National Offender Management Service

National Security Framework **Ref: NSF 7.1**
EXTERNAL ESCORTS - NSF
External Prisoner Movement

This instruction applies to:-		**Reference:-**
NOMS HQ Prisons		**AI 23/2015** **PSI 33/2015**
Issue Date	**Effective Date**	**Expiry Date**
Re-Issue Date: 01 October 2021	9 December 2015	8 December 2019
Issued on the authority of	NOMS Agency Management Board	
For action by	All staff responsible for the external movement of prisoners, including those in contracted prisons. ☒ NOMS HQ ☒ Public Sector Prisons ☒ Contracted Prisons* ☐ National Probation Service (NPS) ☐ NOMS Immigration Removal Centres (IRCs) ☐ Other Providers of Probation and Community Service ☒ Governors ☐ Heads of Groups ☐ NOMS Rehabilitation Contract Services Team **** If this box is marked, then in this document the term Governor also applies to Directors of Contracted Prisons***	
Instruction type	*Delete as appropriate* - ***Service Improvement***	
For information	All staff in NOMS HQ Prison establishments All staff involved with the PECS contract	
Provide a summary of the policy aim and the reason for its development / revision	**01 October 2021**. Section 8 has been updated in relation to weddings and civil partnerships (and should be read in conjunction with PSI 14/2016 "Marriage of Prisoners and Civil Partnership Registration"). This PSI provides policy and guidance on the external movement of prisoners. It replaces policy previously contained in the Accounting and Control section of the NSF and in various notes to establishments which are now also incorporated. The PSI includes mandatory requirements deriving from the NOMS service specifications for "Security Management" and "External Movements & Appearances" and amendment to grade references made as a result of the Organisational Restructure Programme.	
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Associated documents	Prisoner Escort and Bedwatch Function - Concordat between the National Offender Management Service & NHS Counter Fraud and Security Management Service Service Specification for External Movements & Appearances Service Specification for Security Management National Security Framework 3.1 Searching of the Person Person Escort Record Policy Framework PSI 09/2014 Incident Management Manual PSO 1700 Segregation (for Forms on the use of Body Belts) PSO 3050 Continuity of Healthcare for Prisoners PSO 4625 Productions in Civil Proceedings Women's Policy Framework PSI 06/2015 Policy, Organisation and Summary Arrangements for the Management of Health and Safety PSI 12/2011 Prisoners' Property PSI 16/2011 Providing Visits and Services to Visitors PSI 05/2016 Faith & Pastoral Care for Prisoners PSI 26/2012 Production of Prisoners at the Request of Warranted Law Enforcement Agencies PSI 26/2015 Security of Prisoners at Court PSI 32/2011 Ensuring Equality PSI 55/2011 Management and Security of Keys and Locks Release on Temporary Licence Policy Framework PSI 09/2013 Management and Security of Category A Prisoners – External Movement PSI 14/2016 Handling Prisoner Applications to Marry or Form a Civil Partnership
Replaces the following documents which are hereby cancelled: Policy and guidance on the external movement of prisoners contained in the 'Accounting and Control' section of the National Security Framework (NSF). The NSF is being updated in terms both of its content and overall structure, with policy being re-formatted into standard PSI format and grouped under new Function headings. This PSI consolidates in one document the escort policy contained in the NSF and in various associated notes to governors.	
Audit/Monitoring: Deputy Directors for Custody and Controllers for Contracted Prisons will monitor compliance with the mandatory actions set out in this Prison Service Instruction. Dick Taylor, Senior Contract Delivery Manager, will monitor compliance with the PECS contract, and address general issues relating to PECS.	
Notes: ***All Mandatory Actions throughout this instruction are in italics and must be strictly adhered to.***	

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1 Executive Summary

Background

1.1 This PSI sets out current policy and guidance on the external escort of prisoners as contained in the 'Accounting and Control' section of the National Security Framework (NSF); updated by inclusion of relevant mandatory service specification outputs (''Security Management' and 'External Movements & Appearances') and changes made as a result of the Organisational Restructure Programme..

1.2 This PSI incorporates clarifications and updates to policy introduced by way of the following documents:

- Note of 22 January 2008 to Governing Governors from the Director of High Security, which advised that the handcuffing of a prisoner on bedwatch should be assessed on an individual basis and the needs of security and control balanced against the need to maintain decency.

- Note of 14 April 2008 to Governing Governors from the Head of Security Group following the Graham Judgement, regarding the distinction to be made between the risks posed by a prisoner when fit, and those posed by the same prisoner when suffering from a serious medical condition and that in each case, a risk assessment is required. The judgement found on the facts that the routine handcuffing of a prisoner receiving treatment without such a risk assessment is likely to be unlawful and involve a breach of Article 3 of the Human Rights Act. The use of handcuffs or other restraints on a terminally or seriously ill prisoner must be proportionate to the risks involved and be justified by credible security considerations, clearly recorded on the risk assessment form and reviewed regularly taking account of input from healthcare staff.

- Note of 1 July 2008 to Area Managers, DOMS and Governing Governors from NOMS Chief Operating Officer setting out guidance on the use of seatbelts whilst escorting restrained prisoners in non–cellular vehicles. This also reminded Governors that all remand prisoners must be the subject of an individual risk assessment to determine the appropriate level of both restraint and escort strength.

- The Concordat between NOMS and the NHS on the Prisoner Escort and Bedwatch Function, issued in June 2010.

- Note of 3 April 2014 to Heads of Security, setting out guidance on the requirement for escorting staff positioned in the rear of vehicles to possess a vehicle key to facilitate emergency exit.

- Note of 24 September 2015 to Governing Governors setting out advice on enhanced security measures on escort and bedwatches in respect of management checks, visiting arrangements, staff supervision and staff detailing.

1.3 The PSI also:

- Abolishes single officer security escorts. Any prisoner who is ineligible or unsuitable for Release on temporary licence (ROTL) must have a security escort consisting of at least two officers and will have restraints applied according to the outcome of a risk assessment in all but the most exceptional circumstances. Escorted absence procedures (under which indeterminate sentence prisoners might be accompanied by a single officer in a supportive capacity) have been formally rescinded by PSI 13/2015 on ROTL. That PSI sets out the limited circumstances in which a prisoner

who is suitable for release on ROTL must or may be accompanied by at least one member of staff, but not as a security escort;

- Provides more comprehensive guidance on the balance to be struck between security and decency when escorting prisoners to hospital;
- Includes updated references to the correct body belt forms.
- Incorporates key elements of PSI 26/2015 Security of Prisoners Court, at which update instruction and guidance previously held on the NSF.

Desired Outcomes

1.4 Prisoners are only escorted outside of the secure environment of the prison when necessary, under the proper authority and, during escort, are kept in secure custody at all times.

Application

1.5 This PSI applies to all staff involved in the process of external escort of non-Category A prisoners, including those staff undertaking the pre-escort risk assessments, those who carry out the escort itself, and those with managerial oversight of the escort.

1.6 It does not apply to Category A external escorts. Policy regarding Category A escorts (which includes escort of Restricted Status prisoners) can be found in the NSF, Function 12.4 Security and Management of Category A Prisoners External Movement. See PSI 9/2013 Management and Security of Category A Prisoners – External Movement.

1.7 It does not apply to prisoners who are produced into the custody of a Warranted Law Enforcement Agency (WLEA). These prisoners become the responsibility of that agency. See PSI 26/2012 Production of Prisoners at the Request of Warranted law Enforcement Agencies.

1.8 Policy on Crown Court Locking previously contained in Function 2 of the NSF can now be found in PSI 55/2011 Management and Security of Keys and Locks.

1.9 Policy on Prisoners' Property is contained in PSI 12/2011, Prisoners' Property.

1.10 PSI 26/2015 Security of Prisoners at Court provides detailed policy and guidance on the process for ensuring the security of court escorts.

Mandatory Action

1.11 All instructions included in the National Security Framework (NSF) are mandatory. The NSF incorporates mandatory requirements derived from specifications relevant to its specific policy areas. This PSI incorporates relevant mandatory outputs derived from the NOMS service specifications for 'External Movements & Appearances' and for 'Security Management'. These are highlighted in the shaded boxes. *Governors must ensure that all staff responsible for any establishment function impacted by this PSI are familiar with this Instruction and the mandatory actions contained within.*

1.12 *Governors and Directors of contracted prisons must ensure they have local security strategies in place which implement the instructions set out in this PSI.*

1.13 Prisoner Escort and Custody Service (PECS) monitors the Escort Contracts performance to ensure contractual compliance.

Resource Impact

1.14 The impact on resources is likely to be minimal as this PSI largely consolidates existing policy previously contained in the NSF in web-format, and in various notes to Governors.

(Signed)

Digby Griffith
Director of National Operational Services, NOMS

OPERATIONAL INSTRUCTIONS

Text within shaded boxes indicates relevant mandatory outputs from the NOMS service specifications for 'Security Management' and for "External Movements & Appearances' (EMAA).

2 DETERMINING THE NECESSITY OF THE ESCORT

Prisoners are only moved outside an establishment when necessary. They are returned to an establishment/secure unit/police cells once the reason for external movement has been met (External prisoner movement specification output 1)

Relevant stakeholders are able to contribute to the security and safety of the external movement of prisoners (External prisoner movement specification output 6).

2.1 *Before a prisoner is escorted outside an establishment, it must be established that the escort is necessary and that its purpose cannot be met within the prison such as by, for example, video link.*

2.2 As an alternative to an escort, prison managers should consider:

- Temporary release for those who are eligible – see Release on Temporary Licence Policy Framework
- Remand prisoners may, in exceptional circumstances, be temporarily released to remain in hospital if they are so seriously ill or incapacitated as to be incapable of escaping and for whom there is no danger of assisted escape.
- Use of video link for attendance at criminal or civil case hearings where appropriate, in line with legislation and the directions of the courts.

2.3 Where external movement is necessary and temporary release is not appropriate, a security escort is required. *A security escort must comprise a minimum of two officers, with restraints applied to the prisoner in all but exceptional circumstances.*

3 THE PERSON ESCORT RECORD (PER)

Relevant information is shared between agencies and relevant stakeholders, including information on release from Court (External prisoner movement specification output 16).

3.1 A Person Escort Record (PER) will be completed for every external movement of a prisoner, irrespective of the destination or whether responsibility transfers to another agency.

3.2 The PER is the key document for ensuring that information about the risks posed by prisoners on external movement from prisons or transferred within the criminal justice system is always available to those responsible for their custody. It is a standard form agreed with and used by all agencies involved in the movement of prisoners. The form highlights the risks posed by, and the vulnerability of, prisoners on external movement, provides assurance that the risks and weaknesses have been identified and communicated to those who are responsible for the prisoner, and provides a record of events during a prisoner's movement. For further information, refer to the Person Escort Record Policy Framework.

Prisoners at risk to self or to/from others are identified, managed and supported in line with agreed care/support plans (External prisoner movement specification output 14).

Prisoners are not released in error when external movements are undertaken (External prisoner movement specification output 4).

3.3 Proper completion and use of the PER will help to prevent self-harm, escapes, assaults and releases in error and provides a summary of events during the escort.

3.4 Completion of the PER takes place as close to the time of planned escort as possible and is as comprehensive as possible. This will ensure that the most up to date and relevant information about the prisoner is recorded.

3.5 *The quality and consistency of escort paperwork completed in the establishment must be subject to formal review and oversight within the prison.*

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4 PRE ESCORT PREPARATORY WORK AND DESPATCH

Escort staff have access to all relevant information regarding the prisoner, the escort risks and what to do in the event of an escape/attempted escape (Security Management specification output 43).

Prisoners in prison or police custody, arrive at the correct destination on the correct date and time. (External prisoner movement specification output 7).

External prisoner movement (including the destination) is risk assessed and authorised (Security Management specification output 42).

