

CLASSIFICATION AND PLACEMENT

Introduction

Corrective Services NSW (CSNSW) takes great care to determine appropriate security classifications and placements for inmates to maintain the safety and security of our prisons.

All inmates entering custody are assigned an initial classification taking into account a range of factors, such as the seriousness of the offence, length of sentence and any previous criminal or custodial history.

Security classification levels

Male inmates:

- Category AA, A1, A2 (maximum security)
- Category B (medium security)
- Category C1, C2, C3 (minimum security)

Female inmates:

- Category 5 or 4 (maximum security)
- Category 3 (medium security)
- Category 2 or 1 (minimum security)

When an inmate has previously escaped or attempted to escape from prison, the inmate is classified as either:

- Category E1 (maximum security)
- Category E2 (medium security)

When inmates are serving a sentence of imprisonment for the term of their natural life, they are classified as Category Life (L).

When inmates are unsentenced and are on remand awaiting court appearances, the above classification codes are followed by the letter 'U'.

Once an inmate is sentenced to custody, they are again classified. Inmates are accommodated in correctional centres appropriate to their security classification as soon as a bed becomes available. The inmate's designated centre is known as the 'centre of classification'.

What factors determine the placement of inmates ?

Inmates on remand

Unsentenced inmates are generally placed in centres in metropolitan areas and major regional centres so that they are close to legal representation and the courts

Sentenced inmates

Sentenced inmates are generally accommodated in correctional centres in regional areas where they can participate in work, education or rehabilitation programs. A variety of factors determine where they are placed.

Security classification

The security classification is the principal factor used to determine an inmate's placement. Some correctional centres can only accommodate one security classification, although the majority of centres can accommodate more than one security classification.

Education and rehabilitation programs

Inmates who are participating in specialised education programs or programs to address their offending behaviour may be placed in a particular centre providing the program. The placement is usually only for the program's duration, after which the inmate may be re-classified and moved to another centre.

Health and association restrictions

Not all centres have the capacity to accommodate certain inmates even with the appropriate security classification. These include inmates with specific health conditions or drug or alcohol dependencies and inmates who for reasons of personal safety, or at their own request, have their association with other inmates restricted.



Segregation and protection

CSNSW is responsible for the care and safety of inmates. In some circumstances, an inmate may request or be placed in protective custody for their own safety. An inmate may also be placed in segregated custody for the protection and safety of others.

Requests for temporary transfers

An inmate or their legal representative may request a temporary transfer to a different centre in order to access legal representation in preparation for a court appearance. In some circumstances, inmates may also request a temporary transfer for compassionate or family reasons.

Inmates may also be transferred to a particular correctional centre for medical or health reasons, usually at the request of the Justice Health and Forensic Mental Health Network, which provides health services to CSNSW inmates.

Review of inmate classifications and progression

CSNSW is required to review an inmate's classification, placement at least once every 12 months. An early review may also occur within the 12-month period for varying reasons.

Classification reviews are carried out by a Classification and Placement team, which includes custodial and non-custodial correctional centre staff.

The reviews take into account a number of factors, including an inmate's behaviour, attitude, conduct and program participation. Before being considered for progression to the next classification level, inmates must have demonstrated a period of stability at their existing classification level.

A review of an inmate's classification may also occur if the inmate has been involved in a serious incident. In these cases an inmate's classification may regress, giving them a higher classification.

The Managers/Deputy Managers, Classification and Placement approve or decline the recommendations of the Classification and Placement team, except for inmates who are defined as Serious Offenders (see below). In some cases, a Classification Consultative Group may be convened by the Managers/Deputy Managers to provide further advice prior to making a final decision.

Can an inmate appeal a classification decision?

An inmate has the right to appeal their classification (not location) within 14 days of being notified of that decision. This is only if new and relevant information is available that was not taken into account during the initial review process and may have had an impact on the classification decision.

Serious Offenders

If an inmate is a Serious Offender under the definitions of the *Crimes (Administration of Sentences) Act 1999*, the Serious Offenders Review Council has a responsibility to review progress and provide recommendations to the Commissioner on the inmate's security classification and placement.

Inmates designated high security risk

The Commissioner may designate an inmate as High Security, Extreme High Security, Extreme High Risk Restricted or National Security Interest. This applies to inmates who are considered to constitute a danger (or extreme danger) to other people, or a threat (or extreme threat) to good order or security, and there is a risk that the inmate may engage in, or incite others to engage in, activities that are considered a serious threat to the peace or good order of a prison.

In such cases, the Commissioner may determine the placement, movement, additional security arrangements and case plans for the management of the designated inmate.

The Commissioner is required to consider the recommendations of the Serious Offenders Review Council before varying the classification or designation of an inmate, or prior to withdrawing an inmate's high security risk classification.

Classification and placement legislation

Every offender who enters custody is classified in accordance with the security classification levels set out in clauses 12-14A of the *Crimes (Administration and Sentences) Regulation 2014*.

Clause 15 of the Regulation enables the Commissioner to designate inmates as high security risk.