

Policy name: Licence Conditions Policy Framework

Reference: N/A

Re-Issue Date: 20 August 2026 **Implementation Date:** 1 October 2026

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

- PI 09/2015 Licence Conditions and Temporary Travel Abroad;
- PSI 12/2015 Licences, Licence Conditions and Licence and Supervision Notices;
- The Service Specification: Offender Management - Manage the Custodial & Post Relief Periods (outputs 33, 34, 35, 36, 37, 43 and 44)

Introduces amendments to the following documents: N/A

Action required by:

☒	HMPPS HQ	☒	Governors
☒	Public Sector Prisons	☐	Heads of Group
☒	Contracted Prisons	☐	Contract Managers in Probation Trusts
☒	The Probation Service	☐	HMPPS-run Immigration Removal Centres (IRCs)
☐	HMPPS Rehabilitation Contract Services Team	☒	Under 18 Young Offender Institutions
☒	Other providers of Probation and Community Services		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

For Information: By the implementation date Governors¹ of Public Sector Prisons and Contracted Prisons must ensure that their local procedures do not contain the following:

Governors must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public Sector Equality Duty (Equality Act, 2010).

Section 5 of the Policy Framework contains guidance to implement the requirements set out in the other sections of this Policy Framework. Whilst it will not be mandatory to follow what is set out in this guidance, clear reasons to depart from the guidance should be documented locally. Any questions concerning departure from the guidance can be sent to the contact details below.

Where applicable, this policy applies to all Indeterminate Sentenced Prisoners (ISP), Extended Determinate Sentence (EDS) prisoners, Sentences for Offenders of Particular Concern (SOPC), Discretionary Conditional Release (DCR) sentenced offenders, Terrorist Offenders and those standard determinate sentenced prisoners subject to the Power to Detain protocol, where the

¹ In this document the term Governor also applies to Directors of Contracted Prisons.

Parole Board makes the release decision, either initially or after recall and any variation to those conditions set on by the Board. Determinate sentenced offenders will have licence variations managed through the internal Probation Service process in line with this Framework. Any licence variations for IPP and DPP sentenced offenders following an executive release (Risk Assessed Recall Review) can be set by only PPCS in line with this Framework.

Some offenders on youth sentences are released under Chapter 6 of Part 12 of the Criminal Justice Act 2003 and will have licence conditions imposed under section 250 and the Framework will apply to them. These will be the youths sentenced to serious dangerous offences and sentenced under section 250 of the Sentencing Act 2020. It will not apply to youths serving a Detention and Training Order or youths serving sentences of under 12 months.

How will this Policy Framework be audited or monitored: There will be a range of ways in which auditing will be undertaken, including the usage of electronic systems such as EPF2 to determine the appropriate nature of the application of licence conditions. Individual mandatory actions may also have specific means of monitoring – for example, licence sharing with the PNC Bureau is monitored by the Bureau and they report back to HMPPS if they believe a prison establishment is failing to meet this requirement.

Resource Impact: The resource impact of the additional licence conditions set out in the Sentencing Act 2026 has been set out in the impact statements in relation to that Act.

Terminology: This version of the Policy Framework updates references from Community Offender Managers (COMs) to Probation Practitioners, while individual licence conditions will continue to refer to Supervising Officers. All three terms refer to the Probation Service staff member who is managing the case. Any reference to a Prison Governor is also intended to mean Directors of Contracted Prisons. The term offender is used throughout the document, which is to refer to a person serving a custodial sentence either in custody or as a person on Probation in their community phase on licence.

Associated Documents:

- Address Checks (Post Custody) Policy Framework - GOV.UK (www.gov.uk)
- Child Safeguarding Policy Framework - GOV.UK (www.gov.uk)
- Community accommodation service tier 1 (CAS1): approved premises - GOV.UK
- Domestic abuse policy framework - GOV.UK (www.gov.uk)
- Foreign National Offenders on Licence, PSS and IS91 Policy Framework
- Handling requests from prisoners to change their name: PSO 4455 - GOV.UK
- HMPPS risk of serious harm guidance - GOV.UK (www.gov.uk)
- Polygraph examination policy framework - GOV.UK (www.gov.uk)
- Prison Safety Policy Framework - GOV.UK
- Release on temporary licence - GOV.UK (www.gov.uk)
- Serious and organised crime policy framework - GOV.UK (www.gov.uk)
- Victim Contact Scheme Policy Framework - GOV.UK (www.gov.uk)
- ViSOR Policy Framework - GOV.UK (www.gov.uk)
- Women's Policy Framework - GOV.UK (www.gov.uk)

Contact:

General policy enquiries: licence.policy@justice.gov.uk

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Deputy/Group Director sign-off: Gordon Davison, Public Protection Group Director

Approved by OPS for publication:

Revisions:

Date	Changes
14 July 2022	Revised to introduce changes set out in the Police, Crime, Sentencing and Courts Bill, introduce two new standard licence conditions, simplify the licence approval system and mandate the licence authorisation process.
22 September 2022	Revised to add the requirements previously set out in electronic and domestic abuse /child safeguarding guidance about address checks (in the absence of specific address check policy)
7 November 2024	Integrated licence variation process for indeterminate cases from the Managing Parole Eligible Offenders PF, and added commonly used bespoke licence conditions as additional conditions in Annex A.
9 January 2025	Para 3.51 amended.
14 April 2026	Updates to Annex A, including links to guidance documents and markers for conditions not available to youth estate managed cases.
20 August 2026	Revision of standard licence conditions to improve readability and, the passport disclosure condition added as a standard condition. Removal of references to HDC/PSS; reduction of submission timeframes 13 weeks to 6, with a reiteration of the “hard stop” of two days prior to release on the Create and Vary a Licence (CVL) system.