4.1 *The establishment's Local Security Strategy must clearly set out the procedures involved in planning the secure escort of all prisoners outside the prison. This strategy must include:*

- *A risk assessment process to assess the individual profile(s) of prisoner(s) to be escorted with reference to any security intelligence or other information indicative of risk of escape or of harm to others/self. The risk assessment process must take account of details of the journey, including the security of the route, method of transport to be used, the need for journey breaks, the security of the destination, the escort strength and the use of restraints.*
- *The provision of a properly equipped escort bag and escape pack.*

Duties of the Despatching Officer

4.2 *The despatching officer at the sending prison must check that:*

- *The identity of the prisoner(s) under escort is confirmed.*
- *The escorting staff have been properly briefed and advised of any relevant security intelligence in advance of prisoner collection.*
- *The escorting staff have been fully briefed on the physical layout of their destination, and any associated security considerations.*
- *A PER form and other appropriate documentation which must accompany the escort has been completed for each prisoner. Relevant information from previous PER forms, medical records and details of outstanding warrants must be included.*
- *Where appropriate, the prisoner's bedwatch log accompanies the escort.*
- *A route order has been completed, and any specific instructions understood by all the escorting staff*
- *For E-List prisoners, the E-List book (F1352) accompanies the escort.*

Duties of the Officer in Charge of the Escort

All incidents during external movements are managed to reflect prisoner and movement type. (External prisoner movement specification output 5).

Positive staff/prisoner engagement is supported and maintained. (External prisoner movement specification output 15).

Prisoners are managed to ensure their safety, the safety of staff and the public. (External prisoner movement specification output 17).

Prisoners at risk to self or to/from others are identified, managed and supported in line with agreed care/support plans. (External prisoner movement specification output 14).

Pre-Despatch

4.3 *The Local Security Strategy must clearly define the duties of the officer in charge of the escort including:*

- *Receipt of the route order form and ensuring familiarisation with route.*
- *Ensuring the driver is clear about the route to the destination.*
- *Ensuring that the escort vehicle is thoroughly searched, and has enough fuel for the journey, prior to the prisoner embarking.*
- *Ensuring that escorting staff take possession of a vehicle key which allows them to safely evacuate the rear of the vehicle in cases of emergency; the officer who is not handcuffed to the prisoner must have charge of the vehicle key.*
- *Receipt of all documentation including the prisoner's clothing form, the Gate Pass, PER form for each prisoner to be transferred, security pack.*
- *Checking prisoners' property against the inventory on the PER Form and ensuring the secure location of property during escort.*
- *Ensuring that all prisoners' property or personal prison records (including security records) are transported in a locked compartment, boot space, or spare cell to which the prisoners do not have access.*
- *Ensuring that all prisoners have been searched in accordance with the local searching strategy and that they have no opportunity to receive/conceal contraband.*
- *Telling prisoners where they must sit for the journey so that they are all visible to escorting staff at all times. Prisoners must not be allowed to select their own seats*
- *Ensuring that escorting staff are seated so as to protect the exits and deter escape attempts*
- *Understand any contingency arrangements set out in the risk assessment*

4.4 *The officer in charge of the escort must ensure that, before leaving the prison, the escort is equipped with the items set out below. These items can be carried in an escort bag:*

- *Suitable handcuffs.*
- *Three sizes of inserts for standard handcuffs (if carried).*
- *Handcuff keys.*
- *Escort chain.*
- *Property seals.*
- *Mobile telephone and spare batteries.*
- *First Aid kit.*

- *An escape pack for all E-List prisoners and for any other prisoners for whom security intelligence suggests it is appropriate. The escape pack must always include the prisoner's current description; 4 up to date photographs (preferably colour) endorsed on the back with the prison's official stamp; the prisoner's name; the prisoner's PNC number (if available).*

Post-Despatch

4.5 *The Local Security Strategy must clearly define the duties of the officer in charge of the escort including:*

- *Checking of restraints throughout the journey and recording to this effect in the PER document.*
- *Ensuring that a comprehensive log of events is maintained in the PER document for the duration of the escort*
- *Checking the security arrangements at the destination and reporting any deficiencies to the prison/police.*

Relevant Escort Documentation

Prisoners are not released in error when external movements are undertaken (External prisoner movement specification output 4).

4.6 It is the joint responsibility of the despatching officer and the officer in charge of the escort to ensure that all the relevant documentation on individual prisoners is properly prepared. The documentation should be confirmed to be in the possession of the escorting staff at the point the escort departs.

4.7 The purpose of this documentation is to confirm not only the authority of the escorting staff to conduct the movement, but also, to identify any particular security risks or concerns about each individual being moved to anyone into whose custody and care the prisoner may be passed. *Apart from a Prisoner Escort Record (PER) form, which must be completed for each individual prisoner to be escorted, other relevant documentation could be:*

- *A route order form.*
- *A completed application for handcuffs to be worn in court.*
- *The prisoner's medical record (for disclosure to medical professionals only).*
- *An open bedwatch log.*
- *A warrant or court summons.*
- *An escape pack and an F1352 for E - List prisoners*
- *A security information pack and/or bedwatch pack.*
- *A completed risk assessment form.*
- *Emergency contact numbers list.*

5 RESTRAINTS AND ESCORT STRENGTH

5.1 *The local security strategy must include procedures for the safe issue and storage of all types of approved restraints and their keys.*

5.2 There are 3 different types of approved restraint:

Handcuffs

5.2.1

- Standard handcuffs for use on male prisoners, both adult and those aged under 21. Three sizes of insert are available to ensure a close fit.
- Ratchet handcuffs for use on male prisoners in situations where standard handcuffs and inserts do not provide a sufficiently secure fit.
- Ratchet handcuffs for use on thin-wristed and female prisoners.
- Hyatt handcuffs for escort contractors.

Escort Chain

5.2.2 *This must be carried on all escorts for use whenever the use of handcuffs would be inappropriate, for example, if the prisoner needs to use the toilet. If the escort chain is used in public it must be kept as short as possible to make its use inconspicuous.*

Body Belt

5.2.3 The only other mechanical restraint that can be used by staff for external escort purposes (other than handcuffs) is a body belt. *A body belt must only be used in exceptional circumstances after routine methods of mechanical restraint have been considered and discounted. Furthermore, a body belt must only be used by Prison Service staff, not privately contracted escorting staff. Where a body belt is used:*

- *The relevant forms (OTO 12, OTO 16, OTO 17 which can be found within PSO 1700 Segregation) must be completed and a copy sent with the escort to the receiving prison or secure hospital.*
- *The authority for the use of a body belt applies only until the prisoner arrives at the receiving prison or secure hospital.*
- *The risk assessment must include contingency planning to account for any unexpected but necessary disruption to the escort (e.g. the need to divert to a police station)*
- *A member of healthcare staff must accompany the prisoner at all times during an escort that involves use of the body belt.* Their role is to monitor the prisoner's physical condition and to ensure there are no clinical contra-indications to the continued use of the body belt. *If the member of healthcare is concerned about the medical safety of the prisoner during the escort then they must inform the officer in charge of the escort and make a recommendation for action e.g. divert to nearest hospital/prison/police station or immediately remove the body belt. The officer in charge of the escort must then decide on the most appropriate course of action in the circumstances and report the facts of the situation to the duty governor as soon as possible.*
- *Healthcare and escort staff must liaise prior to the escort so that they fully understand their roles and how to respond to emergencies. In addition, prison management must brief all members of escorting staff so that all concerned know how the escort is to be managed.*

Risk Assessment – Use of Restraints

The use and methods of restraints reflects initial and ongoing risk assessment. (External prisoner movement specification output 13).

5.3 *Prison management must undertake a risk assessment to decide whether restraints must be used on an escort (including those conducted under emergency "blue light" conditions – see paragraph 5.12).*

5.4 *Under normal circumstances, all external escorts will comprise at least two officers and the prisoner will have restraints applied. This also applies to Category D/open prisoners on external escort in circumstances where ROTL is deemed inappropriate. More detailed guidance on determining the use of restraints during hospital escorts is provided at Section 6: Hospital Escorts.*

5.5 The risk assessment must indicate whether double or single cuffing is required. Normal practice is for male Category B and E-List prisoners to be double cuffed while on escort. All other prisoners will be single cuffed unless the individual risk assessment indicates that double cuffing is required and is proportionate. *Remand prisoners must be the subject of an individual risk assessment to determine the appropriate level of both restraint and escort strength.* Annex B provides guidance on the correct procedures for the application of restraints.

Circumstances where restraints are not appropriate

5.6 *A tetraplegic or paraplegic prisoner must not be handcuffed under any circumstances without the personal approval of the NOMS' Chief Executive Officer, or the DDC for High Security.*

5.7 Handcuffs will not normally be used in the following circumstances, although the officer in charge of the escort may authorise the use of handcuffs if the prisoner becomes violent or tries to escape:

- When prisoners are being moved to an open prison.
- On a mentally disordered prisoner who is subject to an order or direction for compulsory detention under the Mental Health Acts, unless the Governor, with the agreement of a healthcare professional, directs that handcuffs must be used because the prisoner poses a security risk.
- On prisoners being moved outside the prison if the prisoner's medical condition or advanced age or physical impairment renders restraints inappropriate. Restraints will not normally be necessary for example, when the prisoner's mobility is severely limited, e.g. due to advanced age or disability unless there are grounds for believing that an escape attempt may be made with external assistance. Further guidance in respect of the particular arrangements for seriously and terminally ill prisoners is at paragraphs 6.17 to 6.19 and escorting pregnant women and mothers and babies at paragraphs 6.20 to 6.32.

5.8 *In all the cases listed above, the relevant circumstances must be fully addressed in the risk assessment and the officer in charge must make a written report to the Governor on return to the prison if it was necessary to use handcuffs on the prisoner and set out why the handcuffs were used.*

Removal of Restraints

5.9 Restraints will be removed only in the specific circumstances detailed on the risk assessment. The reasons for removing restraints during the escort include:

- When a prisoner (whatever their security category) is inside the cubicle of a cellular vehicle, the cell door restraining chain is in place, and the outer door is locked. *At the end of the journey, restraints must be reapplied and checked before the outer doors are unlocked.* If, however, there are reasonable grounds to suspect that a prisoner has secreted a weapon, the prisoner may be required to wear restraints while locked in the vehicle.
- On arrival in the courtroom, unless the judge has agreed that the prisoner may be handcuffed in court. (See PSI 26/2015 Security of Prisoners at Court)
- In a court custody suite, but only after the area has been thoroughly checked. *Restraints must be used in any part of the custody suite which is insecure, particularly a toilet.*
- In certain circumstances during hospital treatment. For example, when a healthcare professional requests that restraints are removed because they are either impeding treatment/examination or endangering the individual's life. *Where removal is requested but the situation is not life threatening, escorting officers must seek authority from the duty governor before the restraints are removed. If the situation is life-threatening, restraints must be removed immediately and the duty governor advised as soon as possible afterwards. Where restraints are removed under such circumstances, they must be re-applied as soon as it is clinically safe and reasonable to do so.* See also Section 6 of this PSI and Annex E: Concordat between NOMS and the NHS on the Prisoner Escort and Bedwatch function (Section 5: Restraint at Hospital). It is important that the prisoner's circumstances be fully addressed in the risk assessment and account be taken of the nature of the illness or condition, the type of treatment being undertaken and the offence for which the prisoner is held, in order to try and anticipate any such requirement to remove restraints being made.
- When a pregnant female prisoner attends hospital for any reason including ante-natal checks, in labour and to give birth. See Section 6.
- In certain circumstances at funeral services or during a visit to a dying relative. See Section 7.
- In certain circumstances during marriage and civil partnership ceremonies. See Section 8.
- Where there is an immediate threat to life.
- On board an aircraft.

5.10 *Escorting staff must never remove handcuffs from a prisoner to allow him or her to use the toilet in an insecure area without first applying the escort chain:*

- *The toilet area must be searched before the prisoner uses it.*
- *Particular attention must be paid to any windows in the toilet area.*
- *The chain must be positioned to prevent the prisoner from locking the toilet door.*

Risk Assessment – Escort Strength

5.11 The minimum escort strength is two officers. Depending on the outcome of the risk assessment this number may be increased. Other than in exceptional circumstances, restraints will be applied irrespective of the number of escorting staff present.

Emergency Escorts

5.12 *In an emergency situation, an escort of at least 2 officers must be supplied. Restraints must be used unless there are medical objections from a qualified medical professional. A full escort risk assessment must be completed as soon as is practicable, but in any event within 24 hours of the prisoner leaving the establishment.*

6 HOSPITAL ESCORTS

6.1 This section sets out the processes and principles governing the escort of prisoners to outside hospital and should be read in conjunction with the Concordat between NOMS and the NHS on the Prisoner Escort and Bedwatch function (see Annex D of this document).

6.2 Prisoners are entitled to receive the same standards of healthcare, including due regard to decency and privacy issues, as any member of the general public and in so far as it is possible to do so, every effort should be made to meet this entitlement, without compromising security or safety.

