



National Offender  
Management Service

**National Security Framework**  
**SECURITY MANAGEMENT FUNCTION**  
**Management and Security of Escape List (E-List) Prisoners**

Ref: NSF 6.6

<b>This instruction applies to:-</b>		<b>Reference:-</b>
NOMS Headquarters Prisons		AI 07/2015 PSI 10/2015 (Version for MOJ Website only)
<b>Issue Date</b>	<b>Effective Date</b>	<b>Expiry Date</b>
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<b>Issued on the authority of</b>	NOMS Agency Board	
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<b>For information</b>	All staff in NOMS HQ, National Probation Service, Community Rehabilitation Companies (CRCs) and other providers of Probation and Community Services	
<b>Provide a summary of the policy aim and the reason for its development/ revision</b>	This PSI introduces new policy and process for managing prisoners who are identified as presenting a risk of escape.	
<b>Contact</b>	Kirsty Payne, Security Policy Unit <a href="mailto:Kirsty.payne@noms.gsi.gov.uk">Kirsty.payne@noms.gsi.gov.uk</a> 0300 047 6211	
<b>Associated documents</b>	<a href="#">PSO 1025 – The Person Escort Record (PER)</a> <a href="#">PSO 1700 – Segregation</a> <a href="#">PSO 6300 ROTL</a> <a href="#">PSI 43/2014 - The Management and Security of Category A Prisoners - Internal</a> <a href="#">PSI 24/2014 – AI 18/2014 – PI 18/2014 Information Assurance Policy</a> <a href="#">PSI 05/2013 - The Identification, Initial Categorisation and Management of Potential and Provisional Category A / Restricted Status Prisoners</a> <a href="#">PSI 67/2011 – Searching the Person</a> <a href="#">PSI 49/2011 – Prisoner Communication Services</a> <a href="#">PSI 41/2011 - Categorisation And Recategorisation Of Young Adult Male Prisoners</a> <a href="#">PSI 32/2011 – Ensuring Equality</a> <a href="#">PSI 33/2011 – AI 11/2011 Equality of Treatment for Employees</a> <a href="#">PSI 13/2011 – Management and Security of Communications/Control</a>	

[Rooms and Internal Prisoner Movement](#)  
[PSI 07/2011 – The Care and Management of Transsexual Prisoners](#)  
Related Service Specification  
Related Operating Models  
Related Direct Service Costs and Assumptions paper  
Related Cost Spreadsheets  
NOMS directory of service specifications can be found at  
<https://www.gov.uk/government/collections/noms-directory-of-services-specifications>

**Replaces the following documents which are hereby cancelled:** PSI 56/2011 - Management and Security of Escape List (E-List) Prisoners. *All hard copies of this Instruction must be destroyed.*

**Introduces amendments to the following documents:** None

**Audit/monitoring:** Compliance with this instruction will be monitored by Audit and Corporate Assurance and through internal self-audit.

**Notes:** This is a version for the MoJ website only with the out of hours telephone contact removed in paragraph 6.6.

***All Mandatory Actions throughout this instruction are in italics and must be strictly adhered to.***

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## **1. Executive Summary**

### Background

- 1.1 This instruction is one of a number of Prison Service Instructions (PSIs) which form part of the Security Management function of the National Security Framework (NSF). All Security Management instructions can be accessed via the National Security Framework website. This PSI supports the Security Management specification.
- 1.2 Desired Outcomes:
- Escapes and absconds are prevented.
  - Threats to the security, safety, order and control of the establishment are detected and deterred.
  - Crime and suspected criminal activity is detected, reported and deterred.
  - There is effective and lawful information exchange with establishment staff.
  - There is effective and lawful information exchange and working arrangements with other agencies.
  - Security measures are applied lawfully, safely, fairly, proportionately and decently.
- 1.3 This PSI introduces replaces PSI 56/2011 by introducing a three classifications of E-list; E-list-Standard, E-list-Escort and E-list Heightened.

### Application

- 1.4 The NSF incorporates mandatory requirements derived from specifications relevant to its specific policy areas. This PSI incorporates a mandatory requirement derived from the Security Management specification, which is highlighted in the shaded boxes.

### Mandatory Action

- 1.5 *Governors must ensure they review their local security strategies to ensure they are in accordance with the instructions set out in this PSI and agreed with the Deputy Director of Custody.*
- 1.6 *All staff must make themselves aware of the content of this PSI, in particular the new classification of E-list contained in section 2. Mandatory actions can also be found in sections 3, 4, 5, 6, & 7.*

### Resource Impact

- 1.7 This instruction replaces the existing PSI by introducing 3 classifications of E-List prisoners and clarifying the details of the procedures for their management. This increases the resource required for a few prisoners who will be managed at the highest classification, but reduces the resource required for the E-list-Heightened now managed at E-list-Escort.
- 1.8 The net resource impact is anticipated to be minimal due to the reduction in residential resources for those classified as Escort and the small number of prisoners expected to require the higher level of resource entailed by Heightened classification. There may be a small impact for security departments in prisons with a local function, the Cat A team and for transfer of these prisoners to the HSE, but numbers will be very small.
- 1.9 The instruction also introduces flexibility in resource use by removing the requirement for simultaneous monitoring of telephone calls for all but Heightened risk prisoners.
- 1.10 There will be limited transitional resource required to review and update local security strategies.

- 1.11 The introduction of E-list-Escort will allow for those prisoners who are only at risk of escape on escort to remain in Category C conditions whilst on E-list. This may have a short term resource impact on those establishment when this occurs.

(Signed)

**Digby Griffith**  
**Director of National Operational Services**

## **2. Introduction and Definitions**

Text within shaded boxes indicates requirements from the “*Provision of a Secure Operating Environment – Security Management*” specification document.