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Annex A (Additional Licence Conditions) - Separate document

1. Purpose

- 1.1 The aims of the licence period are to protect the public, to prevent re-offending and to secure the successful re-integration of the offender on licence into the community. Additional and bespoke licence conditions must ordinarily be imposed on a necessary and proportionate basis subject to a prisoner's risk. Other conditions will be imposed as a standard for all licences or as a presumption.
- 1.2 This Policy Framework aims to ensure that staff are aware of the licence conditions which apply to an offender during the licence period of custodial sentences. Further explanation is given to individual types of licence conditions and how they should be applied, as well as actions that are mandatory when preparing and creating a licence.
- 1.3 There are five types of licence conditions; standard, compulsory, presumptive, additional, and bespoke. This policy introduces changes to the standard licence conditions, which will be applied to all licences being produced after the implementation date, and retroactively to those already on licence.
- 1.4 Whilst this document sets out the actions for which the Parole Board is responsible, it does not bind the Parole Board in any way as it is an internal document of the Ministry of Justice/HM Prison and Probation Service.

2. Outcomes

- 2.1 Staff are aware of the purpose of the licence period and the requirements that can be imposed.
- 2.2 Staff understand the process for imposing and approving licence conditions both on initial release and through a licence variation.
- 2.3 Staff are aware of how to apply the electronic monitoring and curfew presumptions, and the additional licence conditions specific to offenders with risks related to terrorism/extremism and Serious Organised Crime (SOC).
- 2.4 Staff are aware of the requirement to use the digital platforms and the simplification of processes in relation to licence production as a result.

3. Requirements

Prior to Release

- 3.1 The initial holding prison must send information on any judicial recommendations for licence conditions to the Probation Service following sentencing after the offender has been received into custody, using a copy of the record sheet 5089 or via the common platform if available.
- 3.2 By the sixth week before a determinate sentence offender's release, the Probation Practitioner must log into Create and Vary a Licence (CVL) to request licence conditions and schedule the initial reporting instructions. This replaces the previous requirement of 13 weeks prior to release. Licence conditions must be entered in CVL at the earliest opportunity.

- 3.3 Licence conditions **cannot be submitted later than two working days** prior to the offender's release. After this point, CVL initiates the "hard stop", and the prison will issue a basic licence comprising the standard conditions and a temporary victim non-contact additional condition. In such cases, the Probation Practitioner must undertake a licence variation review and add any further licence conditions required where it is assessed as necessary and proportionate to manage risk.
- 3.4 Probation Practitioners must submit requests for licence conditions as early as possible and must not delay submission until the approach of the hard stop deadline. Where there is doubt as to whether a licence condition will be enforceable, it must be submitted at the earliest opportunity and, if necessary, removed via a post-release variation. This is particularly important for conditions dependent on Approved Premises residency.
- 3.5 An address check must be conducted prior to release, as set out in Address Checks (Post Custody) Policy Framework - GOV.UK (www.gov.uk).
- 3.6 Probation Practitioners must use the EPF2 as part of pre-release planning. This tool suggests additional licence conditions for the Probation Practitioner to consider and highlights the relevant policies in place for each condition. Any suggestions must still be applied as per the necessary and proportionate test set out later in this document.
- 3.7 Where the offender is a Foreign National Offender (FNO) with Home Office interest, the Prison must also inform Home Office Immigration Enforcement (HOIE) at the same time. The Probation Practitioner must liaise with the Criminal Caseworker (CC) in HOIE to ascertain the likelihood of deportation and any restrictions that may be applied by the Home Office or Immigration Tribunal. Information sharing between the two agencies must take place to ensure appropriate release planning. This may include requests from HOIE for Probation Practitioner to carry out address checks. Checks, such as for accommodation, must be prioritised for cases being reviewed by the Immigration Tribunal.
- 3.8 All pre-release and licence processes must be completed for an FNO, regardless of whether they are due to be released, unless they are being removed from prison under the Early Removal Scheme (ERS) and deported prior to the Conditional Release Date (CRD) or, if relevant, their Parole Eligibility Date (PED); or, in the case of indeterminate sentences, if they are being removed under the Tariff Early Removal Scheme (TERS).

