



Policy Name: Security Categorisation Policy Framework

Re-issue date: 28 April 2025

Re-Implementation Date: 28 April 2025

Replaces the following documents (such as PSIs, PSOs, Custodial Service Specs) which are hereby cancelled*:

PSI 40/2011 Categorisation and Recategorisation of Adult Male Prisoners
 PSI 41/2011 Categorisation and Recategorisation of Young Adult Male Prisoners
 PSI 39/2011 Categorisation and Recategorisation of Women Prisoners*
 Categorisation and Allocation for Prison Custody Service Specification

*This PSI is only cancelled and not in operation once the Digital Categorisation Service (DCS) has been approved for use in a prison. The revised processes and all mandatory actions described in this Policy Framework will apply to all initial categorisation assessments and to all recategorisation assessments (routine or event-driven) which are started on or after the date of implementation.

Introduces amendments to the following documents: None

Action required by:

X	HMPPS HQ	X	Governors
X	Public Sector Prisons	X	Heads of Group
X	Contracted Prisons		HMPPS-run Immigration Removal Centres (IRCs)
X	Probation Service		Under 18 Young Offender Institutions
	HMPPS Rehabilitation Contract Services Team		
	Other providers of Probation and Community Services		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

For Information: The aim of this Policy Framework is to detail the minimum mandatory requirements needed for prisons and institutions to undertake security categorisation.

The roles described in this Policy Framework use the Offender Management in Custody (OMiC) titles where applicable. Throughout this document, the term Governor also applies to Directors of Contracted Prisons.

Scope

This Policy Framework applies to the categorisation and recategorisation of:

- All determinate and Indeterminate Sentence Prisoners (ISPs) being considered for recategorization to closed conditions, who are not Category A or Restricted Status (RS).
- All determinate sentence prisoners being considered for recategorization to open conditions, who are not Category A or Restricted Status (RS).
- Civil Prisoners, who are treated in the same way as convicted prisoners for the purposes of categorisation (see PSO 4600 'Unconvicted, Unsented and Civil Prisoners').

This Policy Framework must be read in conjunction with policies and guidance relating to ISPs, Recalled Prisoners and Category A/Restricted Status, including:

- [Progressive Transfers for Indeterminate Sentence Prisoners Policy Framework](#)
- PSI 9/2015, ('[The Identification, Initial Categorisation and Management of Potential and Provisional Category A/Restricted Status Prisoners](#)')
- PSI 8/2013, ('[The Review of Security Category – Category A/Restricted Status Prisoners](#)').
- [Generic Parole Process Policy Framework](#)
- [Recall, review and re-release of recalled prisoners](#)

This Policy Framework does not apply to:

- The Category A Review panel is responsible for all categorisation decisions for indeterminate sentenced Category A prisoners. See [PSI 08/2013 Reviewing the categorisation of high security prisoners](#).
- The assessment of Category B or C ISPs suitability (and continued suitability) for open conditions, all such decisions sit with Secretary of State for Justice (SSJ), who may delegate the decision to officials in Public Protection Casework Section (PPCS). This also applies where a prisoner is serving a determinate sentence at the same time as an indeterminate sentence, and prisoners who receive a new determinate sentence, whilst serving an indeterminate sentence.
- Prisoners released on licence and then remanded into custody on new charges but who have not formally been recalled. These prisoners should be treated as unconvicted.
- Prisoners held solely under Immigration powers, under the [Immigration Act 1971](#) (also known as IS91s) to whom [PSI 52/2011 - Immigration, Repatriation and Removal Services](#) applies.

How will this Policy Framework be audited or monitored:

Mandatory elements of this Policy Framework must be subject to local management checks. Quality assurance for public sector prisons and contracted prisons is provided by HMPPS Performance, Assurance and Risk (PAR) Group through the security audit.

Resource Impact:

Use of the Policy Framework in conjunction with the Digital Categorisation Service (DCS) will reduce the time it takes staff in the women's prisons to complete assessments. Considering determinate sentence prisoners for open conditions with 5 years left to serve, and as a result commencing yearly assessments at this point, may mean there is some impact on resource.

Please contact: categorisation@justice.gov.uk

Deputy/Group Director sign-off: Andrew Rodgers, Deputy Director, Operational Security Group, Directorate of Security.

Approved by OPS for publication: Helen Judge, Chair, Operational Policy Sub-board, March 2025

Revisions

Date	Changes
18 March 2024	Updates to change the eligibility timeframe for open conditions for those serving a sentence with a Parole Eligibility Date.
28 April 2025	<p>A number of updates to:</p> <ul style="list-style-type: none"> • include the Female Prison Estate; • change general eligibility for open conditions from 3 years to 5 years; • clarify and strengthen the mandatory policy requirements to (a) refer to the Offender Assessment System (OASys) when recategorising a prisoner and (b) to review the OASys prior to any prisoner being considered for Category D/Open; • clarify and strengthen the mandatory policy requirement to inform Victim Liaison Officers when a prisoner is due to be considered for Category D/Open; • implement a mandatory 7-day review for moves to open conditions. prior to the actual date of transfer to confirm continued suitability; and • make input from Security Departments for recategorisation reviews mandatory. <p>Also includes other minor and drafting updates required to clarify existing policy and/or to bring this framework in line with other policies.</p>

CONTENTS

Section	Title	Page
1	PURPOSE	5
2	OUTCOMES	5
3	CONTEXT	5
3.1	General principles of categorisation assessments	5
4	REQUIREMENTS	6
4.1	Gathering, sharing and disclosing information	6
4.2	Roles and responsibilities	7
4.3	Prisoners that require a categorisation assessment	7
4.4	Initial Categorisation	8
4.5	Recategorisation	8
4.6	Categorisation to a lower security category	11
4.7	Categorisation to a higher security category	11
4.8	Remaining in current category	12
4.9	Categorisation to open conditions – Determinate Sentenced Prisoners	12
4.10	Victim Contact Scheme (VCS)	15
4.11	Category A and Restricted Status prisoners	16
4.12	Indeterminate Sentence Prisoners (ISPs)	16
4.13	Young offenders in male estate	17
4.14	Young offenders in female estate	18
4.15	Recalled prisoners	18
4.16	Foreign National Offenders (FNOs)	19
4.17	Terrorist and terrorism connected offenders	20
4.18	Transgender prisoners	21
4.19	Returns from inpatient mental health services	21
4.20	Representations and appeals	22
4.21	Withholding information	23
5	GUIDANCE	23
5.1	Security category definitions	23
5.2	Risk information	24
5.3	Procedural justice	25
5.4	De-biasing decisions	25
5.5	Digital Categorisation Service (DCS)	25
6	GLOSSARY	26

1. PURPOSE

- 1.1.1 Security categorisation is a risk management process, the purpose of which is to ensure that those sentenced to custody are assigned the lowest security category appropriate to managing their risk of:
- escape or abscond;
 - harm to the public;
 - ongoing criminality in custody;
 - violent or other behaviour that impacts the safety of those within the prison; and
 - control issues that disrupt the security and good order of the prison.
- 1.1.2 Allocation is a separate process from categorisation, the purpose of which is to assign prisoners to a suitably secure prison which meets their needs effectively insofar as pressures on prison spaces allow. Prisoners may be assigned a particular category even if it is not possible to allocate them to a prison of that category immediately.
- 1.1.3 The National Allocation Protocol, held by the Offender Flows and Configuration Team in HMPPS (offenderflowsandconfiguration@justice.gov.uk), advises prison staff on the prisoner journey. The protocol provides understanding of the allocation of prisoners through the custodial estate to aid their progression, improve prisoner management to ensure offenders are allocated to the most appropriate prison and reduce the depth of imprisonment.
- 1.1.4 Effective security categorisation is fundamental to supporting HMPPS's work to carry out the sentences given by the courts, prevent victims, and reduce reoffending by rehabilitating the people in our care.

2. OUTCOMES

- 2.1 Use of this Policy Framework and supporting documents will ensure that staff are able to sufficiently assess those sentenced to custody to the most appropriate category for managing their risks and that categorisation decisions are fair, objective and consistent.

