

Joint National Protocol for the Recall Process for Offenders Subject to Licence

VERSION 4



Public Protection Group Part of
HMPPS

Probation
Service



HM PRISON
SERVICE

Public Sector Prisons



Youth Justice Board
Bwrdd Cyfiawnder Ieuencid



Youth
Custody
Service



National Police Chiefs' Council



ems
Electronic
Monitoring
Services



Home Office



CPS

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1. Introduction

- 1.1 This protocol sets out the respective responsibilities of individual agencies in the process for recalling offenders to prison custody using executive powers. This protocol applies to all determinate and indeterminate sentenced prisoners who are released into the community subject to licence conditions and supervised by the Probation Service and Youth Justice Services. It does not apply to Post Sentence Supervision. The overriding objective of the protocol is to protect the public and victims of crime and prevent further offending.
- 1.2 This protocol has been produced by The Public Protection Group (PPG) in His Majesty's Prison and Probation Service (HMPPS), with contributions from all the detailed signatories. Therefore, the processes documented within this protocol reflect practices from all listed organisations and should be adhered to accordingly.

2. Geographical Scope

- 2.1 This protocol is to be adopted across HMPPS, which includes the Probation Service, Public Protection Casework Section (PPCS) within PPG and His Majesty's Prison Service, as well as within police forces, the Police National Computer Bureau, the Electronic Monitoring Service providers, the Ministry of Justice, the UK Border Force and Home Office Immigration Enforcement (HOIE), The Crown Prosecution Service (CPS) and Youth Justice Services (YJS) in England and Wales.

3. Commencement, Interpretation and Amendment

- 3.1 This is the fourth version of the protocol and will be implemented from 9th February 2023. The first issue was published on 1st February 2005. The protocol will continue to be routinely reviewed and revised by HMPPS, in consultation with all signature agencies to ensure all roles and responsibilities are accurately documented.
- 3.2 Any provision contained in the protocol may be amended at any time with the consent of the agencies concerned.

4. Local system

- 4.1 The protocol is intended to provide each signatory with a minimum set of expectations of all partner agencies. All local systems should accord with these minimum expectations.

4.2 Responsibility for liaison on local working practices in relation the protocol rests with each of the individual agencies.

4.3 Where differences of interpretation arise locally, those local agencies will also be responsible for defining the areas of disagreement and agreeing measures for their resolution.

5. Local Monitoring

5.1 HMPPS Prison Group Directors, Regional Directors of the Probation Service (including Probation Directors for the National Security Division) and Youth Justice Services in England and Director of HMPPS in Wales will monitor compliance with the expectations set out in this protocol.

5.2 The NPCC Strategic Hub will work, as required, with NPCC Committees to monitor compliance with the expectations set out in this protocol.

5.3 Electronic Monitoring Service providers will be measured via the EM Contract requirements and protocols to comply with thresholds and timescales agreed to meet the targets where electronic monitoring is part of the licence condition.

5.4 The Serious Economic, Organised Crime and International Directorate (SEOCID) in the CPS will monitor compliance with the expectations set out in this protocol regarding requests to arrest and extradite recalled offenders believed to be overseas.

5.5 The Home Office will monitor compliance with the requirements set out in this protocol through the Foreign National Offender Returns Command and their existing governance structures that monitor the cross cutting activity that spans Home Office and HMPPS.

7. Signatories

The signatories agree to implement the provisions of the National Protocol and the local arrangements set out in the attached documents.



For His Majesty's Prison and Probation

Service (which includes HM Prison Service, the Probation Service, The Public Protection Group and the Youth Custody Service)

Name: Phil Cople

Position: Director General of Operations, HMPPS

Date: 06.01.2023



For the Youth Justice Board

Name: Claudia Sturt

Position: Chief Executive

Date: 05.01.2023



For The Police

Name: Martin Hewitt

Position: Chair of NPCC

Date: 09.12.22



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Roles and Responsibilities of all agencies involved in the recall process

1. Aim

- 1.1 This document is intended to provide a protocol for partner agencies to communicate and work together effectively in recalling an offender¹ to prison custody from a period of licensed supervision in the community. It will also help to ensure that an effective review of recalled offenders' suitability for safe re-release is completed. Thereby, the protocol will serve to protect the public and victims of crime and support prevention of further offending.