Liaison with Hospital Authorities

6.3 *Governors must aim to develop good working relationships with the main hospitals to which they send prisoners. The physical layout of the main hospitals used must be assessed (to include in-patient and out-patient waiting and treatment areas, toilet and bathroom areas). Where an out of area hospital is used, contact should be made with a prison local to that area to obtain any information about any key security issues.*

Handling of Confidential Medical Information

6.4 *Officers who become aware of medical information about the prisoner during their stay in the hospital must treat it in confidence. Such information must not be recorded in the PER or bedwatch log. The only information that should be recorded on these documents is that which is relevant to the security of the escort. Sometimes, this requires a judgement to be made by staff. For example, if a prisoner's treatment results in their experiencing mood swings, it would be appropriate to comment to this effect in the interests of the security of the escort, but without stating the medical condition being treated or the specific nature of the treatment.*

Prisoners' immediate health and social care needs during external movement are addressed in partnership with health and social care service providers. (External prisoner movement specification output 12)

The care and movement of prisoners under the Mental Health Act 1983 is facilitated. (External prisoner movement specification output 18)

External movements of prisoners are risk assessed, authorised and conducted reflecting prisoner and movement type. Prisoner records and personal property are kept secure and accounted for when external movements are undertaken. (External prisoner movement specification output 3)

Risk Assessment – Escort Strength

6.5 The minimum standard escort strength is two officers or more, with restraints applied to the prisoner in all but exceptional circumstances. *In an emergency situation, an escort of at least two officers must be supplied and restraints must be used unless there are medical objections to their use. The risk assessment must make clear any distinction made between handcuffing in transit and during treatment.*

Hospital Escort Risk Assessment

6.6 Prison management must undertake a risk assessment to decide the level of escort and restraint required for the safe custody to hospital and during any hospital stay, of each

prisoner being escorted. This must be completed before the commencement of any prisoner movement to hospital, except in an emergency situation (when it must be completed as soon as possible and at least within 24 hours of the prisoner leaving the establishment). The risk assessment must be approved by the Head of Operations or the person in charge of the prison.

6.7 The risk assessment must take into account all the circumstances of the case, including but not limited to:

- *The prisoner's medical condition*
- *The prisoner's security category.*
- *The nature of the offence for which the prisoner is held and their previous offending history*
- *The nature of the risk posed to the public and hospital staff (including the risk of hostage-taking) taking account of how these risks are impacted by the prisoner's current medical condition*
- *The prisoner's prison record.*
- *Any relevant available intelligence.*
- *The prisoner's motivation to escape, likelihood of outside assistance and conduct whilst in custody.*
- *The physical security of the hospital including the consulting room and where possible, other areas where tests or treatment may take place.*
- *Procedures specific to pregnant prisoners, where relevant.*
- *The need for the prisoner to be accompanied during consultation.*
- *The level of restraints to be used in transit to and from the hospital; and the level of restraints to be used during the prisoner's stay in hospital.*
- *The circumstances that may require the removal of restraints while at hospital and any contingency arrangements.*

6.8 *When completing the risk assessment, prison management must also take into account factors such as the advanced age, infirmity, disability or advanced chronic condition of the prisoner, which might, in the absence of security intelligence to the contrary, diminish the need for the routine use of restraints or make their routine use disproportionate to the particular circumstances at that time. Prison management may decide that the escort can be safely managed without the use of restraints (though the number of escorting officers must not be less than two and may need to be increased if the use of restraints is deemed to be inappropriate). Such discretion must only be exercised where management is satisfied that no compelling threat to security or public safety will result from any relaxation in the use of restraints. It should be noted, however, that this combination of factors, does not automatically mean that a relaxation in the use of restraints should occur - each prisoner must be assessed on an individual case basis and the degree/severity of their current condition and circumstances assessed and informed by medical opinion. If little is known about the prisoner and his circumstances (i.e. a new reception or a bedwatch from court) then management must exercise caution before relaxing the normal escort requirement. In any case where a relaxation in the use of restraints has been authorised this must be subject to ongoing review and, where necessary, restraints should be re-applied if a change in circumstances or emerging intelligence suggests that this is necessary*

6.9 C*onsideration must also be given to the prisoner's need for privacy during treatment, particularly where the prisoner is to undergo an intimate examination or procedure. Privacy should be accommodated in so far as it doesn't compromise the security of the escort. There must be an assessment of whether there is a security need for escorting staff to remain in a consulting room with a prisoner while the examination or procedure is*

undertaken or whether it would be safe for them to be positioned out of sight and earshot of the examination.

6.10 *Where it is judged to be safe for staff to be out of sight and earshot of the prisoner during treatment, this must be clearly recorded on the risk assessment together with directions for the removal of restraints, the positioning of staff at any entrance/exit of the consulting room (or other such designated place), and the re-application of restraints immediately after the examination or procedure has taken place. Alternatively, staff may be in the same room but positioned behind privacy screens with or without an escort chain applied as indicated by the risk assessment. Any unanticipated requirement for the prisoner to undergo treatment of this nature must be reported immediately to the duty governor for instructions.*

6.11 *Security recommendations made in the risk assessment must, in all cases, be reviewed regularly and be responsive to changes for better or worse in a prisoner's condition; in the physical surroundings; or in relation to any other factor deemed relevant. Escorting staff must bring such changes to the attention of prison management as soon as possible for consideration of whether to direct an increase or decrease in the level of escort. Such consideration must take into account any emerging intelligence.*

Removal of Restraints at hospital, or during bedwatch

6.12 The prisoner remains the responsibility of the despatching prison at all times. This includes responsibility for the removal of restraints when requested on clinical grounds (because they are either impeding treatment/examination or endangering the individual's life). Under normal circumstances, restraints, when required, will be worn by the prisoner (attached to a member of the escorting staff) at all times unless they are impeding treatment/consultation. *If removed to enable treatment/consultation they must be re-applied as soon as it is clinically safe and reasonable to do so.*

6.13 *Should the need to remove restraints arise during routine i.e. non-emergency medical procedures, the final decision to remove them must be taken by the duty governor or duty director after discussion with escorting and clinical staff at the prison and hospital.* This will also include an assessment of the need for additional escorting staff to maintain an adequate level of security when the restraints are removed.

6.14 *In non-routine procedures, for example an, emergency situation requiring the application of defibrillation paddles, escorting staff are required to comply immediately with the medical professional's request that restraints are removed and must inform the duty Governor/Director/designated person by telephone as soon as is practicable so that security arrangements can be re-assessed.*

6.15 *Under* normal circumstances escorting staff are not expected to accompany prisoners into the operating theatre during operative procedures, but they must take up positions outside the exit doors where they can continue to be aware of the prisoner's location and condition.

6.16 Should a situation arise where there is an assessed need to accompany the prisoner during an operative procedure, there should first be a case conference between the sending prison and local health body, and if appropriate, in cases that might generate public and media interest, the local police. In an emergency situation, staff must be guided by hospital staff and consult with the duty governor at the prison as soon as is practicable.

Seriously & Terminally Ill Prisoners

6.17 There will be occasions when the prisoner to be escorted to hospital for out-patient or in-patient treatment will have been diagnosed as seriously or terminally ill. Such circumstances require sensitive handling to ensure that the needs of security are balanced

against the clinical needs of the prisoner. *Decisions reached must be proportionate to the risks posed in individual cases and supported by fully completed risk assessment documentation. In such circumstances, reference must first be made to Release on Temporary Licence Policy Framework, specifically paragraph 4.48, which addresses the use of SPL as an alternative to a full security escort.*

6.18 Under such circumstances, individual risk assessments will also need to make a distinction between the risk of escape and the risk of harm to the public posed by a prisoner when fit, and those risks posed by the same prisoner when suffering from a serious medical condition. *Medical opinion regarding the prisoner's ability to escape must therefore be considered as part of the assessment process and should reflect input from those medical professionals involved in the prisoner's treatment Staff undertaking the risk assessment must be aware that:*

- *The restraint by handcuffs of a prisoner receiving chemotherapy, or any other life saving treatment, must be justified by documented security considerations.*
- *Each decision must be properly considered, taking account of all relevant information, and be proportionate to the risks involved.*
- *A fresh risk assessment must be conducted for each escort and when/if the prisoner's condition changes in order to establish:*
  - *the level of restraints to be used during transportation to and from the hospital, and*
  - *the level of restraints to be used during the prisoner's stay in hospital including consideration of the withdrawal of restraints altogether where life saving treatment is being administered, taking into account information supplied by healthcare professionals.*
  - *the circumstances under which close family and relatives may be allowed to visit the prisoner.*

6.19 *When reviewing security arrangements during the prisoner's stay in hospital the escort officers must consult the duty governor.*

Pregnant Women

6.20 *Local Security Strategies must set out the arrangements for pregnant women attending hospital for antenatal checks, or for any other reason, to ensure that any restraints are removed on arrival at the hospital, in the waiting room or on going into the consulting room (whichever is deemed appropriate to the local assessment of risk of prisoner/environment) and not reapplied until leaving the consultation.* Restraints may, however, be applied in exceptional circumstances throughout all or part of the consultation where there is a particularly high risk of escape or a threat to anyone's personal safety*. Hospital authorities must be informed if, exceptionally, restraints are judged necessary in such cases.*

6.21 *In exceptional cases where the risk assessment indicates that restraints must be applied at all times and a healthcare professional seeks their removal because of an immediate risk to the health of the prisoner, or because the prisoner is in pain or because the restraints are impeding essential treatment, they must be removed and escorting staff must immediately notify the duty governor to consider whether additional security arrangements are required, such as an increase in the staffing level..*

6.22 *Where the risk assessment indicates that restraints must be applied at all times, pregnant prisoners using the lavatory must have a closeting chain applied.*

Women Escorted to Hospital to Give Birth

6.23 Women who are to be escorted to hospital to give birth will be escorted by two female officers wherever possible. *Where, exceptionally, this is not operationally possible, at least one member of the escort must be a woman.*

6.24 *The escort must be risk assessed to determine whether restraints need to be applied to the prisoner during transport to the hospital.* In the majority of cases restraints will not be necessary unless there is an identified risk of the prisoner escaping or being aided in an escape.

6.25 *If restraints are required during transport to the hospital they must be removed on arrival, once inside the hospital.*

6.26 Escort staff will not be present in the delivery room, or in a room where an intimate examination is taking place, unless the prisoner requests it. *Staff must, however, maintain a close watch of all exits from such rooms.* If requested, the presence of a birthing partner is allowed, provided that there is no risk to security, or to the safety of prison staff, hospital staff, or to the public. *The hospital authorities must always be consulted before allowing a birthing partner into the delivery room.*

6.27 Where a prisoner admitted to hospital to give birth is thought to present a high risk of escape, alternative steps must be taken to ensure the security of the escort, e.g. by increasing the number of escort staff.