3. CONTEXT

3.1 General principles of categorisation assessments

- 3.1.1 Under Rule 7, Prison Rules 1999, ('The Prison Rules'), subject to certain exceptions, "prisoners shall be classified, in accordance with any directions of the Secretary of State, having regard to their age, temperament and record and with a view to maintaining good order and facilitating training and, in the case of convicted prisoners, of furthering the purpose of their training and treatment".
- 3.1.2 Security categorisation decisions must be made in accordance with [The Prison Rules](#).
- 3.1.3 The security categorisation process provides for a holistic assessment of risk, taking account of a broad range of information from criminal justice agencies, intelligence partners and policing, where available. It supports the categorisation of prisoners to security conditions best suited to managing their risks. Categorisation is neither a reward for good, compliant behaviour nor used as a punishment. All categorisation decisions must be fair and objective and made on risk factors alone.
- 3.1.4 The categorisation process must not discriminate against people with protected characteristics under the Equality Act 2010: age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In some cases, a relevant risk factor may arise from, or be linked to, a prisoner's protected characteristic, in which case only the relevant factor must be taken

into account and the distinction between it and the protected characteristic must be made clear. For example, a prisoner's disability may mean they have reduced mobility which impacts their abscond risk and therefore their security category. Their reduced mobility, rather than the fact they are disabled, may be relevant to their risk. Security categorisation decisions must not be influenced by factors not relevant to the prisoner's risk.

- 3.1.5 It is important to consider the characteristics of the conditions for which the prisoner is being assessed, taking account of both physical and procedural security. This is particularly important when considering whether to categorise to open prisons. Categorisation to open conditions must be based on the prisoner's manageable security risks, as outlined in section 1.1.2.
- 3.1.6 A prisoner's security category must not be adjusted to achieve a better match with available spaces within the estate. A prisoner can be held in a prison of a category higher than their own if they are awaiting an appropriate allocation, or to access offending behaviour work, where this is unavailable in a lower category prison.
- 3.1.7 A prisoner must not be allocated to a prison of a lower security category than the security category assigned to them.
- 3.1.8 Categorisation and recategorisation can be a sensitive stage in a prisoner's sentence. Staff involved in notifying the prisoner of their categorisation decision must be aware of the possibility that an adverse or disappointing outcome could lead to self-harm and suicide. It is important to be alert for any signs that the prisoner's risk of harm to themselves has increased. A prisoner who has been disappointed may also become violent to staff or other prisoners. More details of how to manage these situations are in the [Prison Safety Policy Framework](#).

4. REQUIREMENTS

4.1 Gathering, sharing and disclosing information

- 4.1.1 There must be procedures in place for intelligence relevant to the assessment from within HMPPS and from external partners to be gathered in a timely manner. All gathered intelligence must be handled in line with the [Intelligence Collection, Analysis and Dissemination Policy Framework](#).
- 4.1.2 A categorisation decision is significant, and it is important that it is relayed to the prisoner in a timely and appropriate manner. Prisons must have processes in place to ensure that prisoners understand why categorisation decisions have been made, in order to uphold the principles of procedural justice. It will generally be the Prison Offender Manager (POM) who communicates the categorisation decision to the prisoner who is being categorised.
- 4.1.3 Prisoners may request a printed copy of their categorisation assessment. These requests constitute Subject Access Requests and General Data Protection Regulations (GDPR) applies, however given the time-sensitive nature and importance to the prisoner, information must be provided within 3 working days rather than the usual GDPR timescales. To make this request contact: data.access1@justice.gov.uk.
- 4.1.4 If the prisoner has difficulty understanding their categorisation assessment, an explanation must be given verbally or in a manner and format which the prisoner understands.

4.2 Roles and responsibilities

- 4.2.1 The Head of Offender Management Services (HOMS) is responsible for overseeing the categorisation/recategorisation process, it is their responsibility to:
- ensure that decisions are fair, consistent and taken without bias;

- ensure that staff are confident and competent in making decisions;
- ensure that staff completing assessments using the DCS are confident and competent in its use;
- provide quality assurance of decision making;
- collect and analyse data on protected characteristics to ensure there is not a disproportionate impact of categorisation decisions.

4.2.2 The categorisation assessment and recommendation must be undertaken by the prisoner's POM, or another member of staff who has a similar risk assessment role and has been delegated by the Governor.

4.2.3 Where a prisoner has a key worker, they can play an important role in supporting a prisoner's engagement in rehabilitation, including notifying any issues of concern to the prisoner's POM, and providing support and guidance where an adverse categorisation outcome is received (see [Gathering, sharing and disclosing information](#) section for further information). Not all prisoners will have a key worker, for example, some women prisoners and prisoners residing in the open prison. The key worker (or equivalent) may also be the first point of contact if a prisoner is concerned, or has questions about, their categorisation decision. Key workers (or their equivalents) should have a general understanding of the categorisation process described in this Policy Framework, so that they can provide the relevant information and support to the prisoner's POM where necessary.

4.2.4 Where a prisoner who has been held as a confirmed Category A/Restricted Status prisoner in the past five years is recommended for Category C, input must be sought from the Category A Team in the Directorate of Security (CategoryA.HSE@justice.gov.uk) before a categorisation assessment and recommendation is made. The Category A Team will then review the relevant Category A file, the Executive Director's views at the time of the downgrade to Category B and consider the rationale for the recommendation for lower security conditions. The Category A Team will then make a recommendation to the Governing Governor of the prison in which the prisoner is held, who will make the final decision, the justification for which should be recorded on the DCS.

4.3 Prisoners that require a categorisation assessment

4.3.1 All newly sentenced prisoners, other than those who are Provisional Category A/Restricted Status or those with 28 days or less left to serve, will have an initial categorisation assessment. Those serving a recall with more than 28 days left to serve will also be categorised upon their return to custody.

4.3.2 The following prisoners do not need to be categorised but will generally remain in a reception prison for the duration of their time in custody, those:

- with 28 days or less left to serve to earliest release at the point of initial categorisation;
- subject to Fixed Term Recall (FTR);
- recalled (Section 255 recall) from Home Detention Curfew (HDC) for breaching curfew conditions with less than 28 days left to serve

In circumstances where it is in their interest to be allocated to an alternative prison, for example to be closer to family, or where operational needs mean they must be moved; they must first be categorised using the process described in this Policy Framework.

4.3.3 Prisoners being returned to custody from abroad will also have an initial categorisation. In completing the categorisation assessment, any relevant risk information provided by the sending country should be considered.

4.3.4 [PSO 4600 Unconvicted, Unsentenced and Civil Prisoners](#) gives detailed guidance on categorisation and allocation and the procedures involved, including those to be applied to unconvicted and civil prisoners.

- 4.3.5 Unconvicted prisoners will normally be held in a reception or local prison. If it is necessary to move them to another prison, including a prison of another category, they must be categorised, and the categorisation assessment must be approved by the Prison Group Director (PGD).
- 4.3.6 A Civil Prisoner is someone who has been imprisoned for an offence that is not a crime, such as failure to pay a debt, or defaulting on a confiscation order. Civil prisoners are treated the same as convicted prisoners, they should be categorised unless their sentence is shorter than 28 days.
- 4.3.7 Civil prisoners will not have an OASys assessments, so rules relating to OASys assessments being mandatory at recategorisation will not apply to their cohort and other available risk information, such as any money owed and whether it constitutes a risk of abscond, will need to be utilised to assess their risk level.
- 4.3.8 Children transferring from YCS will also not have an OASys, so are not required to have an up-to-date OASys when performing a categorisation assessment, information from the Asset Plus assessment should be used instead, (this is from the Youth Justice Application Framework, a printed copy can be provided to the receiving site).

4.4 **Initial Categorisation**

Initial categorisation – when prisoners need categorising

- 4.4.1 The initial security categorisation assessment must be completed by the POM within 10 working days of sentencing. This is to enable transfer to an appropriate prison as soon as possible. The assessing prison must ensure that those who need to contribute to the risk assessment can do so in a timely manner.

Initial categorisation – what needs considering

- 4.4.2 The initial categorisation assessment determines the prisoner's initial security category. Because it is completed very shortly after conviction and sentencing, there will be varying levels of information available about prisoners depending on whether they have been in custody on remand or during a previous sentence; from pre-sentence reports or previous OASys or from partner law enforcement agencies.
- 4.4.3 The initial security categorisation must take account of the prisoner's current identified risks, including information about their capability to cause harm or to continue with criminality from custody.
- 4.4.4 In all cases it is vital to weigh up all available information and to arrive at a security categorisation outcome that reflects the individual circumstances of the case.