- 2.1 The E-List procedures described in this PSI are designed to ensure that appropriate security measures are put in place for the small number of prisoners who are identified as presenting a risk of escape. *Once a prisoner has been placed on E-List the correct procedures for managing that prisoner must be followed by all staff.*
- 2.2 This PSI introduces three classifications of E-List:
- (NB: the term “E-list” on its own in this PSI refers to all three classifications)
- 2.3 **E-list-Standard** is for those prisoners assessed as presenting a risk of escape both from a closed establishment and from escort. The processes to be applied to E-list-Standard prisoners, which offer additional security both inside and outside the establishment, are set out at set out in paras 4.2 to 4.40 and Section 5.
- 2.4 **E-list-Escort** is for those prisoners who are not assessed as possessing the ability or determination to escape from a closed establishment but who require increased security during escort outside of the establishment. This will result in fewer additional security procedures within the establishment although there will still be a requirement for some additional security procedures within the establishment for this type of prisoner. The security procedures set out in paras 4.2 to 4.21 and section 5 applies to E-list-Escort.
- 2.5 **E-list-Heightened** is for the very small number of prisoners who do not meet the criteria for Category A / Restricted Status but the nature and extent of their escape risk requires that they are held in the High Security Estate. *Prisoners in this group must be referred to the Category A Team in High Security Prisons Group for consideration for E-list-Heightened.* If accepted as E-List-Heightened by the Category A Team, prisoners will be transferred to an appropriate High Security (or Restricted Status) prison and subject to the additional security processes provided by the High Security Estate, including escorts using Category A resources. The security procedures set out in 4.2 to 4.40, Section 5 and Section 6 apply to E-List-Heightened.

### **3. Identifying Prisoners who Pose an Escape Risk**

Prisoners who pose an escape risk are identified and their ongoing risk is managed.

3.1 *It is a requirement for each establishment to have in place:*

- *A system to identify prisoners who pose a risk of potential escape. This must be clearly set out in the establishment's Local Security Strategy (LSS) and be compliant with the requirements of the equalities PSIs [32/2011](#) and [33/2011](#).*
- *Local processes must ensure that the assessment can be completed at any time (including night state) and that high visibility clothing and OB0001A E-list books can be accessed.*
- *A database of all prisoners considered for E-list and the outcome of the assessment must be maintained locally.*

#### Reasons for considering prisoners for E-list

3.2 *Prisoners must only be placed on the E-list when security processes additional to those normally applied at the establishment, are necessary in order to manage the identified risk of escape. E-list must not be used as a punishment, where other security processes are sufficient to manage the risk or for any longer than is necessary.*

3.3 *The following circumstances must trigger an assessment for E-List:*

- *PER warning marker for escape;*
- *indication of increased risk of escape on reception;*
- *incident of escape or attempted escape from escort or establishment;*
- *find of escape related equipment;*
- *history of escape or attempted escape (e.g. previous sentence); or,*
- *escape related intelligence.*

3.4 *A mobile phone find on its own should not generally trigger an escape risk assessment unless interrogation of the phone provides indication of escape planning or other intelligence / escalating factors apply.*

3.5 *Not every prisoner assessed for E-list will necessarily require the additional security that E-list processes provide. In the case of adult males, consideration should be given to reviewing categorisation and transfer to a more secure establishment where the physical and procedural security and regime may be sufficient to reduce the risk of escape. For women, young adults and young people, consideration should be given to developing other strategies to limit movement and challenge behaviour or to re-allocate to an establishment with greater physical security. *Where the decision is made to place a prisoner on the E-list, the choice of which of the three classifications of E-list to use must be proportionate to the nature and scale of the escape risk.**

3.6 *Category A / Restricted Status prisoners must only be placed on the E-list if the nature and extent of the escape risk identified can only be sufficiently managed by the additional processes available under E-list. Where there are grounds for believing that a standard risk Category A prisoner presents a high risk of escape, he or she must be reported to the Category A Team for consideration of reclassification to High Risk category A. The prisoner must be placed on E-List–Standard pending the outcome of the decision. (Guidance on the management of Category A prisoners can be found in at NSF 12.3 - The Management and Security of Category A Prisoners [PSI 43/2014](#)).*

Assessing escape risk

- 3.7 *The assessment must be recorded using the Initial E-list Assessment Form ([Annex A](#)).*
- 3.8 *The assessment must explore all options for information and intelligence including, but not limited to:*
- *Previous convictions,*
  - *Incident Reporting system*
  - *Full Mercury file*
  - *Historic security file (where archive data not loaded on Mercury)*
  - *Previous prison history file*
  - *PIO report, (including MG5, not limited to Police input, but considering National Crime Agency / HM Revenue and Customs)*
  - *Probation and Youth Offending Team reports and assessments.*
  - *OASys Reports*
- 3.9 *The assessment must consider the following (this list is not exhaustive):*
- *What was the nature of the escape or attempt?*
  - *Are there any triggers that have previously been identified that are relevant now (e.g. anniversary, domestic circumstances)?*
  - *If intelligence is available, how reliable is it?*
  - *If the prisoner has made previous escape attempts, do similar circumstances now apply?*
  - *Does the prisoner have access to resources to aid escape?*
  - *Does the prisoner have a history of using weapons, or close associates not in custody who do?*
  - *Does the prisoner have the resources and motivation to mount an escape from a closed establishment?*
  - *Does the prisoner's behaviour and offending indicate opportunist or sophisticated risk?*
  - *Is risk of escape managed by the security conditions at the current establishment or requires additional security?*
  - *Could the risk of escape be managed by move to a more secure establishment?*
  - *Can the risk be managed by other control measures or processes?*
  - *Does the prisoner meet the criteria for referral for E-list-Heightened (see 3.11)?*
- 3.10 *The decision to place a prisoner on the E-list must be proportionate to the nature of the risk, therefore there will be those prisoners whose risk of escape can be managed without the additional security measure E-list afford. In such circumstances, other actions may be taken a summary of potential outcomes is below:*
- *Not placed on E-list, no further action required*
  - *Not placed on E-list, but subject to ongoing intelligence collection*
  - *Not placed on E-list, but referred for categorisation review*
  - *E-list-Escort*
  - *E-list-Standard*
  - *Referral to Cat A team for E-list-Heightened*

E-List-Heightened

- 3.11 *All prisoners must be assessed against the criteria for referring a potential E-list-Heightened prisoner. Section 6 provides details of the referral criteria and process for making a prisoner E-list-Heightened.*

Recording the decision to place a prisoner on E-list

- 3.12 *The Initial E-list Assessment Form ([Annex A](#)) must be completed using any additional sources of available information or intelligence as necessary. The form must be completed by the Security Manager and counter signed by the Head of Security. All forms are to be retained in the Security Department. Copies of the forms must be sent with the prisoner on transfer. The relevant probation offender supervisor must also be informed of the decision.*
- 3.13 *Where the decision is taken out of hours, the Duty Governor must authorise the decision which must then be endorsed by the Head of Security at the earliest opportunity.*