2. Objectives

- 2.1 The Joint National Protocol (JNP) aims to ensure effective and timely communication between all partner agencies and all other signatory agencies when an offender supervised in the community is recalled to prison custody. It provides an overview of the roles and responsibilities of each of the agencies involved, in both the recall and re-release processes, in line with the HMPPS Recall, Review and Re-release of Recalled Prisoners Policy Framework which can be accessed via this [link](#). This protocol should be read in conjunction with the Policy Frameworks mentioned throughout the document.

3. Summary

- 3.1 In summary, the recall process works as follows:
- the Probation Service or Youth Justice Service (for those aged 18 years and under) initiates proceedings by submitting a formal request to the Public Protection Casework Section (PPCS) to recall an offender to custody, having assessed that the offender's risk is too high to be effectively managed in the community;
 - PPCS, on behalf of the Secretary of State, is responsible for ensuring that the recall report and accompanying documents provides sufficient evidence and justification to recall the individual and so formally authorising recall requests.
 - PPCS notifies the Police National Computer (PNC) Bureau and the local Police Single Point of Contact (SPoC) that the offender's licence has been revoked;
 - PNC Bureau amends the offender's PNC record to show the licence as having been revoked; and

¹ All references to "offender" within this protocol also refer to those young individuals/children subject to recall who are covered by the processes detailed within this protocol.

- the police force is then responsible for finding and returning the offender to prison custody.
- The Probation Service will then ensure that PPCS are provided with up-to-date Part B/Part C risk management reports after the offender is returned to custody.

4. The Probation Service Roles and Responsibilities

- 4.1 The Probation Service has the statutory duty to supervise all offenders released from prison on licence. Where the supervising officer, as endorsed by the Head of the Probation Delivery Unit (PDU) or Head of National Security Unit, has assessed that the offender may no longer be safely managed in the community, the supervising officer will initiate formal action to recall the offender to prison custody.
- 4.2 When recall proceedings are necessary out of the normal business hours of the Probation Service, this request will be completed by a designated duty officer who will initiate the formal action to recall the offender to prison custody.
- 4.3 The Probation Service will provide PPCS with a full and complete Part A Recall Report and all mandatory supporting paperwork within 24 hours of the initial decision to initiate recall proceedings (or the next working day when the decision to recall is made out of hours). Where an emergency recall is being requested during office hours, the Community Offender Manager (COM)/Probation Practitioner must alert the PPCS recall team to the emergency request by telephone for approval in advance of submitting the recall paperwork.
- 4.4 Where there is ongoing police involvement, the Probation Service will notify the local police force that it has commenced action to recall the offender to custody². The Probation Service will provide the local police force with any available information and intelligence about the offender's whereabouts, in order to assist the police force in apprehending the offender as quickly as possible. This includes providing the police force with up-to-date information regarding the offender's behaviour whilst on licence to assist the police force in identifying any threat to the public or specified individuals and any risk to police officers when seeking to apprehend the offender.
- 4.5 The Probation Service will ensure that PPCS are provided with up-to-date Part B/Part C risk management reports (in line with the deadlines set out in the Recall, Review and Re-release of Recalled Prisoners Policy Framework), after the offender is returned to custody.

² For TACT, TACT connected or Terrorist Risk nominals, managed by the National Security Division, this would be via Counter Terrorism Police Nominal Managers rather than local police.

- 4.6 Within the Probation Service, the COM/Probation Practitioner will ensure that the Victim Liaison Officer (VLO) is informed where recall has been requested and again when the offender is returned to custody.
- 4.7 The Probation Service will maintain and regularly monitor a list of unlawfully at large (UAL) offenders in their regions and frequently review the intelligence on each offender in conjunction with police and PPCS to secure the apprehension of those offenders. The Probation Service has a responsibility to provide accurate data to PPCS on these cases in order to assist them to complete their quarterly audit review.

Extradition

- 4.8 The Probation Service will consult with the Police when an offender who has been recalled is believed to have left the country. In consultation, the Probation Service and police will consider and decide whether to refer the case to the Crown Prosecution Service (CPS) to pursue the arrest and extradition of the offender overseas. It is not necessary to know which country the offender is in to start this process. As a minimum, the unexpired portion of their sentence will need to be more than four months for a request to be considered. The Probation Service must ensure that any requests from the CPS for further information are actioned swiftly.
- 4.9 If an offender is extradited to the UK, the Probation Service must inform PPCS. The Probation Service should consider whether to supplement the initial recall request with any additional information about the offender's behaviour and activity whilst living abroad. This may require the Probation Service to interview the offender immediately following their return to custody. The Probation Service should consult [Extradition - To the UK | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/extradition-to-the-uk) for further information.
- 4.10 The Probation Service will liaise with officers from the National Crime Agency (NCA), and with officers from Counter Terrorism units where appropriate.
- 4.11 In cases where the prisoner is recalled and in custody at the point they turn 18 years old, the Probation Service should follow the guidance set out in the [Joint National Protocol for Transitions in England](#).

