



Policy name: Prisoners' Property Policy Framework

Reference: N/A

Re-Issue Date: 23 November 2022

Implementation Date: 5 September 2022

Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:

- PSI 12/2011 Prisoners' Property
- PSI 14/2015 Disposal of Prisoners Unauthorised Property
- Prisoners' Property Specification

Action required by:

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

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

By the implementation date, Governors of Public Sector Prisons and Contracted Prisons must ensure that their local procedures achieve the required Outcomes and comply with the Requirements as set out in this Policy Framework.

Guidance for Governors in planning local delivery in response to Policy Frameworks is available at <https://intranet.noms.gsi.gov.uk/corporate/prison-reform/empowered-and-accountable-governors/deregulation>

For Information: Governors must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

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

How will this Policy Framework be audited or monitored: Mandatory elements of this Framework must be subject to local management checks.

Resource Impact: Resources needed to ensure prisoners' property is managed effectively and efficiently will continue to be met by local budgets. This framework has been designed with procedural justice at its core and provides greater guidance on direction and standardisation on a national basis.

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Approved by OPS for publication: Sarah Coccia and Ian Barrow, Joint Chairs, Operational Policy Sub-board, 21 March 2022

Revisions

Date	Changes
23/11/2022	An amendment has been made to paragraph 4.35 to make clear that, where a prisoner exceeds volumetric control limits, it is not permitted for staff to dispose of such items against the prisoner's wishes.

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1. **Purpose**

This framework sets out requirements and information on the management of prisoners' property. It applies to all prisoners including children and young people accommodated in under-18 Young Offender Institutions in our care.

2. **Evidence**

- 2.1 While there is limited research on the subject of prisoner property, a number of other sources of evidence provide insight into how people experience this part of prison life, and why this is so important. Learning from the Measuring Quality of Life Questionnaire, and reports from HM Inspectorate of Prisons (HMI Prisons), the Prisons and Probation Ombudsman (PPO) and Independent Monitoring Boards (IMBs), tell a consistent story about how property policies and practices have a range of important implications, and that there have been areas we could improve on in the past. Complaints about property commonly dominate those received by IMBs and the PPO. Improving the management of prisoners' property is likely to bring about better individual and organisation outcomes, and help in relation to issues such as well-being and relationships between staff and prisoners.
- 2.2 The evidence available indicates that problems regarding property have the potential to impact negatively on prisoners' perceptions across a wide range of aspects of their quality of life. These include perceptions of: trust in staff and HMPPS; relationships with staff, family and other prisoners; organisational efficacy and efficiency; the fair and legitimate use of authority; staff competence; safety; and wellbeing and distress. Key issues that have been highlighted relate to: property administration (e.g. during transfers and shipments, in Reception, and storage), staff treatment of property (e.g. respectful treatment, acknowledging responsibility - when warranted - for damage or loss), property allowances, restrictions and safety (e.g. volumetric controls, religious items, fairness and consistency of rules, cell security, transfer restrictions), and handling of property issues/complaints and compensation (e.g. taking issues seriously, speed of responses). The poor handling of property, along with the frustration caused by this, can have a significant impact on safety.
- 2.3 How HMPPS looks after prisoners' possessions may be symbolic of how we look after the people in our care. A prisoner's property is likely to mean more than just what an item's specific use is, or its monetary value. It may hold personal significance, particularly for those in prison who have few possessions. Having one's own possessions, and having some choice about these, may enable feelings of autonomy, and in a small but potentially significant way enable people to have even a small space of their own while they are in prison.
- 2.4 Evidence shows procedural justice can play an important role in handling and managing prisoners' property. When people believe the process of applying rules (how a decision is made, rather than what decision is made) is fair, it influences their views and behaviour. This is procedural justice. Prison research shows that perceptions of procedural justice leads to greater respect from prisoners for staff and authority, greater acceptance of decisions and cooperation with rules or instructions, to less violence and misconduct, and to better psychological well-being in prison.
- 2.5 See 'Evidence-based practice' under 'Guidance' for further information on procedural justice.

3. **Outcomes**

- Prisoners' property is managed efficiently, effectively, consistently and with care and respect, recognising the potential personal and emotional significance of items.
- Staff and prisoners are aware of, and comply with, the rules on what property can be held in possession or storage.
- Property complies with volumetric control guidance and is consistent with local incentives schemes.
- Prisoners are able to lead as normal and individual an existence as possible within the constraints of the prison environment.
- Prisoners' property is checked, recorded, stored, sent out or issued correctly.
- Rules and decisions about a prisoner's property are properly explained to the prisoner in a language/format they understand.
- Any disposal of prisoners' property is undertaken appropriately.
- Property complaints are investigated thoroughly and efficiently, with appropriate reimbursement for lost or damaged items and the avoidance of unnecessary litigation.

4. **Requirements**

Management checks

- 4.1 Governors¹ should ensure management checks are undertaken to make sure that prisoners' property is being handled correctly and with care (e.g. that property cards are being accurately completed and that the volume of property held by prisoners is checked regularly and does not become excessive).

Searching of property

- 4.2 For defensible, consistent and professional practice reasons, 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.

Recording of information

- 4.3 All newly arrived prisoners must have a property box number allocated to them on the Prison NOMIS system before they leave reception.
- 4.4 Under Prison Rule 43, it is a statutory requirement to maintain a clear and legible inventory of a prisoner's property. This must be recorded on the appropriate property card. This is important in order to track, safely store and later locate items.

The property cards are:

- F2056A Prisoner's Property Record
- F2056B In Possession Property – Clothing Only (includes footwear)

1 References in this policy framework to the Governor can also be taken to include the Director of a contracted out prison.

- F2056C Stored Property
- F2056D In Possession Property
- F2056E Property Record for Transfer / Temporary Release

4.5 To be effective, and to avoid issues, complaints and litigation, property cards must include details on all:

- prisoners' property held in possession (including clothing they are wearing on arrival at the prison), apart from consumables/disposable items;
- property held in storage locally;
- property sent to the National Distribution Centre (NDC) Branston, including outside items, the items contained in each storage box and the seal numbers;
- property owned by the prisoner but which is not for issuing to them;
- items purchased by the prisoner (e.g. via catalogues)
- security seal numbers for property that is being transferred;
- damaged seals and the replacement seal numbers;
- security seal numbers for valuable items stored locally;
- items that have been loaned to the prisoner by the prison (e.g. by Chaplaincy) and it made clear that the item is loaned;
- disability aids and, where possible, it made clear whether it is a privately purchased item or one provided by the NHS;
- confiscated items which were previously authorised;
- items donated by the prisoner to the prison;
- items that have been transferred between prisoners (see 'Transfer of property (gifting) between prisoners');
- disagreements about property due to be returned to prisoners leaving the prison, or any lost or damaged items;
- property that has been disposed of;
- cases where compensation has been paid for lost or damaged property.

4.6 Under Prison Rule 43, adult prisoners are required to sign the completed property card. Under-18s in YOIs are also expected to sign their property cards as well. The property card includes a disclaimer and it is important that all new arrivals are helped to understand both the property card and disclaimer, including the use of translation services where necessary. Where prisoners are not willing to sign, the reasons must be recorded clearly on the card. Locally produced disclaimers for property should not be used.