Notifying the prisoner of a decision to place on E-list

- 3.14 *The prisoner must be notified of the decision using the Notification to Prisoner Form ([Annex B](#)) as soon as possible and in the case of E-list-Standard / Heightened, when given high visibility clothing. The notification must include a description of the reasons for the decision, notification that his or her communications will be monitored, and the reason for monitoring. A copy of this form must be retained in Security Department. Refer to NSF Function 4 – Intelligence for details on handling intelligence.*

Appeals against a decision to place on E-list

- 3.15 *Prisoners have the right to appeal the decision to place them on the E-list and can do so at any point using the appeal form ([Annex C](#)). Once an appeal has been submitted, the Deputy Governor, must review the decision (taking account of the prisoner's submissions) within 5 working days. A copy of the appeal form, including the outcome of the appeal must be retained in the Security Department. In the case of a prisoner appealing the decision to be placed on E-list-Heightened, the completed appeal form must be sent to the Category A team who will reply within 5 working days.*
- 3.16 *The review must be completed by a third party not involved in the original E-list decision making process. Where the prisoner wishes to make a second appeal, this must be conducted under the request and complaint process.*

#### **4. Managing E-List Prisoners in the Establishment**

- 4.1 Para 4.2 – 4.21 apply to all classifications of E-list (Standard, Heightened and Escort). Para 4.22 to 4.40 apply to E-List-Standard and E-List-Heightened only.

##### Photographs of E-list prisoners

- 4.2 *Photographs of prisoners placed in any E-list classification must be displayed in the Gate, Communication / Control Room, Reception and Security Department. Additionally, pictures of those placed on E-list-Standard and E-list-Heightened (pending transfer to High Security Estate) must also be displayed in the residential unit office and also in the work activity area or Gymnasium (where relevant).*
- 4.3 *The Security Department must be notified immediately of any change in appearance and a new photograph taken and disseminated within 24 hours.*

##### Telephone Calls

- 4.4 *All calls (except legal and confidential calls as defined in [PSI 49/2011](#) section 14 and those made to the Samaritans) must be subject to monitoring. Confidential communications must not be monitored except where authorised by the Chief Executive Officer or Director of National Services, NOMS. This decision and any such authorisation must be considered on a case by case basis and reviewed on at least a monthly basis and more frequently to ensure the duration of monitoring is proportionate to the risk. Local records must be maintained of all call monitored.*
- 4.5 *All calls made by E-list-Heightened prisoners must be simultaneously monitored. Calls made by E-list-Standard and E-list-Escort may be subject to non-simultaneous monitoring however calls must be monitored on a daily basis. The frequency of monitoring E-list-Standard and E-list-Escort is decided as part of the initial assessment for E-list and considered at each review. It is authorised on the E-list assessment form by the manager appointed as Authorising Officer for the interception of communications. This decision is based on an assessment of the risk posed by the prisoner and the package of measures in place to prevent escape. Where a prisoner is not subject to simultaneous monitoring, any recorded calls that have not been monitored must be listened to in advance of any planned escort and, in the event of an emergency escort, as soon as is practical.*
- 4.6 *The LSS must set out the arrangements for recording and monitoring the telephone conversations of E-List prisoners. Including processes for:*
- *simultaneous monitoring;*
  - *non-simultaneous monitoring;*
  - *retention of calls;*
  - *pre-escort monitoring;*
  - *monitoring in the event of an emergency escort;*
  - *monitoring log; and,*
  - *translation of calls in a foreign language.*

*All local processes must be compliant with [PSI 49/2011](#) and NSF policy on the interception of communications.*

- 4.7 *The E-List prisoner must be informed that his/her communications will be monitored for one or more of the reasons allowed for by rule 35A(4) of the Prison Rules using the Notification to Prisoner form ([Annex B](#)):*
- *in the interests of national security;*
  - *the prevention, detection, investigation, or prosecution of crime;*

- *the interests of public safety;*
- *securing or maintaining security or good order and discipline in prison;*
- *the protection of health or morals; and,*
- *the protection of the rights and freedoms of any person*

4.8 *Retention of communications beyond the permitted three month retention must be authorised by the Authorising Officer. Retention beyond this period must take place only where necessary and proportionate to the reasons listed in rule 35A(4) of the prison rules. The Authorising Officer must ensure that any conversations recorded from the PIN system and retained for Intelligence/evidential purposes are retained securely and handled as a minimum as restricted material in accordance with [PSI 24/2014 – AI 18/2014 – PI 18/2014 Information Assurance Policy](#).*

#### Mail

4.9 *All correspondence, both incoming and outgoing, (except confidential communications as defined in [PSI 49/2011](#) section 14) must be subject to routine monitoring and any risks identified must be managed in accordance with [PSI 49/2011](#), para 2.27 and section 11. Confidential communications must not be monitored except where authorised by the Governor. This decision and any such authorisation must be considered on a case by case basis and reviewed on at least a monthly basis and more frequently to ensure the duration of monitoring is proportionate to the risk. Local records must be maintained of all mail monitored.*

4.10 *Local instructions must set out the arrangements for monitoring incoming and outgoing mail of E-List prisoners including:*

- *processes for monitoring both incoming and outgoing mail;*
- *monitoring log;*
- *processes for monitoring a foreign language mail.*

*All local processes must be compliant with [PSI 49/2011](#) and NSF policy on the interception of communications.*

4.11 *A prisoner placed on the E-List must be informed in writing using Notification to Prisoner form ([Annex B](#)) that all of their mail (with the exceptions above) will be monitored.*

#### Categorisation review

4.12 *In light of the decision to place an adult male prisoner on the E-list, categorisation may be reviewed, particularly if the prisoner is currently in Category C conditions. No E-list prisoner may be held in Category D conditions.*

- *Category D - all Category D prisoners must have a categorisation review completed.*
- *Category C - all Category C prisoners must have a categorisation review.*
- *Category B - Category B prisoners may only be reported in for consideration for Category A in accordance with [PSI 05/2013](#).*
- *Unconvicted / unsentenced – where there are concerns that the physical security of the establishment are not sufficient, this is to be dealt with via the process for referral for E-list-Heightened.*

