

## Property in prison

### What happens to my property when I arrive at prison?

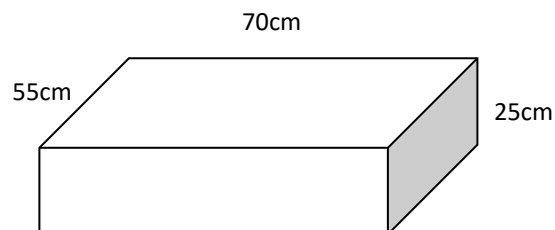
A member of prison staff will make a list of everything you brought with you. This must be recorded on a form known as a 'property card' which you will be required to sign

The *Prisoners' Property Policy Framework* states that your property should be "managed efficiently, effectively, consistently and with care and respect".

There is a limit to how much property you are allowed in prison – this limit is called 'volumetric control'. Your property must fit within two volumetric control boxes unless there are exceptional circumstances where a Governor allows you to have more.

The *Prisoners' Property Policy Framework* states the following:

*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*



There are some items you can have which do not need to fit into the boxes, such as all legal papers. There is more information on page 7 of The *Prisoners' Property Policy Framework*.

## **'In possession' property**

You will be able to keep some things with you – this is called '*in possession*' property.

Each prison has rules about what you can keep in your possession.

Some items are only allowed if you are at a certain incentive level. You normally start on 'standard' level. Some items are only permitted if you earn a higher incentive level such as 'enhanced'. You can also lose permission to have some items if you are reduced to 'basic' level.

There is more information on this in the *Incentives Policy Framework*.

### Clothing

If you are a convicted prisoner you must usually wear prison-issue clothing.

However, Governors can choose to allow you to wear your own clothes at any incentive level, including Basic. This will differ in different prisons and may only be allowed for those on 'enhanced' level and above in your prison. Please ask to see the Incentive policy at the prison for more information.

Certain items of clothing are NOT permitted:

- Black items, except leggings
- Clothing with a hood
- Clothing that has offensive slogans or designs, sports teams, countries, etc
- Clothing that is padded or quilted
- Hats which cover the face in any way or are of officer uniform type

Please see the below section on '*Sending in parcels*' for further information about clothing.

### Footwear

The following are allowed at all incentive levels:

- Shoes
- Trainers
- Flip flops/ Sandals/ Sliders
- Slippers

You cannot have shoes with hook and eye fastening or steel toe caps unless they are allowed the prison for work. Stiletto heels are not allowed.

## Jewellery

The following are allowed at all incentive levels:

- A plain ring like a wedding ring or signet ring. You cannot keep a ring with raised patterns or stones, like an engagement ring.
- Earring/stud/small sleeper for ears and body piercings if worn on initial reception. These can be replaced if damaged.
- A lightweight chain, which can have attached religious symbols but no medallions.
- Rheumatism band
- Watch/Pocket watch. It can have an alarm and digital display but it must not include data storage, recording, Bluetooth or WiFi capability, or other smart functions.

You should be advised not to keep any valuable property with you.

## Personal hygiene and grooming items

The following are allowed at all incentive levels:

- Towel. No sports teams/countries/ offensive slogans/designs.
- Flannel / Sponge.
- Comb / Hair brush.
- Toothbrush.
- Nail clippers (possession of those with files to be determined recently)
- Shaving brush. No metal allowed.
- Nail brush.
- Hair accessories (e.g. scrunchies/ties, clips, extensions. Additional items to be determined locally).
- Hair dryer.
- Tweezers.
- Shower cap.
- Toilet/make-up bag. Not padded.
- Small fans.
- Make-up.

At higher incentive levels, you may be allowed the following items:

- Electric Hair Clippers (Any scissors /sharps will be removed and disposed/stored).
- Beard trimmer.
- Nasal Hair Trimmer.
- Electric Shaver.

- Hair straighteners (not gas powered).
- Pin adapter.

What is allowed and at what incentive level will differ between prisons. Please ask to see the incentive policy at the prison for more information.

*The Care and Management of Individuals who are Transgender Policy Framework* contains additional guidance about items needed to maintain gender identity for transgender prisoners.

