

Categorisation – Male Prisoners

What do the different security categories mean?

The official definition of prisoner security categories is as follows:

Cat A – Prisoners whose escape would be highly dangerous to the public or the police or the security of the state and for whom the aim must be to make escape impossible.

Cat B – Prisoners for whom the very highest conditions of security are not necessary, but for whom escape must be made very difficult.

Cat C – Prisoners who cannot be trusted in open conditions, but who do not have the resources and will to make a determined escape attempt.

Cat D – Prisoners who can be reasonably trusted in open conditions.

What determines my initial security categorisation?

According to the Prison Service, “*Prisoners must be categorised objectively according to the likelihood that they will seek to escape and the risk that they would pose should they do so.*”

There is some confusion regarding the criteria for initial categorisation as, although the Prison Service has not formally withdrawn PSO 0900 (Categorisation and Allocation) and this continues to be the published guidance on its website, they insist that the criteria in it have been replaced by those in the National Security Framework, which is not publically available, although the criteria set out in it are repeated in PSI 07/2008, which deals with categorisation for prisoners serving

Indeterminate Sentences for Public Protection (IPPs).

According to the NSF, you will be initially considered as Category B if any one of the following apply:

- € Current determinate sentence of 10 years or over
- € IPP with tariff over 3 years
- € Any other indeterminate sentence
- € Category A during previous sentence
- € Current/previous terrorist offences
- € Been potential/provisional Category A whilst on remand

or any two of the following:

- € Previous sentence of 10 years or over
- € Previous escape from closed prison, police or escort
- € Current or previous serious offence involving: violence/threat to life/firearms/sex/arson/drugs/robbery

If none of these but any of the following apply, you will be considered as Category C.

- € Previous sentence of 12 months or more for violence, threat of violence, arson, sex offence, drug dealing or importation
- € Current sentence of 12 months or more for violence, threat of violence, arson, sex offence, drug dealing or importation
- € Abscond, failure to surrender, breach of bail, HDC or ROTL within past 3 years
- € Outstanding confiscation order or further charges

If none of these apply, you will be considered suitable for Category D. This initial categorisation is then subject to a risk assessment to determine if a higher or lower category than indicated should be applied.

How soon after I have been sentenced should I expect a review to consider my recategorisation?

The first recategorisation review for prisoners serving determinate sentences must take place no later than 12 months after sentence. The only exception to this is Category A prisoners, whose first review takes place 2 years after categorisation.

Category B or C prisoners serving over 12 months but less than 4 years must have their security category reviewed at 6 monthly intervals.

Category B or C prisoners serving more than 4 years must be considered annually.

PSI 16/2008 introduced a new requirement for anyone in the last 30 months of their sentence to have their categorisation reviewed at six-monthly intervals.

Who will decide on my recategorisation?

Category A prisoners are reviewed first by a Local Advisory Panel in the prison and then by the Cat A Team and Committee at Prison Service Headquarters. The review procedure is set out in PSO 1010.

Other non-life sentence prisoners' categorisation is reviewed in the prison. The review may be conducted by a board or a single governor. The decision must be approved by a governor 4 or above (or at least third in charge in smaller prisons), or equivalent grades in privately run prisons.

In the case of **life-sentence prisoners**:

- € recategorisation from A to B is done by the Cat A Team/Committee
- € recategorisation from B to C is done by lifer managers at the prison following sentence planning review boards
- € recategorisation to Category D can only occur following a review by a panel of the Parole Board

When will I be eligible for Category D?

PSI 3/2009 contains criteria for when determinate sentence prisoners can be transferred to open prisons. If you were sentenced under the Criminal Justice Act (CJA) 1991, you cannot generally be moved to Category D if you have more than two years left to your parole eligibility date or five years to your non-parole date. If you were sentenced to a Standard Determinate Sentence under the CJA 2003 you cannot generally be moved to an open prison if you have more than two years to serve to your Conditional Release Date.

Can I appeal if I am not happy with the result after a review of my categorisation?

Yes. There is no special appeals procedure specifically for settling matters of categorisation. If, after a review, you do not believe that you have been placed in the correct category you can pursue your concerns via the normal complaints system. In the case of Category A prisoners, you can still use the complaints procedure but your complaint form will be sent to Prison Service Headquarters for response, rather than being answered in the prison.

If you feel your concerns have still not been addressed satisfactorily you can appeal to the Prisons and Probation Ombudsman (Ashley House, 2 Monck Street, London SW1P 2BQ).

It is also possible in some circumstances to judicially review categorisation decisions.

The Prison Service has a duty to give reasons for decisions about categorisation, so in order to mount your appeal you should request a full explanation of the decision in writing.

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