Types of Licence Conditions: Standard

- 3.9 In accordance with Article 3 of the Criminal Justice (Sentencing) (Licence Conditions) Order 2015, standard licence conditions must be applied to all offenders released from determinate sentences. These conditions were updated by the Criminal Justice (Sentencing) (Licence Conditions) (Amendment and Revocation) Order 2026, which simplifies the wording and introduces an additional standard condition relating to passport disclosure.
- 3.10 The standard licence conditions are:
- Behave well in a way that supports the purpose of you being on licence, and do not commit any crime.
 - Keep in touch and meet with your supervising officer in the way they tell you to. This includes meeting them where you live.

- Get permission from your supervising officer to stay at an address and if you want to stay somewhere else for one or more nights.
- Tell your supervising officer about any new work, or a type of work, you want to do. Get their approval before you start this work.
- Tell your supervising officer about any names you use that are different to the names on this licence.
- Inform your supervising officer if your contact details change. For example, your phone number or email address.
- Get permission from your supervising officer if you want to apply for a new passport. If requested, tell your supervising officer about any passports you have already.
- Get permission from your supervising officer if you want to leave the United Kingdom, Isle of Man or the Channel Islands. This does not apply if you are being deported or removed for immigration purposes.

3.11 The standard conditions are updated in this version of the policy to reduce the reading age. These updated conditions automatically apply to all licences produced on/after 2 September 2026. The new standard condition on passport disclosure is also added to all existing community licences at the time of publication of this framework.

Types of Licence Conditions: Compulsory

- 3.12 In accordance with section 62A of the Criminal Justice and Court Services Act 2000, the Secretary of State may, by Order, require an electronic monitoring condition to be included on the licences of all offenders described in that Order. Such an Order may:
- require an electronic monitoring condition to be included for so long as the person's release is required to be, or may be, subject to conditions or for a shorter period;
 - make provision generally or in relation to a case described in the order;
 - make provision in relation to cases in which compliance with a condition imposed on a person's release is monitored by a person specified or described in the order;
 - make provision in relation to persons selected on the basis of criteria specified in the order or on a sampling basis;
 - make provision by reference to whether a person specified in the order is satisfied of a matter.
- 3.13 Where the Secretary of State makes such an Order, the electronic monitoring condition required to be included is known as a 'compulsory licence condition'.
- 3.14 Compulsory licence conditions are similar to standard conditions in that, where applicable, the Decision Maker does not need to approve their inclusion on the licence. However, they differ in that they arise from separate legislation and are applied only to those who fall within the categories described in the Order; unlike standard conditions, they will not apply to all offenders serving determinate sentences. They are also similar to additional electronic monitoring conditions, as they use the same wording set out in Annex A. However, unlike additional conditions, there is no requirement to consider whether the condition is necessary and proportionate for a particular offender. The condition must be applied wherever the Order requires it.
- 3.15 If it is identified that a compulsory licence condition was not applied at the point of initial release, the Probation Practitioner must request that it be added immediately via a licence variation (see paragraphs 3.91 onwards). Decision Makers must restrict their review to

checking that the wording is correct, as the inclusion of the condition is mandatory.

- 3.16 At time of publication, the only compulsory conditions to be applied to licences is for acquisitive crime offenders. Any queries regarding the application of electronic monitoring on licence should be directed to emchange@justice.gov.uk.

Types of Licence Conditions: Presumptive Electronic Monitoring

- 3.17 Where a standard determinate sentence (SDS) has been imposed and the offender is to be released prior to the 50% point of their sentence, there is a presumption that electronic monitoring will be applied. This cohort is referred to as the presumptive cohort. Information on exemptions is located in the Electronic Monitoring section below.
- 3.18 Probation Practitioners must include additional condition 14(a) where the presumption set out above applies
- 3.19 If there are no other licence conditions to be electronically monitored (listed in the right column of 3.24), a presumptive curfew must be applied.
- 3.20 Unless good reason not to do so, the curfew should be for 5 hours at night to enforce the standard condition for residency. The curfew should be scheduled to be as minimally intrusive to the offender as possible, with a default time of 1 AM to 6 AM, and can be adjusted to reflect circumstances, for example, where an offender is employed on a night shift, a daytime sleeping curfew would be more appropriate. This curfew is applied as any other curfew using additional licence condition 7(a) and must be included within the options field for condition 14(a).
- 3.21 A flowchart setting out the process for considering a presumptive curfew is available on Equip here.

