

NAME.....

PRISON NUMBER.....



# Ministry of **JUSTICE**

## **HMP MANCHESTER COMMUNICATIONS COMPACT**

# HMP MANCHESTER COMMUNICATIONS COMPACT

## PINPHONE SYSTEM: TERMS AND CONDITIONS OF USE BY PRISONERS

Note to staff – this compact must be explained to all prisoners. Prisoners must sign a copy or if a prisoner has reading difficulties the compact must be signed on his/her behalf, before being allowed to use the PIN phone System. A signed copy of the entire document must be retained in the prisoners wing file.

You are being allowed to use the PIN phone system on the following conditions:

1. The Personal Identity Number (PIN), which you have been given, will allow you to use the telephone. Only you must use this PIN number. You must keep it safe. You must not let other prisoners use your PIN and must not use another prisoner's PIN.
2. You are allowed 20 family and friends numbers and 15 legal numbers on your personal directory. Calling or attempting to call unauthorised telephone numbers, using PIN numbers which are not yours, or handing the phone to another prisoner to continue the conversation initiated by the original prisoner on their PIN number may result in disciplinary action against you.
3. The telephone numbers you have on your personal list will be held on your individual account on the computer database which runs the PIN phone system and stored in accordance with the provisions of the Data Protection Act 1998.
4. **CONVERSATIONS WHICH TAKE PLACE USING PRISON PINPHONES WILL BE RECORDED AND MAY BE MONITORED BY PRISON STAFF. PINPHONES CAN BE USED ONLY BY PRISONERS WHO CONSENT TO THIS.**

The Prison Service has a duty to ensure that prisoners are enabled to maintain contact with friends and family where this is in the best interests of both parties. Nevertheless, prisons must balance this with their duty to hold prisoners in lawful custody in well-ordered establishments, and to contribute to prevention and detection of crime. Some regulation of prisoner communications is therefore necessary.

The prisoners Prison Pin Phone system at HMP MANCHESTER is subject to a maximum 3% routine listening on a random basis. All outgoing calls will be monitored in the following cases:

- Any Prisoner held on the Category A unit (E Wing Inner).
- Prisoners who standard or high risk category A.
- Prisoners who are on the Escape (E) list



## Child Protection & Harassment Restriction Conditions

Calls may be monitored up to full monitoring for the points below

- a) Prisoners remanded for, or convicted of, an offence under the Protection from Harassment Act 1997, or subject to a restraining order or injunction. Routine monitoring must continue while an order/injunction is in force, and subsequently if deemed necessary, subject to at least three monthly review.
  - b) Prisoners who are subject to Child Protection & Harassment Restrictions will have family & friends telephone calls recorded and monitored (except conditions as stated in section No.5). Prisoners who are identified as posing a risk to children, subject to review at least every three months
  - c) Prisoners subject to Child Protection & Harassment Restrictions must indicate if their family or friend does not speak English, (as foreign language calls will require translation). If you indicate the person cannot speak English and on verification (by the PPU) that the person can conduct a conversation in English, you are required to speak in English
5. The exception to paragraph 4 is that calls to your legal advisers (as registered by you on the back of this form, or by notifying the PIN phone clerk of subsequent changes), courts, or Confidential Access organisations<sup>1</sup> are privileged and will not be recorded or monitored except where there is reasonable cause to believe that the calls are intended to further a criminal purpose. The decision to monitor these calls will be taken only on the authority of the Chief Operating Officer of the National Offender Management Service. In such circumstances recording will continue for no longer than necessary to establish the facts and to take any action necessary.
6. This form may be used as evidence in any subsequent adjudication involving abuse of the telephone.
- 7. FAILURE TO ABIDE BY THESE CONDITIONS MAY RESULT IN WITHDRAWAL OF ACCESS TO THE TELEPHONE AND DISCIPLINARY ACTION UNDER PRISON RULE 51 (YOI RULE 50).**
- 8a) On production at court you will not be allowed to take the money held on the PIN phones to court. If you insist on having money with you it will not be possible for you to make calls the evening before your court appearance and there will be a potential delay of at least 24 hours on return from court before you can have money credited to your PIN phone account (or longer if you are returned on a Friday).
- 8b) On final discharge you can request that a sum be left in your account for you to make a call the evening before discharge. If you are discharged from court the money can either be sent on to you at the address provided, or you can return to the prison to collect it. On final discharge any sum not used will not be forwarded to you but credited to NACRO as unclaimed private cash (as set out in chapter 13, Finance PSO 7500).
9. No credit cards calls, collect or diverted calls via other telecommunication providers are permitted



10. You must not conduct a conversation on a PIN phone that breaches the following restrictions:

- a. Plans or information which would assist or encourage any disciplinary or criminal offence
- b. Escape plans that might jeopardise the security of prison
- c. Information that might jeopardise national security
- d. Information associated with the making of any weapon, explosive, poison or other destructive device
- e. Obscure or coded messages
- f. Material which would create a clear threat, or present danger of violence or physical harm, to any person, including incitement or racial hatred, or which might place a child's welfare at risk.