4.7 Property cards must be updated to reflect any changes to a prisoner's property and prisoners must be invited to sign the card as soon as possible after any changes, having a proper opportunity to see that it is correct. The greater transparency in this process, the greater trust prisoners will have that their property is being cared for properly.

4.8 When a transaction affects a number of items, the appropriate property cards will need to be updated so that the outcome is clearly recorded individually against each item. This discipline is important and will aid in response to any complaints and provide an effective audit trail for staff and management.

- 4.9 All entries on property cards must be appropriately detailed. Any abbreviations should be in line with those already printed on the property cards. If alternative abbreviations need to be used, a key should be included so that others can easily identify what is meant. The better the quality of the entries, the more trustworthy and effective the system will be, and the easier it will be to resolve issues.
- 4.10 Any property cards identified as illegible, unclear or otherwise no longer fit for purpose must be re-listed to ensure accurate and clear recording of all items of a prisoner's property.
- 4.11 All property records (including old completed cards), property disclaimers and cell clearance certificates must be stored securely in the prisoner's core record to allow for effective recording and management of prisoners' property.
- 4.12 Items with brand names on them, including clothing, must be recorded as 'item marked with brand logo' rather than 'brand item'. See 'Complaints and compensation claims' for further information.
- 4.13 See 'Valuable property' for information on recording valuable items. Annex A provides further guidance on how to record property.

Authorised items

- 4.14 When deciding whether or not a prisoner should be allowed to have a particular item, a number of factors need to be considered, including:
- **Whether the item is permitted under the Offender Management Act 2007:** see PSI 10/2012 *Conveyance and Possession of Prohibited Items and Other Related Offences*.
 - **Nature of the Material:** The *Public Protection Manual* sets out materials to which prisoners must not have access and staff need to be aware of these restrictions. More generally, 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. Prisoners must be told the reasons for the temporary confiscation of their property with sufficient detail for this decision, and have their questions answered. This is important as such confiscations may cause frustration or anxiety, and the quality of the decision-making and explanation can help to minimise this. Decisions must be made in line with the *Public Protection Manual* which provides further information on the handling of confiscated items. See 'Confiscation and disposal of property' for situations where it would be appropriate to dispose of confiscated items. *PSI 64/2011: Management of Prisoners at Risk of Harm to Self, to Others and from Others*, provides further information on the removal of in-possession items from at-risk prisoners. When confiscating illicit items, it is important to consider any links the items might have to prisoner debt and issues of prisoner safety.
 - **Cash:** In accordance with Prison Rule 43(3) and YOI Rule 48 (1) prisoners are not allowed to retain cash whilst in prison. Cash must be handled in line with PSI 01/2012 *Manage Prisoner Finance*. The HMPPS Finance Manual provides further details on the handling of foreign currency.
 - **Volumetric Control:** The overall amount of property held by a prisoner must be within volumetric control limits unless there are exceptional circumstances where a governor permits a prisoner to exceed these limits (see 'Volumetric control', 'Locally

stored property' and 'National Distribution (NDC) Branston'). A leaflet which explains these limits, and which can be given to prisoners on reception to a prison, is available at Annex B. The leaflet is available on the intranet in different languages (including Welsh) for prisons to print as required.

- **Incentives:** Property held in possession must be in line with local incentives schemes and it is important that all prisoners understand the differences between the levels of the scheme.

4.15 To ensure a safe, decent and respectful environment, it is important that governors impose restrictions on the display of material which could cause offence, even if an item is otherwise allowed in possession. It is not appropriate for items to be displayed where, for example, the content is indecent or violent, or where it would be inconsistent with commitments to eliminate discrimination and harassment and to promote equality. It is important that prisoners understand what content would fall into these categories and why it is not allowed.

4.16 There are a number of individual groups, or particular circumstances, in which additional practices about property are important, and are linked to ensuring that the treatment of prisoners is decent and respectful. This will include:

- To comply with PSI 05/2016 *Faith and Pastoral Care for Prisoners*, and taking into account guidance in the booklet for staff 'A Guide to Religious Practice in Prison' (<https://intranet.noms.gsi.gov.uk/support/chaplaincy/a-guide-to-religious-practice-in-prison>) prisoners must be allowed to have in their possession, or have access to, such artefacts and texts as are required by their religion.
- Disabled prisoners and those with an identified health, social care or neurodiverse need must be allowed to have aids/reasonable adjustments in possession, or have access to them, subject to security checks and health and/or local authority social care assessment and recommendations.
- In permitting items of property, the needs of transgender prisoners must be considered with the use of Voluntary Agreements where appropriate (see *The Care and Management of Individuals who are Transgender* Policy Framework).
- Any additional or exceptional property required by women in prison who are pregnant or residing on a prison Mother and Baby Unit with their children. For example, maternity clothing, infant feeding equipment and baby grows. See the *Pregnancy, Mother and Baby Units and Maternal Separation from Children up to the Age of Two in Women's Prisons* Policy Framework for more information.

Volumetric control

4.17 Limits on property exist to ensure safety and security and so that all property can be transferred with a prisoner on their movement to another establishment. This 'volumetric control' is applicable to all establishments.

4.18 Experience shows that misunderstanding around volumetric control can lead to significant frustration and tension. It is important, therefore, that prisoners and staff understand:

- what the volumetric control limits are
- why volumetric control exists
- why the limits are set as they are.

4.19 A prisoner's total property, whether held in possession or in storage, must fit into two standard size volumetric control boxes (a volumetric control box is 70cm x 55cm x 25cm and has a maximum weight of 15kg per box) plus half a volumetric control box for consumable items. In addition, the following items are permitted:

- **all legal papers;**
- **religious texts and artefacts**, essential for the practice of the prisoner's religion.
- **reasonable adjustment/disability aids**
- **reasonable amounts of items that support transgender prisoners to live in the gender with which they identify.** Governors must be satisfied that the quantity held does not impede effective searching. Restrictions on such items must be based on a clear and evidenced operational, risk and/or security assessment (see *The Care and Management of Individuals who are Transgender Policy Framework* for further information).
- **items held in possession for the care of babies** in mother and baby units; Governors need to be satisfied that such items are held for this purpose, and that the quantity held does not impede effective searching;
- **one set of clothing** (whether prisoner's own clothing or prison issue). When considering the one set, this includes that worn by the prisoner when the volume of property is monitored;
- **bedding** (one set of e.g. pillow, duvet, sheet);
- **one musical instrument** (e.g. a guitar);
- **posters** etc. which are appropriate to be attached to cell walls; posters cannot be attached to external walls;
- **one birdcage** (in prisons where birds are permitted). However, where allowed, prisoners should be made aware at the outset that birds are not allowed in every prison establishment and if transferred they may not be able to take their bird with them. It is important in such situations that prisoners understand why individual prisons might have different rules in place.

4.20 Education materials, food, consumables, cooking utensils and cell hobbies items are **not** exempt from volumetric control if held in possession.

