



**Policy name:** Supervision of Indeterminate Sentences Policy Framework

**Reference:** N/A

**Issue Date:** 1 June 2026

**Implementation Date:** 7 November 2024

**Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:**

- Managing Parole Eligible Offenders on Licence Policy Framework

**Introduces amendments to the following documents:** N/A.

**Action required by:**

<input checked="" type="checkbox"/>	HMPPS HQ	<input checked="" type="checkbox"/>	Governors
<input checked="" type="checkbox"/>	Public Sector Prisons	<input checked="" type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons	<input checked="" type="checkbox"/>	The Probation Service
<input checked="" type="checkbox"/>	Under 18 Young Offender Institutions	<input checked="" type="checkbox"/>	Other providers of Probation and Community Services
<input checked="" type="checkbox"/>	HMPPS Rehabilitation Contract Services Team		

**Mandatory Actions:** All groups cited above must comply with the Requirements Section of this Policy Framework, which contains all mandatory actions. Whilst this Framework sets out the actions for which the Parole Board is responsible, the Framework does not bind the Parole Board in any way as it is an internal policy document of the Ministry of Justice.

Nothing in this Policy Framework prevents the Secretary of State from taking any action with respect to the management of parole-eligible offenders on licence which, in exceptional circumstances, is considered to be necessary and proportionate for the protection of the public, the prevention of re-offending or securing the successful reintegration of the offender into the community.

Where such action is taken, those acting on behalf of the Secretary of State will continue to apply the principles and requirements set out in this Policy Framework as far as practicable

**For Information:** Governors must ensure that any new local policies which they develop on account of and in connection with this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

All references to “offender/offenders on licence” within this Framework also refer to those young offenders on licence/children who have been released on licence and are subject to any of the sentences detailed in section 1.1.

All references to ‘Imprisonment for Public Protection (IPP)’ within this framework also refers to Detention for Public Protection (DPP) except where explicitly stated.

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**How will this Policy Framework be audited or monitored:** His Majesty's Prison and Probation Service (HMPPS) Prison Group Directors, Regional Probation Directors and Youth Offending Teams (YOT) in England and Director of HMPPS in Wales will monitor compliance with the mandatory requirements set out in this Framework. HMPPS contract management will hold providers to account for the delivery of mandated requirements as required in the contract.

**Resource Impact:** Within this Framework, there are a number of revised processes that largely do not have resource implications for prisons or the Probation Service.

Probation Service Lifer panels (please refer to [Progression Panels for Indeterminate Sentences Policy Framework - GOV.UK](#)) are currently mandated annually. Relevant parts of this Framework are aligned with that approach and so should not present additional resource commitments for the Probation Service. Probation Service IPP Progression panels are already in place and so will also be in a position to comply with this Framework. Given the removal of the requirement for annual licence termination considerations by the Parole Board plus the savings from the new automatic termination provisions which will result in a reduction of those requiring supervision, the overall resource impact of this policy is positive. The expectation is that some of those having their licence terminated will have had this happen in any case, and therefore the resource impact benefits of this policy decline as time goes on.

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**Deputy/Group Director sign-off:** Gordon Davison, Deputy Director, Head of Public Protection Group.

**Approved by OPS for publication:** Helen Judge, Chair Operational Policy Sub-board, October 2024

**Revisions**

Date	Changes
03 June 2025	Paragraph 5.1 updated in relation to referral to the Parole Board for the suspension of supervision.
1 <sup>st</sup> June 2026	<p>The Framework has been updated to reflect legislative changes in the Sentencing Act 2026 which:</p> <ul style="list-style-type: none"> <li>• Shortens the IPP licence termination qualifying period from three years to two years for IPP offenders; and</li> <li>• Allows a prisoner serving an IPP/DPP sentence to ask the Secretary of State to refer their case to the Parole Board for consideration of licence termination one year after the end of the qualifying period, in cases where the Parole Board has not terminated the licence already and they have remained in the community for a year.</li> </ul> <p>The Framework also introduces a presumption that suspension of supervision will not be supported unless 2-years of continuous, trouble free resettlement and good behaviour has been completed in the community.</p> <ul style="list-style-type: none"> <li>• The Framework also confirms that from 1st June 2026 victims will be invited to submit a victim personal statement for suspension of supervision cases.</li> </ul>

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## 1. Purpose

- 1.1 This framework sets out the actions which the Probation Service and Public Protection Group (PPG) must complete with respect to all indeterminate sentenced offenders on licence.
- 1.2 Where the Parole Board directs the release of an indeterminate sentence prisoner, the Parole Board will set the licence conditions. Under legislation, and in accordance with this Policy Framework, the Parole Board is responsible for determining any application to suspend, re-impose or terminate (in the case of IPP offenders) the licence, including varying or removing licence conditions.
- 1.3 When making decisions on offenders' cases, staff must ensure that offenders are not treated less favourably due to protected characteristics as outlined in the Equality Act 2010. This includes where there is mention of considering 'exceptional circumstances' within this Policy Framework.
- 1.4 The Secretary of State has a duty to refer IPP and DPP cases to the Parole Board for licence termination consideration. The Sentencing Act 2026 shortens the qualifying period for IPP offenders from three to two years, bringing it into line with the qualifying period for DPP offenders. The Sentencing Act 2026 also provides for both IPP and DPP offenders to request an additional licence termination review one year after the qualifying period has ended, or one year after release from recall (where the Board also considered terminating the licence at the same time as the release decision), rather than waiting until their automatic termination date. These provisions do not apply to life sentence prisoners, whose licence arrangements remain unchanged.
- 1.5 Whilst this document sets out the actions for which the Parole Board is responsible, it does not bind them in any way as it is an internal policy document of the Ministry of Justice/His Majesty's Prison and Probation Service (HMPPS).

