



# HM Prison & Probation Service

Discharge		
This instruction applies to:-		Reference:-
Prisons		<b>PSI 72/2011</b>
Issue Date	Effective Date	Expiry Date
November 2024 <b>(Revised)</b>	01 January 2011	N/A
Issued on the authority of	HMPPS Agency Board	
For action by	<p>All staff responsible for the development and publication of policy and instructions</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> HMPPS HQ</li> <li><input checked="" type="checkbox"/> Public Sector Prisons</li> <li><input checked="" type="checkbox"/> Contracted Prisons*</li> <li><input type="checkbox"/> Probation Service (NPS)</li> <li><input type="checkbox"/> HMPPS Immigration Removal Centres (IRCs)</li> <li><input type="checkbox"/> Other Providers of Probation and Community Services Governors</li> <li><input checked="" type="checkbox"/> Heads of Groups</li> <li><input type="checkbox"/> HMPPS Rehabilitation Contract Services Team</li> <li><input type="checkbox"/> <i>* If this box is marked, then in this document the term Governor also applies to Directors of Contracted Prisons</i></li> </ul>	
For information	All staff in HMPPS HQ, Prison establishments, Approved Premises Managers, National Probation Service, Community Rehabilitation Companies, Secure Training Centres and NHMPPS IRCs.	
Provide a summary of the policy aim and the reason for its development/ revision	<p><b>Update November 2024</b> - Updated to reference the Prison Public Protection Policy Framework</p> <p><b>Update 16 August 2023:</b> Further amendments have been made to the amount of Subsistence Payment eligible prisoners receive on release from custody.</p> <p><b>Update 16 August 2022:</b> Further amendments have been made to the amount of Subsistence Payment eligible prisoners receive on release from custody.</p> <p><b>Update 16 August 2021:</b> Amendments have been made to the name and amount of Discharge Grant eligible prisoners receive on release from custody.</p> <p><b>Update December 2015:</b> This instruction introduces changes made to HMPPS Service Specifications to capture HMPPS responsibilities resulting from the new requirements under the Care Act 2014.</p> <p>This instruction provides guidelines and mandatory actions on the discharge of prisoners at the end of sentence; discharge to court; transfers to other establishments and removal centres; release on temporary licence; bail, discontinuance of case, payment of fines, productions and deportation of Foreign Nationals.</p>	

<b>Contact</b>	Operational Policy Team <a href="mailto:Operational_policy1@justice.gov.uk">Operational_policy1@justice.gov.uk</a>
<b>Associated documents</b>	The Early Days – Discharge Service Specifications can be found at: <a href="http://www.gov.uk/government/collections/noms-directory-of-service-specifications">www.gov.uk/government/collections/noms-directory-of-service-</a>

	<p><b><u>specifications</u></b></p> <p><a href="#">PSI 03/2016 AI 06/2016 Adult Social Care</a></p> <p><a href="#">PSI 17/2015 Prisoners Assisting Other Prisoners</a></p> <p><a href="#">PSI 16/2015 Adult Safeguarding in Prison</a></p> <p><a href="#">PSI 04/2018 AI 03/2018 Records, Information Management and Retention Policy</a></p> <p><a href="#">PSI 29/2014 Release on Licence for Foreign National Prisoners pending Deportation</a></p> <p><a href="#">Information Security Policy Framework</a></p> <p><a href="#">Community Accommodation Service Policy Framework</a></p> <p><a href="#">PSI 08/2012 Care and Management of Young People</a></p> <p><a href="#">PSI 09/2012 Implementation of the Service</a></p> <p><a href="#">Specification for Bail Services</a></p> <p><a href="#">Searching Policy Framework</a></p> <p><a href="#">Prisoner's Property Policy Framework</a></p> <p><a href="#">PSO 4600 Unconvicted, Unsented and Civil Prisoners</a></p> <p><a href="#">PSI 32/2011 Ensuring Equality</a></p> <p><a href="#">PSI 48/2000 The Bail System</a></p> <p><a href="#">Prison Public Protection Policy Framework</a></p> <p><a href="#">PSI 05/2014 Checking the barred status of prisoners</a></p>
	<b>Replaces the following documents which are hereby cancelled:</b> None
	<b>Introduces amendments to the following documents:</b> None
	<p><b>Audit/monitoring:</b> Mandatory elements of instructions must be subject to management checks and may be subject to self or peer audit by operational line management/contract managers, as judged to be appropriate by the managers with responsibility for delivery. In addition, HMPPS will have a corporate audit programme that will audit against mandatory requirements and at a frequency determined from time to time through the appropriate governance.</p> <p>HMPPS contract management will hold providers to account for delivery of mandated instructions as required in the contract.</p>
	<b>Notes: <i>All mandatory actions throughout this instruction are in italics and must be strictly adhered to.</i></b>