4.21 A focus on compliance with volumetric control limits is important throughout a prisoner's time in custody. Consideration must be given to how much property a prisoner already has when permitting the purchase of any further items (e.g. from catalogues). Where a prisoner exceeds volumetric control limits, staff should consider writing to the prisoner to explain this and to set out how their property can be brought back within the limits. For handling of items which exceed volumetric control limits, see 'Sending in and handing out of property', 'Locally stored property' and 'National Distribution Centre (NDC) Branston'.

Valuable property

4.22 A local system must be in place to distinguish between valuable and non-valuable property. This is important so that valuable items can be stored securely.

4.23 Prisoners should be encouraged to hand or send out valuable items. If they do not agree to this, it must be explained carefully to them that, in the event of loss or damage, they cannot expect compensation for the purported value where they are unable to prove the cost of purchase (see 'Complaints and compensation claims'). This is supported by the disclaimer that is signed by prisoners and staff on the property card which states that the prisoner has been advised not to have any valuable items in the prison.

- 4.24 The expectation is that valuable property will not be held in possession. However, some items permitted under the National Facilities List (see the *Incentives Policy Framework*) might be valuable and of sentimental importance. Where a prisoner wants to retain such items in possession, this should only be permitted where to do so would not be a risk to good order or discipline, security and safety and the items are in line with the National Facilities List. All other valuable property must be placed in a sealed bag or bags and held securely with the storage arrangements agreed locally. It is important that prisoners understand what the local storage arrangements are, in order for them to trust that these operate effectively and their belongings are safe.
- 4.25 Where there is any doubt as to the possible monetary value of a piece of property, staff should be cautious and treat the item as valuable property.
- 4.26 All valuable property must be described as seen and not in accordance with statements made by prisoners which cannot be verified. The correct recording of valuable property is important to be able to identify items when needed and for the handling of any complaints which might arise in the future.
- 4.27 All pieces of jewellery must be recorded as, for example, yellow or white metal rather than gold or silver.
- 4.28 House keys must be stored as valuable property. The following information should be obtained and recorded where possible: is the prisoner the tenant or owner; who is the landlord/mortgage company; is anyone else currently living in the property; and contact details of all interested parties. This is in case any concerns about the return of the keys are raised with the prison prior to the prisoner's release. The key/s only remain the property of the prisoner whilst they have a proprietary interest (i.e. he or she remains a tenant or owner). Once the property rights have been extinguished, the right to return the key/s is either extinguished or transferred to the new owner/tenant.
- 4.29 All prisoners' passports, or any other identifying documentation (e.g. ID cards or driving licences) must be stored as valuable property. Prisoners in the open estate might require frequent access to their driving licences or keys for work. These must still be stored securely. Passports or other forms of identification belonging to foreign national prisoners must be scanned and a copy sent to Home Office Immigration Enforcement (HOIE) FNORCDocumentationTeam@homeoffice.gov.uk with further copies kept in the offender's core record. Foreign national offenders should not be permitted to send to a third party any passports/ID cards/driving licences held other than to their own embassy, HOIE, or the police where surrender of the passport is a condition of bail.

Items of sentimental value

- 4.30 Particular care must be taken by staff when handling items of sentimental value to a prisoner. Loss or damage to such items can have a particular impact on prisoners. Where a prisoner identifies an item is of sentimental value, and even if it is comparatively inexpensive, staff should advise that the item should be kept with valuable property rather than held in-possession.

Unconvicted prisoners

- 4.31 The specific rights of unconvicted prisoners must be respected. These rights are set out in Annex B of PSO 4600 *Unconvicted, Unsentenced and Civil Prisoners*.

Sending in and handing out of property

- 4.32 The arrangements on the sending in of property must be in line with the requirements set out in the *Incentives* policy framework, including the particular considerations around the sending in of books. It is important that prisoners understand the arrangements, and why these exist, in order to help them to co-operate with these and not cause undue frustration or confusion.
- 4.33 Under Prison Rule 44(4) the Governor has discretion as to what action will be taken with articles sent in by post to convicted prisoners. The same approach will apply to items sent in by other means (e.g. via courier). Prison Rule 44(4) gives Governors the discretion on whether such items shall be given to the prisoner, placed in their stored property at the prison or returned to the sender. Where the sender's name and address are not known, or the article is of such a nature that it would be unreasonable to return it, the article can be sold or otherwise disposed of and any proceeds paid to NACRO. However, where the prisoner has been committed to prison in default of payment of a sum of money, the money shall be used to pay towards that sum unless the prisoner objects. See PSI 01/2012 *Manage Prisoner Finance* for the handling of money sent in by post. See PSI 49/2011 *Prisoner Communication Services* for the handling of correspondence sent to a prisoner.
- 4.34 It is important that an audit trail is maintained for the handling of any property sent into the prison, including where items have been sent in without permission, to avoid subsequent claims for loss. This audit trail must include where parcels are returned to the sender or forwarded to a subsequent prison.
- 4.35 Prisoners must be allowed to hand out and reduce both in-possession and stored property through social visits or through other opportunities, subject to existing rules on frequency of access to property held at NDC Branston (see 'National Distribution Centre (NDC), Branston'). This does not apply to items which are unsuitable for handing or sending out (e.g. extremist materials or other permanently confiscated items which have been identified for destruction). Staff cannot seek to dispose of property against a prisoner's wishes simply because the prisoner has exceeded volumetric control limits. See 'Confiscation and disposal of property'.
- 4.36 Opportunities must be given to facilitate prisoners handing or sending out valuable property safely and securely.
- 4.37 Prisoners who are in the process of being transferred, and who hold excess property, must be allowed and encouraged to hand out excess items.

Property on transfer between prisons

- 4.38 The transfer of property between prisons can be a common source of difficulty, and loss or damage of items can lead to frustration, anxiety, resentment and a loss of trust in staff and the Prison Service. It is also the cause of many complaints that staff then need to handle. The more effectively we can handle property generally, and during transfer, the more likely we can avoid these outcomes.
- 4.39 Only property which falls within volumetric control limits, and items which are permitted as volumetric control exemptions (see 'Volumetric control') will be transported with a prisoner when they transfer establishments or attend court. It is therefore very important that these

limits are respected. See 'Transferring property outside volumetric control limits' for the handling of excess property.