Management of Terrorist Act Offenders (TACT) on Licence

- 4.12 Where the Probation Service receive notification from Police that they have arrested a Terrorist offender due to a breach of licence conditions, pending recall, the Probation Service must consider recall proceedings immediately. In these circumstances any decision to recall must be completed as an emergency recall and submitted to PPCS. The Probation Service and PPCS will need to communicate swiftly to accommodate this timeframe.

5. Youth Justice Services (YJS) Roles and Responsibilities

- 5.1 All YJS have the responsibility to supervise children and young people released from Secure Children's Homes, Secure Schools, Secure Training Centres or from Young Offender Institutions on Licence, and when appropriate, to initiate the process of recall when serious breaches of licence conditions or further offences have occurred in order to protect the public and/or prevent any further offending.
- 5.2 The processes within this protocol relate to children and young people subject to a release licence or life licence where recall is activated through HMPPS.³ This does not include Detention and Training Orders (DTO) which would follow a breach process and be returned to court.
- 5.3 YJS will provide PPCS with a full and complete Part A Recall Report and all supporting paperwork within 24 hours of the initial decision to initiate recall proceedings. PPCS will review and issue the revocation of licence which YJS will share with the local police.
- 5.4 Where there is ongoing police involvement, YJS will notify the local police force that it has commenced action to recall the child/young person to custody. YJS will provide local police with any available information and intelligence, in relation to the young person's whereabouts, in order to assist the police force in apprehending them as quickly as possible. This includes providing the police with up-to-date information regarding the child/young person's behaviour whilst on licence to assist the Police in identifying any threat to the public or specified individuals and any risk to police officers when seeking to apprehend the child or young person.
- 5.5 After the child/young person is returned to custody, YJS will ensure that PPCS is provided with up-to-date Part B/Part C reports (in line with the deadlines set out in the Recall, Review and Re-release of Recalled Prisoners Policy Framework), on the child/young person's progress. This will include an up-to-date and complete AssetPlus, including assessment of Safety and Wellbeing and Risk of Serious Harm (RoSH) in relation to the child/young person. The full AssetPlus information should **not** be fully disclosed to the child/young person. Any disclosure of AssetPlus information to a child/young person should be done in consultation with the relevant Youth Justice Services.
- 5.6 YJS will communicate regularly with the VLO in the case, if applicable, to ensure that they are updated on the child/young person's recall and to ensure victim representations are obtained for the completion of the recall reports.
- 5.7 YJS will complete a custody module on AssetPlus and send an update to the Youth Custody Service (YCS) Placement Team. Once the child/young person has been

³ The protocol is not intended to replace those local arrangements already set up within the guidance issued by the Youth Justice Board (YJB) but is intended to enhance the supervision and communication processes within local areas between YJS, Probation and the Police Service.

arrested and detained by police, YJS will inform the YCS Placement Team to discuss the child/young person's detention and secure an appropriate placement. When the child/young person enters custody all relevant AssetPlus informed will be made accessible to the relevant secure establishment.

Extradition

- 5.8 YJS will consult with the police when a child/young person who has been recalled is believed to have left the country. In consultation, the YJS and police will consider and decide whether to refer to the Crown Prosecution Service (CPS) to pursue the arrest and extradition of the child/young person overseas. Note it is not necessary to know which country the child/young person is in to start this process. At a minimum, the unexpired portion of their sentence will need to be more than four months for a request to be considered. YJS must ensure that any requests from the CPS for further information are actioned swiftly.
- 5.9 If a child/young person is extradited to the UK, YJS must inform PPCS. YJS should consider whether to supplement the initial recall request with any additional information on what the child/young person was doing whilst living abroad. This may require YJS interviewing the child/young person immediately following his return to custody. YJS should consult [Extradition - To the UK | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk) for further information.
- 5.10 YJS will liaise with officers from the NCA, and with officers from Counter Terrorism units where appropriate.
- 5.11 In cases where the child/young person is recalled and in custody at the point they turn 18 years old, YJS should follow the guidance set out in the [Joint National Protocol for Transitions in England](#). Or in Wales [Youth to adult transition principles and guidance for Wales - GOV.UK \(www.gov.uk\)](#)

Management of TACT offenders on Licence

- 5.12 Where YJS receive notification from Police that they have arrested a Terrorist child/young person due to a breach of licence conditions, pending recall, YJS must consider recall proceedings immediately. In these circumstances any decision to recall must be completed as an emergency recall and submitted to PPCS. YJS and PPCS will need to communicate swiftly to accommodate this timeframe.