4.5 **Recategorisation**

- 4.5.1 Categorisation reviews ensure that prisoners continue to be assigned to the security category most appropriate to managing their risk throughout their time in prison. The aim is that prisoners will, at all stages of their sentence, be held in the lowest security conditions necessary to manage their identified risk.

Recategorisation – scheduling

- 4.5.2 Prisoners serving a determinate sentence and categorised to closed conditions must be reviewed every 12 months until they have less than 3 years left to serve to earliest release. Where the time left to serve to earliest release is less than 3 years, prisoners must be reviewed every 6 months.

- 4.5.3 For prisoners serving indeterminate sentences, including those serving a determinate sentence at the same time as an indeterminate sentence, categorisation reviews should take place in line with scheduled sentence planning reviews unless the prisoner needs to be able to access a progression opportunity at a prison of a lower category, in which case there will be a categorisation review at that point, outside of the planned sentence planning timetable. More information can be found in the [Progressive Transfers for Indeterminate Sentence Prisoners Policy Framework](#).
- 4.5.4 A non-routine review of a prisoner's security categorisation must take place whenever there is a change in circumstances that impacts their security risk, or information is identified (including existing information not considered before) that indicates that the prisoner cannot safely be managed in the current security conditions. This might include an assault in custody, or new information concerning connections to serious organised crime. Such reviews can take place at any time.
- 4.5.5 A non-routine review of a prisoner's security categorisation should be considered whenever there is a change in circumstances that indicate a significant reduction in risk, such as the completion of offending behaviour work, which suggests they may now be suitable to be held in lower security conditions. Such reviews can also take place at any time.
- 4.5.6 For recalled determinate and indeterminate sentenced prisoners see section 4.15.
- 4.5.7 The categorisation of an adult male prisoner may be reviewed when they are being considered for, or have been placed on, the E-list. Please see paragraph 4.48 of the [E-List Policy Framework](#) for further information. For adult women prisoners, consideration should be given to developing other strategies to limit movement and challenge behaviour or to re-allocate to a prison with greater physical security. Male young adult, young people and women prisoners already held in closed prisons may be considered for referral to restricted status only in accordance with [PSI 08/2013 Reviewing the Categorisation of High Security Prisoners](#).
- 4.5.8 Prisoners held in open conditions will not have routine reviews of their security category but may be recategorised to higher security at any time if their risk increases, if there is a material change in circumstances that impacts security risk, or information (including existing information not considered before) is identified that indicates that the prisoner cannot safely be managed in the current security conditions. For ISPs in open conditions, categorisation would take place following the adverse development process (for further information see [Generic Parole Process Policy Framework](#)).
- 4.5.9 There is no mandated routine review of categorisation for offenders in a young offender institute (YOI) until they are turning 21 (see sections on Young Offenders in [Male](#) and [Female](#) prisons). Their categorisation can, however, be reviewed at any time if a change in circumstances indicates they would be suitable for open conditions or need heightened security measures.
- 4.5.10 A prisoner's routine recategorisation review must not be withheld or delayed awaiting the outcome of a parole hearing. The review should take place at the normal time unless, there is an urgent need to transfer the prisoner for security, compassionate or discipline reasons; or to access a progression opportunity in line with their sentence plan. If the prisoner is moved before the dossier is completed, then it is the responsibility of the sending prison to complete the dossier. Moves of ISPs to open conditions will normally require a recommendation from the Parole Board and all such decisions sit with officials in PPCS on behalf of the SSJ (for further information see Generic Parole Process Policy Framework), other than in Category A ISP cases which are the responsibility of the Category A Review panel.

4.5.11 Recalled prisoners should not be transferred until the Part B has been disclosed following contact between the prisoner and the COM. For further information see Progressive Transfers for Indeterminate Sentence Prisoners Policy Framework - GOV.UK and Recall, review and re-release of recalled prisoners - GOV.UK

Recategorisation – what information must be considered

4.5.12 The categorisation review must assess the prisoner's current risks, information about their behaviour in custody and positive efforts made towards rehabilitation, and at what level of security the identified risks can be best managed.

4.5.13 At the review stage there will be a greater degree of information available including from OASys, other risk assessments as well as evidence about behaviour and rehabilitation. At review stage, for the categorisation review to be completed, it is mandatory that the OASys record is in date in line with OMiC timescales.

4.5.14 The OASys needs to reflect the current risk presented, how the risk can be managed and the identified sentence plan. The POM needs to be confident that the OASys presented is an accurate assessment. If a pre-existing OASys meets these criteria, an OASys review is not required solely for the purpose of categorisation. If the prisoner is being reviewed at a significant event, such as the first time they are considered for open conditions, or recategorisation to a higher security category, a review of the OASys should be completed.

4.5.15 If the OASys record is not up-to-date in line with OMiC timescales, and the assessment cannot therefore be completed before it's due date, permission must be sought from the HOMS to delay the completion of the categorisation assessment, with the permission decision recorded in their case notes. An up-to-date OASys will reflect the index offence, the prisoner's current circumstances and provide an accurate risk assessment of how these risks will be managed. This delay must be communicated to the prisoner so that they are aware of the situation and why their assessment has been delayed. Every effort must be made in liaison with the officer responsible for the OASys to ensure that it is updated promptly to ensure the categorisation can proceed.

4.5.16 There must be processes in place to ensure that information relevant to the categorisation assessment is provided by various departments (for example key worker, security, prison intelligence unit, probation, interventions, education and psychology) in a timely manner.

4.5.17 Input from the security department is mandatory for a recategorisation review, as security intelligence is a vital part of ensuring a prisoner is categorised appropriately. Every effort must be made by the security department to provide the information within 10 working days of receipt of the referral.

4.5.18 If it is not possible to obtain security information promptly from the security department, permission must be sought from the HOMS to delay the completion of the categorisation assessment, with the permission decision recorded. This delay must be communicated to the prisoner so that they are aware of the situation and why their assessment has been delayed.

4.5.19 When assessing for open conditions, it must be confirmed if there is a related victim participating in the Victim Contact Scheme and any victims' issues considered in line with the procedures laid out in 4.10.

4.6 Categorisation to a lower security category

4.6.1 Recategorisation to a lower security category is not an automatic progression or right. It must be based on an assessment that the prisoner can safely and securely be managed in lower security conditions.

- 4.6.2 All available information including positive, as well as negative, aspects of behaviour must be considered as part of the risk assessment, including the extent to which the prisoner engages successfully with the prison regime, and work and training opportunities.
- 4.6.3 Good behaviour on its own is not sufficient reason to recategorise a prisoner to a lower security category. A prisoner displaying outwardly good behaviour may be involved in serious organised crime (SOC) within the prison, or intimidation and bullying of others which would make them unsuitable for recategorisation to lower security conditions. The security department must therefore make the POM aware of any information or intelligence relevant to the categorisation decision.
- 4.6.4 Where a prisoner is known to be involved in SOC or where there are SOC related queries, consideration should be given to seek input from the regional serious and organised crime lead (SOC.Ops@justice.gov.uk), in order to better inform the categorisation risk assessment.
- 4.6.5 In some cases, risk reduction and suitability for lower security conditions can be evidenced by sustained implementation of skills learned through offending behaviour or other risk reduction work. Where this work hasn't been available or appropriate for prisoners to complete, such as where prisoners with complex health and social care needs have been unable to undertake this work, staff must look to other sources of information regarding suitability for the lower security category. Any prisoner midway through an Offending Behaviour Programme should not be considered for movement to open conditions until the course is completed. In assessing recategorisation of male prisoners from B to C, consideration should be given to whether outstanding offending behaviour work can be completed in a lower category prison where there is other evidence of appropriate risk reduction.
- 4.7 Categorisation to a higher security category**
- 4.7.1 An increase in a prisoner's security category must be based on an assessment that the risks or behaviour presented can only be managed in conditions of higher security.
- 4.7.2 Recategorisation to a higher security category may be an immediate response to an incident or a material change in circumstances that impacts security risk, or information (including existing information not considered before) is identified that indicates that the prisoner cannot safely be managed in the current security conditions.
- 4.7.3 For those held in open conditions, this will usually mean the prisoner must quickly be transferred to closed conditions. Where possible, the aim should be to complete the recategorisation decision before transfer. Where operational needs mean the prisoner must be transferred before this can be completed or approved, then the sending prison must complete the assessment subsequently, or forward all necessary information to the receiving prison within two working days of transfer, so that the recategorisation can be completed at the new prison.
- 4.7.4 A categorisation to a higher-level security is considered a significant event in the prisoner's custodial journey, therefore an OASys review must be completed by the responsible officer in the sending establishment to reflect the change in circumstances that have indicated their risk is no longer manageable in a less secure environment. It is expected the OASys assessment is completed prior to assessment, however where this has not been possible, then it should be completed as soon as possible post transfer.
- 4.7.5 For people serving indeterminate sentence transferred back to closed conditions, the prison must only formally recategorise the prisoner once PPCS on behalf of the SSJ has confirmed that the prisoner must be held in closed conditions.