- 4.40 When a prisoner moves to another prison, all their property cards must be sent on to the new establishment with them.
- 4.41 Property for transfer must be placed in a property bag secured with a security seal unique to the establishment and bearing a unique number. Each bag must not weigh more than 15kg.
- 4.42 On arrival at the receiving establishment, all property bag seals must be checked against the Person Escort Record. See *The Person Escort Record (PER) Policy Framework*.
- 4.43 On occasion, prisoners will arrive on transfer from another establishment with items such as a large stereo which are not permitted in the receiving establishment's facility list but were permitted at the previous establishment. Governors must consider these items on a case-by-case basis and decide whether or not they should be allowed. Unless the item is considered a risk to good order, discipline, security, safety and/or exceed volumetric control limits, the expectation will be that the prisoner should be allowed to retain it in possession. This is in recognition that the prisoner may have spent money and been permitted the item previously. However, the fact that an item was allowed on this basis does not give the prisoner any right to replace it 'like for like'. Any replacement must comply with the local facility list. If an item was previously allowed, but is not by the receiving prison, it is important that the reason(s) for this difference are explained to the prisoner. Without understanding the reasons, differences in practice can be frustrating and seem arbitrary to prisoners, which can compromise respect for staff and the legitimacy of decisions.
- 4.44 Where a prisoner has exceptionally large amounts of property, but which are still within volumetric control levels (e.g. significant boxes of legal papers), the prison must inform the Prisoner Escort Contractor Service (PECS) contractor using the free text comments section of the transfer request when requesting the move. The PECS contractor can use this information when considering their choice of vehicle and, where possible, utilise a larger vehicle than normal. This option is not available where property is outside of volumetric control limits.
- 4.45 Prisoners must retain access to, and not be deprived of, essential disability aids/reasonable adjustments. Arrangements must be made as early as possible to ensure continuity. Where the items are the property of NHS or local authority services, these services should be consulted on how continuity should be achieved, and prisoners must not be deprived of such essential items at any stage. Considerations of ownership are secondary to ensuring a prisoner has the disability aids they need at all times. See PSI 03/2016 *Adult Social Care* for further information about transfer and discharge arrangements for those in receipt of care and support or may require care and support on transfer or discharge.
- 4.46 Transgender prisoners must retain access to, and not be deprived of, items necessary to their gender expression. Prior to transfer, a copy of any Voluntary Agreement in place that details access to such items should be provided to the receiving prison in order that arrangements can be made to ensure continuity of access upon transfer.

Transferring property outside volumetric control limits

- 4.47 The discharging prison must be responsible for ensuring that any property which PECS is contractually unable to take (i.e. property which is above volumetric control limits) is forwarded to the receiving establishment within four weeks of transfer unless exceptional circumstances prevent this.
- 4.48 The discharging prison must maintain a record of the excess property which is sent on. The record will state the date sent, the method of transport and the property bag seal numbers.
- 4.49 The cost of transferring such property must be met by the discharging prison and not passed on to the prisoner.
- 4.50 The discharging prison must notify the receiving prison when the excess property is to be sent. If a delivery is expected, there are less likely to be issues around handling.
- 4.51 The receiving prison cannot refuse to accept the excess property which is sent on. The prisoner must be encouraged to send or hand out any excess items. If there is a lack of local storage, consideration should be given by the receiving prison to sending the items to NDC Branston. NDC Branston cannot, however, provide any assistance in moving on excess property between establishments.

Discharge

- 4.52 With the exception of some brief temporary absences, all prisoners' in-possession property, valuables and locally stored property must accompany them (subject to volumetric control levels) when they are discharged. This includes for relevant court appearances.
- 4.53 Property for prisoners being discharged must be handled in line with PSI 72/2011 *Discharge*.
- 4.54 Any excess property must be:
- Kept securely at the prison in case the prisoner returns (e.g. if they return from court the same day); or
 - In the event that the prisoner is not discharged from court and is returned from court to a different prison, forwarded to the prisoner's receiving establishment in line with the requirements set out under 'Property on transfer between prisons' above; or
 - If the prisoner is discharged from court, retained at the establishment for a period of 12 months, unless claimed earlier by the prisoner, at which point it may be disposed of (see 'Confiscation and disposal of property').
- 4.55 At the end of their custodial term, prisoners must be asked to sign a disclaimer form to confirm that they are aware that any property which is left behind will be kept only for a period of 12 months before being disposed of or sold. The expectation is that prisoners will not leave any property behind. However, where this happens and the property remains unclaimed after 12 months, it may be disposed of. The disclaimer form must be kept with the prisoner's property card as it provides documentary evidence should there be a subsequent compensation claim. A sample form is at Annex D, which may be used for this purpose. When signing the discharge disclaimer form, prisoners should be encouraged to state whether they wish for item(s) of their property which they no longer require to be sold or destroyed.

- 4.56 Prior to a prisoner's planned discharge, staff must check if any property is held at NDC Branston. If any property is left stored at NDC Branston because the prisoner does not wish to retain it on discharge, the establishment must inform NDC Branston of the disposal date within a month of the prisoner's release. This is so that NDC Branston can arrange for disposal 12 months after the prisoner has left custody. See 'National Distribution Centre (NDC) Branston'.
- 4.57 All property accompanying prisoners leaving the prison for any reason, including for court appearances or transfer to another establishment, must be checked against the property record cards and discrepancies recorded. Clear and accurate recording practices will help to avoid potential future complaints and litigation, as well as demonstrating our professional standards.
- 4.58 Staff should discuss with prisoners whether the return of house keys is appropriate. For example, whether the prisoner is still the owner/tenant of the property. If the prisoner remains the owner/tenant, staff should only refuse to return keys if they have received evidence that they will be used for criminality and have discussed with the police.

Foreign National Offender discharges

- 4.59 Where a foreign national offender is approaching their Early Removal Scheme Eligibility Date and HOIE has not indicated that they have no further interest in the offender, any stored property held at Branston should be retrieved. This will enable property to be available should the prisoner be removed at short notice. Once removal directions have been set, the prisoner should be advised of the airline's luggage weight limit and encouraged to dispose of any excess baggage. If removal does not take place, the property can continue to be stored. Property will also need to be retrieved from Branston for prisoners who are to be removed under other schemes. 'Confiscation and disposal of property' sets out the handling of property which is left behind by any prisoner.

Locally stored property

- 4.60 Storing excess property at a location within the prison must be an exceptional or temporary measure and will occur only when Governors are satisfied that excess property cannot otherwise be handed out. Stored property must be kept in bags secured by the establishment's own unique property seals. It is important that prisoners understand how and why decisions on whether to allow storage of property are reached, in line with procedural justice principles.
- 4.61 Excess property of prisoners with less than six months remaining before discharge, and those held solely under immigration powers, must be held locally.
- 4.62 Any discharge clothing belonging to a prisoner must be stored locally.

National Distribution Centre (NDC), Branston

- 4.63 Property which is not held in-possession, handed out or cannot be stored locally will be stored at NDC Branston. This must only occur in exceptional circumstances, since prisoners should not exceed volumetric control limits and, where they do exceed these limits, local storage must be utilised first. NDC Branston will not store unattributable property.