### Hobbies and other items

At all incentive levels you are allowed some other items to assist with activities such as:

- Writing pads, envelopes, stamps (subject to security checks)
- Cards and writing utensils
- Diaries and calendars
- Books, including puzzle books, sudoku or colouring books
- Magazines, periodicals and newspapers
- Playing cards

At higher incentive levels, you may be allowed additional items, such as:

- Items for hobbies such as knitting, painting or match modelling
- Musical instruments and accessories
- Table board games such as chess or draughts
- Jigsaws
- Some items of sports equipment

What is allowed and at what incentive level will differ from prison to prison. Please ask to see the incentive policy at the prison for more information.

### Photos – families/children

You can take in a photograph album or frame. There must be no indecent photographs. Photos of children can sometimes be refused if it could cause a risk to the child.

### Items required for faith

You should be able to keep items and books that are required by your religion. There is more information about this in our information sheet about 'Faith in Prison' and in PSI 05/2016 *Faith and Pastoral Care for Prisoners*

### Disability aids

If you have a disability, you should be allowed to keep disability aids in possession, though they may be subject to security checks.

### Smoking and Nicotine replacement

The following are allowed at all incentive levels in prisons which are designated for those 18 and over:

- Electronic Vaping Device (Vapes) with vape charger and plug. Only 1 Vape Device, plug and charger in possession per prisoner
- Vape Cartridges. A maximum of 6 packets of vaping cartridges are allowed in possession per prisoner
- Electronic Cigarettes (disposable)
- Nicotine Replacement Patches
- Nicotine Replacement Lozenges

In open prisons where the Governor permits smoking and only for use in designated outside areas, you are allowed a weekly purchase allowance of 125g for loose tobacco or 180 cigarettes / cigars.

A maximum of double the weekly allowance can be retained in possession, though the Governor may wish to impose further limits.

## Stored property

Some items are not allowed to be in your possession. These include:

- Mobile phones and other banned items
- Cash and valuable items

You should give any extra things you cannot keep to visitors when they come to see you, especially expensive or valuable things.

## Local storage

You may be able to store excess property above the volumetric control limits in the prison, but the *Prisoners' Policy Framework* states that this must be “an exceptional or temporary measure and will occur only when Governors are satisfied that excess property cannot otherwise be handed out”.

Items you cannot keep or give to visitors will be put into sealed bags and kept in a safe place. You should be told what the local storage arrangements are.

Prison staff will ask you to sign a property card when:

- you get to a prison to say you have seen what prison staff have put into the bags and the bags have been closed in front of you
- when you get to or leave a new prison to say that your things are still ok
- when you are released from prison to say all your things are there.

This property should also be transported with you if you are transferred to another prison. There is more information on this in the *Prisoners' Property Policy Framework*.

When you are released from prison you will get all of your things back, apart from anything that is against the law.

If you have less than six months remaining before discharge or are held solely under immigration powers, excess property must be held locally.

## National Distribution Centre (NDC), Branston

Property which is not held in-possession, handed out or stored locally can be stored at the National Distribution Centre (NDC), Branston. This must only occur in exceptional circumstances, as local storage must be used first.

You cannot send property to Branston if it means you will have more than three boxes stored there in total. This limit should only ever be exceeded where staff have explored all options and consider that the circumstances are exceptional.

Other than in exceptional circumstances agreed by the Governor, property cannot be accessed within 12 months of being placed into storage in the NDC.

### **Sending in parcels**

Generally, items other than books cannot be handed in or sent in by families or friends to convicted prisoners unless there are exceptional circumstances.

This is at the Governors discretion and may include, for example, where there is a need to replace clothing due to restricted access to laundry facilities.

Family and friends will not be allowed to hand books directly to you; they will need to be left with staff to process.

If you are unconvicted you can receive more than one parcel of clothing as well as writing materials, as long as they fit in your property boxes. There is further information in *PSO 4600 Unconvicted, Unsentenced and Civil Prisoners*. However, after you have been convicted, you may also be allowed a one-off parcel of clothing to be sent in by family. This is at the Governors discretion.

Please see the *Incentives Policy Framework* for further details.

## **What responsibility does the prison have for my property?**

### In possession property

The Prison Service does not normally accept responsibility for property held 'in possession'.

However, there are a few times when the prison might be responsible. This could be if you were prevented from looking after your property by the prison and they fail to take care of it for you. For example, if you are moved to a new cell without being able to collect your property or if staff unlock your cell when you are not on the wing to look after it.