- 4.7.6 For those prisoners in Category C, the recategorisation process must, wherever possible, be completed prior to transfer to a prison of higher security.
- 4.7.7 When being categorised to a higher category, the POM must include an assessment of why the risks or behaviour can only be managed in conditions of higher security. It is not enough simply to record that the lower category is no longer suitable. The decision and reasons must be recorded on the DCS. If there are security concerns that prevent full disclosure of the reasons for recategorisation, particularly in cases where the recategorisation may be based on the security department's assessment of intelligence, then it must be recorded separately (see [Withholding information](#) section 4.21).
- 4.7.8 A recategorisation to higher security conditions will be a particularly sensitive event for the prisoner and staff should be aware of the possibility of self-harm or suicide. Staff should refer to the [Prison Safety Policy Framework](#) when managing such cases.

4.8 **Remaining in current category**

- 4.8.1 If after a routine recategorisation assessment it is decided that the prisoner needs to remain in their current security category, the reasons why these security conditions are considered appropriate must clearly be recorded in their assessment, together with any recommendations for actions required to evidence a reduction in risk and progression at a subsequent review. These recommendations must be discussed with the prisoner so that they understand what actions they are required to take to have the best opportunity to progress to lower security conditions.

4.9 **Categorisation to open conditions – Determinate Sentenced Prisoners**

- 4.9.1 Those serving a determinate sentence will be eligible for consideration for open conditions when they reach 5 years from their earliest release date. This will be the PED for sentences that have one, otherwise it will be the CRD. Those serving an indeterminate sentence are not assessed for open conditions by the prison, for more information on ISPs see section 4.12
- 4.9.2 The particular conditions and regime of open prisons mean that only those with less than 5 years left to serve to earliest release should normally be considered for open conditions. Where individual circumstances indicate that open conditions would be appropriate with 5 years or more left to serve, a recommendation for open conditions should be made to the Governing Governor of the prison in which the prisoner is held, who must decide whether or not to approve the recommendation. If approved, the date the approval was given and the reasons and justification for the decision must be recorded on the DCS.
- 4.9.3 To be eligible for categorisation to open conditions, a determinate sentence prisoner without a parole eligibility date must have less than 5 years left to serve to the Conditional Release Date (CRD), and a determinate sentence prisoner with a parole eligibility date must have less than 5 years left to serve to the Parole Eligibility Date (PED). Once a prisoner has reached PED, they are eligible for consideration for open conditions irrespective of the time left to serve to CRD.
- 4.9.4 Determinate sentences that have a PED include most Extended Determinate Sentences (EDS), sentences for offences that fall under the Terrorist Offenders (Restriction of Early Release) Act 2020 (see Terrorist and terrorist risk offenders section 4.17), and Sentence for Offenders of Particular Concern (SOPC) under s236A of the Criminal Justice Act 2003. It will also include those who are serving legacy determinate sentences that have a PED, including Extended Sentences for Public Protection (EPP). Any prisoner serving a determinate sentence with a PED will have their release at PED considered by the Parole Board who will make a direction regarding release to PPCS, but the categorisation assessment to D/Open remains a decision for the prison.

- 4.9.5 Subject to constraints set out elsewhere in this Policy Framework, categorisation to open conditions in advance of PED will enable appropriate prisoners to demonstrate to the Parole Board that they are suitable for release. However, these sentences are given when there are public protection issues and so any benefit to the prisoner must carefully be weighed against the risk to the public. There should be a clear management plan in place to allow for the risk to be managed safely. Relevant specialist units must have the opportunity to contribute to the categorisation assessment.
- 4.9.6 Each case is considered on its individual merits and, where open conditions is recommended outside the general timescales referred to above, the categorisation decision must be taken by the Governing Governor of the prison in which the prisoner is held. If approved, the reasons and justification for the decision must be recorded in the DCS.
- 4.9.7 In addition to being within the eligibility timeframe for open conditions, the prisoner must be assessed as:
- low risk of abscond;
 - low risk of serious harm to the public or at recategorisation has a suitable plan in place to manage identified risk;
 - unlikely to continue criminality while in custody;
 - unlikely to otherwise undermine the low security or disrupt the good order/regime of open conditions; and
 - not presenting a risk of violence to prison staff, or any other prisoner.
- 4.9.8 At initial categorisation there may be no recent custodial history and little information available to assess a prisoner as meeting these criteria. Every effort must be made to obtain information necessary to make an informed decision. Where there is insufficient information to determine that risks are manageable in open conditions, the prisoner must be assessed to closed conditions.
- 4.9.9 At initial categorisation, unless the risk of serious harm to the public in the community and in custody is assessed as low, open conditions will not be appropriate given the low physical security and community-facing nature of such prisons.
- 4.9.10 The degree of risk of serious harm to the public and the nature of that risk will normally be identified through an OASys assessment which may not be available at initial categorisation. If this is the case, the risk must be assessed through other means, such as from other documents prepared for court including the Risk of Serious Harm Assessment (RoSHA) or other standalone information such as the Risk of Serious Recidivism (RSR) score. In circumstances where insufficient information is available at the point of initial categorisation, a period of assessment in closed conditions may be necessary.
- 4.9.11 Prisoners with any of the following during the current sentence must not be categorised to open conditions:
- Currently on the Escape List (E-List);
 - Foreign National Offenders (FNOs) where there is both a deportation order against the prisoner and their appeal rights from the UK have been exhausted. These prisoners are referred to as “Appeal Rights Exhausted” (ARE). Please see section 4.16.
- 4.9.12 Determinate sentence prisoners with an “abscond history” must not be categorised to open conditions. A prisoner has an “abscond history” for the purposes of this policy when they have: absconded from open conditions; failed to return from a period of ROTL; been convicted of a criminal offence that took place while on ROTL or escaped or attempted to escape from custody and where that event:
- Took place within two years before the date of the recategorisation underway, the target date for the next parole hearing or the first date of the proposed ROTL; or
 - Any of these events have occurred more than once during the current sentence.

Risk information for assessment for open conditions

- 4.9.13 In cases where the prisoner is considered to present a high or very high risk of serious harm to the public or to others, if a decision is taken that they can be managed safely in open conditions, the reasons and justification must be fully recorded on the DCS and there must be an appropriate risk management plan in place. This must detail how the prisoner can safely be managed, given the low physical security conditions and community-facing nature of open prisons.
- 4.9.14 Where a prisoner has previously been identified as posing a risk of escape, the assessment must consider when this was recorded and the nature of the information. A balanced decision must be made based on an individual assessment of the current risk of escape and should reference the risk of abscond within the risk assessment.
- 4.9.15 When considering anyone for open conditions, the responsible offender manager must confirm if there is a related victim participating in the Victim Contact Scheme and consider any victims issues in line with the procedures laid out in 4.10.
- 4.9.16 For all offenders serving a determinate sentence, a mandatory review of a prisoner's continued suitability to progress to open conditions must be undertaken no more than 7 days prior to the transfer to open conditions. The check must be completed before the move takes place. The check should look at case notes, intelligence reports, outstanding adjudications, and any other relevant matter to confirm that the prisoner still meets the criteria for a move to open conditions. Once undertaken, an entry must be made on Digital Prisons Service to confirm the check has been completed and that they should still progress to open conditions. This review can be performed by the allocated POM, who will have the best knowledge of the case. If the decision is made that a prisoner no longer meets the requirements for a move to open conditions, a new recategorisation assessment must be completed as soon as practically possible.
- 4.9.17 A negative result from the 7-day check which prevents a prisoner from accessing open conditions will be a particularly sensitive event for the prisoner and staff should be aware of the possibility of self-harm or suicide. Staff should refer to the [Prison Safety Policy Framework](#) when managing such cases.