Other Electronic Monitoring

- 3.22 There are other cohorts in addition to the presumptive EM cohort stated above. For further information on other cohorts including specific eligibility criteria, see the Practitioner Guide to Electronic Monitoring and Post Custody Progression Model.
- 3.23 In order to manage a licence condition under electronic monitoring, the generic electronic monitoring licence condition must also be applied, which is 14(a). The Probation Practitioner must select the conditions to be monitored under EM using the multiple-choice box in the EM condition, which are set out in the table below. These **must** be additional licence conditions imposed on the licence. The options are presented in an accessible format to support the offender's understanding.
- 3.24 The licence conditions that may be electronically monitored are listed in the guidance column for 14(a) in Annex A of this policy and are built into CVL. The options are:

Wording in dropdown	Related additional licence condition
that you attend appointments	Any appointment related additional conditions, or general probation appointments

that you comply with your curfew	7(a): curfew
that you do not go to areas you must not enter	8(a): exclusion zone
that you do not leave areas you must stay in	8(i): restriction zones
your location	14(b): trail monitoring
that you do not drink any alcohol	14(d): alcohol monitoring on licence
your alcohol consumption	14(e): alcohol monitoring on licence

- 3.25 The Probation Practitioner will only receive alerts from the EM provider in relation to the licence conditions selected within the EM condition. For example, where only trail monitoring is selected, but a curfew condition is included elsewhere on the licence, that curfew will not be monitored by the EM provider unless it is also specified within the EM condition.
- 3.26 There are exemption reasons where electronic monitoring cannot be applied. These include:
- Medical:
 - Probation may exempt individuals where EM would be medically inappropriate, including:
 - Physical health conditions or disabilities that make wearing a tag unsafe or impractical (e.g. limb loss, DVT and limb swelling);
 - Mental incapacity and/or learning disability where the individual may lack capacity to understand the monitoring requirement or tagging will disproportionately exacerbate the condition;
 - Pregnancy-related considerations;
 - Other health factors assessed by probation as making tagging unsuitable.
 - Length of sentence:
 - In most cases, a minimum of 30 days remaining on licence.
- 3.27 Where a Probation Practitioner is proposing a curfew requirement or varying a curfew address to electronically monitored curfews available as a licence condition, they must first speak to the main occupier of the proposed address and obtain the prior informed consent for the offender to be curfewed at their address, and engage with police and children's services to inform their consideration as to whether the person on probation poses a risk to other members of that household. Further information is available in the domestic abuse and child safeguarding guidance available on EQuIP here. (this link will only function on internal MoJ/HMPPS systems).
- 3.28 The Electronic Monitoring Service (EMS) is the EM provider who will need to be informed of electronic monitoring licence conditions once they are approved by the Decision Maker (see paragraph here). This will be completed in one of two ways:
- Initial Release (for all cases): The prison is responsible for informing EMS of any licence conditions which require electronic monitoring.
 - Licence variation (for all cases): Once approved by the Decision Maker (probation or the Parole Board as appropriate), the Probation Practitioner must forward the relevant licence variation form and a copy of the new licence, ensuring that they have stated clearly which of the conditions are to require electronic monitoring, to lpadmin@ems.co.uk.

Types of Licence Conditions: Additional

- 3.29 If the Probation Practitioner assesses that standard conditions are not sufficient to assist the offender's successful integration into the community, to prevent further re-offending or to ensure the protection of the public, then they may consider requesting an appropriate additional condition from the list at Annex A. This request must be based on relevant information gathered either from the offender or other stakeholders, and/or based on the relevant risk assessments in the case. Any additional licence conditions must be necessary and proportionate, meaning:
- Necessary: Any licence condition requested must have been identified as a necessary way to manage a specific risk or issue posed by the offender, without limitation to the current index offence; and
 - Proportionate: Any licence condition must be the least intrusive means of managing the risk or issue.
- 3.30 The Probation Practitioner must consider any protected characteristics (as defined by the Equality Act 2010) when completing the risk assessment and when requesting licence conditions. All staff must be mindful of the impact of additional licence conditions on offenders, while ensuring that appropriate safety considerations are taken into account.
- 3.31 The Probation Practitioner will submit any additional licence condition requests for determinate cases via CVL. For offenders who are being considered for release by the Parole Board, the Probation Practitioner will provide the request for additional licence conditions as set out in the [Generic Parole Process Policy Framework](#).
- 3.32 Any additional conditions requested by the Probation Practitioner and subsequently added to the licence must be kept under review to ensure they continue to meet the necessary and proportionate guidelines set out above. The frequency of these reviews would be based on the impact on the offender on licence, with more onerous sets of licence conditions requiring more frequent reviews to take place.
- 3.33 The list of additional conditions which may be chosen, along with the relevant guidance for each condition, is located at Annex A. Conditions are not restricted to any particular type of case, with the exception of the Extremism and the Serious Organised Crime sections of that Annex which are restricted to cases with related risks.
- 3.34 Due to advancements in technology, artificial intelligence (AI)-based systems may be used to support licence condition-related decision-making. These systems are intended to support staff decision-making, not replace it. The following requirements apply to any use of AI-based support in licence work:
- AI tools must support, not replace, professional judgement; and,
 - decisions must remain explainable and defensible; and,
 - appropriate assurance and accountability arrangements must be in place.

