
STATUTORY INSTRUMENTS

2009 No. 576

**PRISONS, ENGLAND AND WALES
YOUNG OFFENDERS INSTITUTIONS,
ENGLAND AND WALES**

**The Contracted-Out Prisons (Specification
of Restricted Activities) Order 2009**

<i>Made</i>	- - - -	<i>5th March 2009</i>
<i>Laid before Parliament</i>		<i>10th March 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</i>

The Secretary of State, in exercise of the powers conferred by section 86B(2) of the Criminal Justice Act 1991(1), makes the following Order:

Citation and commencement

1. This Order may be cited as the Contracted-Out Prisons (Specification of Restricted Activities) Order 2009 and shall come into force on the 6th April 2009.

Interpretation

2. In this Order—

“fixed post” means a specifically identified position in the prison where the physical presence of a member of staff is used to supplement other physical security barriers or systems;

“select prisoner work parties” means work parties consisting of prisoners who have been the subject of appropriate risk assessment identifying them as requiring lower supervision.

Specified restricted activities

3. The activities specified in the Schedule to this Order may be the subject of authorisations under section 86B(3) of the Criminal Justice Act 1991.

(1) 1991 c.53. Section 86B was inserted by section 18 of the [Offender Management Act 2007, c.21](#). Section 92(1) of the 1991 Act defines “prison” as including a young offender institution.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Signed by authority of the Secretary of State

5th March 2009

David Hanson
Minister of State
Ministry of Justice

SCHEDULE

Article 3

- 1.** General gate duties; in particular
 - the operation of electronic and manual gates, portals, x-ray and metal detector equipment;
 - the routine searching of visitors and staff;
 - carrying out random or targeted searching of any person, acting upon the instruction and supervision of a prisoner custody officer or the director.
- 2.** Control of visitors; in particular
 - checking in visitors (including identification of visitors and use of identification equipment);
 - receiving and searching visitors and property;
 - supervision of storage of visitors' property in lockers;
 - the staffing of any external visitor centre;
 - control and escort of contractors and vehicles (including, where appropriate, searching);
 - carrying out random or targeted searching of any person, acting upon the instruction and supervision of a prisoner custody officer or the director.
- 3.** Communications room or control room duties; in particular
 - monitoring CCTV equipment;
 - monitoring computerised security systems;
 - operating any internal radio communications system.
- 4.** Carrying out patrols of the prison perimeter and grounds; in particular
 - assisting at fixed posts and at internal gates
 - supervision of alarm bell points at prisoner movement times.
- 5.** Carrying out night patrol duties.
- 6.** Searching duties:
 - searching of buildings and other areas of the prison;
 - searching of prisoner property, in particular X-ray searching of property, but not including prisoner accommodation or prisoner's property contained in a cell.
- 7.** Supervising select prisoner work parties; in particular work parties carrying out duties in stores, the mess and the kitchen.
- 8.** Carrying out of Fire Officer duties, and the use of Short Duration Breathing Apparatus (SDBA) or other fire safety systems, which have to be performed by a trained and suitably experienced worker.
- 9.** Routine administrative work ancillary to custodial duties, in particular
 - dealing with prison correspondence, but not including correspondence to or from prisoners;
 - mail distribution and checking;
 - obtaining prisoner signatures for private cash;
 - monitoring of telephones or recordings of telephone calls;
 - inputting information to computerised or manual records.
- 10.** Carrying out canteen and kit exchange, general stores duties or acting as a driver or navigator.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order describes certain activities which a director of a contracted-out prison may authorise a worker at a contracted-out prison to carry out. A worker at a contracted out prison is a person who works at the prison who is not a prisoner custody officer, within the meaning of section 89(1) of the Criminal Justice Act 1991, authorised to perform custodial duties.

The Schedule to this Order sets out description of activities for which authorisations may be given. These activities include:

- (a) general gate and visitor control duties, including routine control and searching of visitors and staff, and property, subject to the restrictions set out in the Order. This includes control and escort of contractors and vehicles;
- (b) Communications Room and Control Room duties; in particular to monitoring CCTV equipment, monitoring computerised security systems and operating internal communications system;
- (c) carrying out patrols of the prison perimeter and grounds; including, where appropriate, carrying out night patrol duties;
- (d) searching buildings and other areas of the prison and searching prisoner property, but not searching prisoner accommodation or prisoners property contained in a cell;
- (e) supervising certain prisoner work parties;
- (f) carrying out Fire Officer duties, where the worker is trained and suitably experienced;
- (g) routine administrative work where appropriate to other duties and other routine operational activities.