6. Public Protection Casework Section (PPCS) Roles and Responsibilities

- 6.1 Upon receipt of a recall request, PPCS, on behalf of the Secretary of State, is responsible for ensuring that the Part A recall report and accompanying documents provides sufficient evidence and justification to recall the individual and deciding whether to authorise recall requests.
- 6.2 PPCS will determine the recall type based on the information provided by the Probation Service or YOT. Where recall is requested on an emergency basis, this decision must take place within two hours of receipt of the recall request and the mandatory supporting paperwork (other than where recall is requested out of hours). For non-emergency recalls, this decision must take place within 24 hours of receipt of the recall request and the mandatory supporting paperwork.
- 6.3 Where recall is authorised, PPCS will issue a revocation notice to the Police National Computer Bureau, the local police force Single Point of Contact, Probation Service/ YJS and the prison (where the recalled offender is already in prison custody).
- 6.4 PPCS is responsible for maintaining a 24/7/365 'Out of Hours' service to deal with requests for emergency recalls from the Probation Service/YJS and requests for breaches of the Early Removal Scheme from the police and The Serious Economic, Organised Crime and International Directorate (SEOCID).
- 6.5 PPCS will run daily management information reports that will indicate when a recalled offender has returned to custody.
- 6.6 On notice of the offender's return to prison custody, PPCS is responsible for providing a copy of the recall dossier to the prison, and for notifying the COM/Probation Practitioner within 24 hours.
- 6.7 If representations are received (legal or personal) in the case of Home Detention Curfew (HDC) Recalls, PPCS is responsible for forwarding these to the HDC Recall Appeals Team. PPCS is responsible for sending the Appeal Dossier to the necessary prison establishment.
- 6.8 Where the COM/Probation Practitioner submits a Part B / C report, PPCS is responsible for considering suitability for executive re-release for determinate sentenced offenders, including those offenders subject to extended sentences. Where an executive re-release is agreed, PPCS will issue the decision to all parties, including the Independent Parole Board for England and Wales (the Parole Board), when the case has been referred to them.
- 6.9 PPCS is responsible for collating and issuing data on the multi-agency performances against the end-to-end recall target and to alert the YJS of any performance issues regarding youth cases generally or specifically and to provide the YJS with youth specific data at agreed intervals.

- 6.10 PPCS maintains a central database which includes all offenders who have been recalled. PPCS is responsible for reviewing the status of those offenders who are UAL on a quarterly basis, in conjunction with police and the Probation Service to ensure that an accurate record is maintained of all unlawfully at large offenders. Data related to these cases is published on a quarterly basis.
- 6.11 PPCS is responsible for coordinating and submitting evidence to the police where the offender has been UAL for more than 28 calendar days (starting from the date of the revocation order), informing them that the offender is liable to be prosecuted for an offence of being unlawfully at large.

Tariff Expired Removal Scheme (TERS), Early Removal Scheme (ERS) and Extradition

- 6.12 If an offender who has been removed under the Tariff Expired Removal Scheme (TERS) returns to the UK, PPCS will be notified of the return by the receiving prison or HOIE and will issue a notification to the prison establishment, confirming that the offender is liable to be detained. PPCS will then start a new Generic Parole Process (GPP) review for the offender's ongoing detention to be reviewed.
- 6.13 If an offender who has been removed early under the Early Removal Scheme (ERS) returns to the UK, PPCS will be notified of the return by the receiving prison or HOIE and will issue a notification to the prison establishment confirming that the offender is liable to be detained.
- 6.14 If an offender is extradited to the UK, PPCS will be alerted by the receiving prison and must then issue the recall dossier and reasons for recall, so that the case can be referred to the Parole Board. This does not preclude any other stakeholders, such as police, or HOIE, from notifying PPCS of the breach.

Management of TACT offenders on Licence

- 6.15 On receipt of an emergency recall request from the Probation Service for a Terrorist offender (where they are held on urgent arrest by the Police), PPCS must make a decision on recall within two hours of receipt of the recall request and the mandatory supporting paperwork (other than where recall is requested out of hours). PPCS and the Probation Service will need to communicate swiftly to accommodate this timeframe. PPCS will need to provide the revocation notice to Police and Probation once the recall has been processed.