Mother and Baby Escorts

6.28 *The security arrangements for a mother and baby escort must take account of the mother's need to look after the baby during the journey.*

6.29 *A suitable vehicle must be used to enable mother, baby (in a secure child or baby seat) and one of the escorting officers to sit together.*

6.30 *A risk assessment must be carried out before the escort to determine whether restraints are necessary for safe custody. Restraints will not be needed in the majority of cases, but if it is decided that they must be used the mother must be restrained throughout the journey by means of an escort chain.*

6.31 *When escorting mothers with babies, the needs of the baby must reasonably be balanced against the security required to keep the mother in safe custody. Therefore, the use of restraints on the mother should be seen as exceptional and must be underpinned by an individual risk assessment which clearly sets out the reasons for the use of the restraint. If restraint is considered essential then the degree and duration of restraint must be in proportion to the perceived risk.*

6.32 *For longer trips, the journey must be arranged to facilitate a comfort break at a convenient prison or police station. If the mother wishes to breast-feed the baby, this must take place during a break in the journey when the baby may safely be removed from its secure seat.*

Bedwatches

Role of Prison Management

Prisoner management support checks take place in line with assessed risk (External prisoner movement specification output 10)

6.33 *Prison management must:*

- *Put systems in place to ensure compliance with local and national instructions, for example providing written or verbal briefings to escort staff to ensure that they are aware of what is required of them and the professional standard of behaviour expected whilst on escort duties.*
- *Put systems in place to ensure that staff are not permitted to work excessively long hours and to ensure that the allocation of staff to the bedwatch takes account of their shift patterns before and after the bedwatch so that the staff allocated can be reasonably expected to be rested and recuperated between shifts and alert for the duration of the watch and any subsequent duty. The expectation is that such systems should meet any objective test of reasonableness that might be applied when reviewed by any party required to do so.*
- *Set out in the establishment's LSS that a management check is to be undertaken within the first 24 hours of the bedwatch and thereafter in response to every significant change in circumstances, which must also be reflected by updating the risk assessment. Checks must be carried out by custodial managers and above and their frequency must be determined by the Deputy Director of Custody (and equivalent in the private estate) who will decide what is proportionate for the prison population in question. The time of day at which checks are conducted should vary and include evening and night periods.*
- *Ensure that all visits are appropriately recorded and entries are legible, informative, signed and timed.*
- *Liaise closely with hospital management to ensure that any potential security issues are identified and managed.*

Role of Staff Conducting Bedwatches

6.34 *Staff conducting bedwatches must:*

- *Remain professional and vigilant at all times and not allow themselves to be unnecessarily distracted from their primary role of closely supervising the prisoner. Staff must not use headphones whilst supervising the prisoner or use any device that interferes with effective audio or visual observation of the prisoner. .*
- *Carry bedwatch packs that include emergency contact numbers, instructions on how and when to apply restraints, the PER and a supply of continuation forms, the bedwatch log and any relevant information about the hospital (e.g. security information pack)*
- *At handover, check that the bedwatch pack including equipment and handover information is complete and up to date.*
- *Regularly physically check that the prisoner's restraints are properly applied, remain intact and are not tampered with and record details on PER or occurrence log.*
- *Maintain a consistent method of communication with and provide regular reports to the sending establishment. The frequency of reporting-in should be pre-agreed with prison managers but should always occur on each occasion that any significant event takes place.*
- *Ensure that the prisoner wears night-clothes and that all day clothes and footwear are returned to the prison.*
- *Ensure that in instances in which restraints are not applied, staff are positioned between the prisoner and any exit(s) and as close to the prisoner as is practical/seemly.*
- *Ensure that the prisoner is within sight or sound of at least one officer at all times, unless otherwise directed by the risk assessment. For example, to stand outside the operating theatre if the prisoner is undergoing an operation.*
- *Exercise close control and observation of any permitted visitors to the prisoner.*

- *Ensure that prison management are kept informed of any significant changes in the prisoner's clinical condition and that the risk assessment is reviewed to ensure that security measures remain appropriate and proportionate.*

Bedwatch Log

6.35 *Bedwatch staff must maintain a record of important events. This can be recorded on the bedwatch log or the Person Escort Record (PER) as appropriate.* Staff must ensure that entries are legible, and that the observations are informative, timed and signed.

6.36 *Information that must be recorded includes:*

- *Names of staff on duty and time of handovers.*
- *Details of visitors to the prisoner.*
- *Details of the prisoner's behaviour (mood, eating habits, requests).*
- *Details of the removal and/or re-application of restraints, including the time the restraints were removed/re-applied and the reason for this.*

Note: where restraints have been removed on the advice or instruction of a healthcare professional that person's name and position must be recorded along with the name of the prison manager authorising removal of the restraints and the time authorisation was given (for further guidance on when restraints can be removed see removal of restraints section, paragraphs 6.12 - 6.16);

- *Checks that restraints are applied properly and have not been tampered with - at least once every 60 minutes.*
- *Visits by prison management.*
- *The times that the escort provides a report to the prison.*
- *Any other information deemed to be significant in support of the safety and security of the bedwatch.*

Bedwatch Pack

6.37 *The bedwatch pack must be taken on a bedwatch and must always contain:*

- *Emergency contact numbers (these must include the local police, prison, Duty Governor mobile / pager).*
- *Photograph and description of the prisoner.*
- *Instructions on how to apply restraints.*
- *Instructions on when to use and remove restraints.*
- *The Person Escort Record, the bedwatch log, a supply of continuation sheets.*
- *Relevant information about the hospital (physical security, standing arrangements etc).*
- *Plastic cutlery, - note any item, including plastic cutlery, capable of prising open an escort chain must be accounted for and not left in the possession of the prisoner.*
- *Night clothes/slippers.*
- *Check list for management.*

Visiting Arrangements

6.38 T*he circumstances under which visits take place must, as far as possible, seek to replicate those of the prison environment. Governors, in consultation with hospital management, must agree the arrangements under which visitors will be permitted to see the prisoner so that there is no room for doubt about what is and what is not allowed on the part of either*

party. Formal agreement should be reflected in a local protocol between both parties. It is imperative that a secure visiting environment is created and that visitors understand that they are only permitted to visit in accordance with rules set by the prison.

6.39 *Prisons must ensure that their system of management addresses timely notification of visits to escort staff; the production and recording of a visiting order; the production of appropriate ID and the searching of visitors together with guidance setting out the prohibition of the giving of food and property to the prisoner and the possession and use of mobile phones and cameras by visitors.* Such articles are to be required to be handed to staff for the duration of a visit, after which they will be returned. *Guidance must be given to cover instances of non-compliance by the prisoner or the visitor.*

6.40 *Prisons must put in place a system to determine the action that escort staff will take if visitors arrive at the hospital unannounced to visit a prisoner. If this happens, staff must advise the visitor(s) that the prisoner remains in prison custody and that they should leave and contact the prison to arrange a visit in the future. Where visitors refuse to leave when asked to do so, staff must advise the prison of this fact and request the assistance of hospital security if required.*

7 FUNERAL ESCORTS / VISITS TO DYING RELATIVES

7.1 Prisoners may be given Release on Temporary Licence (ROTL) to attend a funeral or to visit a dying relative. *If they are not otherwise suitable for ROTL then they must be escorted*

7.2 There is no absolute ban on prisoners in any security category attending the funeral of a close relative. A close relative is defined (in PSI 16/2011) as spouse (including a person – whether of the same sex or different sex – with whom the prisoner was living as a couple in an established relationship immediately prior to imprisonment), parent, child, brother, sister (including half or step brothers and sisters), fiancé or fiancée (provided that the Governor is satisfied that a bona fide engagement to marry exists), or a person who has been in loco parentis to a prisoner, or to whom the prisoner has been in loco parentis. Applications should be assessed on an individual case basis, taking care to balance security considerations with those of decency, and should only be refused on security grounds, which need to be clearly evidenced in the risk assessment. Factors such as distance to the funeral and associated costs can be taken into account; but on their own, i.e. in the absence of identified security objections, are not grounds for refusing the escort. Where possible, attempts should be made to mitigate these issues, for example, by considering a temporary inter-prison transfer to a prison closer to the venue of the funeral

7.3 *Prison management must undertake a risk assessment to decide both the appropriate strength for the escort (the minimum strength being two officers) and the application of restraints, as well as the level of advance planning required e.g. whether a pre-visit by the security department is necessary, as well as liaison with the local police.*

7.4 *The risk assessment must give clear instruction about whether to remove /not apply restraints during the escort, having given full consideration to all the facts, including religious sensitivities, which might require that a prisoner remains hands-free in order to prepare the body of the deceased person for burial/cremation.* This must be authorised by the most senior operational manager present in the establishment at the time the risk assessment is completed or reviewed.

External prisoner movement (including the destination) is risk assessed and authorised (Security Management specification output 42)

7.5 *The escorting officers must receive a full briefing before the escort which will include:*

- *Information about the layout of the venue and communication arrangements with the prison.*
- *Security information about the prisoner.*
- *Clear instructions about the arrangements for handcuffing / restraints.*
- *Information about dress – prisoner and officers.*
- *Any special religious considerations (PSI 05/2016 Faith & Pastoral Care for Prisoners).*

8 WEDDINGS AND CIVIL PARTNERSHIPS (to be read in conjunction with PSI 14/2016)

8.1 Prisoners granted permission by the governing governor to marry outside of the prison may be eligible for Release on Temporary Licence – Consult the Release on Temporary Licence Policy Framework

8.2 Any decision by a Governor to allow a ceremony or registration to take place outside of the prison must be based on a risk assessment of the prisoner and proposed venue and the decisions made in line with PSI 14/2016 Chapter 6.

8.4 *The ceremony must be held at the nearest church / chapel of the appropriate denomination, registry office or other place where it may lawfully be performed. Consult PSI 51/2011 Faith & Pastoral Care for Prisoners.*

External prisoner movement (including the destination) is risk assessed and authorised (Security Management specification output 42)

8.5 *Prison management must assess whether a pre-visit to the venue by an experienced officer is required to assess the potential security risks and to consult the police including details of the venue, times and any other details they may require, even if a police presence is not required on the day.*

8.6 Application of restraints must be in line with the local risk assessment subject to instruction contained in the risk assessment.

8.7 Photographs may be taken in compliance with clear permissions set out in the risk assessment and in line with PSI 14/2016.

8.8 *The prisoner must be returned to the prison as soon as the ceremony has been concluded and photographs taken.*

8 COURT ESCORTS

9.1 Prison management will co-operate closely with the Prisoner Escort and Custody Service, the escort contractors (see Annex C for information and contact details for PECS) and court managers to maintain court security. See also section 10, Security of Prisoners at Court.

8.2 A Person Escort Record (PER) will be completed for every external movement of a prisoner, whether responsibility transfers to another agency or not and to whatever destination. The form highlights the risks posed by, and the vulnerability of, prisoners on external movement, provides assurance that the risks and weaknesses have been identified and communicated to those who are responsible for the prisoner, and provides a record of events during a prisoner's movement. For further information, refer to the Person Escort Policy Framework.

9.3 *All accompanying documentation relating to the prisoner must be kept in a sealed bag and located so the prisoner cannot access it. All accompanying documentation relating to the prisoner must be placed in a sealed bag with the seal number annotated on the PER.*

9.4 All prisoners should be escorted in suitable escort vehicles – see Chapter 11, Escort Vehicles.

10 SECURITY OF PRISONERS AT COURT

10.1 *The local security strategy must include procedures, agreed with the escort contractors and PECS contract manager, for the transportation and secure custody of all prisoners taken to court.* The authority to do this is contained within Prison Rules and YOI Rules.

10.2 Court is defined as a Crown Court or a Magistrates' Court and includes county courts and periodic courts (assizes). The Prison Service does not have any direct security responsibility for civil courts or Immigration Appeals Tribunals, though the PECS escort contractors are contracted to facilitate these.

10.3 It is vital that prison management and the escort contractors co-operate closely to maintain security at all times. *A contractor's representative must be invited to attend local security committees and the contractor will be responsible for appointing a court manager. This person must not be a member of the Court's staff. For periodic courts there must be a clear line of accountability agreed for all security matters.*

10.4 *Contractors must ensure that all prisoner custody officers and their managers are competent in the use of technical aids and searching procedures.*

10.5 *The courts escort contractor must ensure that:*

- *There are regular visual and physical inspections of security devices.*
- *There are daily accommodation checks of the custody suite, dock, and where possible the external parts of the building which give access to the custody suite.*
- *Secure procedures are agreed for the loading and unloading of prisoners.*
- *Accommodation is thoroughly checked before use with particular note being taken of potential ligature points, roof spaces, false ceilings, doors and windows.*
- *All restraints are accounted for at the beginning and end of each working day.*
- *Security alarm systems are tested every working day.*
- *Custody suite keys (where they exist) are checked at the beginning and end of each working day and reconciled.*
- *Any physical security issues or matters of mutual concern are brought to the attention of the Chief Clerk or the Clerk to the Justices or other appropriate authority including listing arrangements, security issues (especially relating to appearances by E-List prisoners),and contingency planning.*
- *The procedure for applying for prisoners to be subject to enhanced security in court is followed.*

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10.6 *Prisoners must not engage in social visits at court unless specifically permitted to do so by the magistrate or judge. Legal visits must be conducted in sight, but out of hearing of staff.* Whilst a prisoner may be allowed to retain any relevant legal papers, they are not permitted to receive or hand out any other property whilst at court.