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1	<a href="#">Executive Summary</a>	Governors / Directors and Functional Heads in establishments as allocated by Governors or Directors in each establishment.
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## Executive Summary

### Update 16 August 2023

1.1 This instruction has been updated to introduce changes to the amount of Subsistence Payment eligible prisoners receive on release from custody. The Subsistence Payment will increase from £82.39 to £89.52, in line with the UK's Consumer Prices Index. This new and updated figure will come into effect on the 16<sup>th</sup> of August 2023.

### Update 16 August 2022

1.2 This instruction has been updated to introduce changes to the amount of Subsistence Payment eligible prisoners receive on release from custody. The Subsistence Payment will increase from £76 to £82.39, increasing alongside the UK's Consumer Prices Index. This new and updated figure will come into effect on the 16<sup>th</sup> of August 2022.

### Update 16 August 2021

1.3 This instruction has been updated to introduce changes to the name and amount of Discharge Grant eligible prisoners receive on release from custody. The Discharge Grant will be renamed the Subsistence Payment and the amount will change to £76 to reflect increases in the UK's Consumer Prices Index (CPI). The Subsistence Payment will increase year on year until 2024/25 in line with the CPI and the PSI will be revised each year to show the new amount.

### Update December 2015

1.4 This instruction has been updated to introduce changes made to HMPPS Service Specifications to capture HMPPS responsibilities resulting from the new requirements under the [Care Act, 2014](#). The Care Act covers social care provision for adult prisoners and young offenders aged 18 and over in England regardless of where they have lived prior to imprisonment. The Care Act does not apply in Wales; [the Social Services and Wellbeing \(Wales\) Act 2014](#) will cover provision in Wales from 2016. New mandatory actions can be found at paragraphs 1.8-1.9 and paragraph 1.10 provides information about the resource impact. Further details on the Care Act can be found in [PSI 03/2016 Adult Social Care](#), [PSI 17/2015](#) Prisoners Assisting Other Prisoners and [PSI 16/2015](#) Safeguarding Adults.

## Background

1.5 The latest versions of the Early Days and Discharge specifications, operating models, direct service costs and assumptions spreadsheets produced by SBC (Specifications, Benchmarking and Costings) are available on the internet at:  
[www.gov.uk/government/collections/noms-directory-of-service-specifications](http://www.gov.uk/government/collections/noms-directory-of-service-specifications)

## Desired Outcome

1.6 The correct prisoner is discharged to the correct location on the correct date and time in accordance with the Early Days and Discharge Specification.

#### Application

1.7 All staff involved with the discharge of prisoners.

1.8 This instruction covers the following discharges:

- Discharge at the end of sentence;
- Discharge to court;
- Transfers;
- Release on Temporary Licence
- Other discharges – e.g. bail, discontinuance of case, payment of fines, productions
- Foreign Nationals
- Local authorities; care and support service providers

#### Mandatory Actions

1.9 *Governors must ensure that the discharge of prisoners is undertaken in accordance with this instruction and the Early Days and Discharge Specification.*

1.10 *If a prisoner is in receipt of care and support provided by the local authority under the Care Act, prisons must provide timely notice to local authorities, and to care and support service providers when a decision is made to transfer a prisoner to another establishment and must advise local authorities of planned discharge dates.*

1.11 *Prisons must identify the contribution of custodial services and any contribution under the Prisoners Assisting other Prisoners scheme [PSI 17/2015](#)), as part of the information provided, so that appropriate arrangements can be made for the new location.*

#### Resource Impact

1.12 Governors of some establishments may need additional resources depending on the needs of the population of that prison. At present this is not possible to quantify but the impact will be monitored. Governors may contact Public Sector Prisons Business Development Group in relation to resourcing issues. Contracted providers may raise matters through contract management meetings.