## 2. Outcomes

- 2.1 This framework aims to:
  - provide all participants with a clear understanding of their responsibilities and the timescales for each relevant process;
  - ensure that all decisions are made in accordance with the Equality Act 2010, and HMPPS Equalities Policy;
  - provide practitioners with clear instructions on the process for seeking to reduce or increase the frequency of supervision sessions;
  - set out a clear and effective process for making applications to the Parole Board to suspend/re-impose the supervision requirements in the licences of offenders released from life or IPP sentences;
  - provide practitioners with clear guidance on when an application to suspend/re-impose supervision should be submitted;
  - establish a clear and effective process for making automatic referrals to the Parole Board to terminate the licence of eligible IPP offenders at the end of the qualifying period;
  - set out a process for referring eligible IPP offenders to the Parole Board for consideration of licence termination following a request made one year after the qualifying period has ended;
  - ensure that eligible victims receive clear and relevant information regarding the applications covered by this framework and are kept informed of developments as required.

- provide the Parole Board with a dossier containing a robust and current assessment of the offenders risk and which is comprised of good quality reports produced by authors with a good understanding of the case, thereby assisting the Parole Board to make an informed decision; and
- provide a process which facilitates the timely and efficient disclosure of information to enable the prisoner to submit representations to the Parole Board.

### **3. Equalities Considerations**

- 3.1 The Public Sector Equality Duty and Equality Act 2010 provides protection from unlawful discrimination in relation to the following characteristics: age, disability, gender reassignment, pregnancy & maternity (which includes breastfeeding), race, religion or belief, sex, marriage and civil partnership, and sexual orientation. Further information can be found in the HMPPS Equality Analysis Policy Framework.
- 3.2 HMPPS is committed to eliminating all forms of discrimination, to promoting equality and diversity, and to ensuring equal access to services. No child or group of children should be disadvantaged in being able to access services which meet their needs. HMPPS recognises that all children have a right to equal protection from harm and abuse. This includes protecting children irrespective of cultural sensitivities: different practices are no excuse for child abuse and neglect.
- 3.3 There is a potential for bias in decision making; therefore, it is recommended that HMPPS staff who are involved with working with offenders undertake Diversity and Inclusion Training. This training can be found on the Diversity and Inclusion learning and development hub.
- 3.4 For IPP women, staff should consider consultation with the Women's Estate Psychology Services (WEPS) as part of the IPP Community Pathway to support any decision-making process (with regards to suspension, reduction of frequency and termination). Where there is active consultation with WEPS under the IPP Community Pathway, the consultation process can be utilised for support during the decision-making process (with regards to suspension, reduction of frequency and termination).
- 3.5 Guidance on the Language Services available to the Probation Service is available on Equip. This includes translation, transcription, braille services and interpreting services (including British Sign Language).

### **4. Safety Considerations for Offenders**

- 4.1 Any decision relating to offenders supervision should be communicated in timely and sensitive fashion and prompt a reassessment of current safety, wellbeing, and risk factors, including recent changes in circumstances, mental health, substance misuse, housing, relationships, or financial stress.
- 4.2 Where significant safety concerns arise, such as suicidal ideation, threats of self harm, or credible risk of harm to others, practitioners must take swift safeguarding action. This may include contacting mental health services, crisis teams, the Police, or arranging urgent medical attention.

### **5. Frequency of Supervision**

- 5.1 Probation Practitioners must determine the frequency of supervision on a case-by-case basis, using their professional judgment, in accordance with Risk of Serious Harm (RoSH) levels and

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agreed Sentence Plans/RMP (risk management plan) and in line with the requirements and guidance of this Policy Framework. In addition, further information can be found on EQuIP.

### 5.2 The minimum requirements for supervision differ depending on the type of indeterminate sentence being served.

The minimum supervision requirements for offenders on life licence are:

- Minimum of monthly reporting for the first five continuous years in the community.
- If recalled:
  - the five-year period restarts upon re-release by the Parole Board;
  - if the recall is rescinded, and the recall is effectively cancelled, the five-year period will not restart, and the time continues as if the recall never occurred.
- After five years continuously in the community, the Probation Practitioner can consider reducing the frequency of supervision further where appropriate, which must be approved by a Lifer Panel.
- In exceptional circumstances, the Probation Practitioner may seek approval by a Lifer Panel prior to five years in the community to reduce the reporting frequency.
- Supervision approved by the Lifer Panel may not be reduced to fewer than once every two months.

