The Origins and Durability of Security Categorisation:A Study in Penological Pragmatism*or* Spies, Dickie and Prison Security

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Abstract

It is a disturbing anomaly that the 1966 Mountbatten Report into Prison Escapes and Security is better remembered for a proposal that did not become policy - a single, maximum security prison - than for one that did - a system of security classification. This paper argues that the Prison Service did not fully appreciate the meaning and ramifications of the introduction of security categorisation at the time and that subsequent problems affecting the operation of categorisation - for instance, the influence of factors other than security into the categorisation decision and the conflict produced by the problematic pragmatics of running a prison system day-to-day - can be traced back to this important initial period.

Introduction

It's October 22nd, 1966. On a chilly Saturday autumn evening as dusk draws toward night, a rusty iron bar that splits in two a first-floor window at the end of a Wormwood Scrubs prison cell block is broken, with one slight kick. A man opens the window, climbs out onto the roof of a small porch over the cell block entrance and then drops to the ground. He scurries to the east side of the house-block, keeping close to the building, and waits in its shadow for a few moments, watching the prison wall twenty yards away from him. A few minutes later, a rope ladder is thrown over the wall and dangles there, just a short distance away. The man takes a deep breath, checks around him, waits for a second, and then runs for the ladder. He expects shouts of alarm as soon as he emerges from the shadows. There is nothing but the sound of his prison shoes on the ground. He grabs the rope ladder, pulls it taut and quickly reaches the top of the wall. He slides one leg over. For a moment he sits there, half of him free, half still in prison. Then his other leg is over. He steadies himself and drops from the top of the wall. He lands awkwardly, feeling a shooting pain in his left arm. Helped to his feet by another man, he is guided into the passenger seat of an ageing Humber. A brown macintosh is slipped over his shoulders. The car is started and driven down Artillery Road. It takes a left onto Du Cane Road, the mirror nervously checked for pursuing cars. Nothing. The road is peaceful. At the end of Du Cane Road the car again turns left, then a quick right, and then another right into Highlever Road, a quiet residential street. The car slows and pulls up outside number 28, a house midway down on the left-hand side. The man in the macintosh opens his door, slips out and calmly walks - not a run, but a walk - to the front door. With his broken left wrist hanging gingerly at his side, he turns the key and enters, closing the door behind him. The Humber

pulls away and leaves the street as quiet and empty as it was when the car entered a moment before.

There was no need for the men to hurry. It took them less than five minutes to drive from Artillery Road to Highlever Road. Had the man in the macintosh and the prison shoes decided to walk - had the Humber not started, perhaps - he could have made it over the prison wall, found his way on foot to Highlever Road, realised, maybe, that he'd left the door keys in his cell, walked back, got back over the wall and back into the houseblock, slipped out of the window once more, got over the wall and *still* have had time to walk the mile to Highlever Road before any official in the prison had realised he had left them the first time.

The man in the mac was George Blake. Employed by MI6 after the war and sent first to Korea and then to Berlin, Blake had volunteered his services to the KGB. Eventually caught (after twelve years of spying) he had been sentenced five years earlier in 1961 to the longest determinate sentence ever then passed in a British Court - forty-two years. However, he ended up being smuggled out of the country in the converted base of a van a few days before Christmas 1966 and left with some initially disbelieving East German border guards in Berlin. He resides today in a small flat in Moscow, now married for the second time with a Russian wife, son, grandson and a dacha in the country[1].

Twenty-eight years later, the opening days of 1995: on the Isle of Wight, three men, each of them identified by the Prison Service as some of the most dangerous in the prison system, slip out of the Sports Hall at Parkhurst prison during an evening exercise period. With a master key made in the workshops at the prison, they make their way the length of the sports-field and open a deserted training workshop. They spend a short while assembling the constituent parts of a ladder - also made in the prison - and take with them wire cutters, a step ladder and a pair of pliers. They also have with them a gun, the parts of which were also made in the workshops. They scamper back the length of the football field, somehow evading the sight of the many CCTV cameras dotted all over the prison and the dog patrols circling the perimeter, to a specific part of the inner perimeter fence and cut through the wire mesh of this first barrier. There is no alarm, no noise save for the snap of the wire cutters. Squeezing through the hole, they place the ladder against the second and outer wall, twenty feet high, and one by one they quickly climb it. They descend using some electrical cable and hose-pipe strung together. At large on the Isle of Wight for four days - they will try to steal a light aircraft but realise too late that a tool made for the purpose has been forgotten - they go to ground in the summer-house of a large overgrown property. Spotted by an off-duty prison officer on a foray for supplies, they are eventually re-captured.

To get out of the Scrubs, a busy local prison in West London, Blake needed a swift kick to a rusty iron bar and a rope ladder strengthened with knitting needles. Blake would successfully get out of the country and enjoy more than thirty years of freedom. Escape from Parkhurst, a dispersal prison of maximum security, required the materials listed below and provided the prisoners with just four days of freedom and lengthy additional custodial sentences for their troubles.

