;
 - restrict material because other prisons have restricted it;
 - restrict an item because of the price;
 - ban all publications apart from those on a pre-approved list;
 - compile prison-wide restriction lists from restrictions applied to individuals.
- Individual restrictions are specific to their circumstances and do not necessarily say anything about an item's suitability for the rest of the prison's population. However, if the prison have repeatedly restricted items for individuals, they can consider the shared characteristics of the population and consider a prison-wide restriction.

7.13.10 All decisions to restrict materials **must** be based on an assessment of the material in question using [Annex DD "Controlled Material Checklist"](#); this provides further guidance on the necessity and proportionality considerations.

Process for identifying, checking and restricting material

Identifying Material

7.13.11 Prisons must have a process in place, usually via reception or induction, to ensure they advise prisoners;

- that their access to material may be restricted or controlled;
- that any controlled material they have been allowed access to must not be shared with prisoners;
- any breach of this is a breach of prison rules which can be subject to action under:
 - the Incentives Scheme; and
 - the Prison Rules - Rule 51, paragraph 23 (prisoner disobeys or fails to comply with any rule or regulation applying to him).

7.13.12 The OMU and security department should have a process in place to notify staff in the mailroom of prisoners who may need to have material that is sent into them checked before being issued.

7.13.13 Material may come to a prison by several means including mail order, ordering through the prison library, post, or being brought in by visitors. Prison staff working in the mailroom and involved with processing prisoners' property or searching prisoners' cells, should:

- follow the standard processes for checking incoming items⁶⁰;
- be aware of material which is banned from the prison environment;
- be alert to material that may need to be assessed because of its sexual or violent nature;
- confiscate any material they discover that raises concerns over its suitability, and notify the relevant department required to decide on its suitability. If staff are unsure whether material may need further assessment, they should check with the OMU and/or security department;
- understand prisoners transferring from one prison to another may have material in their possession that was allowed in the sending prison but might not be permitted by the receiving prison. Prison staff should not automatically remove such material, they should speak to the relevant department and consider the material against any prison-wide restrictions.

7.13.14 Where the prison has concerns about material that is in a language other than English, it must be translated before they decide whether to permit possession.

Checking material

7.13.15 Prisons should aim to check material that is ordered or sent in within two weeks of its arrival (where resources permit). Prisons that predominantly hold People Convicted of Sexual Offending (PCoSO) are likely to have higher volumes of material to check, if this causes delays prisoners should be advised and if they have multiple items waiting to be authorised, they can submit an application asking for one item to be prioritised.

7.13.16 It is not possible to have a definitive list of banned or questionable publications, publishers, films or organisations. Items should be inspected individually, and a judgement formed about their content and source.

7.13.17 Guidance on obscene publications is available from the [CPS website](#).

7.13.18 Guidance on material that gives rise to concerns about discrimination can be obtained from HMPPS Diversity and Inclusion Team via HMPPSDiversity_Inclusion@justice.gov.uk.

7.13.19 In relation to DVDs, staff should consider:

⁶⁰ *the searching of all property accompanying prisoners entering a prison (including on transfer), held in-cell and stored property, must be undertaken in line with the National Security Framework and the local searching strategy* [Prisoners' Property Policy Framework](#).

Also see Annex F Sending and Handing In Of Books To Prisoners in the [Incentives Policy Framework](#)

- their classification and summary of the reasons for granting it. Guidance on this is available from the [British Board of Film Classification](#). Films certified 18 are not permitted but a general policy of limiting prisoners to pre-watershed material is not defensible;
- that some films with other classifications may be unsuitable for public protection reasons or in the interest of maintaining good order and discipline when considering the effect a particular item may have on the prisoner concerned in the context of their risk assessment;
- the difference between watching something on TV and being able to pause and rewind particular scenes to watch them repeatedly on DVD.

7.13.20 In relation to video games, staff should consider:

- their PEGI rating (or BBFC classification for games issued before 2012) and summary of the reasons for granting it. Guidance on this is available from the [Games Rating Authority](#)⁶¹. Video games rated 18 are not permitted;
- that some games with other ratings may be unsuitable for public protection reasons or in the interest of maintaining good order and discipline when considering the effect a particular item may have on the prisoner concerned in the context of their risk assessment.

7.13.21 In the YCS, staff must consider the young person's age and not allow children in secure settings items where they are too young for the age rating. This includes all pornographic material, in all media.

7.13.22 The OMU and security department should use [Annex DD "Controlled Material Checklist"](#) to inform their assessment and decisions about restricting material. This also contains further guidance on necessity and proportionality considerations.

Restricting material

7.13.23 When restricting access to material for public protection reasons, it may be there are certain sections of the material that are unsuitable (such as specific photographs) but other content is acceptable. If it is possible, and in agreement with the prisoner, prison staff can remove the sections which need to be restricted and give the prisoner the rest of the item.

7.13.24 When restricting material to maintain good order and discipline, OMU and security managers can consider alternatives to withholding the material completely, including whether it is appropriate to:

- allow the prisoner to possess the material but not to share it or display it. If the risk to good order and discipline would come from display rather than possession, prisons must consider the actual likelihood of a prisoner displaying that material, rather than just the theoretical possibility and be informed by an assessment of how likely the prisoner is to comply with the restriction;

⁶¹ The [Games Authority website](#) has a search function for all rated video games and provides the PEGI rating and reasons for that rating, a Brief outline of the game and any content-specific issues.

- allow the prisoner access to the material instead of being allowed to possess it, either in a controlled setting or through the prison library. This may be suitable for approved study of objectionable material, although it is unlikely to be suitable for pornography.

7.13.25 Prison staff must either return restricted material to the sender or store with the prisoner's property in line with the [Prisoners' Property Policy Framework](#).

7.13.26 Prisoners can use the complaints process to challenge any decisions.

Notifying prisoners of restrictions

7.13.27 Prisons must inform prisoners of the decision to restrict material using [Annex EE "Controlled Material – Prisoner Notification"](#) and save a copy in the prisoner's electronic public protection or security file.

7.13.28 The OMU should complete the notification form when decisions to restrict material are for public protection reasons. Prisons should be transparent, in line with Procedural Justice principles, about why a prisoner is not allowed access to certain material. Transparency will help the prisoner to understand why they are not allowed access to the material which may aid their understanding of their risk, thus assisting with their risk management. A transparent approach may also reduce the likelihood of prisoners querying or complaining about the decision.

7.13.29 The security department should complete the notification form when decisions to restrict material are to maintain good order and discipline and should determine what they disclose to the prisoner.

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