Completion of OASys for recategorisation assessments for open conditions

- 4.9.18 When a prisoner is being considered for a move to open conditions for the first time during their sentence via a full categorisation assessment an OASys review must have taken place prior to a recategorisation assessment being started. The review must be completed to inform the suitability of the prisoner to move to a less secure environment. The OASys must consider whether the risk can be managed in open conditions and whether the move is beneficial to the prisoner's progression and resettlement into the community. The OASys update must include an updated risk management and sentence plan. Reference must be made to open conditions and access to ROTL, and the community risk must be considered in line with the ROSH. The OASys must be completed even if the POM is not supportive of the move.
- 4.9.19 If there is not an up-to-date OASys record, permission must be sought from the HOMS to delay the completion of the categorisation assessment, with the permission decision recorded. This delay must be communicated to the prisoner so that they are aware of the situation and why their assessment has been delayed. Every effort must be made in liaison with the officer responsible for the OASys to ensure that it is updated promptly to ensure the categorisation can proceed.

- 4.9.20 In the event the prisoner is unsuccessful at securing a recategorisation from closed to open conditions; upon any subsequent application, the OASys must reflect current risk and progression. If the last OASys completed does not include this, a further review to offer current information is required.
- 4.9.21 The OASys needs to reflect the current risk presented, how the risk can be managed and the identified sentence plan. The responsible officer needs to be confident that the OASys presented is an accurate assessment, that the OASys meets the criteria for open conditions and includes an updated risk management and sentence plan, reference to open conditions and access to ROTL and the community risk has been considered in line with the ROSH. If a pre-existing OASys meets the above criteria, an OASys review is not required solely for the purpose of categorisation.
- 4.9.22 Where open conditions are being considered, the DCS must be updated to include a contextual summary of relevant risk information from OASys and must include the date OASys was last reviewed.

4.10 **Victim Contact Scheme**

- 4.10.1 When considering anyone for open conditions, the responsible offender manager must verify with the Victim Contact Scheme (VCS) whether any victims of the offender have chosen to participate in the service. The offender manager must confirm they have performed a check with VCS and record any pertinent risk information that has been provided on the DCS before the categorisation decision is made. It is important to note that victims can opt into the Victim Contact Scheme at any point in the sentence, and so a check needs to be made each time recategorisation is considered.
- 4.10.2 The VCS is open to victims of specified violent or sexual crimes where the offender is sentenced to 12 months or more. Victims who participate in the scheme have certain statutory rights, which include being notified (through the Victim Liaison Officer - VLO) of key stages in a prisoner's sentence. Categorisation to open conditions is a key stage. Any victim who has elected to be updated about a prisoner's key stages is required to be notified when a prisoner is being considered for open conditions, when the outcome of that assessment is known, and again once the move has taken place. The responsible officer must inform the VLO at each stage in the process.
- 4.10.3 If the victims are participating, the offender manager must advise the VLO that the re-categorisation review is taking place and allow the VLO 14 days to notify the victim and provide a response to the offender manager prior to finalising a re-categorisation decision. The offender manager must enquire with the VLO as to whether the victim has any relevant risk information to provide in relation to a potential move to open conditions, such as unwanted prisoner contact. This will also ensure the victim(s) can give an indication of the likely areas they will request as exclusion zones in preparation for ROTL, should the re-categorisation be granted. This information could be helpful when the location of the open prison is considered, should a move to an open prison be approved.

4.11 **Category A and Restricted Status prisoners**

- 4.11.1 A Category A prisoner is any prisoner in the adult male estate, and in exceptional circumstances female prisoners who need to be held in the male estate, whose escape would be highly dangerous to the public or the police or the Security of State, and for whom the aim must be to make escape impossible.
- 4.11.2 A Restricted Status (RS) prisoner is any prisoner in the female or youth estate, convicted or on remand, whose escape would present a serious risk to the public and who is required to be held in designated secure accommodation. Separate procedural security arrangements apply to RS prisoners.

4.11.3 Most Category A and RS prisoners will have been reported in as potential Category A following reception on remand and will have been held as provisional Category A leading up to their sentence. Staff should, however, be alert to the need to identify those prisoners who, after sentencing, present as potential Category A/RS.

4.11.4 A member of staff identifying a potential Category A or RS prisoner should notify the duty manager immediately. Instructions on the identification and reporting in of potential Category A/RS are included in [PSI 09/2015](#).

4.12 Indeterminate Sentence Prisoners

4.12.1 Indeterminate Sentence Prisoners (ISPs) being assessed for closed conditions must be risk assessed in the same way as all others. There is no requirement that male prisoners must be initially categorised to Category B if Category C is considered appropriate.

4.12.2 The prison is not responsible for deciding whether a person serving an indeterminate sentence is suitable for a move to open conditions.

4.12.3 The Category A Review panel is responsible for all categorisation decisions for indeterminate sentenced Category A prisoners. See PSI 08/2013 Reviewing the categorisation of high security prisoners.

4.12.4 The consideration of Category B or C ISPs suitability (and continued suitability) for open conditions, is carried out by PPCS on behalf of the SSJ. The decision usually follows a recommendation from the Parole Board where PPCS on behalf of the SSJ has referred the case for advice on suitability for transfer to open conditions. Once the SSJ has decided a person serving an indeterminate sentence is suitable for open conditions, prisons must categorise them as Category D/Open Conditions.

4.12.5 Restricted Transfer Indeterminate Sentenced Prisoners, held in English and Welsh prisons, can be considered for a move to open conditions, as per the [Generic Parole Process Policy Framework](#). This includes ISPs who have been transferred on a restricted basis to England or Wales from Scotland, Isle of Man, Guernsey or Jersey. Northern Ireland cases will remain the responsibility of the transferring jurisdiction, but the final decision on whether the ISP should be moved to open conditions will be the responsibility of the SSJ (or their delegate), other than in Restricted Transfer Category A ISP cases which are the responsibility of the Category A Review panel.

4.12.6 Recalled Category A ISPs are the responsibility of the Category A Review Panel. Recalled Category B and C ISPs must have their suitability for open conditions considered by the PPCS on behalf of the SSJ. This will normally require a recommendation from the Parole Board. The final decision sits with officials in the PPCS on behalf of the SSJ.

4.12.7 To be eligible for categorisation to open conditions those serving an indeterminate sentence must have their suitability considered by the PPCS on behalf of the SSJ. The suitability for open conditions for those serving an indeterminate sentence can be found in the [Generic Parole Process Policy Framework](#).

4.13 Young Offenders in male estate

4.13.1 Young Offenders (18-20) will be held in Young Offender Institutions (YOIs), which can be dual-designated prisons. There is no mandated routine review of categorisation for young offenders until they are 21 years old. This is because there is no sub-division of the closed estate between Category C and B.

4.13.2 For those unsuitable for open conditions at initial categorisation, they will need to spend sufficient time in closed conditions where their behaviour can be observed. Their categorisation can, however, be reviewed at any time if a change in circumstances

indicates they would be suitable for open conditions or need heightened security measures.

- 4.13.3 In categorising young offenders, particular consideration should be given to the maturity of the prisoner in relation to their ability to thrive in lower security conditions when deciding on the appropriate category.

Recategorisation to the adult estate on turning 21

- 4.13.4 A young offender held either in a male YOI or a dual-designated male YOI/prison must be categorised in readiness for transfer to the adult estate in advance of their 21st birthday so that the transition can proceed seamlessly. It should not be necessary for a young offender to be transferred from a young offender institution or dual designated YOI/prison to a reception/local prison for categorisation and allocation, but instead they should be allocated directly to an appropriately secure prison in the adult male estate.
- 4.13.5 The recategorisation assessment should be completed before the prisoner turns 21. If the young offender is being recategorised to Category B, LTHSE should be consulted to inform whether they need to reside in an LTHSE prison.