- 6 x 12ft lengths of 1 inch diameter metal
- a number of brackets
- slide hammer
- a master key
- handgun
- 9 rounds of .22 ammunition
- over £200 in cash
- 2 wire-cutters
- 2 pairs of pliers
- screwdriver
- 2 adjustable spanners
- copper hammer
- wooden step ladder
- length of hose-pipe
- length of electrical cable

As the comparisons demonstrate, physical security has tightened beyond measure in the years between Blake's escape and that from Parkhurst. At the same time, the internal procedures of the prison system have changed immensely. In Blake's time, the guiding principle of the prison system was the classification of prisoners into 'stars' (first time

prisoners) or 'ordinaries' (recidivists) for the purposes ofeffective treatment and training. Today, many of the acronyms of the prison system - IEP (Incentives and Earned Privileges scheme), MDT (Mandatory Drug Testing), KPI (Key Peformance Indicator), KPT (Key Performance Target), HDC (Home Detention Curfew), DLP's (Discretionary Lifer Panels) - aim at internal control and engendering prisoner responsibility; and above these goals, security is paramount. Treatment and training is now simply one more practical goal of the system rather than its justification or main goal.

However, from a few months after Blake's escape to today, thirty-three years later, one policy has remained constant. Despite the enormous physical improvements to security, despite the internal procedural changes throughout the prison service, one policy has remained - that of security categorisation. It is perhaps the most important internal procedure that the prison service has. It structures the use of the prison estate, acting as its first line of defence against escapes, determining living conditions and allocation possibilities for each convicted prisoner. Almost every other internal procedure within the system is conditional on the results of this one decision. Yet the procedure operates in relative obscurity, opacity, and with a quiet power greater than any other policy within the prison system. For instance, current research at the Institute of Criminology demonstrates how Discretionary Lifer Panels will not, in practice, release any prisoner unless they are at least Category C. My own doctoral research (at the time of writing, still in progress) highlights the Parole Board's unwillingness to recommend any Category A prisoners for parole.

Security categorisation assesses prisoners according to the level of security deemed necessary to safely hold them in custody. However, it should also ensure that prisoners are placed in the *lowest* level of security required to so hold them. The policy was proposed by the Inquiry into Prison Escapes and Security headed by Earl Mountbatten (Home Office 1966), established in response to the escape of Blake and a number of other high profile prisoners (most notably a number of the Great Train Robbers). Categorisation places prisoners in one of four categories (Table 1) according to the assessed level of dangerousness they would present to the public were they to escape from prison and on the likelihood of that escape occurring.

Category A	"[P]risoners who must in no circumstances be allowed to get out, either because of security considerations affecting spies, or because their violent behaviour is such that members of the public or the police would be in danger of their lives if they were to get out."
Category B	Prisoners for whom "the very high expenditure on the most modern escape barriers may not be justified, but who ought to be kept in secure conditions."
Category C	Prisoners who "lack the resource and will to make escape attempts, [but] have not the stability to be kept in conditions where there is no barrier to escape."
Category D	Prisoners "who can reasonably be entrusted to serve their sentences in open conditions."

**Table 1:** The Four Security Categories (Home Office 1966: ß212-217)

This method of assessment has remained unchanged since 1967 and the categories Mountbatten proposed still remain in place, unaltered[2]. Why has the policy and why have the definitions survived so long and with such little attention from the Prison Service and the academic world? Why, if the Prison Service has changed so greatly in the intervening years, has security categorisation been able to function for so long a time with so little change to its operation or basic principle?

Has Categorisation Succeeded?

The first possible answer is that categorisation has survived unchanged for so long because it has been entirely successful in meeting its aims - in placing prisoners in the correct level of security as demonstrated by their risk of dangerousness or likelihood of escape. There are two areas on which the policy can be assessed to see if this is correct - first, in reducing escapes; and second, in placing prisoners in the lowest conditions of security commensurate with that risk.

Figure 1 illustrates adult male prisoner escapes since 1963 (per 10,000 of the male population). The figure shows a sharp reduction in the years immediately following Blake's escape and another sharp fall in recent years since the well-publicised escapes from Whitemoor SSU and from Parkhurst (Home Office 1994; Home Office 1995). However, the general trend during the 1970's and 1980's was of a gradual rise in the escape rate, with escapes peaking in 1991. Indeed, the one major change to categorisation procedure since 1967 - the introduction of a formal algorithm for categorisation in 1988 - was followed by the worst years for escapes in Prison Service history. On this measure, then, it appears that categorisation has had little discernible effect. It is true to say, though, that there have been relatively few escapes of the most serious offenders, of Category A prisoners. The nine that escaped (all re-captured) in the months between September 1994 and January 1995 were a serious lapse, but they followed only two remand prisoners in 1991 and three Category A's in 1987 from Gartree.