(Signed)

**Section 2****SERVICE ELEMENT: PRISONER DOCUMENTATION & ARRANGMENTS CHECK****Row 1 Output: Prisoners are discharged on the correct date and time to the correct place**

2.1 *The F2050, F2051 and warrants must be checked to ensure that it is correct to discharge the prisoner for the reason given, and that:*

- *there are no consecutive fines;*
- *there are no outstanding remand warrants;*
- *there are no confiscation orders;*
- *there are no deportation orders;*
- *the prisoner is not subject to an outstanding recall from a previous sentence;*
- *any additional days imposed at adjudications have been taken into account in calculating the prisoner's release date;*
- *the relevant documents giving the releasing authority of the Parole Board and/or the Secretary of State have been received; and*
- *there are no other reasons to keep a prisoner in custody.*

2.2 If the prisoner is going to court they should, where appropriate, be identified as a 'production'.

2.3 *The F2050 and F2051 must accompany the prisoner when they are being transferred to another establishment, or when it is known, or thought likely that the prisoner will be sent from court to another establishment. When it is known that the prisoner will be returning to the discharging establishment these documents will remain at that establishment. In the case of a transfer of a young person see also paragraph 5.35 of [PSI 08/2012](#) Care and Management of Young People. In the case of foreign national prisoners being handed into the custody of UK Visas and Immigration, refer to [PSI 29/2014](#) Release on Licence for Foreign National Prisoners pending Deportation.*

2.4 *A check must be made that the discharge date on Prison-NOMIS agrees with the date recorded on the calculation sheet.*

**Prison-NOMIS**

2.5 *Discharges must be entered onto Prison-NOMIS. Failure to do so will prevent the discharge from being confirmed, result in the roll being incorrect and the discharge information sent to the police being incomplete.*

**Row 2 Output: Prisoners are aware of and understand their community arrangements, reporting instructions, licence conditions, and/or MAPPA arrangements to which they will be subject****Community Arrangements**

2.6 Remind prisoners of the community arrangements e.g. accommodation and/or employment placements that have been put in place for them.

### Reporting Instructions and Licence conditions

2.7 *Arrangements must be in place to ensure that:*

- *prisoners are aware of and understand any reporting instructions and licence conditions to which they will be subject. If the prisoner is a Prolific or Other Priority Offender they must be informed that the police will be made aware of the date of release and the address at which they will be living.*
- *the prisoner has read, or has had read to them, and understood, the At Risk Notice and/or any licence conditions/reporting instructions which have been imposed.*
- *the prisoner has read, or had read to them, and understood, any bail conditions which have been imposed. The Bail Form must be signed by the prisoner and the discharging officer and copies issued to the prisoner and retained in the F2050.*
- *prisoners on bail, temporary release or final discharge must be handed a copy of any bail or licence conditions or the At Risk Notice.*
- *When a young person is released, establishments must ensure that the requirements of YJB National Standards paragraphs 9.70 – 9.74 are satisfied.*

YJB National Standards:

<http://www.yjb.gov.uk/publications/Scripts/prodView.asp?idproduct=466&eP=>

<http://www.yjb.gov.uk/publications/Resources/Downloads/National%20Standards%20for%20Youth%20Justice%20Services.pdf>

2.8 Once bail has been granted, and any other outstanding warrants have been checked, prisons should ensure that release occurs as quickly as possible to give effect to the courts decision and so that delays in discharge procedures do not render the defendant in breach of any curfew. The prison has no power to delay release if bail has been granted by the court but if it is clear that the prisoner could not avoid breach of bail he/she should be offered the option of staying a further night and being released early the next day.

2.9 *The Governor must ensure that arrangements are in place to process releases on bail in the evenings and at weekends.* If notice of a release on bail, or confirmation that conditions have been met, are received in the evening when the prisoner is likely to have difficulty reaching the bail address, or will be in breach of any curfew, it is reasonable to hold the prisoner until the following morning if the prisoner so consents.

2.10 If the prisoner consents to stay overnight a written agreement from the prisoner is needed - using the form at [Annex A](#). If the prisoner is being released to [Community Accommodation Service Policy Framework and HDC](#)) or an Approved Premises the relevant provider should be advised.