Types of Licence Conditions: Bespoke

- 3.35 Should any changes to the wording of additional conditions in Annex A be required due to the uncommon/unusual nature of a specific case, or an entirely new condition needed then this is considered to be a bespoke condition. The approval process for bespoke conditions are as follows:

- Automatic release cases: The Probation Practitioner must complete the form “NAT NPS Request for Determinate Sentence Pre Release Bespoke Licence Conditions” on nDelius (located under Institution Reports within the event/sentence and then Licence Variation). The completed report must be emailed to PPCS via bespokellicenceconditions@justice.gov.uk. This must be completed before the completion of the licence condition request on CVL, and the confirmation email from PPCS must be retained as evidence and saved on nDelius.
- Releases as a result of a decision by the Parole Board: Bespoke conditions will be reviewed directly by the Parole Board as part of their overall review of the suitability for release. For information on that process, see the Generic Parole Process Policy Framework, or the [Recall, Review and Re-Release of Recalled Prisoners Policy Framework](#) as relevant.

- 3.36 Where a Probation Practitioner wishes to request a curfew and reporting requirements which have an impact of more than 12 hours per day for a case not reviewed by the Parole Board, the Probation Practitioner must also seek permission from PPCS to treat this as a bespoke condition. As above, the Probation Practitioner should complete the form “NAT NPS Request for Determinate Sentence Pre Release Bespoke Licence Conditions”, available on nDelius, providing the details of the condition requested and full reasons as to why the condition is necessary and proportionate. The completed report must be emailed to bespokellicenceconditions@justice.gov.uk. For this purpose, each requirement to report should be counted as an hour and added to the overall curfew length. For example, a 10-hour curfew, plus a requirement to report three times a day would equal an impact of 13 hours a day and require approval.
- 3.37 Further information on bespoke licence conditions is available in this short guidance document available on EQuIP (this link will only function on internal MoJ/HMPPS systems).

Names on Licence

- 3.38 These disclosure-based licence conditions require the offender to inform the Probation Practitioner whenever they use or operate under a different name (i.e., one not previously disclosed), or use different contact details (i.e. details not previously supplied). This requirement applies whether the change is permanent (such as a name change via deed poll) or temporary (such as the use of a pseudonym for a specific purpose). It also applies to account names used online, including social media or other digital platforms, and to situations where the offender operates multiple accounts on the same platform (e.g. multiple Facebook accounts under different names). All such information must be recorded on case management systems within case notes and shared with partner agencies where appropriate.
- 3.39 For determinate sentence licences, the name printed on the licence is taken from the name stored on PNOMIS. The process for changing this name is set out in PSO 4455, available [here](#). Where an offender has legally changed their name, the licence must be reprinted and reissued to the offender showing the new name. This helps to avoid causing distress to the offender and reduces the risk of adverse behaviour resulting from continued use of a former name.
- 3.40 Where a transgender offender has changed their name to better reflect their gender identity, this must be handled sensitively. Where an offender holds a Gender Recognition Certificate (which legally recognises a person’s gender), practitioners must ensure

compliance with the Gender Recognition Act 2004. Continued use of the offender's former name (known as "deadnaming") may be unlawful where it discloses their previous gender and may cause significant distress. Practitioners should refer to [The Care and Management of Individuals who are Transgender' Policy Framework](#) or email HMPPStransgender@justice.gov.uk for further advice.

The Victim Contact Scheme (VCS) and Licence Conditions

- 3.41 The Probation Practitioner must coordinate with a Victim Liaison Officer (VLO) where one is allocated to a case. The VLO will contact the victim to discuss any licence conditions proposed by the Probation Practitioner that may affect them, as well as any conditions the victim may wish to request.
- 3.42 Requests for licence conditions from a victim under the VCS are not assessed solely against the usual "necessary and proportionate" test relating to the risk of serious harm or the risk of reoffending. Instead, they are also assessed against the risk of serious emotional harm and the fear of confrontation. The Probation Practitioner may wish to expand or adapt a victim's request so that it also manages the risk of serious harm or risk of reoffending where relevant, but the absence of those risks does not mean the victim's request fails the necessary and proportionate test.
- 3.43 Due regard must be given to balancing the access rights of a victim and an offender. Where a decision cannot be reached between the Probation Practitioner and VLO, the Probation Practitioner must escalate the matter to the decision maker, providing all relevant information from both parties. A balanced approach must be taken where the needs of the offender conflict with those of a victim. Where those needs are equal, for example, both requiring access to the same location for the same purpose, priority must be given to the victims' rights, and the offender must be denied access.
- 3.44 Victim-related licence conditions typically involve mapped exclusion/restriction zones or non-contact conditions. However, any condition may be requested by a VCS victim provided that it relates to preventing any real or perceived contact with them.
- 3.45 All VCS victim requests must be submitted to the decision maker by the Probation Practitioner, even where they do not support them or wish to propose alternative conditions. The Victim Liaison Officer will manage a victim's expectations regarding the legal limits of what can be imposed but must not pressure them to change or withdraw their request. The Probation Practitioner must send any requests to the decision maker as below; this is a legal requirement set out in section 35(6) of the Domestic Violence, Crime and Victims Act 2004. Where the Probation Practitioner proposes alternative conditions, these **must be shared with the Decision Maker alongside the VLO/victim's full reasoning and evidence for their original request**. The submission process is as follows:
- For automatic releases: Probation Practitioners must email the Prison OMU functional mailbox with the VLO copied in and await confirmation from the Prison-based Decision Maker regarding which condition(s) should be applied, before submitting the final set of conditions via CVL.
 - For Parole Board releases: Victim-related licence condition considerations will be handled through the routine dossier and consultation process.
- 3.46 Where a victim does not fall within the remit of the VCS, they will not have a VLO assigned and cannot request licence conditions. In such cases, the Probation Practitioner must treat

them as any other member of the public and manage risks through the usual risk-based approach. This includes considering licence conditions where they are necessary and proportionate to mitigate the risks of serious harm or reoffending.

