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<b>Title</b>	Prisoner Productions Policy
<b>Version</b>	Version 1
<b>Summary</b>	This policy and associated SOP describes the procedure to be followed by MPS OCUs when producing a prisoner from Her Majesty's Prisons Service (HMPS) and private prisons.
<b>Branch / OCU</b>	Specialist Crime Policy Forum.
<b>Date created</b>	May 2010
<b>Review date</b>	May 2013

## **Introduction**

Prisoner productions are a highly effective law enforcement tool in the field of evidence/ intelligence gathering, if used appropriately. The tactic requires careful consideration and management, and relies heavily on staff and supervisors maintaining effective control of a production to prevent its abuse. The cooperation of Her Majesty's Prison Service (HMPS) is critical, and can only be relied upon if police officers ensure that they follow this procedure and carry out productions without incident.

The Offender Management Act, 2007 places new responsibilities on officers carrying out productions to ensure that prisoners returning to prison after production do not do so with unlawful items. Officers must be aware of this, as a failure to comply with this or the guidance within this document may render them liable to criminal or misconduct investigation.

It is advisable that (B)OCU Managers retain a register of prison productions conducted by their officers to monitor the incidence and quality of their productions.

Throughout this document where reference is made to HMPS 'Governor' it should be noted that 'Governor' refers not only to the person in charge of the establishment but any other Governor at that prison who has responsibility for the functions contained in this Policy. In addition, it refers to the equivalent grade at a private prison establishment.

This policy replaces Special Notice 5/04 of 12th March 2004 with immediate effect.

## **Application**

This document sets out the policy for MPS officers seeking to produce prisoners held within HMPS establishments, and/or other institutions to which the Prison Act of 1952 applies.

All police officers and police staff, including the extended police family and those working voluntarily or under contract to the MPS or Metropolitan Police Authority (MPA) must be aware of, and are required to comply with, all relevant MPS Policy and associated procedures.

However, this policy applies in particular to officers and staff in the following roles:

- Borough Operational Command Unit (B)OCU Commanders
- Crime Managers
- Inspectors / Superintendents and above supporting productions
- Officers and supervisors engaged in productions
- Custody Officers
- Prison Intelligence Officers
- Firearms Command Unit (CO5)
- Prison Intelligence Unit (SCD10)

NB. This list is not intended to be exhaustive.

## **Purpose**

Dealing with the inmates of prisons is a sensitive area of work, requiring careful handling and supervision to ensure that officers are not subject to allegations of impropriety. In the past, there was no requirement for a documented risk assessment to accompany a production. From now on, a documented risk assessment will accompany each application for production. The needs of the prison service must also be borne in mind. This SOP sets out the procedure to be followed by officers conducting and leading productions, so that any allegations are minimised and the confidence of the MPS, HMPS and community in the use of this tactic is preserved.

## **Scope**

This procedure applies to HMPS and private prisons in England, Scotland and Wales.

It covers prisoners intended for production for investigative/ intelligence purposes. Separate arrangements exist for prisoners who are being produced to answer a charge/ act as a witness, and for productions associated with witness protection.

## **Policy Statement**

In carrying out prisoner productions the following actions must be completed:

- A production must be supported by an officer of the appropriate rank This is Substantive Inspector, or Substantive Superintendent in the case of Territorial Policing (TP) BOCUs.
- It must be authorised by a prison Governor of Grade F or above.
- The production must be requested on Form 604 Production Order.
- The prisoner must be taken to an accredited police station.
- The conditions set out for the conduct of the production must be adhered to.
- No unauthorised visits are to be made by or to the prisoner whilst on production.
- No prisoner is to return to prison custody following the production with additional items of property to those he left prison with.

## **Benefits**

The benefits of this SOP are:

- Better knowledge of the legislation and associated procedures concerning productions, greater control of productions by managers and supervisors and reduced potential for compromise of the tactic. This will be of benefit as greater knowledge will prevent compromise of the tactic,

smuggling of prohibited items into prison, and potential criticism of the MPS by HMPS.

- Greater consideration of risks associated with productions and management measures to be adopted and documented. Greater consideration will identify potential risks. Identification of risks will necessitate risk management measures being identified and shared with Prison.
- Improved confidence of HMPS and community in MPS officers carrying out productions.

Officers carrying out productions are encouraged to obtain advice from the SCD10 Prison Intelligence Unit (PIU) beforehand. Feedback from productions is received by that unit from HMPS, Police Advisers Section (PAS) and will be incorporated into the monitoring process.

## **Responsibilities**

- This Policy is owned by Commander, Covert Policing
- The OCU Commander SCD10 has responsibility for implementation of this Policy
- This Policy will be monitored and reviewed by the Detective Inspector, SCD10 PIU

## **Associated Documents and Policies**

- Prisoner Productions - Standard Operating Procedure (SOP)
- Officers – particularly Custody Officers – should refer to the Custody SOP,
- Form 604 Production Order on Intranet forms
- Reference is also contained within the Offender Management Act, 2007

Special Notice 5 of 2004 is hereby cancelled.