7. Police Roles and Responsibilities

- 7.1 Police forces are responsible for apprehending offenders whose licences have been revoked and who are thereby unlawfully at large in the community.
- 7.2 When contacted by the Probation Service/YJS, Prisons and/or PPCS, the police have a responsibility to provide a copy of up-to-date previous convictions for the offender and must provide these when requested for inclusion with the recall request.
- 7.3 The police are responsible for apprehending offenders who are subject to emergency recall within 48 hours and, in all other types of recalls, within 96 hours of the revocation order being issued by PPCS.
- 7.4 Once apprehended, police must follow the correct procedure and request a move through Book a Secure Move (BaSM) by the Prison Escort Custody Service to transfer the offender back to the most appropriate prison establishment.
- 7.5 The relevant police force is responsible for keeping in regular contact with the Probation Service/YOT as to its progress in apprehending an offender whose licence has been revoked.
- 7.6 Where the police hold intelligence/information on an offender, subject to licensed supervision, which may have a direct impact on the offender's risk of serious harm to the public and/or of re-offending, they should provide it to the Probation Service/YOT. If a decision to recall is taken, based on this information, this information will be disclosed to the prisoner, unless an application for non-disclosure is made to the Parole Board. Further information on this process can be found within the Handling Sensitive Information Policy Framework via this [link](#).
- 7.7 The police should liaise with Electronic Monitoring Service (EMS) to seek any intelligence that they might hold which can assist with apprehending the recalled offender and initiate the return of the electronic monitoring equipment.
- 7.8 The police are responsible for identifying and nominating regional SPOCs for the area that each offender is supervised in. The SPOC must be available 24 hours a day 7 days a week. The SPOC will act as a direct liaison with PPCS and the Probation Service to receive and disseminate information on progression of the recall, licence conditions, pre-release notification and revocation orders.
- 7.9 Upon receipt of a recall notification from PPCS, the PNC Bureau must update the offender's PNC report with this information. This must be completed within 2 hours for Emergency recalls and within 24 hours for non-emergency recalls.
- 7.10 The PNC Bureau must confirm by return email to PPCS that the revocation order has been received and noted on their database. This will include the Emerald Warrant System (EWS) number, which PPCS will then update on the Public Protection Unit

Database (PPUD). Police are expected to seek to arrest the offender in line with the timescales referenced in point 7.3.

- 7.11 Where police have reason to believe an offender has crossed to another police force area, it is the duty of the original 'home' force to communicate that information to the force into whose area they believe the offender has moved. If a recalled offender is arrested in an area other than the area in which either they resided or originally committed the offence, the arresting police force should inform the police SPOC in the home force (originating owner as recorded on the police letter accompanying the copy of the revocation order and/or PNC). The 'home police force SPOC should inform the relevant Probation Service contact or YOT in their area.
- 7.12 Each police force must maintain a list of all UAL offenders in their areas and should frequently review the intelligence on each offender in conjunction with Probation Service/YOT and PPCS to secure their apprehension.

Tariff Expired Removal Scheme (TERS), Early Removal Scheme (ERS) and Extradition

- 7.13 The police must notify the Probation Service when an offender who has been recalled is believed to have left the country. In consultation, the police and Probation Service will consider and decide whether to request that the CPS initiate extradition proceedings. At a minimum, the unexpired portion of their sentence will need to be more than four months for a request to be considered.
- 7.14 If an offender who has been removed early under the TERS returns to the UK and is held in police custody, police will notify PPCS of this return to obtain confirmation that the offender is to be detained.
- 7.15 If an offender who has been removed early under the ERS returns to the UK and is held in police custody, police will notify PPCS of this return to obtain confirmation that the offender is to be detained.

Management of TACT offenders on Licence

- 7.16 Section 184 of the Police, Crime, Sentencing and Courts (PCSC) Act 2022 provides the Police with the power to undertake an urgent arrest of a Terrorist individual on licence who is likely to be recalled to custody due to a breach of their licence conditions, where the police reasonably consider that it is necessary to protect the public from a risk of terrorism, to detain the individual until a recall decision is made.
- 7.17 Where the Police apprehend an individual under this power, they will make immediate contact with the Probation Service to allow them to consider recall proceedings. The police can only hold the TACT or TACT Connected offender for a limited period of time (6 hours in England and Wales and 12 hours in Scotland and N. Ireland), pending a decision to recall being made.