The minimum supervision requirements for IPP offenders are:

- Minimum of monthly reporting for the first two continuous years in the community following initial release by the Parole Board.
- If recalled:
  - the two-year period restarts upon re-release by the Parole Board or the Secretary of State
  - if the recall is rescinded, or the Secretary of State exercises their power to disapply the effect of the recall for the purposes of the two-year period, the period does not restart. The time continues as if the recall never occurred and their licence will automatically terminate two years after the end of the qualifying period so long as they are not recalled again.
- After two years in the community, the Probation Practitioner can consider reducing the frequency of supervision further where appropriate, which must be approved by the IPP Progression Panel and the Head of Service/PDU Head (as appropriate).
- In exceptional circumstances, the Probation Practitioner may seek approval from the Head of Service/PDU Head (as appropriate) prior to two years in the community to reduce the reporting frequency.
- Supervision approved by the Head of Service/PDU Head may not be reduced to fewer than once every two months.

### **What staff must do**

### 5.3 Before making a request to the Head of Service/PDU Head to reduce the frequency of supervision, Probation Practitioners must:

- ensure the minimum supervision requirements are met;
- consider the views of Multi Agency Public Protection Arrangements (MAPPA) partners in advance of taking a case to a Lifer or IPP Progression Panel. All MAPPA managed cases must undergo appropriate level review processes prior to a Lifer or IPP Progression Panel;
- where any changes to victim related conditions are proposed, notify the Victim Liaison Officer (VLO) of the application prior to submitting it to the Lifer or IPP Progression Panel. The VLO must contact the victim for their views on the victim related conditions;

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- consider frequency of supervision in accordance with Risk of Serious Harm (RoSH) levels and agreed Risk Management Plans (RMP)/Sentence Plans; and
- consider any impact on risk to self and staff, and review, where necessary, relevant safety planning as part of the risk management process. Further information on risk to self is available here: HMPPS risk of serious harm guidance - GOV.UK ([www.gov.uk](http://www.gov.uk)).

### **What staff should know**

- 5.4 For Level 2 and 3 cases, a formal MAPPA meeting will be required (please see [Multi-Agency Public Protection Arrangements \(MAPPA\): Guidance - GOV.UK](#)). For Level 1 cases, a documented formal review will suffice. Probation Practitioners are expected to consult with relevant agencies prior to a Level 1 review and hold professionals meetings, where necessary. Please see the Probation Service Management of Level 1 Cases' Policy Framework for more information. Evidence of outcomes for all reviews must be recorded on nDelius, the VISOR extract function should be selected on nDelius and submitted to the Lifer or IPP Progression Panel.
- 5.5 If a Probation Practitioner assesses that an increase in the frequency of supervision is required, this decision will be taken by the Head of Service/PDU Head and will not require Life or IPP Progression Panel consideration.

## **6. Suspension of Supervision**

### **Life Sentenced Offenders**

- 6.1 Probation Practitioners may request the suspension of the supervisory conditions for Life-Sentenced offenders after a **minimum 10 year period of continuous, trouble free resettlement and good behaviour** in the community other than in exceptional circumstances. Probation Practitioners may reconsider this every 12 months thereafter.

### **IPP Offenders**

- 6.2 Probation Practitioners must assess suitability for suspending the supervisory conditions as part of the Parole Board's **licence-termination** considerations. This includes:
- the Parole Board review which is held **two years after first release (known as the qualifying period)**, and
  - any **offender-initiated application** made one year after the end of the qualifying period.
- 6.3 Probation Practitioners may also request suspension **one year after the qualifying period** in cases where the offender has not applied for further licence termination.
- 6.4 There is a presumption that Probation Practitioners will only recommend suspension of supervision for an offender where they have completed two years of continuous, trouble free resettlement and good behaviour in the community. Where probation wish to rebut this presumption, clear reasons must be provided.

**What staff must do**

- 6.5 The Probation Practitioner must be able to evidence the following in order to recommend the suspension of the supervisory element:
- The offender has achieved sufficient stability to live offence-free, is able to settle proactively into the community, demonstrates appropriate problem-solving skills, and maintains an open relationship with the supervising officer.
  - There has been a gradual reduction in the level of required contact with the Probation Service/YOT.
  - The offender has managed any crises appropriately, seeking and engaging with the supervising officer as necessary.
  - The offender is likely to seek support from the Probation Service/YOT on a voluntary basis when required and demonstrates understanding of their own risks and their RMP.
- 6.6 Staff should also consider any impact on risk to self and should include those considerations as part of the risk management process.
- 6.7 The Probation Practitioner must inform the lead Senior Probation Officer of their intention to consider suspension of supervision and that a Progression Panel is required.
- 6.8 The Probation Practitioner must provide relevant and appropriate evidence in the Suspension of Supervision report that can be found on nDelius. This could include home visits, contact with family, intelligence reports from the police, summary of contact with Psychology Services Group, children's services, or employers etc. This list is not exhaustive, and the Probation Practitioner must include any other evidence deemed appropriate to evidence that risk has reduced to a level that does not need active case management. Where information is subject to non-disclosure concerns, staff must follow the process set out in the Handling of Sensitive Information Policy Framework.
- 6.9 Prior to submitting the Suspension of Supervision Report to PPCS:
- the Progression Panel will consider the individual's suitability for the suspension of supervision based on the information provided in the report; and
  - the Probation Practitioner must discuss the suspension request with the offender on licence and disclose a copy of the report.
- 6.10 The offender on licence must have the opportunity to make representations in respect of an application to suspend supervision. The offender can do so, either by adding their own to the space provided on the representations form or by indicating that their legal representative will do so on their behalf.
- 6.11 The Probation Practitioner must inform the offender that they have 7 days to submit representations in respect of the application using the representations form attached to the Suspension of Supervision Report. Should the offender provide their own representations then these must be submitted to PPCS together with the report.
- 6.12 Where a Victim Contact Scheme (VCS) victim is involved in the case, the Probation Practitioner must contact the VLO to ascertain the views of the victim. Where the victim wishes to submit a VPS, the VLO must provide a copy directly to PPCS, copying in the Probation Practitioner. PPCS is responsible for submitting the VPS to the Parole Board (see the Handling Sensitive Information Policy Framework for guidance on non-disclosure).
- 6.13 Victim Liaison Officers (VLOs) must send any victim representations concerning licence conditions directly to the Probation Practitioner, who will consider them as part of the report