Figure One:
Escapes per 10,000
(Adult Male prisoners - does not include absconds)
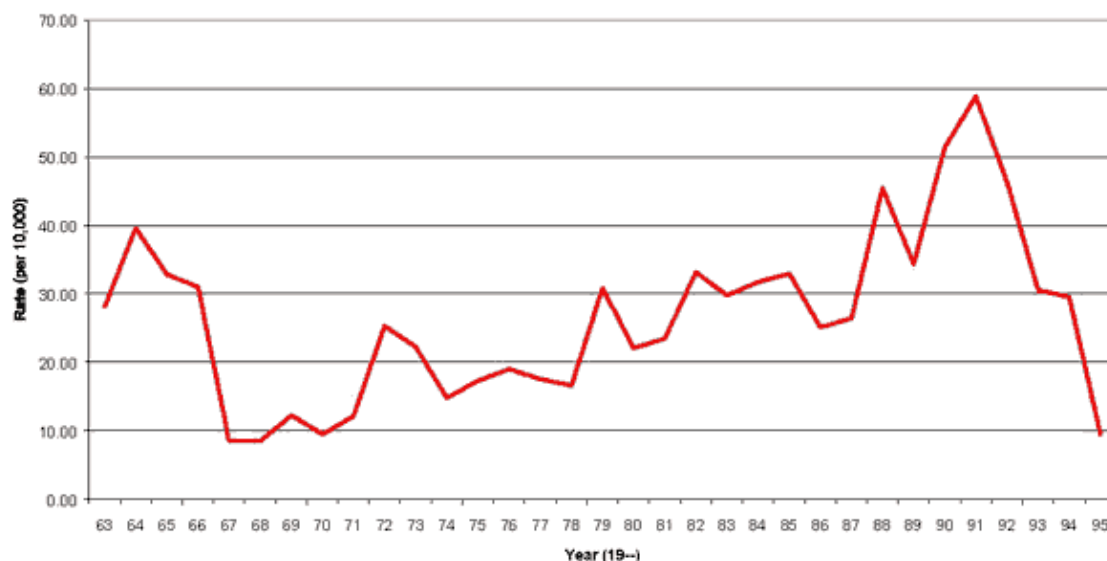
With regard to the second measure, correctly assessing prisoners for the lowest level of security commensurate with their risk, a series of reports have felt the security balance of the prison estate to be incorrect. For the Control Review Committee (Home Office 1984), impressed by changes to security classifications systems in the United States, accurate prediction of security risk through categorisation could be the means to substantial rewards:

The potential prizes to be won from a better categorisation system are very great indeed. In essence, what is involved is the determination, on a consistent basis, of the security characteristics of the present and future building stock, and the security requirements of the prisoner population. [ibid.: para 83]

However, a 1981 Working Party (Prison Department 1981) stated that prisoners were being over-classified and often placed in accommodation with greater security than was needed. The Control Review Committee itself felt that "it is very difficult to be confident that the

security profile of the accommodation stock reflects the requirements of the population" (Home Office 1984: para 83). Learmont (Home Office 1995: 130) felt just the opposite - or at least, did so at the higher end of the security spectrum. He wanted much more secure custody levels for high risk prisoners (Category B prisoners upwards).

Prisoners themselves - unsurprisingly, perhaps - feel that they are generally in greater levels of security than is necessary to securely hold them. No official report has ever asked prisoners about their perceptions of security, obviously assuming that they are not to be trusted on such an issue. However, the classification system can have an enormous affect on a prisoner's sentence (as King and McDermott (1995) - a notable exception to the general academic neglect of categorisation - put it, to 'a remarkable degree the determination of a prisoner's security categorisation also determines the nature of his experience in prison,'). My own research shows that most prisoners, particularly those in the higher reaches of the security claw, feel that that the process is pointless, based on stereotypes and exaggerations, too heavily reliant on outdated police and prison reports and fails to take any notice of the prisoner as a person.

Thus, while categorisation cannot be shown to have prevented - or indeed reduced - escapes, it also appears to have failed to achieve the predictive and structural goals deemed possible by the CRC[3]. In addition to these two rough indicators of inadequacy, reports have also been critical of the procedural operation and philosophical basis of the categorisation system. These reports are discussed in more detail later, but to summarise, they find conceptual confusion, subjective decision-making, loosely-defined categories, and the categorisation decision perverted by factors other than security.

Why the Survival and Neglect of Security Categorisation?

Despite these problems, security categorisation survives, and survives in the basic form proposed by Mountbatten. This paper will argue that there are two sets of reasons for the policy's neglect and survival: the first set are connected to the initial introduction of the policy; the second set are connected to the potential uses of categorisation beyond that of security assessment. One additional factor behind the survival of the policy is the sheer logistical and structural difficulty in replacing or substantially altering a policy that gives shape to the entire prison estate.

A - Reasons stemming from the policy's initial introduction:

- the potential importance of security categorisation during its introduction was obscured by the (eventually abandoned) plans to introduce a maximum security prison;
- the initial introduction of security categorisation fitted snugly with the prevailing prison estate. This meant that the Prisons Board was able to indulge their personal interests in matters of treatment and training rather than having to pay attention to matters of security.

B - Reasons stemming from the policy's uses beyond identifying security risks:

- alteration in security level can be used as an answer to overcrowding or to relieve pressure on an individual (particularly local) prison;
- alteration in security level can be used as an answer to issues of control;

- the philosophy - the aims and objectives - of categorisation have been and are undefined or only loosely defined, enabling the misuse of the system (even if this misuse is unconscious).

These two sets of reasons will be tackled in turn.

The Initial Introduction of Security Categorisation

Obscurity by Vectis

Blake's escape (aided not, as immediately thought, by the KGB but by an alcoholic Irishman and two middle-class CND activists, all three previous companions of Blake in the Scrubs) came in addition to other serious escapes in 1966 and the year before. Home Secretary Roy Jenkins was at the centre of what Rutherford (1986) has termed the 'considerable ridicule' aimed at the Prison Service over these difficulties. Jenkins tried to ameliorate some of the problems by appointing a public inquiry into Prison Security - but achieved his intent principally by the man he asked to chair the inquiry, Admiral of the Fleet, Lord ('Dickie') Mountbatten of Burma.