Recategorisation to the adult estate prior to turning 21 years old

- 4.13.6 A young offender must only be recategorised to the adult estate in exceptional circumstances, where the risk posed by the prisoner means that the security conditions of the holding prison are not resilient enough to manage this risk.
- 4.13.7 It must be evidenced in the categorisation assessment why the security conditions of the holding prison are no longer sufficient, and why the security conditions afforded by the adult estate are necessary in order to meet the risks relevant to their categorisation, as laid out in section 1.1.1 of this policy framework.
- 4.13.8 The assessment must be informed by an up-to-date OASys assessment and information from the security department. Any information from a challenge, support and intervention plan (CSIP) or Assessment, care in custody and teamwork (ACCT) will be relevant to the categorisation assessment and should be included.
- 4.13.9 The categorisation assessment must reference the prisoner's maturity, evidence of how the prisoner will be able to cope in the adult estate, what action has been taken to address any maturity issues, including why it is not possible to attempt to complete further work to address their maturity needs within their current prison, or any other relevant work, (such as adjustment to custody, mental health support), rather than moving the prisoner to the adult estate.
- 4.13.10 The assessment must consider the potential for the prisoner to self-harm should they be moved to the adult estate and any wider safeguarding issues, such as the potential for criminal exploitation by others.
- 4.13.11 Because the outcome could see the individual being held in any adult category, when completing the categorisation assessment, the LTHSE Population Management Hub must be consulted, and their advice on the suitability of the prisoner recorded in the final categorisation assessment. This will help inform the likely location of the receiving prison and whether the individual needs to be held in LTHSE when they are residing in the adult estate.
- 4.13.12 The final decision of whether to move a young offender to the adult estate must be approved in writing by the Prison Group Director (PGD) of the holding prison. The date the approval was given and the reasons in support of the decision must be recorded. Population Management will make the final allocation decision, except where allocation

into LTHSE is appropriate, in which case the allocation will be made by the LTHSPG Population Management Team.

4.13.13 The assessment must be completed in a timely manner, this is not only to mitigate the risk to the prison, but also to protect the wellbeing of the prisoner being categorised. When the categorisation assessment is finalised, the receiving prison must draft, with input from the sending prison, a plan to support the individual's transition into the adult estate. If safeguarding issues were identified in the categorisation assessment, including the potential for self-harm, discussions between the sending and receiving prisons must take place promptly, to put a plan in place to mitigate this risk.

4.14 **Young offenders in female estate**

4.14.1 Categorisation does not change for female young offenders (18-20) as they turn 21. There is no mandated routine review of categorisation for young offenders until they are 21 years old. Their categorisation can, however, be reviewed at any time if a change in circumstances indicates they would be suitable for open conditions or need heightened security measures.

4.14.2 All young people who are transitioning into the adult women's estate will be automatically placed onto the WECASP caseload ahead of their 18th birthday to ensure the transfer handling arrangements are agreed by the Board and women's estate prior to their arrival.

4.15 **Recalled prisoners**

4.15.1 Prisoners subject to a standard recall, including those with further charges, will have their categorisation reviewed within 10 days of their return to custody. Those serving a recall of more than 28 days should be treated as a standard recall and categorised appropriately.

4.15.2 On reception back into custody, prisoners subject to a standard recall retain the security category assigned to them on release until this categorisation review is completed and must not be marked as unclassified/unconvicted.

4.15.3 The initial security categorisation review of a recalled prisoner must be completed with reference to the prisoner's previous categorisation and recategorisation assessments. The assessment must consider:

- security category at release
- circumstances resulting in the recall
- the nature of any further charges
- length of time the prisoner was on licence prior to recall
- number and frequency of recalls the prisoner has been subject to.

4.15.4 Prisoners subject to a Fixed Term Recall (FTR) will not normally be categorised. Where there is a need to reallocate a FTR from the Reception prison, a review of their category must first be undertaken.

4.15.5 Prisoners recalled from Home Detention Curfew (HDC) for breaching curfew conditions (Section 255 recall) do not need to be categorised if they are within 28 days of release.

4.15.6 Prisoners on a standard recall and categorised to closed conditions must be reviewed every 12 months until they have less than 3 years left to serve to their earliest known release date. Where the time left to serve to earliest release is less than 3 years, 6 monthly reviews will commence after the next scheduled categorisation review.

4.15.7 Determinate sentence prisoners on a standard recall must not be categorised by the prison to open conditions until the Parole Board 28-day review is finalised. The earliest release date for standard recalls may not be known until the Parole Board 28-day review

is finalised. It is open to the prison to schedule a further review of category following the Parole Board review where appropriate.

4.15.8 Determinate sentence prisoners on a standard recall should not generally be categorised by the prison to open conditions until they are within 5 years of their earliest known release date. For those serving a determinate sentence, this will generally be their Sentence Expiry Date (SED). They will be assessed at least every 12 months until they reach 3 years from release, at which point 6 monthly reviews will commence after the next scheduled categorisation review.

4.15.9 Recalled Category A prisoners serving an indeterminate sentence must have their suitability for open conditions considered by the Category A Review Panel. Recalled Category B or C prisoners serving an indeterminate sentence must have their suitability for open conditions considered by the PPCS on behalf of the SSJ.

4.16 **Foreign National Offenders**

4.16.1 Foreign National Offenders (FNOs), including those subject to enforcement proceedings under the Immigration Act 1971, must be categorised/recategorised for closed conditions in the same way as non-FNO prisoners.

4.16.2 FNOs with no liability for deportation are prisoners who:

- do not match the initial criteria for deportation, or
- have been considered for deportation by the Home Office and it has been decided that they may remain in the UK, or
- are not subject to any removal procedures.

4.16.3 Those with no liability for deportation must be categorised for open conditions in the same way as non-FNO prisoners.

4.16.4 An FNO in closed conditions must not be categorised to open conditions where there is a deportation order against the prisoner under section 5(1) of the Immigration Act 1971 and no appeal is on-going, could be brought or is pending as provided in Rule 7(1A) Prison Rules 1999. Under Rule 7(1C) Prison Rules 1999, any FNO in open conditions, or residing in the closed estate but categorised to open conditions, who subsequently has a relevant deportation status must have their categorisation reconsidered as soon as practicable, to assess whether their risk is still manageable in the open estate. These prisoners are referred to as Appeal Rights Exhausted (ARE).

4.16.5 The definition of those with a “liability for deportation” is those prisoners who are:

- confirmed by the Home Office as meeting the initial criteria for deportation - whether the prisoner has been informed of this or not, or
- have received a formal notice of liability for deportation, or
- have received a deportation order with appeal rights in the UK remaining, or
- fall below the threshold for deportation but are being considered for or made subject to removal from the UK.

4.16.6 FNOs with a “liability for deportation” must be considered for categorisation to open conditions but that categorisation must be informed by a CCD3 completed by the Home Office and procedures must be in place to obtain this where relevant. The CCD3 will provide deportation status information relevant to the categorisation assessment. In particular, the Home Office will advise of any individual circumstances that might increase or decrease, the incentive to abscond from open conditions in order to evade enforcement proceedings.

4.16.7 If a prisoner has been categorised to Category D/open conditions before their deportation status has been notified, or if their deportation status changes, their categorisation must be reconsidered as soon as practicable after the prison is notified. It may be that the

prisoner remains in open conditions whilst the review takes place (for example if the deportation order is revoked), or that the prisoner may require removing before the completion of the assessment (if appeal rights become exhausted and it is decided their abscond risk is now too high to manage.)