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submitted to the Parole Board.

- 6.14 Should the victim(s) request that these conditions remain on the licence, the Probation Practitioner must consider this request sympathetically, taking into account any emotional harm for the victim that may arise. The necessity and proportionality of retaining any non-supervisory condition must always be considered. They can be included for the ongoing physical and emotional protection of a victim and/or their next of kin. The Suspension of Supervision Report must specify whether it is recommended that any victim related additional conditions are removed, amended or are to remain, including the reasons for that recommendation. The recommendation should also include how the enforcement of these conditions will be managed in the absence of active supervision.
- 6.15 Any requests to add, remove or vary licence conditions as part of the overall suspension of supervision application on an ISP licence which has active VCS involvement must be approved by the Head of Public Protection Group (PPG).
- 6.16 In all other cases PPCS will decide whether to submit cases to the Parole Board for consideration.
- 6.17 Upon receipt of the application, PPCS is responsible for compiling and formally referring the case dossier to the Parole Board. Unless there are exceptional circumstances, PPCS must not submit the dossier to the Parole Board until the offender's representations have been received, or, if none have been received, until the 7-day deadline for representations has expired. PPCS will submit the offender's representations to the Parole Board whenever they are received, unless the Parole Board have already issued their decision.
- 6.18 Upon receipt of the Parole Board's decision to suspend supervision:
- PPCS will issue the Parole Board Decision and variation order to the Probation Practitioner and legal representative (where applicable).
  - the Probation Practitioner must notify the VLO.
  - the VLO must notify the victim that an offender's supervision has been suspended as soon as possible and inform them that the individual's case will be reviewed if there are any concerns/adverse developments.
  - the Probation Practitioner must disclose the decision and variation order to the offender on licence as soon as possible.

### **What staff should know**

- 6.19 The following standard licence conditions must remain on a licence following suspension of other licence conditions:
- You shall be of good behaviour and not behave in a way which undermines the purpose of the licence period.
  - You shall not commit any offence.
  - You must tell the supervising officer if you use a name which is different to the name or names which appear on your licence.
  - You must tell the supervising officer of a change, or any additional contact details, including any phone number or email.
- 6.20 The Suspension of Supervision Report should specify whether it is recommended that any additional conditions are removed, varied or are to remain, including the reasons for that recommendation.
- 6.21 Where the Probation Practitioner is considering making an application for suspension of supervision, the offender should ordinarily be assessed as low risk of serious harm. However, this does not prevent the COM/Probation Practitioner applying where the offender is assessed

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as posing a medium risk of serious harm. These applications will need to be submitted alongside a full justification for the application and an updated OASys assessment.

- 6.22 The Parole Board will make the final decision on whether supervision should be suspended. In the majority of cases, the Parole Board will make a decision on the papers. Cases sent to an Oral Hearing are expected to be rare.
- 6.23 Any suspended conditions may be re-imposed (subject to Parole Board approval) or the licence revoked and the offender recalled to prison at any time should their behaviour give cause for concern under the good behaviour standard licence condition.

## 7 Reimposition of Supervision

- 7.1 Where it is considered that an offender's risk can no longer be safely managed in the community without supervision, it is the responsibility of the Probation Practitioner to request via PPCS that supervisory conditions are re-imposed on a licence. This may be considered in cases where recall is not deemed necessary on the grounds of public protection, but:
- behaviour has given cause for concern;
  - there has been a conviction for a further offence;
  - the offender's domestic circumstances have changed;
  - mental health has deteriorated to a point where there is no alternative but to reimpose active supervision.