10.7 *There must be clear procedures for receiving prisoners answering bail and who are remanded in custody. These must cover.*

- *Searching procedures for the prisoner and their property.*
- *Storage procedures for bagging and tagging any prisoners' property.*
- *Completion of a Prisoner Escort Record (PER) form.*

10.8 *The designated manager must have agreed procedures to ensure that:*

- *Approved contingency plans are available and accessible to staff.*
- *Individual contingency plans are tested at least annually.*

- *All staff working at, or, attending court, are familiar with the layout of the building in case of emergency.*
- *Physical and procedural security measures are audited by an independent auditor at least annually and the PECS contract delivery manager monitor in accordance with the PECS business plan. All court locations will be subjected to an annual Security Audit in accordance with the contractual arrangements.*
- *A manager visits each court and checks and signs the occurrence book in accordance with agreed operating procedures.*
- *Secure behaviour is practised throughout the court which prevents prisoners from gaining access to restricted areas, see PSI 55/2011 Management and Security of Keys and Locks.*

HMCTS Court Managers

Prisoners in prison or police custody, arrive at the correct destination on the correct date and time. (External prisoner movement specification output 7)

10.9 It is important to maintain a dialogue with the Court Service, its managers, Clerks, Magistrates and Judges in respect of all aspects of the escorting, detention and production process. This is part of a wider liaison that involves PECS at both a national level as well as locally through the contract delivery managers, managers from the escort contractors, the Crown Prosecution Service and Police.

10.10 *Common issues that must be frequently discussed include:*

- *Provision of secure dock facilities.*
- *Security and safety in Custody Suites.*
- *Timely delivery of prisoners to court.*
- *Scheduling of cases.*
- *Accommodating people with disabilities.*
- *The use of mechanical restraints in the dock.*

Enhanced Security at Court (This section should be read in conjunction with PSI 26/2015 Security of Prisoners at Court)

10.11 For the majority of prisoners produced at court, NOMS standard escort security measures will be sufficient to ensure the safety and security of the proceedings. *However, in a small minority of cases, the risks presented by an individual prisoner will be so great that heightened security measures must be considered.*

10.12 In the main, the prisoners for whom heightened security measures will be necessary are:-

- Category A prisoners
- Restricted Status (RS) prisoners
- Prisoners on the Escape List (E-List)

10.13 Exceptionally, there are a very small number of prisoners who are not Cat A, E-List or RS but may still be identified as presenting a high risk of significant harm prejudicial to the safety of the escort, and any other person in and around the court and who will require heightened security at court. This may include prisoners who have made explicit threats to the court or the jury.

10.14 The court List Officer will be advised by the establishment of those prisoners who have been identified as Cat A, E List, RS or as presenting significant risk of harm i.e. potential violence or disorder in the Court setting. Annex E provides a suggested standard format email which requests prioritisation of listing for hearings via PCVL or a secure court. High

risk prisoners identified to the court as presenting a significant risk of escape, violence or danger have priority for the use of Prison Court Video Link (PCVL) or have their case allocated to a secure court building and court room with a secure dock. *NOMS staff must make every effort to assist the Court in making its decision.* Where a secure listing cannot be provided, the court List Officer will provide the reasons to the establishment so that alternative security measures can be considered. Annex F provides a list of factors to be considered when requesting additional security measures.

10.15 *Where it is necessary to consider alternative security measures, a Court Management Directions Form (CMDF, Annex G) must be submitted by the establishment via the designated functional email box to the court List Officer and PECS Contractors at least 1 week before the commencement of the hearing.*

10.16 *The CMDF must set out evidence of the prisoner's identified risk of escape or violence and request the court's approval for security measures to mitigate the risks. The CMDF must be informed by a full risk assessment of the prisoner include details of current custodial behaviour. (Annex I provides a guidance note for the completion of the CMDF which must not be sent to the court). Where a request is made for mechanical restraints, healthcare must be consulted to identify if there are any existing medical conditions which may be exacerbated by a prolonger period in mechanical restraints.* It is essential that the CMDF form is completed as fully and accurately as possible. **In the past courts have rejected cases for additional security because of inadequate evidence of risk presented to the court.**

10.17 The application requests consideration of additional security measures. These are:

- Use of approved mechanical restraints.
- Use of approved discreet restraints. These are a new type of restraint specifically designed so as not to be visible to a jury when the prisoner is in the witness box and are less obtrusive than other measures and are therefore less likely to prejudice a fair trial. Policy for discreet restraints is being developed and will be published shortly.
- Deployment of additional escort staff or police in the courtroom or armed police in the court building (the decision to deploy armed police is the responsibility of the police and the decision to allow this measure is for the Senior Presiding Judge).
- Securing the courtroom for all or part of the proceedings.
- In exceptional circumstances, moving the hearing to the prison.

10.18 *The application must be supported by current, specific and credible evidence that the security measures being requested are both necessary and proportionate to the identified risk and that the risk cannot effectively be managed in any other way. The CMDF must be signed by the Head of Security or a more senior manager and sent to the Court List Officer.*

10.19 *The CMDF must be passed via the court List Officer to the Judge hearing the case*. The Judge will make a decision after hearing representations from the relevant parties, including the defence and the CPS. It may prove prudent for Prison staff to at an early point, liaise with the CPS consideration should be given to doing so through the Police.

10.20 An application for the use of approved restraints will normally be granted only:

- Where there are good grounds for believing that the prisoner poses a significant risk of trying to escape from the court and / or a risk of causing serious harm towards those persons in court or the public generally should an escape attempt be successful

- And where there is no other viable means of preventing escape or serious harm.

10.21 The court List Officer will advise the establishment and PECS contractor of the outcome of the application.

Late Applications

10.22 There will be occasions when it is not possible to submit a CMDF one week prior to the commencement of the hearing. In particular, when intelligence or information indicating a heightened risk is received only a short time in advance of the production.

10.23 In those circumstances, the process will be:-

- *The PER must be endorsed by the establishment identifying the nature of the risk*
- *The PECS contractor must be advised by Reception staff that a CMDF will be submitted to the court prior to the start of proceedings*
- *Security Department must complete a CMDF at the earliest opportunity on the day of the production (identifying the request for approved restraints / approved discreet restraints) - this must be emailed to the court as soon as it is completed and prior to the court commencing hearings.*

10.24 It is accepted that limited information may be available in these instances, but it remains the establishment's responsibility to provide the court with a completed CMDF giving as full a picture as possible of identified and potential risks.

Productions to civil, family Immigration and coroner's courts

10.25 The instructions in this document apply equally to the production of high risk prisoners to civil, family, Immigration and coroner's courts. It is unlikely that these venues will provide either secure holding facilities or court rooms and therefore the production of any prisoner to these courts carries additional risks.

10.26 Consideration should be given to the use of PCVL or moving the hearing to a more secure court. *If this is not possible, arrangements must be requested to ensure the security of the production, including the availability of secure holding room facilities.*

10.27 For *prisoner productions outside of the Criminal Courts Prison staff must identify the need and requirement for the prisoner to attend court.* The risk assessment will form part of the decision making process and set out the security measures required to manage the risks identified. Prisons should make early contact with Court managers to discuss security measures such as court room security, use of approved restraints and secure holding rooms or any heightened risks regarding the prisoner and where required liaise to make alternative arrangements.

10.28 In *all circumstances where prisoners identified as a heightened risk are required to appear in civil, family Immigration or coroner's courts* – early contact and consultation with the relevant Court staff is required.

Prisoners giving evidence from the Witness Box

10.29 Higher risk prisoners required to give evidence from an insecure witness box pose a significant security risk.

10.30 *Where a prisoner is required to transfer from a secure dock to an insecure witness box, in circumstances where it is judged that there is a significant risk of escape or of significant harm an application must be made by the establishment for the court to consider additional security measures over and above standard escort procedures This must be done via a CMDF..*

10.31 These measures will be:

- Use of approved restraints, including discreet restraints particularly where the prisoner is giving evidence in the witness box (including clearing the court room while the prisoner in restraints moves between the dock and witness box)
- Deployment of additional escort staff or police in the courtroom or armed police in the court building
- Securing the courtroom for all or part of the proceedings
- Giving evidence from the secure dock
- Use of PCVL, where the prisoner is not the defendant

Procedures for Escort Contractors

10.32 There may be circumstances where risk is only identified en route to the court or at court when the prisoner is produced by the police.

10.33 Where this is the case, PECS Contractor will make a request for additional security via a CMDF- *Escort Contractor (Annex H) a guidance note for completion is given at Annex J which must not be sent to the court.*

10.34 *PECS Contractors must ensure that there are procedures in place to produce Custody Direction Management Forms when a risk is identified whilst the prisoner is in the custody of the escort contractor.*

Review Process

Relevant stakeholders are able to contribute to the security and safety of the external movement of prisoners (External prisoner movement specification output 6)

10.35 In the event that the court refuses an application for heightened security measures, the court will provide reasons for the refusal to enable the Governor of the dispatching prison to resubmit the CMDF with additional information that may persuade the court to reverse the original decision. Additionally, with the approval of the relevant DDC, the Governor may also make further representations to engage in direct dialogue with the court regarding the application.

10.36 *In the event that the Court refuses an application made by PECS Contractors for heightened security measures the PECS Contractors must ensure that there are procedures in place for re-submission of the Custody Direction Management Form*.

10.37 Regular (at least quarterly) meetings will be held locally including representatives from the judiciary, court (court operations manager), establishment (custody and security departments) and escort contractor.

10.38 These meetings are a forum to discuss issues pertinent to the safe secure and smooth running of court productions and provide an opportunity for all parties to raise any operational concerns including over the quality of CMDF paperwork submitted.

Action for establishments when prisoners return from court

10.39 Reception staff should check the PER when a prisoner is returned or received into custody to check if a handcuff application has been made whilst the prisoner was at court. If the Custody Management Directions Form is returned with the prisoner it should be placed on their security file.

11. ESCORT VEHICLES

Prisoners are transported and held safely, decently and securely and their entitlements are met (External prisoner movement specification output 11)

General

11.1 The following vehicle options are available:

- **Cellular vehicle** – These are designed to hold prisoners securely in individual cells. *When in use a member of the escorting staff must sit in the rear accommodation to observe the prisoners, maintain security, and deal with any emergency and possible evacuation.*
- **People carrier** – Subject to a satisfactory risk assessment, these vehicles are suitable for long distance escorts involving a mother and baby where a degree of parental care is required.
- **Coach or mini bus** – Subject to a satisfactory risk assessment, they may be used to transfer groups of lower category prisoners.
- **Taxis and hire cars** – Subject to a satisfactory risk assessment, taxis may be used for short distance movements such as hospital outpatient visits. Vehicles like black cabs, with central locking and a partition to protect the driver, are recommended for use where possible. *Staff must not, however, be positioned in a vehicle that is centrally locked without a means of exit, in the event of an accident or emergency. To avoid this happening, escort staff must be provided with a key which allows staff to exit the vehicle.* The key should be held by the officer who is not handcuffed to the prisoner. Establishments may also set up local contracts for the provision of taxis and other vehicles. *These must include a criminal records check of the drivers to be used.*

11.2 Prison Management and Escort Contractors respectively are obliged to ensure that their transport for escorts is risk assessed, secure, properly searched and fit for use (especially if the vehicle has been hired). *Prison management must consider the category of prisoner to be conveyed when deciding upon the type of vehicle to be used.* The *vehicle must be operated in such a way so as to minimise the risks associated with escorting prisoners outside of a prison. Consideration must be given to the question of whether a vehicle is suitable to individual need and takes into account, for example, prisoners with disabilities or those whose height/weight might require specific tailoring of the transport need. Such consideration should be given as early as possible after an escort is identified so that all good preparation can be made to obtain suitable transport well in advance. Specific arrangements must be drawn up for the movement of E list, Young Offenders, and prisoners held in segregation.*

11.3 Where a prison does not have a suitable vehicle within its own fleet then arrangements should be made, via the DDC's Office if necessary, to borrow an appropriate vehicle from a nearby establishment.

11.4 A suitable vehicle is used to enable mother, baby (in a secure child or baby seat) and one of the escorting officers to sit together.

11.5 If it is considered that there is a significant risk of a prisoner assaulting staff on escort or being disruptive then consideration should be given to requesting a cellular vehicle for transporting the prisoner.

11.6 *Escorts must not use public transport.*

11.7 *Before the escort departs, the Officer in Charge (OiC) of the escort must act in accordance with instruction contained in Chapter 4***,** *Pre Escort Preparatory Work and Dispatch*

Use of Seatbelts

11.8 C*urrent legislation exempts prison officers from wearing seatbelts whilst escorting prisoners; however, it is NOMS policy that staff must wear them for their own personal safety where they are provided.*

11.9 *All prisoners (including pregnant women) must also wear seatbelts where these are fitted to the escort vehicle, unless a certificate of exemption has been issued by a registered medical practitioner.*

11.20 Where double cuffing of prisoners on escort is required, establishments should use an official vehicle or taxi equipped with seat belts that safely accommodate the use of this type of restraint *If the prisoner movement is immediate, however, and no suitable vehicle can be sourced, then the prisoner's individual risk assessment must be reviewed and consideration given to reducing the level of restraint used and, if necessary, increasing the level of the escorting staff.*. On balance, the requirement to consider the increased risk to the life and/or personal safety of the prisoner and escorting staff resulting from not wearing a seatbelt outweighs the requirement to double cuff.