2.11 *A record that the above actions have been done must be kept in the prisoner's F2050.*

2.12 *The prisoner's details must be checked against the Licence and a copy of the Licence retained at the gate for the prisoner's return.*

2.13 *A list of people to whom authority has been delegated to sign licences, along with their specimen signatures, must be in place.*

**Row 3 Output: Where identified a prisoner is aware of the need to attend the police station regarding the sex offenders register**

2.14 *Identified prisoners must be informed of their requirements to register at a prescribed police station and provide such information as necessary for the purposes of Notification when released into the community. This must be explained to the prisoner and a form signed by staff and the prisoner to confirm the Notification has been issued. A copy of this form, court notice and if applicable, the sex offender restraining order, are to be given to the offender and a copy kept on file.*

2.15 Full guidance on Sex Offender Registration is available in the [Prison Public Protection](#) Policy Framework.

**Row 4 Output: Where appropriate, the Firearms Certificate is signed by the prisoner to whom it applies**

2.16 *All prisoners on discharge whose sentence was longer than three months must sign the F2050F Firearms Certificate to confirm their understanding that possession of firearms is not permitted after release.*

**Row 5 Output: Where appropriate, prisoners are reminded of the requirements of the Disqualification Order**

2.17 *Identified prisoners must be reminded that a Disqualification Order applies to them. This must be explained to the prisoner and a form signed by staff and the prisoner to confirm the Notice of Disqualification has been issued. A copy of the form and the court notice are to be given to the prisoner and a copy kept on file.*

2.18 Full guidance on Disqualification Orders is available in PSI 05/2014 Checking the barred status of prisoners.

2.19 *If a prisoner refuses to sign the documentation when required to so do, the refusal and any reasons given must be noted on the document concerned.*

**Row 6 Output: Escort Risk Assessments are in place**

2.20 *The Escort Risk Assessment must be correctly completed, display the prisoner's photograph, and confirm that the correct prisoner is being discharged. The form must be read and signed by the escorting officer and the discharging officer, and a copy retained in line with the retention schedule detailed in [PSI 4/2018](#) Records Information Management and Retention Policy*

**Row 7 Output : Where a prisoner is moved at short notice, efforts are made to cancel known appointments and visits before the prisoner has arrived at their destination.**

2.21 This output does not apply to Category A, Restricted Status and E-list prisoners.



2.22 *Where a prisoner is to be transferred, the sending prison must make checks for any booked appointments or visits and make every effort to contact the visitor to cancel the visit to avoid a wasted journey. This applies to all appointments and visits including legal, medical, official and social visits. In contacting prospective visitors, staff must have regard to the [Information Security Policy Framework](#), in particular to make sure that personal data relating to a prisoner is passed securely to the visitor concerned.*

2.23 While the minimum standard set out in the specification is to notify visitors before the prisoner has arrived at their destination, it is obviously good practice to notify visitors as soon as possible, subject to any security concerns. Note that the requirement is to make every effort to cancel the appointment; it is not mandatory to inform the visitor of the destination or precise date and time of the transfer.

**Row 8 Output: Where a prisoner is moved at short notice, every effort is made to cancel known appointments and visits as soon as possible after the prisoner has arrived at their destination**

2.24 This is the equivalent to the Row 7 Output for Category A, Restricted Status and E-List prisoners, for whom the security factors make it inappropriate to notify outside parties of their move until it has been safely completed.

2.25 *Where a Category A, Restricted Status or E-List prisoner is to be transferred, the sending prison must identify any booked appointments or visits, as in paragraph 2.22 above, and agree arrangements with the receiving prison to ensure that every effort is made to contact the visitor and cancel the appointment as soon as possible after the prisoner has arrived at their destination, to minimise the risk of a wasted journey. In contacting prospective visitors, staff must have regard to the Information Security Policy Framework, in particular to make sure that personal data relating to a prisoner is passed securely to the visitor concerned*

**SERVICE ELEMENT: ID CHECK**

**Row 9 Output: The prisoner's identity is verified**

2.26 ***The prisoner's identity must be verified by checking their name, date of birth, signature, photograph, tattoos and scars, and biometric data if available. At least 5 reference points must be used to verify the prisoner's identity. A prisoner must not be released unless their identity has been visually verified to a photograph.***