4.13 *Male young adult, young people and women prisoners already held in closed conditions may be considered for referral to restricted status only in accordance with [PSI 05/2013](#) or, in the case of young adults, reclassification to the adult estate in accordance with [PSI 41/2011](#). Due to the range of physical security provisions in these estates, re-allocation may also be considered. No E-list prisoner may be held in open conditions.*

- 4.14 *Where a prisoner is placed on the E-list and allocated to a resettlement prison, in the event that he or she requires moving to a more secure establishment in order to manage the risk, this must take precedence over Transforming Rehabilitation and Through the Gate resettlement needs.*

#### ROTL

- 4.15 *In accordance with ROTL policy ([PSO 6300](#)) prisoners on the E-list must not be considered for release on temporary licence.*

#### Recording on NOMIS

- 4.16 There are two escape related alerts on NOMIS:

- E-list
- Escape risk

- 4.17 *E-list alerts must only be active when a prisoner is formally placed on the E-list. The alert text must start with the relevant E-list classification i.e. E-list-Standard, E-list-Escort or E-list-Heightened. Any other escape risk which has been identified but does not result in the prisoner being placed on the E-list may be recorded on the "Escape risk" alert.*

- 4.18 *Prisoners referred for E-list-Heightened must have a note of the reference number provided by Category A team in case notes.*

#### Intelligence gathering

- 4.19 *All E-list prisoners must be subject to intelligence gathering in line with local security threat management to minimise the risk of escape.*

#### Escort preparation

- 4.20 *Local processes must be in place to ensure that every prisoner placed on the E-list has a partly prepared escape pack that is retrievable for use in an emergency or out of hours escort (see 5.7).*

- 4.21 *Healthcare and Offender Management Units must be asked to identify any planned escorts or productions. These, and any subsequent escorts, will be subject to the processes set out in section 5.*

### **ADDITIONAL SECURITY PROCEDURES WITHIN PRISON FOR E-LIST-STANDARD AND E-LIST-HEIGHTENED PRISONERS ONLY (Paras 4.22 to 4.40)**

The following paragraphs (4.22 to 4.40) do not apply to E-list-Escort prisoners although prisons can incorporate any of these controls into their E-list-Escort procedures if they feel risk assessment in respect of the particular individual warrants additional security.

- 4.22 *There must be local processes in place to ensure that residential staff are aware of all E-list-Standard/Heightened prisoners in their establishment; their location and activity movements. When a prisoner is required to leave the residential area for healthcare, visits, activity or other reasons, staff in the area must be aware and briefed before the prisoner moves. Local systems must specify processes to record the location of E-list-Standard/Heightened prisoners (in accordance with [PSI 13/2011](#)).*
- 4.23 *The Local Security Strategy must specify the following for both E-list-Standard and E-list-Heightened:*

- agreed systems for risk assessed movement in accordance with [PSI 13/2011](#) including approved routes, staffing levels and radio procedures for internal movement, specifying any areas they are not permitted to enter, even when escorted;
- systems to record the location of E-list prisoners and the member of staff responsible for them;
- handover and briefing arrangements for nominated supervisory staff;
- the frequency, which must be unpredictable, of changes in accommodation and the processes to record they have occurred;
- processes to record any property removed overnight;
- processes to ensure that any items removed from the prisoner's cell at night are stored securely, returned at the earliest opportunity and records of any removal are maintained;
- processes in place for identification and supervision during visits, and level of searching at the culmination of the session; and,
- arrangements to search cells at Routine Plus level.

**Note:** Cell searches must be conducted in accordance with the national instructions at NSF 3.1 ([PSI 67/2011](#)), Annex B (A2); and full searches must be conducted in accordance with Annex C of NSF 3.1 ([PSI 67/2011](#)) - Searching of the Person.

#### Supervision and OB0001A E-list book

- 4.24 *E-list-Standard/Heightened prisoners must be supervised by a nominated member of staff at all times. When allocating the nominated member of staff, consideration must be given to decency issues (such as supervision requirements during showers, etc) to ensure that supervision can be maintained. This staff member must receive a briefing at handover.*
- 4.25 The nominated member of staff is responsible for recording the location, activities and all movements of the prisoner in the OB0001A E-list book. *The OB0001A E-list book serves as a full and auditable record of the supervision and movement of the prisoner and must be completed in addition to ACCT or PER documentation as necessary. The OB0001A E-list book is not a substitute for completing the wing observation book, NOMIS case notes or intelligence reports.*
- 4.26 *The OB0001A must be completed contemporaneously and note occurrences including:*
- *handover;*
  - *movements;*
  - *activity;*
  - *incidents; and*
- when the prisoner remains in his or her cell, documented checks must take place at irregular intervals of no longer than 60 minutes.*
- 4.27 *In the rare occurrence that a prisoner is both high or exceptional risk Category A and E-list, the OB001A must be completed in accordance with both para 4.24-4.26 above and para 3.14 of [PSI 43/2014 Management and Security of Category A Prisoner – Internal](#).*
- 4.28 *Management check of the entries in the OB0001A must be completed every 24 hours for E-list-Heightened and 72 hours for E-list-Standard. Checks must be completed by a person of at least Custodial Manager rank and check that entries are accurate, legible and that all occurrences have been entered and signed for.*

Residential accommodation

- 4.29 *E-list-Standard/Heightened prisoners must be accommodated in the most secure accommodation available, unless individual circumstances dictate otherwise (for example, the prisoner being held in healthcare or in a safer cell due to an ACCT assessment).*
- 4.30 *The cell must be single occupancy unless doubling is authorised by the Security Manager or Duty Governor in his or her absence (e.g. because the Healthcare or suicide prevention staff have identified the prisoner as on an open, post closure, or recently closed ACCT who would benefit from the company of a cell-mate). Where doubling is considered, an assessment must consider any additional security risks and identify action to mitigate the risk.*
- 4.31 *A list of the most suitable accommodation for E-list-Standard/Heightened prisoners must be maintained locally. (Regional Estates Managers can advise on the suitability of accommodation). Low wattage lighting must be fitted to the cell and used to aid irregular observation of E-list-Standard/Heightened prisoners during the Night State. It should not be switched on permanently. As a minimum, the cell should not be:*
- facing the perimeter;
  - on the ground floor; and,
  - on the end of a wing.
- 4.32 *E-list-Standard/Heightened prisoners must only be located in Segregation Units when formally segregated under the provisions of [PSO 1700](#).*

