

Property in prison

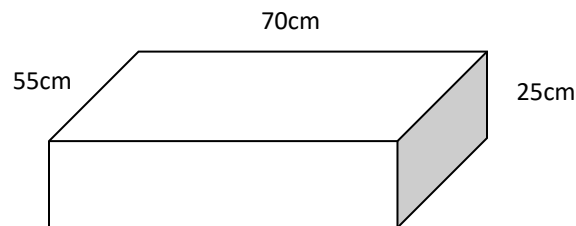
What happens to my property when I arrive at prison?

A member of prison staff will make a list of everything you brought with you. You may be able to keep some things with you – this is called '*in possession*' property.

PSI 12/2011 *Prisoners' Property* states the following

Property held in possession by any prisoner must be limited to that which fits into two standard size volumetric control boxes and an 'outsize item' unless the Governor agrees, exceptionally, to a prisoner holding property in excess of that limit or it is an item which is exempt from volumetric restrictions.

A property box measures 70cm x 55cm x 25cm. You can fill two of these.



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

At basic incentive level you will only be allowed prison issue clothing in line with local allowances.

At higher incentive levels, you may be allowed your own clothing. 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

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. You can have a digital watch 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.

- 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 from prison to prison. 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, cards, envelopes, stamps, pencils and pens
- 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 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
- Property which does not fit into two boxes

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

Anything you cannot keep or give to visitors will be put into sealed bags and kept in a safe place inside or outside the prison until you leave. This is known as your stored property.

Prison staff will ask you to sign a form (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.

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

This property should also be transported with you if you are transferred to another prison. There is more information on this in PSI 12/2011 Prisoners Property

Sending in parcels

After you have been convicted, you may be allowed a one-off parcel of clothing to be sent in by family.

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.

You can ask families and friends to send or hand in books for you. They will not be allowed to hand books directly to you; they will need to be left with staff to process.

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.

PSI 12/2011 *Prisoners Property* says that property left in a vacated cell should be secured and checked 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 the property record cards. If it is a shared cell, the remaining prisoner should be present to identify their own property.

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.

PSI 12/2011 says that, other than some brief temporary absences, all prisoners' in possession property, valuables and locally stored property should accompany them when they are discharged if they are not expected to return, including court appearances. This is subject to volumetric control levels

If you have been moved to another prison any property that did not come with you should be transferred as soon as possible.

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.

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):

Incentives Policy Framework

PSI 12/2011 Prisoner's Property

The Care and Management of Individuals who are Transgender Policy Framework

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 and we are independent of the prison service.

We can give you information on prison rules, life in prison and how to get help in prison.

Our freephone information line is **0808 802 0060**. This number is for **prisoners** only. This number is **free** and you do not need to put it on your PIN.

This number is open:

- Monday and Thursday afternoon from 3.30pm to 5.30pm.
- Wednesday morning from 10.30am to 12.30pm.

At other times, you can call on **0207 251 5070**. This number is open from Monday to Friday 10.00am - 5.30pm. This number is **not free** but you do not need to put it on your PIN.

You can also write to us at:

Prison Reform Trust
FREEPOST ND 6125
London
EC1B 1PN

You do not need to use a stamp.