Amidst a number of general ideas to tighten security - for instance dog patrols, the extension of CCTV - the Mountbatten report had two main proposals: a single maximum security prison to house the most dangerous prisoners and a system of security categorisation. The best known of the two proposals is the one that, ironically, did *not* become policy: the maximum security fortress prison, which Mountbatten wanted to be known as 'Vectis'.

The Home Office were not favourably inclined to the idea of such a prison. They saw a wide range of problems with the idea: they worried about the consequences of some sort of mass break-out or rescue attempt (understandable in the post-Blake climate). They also anticipated difficulties with staffing, with control and with design. A further inquiry (Advisory Council on the Penal System, 1968) was commissioned to look at the possible regime for prisoners should conditions of maximum security be warranted.

This is Mountbatten's reaction to that second inquiry:

On the whole my Report has been continuously well received, the only mistake being was that when Roy Jenkins left being Home Secretary they stupidly took the advice of a Prison Committee under a Chairman with a foreign name, whom I can't remember, although I have a record of it. He advised not having a max security prison but having a lot of max security wings in other prisons, which I knew would cause trouble and it certainly has. To this day the P.O.A. are violently opposed to it and still want my idea adopted.[4]

The chairman with the foreign name was Sir Leon Radzinowicz, member of the Advisory Council on the Penal System. Radzinowicz's proposal was not quite, as Mountbatten states, 'a lot of max security wings in other prisons' but the *dispersal* of maximum security prisoners amongst the general population of a number of high security prisons.

The relative merits of concentration and dispersal have been hashed and re-hashed time and again (see, for instance, May 1979; Home Office 1984), most recently in the Learmont Report (Home Office 1995). Indeed, the effect of the Mountbatten report on prison discourse (symbolised by the debate between concentration and dispersal) has obscured the more far-reaching and pervasive, actual and physical effects of the second main Mountbatten proposal on security, a proposal that *did* become policy - security categorisation. Thomas (1972) sees the lean to security after the report's publication as being 'ideologically unthinkable' in previous decades, times still dominated by the inter-war ethos of treatment, training and reform. Examining the accounts of the Mountbatten Report in, for instance, Morris (1989) and Cavadino and Dignan (1992), one finds that each briefly mention categorisation but expend much more space outlining the concentration versus dispersal argument. Writing or thinking about what categorisation is, how it works, or what it means for a prison system, was lost behind the discussion of how to hold and control maximum security prisoners. Discussion

over how a prisoner gets to *be* in maximum security was obscured by the debate of what to *do* with such prisoners, regardless of how they are put there in the first place.

The 'Snug Fit' of Categorisation

For Morris (1989: 132), the introduction of categorisation implied 'the biggest administrative change in the prison system since the establishment of the Prison Commission in 1877.' In implementing the system, security became the primary and initial classificatory decision made about a prisoner. All other decisions about prisoner outcomes - about training, about location, and so on - were now dependent on the initial decision about security.

Yet the shake-up Morris identifies as required simply never happened. Within three months of the publication of Mountbatten's report, security categorisation had been quickly introduced and then just as quickly forgotten. The minutes of the Prisons Board during 1967, accessible in the Public Records Office, record the implementation of categorisation but it is astounding how quickly the policy disappeared from Board consciousness from this point on. By the end of 1967, the Board had fallen back into their comforting, pre-Blake, dialogue about treatment and training. In December of 1967, the Board discussed building proposals for prisons and the structure of the estate and appeared to simply forget that the prison estate is now structured primarily by security than by any other measure:
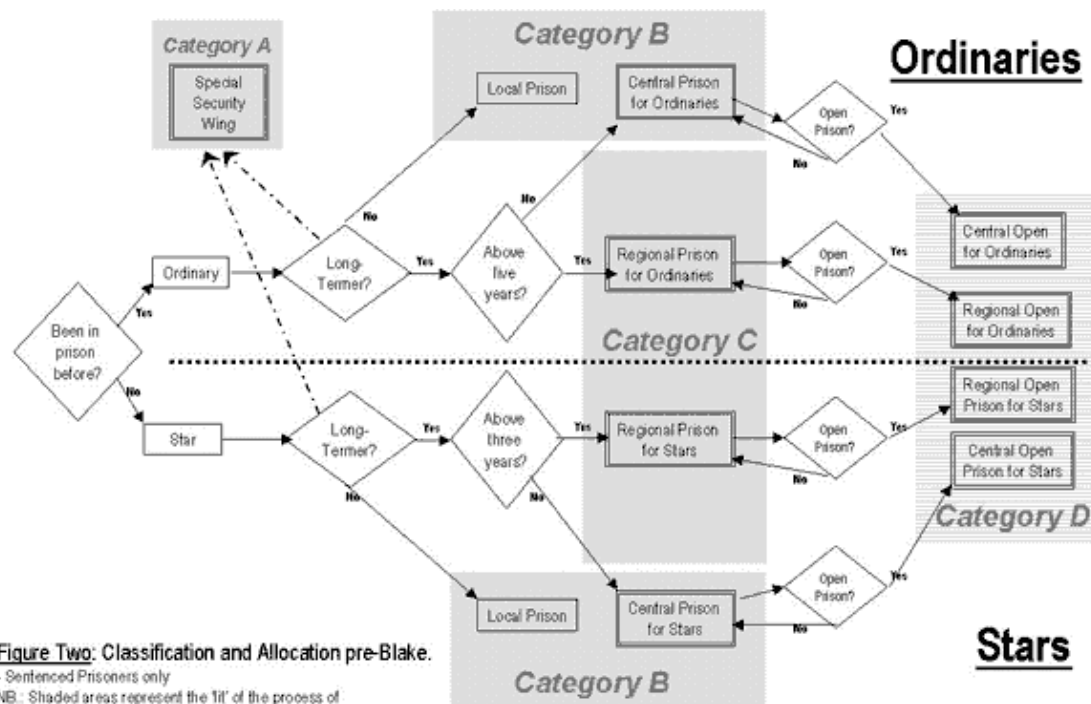
It would first be helpful to set out the pattern of prison accommodation which the Department would like to see established. The aim would not be to sketch out an ideal that could never be obtained but to establish the requirements of an acceptable stock of prisons capable of being provided over a period if reasonable resources were made available. In order to suggest an acceptable pattern the following points . . . would need to be considered:

- what constituted a reasonable age distribution of buildings? . . .
- what constituted a reasonable standard of accommodation, not only of inmate living accommodation but also of staff housing and administrative accommodation, workshops, recreational facilities, service, etc?
- what types of establishments were needed . . . and in what balance?
- what were the optimum sizes of establishments?
- where should they be located e.g. as between urban and rural sites?
- what range of facilities should be provided in each region?

The present stock of prison buildings could then be evaluated against this pattern. [Eleventh Meeting of the Prisons Board, 4/12/67]

How could the Board have ignored the great 'shake-up' Morris deems necessary? What happened? Two things: first, the policy could fit relatively easily over the previous shape of the estate. Second, and perhaps more pertinently, the Prisons Board were more eager to attempt to 'save' the old ethos of treatment and training than to pay adequate attention to the new prison structure. The Board wanted to save treatment and training not only from the demands of security, as has often been alleged, but from other pressures - most notably, a large increase in the population.

With regard to the first point, Figure 2 shows the 'shape' of the estate pre-Blake. This shape is difficult to represent diagramatically and the figure is not comprehensive, but gives a good idea of how prisoners were classified. The initial division was made as to whether a prisoner was a first time prisoner (a 'Star') or was returning for a second or more time (an 'Ordinary'). Following this division, categories were then produced by sentence length and finally on grounds of suitability for the few open prisons available.

Figure Two: Classification and Allocation pre-Blake.
- Sentenced Prisoners only
NB.: Shaded areas represent the 'fit' of the process of
security categorisation over the previous classificatory system

It is possible to discern, in Figure 2, the broad outlines here of four different categories of prisoner in this diagram. First, the few Special Security Risks, sent pre-Blake to the Special Security Wings - these were the men who would become Cat A's[5] after the Mountbatten Report. Second, the long-term prisoners serving over four years (who can be seen as Cat B's). Third, the largest proportion, the shorter-term prisoners, serving sentences of between twelve months and four years, sent to training prisons (Category C's). And fourth, the smaller proportion of prisoners suitable for open conditions (who would become Category D prisoners).

If we take sentence length to be an adequate indicator of seriousness of crime or seriousness of risk (and it is one of the more important criteria generally used to evaluate security risk in practice) then the four Mountbatten categories can be quite easily produced from this diagram. There was, then, no great need for the Prison Department to re-structure the estate because of the Mountbatten recommendations: to re-roll prisons, to move the population around the estate to fit the new categories - in short, to give practical instantiation to the theoretical administrative shake-up that Morris deemed was implied by the proposals. The new 'shape' of the estate fitted rather snugly over the old shape and required no enormous alterations.

This was particularly helpful as the Prisons Board had other things on their mind at the time - in particular, a large forecasted rise in the prison population (Table 2) and the necessary practical problems that stem from overcrowded prisons and a rapid building programme. This significant increase in population meant that the Board were facing the disappearance of their own 'cherished principle' through which they sought to justify the prison service - that is, the provision of treatment, training and work to all prisoners who wanted it[6]. More of the Board's time in 1967 was taken up with the attempt to find work for prisoners than with any other aspect, including security. Categorisation was introduced in a hurry and then forgotten, left to its own devices while the Board tried desperately to find more mail-bags for its prisoners to sew[7].

Date	Population
Jan 1967	26,065
June 1967	28,460
Sept 1967	29,390
Dec 1967	30,220
Dec 1968	29,250
Dec 1969	30,900
Dec 1970	32,500
Dec 1971	34,000

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Table 2: Population Forecast, 10/3/67 (PB(67)9)

Security - particularly categorisation - was neglected. Reading the Board minutes for 1967 at the Public Records Office is an instructive experience: categorisation feels like a policy thrust upon an unwilling Board, something to implement and get out of the way quickly, to enable concentration on pressing practical problems.

The example of neglect unwittingly set by the Board has continued throughout the life of categorisation. Such neglect, twinned with the inherent power of the decisions made through the policy has meant that security categorisation has often been seen (and is often seen) as an answer to problems other than that of simple security. If security categorisation is to do the job it was designed to do - that is, the job of accurately handling the security assessment of a prisoner - then the decision should be made solely for reasons *of* security. However, as we will now see, the categorisation decision is often used to solve practical difficulties elsewhere within the prison system.