### **What staff must do**

- 7.2 Prior to submitting a re-imposition application, the Probation Practitioner must discuss with their Head of Service/PDU or equivalent whether the threshold for recall has been met. If re-imposition is thought to be the appropriate course of action, a Lifer or IPP Progression Panel (responsible Head of Service/PDU or equivalent sign off for IPPs) must be convened within a week to approve the application, and where this is not possible, this should be clearly outlined and recorded on nDelius.
- 7.3 In exceptional circumstances, where it is not possible to convene a Lifer or IPP Progression Panel in sufficient time, the responsible Head of Service/PDU or equivalent must endorse the application for re-imposition of supervision for submission to PPCS, prior to their submission to the Parole Board.
- 7.4 Probation Practitioners must keep the risk posed by the offender under review and, if further advice is needed, must discuss with their Senior Probation Officer (SPO)/ Head of Probation Delivery (PDU) to check if recall is required if the risk has become unmanageable. If the Probation Service believes that risk is unmanageable, the Probation Practitioner must contact the Recall Team in PPCS for advice on whether the recall threshold has been met. The team can be contacted at [recall1@justice.gov.uk](mailto:recall1@justice.gov.uk) or [recall2@justice.gov.uk](mailto:recall2@justice.gov.uk). Further guidance on re-imposition is available on Equip. For guidance on the recall of indeterminate sentenced individuals, see the Recall, Review and Re-Release of Recalled Prisoners Policy Framework.
- 7.5 Where it is considered appropriate to reinstate active supervision of a lifer or an IPP sentenced offender, a Lifer or an IPP Progression Panel must be convened to consider the evidence and to take a decision on whether a formal application should be submitted to the Parole Board for a decision. In IPP Cases, any decision must also be approved by the Head of Service/PDU Head (as appropriate).
- 7.6 The Probation Practitioner must ensure that the VLO is notified of the application and liaise with the VLO to ensure that it includes up to date victim related information.
- 7.7 Where time allows, the Probation Practitioner must discuss the re-imposition request with, and

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disclose a copy of the report to, the offender prior to submitting the request to PPCS.

- 7.8 The Probation Practitioner must inform the offender that they have 7 days (from the disclosure of the report) to submit representations in respect of the application using the representations form, attached to the Re-imposition of Supervision Report. Should the offender provide their own representations then these must be submitted to PPCS together with the report and a copy of the representations form.
- 7.9 Where considered necessary, an application to re-impose the supervisory conditions of a licence must be made via the Re-imposition of Supervision Report (available on nDelius) and be submitted to PPCS.
- 7.10 Upon receipt of the application, PPCS must compile and formally refer the dossier to the Parole Board. Unless there are exceptional circumstances, PPCS must not submit the dossier to the Parole Board until the offender's representations have been received, or, if none have been received, until the 7-day deadline for representations has expired. PPCS must submit the individual's representations to the Parole Board whenever they are received, unless the Parole Board has already issued the decision.
- 7.11 Upon receipt of the Parole Board's decision:
- PPCS will issue it and any variation order to the Probation Practitioner and legal representative (where applicable).
  - the Probation Practitioner must ensure that the VLO is notified. The VLO must ensure that the victim is notified of the decision as soon as possible.
  - the Probation Practitioner must provide the variation order to the offender as soon as possible and fully explained.

### **What staff should know**

- 7.12 It is not necessary for the VLO to inform the victim if consideration is being given to re-imposing the licence conditions, as it should not directly affect them, particularly as it will not affect any licence conditions already in place to protect them. However, victims should be informed if the supervision element is re-instated.
- 7.13 The Parole Board will make the final decision on whether supervision should be re-imposed. In the majority of cases, the Parole Board will make a decision on the papers. Cases sent to an Oral Hearing are expected to be rare.
- 7.14 Should the Parole Board not agree to re-impose supervision then the Probation Service must continue to keep the offender's case under review. If it is considered that the offender cannot be managed without supervision then the Probation Service may make a further application to the Parole Board providing further evidence on why supervision should be re-imposed.

## **8 IPP Termination of Licence**

### **Consideration of IPP Licence Termination by the Parole Board**

- 8.1 This section of the Policy Framework does not apply to those serving life sentences.
- 8.2 The Secretary of State for Justice (SSJ) has a statutory duty to refer offenders to the Parole Board for consideration to terminate their IPP licence once the **2-year qualifying period** has passed (starting from initial release).

### **What staff must do**

- 8.3 PPCS will notify the Probation Practitioner three months before the offender becomes eligible

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for consideration of termination of their IPP Licence. This notification **allows sufficient time for a Progression Panel to be convened and for the Termination of IPP Licence Report** (available on nDelius at NAT Req Termination of IPP Licence) to be completed and submitted within **two months of the request from PPCS**.

- 8.4 Upon receipt of the notification from PPCS, the Probation Practitioner must inform the lead Senior Probation Officer that an IPP Progression Panel is required to consider the termination referral. The Panel must discuss the offender's suitability for IPP licence termination before the submission deadline for the Termination of Licence Report.
- 8.5 Upon receipt of the notification from PPCS, the Probation Practitioner must contact the VLO to confirm whether the victim wishes to submit a VPS relating to the potential licence termination.
- 8.6 If a victim wishes to provide a VPS, the VLO must send it directly to PPCS. PPCS is responsible for submitting the VPS to the Parole Board (see Handling Sensitive Information Policy Framework, for guidance on non-disclosure). The VPS should be provided in line with the termination report deadline.
- 8.7 Victim Liaison Officers (VLOs) must send any victim representations concerning licence conditions directly to the Probation Practitioner, who will consider them as part of the report submitted to the Parole Board.
- 8.8 It is important that the Probation Practitioners clearly indicate in their report whether a VPS will be provided, so that PPCS and the Parole Board are aware.
- 8.9 The Probation Practitioner must contact the offender to discuss the termination referral and record their views. Where contact cannot be made, all attempts must be documented within the report.
- 8.10 Where the offender has contact with the Probation Service, Probation Practitioner must disclose the Termination of Licence Report to the offender. The Probation Practitioner must inform the offender that they have 7 calendar days (from the disclosure of the report) to submit representations. Should the offender provide their own representations the Probation Practitioner must submit these to PPCS. The offender's representations must not be sent direct to the Parole Board.
- 8.11 Probation practitioners must send the completed report and licence termination representations form within the required timeframe to PPCS. PPCS will then refer the case to the Parole Board for consideration.
- 8.12 Upon receiving the Termination Report, PPCS must compile and formally refer the dossier to the Parole Board. Unless there are exceptional circumstances, PPCS must not submit the dossier until either the offender's representations have been received, or, the 7-calendar day deadline for representations has expired. PPCS will submit any representations received after referral unless the Parole Board has already issued their decision.
- 8.13 The Probation Practitioner must notify PPCS of any new developments after the report has been submitted so that PPCS can update the Parole Board. This ensures the Parole Board has the most up-to-date information when making its decision.
- 8.14 The Parole Board is responsible for issuing the decision on licence termination to all parties. All IPP Licence Termination decisions made by the Parole Board are subject to the 21-calendar day reconsideration window. All HMPPS staff must comply with the requirements set out in the Reconsideration of IPP Termination Parole Board Decisions chapter.