12 PRISONERS' PROPERTY & PRISON RECORDS

External movements of prisoners are risk assessed, authorised and conducted reflecting prisoner and movement type. Prisoner records and personal property are kept secure and accounted for when external movements are undertaken. (External prisoner movement specification output 3)

12.1 *Prisoners must not carry with them any items of property.*

12.2 *Prisoners' property and personal prison records must be loaded by staff (this includes PECS Escort Contractors where appropriate) into the escort vehicle and never by the prisoners themselves.* When a car or coach is used for an escort, property and records will be stored in the boot, or a separate lockable storage compartment. If *a minibus is used, or if no lockable compartment is available, every effort must be made to keep the property and records out of the prisoners' reach. At no time must a prisoner have access to property or records*

12.3 Escort contractors can be provided with prisoners' personal records, to be taken to other establishments on transfer (Inter Prison Transfer) or to any court location. A separate record should be kept of the transfer of these records, and escort documentation noted to record this.

12.4 *Property and personal prison records must be placed in appropriate containers and labelled, and container seal numbers must be recorded on the PER. Prison records must not be handed to escort staff in a form which would lead to loose papers or other items being lost. They must be correctly filed, labelled and bagged with the seal numbers recorded on the PER in order to ensure that they arrive safely, and to manage the risk of a data loss.*

Annex A

ESCORT RISK ASSESSMENT

Establishment name :_____

Date of Escort: _____

Type of Escort

Hospital Out Patient	[ ]
Bedwatch	[ ]
Pregnant Prisoner	[ ]
Dying Relative	[ ]
Funeral	[ ]
Wedding	[ ]
Other (please state)	[ ]

Temporary release considered/authorised - yes/no
Note reasons for the decision on ROTL.

Prisoner's Name: _____

NOMS Number: _____

Sentence: _____

Security Category: _____

Current Offences, or Charges if not convicted or sentenced: _____

Any indication from current or previous sentence that prisoner is subject to (tick if appropriate):

Public Protection Manual Ch 2(Risk to Children)	[ ]
Public Protection Manual (Ch 6 Harassment)	[ ]
Public Protection Manual (Ch 3 Sex Offenders)	[ ]

Have you had access to the prisoner's security file [YES/NO] delete as appropriate

Behaviour in Prison (Delete as appropriate)

Adjudications Yes/No
IEP Level Basic/Standard/Enhanced
Personal Officer Reports Yes/No
Any current or recent self-harm history Yes/No

Is the prisoner currently subject to an open ACCT Plan Yes/No
Has an ACCT Plan recently been closed Yes/No
If you have answered YES, state date of closure

Home Circumstances

Any indication that the victim may be at risk Yes/No

Any known unresolved domestic issues, which may indicate a desire to escape/abscond Yes/No

Criminal History: Details of any relevant previous convictions, or any warnings from police of unusual or suspicious behaviour in the past:

_____

_____

_____

Specific Factors of Concern (delete as appropriate)

risk to the public (LOW/MEDIUM/HIGH)
risk of hostage taking (LOW/MEDIUM/HIGH)
escape potential (LOW/MEDIUM/HIGH)
likelihood of outside assistance (LOW/MEDIUM/HIGH)
any know previous escape/abscond history (YES/NO)
any known instances of alcohol/drug abuse (YES/NO)
any history of violence (YES/NO)

Medical Information

Any medical objections to the use of restraints (Yes/No)
Any other medical conditions likely to influence the escort
(e.g. physical ability to escape, disability/need for medication etc)

_____

_____

A: Hospital Escorts/Bedwatch

Has a physical security assessment of the hospital/ward/treatment area been carried out, and what if any problems have been identified (comment on security of treatment areas i.e. access to outer doors/opening windows/floor level/access to TV or day rooms? Can these be mitigated or if not, have contingencies been factored into this risk assessment to account of them?

Any known or likely risk to hospital staff Yes/No

Any known or identified risk from visits. What arrangements/restrictions will be required for visits to prisoners)

Have the hospital management been consulted prior to the escort taking place Yes/No

Any medical information to indicate likely length of bedwatch?

B: Dying Relatives

Has a physical security assessment been undertaken of the venue where the visit is to take place (i.e. is the visit to a hospital/hospice, the home of a dying relative or other another venue), and what problems were identified:

Has information been sought from either your Police Liaison Officer, or the local police

concerning the security of the venue: _____

Staff dress code:

Any available facilities for holding prisoner – i.e. waiting prior to the visit taking place

Any known or potential problems which may be created by others attending – e.g. family members, victims etc

_____

C: Funerals

Has a physical security assessment been undertaken of the venue where the funeral/wake is to take place, and what problems have been identified.

Have you requested information from either your Police Intelligence Officer, or the local police, concerning the likely presence of criminal associates, or large family gatherings which may present security problems

_____

Where will the prisoner be allowed to attend i.e. service only, burial/cremation only, family home or any combination of the above

Staff Dress Code – uniform/casually dressed
(please delete, as appropriate)

D: Weddings

Has a physical security assessment of the venue been carried out and what problems were identified

Who will be allowed to attend the ceremony?

_____

What arrangements have been put in place for visits following the ceremony

Have you requested additional security information from Police Intelligence Officer
_____

Staff Dress Code – uniform/casually dressed
(please delete, as appropriate)

State any arrangements that have been specifically agreed with the presiding official
_____

_____

E: Others

(e.g.: other external movements not set out above)

Physical Security of venue if known
_____

Any available facilities for holding prisoner – i.e. waiting prior to visit
_____

Any issues relating to staff dress code:

Any known or potential problems which may be created by others attending – e.g. family members, victims etc
_____

Analysis of Assessment

Has release on licence (ROTL) been considered	Yes	No	
Results of ROTL consideration	Approved	Not Approved	
Restraints to be used	Yes	No	Additional Comments
If yes, can restraints be removed for medical treatment	Yes	No	
Can restraints be removed for emergencies	Yes	No	

Can restraints be removed for other reasons e.g. during a wedding ceremony or to embrace a dying relative, funeral etc	Yes	No	
Restraints to be removed only with the prior knowledge of the duty manager	Yes	No	
Level of restraints to be used:	Single cuffs	Double cuffs/Escort chain	

Recommended strength and composition of escort:

Two officers – give reasons
_____
More than two officers – give reasons
_____

Any specific gender requirements (consider Genuine Occupational Qualifications – where there is a genuine **need** for escorting staff to be of a specific gender)
_____

Assessment conducted by (print name, sign, date, grade)

_____

_____

_____
_____
_____

Authorising Officer's Decision:

Temporary release authorised yes/no:
Two-officer escort yes/no:
More than two officer escort yes/no:
Restraints to be used yes/no:
(please delete, as appropriate)

Identify any differences any changes to the recommendations made in the analysis of assessment: _____

_____

Name of Person authorising risk assessment (sign, date, grade)

_____

_____

_____

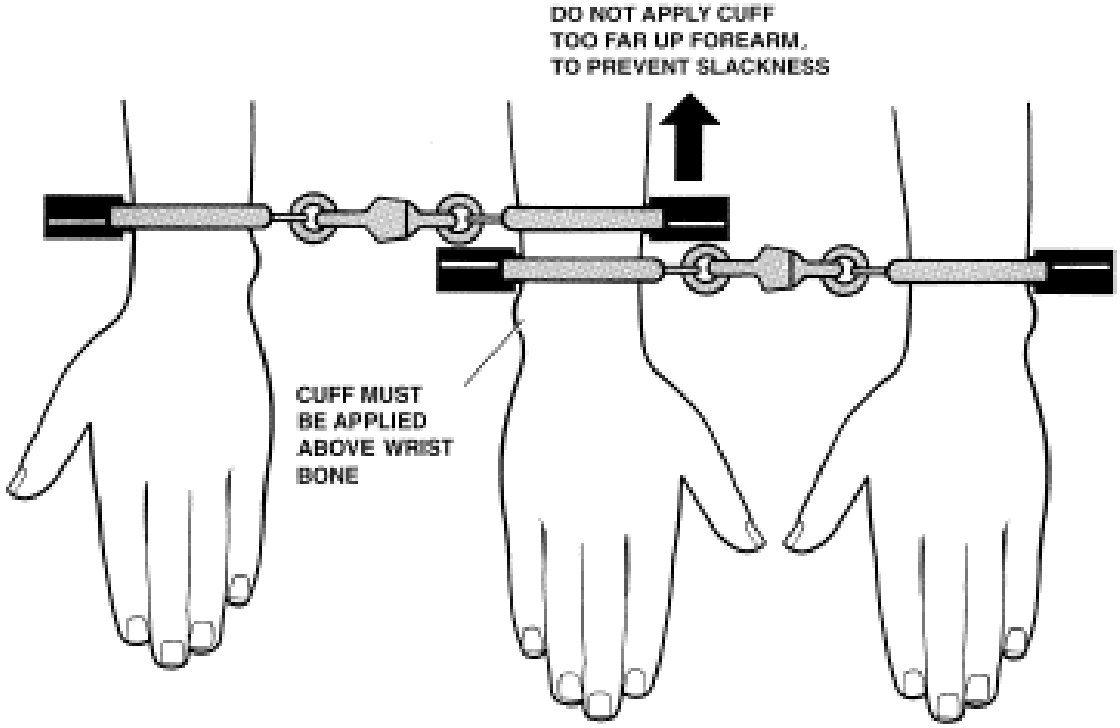
Annex B

APPLICATION OF RESTRAINTS

This section covers the correct procedures for the application of handcuffs and the escort chain. It applies to all prisoners when restraints are being used.

Whenever restraints are applied they must be frequently checked for efficacy in keeping the prisoner secure:

- *staff must apply handcuffs between the elbow and the wrist bone, but as near as possible to the wrist bone. Handcuffs must not be applied to any other part of the body;*
- *staff must apply handcuffs as tightly as possible, without pinching the flesh or affecting the circulation;*



If necessary, staff must use inserts with standard handcuffs to ensure a close fit;
staff must make sure that a prisoner does not attempt to reduce the effectiveness of handcuffs by pumping up his or her wrist, or applying cream or grease before handcuffs are applied;

if a prisoner is observed attempting to reduce the efficacy of handcuffs (as described above), the despatching officer must consider what additional security precautions need to be taken for that particular escort;

escorting staff must prevent a prisoner from draping clothing or any other item over the handcuffs in order to conceal them;

when a prisoner is handcuffed to an officer, the officer's stronger arm will be left free if possible;

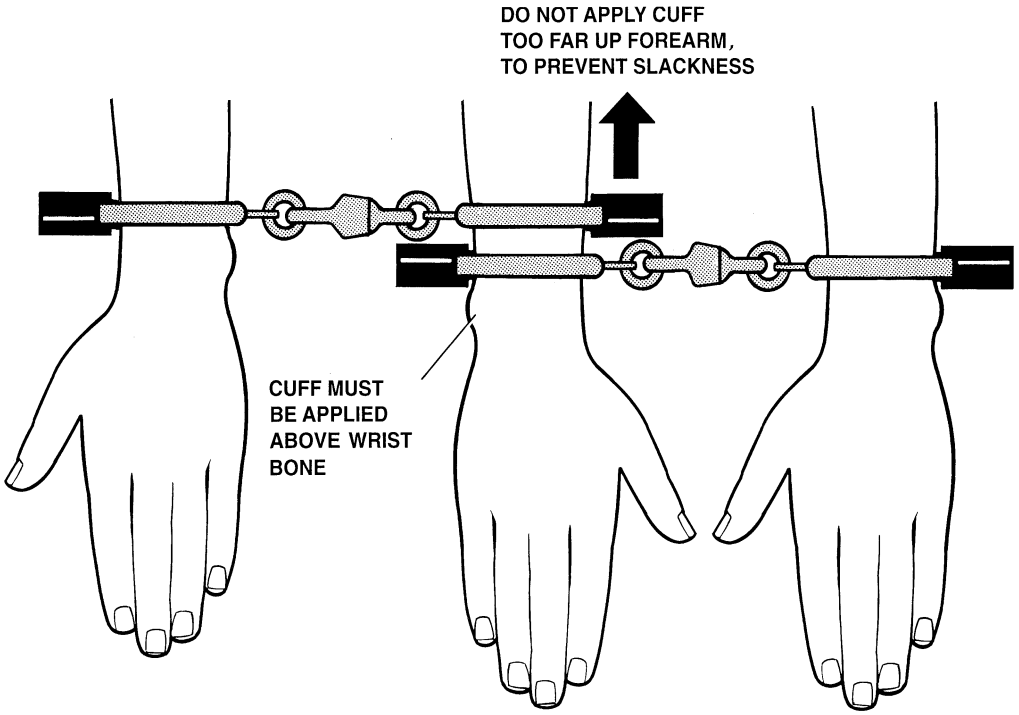
if prisoners are not handcuffed to an officer, they must be handcuffed to one another;

restraints must not be used to attach prisoners to furniture or any other fixtures and fittings.

if the escort for a single prisoner is of such high risk that three officers are required, restraints will be applied to the level indicated by the local risk assessment. *The use of a cellular vehicle must be considered see Escort Vehicles.*

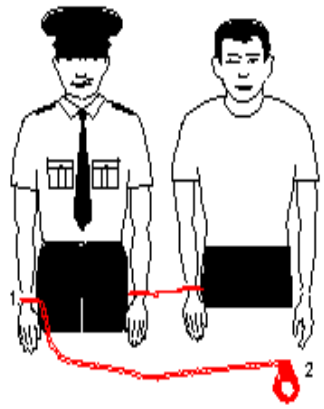
Double cuffing

The diagrams below show how double cuffing must be applied.