The *Prisoners' Property Policy Framework* says that where you have not been able to pack your possessions and the accommodation is single occupancy, the accommodation must be secured as soon as it is vacated. Securing shared cells, wherever possible, should also happen as soon as possible.

The property should be checked against your property card as soon as possible. Two members of staff should be present and should make sure all in-possession property left is recorded on a Cell Clearance Certificate, which is kept with property record cards. If it is a shared cell, the remaining prisoner should be present to identify their own property.

Other than perishable items, the cleared property should be placed in property bags and sealed. When this property is returned to you, the property bags should be unsealed in your presence so that you can check the contents.

If the above procedure has not been followed, the prison may be considered responsible for any loss or damage to your property.

### Stored property

It is the prison's responsibility to keep your stored property safe and undamaged, including valuables or items not allowed in possession for other reasons



## Transfers

When you transfer, all property cards must be sent to the new establishment with you.

*The Prisoners' Property Policy Framework states:*

*Only property which falls within volumetric control limits, and items which are permitted as volumetric control exemptions will be transported with a prisoner when they transfer establishments or attend court*

*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.*

The discharging prison is responsible for ensuring that property above volumetric control limits is sent to the receiving prison within four weeks of transfer unless exceptional circumstances stop this.

The discharging prison is responsible for settling the cost of transferring such property.

### **What happens if the receiving prison does not permit an item allowed in a previous prison?**

The Prisoners' Property Policy Framework reads as follows:

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...

You can submit an application to the Governor to request permission for the item.

## Discharge

*The Prisoners' Property Policy Framework states:*

*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*

See *PSI 72/2011 Discharge* for further details.

## **What should I do if I think the prison has lost my property?**

If you believe that the guidelines have not been followed properly and this has resulted in loss or damage of your property you should make a complaint using the prison complaints system. More information can be found in the *Prisoner Complaints Policy Framework*.

Give as much detail as possible as to what items have been lost or damaged, where and when the items were purchased and the value of each item.

If property was lost during transfer you can make the complaint at your current prison and they should pass it on to your previous prison and make sure you get a response. You should not be asked to contact the sending prison directly. The response may be provided by the sending prison but it is up to the receiving prison to request and chase this for you. The time limit for responses to stage 1 or stage 2 complaints involving another establishment is 10 working days rather than the usual 5.

If you are not satisfied by the responses after both stages of this process, you can write to the Prison and Probation Ombudsman. They can look into it and recommend the prison pays compensation if they think they are responsible.

You could also start a claim in a County Court, though be aware that legal aid is generally not available for this.

For more detailed information, Prisoners' Advice Service (PAS) have a very helpful *Self-Help Toolkit about Property Claims*.

## Further information

The following may be of interest to you. If you are unable to access them elsewhere feel free to contact our Advice and Information Service and we will be happy to send you a copy.

Useful PSIs and PSOs (these should be available in the library):

*Prisoners' Property Policy Framework*

*Incentives Policy Framework*

*The Care and Management of Individuals who are Transgender Policy Framework*

*PSI 05/2016 Faith and Pastoral Care for Prisoners*

*PSO 4600 Unconvicted, Unsented and Civil Prisoners*

*Prisoner Complaints Policy Framework*

*PSI 72/2011 Discharge*

### Information sheets

*Prisoners' Advice Service information sheet about Property Claims*

*Prisoners' Advice Service (PAS) Self-Help Toolkit - Property Claims*

### Forms

*N1 Claim form (and N1A - Notes for claimant on completing a claim form)*

*EX160 Apply for help with fees (and EX160A - Guide: How to apply for help with fees)*

## **Contact our Advice and Information Service**

We are a small service which provides information and advice for people in prison. We are independent of the prison service.

Our freephone information line is **0808 802 0060**.

This number is **free** and you do not need to put it on your PIN.

This number is open:

Monday	3pm – 5pm
Wednesday	10:30am – 12:30pm
Thursday	10:30am – 12:30pm

When we are not taking calls you can still leave a short voicemail. Please give your name, prison number, the prison you are in and what information you are looking for. Voicemails will be checked during working hours Monday to Friday and we will respond as soon as possible by post or email a prisoner.

You can write to us at:

**Prison Reform Trust  
FREEPOST ND 6125  
London  
EC1B 1PN**

You do not need to use a stamp.