2.27 *Gate Passes or other documentation must be issued in accordance with Local Security Strategies, for each prisoner who is authorised to leave the prison; they must be checked to ensure that the correct prisoner is being released. If in an emergency it is not possible to issue a gate pass the prisoner must be accompanied to the gate, and the releasing officer must inform the gate staff of the prisoner's identity and the reason for release.*

**SERVICE ELEMENT: PROVISION OF SUBSISTENCE PAYMENT, TRAVEL WARRANTS & CLOTHING**

**Row 10 Output: Eligible prisoners receive a Subsistence Payment, travel warrant, appropriate clothing and/or subsistence**

- 2.28 *All eligible prisoners must be given a Subsistence Payment of £89.52. See [Annex B](#).*
- 2.29 *Every prisoner being discharged, regardless of whether or not they receive a Subsistence Payment, must be issued with a travel warrant, or payment of fares where a warrant is inappropriate, to their destination within the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.*
- 2.30 *Prisoners must sign for receipt of any travel warrants/tickets.*
- 2.31 *Those prisoners who need adequate clothing for release will be given it.*

**Row 11 Output: Prisoners receive their valuable property, stored property, documents and other cash**

- 2.32 *Prisoners at the end of their sentence will take all their stored and valuable property with them on leaving the establishment. The prisoner should be satisfied that the right property is issued, that the seal on the bag is unbroken prior to issue and that the seal number corresponds with the number on the property record. *All prisoners must sign a disclaimer form prior to release to confirm that they are aware of the time constraints and understand the implications should they fail to recover their stored property within the allotted timeframe. The form must be kept with the prisoner's property card. See [Prisoner's Property Policy Framework](#) for more details and the disclaimer form to be completed.**
- 2.33 *The discharging officer and the prisoner must both sign the property card. If any property is missing the card must be noted accordingly.*
- 2.34 *If valuable property cannot be accessed before discharge, for example in the evenings or at weekends, the prisoner may return to the establishment to collect it.*
- 2.35 *Prisoners must be issued with a plain bag to carry their property in (plain storage bags, are available from Branston - items 2103/2105).*
- 2.36 *Private cash/earnings and the Subsistence Payment must be counted in front of the prisoner, and the prisoner asked to sign the PIES receipt/Form 377A to confirm that the amount received is correct. Any disputes should be resolved prior to release as far as practicable.*
- 2.37 *The confidentiality of any personal documents belonging to the prisoner must be maintained.*
- 2.38 *Identity documents (e.g. passports) for foreign nationals being transferred into the custody of UK Visas and Immigration for removal must be handed to UK Visas and Immigration contracted escort and not given to the prisoner.*

**Row 12 Output: Valuable property, stored property, documents and other cash is transferred to the escorting staff or receiving establishment**

- 2.39 *With the exception of some brief temporary absences, for example to attend hospital appointments or funerals, all prisoners' in possession property, valuables and locally stored*

property will accompany them, subject to volumetric control levels, when they are discharged if they are not expected to return, including court appearances.

2.40 Any excess property (i.e. that which cannot fit into two standard size volumetric control boxes) should (as appropriate) either be:

- kept at the prison pending the prisoner's return; or
- in the event that the prisoner is not discharged from court and is returned from court to a different prison, forwarded to the prisoner's receiving establishment; or
- if the prisoner has been discharged from court, retained at the sending establishment for a period of 12 months, unless claimed earlier by the prisoner. *If the prisoner has not returned to reclaim his property within the 12-month period, the property may be sold (the net proceeds of any sale must be paid to the NACRO, in accordance with Rule 43 of the Prison Rules 1999) or otherwise disposed of.*

2.41 *Prisoners' monies and earnings must be transferred electronically after transfer.*

2.42 *The property card F2056B/D must be signed in all cases by the discharging officer and the prisoner. If any property is missing the record must be noted accordingly.*