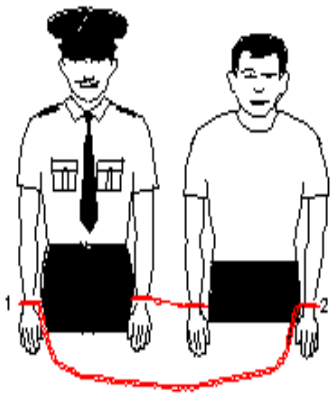


The diagrams below demonstrate the correct procedures for using the escort chain in different circumstances. (The diagrams assume that both officer and prisoner are right handed, and must be adapted as appropriate). *When double cuffing staff must always check the cuffs are tight, and especially on the occasions when the lower set have been removed.*

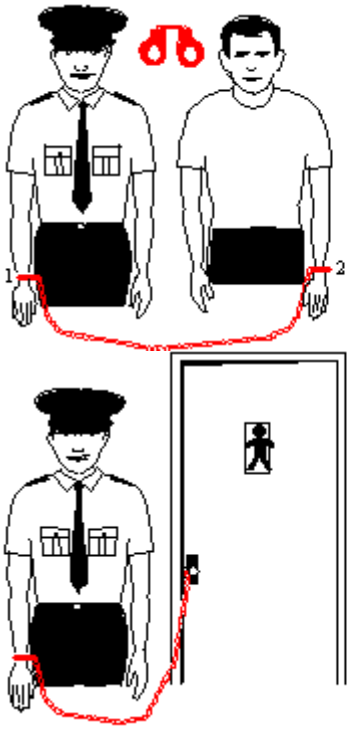
Using the escort chain



1 Attach the escort chain at 1 to the officer's belt



2 Attach cuff 2 to prisoner's belt



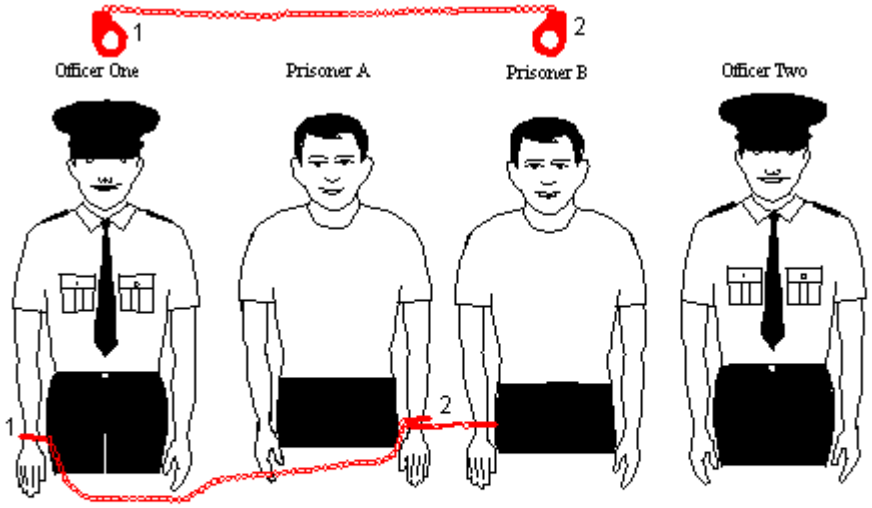
3 Check that the cuffs at points 1 and 2 are secure then release the handcuff from the prisoner's wrist first. The officer must retain the key of the escort chain in order to have both control of the prisoner. When double cuffing is used, remove cuffs between the prisoner's own hands first before removing the cuffs between officer and prisoner. This allows the officer to have both control of the prisoner.

4 Ensure that the escort chain is kept in position between the lock on the door and the securing plate on the door frame, thus preventing the prisoner closing the door and locking it. Regularly check the prisoner's presence, eg by talking to him/her.

5 To remove the escort chain first reapply the handcuffs to both the prisoner and the officer, in reverse to the order in which they were removed.

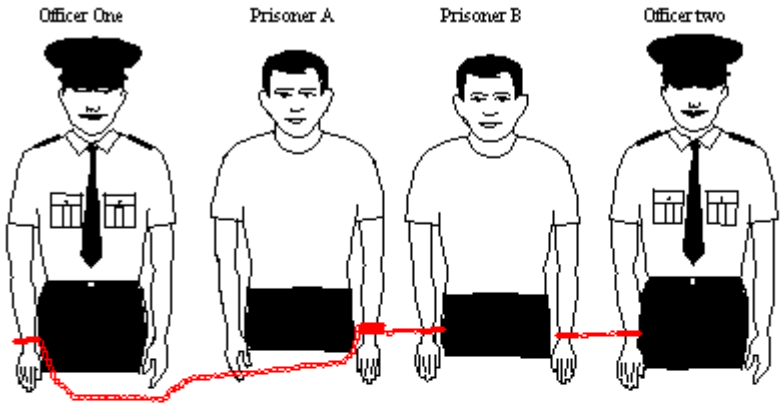
6 Remove the escort chain at point 2 and then at point 1.

Application when a prisoner is handcuffed to another prisoner; prisoner A wishes to use the toilet



1 Secure cuff 1 to officer s wrist. Secure cuff 2 to cuffed hand of prisoner A just above the handcuff.

2 Using another set of handcuffs, secure the free hand of prisoner B to officer two. Check that all the cuffs are secure then remove the handcuffs between prisoners A and B. Remember to keep a firm grip on the handcuffs during removal.



3 If double cuffing is used, remove the cuffs between the prisoner s own hands first before removing the cuffs between officer and prisoner. This allows the officer to have better control of the prisoner. Prisoner A is now allowed to use the toilet. Remember to locate the chain between the lock and the striking plate to prevent the prisoner closing and locking the door, and to regularly check the prisoner s presence, eg by talking to him/her.

4 Before removing the escort chain, replace the handcuffs onto prisoners A and B. Then remove the handcuffs from prisoner B and officer 2 and then remove the escort chain in the order 2 and then 1.

Annex C

Prison Escort and Custody Services (PECS)

PECS Headquarters is in Unit 6, Forder Way, Cygnet Park, The Hamptons Peterborough and is responsible for managing the contacts to ensure operational delivery by the private sector contractors suppliers for the provision of prisoner escort services. This is achieved at a local level through PECS Contract Delivery Managers who monitor the contracts covering all of England and Wales.

The main tasks required of the contractors are:

- to escort prisoners to court from prisons and police stations
- to keep prisoners in safe and secure custody at court and at all other times
- to escort prisoners to prison following a court appearance
- to transfer prisoners between establishments.

The customers of these services are HM Courts and Tribunal Services, the Prison Service, YJB and Police forces.

The main function of PECS is to make sure the escort contractors deliver the service to the agreed standards laid down in the contracts this includes ensuring prisoners are kept securely in custody at all times, that they are managed properly and that they are treated with decency and respect at all times. PECS also ensure the contracts are operated efficiently and provide good value for money.

PECS both at HQ and at area level are directly involved in liaising with all other areas of the Criminal Justice System about matters relating to the escorting of prisoners and their appearance at court. PECS Contract Delivery Managers have a statutory obligation to ensure investigations are conducted into any complaint raised by any person against the contractors.

1. Details of the PECS HQ

PECS HQ
Unit 6, Forder Way
Cygnet Park
The Hamptons
Peterborough
PE7 8GX

Telephone 01733 443100 (Office hours only)

2. Escort Contractors

The Prison Service uses private escort contractors to conduct prisoner movements to court and between prisons excluding prisoners who are classified as Category A or Potential Category A and to facilitate Inter Prison Transfers.

3. Details of the escorting contractors and the PECS areas they serve are:

Area 1
GEOAmey
Units A&B 69
The Whittle Estate,
Cambridge Road,
Whetstone, Leicester
LE8 6LH

Telephone 01454 288100 (Office hours only)
01454 288116 (Office hours only)

Area 2
Serco Wincanton
Bloxham Mill
Banbury
Oxfordshire
OX15 4FF

Telephone 01295 722800 (Office hours only)
0808 0011027 (Office hours only)

Areas 3
GEOAmey
Units A&B 69
The Whittle Estate,
Cambridge Road,
Whetstone, Leicester
LE8 6LH

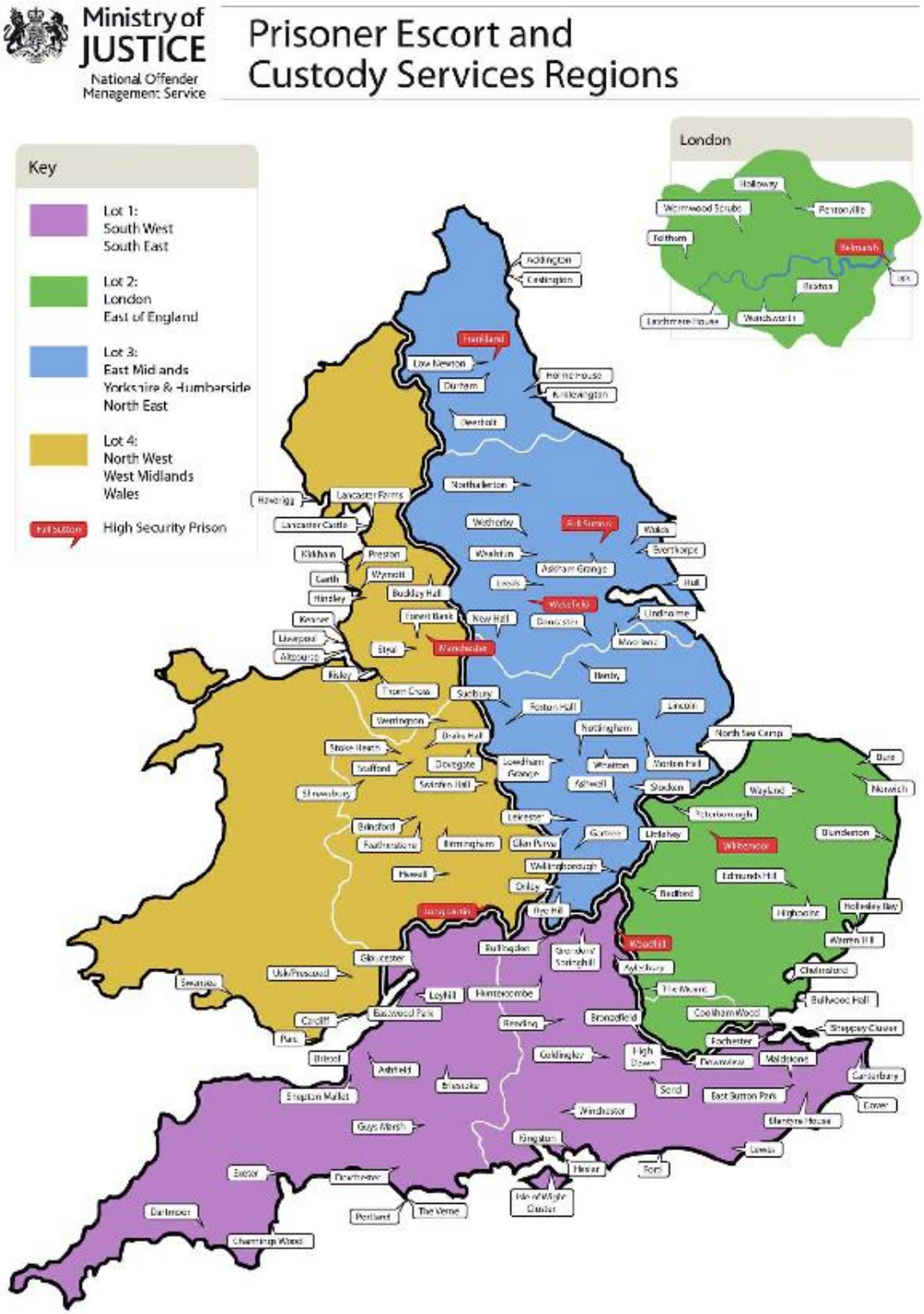
Telephone 01454 288100 (Office hours only)
01454 288116 (Office hours only)

Area 4
GEOAmey
Units A&B 69
The Whittle Estate,
Cambridge Road,
Whetstone, Leicester
LE8 6LH

Telephone 01454 288100 (Office hours only)
01454 288116 (Office hours only)

The current contracts divide England and Wales into four contract areas for the purposes of moving prisoners to and from court and for Inter Prison Transfers.