- 4.64 From the date of implementation of this policy, prisons are not permitted to send property to Branston if it will result in a prisoner having more than three boxes stored there in total. An outside item will be regarded as the equivalent of one box. This limit should only ever be exceeded where staff have very thoroughly explored all other options with the prisoner and consider that the circumstances are so exceptional as to require additional boxes to be sent for storage.
- 4.65 The following procedure must be followed when excess property is sent to NDC Branston:
- Property must be bagged, sealed and packed into the storage boxes (item 1626), which have a weight limit of 15kg;
 - The correct seals, which have a 7-digit serial number, must be used;
 - Outside items must be packaged, sealed and clearly labelled;
 - The prisoner's anticipated release date must be included to give NDC Branston an indication of when property might become eligible for disposal if it remains unclaimed 12 months following the prisoner's release. However, where property remains at Branston following a prisoner's release, it remains the responsibility of the Governor to notify NDC Branston of the disposal date for that property within 28 days of the prisoner's release (see 'Discharge').
 - Property cards updated (see 'Recording of information')
- 4.66 The following restrictions on items sent to NDC Branston apply:
- Only clothing which is freshly laundered may be included;
 - No items subject to chemical degradation or bacteriological growth may be included.
 - Batteries must not be included.
 - Other than in exceptional circumstances agreed by the Governor, property cannot be accessed within 12 months of being placed into storage.
 - Legal papers must not be included. These must be held locally.
- 4.67 Property stored locally for a period of 28 days after a prisoner has escaped or absconded and who has not returned to custody may be sent to the NDC for long term storage. This property must be designated for disposal for 12 months from the date of escape or abscond.
- 4.68 When recalling property, form S&T 445 must be used. If, exceptionally, urgent delivery is required, the establishment must contact the Logistics Office Team at NDC Branston to arrange delivery, using carriers where necessary. Further guidance on the process to follow for sealing and sending property to NDC Branston, including how to obtain necessary forms, is at [Annex B](#).
- 4.69 Property belonging to a prisoner who has been discharged will only be sent by NDC Branston to their last establishment for collection, and will not be delivered directly to any private address. All requests for retrieval of property must therefore come from an establishment. As part of discharge checks, prisoners should be asked if they have property at Branston so that it can be returned to the prison in good time.
- 4.70 Property sent to NDC Branston is held there on behalf of the Governor of the prisoner's current establishment. If a prisoner is transferred, custody of the property moves to the Governor of the new prison.

4.71 Staff at NDC Branston will not open property, and investigation of any complaints relating to loss or damage, and any compensation claims, comes under the responsibility of the establishment recalling the property.

Accommodation / cell clearance

- 4.72 Accommodation clearance can present particular issues in the handling of prisoners' property. It is therefore important that significant care is taken. The more that prisoners can be safely involved in this process, the faster accommodation can be secured and then vacated, and accurate records maintained, the more effectively this process will work. Seeing that that their property is handled appropriately and with care is more likely to help prisoners see the process is fair.
- 4.73 Where a prisoner is made aware of an arranged move, they should be given sufficient time to pack their own possessions where possible.
- 4.74 Where it is not possible for a prisoner to pack their possessions, and the accommodation is single occupancy, the accommodation must be secured as soon as it is vacated. Securing shared living accommodation immediately can be more complex. Wherever possible, this should happen, but in any case as soon as possible.
- 4.75 Property in situ must be checked against the prisoner's property card and recorded on the Cell Clearance Certificate (F2056J) by two members of staff as soon as possible. Local versions of cell clearance certificates should not be used. A note must be made of any damaged items or of any items that become damaged during the clearance. The Cell Clearance Certificate must be kept with the relevant property card.
- 4.76 In shared accommodation the remaining prisoner must normally be present to identify their property. If the prisoner is briefly unavailable, consideration should be given to waiting until they can be present and the accommodation secured until that time.
- 4.77 Any discrepancies between items listed on the Cell Clearance Certificate and on the prisoner's property card must be recorded and investigated. Other than perishable items, the property must be placed in property bags and sealed.
- 4.78 If a prisoner later returns to the establishment, or to normal accommodation within it, the property bags must be unsealed in the prisoner's presence and the prisoner asked to check the contents. Any discrepancies must be recorded and investigated. This also applies when the prisoner is moved to another establishment.
- 4.79 If the cell clearance is due to a prisoner's escape or death, any items which may be relevant to the investigation must first be drawn to the attention of the appropriate authority. Following a death in custody, and pending the arrival of police, the cell must be sealed and all property must be preserved in situ as evidence and not removed or bagged until the police give permission.
- 4.80 Any property retained by the police as evidence needs to be recorded and the executor or next of kin informed. The handling of deceased prisoners' property is covered in PSI 64/2011: *Management of Prisoners at Risk of Harm to Self, to Others and from Others*.

Confiscation and disposal of property

- 4.81 The Governor is authorised to permanently confiscate the following items and to subsequently arrange for safe and proper destruction where:
- possession of the item would itself give rise to a criminal offence (for example, holding controlled drugs or psychoactive substances and items that can be linked to the trafficking and or misuse of drugs); or
 - the item is inherently dangerous (such as a primed explosive device, for example), and could not, therefore be safely stored; or
 - the storage of the item would present a proven health hazard.
- 4.82 In any of these events, an explanation needs to be given to the prisoner, explaining how that item comes under one of these three categories. Staff must also be mindful of any issues around prisoner debt/safety which might exist where a prisoner has been in possession of particular items.
- 4.83 More widely, Section 42(A) of the Prison Act 1952 provides details of the items that Governors have the power to destroy or otherwise dispose of. This is where:
- An article is found in the possession of a prisoner who is not authorised to have it in their possession; or
 - An article found inside the prison or in a prisoner escort vehicle where the owner of the article is a prisoner who is not authorised to have it in possession or the owner cannot be ascertained.
- 4.84 See Annex E for a process map and definitions for information on which property can be disposed of.
- 4.85 Where Governors decide to dispose of unauthorised or unattributable property which was found or confiscated after 26 March 2015, such property must be retained at the prison for a minimum of three months after it is found before being disposed of. During this time, a prisoner must be able to make representations about how the property is dealt with and be made aware of the intended date of disposal. The exception to this three-month rule is where continued storage would present a proven health hazard or possession would otherwise give rise to a criminal offence or the item is inherently dangerous. Items must not be destroyed or disposed of while there is an outstanding dispute about how they will be dealt with (e.g. if the matter is still being considered via the complaints system). Staff should establish with the prisoner that the matter has not been referred to the PPO and the property not disposed of until any PPO investigation has concluded. A record of the items must be kept but the items must only be added to a prisoner's property card when any dispute about ownership has been resolved in the prisoner's favour.
- 4.86 Relevant items (see Annex E for definitions) confiscated before 26 March 2015 may be destroyed immediately.
- 4.87 Under Prison Rule 43 (4) and YOI Rule 48 (3), any unclaimed property belonging to a prisoner who is no longer in custody must be held for a period of 12 months after their permanent release, abscond, escape or death. If the property remains unclaimed after 12 months, it may be disposed of. Disposal within the 12 months is permissible where continued storage of an item would present a proven health hazard or possession would otherwise give rise to a criminal offence or the item is inherently dangerous.
- 4.88 Further to the requirements under 'Accommodation/cell clearance', all property (including valuables) belonging to a prisoner who dies in custody should be offered to their next of kin,

unless there is a potential dispute as to who is entitled to this, in which case advice should be sought from the Coroner. Property belonging to prisoners with no identifiable next of kin must be kept at the prison and staff must take reasonable steps to try and trace any next of kin. All property should be disposed of or sold that is not claimed by a prisoner's next of kin after 12 months of their death or by prisoners after 12 months of their custodial term ending.