Uses of Categorisation Beyond Security

An Answer to Stretched Accommodation

In 1981, an internal Prison Department Working Party discovered quite startling differences in the categorisation outcomes within the different prison areas (see also Morgan 1983). For example, the Midland region placed over 22% of its population in open conditions (that is, as Category D prisoners), with just 11% deemed to require Category B levels of security. The South-West, meanwhile, placed nearly 30% in Category B conditions and just 10% in in Category D open prisons. This was nothing to do with any ability of Birmingham to produce trustworthy criminals who are less likely to escape, or the substantial amount of highly dangerous offenders to be found in Bristol. It came down to the simple fact that there were (and still are) different levels of accommodation available in the different prison regions. The Midland region (as it then was) had more Category D prisons; the South-West, more Category B prisons. Prisoners were sometimes given a security category on the basis of where the spaces were available in the prison estate, not on the basis of their security risk[8].

An Answer to Control Problems

A 1984 report into categorisation procedures by the Chief Inspector (HMCIP 1984) found, in addition to the pressure from accommodation, the categorisation process being used for control purposes as well. That is, the Inspector found that a prisoner with a bad custodial record might be placed in a higher security category than necessary, or sent to a dispersal prison rather than a Cat B trainer, on the grounds that the higher staff ratios in the higher security prisons would help control that prisoner more successfully. The Inspector also found quite the reverse - some prisons would deliberately avoid sending a control problem to a dispersal, thinking that the more relaxed atmosphere in such a prison would be detrimental to the prisoner who should receive stricter supervision.

Such distortion between security and control still occurs - my own doctoral research bears this out. It is a confusing matter: how does one distinguish between which indicators demonstrate that a prisoner is a security risk and which indicate that a prisoner is a control risk? If a prisoner assaults another inmate, for instance, while demonstrably a control problem, is he an increased security risk too? If a prisoner is suspected of drug dealing within prison, how does that fit into the equation? The Federal and many State systems in the United States have a separate measure for control classification - the two classificatory systems are then run together, so that a prisoner, for instance, can be 'Max' security and 'Close' custody or 'Minimum' security and 'Low' custody.

Conceptual Confusion

Both of the above incorrect uses of the security categorisation procedures stem from a more fundamental problem which is a lack of precision: in the definition of the categories; in the practical implementation of the categories; and most importantly, in any overall statement of the aims and objectives of categorisation. The latter is evident from the very first attempts to review categorisation. The following comes from the 1981 Working Party into Categorisation, acknowledging the problems that previous attempts to review the subject had faced:

Much effort was expended by [an] Inter-regional Committee to [review the procedures for medium and long-term prisoners]; but the committee ran into so many organisational and procedural difficulties (and not least the difficulty of trying to integrate the categorisation and allocation papers into the very inadequate prisoner's record) that ultimately through no fault of its own the review of procedures and documentation bore no fruit. Subsequently in 1975 some preliminary work was undertaken but later suspended to review the procedures with particular regard to recategorisation. Again in 1977 a Working Party was set up to review the existing procedures for the recategorisation of prisoners although there had never been any formal arrangements for recategorisation. The Working Party foundered at its first meeting, basically because its members argued that they were asked to consider the wrong questions; they insisted it was initial categorisation rather than re-categorisation which needed re-examination. The Working Party which now presents its report represents the fourth attempt in the past ten years to examine the subje ct matter. [Prison Department 1981: para. 2]

It can be gathered from this statement that no one appears to be quite sure what categorisation is for and how it should really work. The Chief Inspector's Report (HMCIP 1984) found similar confusion on the ground:

Concepts of security, control and allocation seem to be so interwoven in the minds of prison staff that they sometimes do not differentiate between the three when carrying out their duties. [ibid.: para 3.2]

Perhaps because of this confusion and difficulty in the precise identification of the aims of categorisation, the Working Party, despite identifying problems with the initial Mountbatten categories themselves, were unwilling to make any great changes to the system:

[The categories are] by no means ideal insofar as Categories A and B were concerned with the seriousness of the effect if the prisoner did escape, while Categories C and D were concerned solely with the likelihood of escape. Nevertheless, the categories were well known to the police, to Parliament, within the Prison Service, and to all those outside with any interest in prisons. To tinker with them could do more harm than good. . . . For presentational

and intrinsic reasons, we recommend the retention of the Mountbatten security categories in their present form. [Prison Department 1981: para. 3]

When such a sentence opens the Working Party's account, one immediately realises that theirs was not going to be the most courageous or revolutionary report. Their argument for retention of the categories is that while they are conceptually misconceived and incorrect, everyone recognises and is familiar with them.[9]

However, the Working Party were absolutely correct to point out problems with the Mountbatten categories as defined. Whether they had the desire to do anything about the imprecision or not. The categories are woolly, indistinct, and sloppily drafted. As the Working Party state, Categories A and B refer to *risk of dangerousness* should the prisoner escape; C and D look at the *likelihood* of escape. It is quite possible to place some prisoners in at least two different categories on these definitions. In addition, there is a large hole in the centre of the four categories. While category B is defined, in essence, as 'almost category A but not quite' and category C is defined as 'not quite category D', neither categories B or C are defined against each other, leaving to guess-work where the cut-off point between the two should appear, and on what grounds - danger to the public or likelihood of escape?