PECS Area Map below.



Annex D

CONCORDAT BETWEEN NOMS AND THE NHS ON THE PRISONER ESCORT AND BEDWATCH FUNCTION



Concordat
scorts.doc (526 KB).

Annex E

Court Risk Identification Email - Suggested Standard Format

Court Risk Notification

Prisoner Name Prisoner Number

The above remand prisoner was received into HMP…….on…xx / xx / 20xx.

She/He has been identified as a *Cat A / *Restricted Status / *E-List Prisoner or posing a * serious risk of escape / *risk of serious harm others due to *(*delete as appropriate and provide details)*:-

and therefore we request the following measures for future court proceedings and appearances in order to reduce these risks.

Hearing via Prison-Court Video Link facility

Hearing held within a secure dock

We await your response.

Head of Security & Intelligence

Annex F

Court Security

Due the variations in design and facilities available at each court room, the following issues should be considered.

Dock

There are a range of docks in use in courts, in broad terms these are:

- Enclosed (fully secure) dock – the dock is a sealed unit, a protective screen is either ceiling height or the dock has a false ceiling
- Partial screened (partially secure) dock – the dock has a protective screen, normally 3.2m from the floor of the dock to the top of the screen. There is a gap between the top of the screen and the ceiling
- Unscreened (insecure) dock – there is no protective screen to prevent the defendant from jumping out
- No dock – youth courts and non criminal courts do no generally have docks, instead the defendant will stand or sit at a desk

As far as reasonably possible, all prisoners and especially Category A prisoners, produced at court for criminal hearings should be produced to courtrooms with fully or partially secure docks. However if a serious risk is identified, there may be a request for a fully secure dock.

Witness box

Prisoners required to give evidence will normally use the witness box which provides no protection to prevent escape or violence. The risk posed by the prisoner when using the witness box, including while exiting the secure dock and crossing the open court, is to be managed by escorting staff. This can normally be achieved by positioning the escorting staff at strategic points, *if the risk of escape or violence is assessed to be so serious it cannot be managed through standard escort procedures locally, alternative measures must be requested via the CMDF.*

Custody area

The majority of courts hearing criminal matters have a secure custody area; there is a risk when prisoners are produced to non criminal courts where there are no secure facilities. When a prisoner is to be produced to such a court, the contractor will identify in advance, a waiting area to use, ideally away from other public areas and in a secure location. If the prisoner to be produced is assessed to be a significant risk, there may be a request to move the hearing to PCVL or a more secure location.

Link between court and custody / cells area

The majority of criminal courts have a secure link direct from each dock to the custody area; many of these are a series of tunnels under the court building. In some locations, more so in courts hearing non criminal matters, prisoners may have to be escorted through public areas. As public protection is paramount, escorting staff will normally use restraints to minimise any risk of escape or violence. If the prisoner to be produced is assessed to be a significant risk, there may be a request to move the hearing to PCVL or a more secure location.

Transfer from escort vehicle to court

Many criminal courts have a secure vehicle lock with direct access to the custody area. However there are a number of courts where this is not possible; either there is no vehicle lock, or not all vehicles are able to access a lock due to their size. In these circumstances the prisoner will normally be transferred from the vehicle using public access and the escorting staff may use mechanical restraints to minimise the risk of escape or violence. If the prisoner to be produced is assessed to be a significant risk, there may be a request to move the hearing to PCVL or a more secure location.

Annex G

CUSTODY MANAGEMENT DIRECTIONS FORM – HMPS

Application to court for improving security arrangements to be completed by the dispatching prison and submitted to the Court at least **7 days** before the prisoner is due in court

For the Attention of:	

Section A – Prisoner Details

1. Request from HMP:			
2.Escort provider :	**HMP…….. / SERCO – WINCANTON /GEO AMEY (Delete)**		
3. Prisoner Name:		**4. DOB:**	
5. NOMS No:		**6. Date of Appearance:**	
7. Court Appearing:		**8. Reason:** **E.g. – Administrative /Trial/Witness/**	
9. Offence:			
10. Security Category:		**11. Current Escape list Status:**	**Yes/No**

Section B – Request Details

12. Reason for Request : (Please refer to the guidance and set out the grounds for making the request with risk assessment. The nature of the offence is not a ground to support the application)	
13. What action is the Prison Service seeking: (Use of Video Link/Secure Dock/approved Restraints/Discreet Restraints, change of court, extra staff)	

Section C – Supporting Information

14. Previous or current escape history or heighten risk	

15.Prisoner behaviour in Prison or on Escort *(IEP warnings, Adjudications, violence, Self Harm, Dirty Protest*	
16. Has the prisoner recently been refused Parole, or not been downgraded after a Category A review:	
17. Relevant up to date Risk Information	
18. Any medical condition which may be exacerbated by the use of cuffs in the court setting for lengthy periods. Healthcare professional to consider:	
19. Completed by Name:/Grade	
20. Endorsed by Name/Grade	
21. Date:	
22. Telephone No:	
23. Designated secure email:	

Section D – Court Decision

Application GRANTED/REFUSED/PART ACCEPTED* (Delete as appropriate)	
Reason (where application refused or part acceptance):	
Resident Judge/Case Judge *over* the case informed:	
Resident Judge/Case Judge comments:	

Signed by Officer of the Court:	
Date:	
Any further comments:	

Following the decision this is to be copied to the court custody contractor

For the Attention of:	
Court Custody Contractor designated email:	

Annex H

CUSTODY MANAGEMENT DIRECTIONS FORM – ESCORT CONTRACTOR

Application to court for improving security arrangements to be completed by the Escort Contractor due to an incident that occurred on route to the court that may require enhanced security at court.

For the Attention of:	

Section A – Prisoner Details

1. Request from Escort Contractor:	**SERCO – WINCANTON / GEO AMEY (Delete)**		
2. Prisoner Name:		**3. DOB:**	
4. NOMS No:		**5. Date of Appearance:**	
6. Court Appearing:		**7. Reason:** **E.g. – Administrative /Trial/Witness/**	
8. Offence:			

Section B – Request Details

9. Reason for Request : (Please refer to the guidance and set out the grounds for making the request due to the incident that occurred on route. The nature of the offence is not a ground to support the application)	
10. What action is the Escort Contractor seeking: (Secure Dock, Restraints/Discreet Restraints, change of court and / or extra staff)	

Section C – Supporting Information

11. Has any supporting information been asked for from the prison? If so what? Provide details. **12. For requests to use a**	
13. Contactor Name:	
14. Contractor Signature:	
15. Date:	

Section D – Court Decision

Application GRANTED/REFUSED/PART ACCEPTED* (Delete as appropriate)	
*Reason (where application refused or part acceptance):	
Resident Judge/Case Judge *over* the case informed:	
Resident Judge/Case Judge comments:	
Signed by Officer of the Court:	
Date:	
Any further comments:	

Section E - **Contractors Actions**

Following the decision this is to be copied to the court custody contractor area office

For the Attention of:	
Court Custody Contractor Fax No:	
Attach copy to PER and mark PER accordingly :	
Contactor Name:	
Contractor Signature:	

Annex I

This Guidance on completing the Custody Management Directions Form is for prison management use – To strengthen the argument as much detail as possible must be shared. <u>This guidance must not be sent to the Court</u>.

Section A – Prisoner Details

1.	Prison name
2.	Who is providing the escort
3.	Prisoner Full Name
4.	DOB
5.	NOMS No
6.	Date of Appearance
7.	Destination and type of Court appearing - i.e. Crown Court, Magistrate Court, Coroner Court, County Court, Youth Court or Family Court.
8.	Administrative (Pleas and Directions/Trial/Witness)
9.	Offence either convicted or charged with.
10.	Category of Prisoner (If Category A – Exceptional ,High Risk or Standard)
11.	Currently on E List or Previous E List – Yes or No (With Dates)

Section B - Request Details

12	This should be the key argument for the request; **Considerations:** Is the access to the court insecure? e.g. Debus from street, no secure cells Is prisoner being moved across a public area? Is the hearing held in an insecure dock? Could the case be moved? Is the journey necessary? (Refer to Prison Court Video Link Guidance)
13.	**Considerations:** Could the case be moved? Could Video Link be used? Application of Approved Restraints - Dock or Witness Use of Secure dock, Secure court room

Section C – Supporting Information

14.	Any dates, and details – was it attempted escape or actual Escape – from Police, Court or Prison or Hospital. Any heighten risks – has prisoner received any bad news lately.
15.	Evidence of Custodial Behaviour or on Escorts - (IEP warnings, Adjudications, Violence, Self Harm, Dirty Protest or erratic Behaviours)
16.	Any recent changes in circumstances i.e. a parole refusal, Cat A review, ROTL, Re categorisation or Categorisation refusal.
17.	Include details of any risks including sanitised information from the Intelligence System, ensuring the source is protected. Consider intelligence for external agencies but refer to the handling code before sharing.(PIO, SBPIO, Local Police)
18.	Any medical condition which may be exacerbated by cuffing in the Court setting for lengthy periods. - Prison healthcare will need to be consulted for all requests for cuffing in court.
19.	Name/grade of person completing the form
20	Name/grade of senior manager endorsing the form
21	Date of application
22.	Your direct telephone contact details
23.	Confirm your designated functional email box

Annex J

This Guidance on completing the Custody Management Directions Form is for PECS Contractors management use – To strengthen the argument as much detail as possible must be shared. <u>This guidance must not be sent to the Court</u>.

Section A – Prisoner Details

1.	Who is making the request and providing the escort
2.	Prisoner Full Name
3.	DOB
4.	NOMS number if relevant
5.	Date of Court Appearance
6.	Court details
7.	Reason for attendance; Pleas and Directions/Trial/Witness/First appearance
8.	Offence either convicted or charged with

Section B - Request Details

9.	This should be the key argument for the request and contain details of the incident that occurred en route. **PECs should also consider:** Is the access to the court insecure? e.g. Debus from street, no secure cells Is prisoner being moved across a public area? Is the hearing held in an insecure dock? Could the case be moved?
10.	**What additional security measures are you requesting?** Secure dock – reasons for Could alternative court be considered? Application of Approved Restraints/Discreet Restraints - Dock or Witness Use of Secure dock, Secure court room Deployment of additional staff

Section C – Supporting Information

11.	Detail any supporting historical information supplied from HMPS; previous incidents – any previous relevant category details.
12.	*If requesting use of approved restraints in Court then a healthcare professional must be consulted for all requests; they will consider and advise if there are/maybe medical conditions that will be exacerbated by prolonged use of restraints in the court setting.* Colleagues should consider consulting healthcare at the sending prison establishment or the medical staff at the discharging Police station.
13.	Contractor details and person submitting form identified.
14..	Contractor signature.
15:	Date of application