- 4.89 Items sent to a convicted prisoner, where the sender is unknown, can be sold or otherwise disposed of in line with paragraph 4.33 above.
- 4.90 The net proceeds of any sale of unauthorised or unattributable property, or any other items which are sold in line with the requirements above, must be donated to NACRO.
- 4.91 Where any items are disposed of, records must be maintained to provide details of the items, where they were found and the date and reasons for disposal.

Transfer of property (gifting) between prisoners

- 4.92 Prisoners must only be permitted to transfer in-possession property to the ownership of other prisoners if the Governor is satisfied that such transfers are voluntary and for acceptable reasons (e.g. not the result of bullying, prisoner debt or in exchange for illicit items) and that they will not undermine the incentives scheme or good order or discipline. Where approval is given to the transfer of an item of property, details must be recorded clearly on the relevant property cards. Any local arrangements for transferring property must be explained clearly to prisoners.

Complaints and compensation claims

- 4.93 All complaints must be investigated in accordance with the *Prisoner Complaints Policy Framework* and the Finance Manual. NDC Branston will not investigate or process complaints, but will assist an establishment's investigating officer by providing responses to relevant specific enquiries.
- 4.94 Governors must ensure that property complaints and disputes are investigated thoroughly and efficiently, with prisoners being offered appropriate compensation where items have been lost or damaged. All efforts should be made to resolve issues through the various stages of the complaints process, including the PPO, and avoid unnecessary future spending on a litigation claim. The principles of procedural justice (see 'Guidance' for more information) are applicable here in how decisions/outcomes of the investigation are communicated and explained to the prisoner.
- 4.95 Where prisoners have transferred, establishments must liaise with each other to ensure such complaints are investigated and answered efficiently and promptly without placing unnecessary burdens on a prisoner who has transferred.
- 4.96 In cases where the establishment is responsible for the loss or damage to the prisoner's property, the prisoner must be fairly reimbursed and an apology given. The fact that prisoners sign a disclaimer that they hold property at their own risk cannot excuse the prison from paying compensation if the prison was clearly at fault. A common example of this relates to loss or damage to personal clothing during the laundry process. It is not reasonable to expect the prisoner to bear any loss or damage if they have handed it over to be washed in the prison laundry. Any compensation paid must come from the prison

responsible for the loss or damage, rather than automatically from the prison in which the complaint is made.

- 4.97 Where a reimbursement or local compensation awards are being considered for lost or damaged items, prisoners should be asked to produce evidence of the item's value (e.g. a receipt). Where this is not possible, governors should compare the cost of replacing the item(s) from suppliers that are available to prisoners. If there are no such suppliers, online searches of high street retailers may be used. In either case, adjustments should be made for age/wear and tear but the offer needs to be fair.
- 4.98 Staff must use appropriate judgment on compensation for branded and/or valuable items. For example, it is less reasonable to expect a prisoner to be able to provide proof of purchase for typical brands of sportswear items and which they might have possessed for some time. In such cases, it would be appropriate to compensate on the assumption that the item is genuine. However, for more expensive items (e.g. designer tops, luxury brand watches) it is much more reasonable to expect that a prisoner will have retained, and will be able to provide, proof of purchase or information on the authenticity of the item. Where a prisoner is unable to do so for such items, compensation should be provided for the cost of a standard equivalent replacement (e.g. a standard watch or top) from a supplier that is available to prisoners.
- 4.99 Compensation for lost or damaged items must be credited to the prisoner's 'Private Cash' account. If replacement goods are to be purchased, the debit transaction can also be made from this account. This is permitted under the 'exceptional circumstances' outlined in PSI 01/2012 *Manage Prisoner Finance* and exceeds the limits set for prisoner spending laid out under the Incentives scheme.

5. **Guidance**

Evidence-based practice

- 5.1 When people feel processes are applied fairly and justly, they have more confidence and trust in authority figures, see authority figures as being more legitimate, and they are more likely to accept and abide (or commit to abide) by decisions and rules, and comply and cooperate with authority. This is true even if the outcome of the decision or process is not in their favour. Procedural justice is also necessary to ensure prisoners are treated with respect and improve outcomes in terms of their daily life, because it significantly affects outcomes like misconduct and psychological wellbeing in custody.
- 5.2 The four principles of procedural justice, which need to be present for someone to feel they are being treated fairly, are voice, neutrality, respect and trustworthy motives. A property process/policy and its implementation can deliberately incorporate these principles in the following ways, so that prisoners have greater respect and trust in the process, and are more likely to accept the decisions made (even if these are unfavourable to them) in the following ways:

Voice: Giving people a chance to present their side of the story, be listened to and ask questions.

- Having a named 'go to' person to ask questions about the property policy or decisions.
- Asking for feedback to improve the process.
- Using simple language that everyone can understand.
- Explaining how the person can appeal or complain about property decisions if they want to.

Neutrality: Being transparent and open about how the rules are applied, explaining decisions and showing decision making to be principled and unbiased.

- Explaining about how the process works, the specific rules about property and likely time frames.
- Systems to monitor and ensure consistency of decisions for people in the same situation.
- Explaining why decisions have been made, and what influenced this or was considered.
- Explaining how the decision is consistent with how others are treated.

Respect: Treating people with respect, taking their issues seriously, being polite, and respecting their rights.

- Simple and accessible paperwork and policy to facilitate understanding, and availability of assistance.
- Systems to monitor and ensure timely processing of property and issues with this.
- Clear lines of accountability.
- Using a courteous and respectful tone when communicating decisions.
- Treating property with care, and apologising if it is damaged.
- Being sensitive if decisions are not what the person hoped for.

Trustworthy motives: Being sincere and caring, honest about motives, listening and taking issues seriously, and trying to do what is best for everyone.

- Explaining the purpose of the property policy and rules, such as why volumetric limits have been set as they have, and why certain items are not permitted, and that this is not arbitrary.
- Explaining how these decisions have people's best interests at heart.
- Explaining about how impartial decisions are made, by who, based on what, and why.
- Showing/communicating sincerity and care.
- Acknowledging and showing empathy for the impact decisions made about property, and how property is handled by staff/the prison, can have on people.

5.3 If you have any questions, or you would like any support regarding procedural justice, please email: proceduraljusticeenquiries@justice.gov.uk

Point of contact for property issues

5.4 Some prisons have found it helpful to identify a member of staff to act as a single point of contact for property. This can be particularly helpful when liaising with the PPO and

Independent Monitoring Boards, and also where issues arise when a prisoner transfers between establishments.

Managing locally stored property

- 5.5 It is advisable for staff to make regular checks through property which is stored locally at the prison. In handling such property, it can be helpful where possible to group items appropriately (e.g. clearly identify items which will be for disposal if unclaimed 12 months after the prisoner has been released). Regular checks will then ensure excessive amounts of property do not build up.