4.17 **Terrorist and terrorist risk prisoners**

- 4.17.1 Where a prisoner is serving a sentence for a terrorist or terrorist connected offence, or the prisoner has been identified as posing a terrorist risk, input to the categorisation assessment from the Regional Counter-Terrorism Team or prison CTU (for prisons in the HSE) must be obtained and used to inform the categorisation risk assessment. More information about the management of terrorist and terrorist risk prisoners can be found in the Prison and Probation Counter Terrorism Policy Framework which is available upon request from CTOperationalPolicy@justice.gov.uk
- 4.17.2 The Terrorist Offenders (Restriction of Early Release) Act 2020 (TORERA) inserted section 247A into the Criminal Justice Act 2003. The effect of section 247A is that the first eligible release point for offenders who have committed a relevant terrorist offence or any offence with a terrorist connection is the two-thirds point of their sentence. The relevant terrorist offences are set out in Schedule 19ZA of the Criminal Justice Act 2003. The release of all such offenders before the end of their sentence (or custodial term) is decided by the Parole Board based on an assessment of risk.
- 4.17.3 There is a presumption that a prisoner serving a sentence for an offence described in section 247A(2) of the Criminal Justice Act 2003 (an offence that falls under TORERA) is unsuitable for open conditions unless there are exceptional circumstances as set out within this framework (or the Generic Parole Process Framework where applicable).
- 4.17.4 This presumption of unsuitability for open conditions will apply from the date on which the sentence is imposed until the date on which it would be served in full (the sentence and licence expiry date).
- 4.17.5 Where the offender is serving consecutive or concurrent sentences and any sentence forming part of the overall sentence envelope is for an offence described in section 247A(2) of the Criminal Justice Act 2003, they are presumed unsuitable for open conditions. The presumption applies for the duration of the sentence envelope (including if released and then recalled during that envelope).
- 4.17.6 Where an indeterminate sentence forms part of the sentence envelope then, unless the indeterminate sentence is for a terrorist or terrorist connected offence, the presumption ends at the end of the sentence envelope for the determinate sentences. If an offender is released on licence, sentences imposed subsequently to this won't form part of this envelope and once the original envelope ends, the presumption will no longer apply (unless the new sentence is for an offence described in section 247A(2) of the Criminal Justice Act 2003).
- 4.17.7 The "sentence envelope" runs from the earliest start date of any of the concurrent or consecutive sentences to the latest sentence end date (the last day the prisoner is serving any of the concurrent/consecutive sentences).
- 4.17.8 Some terrorist offences are not described in section 247A(2) of the Criminal Justice Act 2003. These offences can be found in the [Schedule](#) to the Criminal Justice Act 2003 (Requisite and Minimum Custodial Periods) Order 2024. Prisoners serving sentences for these offences may be ordinarily recategorised to Category D/open conditions, but advice must be obtained from the Regional Counter Terrorism Team or prison CTU before the recategorisation decision is made.

4.18 **Transgender prisoners**

- 4.18.1 A transgender prisoner must be categorised in accordance with the security conditions applying to the estate in which they are held. The allocation of transgender prisoners, as with other prisoners, is a separate process to categorisation.
- 4.18.2 Where it is proposed to transfer a transgender prisoner between the male and female estates, their categorisation must be assessed in line with the policy applying to the estate to which they are moving.
- 4.18.3 The decision as to whether a transgender prisoner moves from one estate to another is a separate matter and will be decided by a complex case board. More information on the process can be found in [The care and management of individuals who are transgender policy framework](#).

4.19 **Returns from inpatient mental health services**

- 4.19.1 Patients returning to a prison in the male estate from inpatient mental health services will return to the reception prison nearest to the hospital in which they have been detained.
- 4.19.2 There will be some specific cases where this does not occur; for example, male patients who were previously residing in a LTHSE prison or Category A/RS prisoners, who must be returned to an LTHSE prison, Category A prison or prison able to manage RS prisoners respectively. In all cases this will not necessarily be the same prison from which they were admitted.
- 4.19.3 If for any reason, the nearest reception prison is unable to accept the patient, it is the responsibility of the Governing Governor of that prison or the relevant PGD to source an alternative prison willing to accept the patient.
- 4.19.4 Patients returning to a prison in the female estate from inpatient mental health services will return to closed conditions. To promote continuity of care this will be the sending prison in which they were detained before moving, if that prison was a closed prison. If an individual has been returned to custody from a specialist psychiatric hospital after an assessment or as an inpatient and the prison still requires support and advice from the WECASP then a referral can be made.
- 4.19.5 For a prisoner returning to the female estate who was Restricted Status before transferring to an inpatient mental health service, they would also return to their sending prison.
- 4.19.6 If the prisoner returning to the female estate was discharged from a prison that only offers open conditions, or if for any reason, the discharging prison is no longer the most suitable location for the prison, then the discharging prison will be responsible for identifying an appropriate alternative prison for the patient to refer to.
- 4.19.7 If necessary, arrangements for the case should be referred to the Womens Estate Case Advice and Support Panel (WECASP) to determine the most appropriate location for the patient. More information can be found in the [Womens Estate Case Advice and Support Panel \(WECASP\) Policy Framework](#).
- 4.19.8 The expectation is that the receiving prison will have been involved in a meeting under section 117 of the Mental Health Act 1983 prior to the patient being returned to prison custody. The move will need to be signed off by the Operational Governor or HOMS.

4.19.9 The prisoner's security category must be reviewed within 10 working days of remittance and include an assessment of prison security and related files returned by the hospital and the hospital's own security and intelligence files relating to the prisoner's time in their care. The prisoner's core record will need to be obtained from the discharging prison.

4.19.10 Any Restricted Status or Category A prisoner returning to prison custody from inpatient mental health services must be reported into the Category A Team in the Directorate of Security (CategoryA.HSE@justice.gov.uk). For more information on the remittance of parole eligible cases see the [Generic Parole Process Policy Framework](#)

4.20 **Representations and appeals**

4.20.1 Prisons must support prisoners to make representations in advance of their scheduled categorisation review. The prison must inform prisoners of the date of their review as well as the date the prison requires their representations by. Where representations are received, these must be considered as part of the assessment process. Prisoners can access documents, (e.g., their OASys), which will aid their representations.

4.20.2 Anyone with concerns about their security categorisation decision should be encouraged in the first instance to raise these with their key worker or other appropriate member of staff. Their key worker must, where the nature of the concern requires, pass these concerns onto the POM to provide a fuller explanation of the process and reasons for the decision. High complexity prisoners in female prisons may receive this information directly from their POM.

4.20.3 If the prisoner wishes to challenge either the decision or the reasons given for the decision, then representations must be made to the POM using the process set out in the [Prisoner Complaints Policy Framework](#). Representations should normally be submitted within 28 days of the prisoner being advised of the categorisation decision, though this may be later if there is a delay in a requested categorisation assessment reaching the prisoner. Any complaint should be considered by a suitably qualified manager who may direct that the decision is reconsidered.

4.20.4 A reconsideration would be appropriate if:

- The Policy Framework has not been followed, or
- Relevant information available at the time was not considered, or
- Information relied upon is factually incorrect, or
- Any other reason considered appropriate by the manager.

4.20.5 Any reconsideration will involve retaking the decision afresh looking at all the information that was available at the time of the original decision as well as considering any further information not available when the original decision was made. This will usually be carried out by someone senior to the individual who approved the original decision.

4.20.6 A prisoner who has challenged their categorisation decision will be hoping for a favourable result. Section 3.1.8 of this policy deals with managing adverse categorisation outcomes. The same applies when notifying a prisoner of the results of any representation about their category.

4.20.7 Prisons must keep a record of the number of complaints relating to security categorisation decisions and the outcome of the fresh consideration. This will form part of the data for analysis of fair and sound decision making.

4.21 **Withholding information**

4.21.1 All intelligence and security department assessments must be handled in line with the [Intelligence Collection, Analysis and Dissemination Policy Framework](#). Information may be

withheld from the prisoner where necessary, withheld information must be recorded separately. If it is information critical to the categorisation decision then the prisoner must be informed, in general terms, what the information is that has been relied on in sufficient detail to enable them to bring meaningful representations. In such cases, they must be provided with a summary of the information that does not disclose the source material. The Intelligence Collection, Analysis and Dissemination Policy Framework provides guidance on drafting for this purpose.