- 3.47 Following release, licence variations cannot be used to amend VCS-requested additional licence conditions on the basis of changes to the offender's risk of serious harm or risk of reoffending, as these are not the reason for imposing such conditions.
- 3.48 Further guidance on the interaction between the Victim Contact Scheme and licence conditions can be found [here](#).

Individual Conditions: Exclusion Zones

- 3.49 Exclusion zones are an existing type of additional licence condition. They may be applied using a map, or by specifying a location. Further guidance on exclusion zones is available [here](#).

Individual Conditions: Introduction of Restriction Zones

- 3.50 Restriction zones were introduced as a new type of additional licence condition under the Sentencing Act 2026. They operate in the opposite manner to exclusion zones, requiring an offender to **remain within**, rather than be **excluded from**, a specified area. As with exclusion zones, restriction zones require a map to enable enforcement.
- 3.51 As restriction zones may have a greater impact on offenders than exclusion zones, they may only be applied in the following cases:
- The offender is managed at Tier A or B level in most cases.
 - The offender has committed a serious sexual or violent offence listed in schedule 15 of the Criminal Justice Act 2003, is subject to a custodial sentence of 12 months or more, and the offence is eligible for the Victim Contact Scheme (VCS). This applies whether or not a victim has opted into the VCS scheme.
 - Other additional licence conditions, including exclusion zones, have been assessed as insufficient to manage the risk posed, and confinement within a defined geographic area is considered necessary.
- 3.52 Restriction zones must be necessary and proportionate to the assessed risk of serious harm / risk of re-offending. Guidance on the principles of restriction zones is available [here](#), with process flowcharts available [here](#).
- 3.53 In the majority of cases, a restriction zone must be subject to electronic monitoring to enable enforcement.
- 3.54 Where a restriction zone is requested by a victim under the VCS, a VLO must gather the same information required for an exclusion zone and provide a mapped exclusion zone to the Probation Practitioner. This ensures that any restriction zone does not include areas the victim is likely to access frequently, and that the Probation Practitioner can consider whether the exclusion zone is more necessary and proportionate than a restriction zone.

The Probation Practitioner is responsible for the design and creation of the restriction zone map, even in cases where it has been requested via the VCS. The VLO remains responsible for victim requested exclusion zones only.

Individual Conditions: Access Routes in Restriction / Mapped Exclusion Zones

- 3.55 In the case of both a restriction zone and a mapped exclusion zone, when initially considering the relevant zone, the Probation Practitioner should consider whether there is a restriction on the offender accessing a location they will need for their day-to-day life. For example, if the zone is in a rural location and there is only one hospital, place of worship, and/or gender identity clinic. In that instance, the Probation Practitioner would need to consider whether the offender would need to access the location frequently enough that an access route using additional licence condition 8(j) is needed, which the offender may use at set times/dates or with prior permission.
- 3.56 The offender may also request to cross the border of a restriction zone or exclusion zone. This permission must only be given where the access is for something that cannot be conducted without crossing the border. Family contact is not a sufficient reason, unless specific evidence is shown why the other family member cannot cross the border of the relevant zone to meet the offender, such as a letter from a medical practitioner.
- 3.57 Where a zone was requested by a victim under the VCS, due regard must be given to the offender's need to undertake legitimate activities in or around the proposed zone. These needs must be balanced against the risks to, and rights of, the victim and/or their family. Where an offender's activities (for example, shopping or meeting family members) can reasonably take place outside the proposed zone, any resulting inconvenience may be justified. This approach seeks to minimise the risk of a chance encounter with the victim or their family, which could be traumatic and re-victimise them.
- 3.58 In versions of the licence condition policy prior to 2021, there was reference to "large" exclusion zones. This terminology is outdated, and now there should be consideration of whether or not the reason for an exclusion zone is sufficiently evidenced. Should there be any doubt around the adequacy of the evidence base for an exclusion zone, then the Probation Practitioner or VLO should contact licence.policy@justice.gov.uk.