GUIDANCE ON THE COMPLETION OF PRISONER PROPERTY CARDS Annex A

A well-completed property card will:

- + Provide details on all property as set out under 'Recording of Information'
- + Provide details of any changes to the item of property (e.g. if the item is damaged on arrival, has been reported missing, has previously been in storage but now allowed in-possession).
- + Show clear and legible writing.
- + Have all entries dated.
- + Be signed by the member of staff responsible, with the name printed.
- + Have entries signed by the prisoner to show that they agree with the description. Where the prisoner is not given the opportunity to sign, it can lead to disputes.
- + Give information on each item (e.g. for a CD, it is best practice to list the artist and album name), rather than say 'A number of CDs.'
- + Use only the transaction/receipt/status codes printed on the property card. Where other codes might have to be used, these should be explained clearly on the card.
- + Avoid the use of 'multicolour' wherever possible. For example, refer to a pair of trainers as 'blue/white' rather than multicolour. It can, otherwise, become difficult to know which item of property is referred to.
- + Record branded items as (e.g.) 'A pair of trainers marked with Nike logo' rather than 'A pair of Nike trainers', since staff will be unable to assess the authenticity of any branded property.
- + For valuable property, record items as (e.g.) 'White metal ring' rather than 'Silver ring'.

A well-completed property card will avoid:

- Trying to fit too much information into one box.
- Highlighting or ticking items without any clear and corresponding notes on the notes page. Cards can become very unclear where multiple prisons tick and highlight items. It can quickly become confusing as to what the ticking and highlighting means but also which prison has done this.
- Referring to items on the card which have been highlighted in a particular colour or marked with a tick in a particular colour. Property cards generally end up photocopied in black and white and the references to colours used by staff on the cards become meaningless.
- Referring to items very generally (e.g. 'a bag of property sent in' or 'a bag of property from the previous establishment'). All items need to be listed on receipt.

Property Limits

Information for Prisoners

Your property must fit into two standard boxes. There is a limit for safety and security reasons.

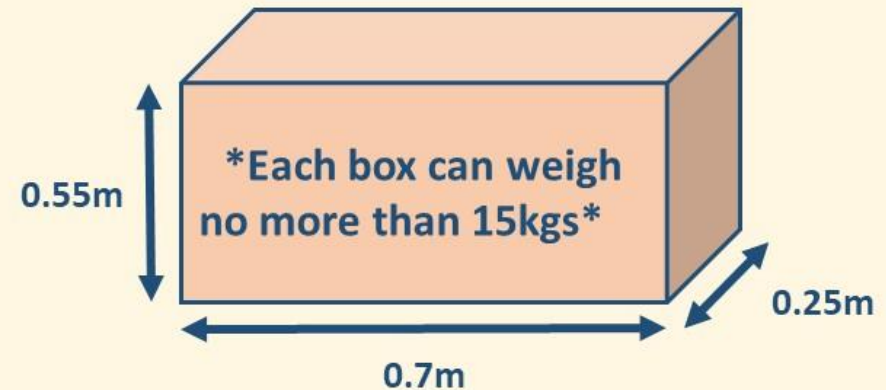
There is a small list of things you can have that don't need to fit in the boxes (like legal papers and, if agreed, a musical instrument).

If you have more than two boxes, you will be asked to hand or send things out for family and friends to look after. If this doesn't happen, the items might be sent away to be stored and you won't be able to have them for at least 12 months.

If you move to another prison, you will only be able to take the two boxes with you, plus things like legal papers. You can also take half a box for things like shampoo and food.

Anything else you have will need to follow on later or might be sent away to be stored.

Your property is important to us. It can best be looked after if we stick to the limits.



DISPOSAL DECLARATION AND DISCLAIMER

HMP/YOI

Prison / PNOMIS
Number

* Delete as appropriate

* I acknowledge that I
have been made aware that staff will, [in accordance with Rule 43 (4) of the Prison
Rules 1999 / YOI Rule 48 (3) of the YOI Rules 2000] dispose of or sell any unclaimed
stored property belonging to me after 12 months from the date of my permanent release if
it has not been retrieved within this period

* I will not be returning to claim the stored property belonging to me and request that it be
sold or destroyed as appropriate.

Signature Date.....

Officer's details

Signature..... Name.....

Position Date.....

*NB After completion a copy of this form should be given to the prisoner and the original
copy attached to the prisoner's property record for possible audit examination.*

HOW TO SEAL PROPERTY AND FILL OUT THE 444 TO SEND TO NDC BRANSTON

The 444 is a multi-set of forms that are used at NDC Branston as an input document.

It is important to ensure that details are correctly entered and are clearly written in block letters. After completing, send the top two copies back with the driver performing the collection.

Destination of Goods

NDC Branston.

Issuing Establishment

Enter establishment name here (**1a**).

Account code

This is the three digit code that is used by NDC to identify each establishment (not the three letter code shown on the seal). If you do not know this code then contact NDC and they will advise you (**1b**).

Prisoner number, Prisoner name

Enter relevant details accurately (**1c**) and do not mix prisoners on any one sheet.

SOC

This is the Goods Receipts Number that was allocated to you when the goods were booked into NDC prior to collection (**1d**). There is no limit to the amount of Offender's Property Input Sheets (444) per SOC but the SOC number needs to be quoted on all sheets (the actual amount of property will not exceed forty boxes).

Seal Numbers

Enter the seven digit seal number (including any zeros) that is being used to seal the actual box; the inner seal is not needed on the 444 nor is any description of the contents as Branston do not open the boxes (**1e**). If two external seals are used on an outsized item then enter both seals. You can enter as many as nine seal numbers on the 444 but only one per line, unless two seals have been used on an outsized item (in which case both seals should be entered on the one line).

Only one prisoner to each 444

Unit Quantity

Enter how many boxes have been booked on that particular 444 sheet.

Disposal

If property is for disposal, there needs to be on the 444 an authorisation officer's printed name, signature and a disposal date (**1f**). The disposal date should be the date that the disposal should take place. If any of these are not entered correctly the property will automatically be returned to you to have this corrected. If the property has less than six months to its disposal date then this will not be accepted into NDC and will have to be disposed of locally and will be returned to the establishment.

Other points to take into account

The correct seals are to be used on the appropriate box or outsized bagged item. This information is on ST 129/2005 and needs to be adhered to.

The seals need to come down from the hole on the front edge of the property box (See fig1) with the number facing out so the seals can be seen when stacked for storage (Branston store the boxes six high in four stacks per pallet, with the seals facing out). The prisoner name and number label should be stuck to the front on the same side as the seal number. Care should be taken when packing and transporting the boxes as any which arrive at Branston with broken seals will be rejected

The volumetric boxes, item 1626, have a weight limit of 15kg and should not be packed so that they are difficult to close and therefore bulge. Please use another box as this will save time in the long run and may prevent the box from being returned. The large volumetric control boxes are for large items that do not fit into the small 1626 property box and should not be used just because there is a significant amount of property.

The contents of the box should not be listed on the 444 as Branston do not open the box to check what is inside.