Searching

- 4.33 *Male E-list-Standard/Heightened prisoners (including young adult offenders and young people) must be full-searched:*
- on reception
  - after visits
  - prior to a cell search
  - after off wing work activities
- 4.34 *The level of searching to be undertaken at any other time must be individually risk-assessed and recorded as part of the initial assessment recorded on the Initial E-list Assessment Form ([Annex A](#)) and during any subsequent review. All Transsexual prisoners will be searched in accordance with the agreed compact and [PSI 07/2011](#).*
- 4.35 *The level of search needed for a woman E-list-Standard/Heightened prisoner must be individually risk-assessed and recorded as part of the initial assessment recorded on the Initial E-list Assessment Form ([Annex A](#)) and during any subsequent review.*

Nights

- 4.36 *All clothing must be removed from the cell during night state, other than the following which can remain in the prisoner's possession:*
- one set of night clothing;
  - one set of appropriate footwear;
  - night Pack (including eating utensils, a cup, and a bowl);
  - medication in possession (where appropriate) following a risk assessment and agreement with the healthcare staff.

- 4.37 *E-list-Standard/Heightened prisoners must be checked at irregular intervals of no longer than 60 minutes during the night state. Details must be recorded in the OB0001A E-list book.*

Clothing (when out of cell)

- 4.38 *E-list-Standard/Heightened prisoners must wear distinctive high visibility clothing that clearly distinguishes them from other prisoners whenever they are outside of their cell. High visibility boiler suits, jackets, trousers and t-shirts are available from NDC Branston and Governors must ensure that an appropriate supply is accessible in the event of a prisoner being placed on the E-list out of hours.*

Activity

- 4.39 E-list-Standard/Heightened prisoners may take part in any wing based activities with the relevant level of supervision in place (see 4.24).
- 4.40 E-list-Standard/Heightened prisoners may take part in activities, including work and education, away from their residential area following a risk assessment on the basis that appropriate supervision is in place. *An assessment must be made of the prisoner's current activity allocation as part of the initial assessment.*

## **5. Managing E-List Prisoners on Escort**

- 5.1 Section 5 applies to prisoners on all E-list classifications when on escort.
- 5.2 *Before any E-list prisoner is risk assessed for escort it must be considered if the escort is absolutely necessary or if the objective can be achieved without leaving the secure confines of the establishment. All options for telemedicine or Prison Court Video Link must be explored before a non-emergency escort is allowed to proceed.*
- 5.3 In accordance with the risk assessment, E-list–Escort and E-list-Standard escorts may be undertaken under the PECS contract. E-list-Heightened prisoners can only be escorted under Category A standards.
- 5.4 *All E-list prisoners must wear high visibility E-list clothing on escort. This will normally consist of a high visibility boiler suit unless one cannot be procured to fit the prisoner. The prisoner must not wear any other prison issue or own-clothing (other than underwear) beneath the boiler suit. Prisoners on escort for a medical appointment where a physical examination is likely to be necessary which requires the partial removal of clothing should wear high visibility jacket and trousers.*
- 5.5 *The LSS must specify the following for E-List prisoners:*
- *Level of searching on discharge and reception, including specifying when BOSS chair and high sensitivity wand are to be used.*
  - *Process for briefing escorting staff prior to discharge and on return, including risks identified in the escort risk assessment and details of how the risk will be mitigated. This is particularly important for escorts under the PECS contract and those occurring out of hours as fewer prison staff may be on duty.*
  - *Process to be followed on escort for requests for removal of restraints including pre-authorised removal of restraints for medical examination or treatment and how to manage unplanned requests.*
  - *Process to be followed on escort in the event of a medical emergency which requires restraints to be removed.*
  - *Process for liaison with Police if identified in the risk assessment.*
  - *Processes for checking intelligence and communications out of hours.*

### **Escape pack**

- 5.6 *No E-List prisoner must go on escort without an escape pack. The escape pack must include:*
- *The prisoner's current description, including details of marks, scars and tattoos*
  - *Four up-to-date photographs (preferably colour) of the prisoner, endorsed on the back with:*
    - *the establishment's official stamp*
    - *the prisoner's name*
    - *the prisoner's PNC & CRO number (if available)*
    - *description of clothing worn and any taken for court appearance (where appropriate).*
- 5.7 *The escape pack must be prepared as soon as possible once a prisoner has been placed on the E-list. A description of the clothing the prisoner is wearing on discharge must then be added at the time of discharge. The escape pack must be stored in a location where it can be readily accessed at any time (including night state).*

- 5.8 *In the exceptional circumstances where an escort must be discharged before the escape pack can be completed, e.g. an emergency ambulance escort, the escape pack must be taken to the escort at the first opportunity.*

#### Risk assessment for escort

- 5.9 *A risk assessment must be completed for all non PECS escorts. It must take into account the most current intelligence available. All telephone calls and mail must have been monitored to inform this assessment. In the event of an emergency medical escort, this must be undertaken at the earliest opportunity but must not delay the discharge of the escort.*
- 5.10 *The risk assessment must consider:*
- *the nature of the escort, taking advice from healthcare regarding the likelihood of a physical examination or treatment which will require restraints to be removed and / or partial undressing;*
  - *the nature of the escape risk posed by the prisoner;*
  - *the route and destination of the escort;*
  - *prior knowledge of the escort date and time by the prisoner, including the transfer of an E-list prisoner to more secure conditions following the initial decision; and,*
  - *any other prisoners on the same escort.*
- 5.11 *When the escort is for a court appearance or medical reasons which necessitate prior notice, e.g. a period nil-by-mouth prior to treatment, the risk assessment should specify any action be taken to ensure the prisoner is not able to inform a third party of the escort details.*
- 5.12 *The escort processes must be informed by the risk assessment process. However, prisons must consider the following as a minimum to manage the risk of escape:*
- *additional staff*
  - *use of restraints, including processes for managing the removal of restraints for medical examination, treatment and in emergency situations*
  - *variation of route*
  - *method of transport*
  - *informing the police of a high risk escort*
- 5.13 *Transporting two or more E-list prisoners on the same escort should only be considered in exceptional circumstances and must be informed by the risk assessment including the predictability of the escort.*