Telephone calls between prisoners and the organisations / Individuals below is subject to confidential handling arrangements (PSO 4400 chapter 4):

Calls to your legal advisor, the Samaritans, consular Officials the Prison and Probation Ombudsman, The Criminal Cases Review Commission, or call to certain other reputable organisations who provide personal and confidential help and guidance, are regarded as privileged and will not be monitored.

### **ALL INCOMING MAIL AND OUTGOING MAIL MAY BE MONITORED**

The Prison Service has a duty to ensure that prisoners are enabled to maintain contact with friends and family where this is in the best interests of both parties. Nevertheless, prisons must balance this with their duty to hold prisoners in lawful custody in well-ordered establishments, and to contribute to prevention and detection of crime. Some regulation of prisoner communications is therefore necessary.

The correspondence of prisoners at HMP MANCHESTER is subject to a maximum 5% routine reading on a random basis. All incoming and outgoing correspondence is read in the following cases:

Prisoners on or any unit which holds Category A prisoners.  
Prisoners who are on the Escape (E) list.

### **Child Protection & Harassment Restriction Conditions**

Mail may be monitored up to full monitoring for the points below

- Prisoners remanded for, or convicted of, an offence under the Protection from Harassment Act 1997, or subject to a restraining order or injunction. Routine monitoring must continue while an order/injunction is in force, and subsequently if deemed necessary, subject to at least three monthly review.
- Prisoners who are subject to Child Protection & Harassment Restrictions will have family & friends telephone calls recorded and monitored (except conditions as stated in section No.5). Prisoners who are identified as posing a risk to children, subject to review at least every three months
- Prisoners subject to Child Protection & Harassment Restrictions must indicate if their family or friend does not write English, (as foreign language letters will require translation). If you indicate the person cannot speak English and on verification (by the PPU) that the person can write a letter in English, you are required to write in English.

Correspondence sent in or out that is legally privileged (Prison Rule 39) or to a confidential access organisation, will not normally be opened. However, it should be recognised that it may be opened accidentally or in error if it is not clearly marked in accordance with Rule 39. If staff suspect that a letter marked Rule 39 or Confidential Access may contain an unauthorised item, they may decide to open it in your presence. In exceptional circumstances, the Governor may be so concerned about the contents of the correspondence that they decide to read it in your presence. This would be because they think it may endanger the security of the prison, or someone's safety, or are intended to further a criminal purpose.

### **Written Correspondence – Letter Writing**

Confidential Access Organisations are explained in PSO's 4410 and 4411 – the current list is as follows:

Correspondence between prisoners and the organisations/individuals below is subject to confidential handling arrangements:

- Legal Advisers
- Courts
- Bar Council
- Law Society
- Official Solicitor
- Criminal Cases Review Commission (CCRC)
- Parliamentary Commissioner for Administration (PCA)
- Office for the Supervision of Solicitors (OSS)
- Healthcare Commission
- Office of the Legal Services Ombudsman
- Prisons and Probation Ombudsman (PPO)
- Her Majesty's Inspectorate of Prisons (HMIP)
- Commission for Racial Equality (CRE) – [to be replaced by the Commission for Equality and Human Rights (CEHR) in October 2007]
- Members of Parliament (MP) or Members of the National Assembly for Wales (AM) or Members of European Parliament (MEP)
- Embassy or Consular Officials
- Samaritans

### **THER MAY BE OCCASIONS WHEN THE ESTABLISHMENT WILL TARGET MONITOR YOUR TELEPHONE CALL AND CORRESPONDANCE UPTO FULL MONITORING**

#### **Prisoners use of the Internet and social networking sites such as Facebook**

Prisoners are to be aware that they are not permitted access to the internet/to access or update any social networking site directly or indirectly while in custody by using illicit mobile phones; via a third party, using PIN phones, letters or visits to instruct friends or family to update the sites; or by accessing the internet while on ROTL (Release on Temporary Licence). None of these is acceptable.

Prisoners should also be informed that they are prohibited from possessing or using a mobile phone while in custody.

If a prisoner is discovered to have an active social network profile the provider will be contacted and requested to de-activate it.





*The prisoner must be given a copy of these terms and conditions to keep and the signed copy must be held in the prisoners wing record.*

### **PINPHONE SYSTEM: TERMS AND CONDITIONS OF USE BY PRISONERS**

I have read/have had read to me and understand the terms and conditions of use of the PIN telephone system and I agree to them.

I have/ have not listed below the confidential telephone numbers of my which are to be placed on the confidential side of the Pinphone System.

Name: \_\_\_\_\_

Prison Number: \_\_\_\_\_

Prison: HMP MANCHESTER

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

If the prisoner refuses to sign the document or has literacy difficulties etc, the officer must explain the document to them and endorse the form accordingly including reason in the comments section.

Witnessed by: \_\_\_\_\_

Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Comments

Telephone numbers to be placed on the confidential side of the Pinphone System

FULL NAME	TELEPHONE NUMBER INCLUDING STD CODES												SOLICITOR/ BARISTER ECT

A pin phone application must also be submitted to the pin phone clerk to ensure these numbers are placed on your legal numbers account.