Individual Conditions: Non-Contact

- 3.59 Permission does not need to be sought from people named on a non-contact condition, nor can a person refuse to be included in a non-contact condition where it is necessary and proportionate to manage the risks and issues posed by the offender on licence.
- 3.60 Names on non-contact conditions can be anonymised or altered as long as the offender on licence will know who the person in the condition is. For example, "victim of the index offence" would be a specific person. However, care should be taken that any description applies to a set or limited number of people. For example, the phrase "victim and victim's family" could not be used, as a family group does not mean a specific group of individuals. The alternative "victim, victim's parents, victim's siblings" would be sufficiently specific to be used on the licence.
- 3.61 This anonymisation is not limited to VCS only cases and can be used more generally. For example, where a party has changed their name and does not wish to be known to the offender on licence, or where naming a person on the licence may increase a risk of

serious harm to them. For Parole Board release/approval cases, any anonymisation is subject to the approval of the Parole Board.

Individual Conditions: Alcohol Monitoring on Licence (AML)

- 3.62 To impose AML, the generic condition 14(a) must be added to the licence, with “alcohol monitoring” added from the drop down within the condition, and either 14(d) (for alcohol abstinence) or 14(e) (for alcohol monitoring) must also be added. These conditions may also help to enforce elements of an alcohol related programme/workplan required under condition 4(a).

Individual Conditions: Polygraph

- 3.63 The polygraph licence condition is applied to specific cohorts. For details on the application of the polygraph licence condition and the relevant cohorts, see the [Polygraph Licence Condition Policy Framework](#).

Individual Conditions: Child Contact

- 3.64 Where a licence condition prohibits an offender from having unsupervised contact with a child, the Probation Practitioner must specify who may supervise any contact between the offender and the child, or state that there must be no contact with children. The offender must understand that the presence of another person does not constitute supervision unless that person has been approved by the Probation Practitioner.

Individual Conditions: Relationships

- 3.65 When using the condition requiring notification of relationships, the Probation Practitioner must explain to the offender what the definition is in that particular case. This may vary and should be set on a case-by-case basis, depending on the risks and issues posed by the offender.

Individual Conditions: Terrorist Personal Search Licence Condition

- 3.66 The legal basis of this licence condition is in paragraph 43C into the Terrorism Act 2000. It permits the police to stop and search an offender who has been released on a licence which includes this condition. The police may also, under this licence condition, stop and search any vehicle, and anything in it, in which the offender on this licence is travelling with, regardless of whether they are a passenger or the driver themselves.
- 3.67 Both of the following criteria must apply in order for the condition to be requested by the Probation Practitioner for addition to the licence. The first is a statutory criterion, the second a matter of policy. Failure to meet these criteria means that the condition cannot be applied:
- Is the offender subject to an indeterminate or determinate sentence where the index offence is a terrorist offence included in Part 1 or 2 of Schedule 19ZA, or is an offence with a terrorist connection in accordance with the definition in 247A(7A) of the Criminal Justice Act 2003?

- Based on the most recent risk assessment, does the offender on licence pose a high or very high risk of serious harm to the public?

- 3.68 Discussions must be held between probation and the police prior to implementing this condition, to ensure the police are aware of it and can search the offender and any vehicle they are travelling in or on.
- 3.69 This condition must be reviewed as normal under the necessary and proportionality considerations set out earlier in this policy. It can be applied either on release, or should risk escalate, as a licence variation.

Individual Conditions: Extremism / Serious Organised Crime Related Licence Conditions

- 3.70 Specific extremism related conditions are set out in Annex A under category 11, and Serious Organised Crime (SOC) conditions under category 16. Probation Practitioners may request these where the offender poses a related relevant risk, as appropriate. There is no requirement for a specific offence to have taken place in either category, but discussion must be held with local Probation Service leads on the relevant subject matter before the conditions are requested.

Mirroring of Requirements on Ancillary Orders

- 3.71 An offender on licence may also be subject to one or more ancillary orders, such as a Sexual Harm Prevention Order (SHPO), a Restraining Order (RO) or a Violent Offender Prevention Order (VOPO). Where these are imposed on the person on licence, the Probation Practitioner should use these as indicators of risk but must not automatically copy over all the requirements of the ancillary order onto the licence.
- 3.72 This is because licence conditions must remain necessary and proportionate to the risk indicated and may run at different expiry timescales to an ancillary order. Furthermore, there may be abilities to place restrictions in the order that are unable to be placed on licence, or conditions which can be placed on licence which are unable to be included in the order that better meet the necessary and proportionate tests. The Probation Practitioner must take care that any requested licence conditions do not contradict the requirements of any ancillary orders imposed.
- 3.73 Following the review of risk, it may be that some of the package of additional licence conditions look similar to the requirements on an associated ancillary order, but this must be from the routine review of risks and issues in the case and not bypass the necessary and proportionality considerations.
- 3.74 In all cases, any breach of an ancillary order can be also considered to be a breach of the licence conditions per the standard good behaviour condition; this is even the case where no requirements from the orders are mirrored onto the licence as a licence condition.

Approval of Licence Conditions on Initial/Post-Recall Release

- 3.75 In practice, the initial licence conditions that are to be imposed are approved by the following acting as the Decision Maker:
- Governors

- Where a prisoner is released automatically under a statutory duty for the Secretary of State to release the prisoner; or
 - Where a prisoner is released following a fixed term recall.
- Parole Board and PPCS on behalf of the Secretary of State for Justice
 - Where the Parole Board directs the offender's initial release; or
 - Where a prisoner is released following a standard recall.