#### Recording the escort

- 5.14 *Prior to discharge the PER must be annotated to show the prisoner is on the E-list and accurately maintained in accordance with [PSO 1025](#). Where appropriate, a bedwatch log must also be completed with entries at frequent and irregular intervals of no more than 60 minutes.*
- 5.15 *Where an E-list book is also in use (E-list–Standard/Heightened prisoners), it must be accurately maintained, detailing any events and occurrences on the escort, and entries at frequent and irregular intervals of no more than 60 minutes, also noting handover, restraint and management checks where appropriate (see para 4.24 onwards, above).*

#### Specific processes for the production of E-list prisoners to court

- 5.16 The production of E-list prisoners to court is covered by the protocol between NOMS and HM Courts and Tribunal Services. Court Services have agreed, wherever possible, to prioritise the use of PCVL for Category A, E-List and Restricted Status Prisoners. *PCVL must be negotiated with the courts when a prisoner is placed on the E-list. Contact must be proactive and must not wait until a confirmed court date is supplied to the establishment.*
- 5.17 When there is no alternative but to produce an E-list prisoner to court, early contact with the court will ensure the case is listed in a court room with a secure dock. Where exceptionally this cannot be facilitated, HMCTS will notify the establishment at the earliest opportunity who may submit a further request if additional intelligence can be provided or the risk changes.
- 5.18 *An assessment of the escape risk must be completed using the Custody Management and Directions Form at least one week prior to the court escort in order to identify the specific risks surrounding the escort and whether additional security measures are required. It will not normally be necessary for the establishment to visit the court in order to make the assessment. Information from the escort contractor and court will provide the necessary detail such as processes for de-bussing, security of custody area or other waiting area to be used, security of the dock and if the prisoner will be required to use the witness box.*
- 5.19 *Where E-list prisoners are to be produced at court, clothing to be worn during proceedings must be searched and placed in a sealed bag before transported to the court in a secure area away from the prisoner. The prisoner must not change out of high visibility clothing until arrival in the custody area of the court and must change back into high visibility clothing prior to return to the establishment. A description of the prisoner's clothing must be included in the escape pack. Once no longer required in court, E-list prisoners must be prioritised for return to establishment.*

#### Request for additional security at court

- 5.20 *Request for additional security provisions, such as additional staff in the courtroom, and use of restraints must be proportionate to the risk and fully explained and evidenced in the Custody Management and Directions Form.*
- 5.21 *If the CMDF has identified the need for additional security, the request must be made at the earliest opportunity and at least one week in advance of the production using the CMDF. Requests must only be submitted outside this time period if:*
- *the initial assessment for E-list occurs within one week of the production*
  - *new intelligence is identified or an incident occurs within one week of the production*
  - *a short notice appearance is listed by the courts*
- The risk assessment must be reviewed within 48 hours of the escort in order to reflect the current intelligence picture.*
- 5.22 A small number of E-list prisoners may be subject to short notice (less than 24 hours) court productions; for example, where an appearance is listed for the day after initial reception. In these circumstances it may not be possible to conduct a full risk assessment. All possible efforts should still be made by the establishment to ensure the hearing is heard using PCVL or in a secure courtroom. In these circumstances it is best to submit a CMDF to request PCVL, a secure court or any other additional security provision and also contact the court direct to discuss.
- 5.23 *The relevant contractor must be informed in advance of all E-list-Escort prisoners and must be copied into the CMDF at the earliest opportunity, even when there is no request for additional security. Risk information must be included on the Person Transfer Request. On*

*the day of escort, the escorting staff must be briefed of the risks prior to escort. This briefing must be recorded on the PER and in the OB001A E-list book.*

## **6. Security Procedures for E-List Heightened**

6.1 The aim of E-list Heightened is to ensure that there are suitable security measures in place in respect of those prisoners who pose the highest risk of escape.

- *All prisoners subject to E-list–Heightened must be held in the establishment directed by the Category A Team which will be a category A establishment for adult males or, for women and young people, an establishments that can hold Restricted Status prisoners.*
- All prisoners subject to E-list-Heightened are subject to the security procedures within the establishment set out in sections 4 and 5.
- *The escort of E-list Heightened prisoners must not be undertaken under the PECS contract but must meet Category A standards.*

### **Criteria for referring a prisoner as E-list-Heightened**

6.2 The criteria for selection for E-list-Heightened are:

- (a) Escape or previous escape from prison custody. Includes escape from escort, establishment and PECS escort (excludes escape from insecure dock).

*Any prisoner who escapes or has escaped within the last 5 years, other than from an insecure dock, must be referred for consideration to heightened. This includes (non-KPI) escapes where the prisoner was at large for less than 15 minutes.*

*Additionally, any prisoner who has escaped in the previous five years but is recaptured must be referred for heightened on reception back into HMPS custody and further information sought about how the prisoner was able to remain at liberty for so long.*

Absconds and temporary release licence failures are not criteria for referral to E-list-Heightened.

- (b) Previous escape from police custody involving external resources.

*Where any document identifies that the prisoner has escaped from police custody, further details must be sought to establish whether the incident requires referral. To be considered, the escape must have occurred within the last five years, except where the prisoner has remained at large for a longer period and was recaptured in the last 5 years. The escape incident itself must have included external resources such as planned intervention by a third party. Incidents where a third party merely intervenes to prevent arrest or the escape is opportunist should not prompt a referral unless other criteria are met.*

- (c) Previous period on the E-list in the last 5 years and new intelligence or escape behaviour is identified which indicates the procedural and physical security of High Security establishment is necessary to manage the risk of escape.

Any prisoner who is considered for E-list as the result of recent intelligence or behaviours who has had a previous period on the E-list within the last 5 years should also be considered for referral. The referral should only be made if the current risk of escape indicates that additional physical resources available in the High Security Estate, including escorts, is proportionate to manage the risk.

- (d) Reliable and significant intelligence which evidences sophisticated planning of an escape attempt.

*To meet this criterion, intelligence must be of a credible standard and provide some details of the escape plan. The plan must include a high degree of sophistication in order to circumvent procedural and physical security, either on escort or in the establishment. The nature of escape risk must also be such that it could only be managed by a High Security establishment. This does not include low level intelligence, intelligence that the prisoner will engineer an escort for the opportunity to escape or has in his / her possession maps of the prison unless there is sufficient detail of the attempt is known and is such that a move to the High Security Estate is required to manage the risk.*

- (e) Reliable and significant intelligence which evidences access to finances, resources and / or associates to assist an escape attempt.