8. HM Prison Service Roles and Responsibilities

- 8.1 The Prison Service⁴ is responsible for holding offenders who have been recalled to custody following a breach of licence.
- 8.2 If a recalled offender has remained in custody for over five days and the prison have not received a copy of the recall dossier, the prison must make urgent contact with PPCS to request a copy of the dossier.
- 8.3 Prisons must disclose any dossiers, recall reports, decision summaries, directions reports or documents pertaining to the offender's recall within one working day of receipt, unless subject to non-disclosure directions. A member of staff must explain the disclosed documents to the offender and inform them of their right to make representations for their release and/or their right to apply for a review of the decision.
- 8.4 Where a recalled offender makes representations to the Parole Board (within the 28-calendar day period), the prison must ensure that the representations are provided to PPCS for inclusion in the dossier.

Release

- 8.5 Prisons will ensure that all determinate sentenced recalled offenders are released on licence where appropriate, as soon as is practicable where directed by the Parole Board or the Secretary of State. In the case of fixed term recall, this will occur no later than 14 or 28 days from the return to custody; at the conditional release date; where the offender was recalled following a breach of HDC conditions and in all other cases, no later than sentence expiry.
- 8.6 Prisons must not release recalled offenders, who receive a re-release decision and who are subject to the Reconsideration Mechanism, until PPCS confirm that the 21-calendar day reconsideration process has been completed. For more information about the Reconsideration Mechanism, please see the Recall, Review and Re-Release of Recalled Prisoners Policy Framework [here](#).
- 8.7 If an appeal against a HDC Recall is upheld, and the offender has a suitable, approved address, the prison must re-release the recalled offender subject to HDC as soon as is practicable.
- 8.8 Where a member of the public contacts a prison establishment (either by telephone or letter) with pertinent information regarding a former prisoner, **in all cases** the prison must ensure that this information is passed onto the relevant Probation Office/COM, even in cases where the offender was not released from the prison establishment that has been contacted. The recipient of the contact must ensure

⁴ All references to "prison" within this protocol also refer to those establishments that hold young individuals/children who are in custody, including Young Offender Institutions, Secure Schools, Secure Training Centres and Secure Children's Homes.

that the information is shared with the prison Offender Management Unit (OMU) in order for the information to then be disclosed in writing or by telephone to the relevant Probation Office/COM. If the information is received out of office hours, the recipient of the call must notify the OMU via email, for urgent action to be taken the next working day.

Tariff Expired Removal Scheme (TERS), Early Removal Scheme (ERS) and Extradition

- 8.9 If an offender who has been removed under TERS returns to the UK, prisons will notify PPCS of the return. PPCS will then issue a notification to the prison establishment, confirming that the offender is liable to be detained. This does not preclude any other stakeholders, such as police, or HOIE, from notifying PPCS of the breach.
- 8.10 If an offender who has been removed early under ERS returns to the UK, prisons will notify PPCS of the return. PPCS will then issue a notification to the prison establishment, confirming that the offender is liable to be detained. This does not preclude any other stakeholders, such as Police, or HOIE, from notifying PPCS of the breach.
- 8.11 If an offender is extradited to the UK, the receiving prison must notify PPCS, who will then issue the recall dossier and reasons for recall, so that the case can be referred to the Parole Board. This does not preclude any other stakeholders, such as police or HOIE, from notifying PPCS of the breach.

9. Electronic Monitoring Service (EMS) Roles and Responsibilities

9.1 EMS is responsible for fitting, installing and maintaining any electronic monitoring equipment. EMS is also responsible for monitoring any electronically monitored curfew or location requirement imposed as part of the licence and alerting Probation and PPCS to violations that meet the relevant threshold. EMS will, by midnight the following working day, report violations as follows:

9.2 For HDC cases:

- Report any inability to monitor a curfew, or curfew violations that meet the relevant breach threshold (Level 1 and 2), to PPCS and copy in Probation/YJS. Further information on what constitutes a Level 1 or Level 2 violation is available in the Recall, Review and Re-release of Recalled Prisoners Policy Framework via this [link](#);
- Report any tampers with equipment, that prevents the monitoring of the person, to PPCS and copy in Probation/YJS;
- Report any violations of location monitoring requirements, including inability to monitor and GPS tag battery breaches, to YJS/ Probation.

9.3 For all other curfew and/or location monitoring cases:

- Report any curfew or location monitoring violations (including battery breaches) that meet the relevant threshold to YJS/Probation.

9.4 For Alcohol Monitoring:

- Alert data will be made available via Scramnet to both Probation and EMS for action. Probation will manage alerts relating to alcohol consumption, potential obstructions and missed uploads of data by the monitored person. EMS will manage alerts relating to equipment issues.