Whether the categories are comprehensive in their definitions or not, they are still inadequate in helping to place prisoners in the correct categories. The definitions are replete with subjective phrases and often (in the case of Category B, for instance) give the level of security prisoners in that category require ('ought to be kept in security conditions') without actually defining who these prisoners are. Distinct practical criteria must be established to indicate which factors should be considered in the security categorisation decision. Some sensible and readily recognisable indicators need to be developed - sentence length or type of offence, for instance. However, the 1981 Working Party found that:

There are now at least 13 instructions dealing wholly or in part with categorisation and allocation, and some are well out of date. . . . There is no guidance on the sorts of prisoners whose offences and sentence lengths suggests that they should be in Category B. There are instructions about the transfer of Cat D prisoners to open prisons, but these are concerned only with the sorts of prisoners who should *not* be transferred and give no guidance on the security considerations leading to Cat D. Cat C prisoners are defined merely as those not in one of the other categories.[Prison Department 1981: para. 20]

The Working Party, in a recommendation later supported by the Chief Inspector and the CRC, felt that a more objective system of decision-making was required. They felt that some sort of algorithm might help in outlining precisely which factors should be involved. However, the Working Party still wanted the subjective input of knowledgeable prison officers and ended up simply confusing themselves:

Because an algorithm is a logical sequence based on established criteria, and relies on the systematic collation and recording of data, it helps focus the officer's mind objectively on the task; any subjective assessment would have to follow and be justified. [ibid.: para. 42]

The difficulty with this statement is that, on its own, it is pointless. While the Working Party felt that the recording of and use of data to be of importance, it did not state which data should be recorded, what importance should be attached to each part, and what justification would be necessary in any additional subjective assessment. Otherwise, it is rather like giving a whistle and a black shirt to someone with no knowledge whatsoever of football and asking them to referee a game - how do they make their assessments as to what is right and wrong? How do they decide who's won? How do they decide when the game is over? The Control Review Committee - rather politely - highlighted the Working Party's significant omission a few years later:

The absolutely crucial question in all this is the criteria on which categorisation decisions are based. We entirely agree with the 1981 Working Party that the decision-making process should be much more objective than it is at present, while still preserving a place for subjective judgement. We think, however, that the matter is too far-reaching in its consequences to be left to rest on that general proposition. What is surely needed is an authoritative statement of the factors that have to be taken into account in categorisation, and the weighting to be attached to each. [Home Office 1984: para. 83]

This is stating the obvious - it should be remembered, however, that it took seventeen years to state it. The outcome of the influence of the Working Party, the Chief Inspector's report and the CRC's thinking was a 1988 Circular Instruction (CI 7/88). The instruction introduced an algorithm - basically, a long flow-chart - and gave full practical instantiation to the Mountbatten definitions (though more than twenty years after the definitions were first introduced). Officers

tick boxes according to which criteria a prisoner meets (for instance, a specific sentence length or a particular offence) and a security category is worked out from these answers. What the algorithm means is that rather than the definition of, say, Category B prisoners being the Mountbatten definition ('prisoners for whom the very highest expenditure on the most modern escape barriers may not be justified, but who ought to be kept in secure conditions'), the definition becomes, in practice:

Prisoners who are serving over ten years; OR, prisoners who have been convicted of murder, manslaughter, GBH, wounding, a sexual offence (barring USI), arson, importation or dealing in drugs AND have a previous sexual offence, have escaped from prison or escort, or are serving a current or previous sentence of over 7 years; OR any other prisoner who the categorising officer at the local prison decides merits Category B conditions.

Despite the apparent 'objectivity' of the first two lines[10], a subjective judgement is contained in the final part- any other factor that the categorising officer deems suitable. Thus, issues of control or of space in the estate can and do still slip through. To its credit, the 1988 Circular Instruction *does* make a deliberate statement as to the aims and objectives of categorisation, and does state that the decision should be made on security factors alone, and that issues of control or allocation should *only* have any influence *after* the security decision has been made. This was a deliberate decision - a control dimension was considered in the establishment of the algorithm but rejected, the decision being made to simply 'clean up' the Mountbatten critera first. The problem with the clarifying statements is that the Circular Instruction is 85 pages long, including attendant appendices and that it hides these statements deep within itself. Within a typical and stressed OCA department in a local prison, it is unlikely that an officer would read and remember these instructions.

Most of the discussion so far has been concerned with the initial categorisation decision upon conviction. It is important to note that *re*-categorisation is just as important and that formal procedures for re-categorisation were only beginning to be piloted in 1999. As the Ombudsman's annual reports demonstrate (Prisons Ombudsman 1997 - 1999) (and as my own research also shows), re-categorisation decisions are sometimes arbitrary and show a marked confusion between needs of security, needs of control and needs of the accommodation.

Conclusion

The argument of this paper is that despite the failure of categorisation to adequately work as intended, it is, ironically, the *usability* and power of the process, the multi-faceted nature of its offerings to the Prison Service, that have helped secure its long survival. It is an easy and somewhat obvious answer to a crowded and pressured local prison to send a prisoner to the spaces they have available, whether he is a suitable candidate or not; it is similarly common-sensical that a prisoner who misbehaves needs greater numbers of staff to look after him, and if the only way to obtain these greater numbers is through the categorisation system, then so be it.