If you have any problems, contact NDC Branston on: 01283 496033

SV 002 / S&T 444
HOME OFFICE
SUPPLY & TRANSPORT BRANCH

DEMAND/ISSUE VOUCHER
(CONSIGNEE'S COPY/CONSIGNMENT NOTE)

Serial **108691** **3**
Date:-

Destination of goods:- No. **BRANSTON**

Goods issued from:- No. **1b**
1a

H.Q. Section:-
Authority/Demand/
Contract/Spec'n No:- **1d**

Item No.	DESCRIPTION	Unit Quantity	Quantity Demanded	Quantity Issued	REMARKS
1c 1e					1f

Amount of units of property on this sheet entered here

DETACH HERE

CONSIGNMENT NOTE
Date of despatch

Mode of conveyance:-

Serial No. **108691**

Number of Packages	General Description of Packages	WEIGHT	
		T	Kg
	Ignore this section		

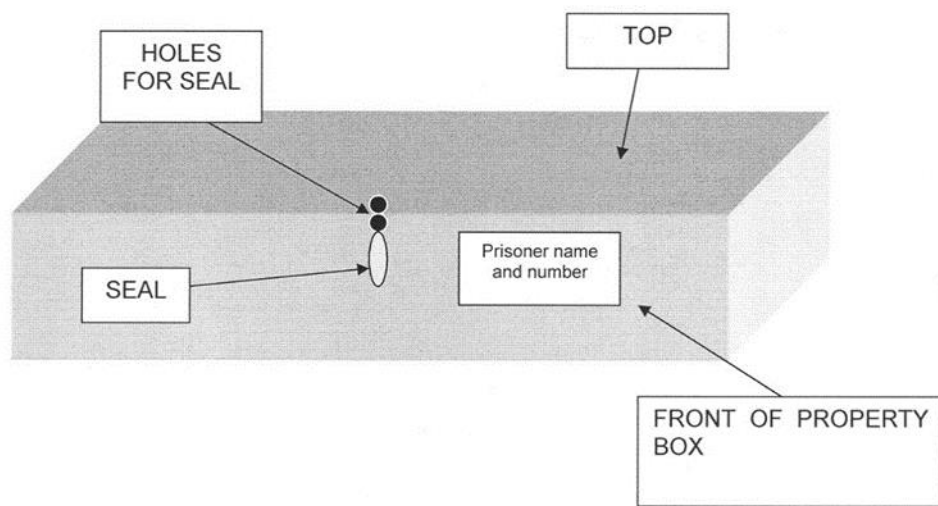
Received the packages listed in good order and condition:-

To be signed and dated by the driver collecting

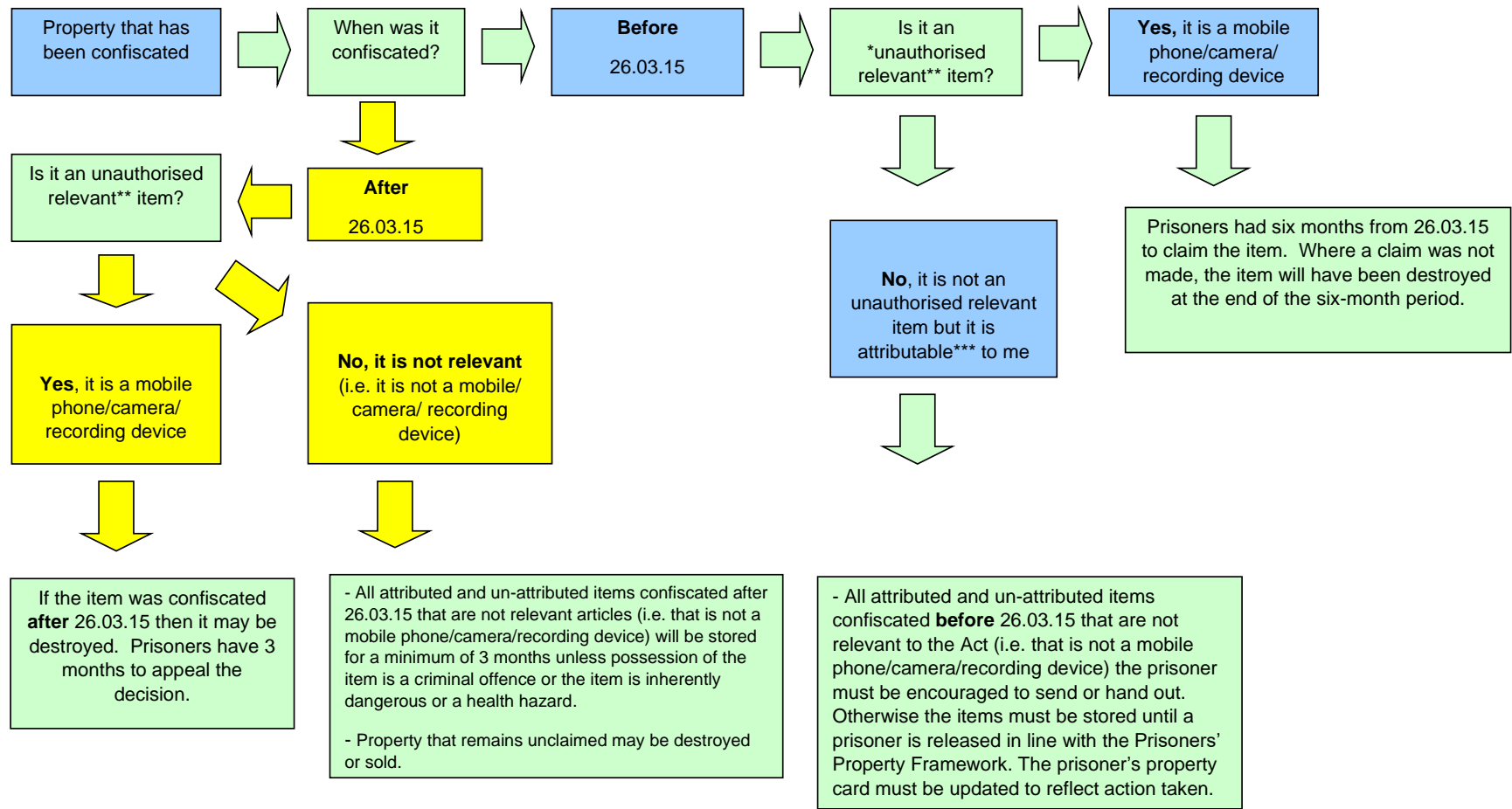
Date:- **To be signed and returned to the driver**

SV002/S&T444-Provided by P&S Unit/444/444/444/444/444

PROPERTY BOX (Fig 1)



Property Disposal Process Map



* **Unauthorised property** includes items which it is generally unlawful to possess, property which an individual prisoner is not permitted to possess in accordance with the Prison Act 1952, Prison Rules, other policy documents provided by HMPPS, or as determined by the Governor. An item would be unauthorised if it was found in a prisoner's cell but not listed on their property card. Unauthorised items include property that was authorised in its original format but has since been modified for an unauthorised purpose. Unauthorised property may vary depending on a prisoner's incentives level.

** **Relevant items**: defined in Section 42A of the Prison Act 1952 as relating to cameras, sound-recording devices, mobile phones and other devices capable of transmitting or receiving images, sounds or information by electronic communications.

*** **Attributable** = property that has a legitimate owner. **Unattributable** property is that which is found inside the prison or in a prison escort vehicle which appears to have no legitimate owner or cannot be attributed to an individual prisoner