This criterion is only met when there is credible intelligence to suggest a genuine escape risk which will involve resources such as firearms. The fact that a prisoner is part of an OCG known to use firearms, or with the finances to aid escape and evade custody, will not be sufficient unless there is also credible intelligence of an escape or of the motivation to escape. Length of sentence alone is not sufficient to evidence motivation to escape however may be a factor that contributes to overall escape risk.

- (f) Current E-list prisoner with multiple and escalating escape attempts where the nature of attempts indicates the procedural and physical security of High Security establishment is necessary to manage the risk of escape.

A prisoner currently on the E-list may be referred for heightened criteria in the event of repeated escape attempts only when the nature of the attempts is increasing in seriousness and the risks presented can only be managed by a High Security establishment.

- (g) Co-defendants of any prisoner accepted for E-list Heightened.

*All co-defendants of any prisoner accepted at E-list-Heightened must be referred for consideration.*

6.3 The following are example of attempted escapes or intelligence which should not trigger referral for E-list-heightened:

- Attempted walk out of visits.
- Found in out of bounds area without intelligence to suggest escape plan is sophisticated.
- Plan of establishment found on cell search.
- Engineering escort but without resources to assist escape.
- High value index offence where proceeds of crime cannot be traced but without intelligence to suggest an escape plan using finances is in place.
- Resisted police arrest.

6.4 *The following are examples which must be referred for E-list-heightened:*

- *Intelligence from trusted source providing details of escape attempt involving hijacked escort.*
- *Prisoner received into custody for the first time since escape from establishment 10 years previously.*

### Referral process for E-list-Heightened

- 6.5 *Where a prisoner meets the criteria for E-list-Heightened, the establishment must contact the police for a case summary (MG5) with details of the current offence, intelligence picture, offending behaviour and any date / location of court productions scheduled for the following 7 days.*
- 6.6 *When all the required intelligence and documentation is collected, establishments must contact the Category A Team at Headquarters on 0300 047 6358, stating this is a referral for E-list-Heightened. Out of office hours, at weekends and on public holidays, the Duty Category A Officer must be contacted on (number omitted for MoJ website publication) to make the referral.*
- 6.7 Referral for E-list–Heightened and Category A are separate processes. However there will be a small number of occasions where a prisoner requires reporting in for both. This will be managed in tandem by the Category A Team. Where a prisoner is reported in for Category A but will be considered for E-list-Heightened instead, the process will be managed by the Category A team and not require a second referral.
- 6.8 *On referral, Category A Team will provide a unique reference number. This must be recorded on the Initial E-list Assessment Form ([Annex A](#)), in NOMIS case notes and on the local database of E-list prisoners.*
- 6.9 The Category A Team has a 3 working day target turnaround for making the final decision and during this time will seek further information from other agencies. In some cases the Category A team will immediately decide that the prisoner does not require E-list–Heightened in which case the prisoner will be managed locally using E-list-Escort or E-list-Standard as appropriate.
- 6.10 *Where a prisoner is not immediately rejected, he or she will remain in the reporting establishment but held as E-list–Heightened pending the final decision. Escorts for these prisoners should be avoided but where necessary advice must be sought from Category A Team. The prisoner must be accommodated in the most secure accommodation available, where possible meeting Category A standards.*
- 6.11 The final decision from the Category A Team will be communicated to the establishment both by phone and by e-mail to the person making the referral (normally the Head of Security) and the Governing Governor. *This must be recorded on the assessment form and local E-list database.* If the prisoner is made E-list-Heightened, Category A Team will make arrangements for the prisoner to be transferred to an appropriate High Security establishment within 3 days. Transfer to the High Security Estate as E-list-Heightened is only for the period required to manage the risk. Pending transfer, the prisoner will continue to be held as E-list-Heightened as outlined above.
- 6.12 The Category A team will also email a completed Notification to Prisoner Form ([Annex B](#)) which will include a description of the reasons for the decision for E-list-Heightened as well as notification that his or her communications will be monitored and the reason for monitoring. *Once issued to the prisoner, a copy of this form must be retained in the Security Department.*
- 6.13 The process for appealing decisions to be placed on E-List-Heightened is covered in paragraph 3.15.
- 6.14 *Prisoners already located in the High Security Estate that appear to meet the criteria for E-list-Heightened must still be referred to the Category A Team for a final decision.*

## **7. Reviewing E-List Prisoners (All Classifications)**

- 7.1 *Prisoners must be removed from the E-list as soon as they no longer present a risk of escape that cannot be managed through the normal security provision of the establishment or escorts.*
- 7.2 *All prisoners must be reviewed within 35 days of the initial decision to place them on the E-list or sooner than this if new information or intelligence comes to light. This applies equally to information which may result in removal from the E-list or to information which might indicate that a change to the E-list classification is required. This might include:*
- *an E-list-Escort prisoner who is no longer subject to routine and predictable escort (e.g. on sentence or completion of hospital treatment)*
  - *other measures to manage the risk are in place*
  - *permanent transfer*
- 7.3 *Any prisoner who remains on the E-list must be subject to regular reviews. These must take place at intervals of no more than 35 days after each subsequent review and earlier if appropriate. It is recommended that these are discussed at the Monthly Security Meeting.*
- 7.4 *The review of E-list-Escort and E-list-Standard prisoners is conducted locally by the Head of Security. The review must consider the initial assessment for E-list and take into account the current assessment of the prisoner's behaviour, intelligence and assess overall risk of escape. Reports must be received from the wing, PIO, intelligence analyst and activity area (if appropriate). Where these are supplied independently, all separate reports must be dated and stored together. A summary of each must be recorded in the relevant section on the E-list Review Form ([Annex D](#)).*
- 7.5 *The review of E-list-Heightened prisoners is conducted by the Category A team at HQ. Information and intelligence to complete the review of E-list-Heightened prisoners must be prepared by the holding establishment using E-list Review Form ([Annex D](#)) and submitted to Category A team. All relevant documents must be supplied together allowing 5 working days for the review to be completed.*
- 7.6 *The prisoner must be informed of the outcome of the review including reasons as soon as possible using the Prisoner Notification Form ([Annex B](#)) and given the opportunity to appeal using the Appeal Form ([Annex D](#)).*
- 7.7 *Prisoners removed from the E-list must remain subject to ongoing intelligence activity in line with managing the security threats to the establishment. Additionally:*
- *All completed E-list forms must be stored in the prisoner core record.*
  - *NOMIS E-List alert must be made inactive; the escape risk alert may be made active.*
  - *Notify gate, communications / control room, reception, residential unit and any other area previously notified. All photos must be removed from display.*
  - *Notify OMU for court escorts.*
  - *The relevant probation offender supervisor must also be informed of the decision.*
  - *Local E-list database updated.*
- 7.8 *Following downgrade from E-list-Heightened, only sentenced prisoners who meet the dispersal criteria will remain in the High Security Estate. If the prisoner is to remain in the High Security Estate, the original establishment must be informed of this decision as the earliest opportunity. In all other cases:*