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- 8.15 Where the Parole Board has decided to vary the IPP Licence (e.g. varied, added or removed conditions), PPCS will issue the variation order during the reconsideration window<sup>1</sup>.
- 8.16 Once the reconsideration window has closed, or where a reconsideration application has been made and the Parole Board confirms the final decision to terminate licence, the following steps must be taken:
- PPCS will issue the termination order to the Probation Practitioner, legal representative (where applicable) and PNC Bureau within three working days from receipt. This means the sentence has ended, and all licence conditions will cease to exist, including any victim-related conditions, such as exclusion zones, and recall proceedings will no longer be possible.
  - The Probation Practitioner must notify the VLO, who must then notify the victim of the decision as soon as possible.
  - The Probation Practitioner must provide the Termination order to the offender as soon as possible, and record this on nDelius.
- 8.17 Where the Parole Board decides not to terminate the licence, it may recommend the suspension of supervisory conditions and/or the addition or variation of any other licence conditions. If the licence is not revoked during the following two-year period, it will automatically terminate after the completion of those two years in the community. There are no automatic annual referrals to the Parole Board for further consideration of licence termination. IPP offenders, may, however, apply for an additional referral – see **Offender Initiated Termination Requests**.

### **What staff should know**

- 8.18 An offender only needs to serve the qualifying period once. This means that, even if they have been recalled to custody or have had their supervision suspended, once the qualifying period has been met they remain eligible for referral to the Parole Board for consideration of licence termination. However, an IPP offender who remains in prison having been recalled at the point they meet the qualifying period is not eligible for immediate licence termination consideration. Instead, when the Parole Board next considers their case for re-release and decides that the release test has been met, the Board will also consider whether that release should be conditional (on licence) or unconditional (no licence) – 8.51 below for more information.
- 8.19 Where an offender has been deported from the UK (including removal under the Tariff Expiry Removal Scheme (TERS) they will only be eligible for automatic referral to the Parole Board for consideration of licence termination in cases where their release was directed by the Parole Board prior to deportation. If they return to the UK before their licence has been terminated, the licence will remain active and they will be subject to further deportation proceedings.
- 8.20 Where an offender is released and subsequently detained under the Mental Health Act 1983, but has not been recalled, they will remain eligible for referral to the Parole Board for licence-termination consideration once they reach the qualifying point.
- 8.21 The Parole Board is responsible for making the final decision on whether to terminate the IPP licence. All licence termination referrals will initially be considered on the papers by a Parole Board duty member. The Parole Board will only direct an oral hearing where this is considered necessary, although any request made by the offender must be taken into account. Where the Parole Board decides, on the papers, not to terminate the licence, there is no option to request

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<sup>1</sup> Licence variation decisions are not subject to the reconsideration window.

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an oral hearing. The decision becomes final once the reconsideration period has ended.

## **Parole Board Decision Summaries**

### **What staff must do**

- 8.22 Where a victim, who is involved in the Victim Contact Scheme requests a Parole Board Decision Summary (PBDS), the VLO must email the request directly to the Parole Board, copying in the Probation Practitioner.
- 8.23 The Parole Board is responsible for providing the PBDS to PPCS, the prison (if applicable), the VLO, and the Probation Practitioner.
- 8.24 Upon receipt of the PBDS, the VLO must disclose a copy to the victim as soon as possible.
- 8.25 Where the prisoner has been released following recall or after completing a further custodial sentence, the Probation Practitioner must disclose a copy of the PBDS to the offender as soon as possible.

## **Offender Initiated Termination Applications**

- 8.26 The Sentencing Act 2026 introduced a right for IPP offenders to request a further licence termination review one year after the 2-year qualifying period has passed, provided they have spent that year continuously in the community.
- 8.27 Where an offender has been recalled and subsequently re-released on licence (after the qualifying period has passed), they may still request a further referral to the Parole Board one year after their re-release on licence.
- 8.28 The offender may begin the application process up to four weeks before becoming eligible. Only one application may be made during each eligibility window. However, if the offender is recalled and re-released, a new application may be submitted once they reach the next eligibility point, which is 12 months of continuous licence following their re-release.
- 8.29 The offender should make an application for termination by completing the form by using the GOV.UK online service [link](#). Where an offender cannot access the internet, a paper form should be provided by their Probation Practitioner.