For All Electronically Monitored Orders:

- 9.5 For adult electronic monitoring orders, if the notification is received before 15:00 hours, EMS will aim to install the EM equipment before midnight the same day. If the order arrives after 15:00 hours, EMS will attempt to install by midnight the same day or the following day. For under 18s, EMS will try to visit before 22:00 hours (though exceptions may be made if the young person has a late curfew start).
- 9.6 EMS will induct the offender on the electronic monitoring requirements, including any battery charging requirements, and provide them with a handbook that contains EMS contact details.
- 9.7 EMS is responsible for ensuring that the EM equipment is fully operational.
- 9.8 On request, EMS will provide PPCS and Probation with any non-compliance information requested to manage the Order or take forward enforcement action. Any requests for additional data beyond what is usually disclosed will need to be justified to demonstrate necessity and proportionality and EMS will ask the requestor to complete the necessary form.
- 9.9 Where EMS receives a request for information from the police that demonstrates necessity and proportionality, a proportionate amount of information will be shared with the Police. This includes information to allow the police to facilitate an arrest of an offender subject to recall.
- 9.10 EMS equipment will remain active for seven days after the receipt of the revocation licence issued by PPCS or on notification that the person is back in custody. Thereafter, EMS will make attempts to retrieve all electronic monitoring equipment from the person's property.

10. Crown Prosecution Service (CPS) Roles and Responsibilities

- 10.1 The CPS is responsible for considering whether to request the arrest and extradition of recalled offenders believed to be overseas. Cases are referred to the CPS from police, Probation Service or YJS in order for them to consider the appropriateness of the request. The CPS office responsible for the original prosecution will deal with the process.
- 10.2 Upon receipt of all the necessary information, the CPS is responsible for considering and obtaining a warrant under the UK-EU Trade and Cooperation Agreement, authorising an Interpol Wanted Diffusion, and/or preparing an extradition request.

11. Home Office Roles and Responsibilities

- 11.1 The Home Office is responsible for transmitting a diplomatic request for extradition (issued by the CPS) to non-EU territories.
- 11.2 If an offender who has been removed early under the ERS returns to the UK and is identified by Home Office Border Force or Home Office Immigration Enforcement (or any successors of these units), the encountering unit will notify PPCS to inform them of this return, and to obtain confirmation that the offender is to be returned to prison under ERS breach (or refused entry and immediately returned (in Border Force cases only)).
- 11.3 If an offender who has been removed early under the TERS returns to the UK and is identified by Border Control, the Home Office will notify PPCS to inform them of this return, to obtain confirmation that the offender is to be detained.
- 11.4 The Home Office will ensure that the Probation Service/YJS are informed when an offender is extradited to the UK.
- 11.5 The Home Office will provide the Probation Service/YJS with up-to-date information regarding an offender's immigration and deportation status to ensure the Risk Management Plan is up to date.

Useful Point of Contacts

The Probation Service- [Probation Service - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The Youth Justice Services- [Youth justice services contact details - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The Police- info@npcc.police.uk

PPCS National Security Casework Team: NationalSecurityCasework@justice.gov.uk

Tariff Expired Removal Scheme- TERSinbox@justice.gov.uk

Policy queries: ParoleRecallPolicy.pops@justice.gov.uk

Recall Queries:

Recall1@justice.gov.uk - Responsible for London Region, South East & Eastern Region, South West Region and HMPPS Wales

Recall2@justice.gov.uk - Responsible for North East Region , North West Division & Midlands Region

Parole Eligible Casework- For Indeterminate Sentence Prisoner Recalls Only-

London & East Midlands Probation Division- Team 1 - PEC.London@justice.gov.uk,
PEC.EastMidlands@justice.gov.uk

North East, Yorkshire & Humber, West Midlands Probation Division Team 2-
PEC.Northeast@justice.gov.uk, PEC.Yorkshire&Humberside@justice.gov.uk

East of England, Kent, Surrey & Sussex; South West & South- Central Probation Division
Team 3 - PEC.Southeastandeast@justice.gov.uk,
PEC.SouthWestandSouthCentral@justice.gov.uk

North West, Greater Manchester & Wales Probation Division Team 4
PEC.Northwest@justice.gov.uk, PEC.GreaterManchester@justice.gov.uk,
PEC.Wales@justice.gov.uk

Licence Variations- licence.variations@justice.gov.uk

Reconsideration Team- ppcsreconsiderationteam@justice.gov.uk

MOJ HDC Policy and HDC Recall Appeals team: Release.policy@justice.gov.uk

HM Prison Service- Contact necessary prison establishment for assistance- [HM Prison Service - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Electronic Monitoring Service- 0800 137 291

Home Office- [Home Office - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The Crown Prosecution Service- Contact local CPS Area for assistance

Quick Reference Guide to Policy Frameworks and Useful Documents

For more information on any of the Policy Frameworks or processes linked within this protocol, please find the necessary web links below.