### **SERVICE ELEMENT: SEARCH**

#### **Row 13 Output: Female Prisoners receive a gender specific search**

2.43 See [Searching Policy Framework](#) for details on searching requirements.

#### **Row 14 Prisoners receive a full search**

2.44 See [Searching Policy Framework](#) for details on searching requirements.

#### **Row 15 Output: Prisoners are searched based on local risk assessment**

2.45 See [Searching Policy Framework](#) for details on searching requirements.

#### **Row 16 Output: Prisoner's in-possession property is searched**

2.46 See [Searching Policy Framework](#) for details on searching requirements.

### **SERVICE ELEMENT: HEALTH ASSESSMENT**

#### **Row 17 Output: Prisoners are seen by a healthcare practitioner prior to discharge**

2.47 *All prisoners must be examined by a healthcare practitioner during the 24 hours prior to discharge. See [PSI 03/2016 Adult Social Care](#). Consideration must be taken in relation to the discharge of prisoners with disabilities.*

**Row 18 Output: Necessary medication/prescriptions are issued**

2.48 *The prisoner must be made aware of the place, date and time of any appointments. An adequate amount of any medication which the prisoner is taking, and any current prescription will be issued to the prisoner on discharge at the end of their sentence.*

**SERVICE ELEMENT: MANAGEMENT OF RISK****Row 19 Output: Relevant agencies have been informed about an offender's physical and mental health needs and risks of harm**

2.49 *Open ACCT Plans for all prisoners who are to be discharged must be made available for the discharge process.*

2.50 *Escorting staff must be made aware of any security arrangements, risk to self or others, or other relevant information. The PER must be signed prior to discharge.*

2.51 *The F1352 must accompany all escorts when the prisoner is Category A, or on the E-List.*

**SERVICE ELEMENT: HANDOVER TO ESCORT PROVIDER****Row 20 Output: The escort provider receives all relevant documentation, property and medication**

2.52 *The identity of any person who has arrived at the establishment to escort a prisoner must be verified.*

2.53 *The PER form/Escort Risk Assessment must correctly completed, display the prisoner's photograph, and confirm that the correct prisoner is being discharged. The form must be read and signed by the escorting officer and the discharging officer, and a copy retained in line with the retention schedule detailed in [PSI 04/2018 Records, Information Management and Retention Policy](#)*

2.54 *Any necessary medication must be handed to escorting staff at the time of discharge, or to the prisoner, according to local protocols. The escorting staff must be made aware that a prisoner has medication in their possession. Any current prescription should also accompany the prisoner. See [PSI 32/2011 Ensuring Equality](#) paragraphs 8.4 and 8.5 for escorting prisoners with disabilities.*

2.55 *For prisoners detained and handed over to UK Visas and Immigration under immigration powers (IS91), refer to [PSI 29/2014](#) Release on Licence for Foreign National Prisoners pending Deportation.*

2.56 *Any documentation purporting to establish nationality and identity (in particular passports or identity cards) must be removed from the prisoner's property and handed to UK Visas and Immigration contracted escort and not returned to the prisoner. These documents do not belong to the prisoner, but to their Government. Section 17 of the [Asylum & Immigration](#)*

[\(Treatment of Claimants, etc\) Act 2004](#) gives the Secretary of State the power to retain such documentation to assist with the removal process

2.57 *When a prisoner is to be deported their cash and property must be checked and agreed by the prisoner, the discharging officer and the escorting staff, and handed over to the escorting staff. In the case of prisoners who have difficulty understanding/reading English appropriate translation arrangements must be made.*

**Row 21 Output: Escorting staff are aware of any security arrangements, risk to self and/or others and other relevant information**

2.58 *The Governor's instructions about whether prisoners are to be handcuffed between the Reception area and the escort vehicle must be adhered to. The discharging officer is responsible for ensuring that handcuffs are correctly applied.*

2.59 *Observations are made and records updated in line with agreed care plans. The escorting officer must note and sign the ongoing record/daily observation record on accepting the prisoner. Escort staff must be updated about at-risk prisoners and a note that this has been done must be made on the PER form.*

2.60 *The F2050 and F2051 must be issued to the escorting officer when the prisoner is being transferred to another establishment (including IRCs), or when it is thought likely that they will be sent from court to another establishment.*

**Remand Prisoner consent to remain in Prison**

Prisons should use the form below when a prisoner who has been bailed asks/agrees to remain in prison overnight because it is too late for him/her to travel to the bail address and he/she would arrive there too late or would breach a curfew or residence requirement.

Paragraphs 2.8 - 2.11 of PSI 72/2011 Discharge and Paragraph 5.2 of [PSI 48/2000 The Bail System](#) on bail refer.