### **What staff must do**

- 8.30 Upon receipt of a request from an offender, PPCS will review eligibility and, within two working days, request an updated termination report from the Probation Service and provide a copy of the offender's request. The termination report must be provided within 4 weeks of receiving the request.
- 8.31 If a victim wishes to provide a VPS, the VLO must send it directly to PPCS. PPCS is responsible for submitting the VPS to the Parole Board (see Handling Sensitive Information Policy Framework, for guidance on non-disclosure). The VPS should be provided in line with the termination report deadline.
- 8.32 Victim Liaison Officers (VLOs) must send any victim representations concerning licence conditions directly to the Probation Practitioner. These representations must be considered as part of the report submitted to the Parole Board.
- 8.33 Probation Practitioners must clearly indicate within their report whether a Victim Personal Statement (VPS) will be provided, so that PPCS and the Parole Board are aware.

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- 8.34 The Probation Practitioner must discuss the termination report with the offender and record their views. Once finalised, the report must be disclosed to the offender. The Probation Practitioner must inform the offender that they have seven calendar days from the disclosure to submit representations. Any representations provided to the Probation Practitioner must be submitted to PPCS. The offender's representations must not be sent directly to the Parole Board.
- 8.35 Probation Practitioners must send the completed termination report and licence termination representations form to PPCS within the required timeframe. PPCS will then refer the case to the Parole Board for consideration.
- 8.36 Unless there are exceptional circumstances, PPCS will not submit the dossier to the Parole Board until either the offender's representations have been received, or, the seven-calendar day deadline for representations has expired. PPCS will submit any representations received after referral unless the Parole Board has already issued its decision.
- 8.37 The Parole Board will make the decision, and all relevant parties must be notified of the outcome. The Probation Practitioner is responsible for informing the VLO.

### **What Staff Should Know**

- 8.38 Probation Practitioners should consider whether suspension of supervision is appropriate when preparing reports for licence-termination applications.
- 8.39 A Progression Panel is not mandatory for offender-initiated termination requests; however, staff should consider whether convening one would be beneficial, particularly if there have been new and significant changes.
- 8.40 Progression Panels can provide valuable multiagency insight and support well-informed decision making, but a Progression Panel is not required.
- 8.41 If a Progression Panel is already scheduled for another purpose, staff should consider whether licence termination and/or suspension of supervision (or related matters) should be added to the agenda.

### **Automatic IPP Licence Termination**

#### **What staff must do**

- 8.42 This section applies to all IPP offenders who have met qualifying period for licence termination consideration and are approaching the point where they have spent 2 **further** continuous years in the community without recall.
- 8.43 All IPP offenders will have the IPP Licence automatically terminated without reference to the Parole Board where:
- a period of 2 years has elapsed since their original release on IPP licence **and**
  - they have spent a **further** 2 continuous years in the community without being recalled to prison.
- 8.44 Where an IPP offender has been recalled during the 2-year continuous period, the Secretary of State may exercise their power to treat the licence as if it had remained in force for the period of the recall. Where the power is applied, the 2-year continuous period will not reset, and the original 2-year period will continue as if it was unbroken by the original recall. They will still be eligible for automatic licence termination at the end of that 2-year period. See Recall and IPP Licence Termination chapter below (see paragraph 8.51 to 8.56) for more information.

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- 8.45 In the period before the IPP offender reaches the automatic termination date, Probation Practitioners must discuss the implications of the licence coming to an end with the IPP offender and identify any outstanding support needs.
- 8.46 PPCS must check the IPP offender's eligibility for automatic licence termination and, where the offender fits the above criteria, will issue the termination order, which will confirm the termination in writing to the Probation Practitioner and PNC Bureau. The Termination order confirms the termination, but the termination itself takes effect from the specific date at which the 2-continuous years is spent, even if the Termination Order has not yet been issued.
- 8.47 Upon receipt of the Termination Order, the Probation Practitioner must provide it to the offender as soon as possible and inform any agencies involved with the individual's case.
- 8.48 The Probation Practitioner must also notify the VLO who must then notify the victim of the licence termination as soon as possible.
- 8.49 Only those serving IPP sentences are eligible for automatic licence termination. If an offender is also serving a life sentences, they are not eligible as these licences cannot be terminated.

### **IPP Licence Termination for recalled cases**

#### **What staff should know**

- 8.50 For IPP offenders who have been recalled and remain in prison custody at the point that they reach the end of the 2-year qualifying period, the Parole Board will consider whether they should be released unconditionally (i.e. without a licence) once they have determined that the release test is met. In these cases:
- where the Parole Board direct release and direct that the offender will be released unconditionally, **the sentence will end when the decision becomes final.**
  - where the Parole Board direct release but decide that release should not be unconditional, the IPP offender will be released on licence. The IPP offender will then be eligible for automatic licence termination if they are not recalled in the following two years.
- 8.51 There will be no separate IPP Licence Termination consideration for recalled cases in prison at the end of the qualifying period.
- 8.52 Where an offender is released, recalled and then detained under the Mental Health Act 1983, the recall review will be suspended until they are conditionally discharged from hospital or remitted back to prison custody. The Parole Board will not consider the termination of licence until the recall review takes place.
- 8.54 The High Court Referral Power, where the Secretary of State can direct the Parole Board to refer some of their release decisions<sup>2</sup> to the High Court, may apply to certain IPP prisoners. The full process for how this power operates is set out in the Generic Parole Processes (GPP) Policy Framework (Please see Generic Parole Process Policy Framework - GOV.UK).
- 8.55 PPCS, on behalf of the Secretary of State, has the power to release, following a risk assessed recall review, IPP prisoners into the community subject to licensed supervision at any time during the recall period.