[Early removal scheme and release of foreign national prisoners PSI 04/2013](#)

The PSI provides guidance in relation to the Early Removal Scheme for determinate sentenced foreign national prisoners. It includes guidance for calculating the ERS period, the ERS process, removal of the offender and the breach process and notification.

The Crown Prosecution Service, May 2020. [Extradition | The Crown Prosecution Service \(cps.gov.uk\)](#)

Home Office, March 2013. [Extradition - To the UK | The Crown Prosecution Service \(cps.gov.uk\)](#)

[Generic Parole Process Policy Framework](#)

The Policy Framework provides covers the Parole process, including Minimum Term reviews for prisoner sentenced to detention during Her Majesty's Pleasure, Indeterminate Sentenced Foreign National Prisoners, Pre-Tariff reviews, Parole Board reviews, Reconsideration of Parole Board decisions, Exceptional transfer to Open Conditions, adverse developments and transfer of prisoners during a Parole Board review.

[Handling of Sensitive Information Policy Framework](#)

This instruction sets out arrangements for the handling of sensitive material, where it is deemed necessary to apply to the Parole Board to withhold the material from the prisoner. This includes the processes for submitting sensitive security information to the Parole Board and the special categories of information that may need to be withheld.

[Home Detention Curfew Policy Framework](#)

This Policy Framework sets out the operational requirements of the HDC scheme, and offers guidance to practitioners, including around establishing eligibility and assessing suitability for release on HDC, and post-release procedures. It also includes guidance on HDC for young people.

[Joint National Protocol for Transitions in England - Joint protocol for managing the cases of children moving from Youth Offending Teams to the National Probation Service](#)

The protocol outlines the respective operational procedures and responsibilities for YJS and the PS in England, to support effective management of case transfer of supervision from the YOT to adult probation services.

Or in Wales [Youth to adult transition principles and guidance for Wales - GOV.UK \(www.gov.uk\)](#)

[Licence Conditions Policy Framework](#)

This Policy Framework provides advice on the setting of conditions as well providing the menu of additional conditions available and adds the templates for licence and supervision notices to be used for offenders sentenced under the Offender Rehabilitation Act 2014. It also includes a breakdown of who is responsible for approving additional conditions for each type of sentence.

[Managing Parole Eligible Offenders on Licence Policy Framework](#)

This Policy Framework includes guidance on Parole Eligible Licence Variation, Applications to Suspend Supervisory Conditions of an Indeterminate Licence, Re-imposition of Supervision and IPP Licence Termination.

[Parole Board Oral Hearing Administration and Attendance Policy Framework](#)

This Policy Framework includes guidance for all prison and probation staff involved in the oral hearing administration process and witness attendance at an oral hearing. This includes Parole Board remote hubs, attending an Oral Hearing at a prison, security and safety, including arrangements for prisoner's representatives and victims attending Oral Hearings.

[Recall, Review and Re-release of Recalled Prisoners Policy Framework](#)

This Policy Framework includes guidance on requesting a recalling, Out of Hours recall requests, rescind of recall, Unlawfully at Large following recall and the return to custody, review and re-release of offenders, executive release, Parole Board hearings and ongoing/annuals reviews.

[The Parole Board Rules](#)

The Parole Board Rules 2019 were introduced on 22 July 2019. These new rules were laid before parliament on 24 June 2019 and replace the Parole Board rules 2016. The new rules apply to all parole reviews referred to the Parole Board by the Secretary of State for Justice on or after 22 July 2019. The Parole Board Rules 2016 still apply for parole reviews referred before 22 July 2019. The link provided outlines the full set of the Parole Board Rules 2019.

[The Care and Management of Individuals who are Transgender Policy Framework](#)

The Policy Framework is intended to provide staff with clear direction in the support and safe management of transgender individuals in our care, including managing risks both to and from transgender individuals, and enabling risk to be managed when an individual is placed into a prison which is different to that of their legal gender or where a Gender Recognition Certification (GRC) has been obtained.