- The High Security establishment will send all E-list documentation to original establishment.
- Originating establishment will review E-list classification within 3 days and advise the High Security establishment of outcome.
- Remand prisoners may be transferred via court if the next appearance is within 7 days.
- Sentenced prisoners will return to the sending establishment at the earliest opportunity, except where categorisation of the prisoner is now higher than the original establishment (see 7.9).

Following the decision to down grade, the prisoner will continue to be subject to E-list-Standard processes until the outcome of the review is received from the original establishment.

7.9 *Additionally, where the original establishment is Category C, D or Open, a categorisation review must be conducted by the original establishment within 3 days. If the prisoner cannot be returned, the High Security establishment must be advised. It is then the responsibility of the High Security establishment to arrange onward transfer via Population Management.*

**FORM A - INITIAL E-LIST ASSESSMENT**

HM.....

<b>NAME</b>	
<b>NOMIS No</b>	
<b>STATUS</b>	RX / CONV / SENT/ OTHER.....
<b>SENTENCE DETAILS</b>	Length.... Earliest date of release...
<b>INDEX OFFENCE(s)</b>	
<b>REASON FOR CONSIDERATION</b>	[SUMMARY OF INCIDENT / INTELLIGENCE]
<b>PIO REPORT</b>	
<b>ADDITIONAL INFORMATION</b>	[OUTLINE ANY ADDITIONAL SUBMISSIONS E.G. WING / ACTIVITY REPORT, INTELLIGENCE]
<b>DECISION LOG</b>	[ASSESSMENT OF CREDIBILITY AND SUMMARY OF DECISION ]
<b>OUTCOME</b>	

<b>REVIEW DATE</b>	
<b>FORM COMPLETED BY</b>	NAME ... SIGN ... DATE...

**REFERRAL TO CATEGORY A TEAM, HIGH SECURITY PRISON GROUP**

<b>DATE</b>	
<b>REFERENCE NUMBER</b>	
<b>OUTCOME</b>	DATE RECEIVED...

<b>TELEPHONE MONITORING</b>	FREQUENCY .....
	AUTHORISING OFFICER COUNTERSIGN NAME ...
	SIGN...
	DATE...
	PHONE NUMBERS CHECKED DATE ... NAME .....

<b>COMPLETED BY</b>	NAME ... SIGN ... DATE
<b>HEAD OF SECURITY</b>	NAME ... SIGN .... DATE

**FURTHER ACTION CHECKLIST**

- CHECK FOR PLANNED ESCORTS
- CHECK FOR COURT PRODUCTIONS
- INFORM GATE (COMMS / CONTROL ROOM AND WING IF E-LIST STANDARD)
- ESCAPE PACK PREPARED
- CURRENT ACTIVITY APPROVED
- PRISONER NOTIFICATION
- ACTIVATE E-LIST ALERT

**FORM B - NOTIFICATION TO PRISONER**

HM.....

<b>NAME</b>	
<b>NOMIS No</b>	
A decision has been made today to place you on the E-list – <i>[ENTER CLASSIFICATION]</i> . A summary of the reason for this decision is below.	
Your communications (telephone and mail) will be monitored <i>[DELETE THOSE WHICH DO NOT APPLY]</i>	
<ul style="list-style-type: none"> <li>• in the interests of national security;</li> <li>• the prevention, detection, investigation, or prosecution of crime;</li> <li>• the interests of public safety;</li> <li>• securing or maintaining prison security or good order and discipline in prison;</li> <li>• the protection of health or morals; and,</li> <li>• the protection of the rights and freedoms of any person</li> </ul>	
If you wish to appeal this decision you may do so using the attached form.	
<b>LATEST DATE FOR REVIEW</b>	
<b>DATE</b>	
<b>NAME</b>	

**FORM C - APPEAL FORM**

HM.....

<b>NAME</b>	
<b>NOMIS No</b>	
Describe the reasons for wishing to appeal against the decision to be placed on the E-list	
<b>SIGNED</b>	
<b>DATE</b>	

To be completed by Head of Security

<b>Appeal Outcome</b>	
Reason for outcome	
<b>NAME</b>	
<b>SIGNED</b>	
<b>DATE</b>	

**FORM D - E-LIST REVIEW**

<b>NAME</b>	
<b>NOMIS No</b>	
<b>DATE TO E-LIST</b>	
<b>E-LIST CLASSIFICATION</b>	ESCORT / STANDARD / HEIGHTENED
<b>REASON FOR REVIEW</b>	ROUTINE / CHANGE IN CIRCUMSTANCES
<b>CUSTODY ISSUES</b>	<p>Has the prisoner's status changed? If Y ....</p> <p>Any additional charges? If Y...</p> <p>Any outstanding court appearances? If Y list court and date if known</p> <p>Is the prisoner subject to ongoing POCA proceeding?</p> <p>Are there immigration issues?</p>
<b>OTHER ESCORTS</b>	<p>Are there are planned escorts including pre-booked hospital appointments? If Y list destination and date.</p>
<b>WING REPORT</b>	
<b>ACTIVITY REPORT</b>	
<b>PIO REPORT</b>	
<b>INTELLIGENCE ANALYST REPORT</b>	

<b>DECISION LOG</b>	
<b>OUTCOME</b>	
<b>DATE REVIEW TO BE COMPLETED BY</b>	NAME ... SIGN ....
<b>FORM COMPLETED BY</b>	NAME ... SIGN ....

## CHECKLIST WHEN REMOVED FROM E-LIST

- UPDATE NOMIS
- INFORM GATE (COMMS / CONTROL ROOM AND WING IF E-LIST STANDARD) AND COLLECT PHOTOS
- PRISONER NOTIFICATION FORM COMPLETED
- INFORM OMU FOR ANY COURT PRODUCTIONS