5. GUIDANCE

5.1 Security Category Definitions

- 5.1.1 Prisoners are categorised according to the risk they present to security, safety and public protection, and must be held in a prison providing levels of security appropriate to managing identified risks.
- 5.1.2 **Closed prisons** have a secure perimeter and a range of internal security measures.
- 5.1.3 For adult men closed conditions are sub-divided into: Category C prisons, providing a level of physical and procedural security capable of safely and securely managing most men; and Category B prisons, providing additional physical and procedural security suitable for managing those identified as presenting a greater level of risk of escape or disorder.
- 5.1.4 For young offenders (age 18-20) in YOIs, closed prisons are not sub-divided but individual prisons may be designated as suitable for holding prisoners presenting higher risks. If a young offender is sentenced to imprisonment or categorised to the adult estate prior to turning 21 years old (see paragraph 4.13.6 for more information on the process for categorising under 21-year-olds to the adult estate), they will then be treated as adults, for young male offenders this will mean they will become subject to subdivided categorisation.
- 5.1.5 There is no subdivision of closed conditions for young offenders or female prisoners.
- 5.1.6 **Open prisons** have minimal perimeter and physical security features and are for those who are specifically assessed as suitable for conditions of low security.
- 5.1.7 Male prisoners are then assigned to the lowest security category appropriate to managing their risks:
- **Category D (adult men), and Open (adult women and young offenders in YOI):** Offenders who are either assessed as presenting a low risk (in line with the risks outlined in section 4.9.7), or whose previously identified risk factors are now assessed as manageable in low security conditions.
 - **Category C (adult men):** Offenders who are assessed as requiring standard closed conditions, and do not need additional security.
 - **Category B (adult men):** Offenders whose assessed risks require that they are held in the closed estate and who need security measures additional to those in a standard closed prison.
 - **Closed (adult women and young offenders in YOIs):** Offenders assessed as requiring standard closed conditions and are not appropriate for open conditions.
- 5.1.8 The definition of Category A is set in [Identifying potential high security prisoners: PSI 09/2015](#)

5.2 Risk information

5.2.1 Security categorisation decisions will be based on individual security risk assessments. The information reviewed, and weighting put on that information, may differ depending on the environment the prisoner is being considered for and the type of assessment being completed.

5.2.2 A categorisation assessment may look at the following risk factors and information sources: (The list is not exhaustive:

- Previous Convictions (if any);
- Details of current offence(s);
- Details of current sentence(s), including time left to serve;
- Current / previous custodial record;
- Security Department assessment of relevant evidence and intelligence;
- Information relating to involvement in Serious Organised Crime
- History of escape / abscond;
- Risk of ongoing criminality in custody;
- Information relating to state threat risk,
- Risk of terrorism;
- Details of confiscation orders under the Proceeds of Crime Act;
- Serious Crime Prevention Orders, or other ancillary orders;
- Information relating to Multi Agency Public Protection Arrangements (MAPPA)-eligible cases;
- Other public protection information;
- Person Escort Record (PER) form;
- OASys / (RoSHA) or RSR score;
- Pre-Sentence Report (PSR) or other assessments prepared for the court / actuarial scores;
- Any relevant and available information from criminal justice agencies, intelligence partners and policing;
- Substance misuse status.

5.2.3 At recategorisation knowledge of the prisoner and custodial history will support a fuller risk assessment than might be possible at initial categorisation. When completing a assessment, factors to be considered in assessing suitability for low security conditions will include:

- the nature of the offence,
- any outstanding charges or proceedings, or ancillary orders such as a Serious Crime Prevention Order or an ongoing confiscation order which the prisoner may seek to avoid by absconding or which could put the prisoner outside the eligibility timeframe for open conditions if there is a potential default sentence,
- custodial history including previous breaches of trust
- information about ongoing criminal activity in custody, and
- risks highlighted by MAPPA or any other relevant process or source of information.

Information to help support a POMS understanding of risk information should be sought from relevant teams, such as regional intelligence teams and regional organised crime leads, where available.

5.3 Procedural justice

5.3.1 When people believe the process of applying rules (how a decision is made rather than what decision is made, and how they are treated during the process) is fair, it influences their views and behaviour. There is robust evidence, from around the world, showing that people are much more likely to respect and comply with rules and authority willingly when they believe the way the rules are applied is fair and just. This is true even if the outcomes of decisions are not in their favour or are inconvenient for them.

5.3.2 Research from HMPPS, and from prison services around the world, shows that when prisoners perceive authority to be used in a more procedurally just way, this is associated with significantly less misconduct and violence, better psychological health, lower rates of self-harm and attempted suicide, and lower rates of reoffending after release.

5.3.3 This Policy Framework sets out the processes to assess a prisoner's security categorisation in a fair and just manner and to evidence defensible decision making.

5.4 **Debiasing decision-making**

5.4.1 The context within which a decision is made can make a real difference to the judgement and outcome. When making a categorisation decision, staff should be aware of influences that can affect their decision-making ability. These influences can include tiredness and distraction, emotions, and individual differences.

5.4.2 Debiasing our decision-making means correcting systematic errors in judgement. Those involved in categorisation assessments should ensure they are making their decisions in the best possible environment. Staff should be educating themselves on the categorisation process, so they are confident in how they are coming to decisions. Staff should be considering counter evidence where possible, to challenge their own decision-making process.

5.4.3 Staff must ensure that categorisation decisions are not be influenced by factors not relevant to the prisoner's risk. Protected characteristics can indirectly affect risk, but the categorisation process should not discriminate against people with protected characteristics under the 2010 Equality Act. Staff need to be aware for the potential for bias against protected characteristics.

5.5 **Digital Categorisation Service**

5.5.1 The Digital Categorisation Service helps staff to make, record and justify categorisation decisions. It is accessed via Digital Prison Services (DPS). It supports staff in identifying relevant risk factors and reaching a decision on a prisoner's security needs but does not make categorisation decisions itself. It:

- Provides a consistent framework for staff to record information about the various risk factors,
- Automatically highlights risk information to staff where available, to reduce the number of manual checks required during the assessment process,
- Records previous categorisation assessments to support case management,
- At initial categorisation, provides a suggested categorisation as a starting point, which must then be reviewed by staff and changed where appropriate.

6. GLOSSARY

Appeal Rights Exhausted (ARE)	A Foreign National Offender (FNO), who the UK authorities are seeking to deport and who has exhausted all rights of appeal against their deportation order. These prisoners are not eligible for open conditions.
Civil Prisoner	An individual held in custody for an offence that is not a crime.
Conditional Release Date (CRD)	The end date of the custodial element of a determinate sentence.
Determinate Sentence	A sentence that has a fixed end date, the sentence is comprised of a period in custody and a period in the community on licence.
Digital Categorisation Service (DCS)	A service running on the Digital Prison Service. This is where categorisation assessments are performed and information about previous categorisation assessments held.
Extended Determinate Sentence (EDS)	Extended sentences are a type of determinate sentence, but with an additional period on licence. They are one of the most common determinate sentences that have an eligibility for parole.
Foreign National Offender (FNO)	Someone who is not a British citizen and is, or was, convicted in the UK of any criminal offence, or convicted abroad for a serious criminal offence.
Indeterminate Sentence	A sentence without a fixed release date. The sentence will have a minimum time the prisoner must serve in custody, known as their tariff. After the tariff has expired potential release will be reviewed by the Parole Board.
Initial Categorisation	The first categorisation assessment a prisoner has when entering custody. This will be performed within the first 10 days of their entry into custody.
IS91	The form that is used to hold a foreign national offender in detention under immigration powers.
Offender Assessment System (OASys)	A tool used to measure the risks and needs of offenders under HMPPS' supervision.
Parole Eligibility Date (PED)	Some longer sentence types will have a parole eligibility date. This date will be prior to the CRD and will be the date that a prisoner may be eligible for release on parole, if the parole board deem it is safe to do so. This date will often be the earliest release date for these sentence types that can be used to calculate eligibility for open conditions.
Recategorisation	Any categorisation assessment that is performed on a prisoner post their initial categorisation assessment.
Starring Up	The process used to categorise a young offender (someone aged 18 to 21 years old), to a category in the adult estate, with the intention of holding them there, because it is no longer safe to hold them in a Young Offender Institute.
Women's Estate Case Advice Support Panel (WECASP)	A multidisciplinary panel that provides support to prisons in the management of a small number of complex individuals who are not progressing in their sentence plan within the Women's Estate.
Young Offender (YO)	An offender between the ages of 18 and 20, they will generally reside in a Young Offender Institute.