This does not explain the non-appearance of any explicit control classification. Official reports (for instance, Home Office, 1984; Woolf, 1991; Prison Department, 1981) have objected to such a method of classification on two main grounds[11]: first, that it was thought somewhat incongruous to identify control problems without there being somewhere specific to which prisoners presenting such problems could be sent; and second, that such a system would be *subjective* - reliant on a prison officer's assessment rather than any objective criteria. With regard to the second point, the reports fail to make the logical inference that exposes security classification as similarly subjective. The choice of ten years as the dividing line between Category B and Category C has to be chosen subjectively - why not eight years, or twelve? Similarly, if the use of sentence length and offence are considered objective criteria for the identification of security risk, why cannot a violent offence be used as a predictor of control risk? Or why not consider the number or type of disciplinary offences incurred by a prisoner?[12]

The difficulties found in the operation of security categorisation stem from the fact that it is a procedure placed upon a prison system that has to reconcile many different goals in its

everyday existence. Prisons are not all about security - they are about keeping order, about making the best uses of available resources, about giving prisoners the opportunity to progress through the system, about maintaining some sort of day-to-day *flow* within a prison wing, about attempting to stop drug taking and drug dealing, preventing bullying, trying to help educate prisoners, giving them work, helping them address their offending behaviour, and so on. Yet security categorisation as a procedure is an attempt to abstract and isolate the security question posed by a prisoner and to provide an answer that solely meets those needs.

Much of this discussion begs one question: that is, *can* the Prison Service make a decision that is solely about security? Can it isolate one problem posed by a prisoner and provide a solution that does not attempt to simultaneously meet the requirements of another issue? A hint towards what the Prison Service might think about this question can be found in recent proposals arising out of a request of the Learmont report for a review of the categorisation system.

The hint comes from the recommendations to come out of that review team. The review proposes to keep the basic algorithm currently in use for security categorisation but to solve the problem of alteration of security category on control grounds - something explicitly against the 1988 CI - by side-stepping the issue to make it explicitly *acceptable*. A separate box will appear at the bottom of the categorisation paperwork that allows the security category to be increased purely on control factors[13]. In one neat move, complaints from the Ombudsman are rendered obsolete. The security categorisation decision - always (in theory) about security alone but in practice (though wrongly) about many other things - now becomes (in theory and in practice) about security *and* about control. The conceptual confusion identified by the Chief Inspector, by the CRC and by the Ombudsman is clarified by simply approving what always used to be an incorrect and erroneous decision. Pragmatism wins the day: a tool designed to assess a prisoner's security requirements becomes a tool for assessing security *and* control - a one-stop shop for all your custodial, detention, and disciplinary needs.

Notes

1 Accounts of the escape can be found in Blake's autobiography (No Other Choice - Blake 1991); Sean Bourke's *The Springing of George Blake* (Bourke 1970 - Bourke did most of the escape organisation); and Michael Randle and Pot Pottle's *The Blake Escape - How We Freed George Blake and Why* (1989. Despite having written this long confession and fully admitted their role in the escape, Randle and Pottle (CND activists and companions of Blake in Wormwood Scrubs for a short while) were acquitted by an Old Bailey jury in 1991 of aiding Blake's escape).

2 Though Category A was divided into three levels of escape risk (Standard, High and Exceptional) following the escape of two Category A prisoners by helicopter from Gartree in 1987.

3 While the Control Review Committee were primarily interested in issues of control rather than issues of security, their comments were perceptive and advanced Prison Service thinking about classification.

4 Letter to Captain Andrew Yates, 7/1/77, Southampton University Mountbatten Archive (MB1: N84A).

5 Among a number of others - the 'net' catching the greatest security risks widened following Blake's escape, unsurprisingly.

6 The introduction of the suspended sentence in 1967 owed much to Home Office concerns about the rising prison population (see Bottoms 1977).

7 This was the reality of the effective treatment and training provided by the Prison Service to many prisoners - the sewing of mail-bags. The Board were almost ready to acknowledge that their training was provided 'in name only' when the Royal Mail saved their blushes, ordering a

further batch of bags and allowing prisoners to carry on their work. [Minutes of the Ninth Meeting of the Prisons Board, 31/7/67].

8 Previous research for an M.Phil in Criminology (Price 1996) showed that this practice is still common.

9 It is somewhat akin to a NATO spokesman saying: 'We realise that we've bombed the Chinese Embassy in Belgrade by mistake but the map we're using is one we're all familiar with so there's really no reason to change.'

10 Though these offences and sentence lengths still have to be subjectively chosen to act as criteria.

11 Among others - as papers to the Research and Advisory Group conference (Bottoms and Light 1987) show, the prisoners deemed control problems often change over time, and prisoners who are perceived as violent are not so all of the time.

12 Mention needs to be made of a limited control classification for Category C prisoners. Since 1995, Category C prisoners are assessed on three factors and score a point for each that they match. Prisoners who are (i) under 25; (ii) serving under 7 years; and (iii) serving a sentence of burglary or robbery are known as 'Score Three's' and can only be sent to certain prisons. Despite the worries of official reports about control classification, the introduction of the 'Score Three' system appears to have slipped by relatively unnoticed.

13 These are not 'objective' factors, but the override must be sanctioned by a senior officer or governor.

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