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<sup>2</sup> Schedule 43 of the Sentencing Act made a technical amendment to Section 32ZAC of the Crime (Sentences) Act 1997. When an IPP offender eligible for the High Court Referral Power has been directed for unconditional release and the case is referred to the High Court, the Court must, if it decides to release the prisoner, uphold unconditional release. If the Court quashes the Parole Board's decision, the prisoner remains in custody, and their licence continues to apply.

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8.56 The Secretary of State has the power to disapply the effect the recall of an IPP offender will have on the two-year qualifying period for automatic licence termination where it is in the interests of justice to do so, where the Parole Board or the Secretary of State have directed release. This power is separate to the power to retake a decision on a recall. In practice PPCS will consider the use of this power in individual cases on behalf of the Secretary State. Where the power is used, the licence will be treated as having remained in force for the period of the recall, so the two-year period for automatic termination will not be interrupted by the recall. The power to disapply cannot be applied retrospectively to cases where release following recall took place prior to commencement of the IPP provisions in the Victims and Prisoners Act 2024. More information on the power to disapply and risk assessed recall reviews can be found in the Recall, Review and Re-Release of Recalled Prisoners Policy Framework.

## 9 IPP Reconsideration of Termination of Licence Parole Board Decision

9.1 Following a Parole Board decision to terminate or not to terminate an IPP licence, or to release a recalled IPP offender who has met the relevant qualifying period unconditionally or on licence, Reconsideration and High Court Referral Section (RHCRS), on behalf of the Secretary of State, and the offender (or their representative) have 21 calendar days from the decision date to apply direct to the Parole Board for the decision to be reconsidered where they believe that the eligibility criteria has been met. All applications are sent via email to the Functional Mailbox (FMB) [Reconsideration@paroleboard.gov.uk](mailto:Reconsideration@paroleboard.gov.uk). The decision will remain provisional for 21 calendar days, after which it will become final (unless an extension request or an application for reconsideration has been submitted).

9.2 Only RHCRS, on behalf of the Secretary of State, or the offender can apply to the Parole Board for reconsideration as they are parties to the proceedings. A victim or interested party (e.g. a member of the public) can also make representations to the Secretary of State for a decision to be reconsidered and the Secretary of State will then consider if the eligibility criteria has been met. Victims, or VLOs on their behalf, can submit requests to PPCS (who will act on behalf of the Secretary of State) via the FMB [reconsiderationrequests@justice.gov.uk](mailto:reconsiderationrequests@justice.gov.uk). Requests must not be sent direct to the Parole Board. The Secretary of State must submit any application for reconsideration within the prescribed window, which may have been reduced or extended. If a victim or interested party wishes to submit representations, they should do so in a timely manner so the Secretary of State can give full consideration to the request.

9.3 The offender cannot have their IPP licence terminated while the decision is provisional. The length of time that the decision will remain provisional will depend on whether an extension/reduction has been granted and whether an application is submitted.

9.4 Extension requests should only be submitted in exceptional circumstances. Extension requests or reduction requests can be submitted to the Parole Board by either the individual (or their legal representative), or PPCS, on behalf of the Secretary of State. Where PPCS or the individual wishes to request an extension of the application window, the extension request will be sent direct to the Parole Board FMB [Reconsideration@paroleboard.gov.uk](mailto:Reconsideration@paroleboard.gov.uk) within the 21 calendar day deadline.

9.5 There is a general power under Rule 9 of the Parole Board Rules 2019 for the Parole Board to alter any of the normal times limits set out in the 2019 Rules "*where it is necessary to do so for the effective management of the case, in the interests of justice or for such other purpose as the panel chair or duty member considers appropriate*". The Secretary of State or a prisoner (or legal rep, if applicable) can apply to alter the normal time limits. A reduction of this reconsideration window would bring forward the final Parole Board decision and the termination of the IPP Licence.

Applications for reconsideration should only be submitted where the eligibility criteria are met, as follows. A party may apply to the Board for the case to be reconsidered on the grounds that the

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decision:

contains an error of law;

- a. is irrational (in the legal sense); or
- b. is procedurally unfair.

- 9.6 PPCS may decide internally that a reconsideration application should be submitted to the Parole Board. In these cases, PPCS will notify the Probation Practitioner, VLO, prisons (where applicable), and the legal representative (where applicable). VLOs must inform the victim as soon as possible that an application for reconsideration will be made. It is a matter for the Parole Board whether they dismiss the application or direct that the decision should be reconsidered.
- 9.7 Where the individual is in the community, the Probation Practitioner must inform the individual as soon as possible. Where the individual is held in prison custody, prisons must disclose a copy of the notification to the prisoner within one working day of receipt.
- 9.8 PPCS is responsible for submitting the application to the Parole Board Reconsideration Team for a review by their reconsideration assessment panel. The Parole Board are responsible for making the final decision.