It is important that the prisoner signs this form in order to provide evidence of his/her consent to stay, and thereby to remove the risk that the prisoner may subsequently claim to have been wrongly imprisoned.

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**Remand Prisoner consent to remain in Prison – note for prisoner record.**

Establishment:

Name of prisoner:

Prison number:

Date:

Time:

The above-named prisoner has been granted bail but has requested or consented to stay in prison voluntarily until tomorrow.

Signed:

Grade:

Role:

I, .....[name]

have been granted bail but I have asked / agreed to stay in prison tonight voluntarily because it is too late for me to reach my home or bail address tonight,

at all )  
by a reasonable time ) [delete as appropriate] before my  
curfew starts )

I am therefore unable to get home / to my bail address or would be in breach of my bail conditions were I to try to do so.

Signed:

Prison Number: Date:

Time:

**Annex B**

**SUBSISTENCE PAYMENT**

*All eligible prisoners aged 18 or over who have served more than 14 days in custody after receiving a custodial sentence must be given a Subsistence Payment of £89.52.*

**Prisoners in the following categories are NOT eligible for a Subsistence Payment:**

Prisoners who are released from court after a period on remand, even if the time on remand was over 14 days (including those sentenced to 'time served'). Sentenced prisoners who have served 14 days or less in custody since the date of sentence.

Those recalled from licence to prison for a period of 14 days or less

Licence recalls who were on licence for 14 days or less before recall

Those awaiting deportation or removal from the United Kingdom

Those travelling to an address outside the United Kingdom. For the purpose of paying the Subsistence Payment, the Channel Islands, the Isle of Man and the Republic of Ireland are included within the United Kingdom

Those being discharged to a hospital under a Mental Health Act Section Order

Fine defaulters and those held on further remand warrants. Convicted offenders who have completed their sentence and who qualify for a Subsistence Payment but remain in custody in default of payment of a fine or remanded on further charges, will receive the Subsistence Payment on their final release

Civil prisoners, as defined in [PSO 4600 Unconvicted, Unsentenced and Civil Prisoners](#).

Those aged under 18 at the time of release

Unconvicted prisoners

Sentenced prisoners who are known to have in excess of £16,000 in savings (and would therefore be ineligible for Income Support under the relevant regulations)

Stage 2 resettlement regime prisoners undertaking paid work in the community. This will not apply to those carrying out unpaid community work, those attending education or training or those whose paid employment ceases through no fault of their own 14 days or more prior to discharge

### **Discretionary Payment**

At the Governor's discretion, an additional payment of up to £50 may be paid directly to a genuine accommodation provider to help the prisoner secure a release address. *The payment must not be made to the prisoner or to a friend or relative of the prisoner.*

### **Prisoners in Outside Hospital at the Time of Discharge**

Prisoners who are in hospital as an in-patient for any other reason at the time of discharge will be eligible for the Subsistence Payment provided they meet the normal eligibility criteria.

### **Appellants discharged from the Crown Court or Higher Court**

A prisoner discharged from court after a sentence has been quashed or reduced on appeal is eligible to receive a Subsistence Payment provided he/she has served at least half of any sentence longer than 14 days. *Governors must make arrangements for the Subsistence Payment to be taken to the Appeal Court with the prisoner, and to be issued to the prisoner by the Escort Contractor if the appeal is successful.* These prisoners will not be eligible for the discretionary accommodation payment.

### **Remand prisoners**

Prisoners discharged at court or from prison after a period of custody on remand are not eligible for a Subsistence Payment.

### **Sentenced Prisoners who Remain in Custody on Other Charges**

*A Subsistence Payment must not be paid to prisoners at the end of a sentence when they are kept in custody on remand or for other reasons. These prisoners will receive the Subsistence Payment on final release.*



**Licence recalls**

Prisoners under licence who are recalled to prison are eligible for a Subsistence Payment and for consideration for a discretionary accommodation payment when both the period on licence, and the recall period are more than 14 days.

**Special hardship**

*Any case of special hardship involving a prisoner who has not been paid a Subsistence Payment must be referred to the prisoner's local Jobcentre Plus office by the prison, probation staff or seconded Jobcentre Plus staff. If circumstances allow, an appointment for the prisoner must be made with the Jobcentre Plus office in advance.*