For the decision maker for licence variations, see here.

- 3.76 Governors may delegate approval of licences and licence conditions, but the delegate must hold at least a Band 7 post and be a prison service employee. In the private sector prisons a Director can similarly delegate this task to an equivalent grade as long as they are employed by the same company as the Director; that approval does not need to be countersigned by the resident Controller. For the purpose of this Policy Framework, approval elsewhere in this document may be described as by the "Governor" – this refers to either the Governor or the Director as relevant to the establishment applying this policy, and their delegated authorities.
- 3.77 Should multiple versions of a victim related condition be submitted, such as two versions of an exclusion zone, the Decision Maker must decide which of them is to be applied taking into account any evidence or arguments put forward by the supervising officer and the VLO/Victim.

Creation of Licence Documents

- 3.78 The responsibility for the production of the licence is as follows:
- Prison:
 - Determinate sentences on automatic release
 - Determinate sentences where the offender has been recalled and is subject to a fixed-term recall
 - Determinate sentences where the offender has been recalled and is subject to a standard recall
 - PPCS:
 - Determinate sentences where the Parole Board have directed release as part of a pre-release review of parole eligibility
 - Indeterminate sentences (life sentences and IPP sentences, including recalls)
 - Releases of those under compassionate grounds (see here for further details).
- 3.79 The prison is responsible in all cases for printing a copy of the licence and providing it to the prisoner as part of the release process. Any explanation of the licence conditions must take account of the requirements set out in the Sharing and Issuing of Licences section.
- 3.80 Where an electronic monitoring presumptive or additional licence condition has been included, the prison must notify EMS of the EM licence conditions using the online Electronic Monitoring Order Service, attaching a copy of the licence. Once launched, this will be completed via Create an Electronic Monitoring Order (CEMO) service.
- 3.81 The following types of releases must not have licences created:

- Determinate
- sentences:
 - Offenders being released solely following the custodial phase of a civil order; or,
 - Foreign National Offenders (FNOs) being released prior to CRD under the Early Removal Scheme (ERS).
- Indeterminate sentences:
 - FNOs being released under the Tariff Expired Removal Scheme (TERS).

Recording of Considerations and Decision Making

- 3.82 The Probation Practitioner must ensure that a record is kept of any consideration around a request for licence conditions and the decision made, including the reasoning for requesting the licence conditions and whether any stakeholders were consulted during the consideration, along with their response. This includes any response by MAPPA panels in those cases which fall under active multi agency management.
- 3.83 This applies equally to the initial setting of licence conditions, any variation of licence conditions, or authorisations to act outside of the restrictions set out by a licence condition.
- 3.84 This must be recorded in the case notes field on the individual record on nDelius by the Probation Practitioner.

Immediate Releases from Court

- 3.85 There will be occasions where an offender's bail time will result in an immediate release from court, that being where no custodial element is being served following sentencing. This will result in a licence being required before a Probation Practitioner can be allocated.
- 3.86 The process for releases from court is mapped and set out on Equip here.

Sharing and Issuing of Licences

- 3.87 Prior to release, the prison should ensure that the offender signs two copies of the licence to confirm that they understand the requirements. If they refuse (or write anything other than their name) then the licences should be signed and countersigned by two staff members to validate that the conditions have been explained. One copy must be given to the offender, with the second copy kept in the prisoner's F2050 record.
- 3.88 When explaining licence conditions to prisoners before release, staff must ensure that the offender understands any such conditions. Staff must take into account any issues such as English not being the offender's primary language (including British Sign Language or other communication styles), learning disabilities or are neurodivergent that may prevent the offender from understanding what is required of them.
- 3.89 Both Prison and Probation staff should consider the reaction of an offender to receiving information in relation to their licence, such as ensuring news is delivered in person so that staff can monitor/be aware of the risk of self-harm or violence from receiving bad news. Any such reactions should be flagged to relevant staff, so that appropriate action can be undertaken and necessary support given. Further information is available in Prison Safety Policy Framework - GOV.UK.

- 3.90 Prison staff must share the licence for an offender subject to a determinate sentence with the key contact points once it is approved. A copy of the licence must be emailed to the Police National Computer (PNC) Bureau, to the relevant police contact in the area to which the prisoner is being released (contact details are sent to Prison OMUs, or can be requested from licence.policy@justice.gov.uk). The PNC or police area do not need signed copies, but instead should be sent the initial electronic versions created and not a version which has been printed and re-scanned. These must be sent as soon as possible after approval by the Governor, and no later than 2 days prior to release.
- 3.91 Where an offender has a ViSOR Nominal record the licence conditions must be recorded by prison staff in the Statutory Instruments attachments.
- 3.92 Where PPCS produces the licence based on the Parole Board decision, this will be sent to the releasing establishment, who will need to provide a copy of the licence to the offender and explain the conditions as above. PPCS will share the licence with the PNC Bureau and the Probation Practitioner.

Release on Licence of Detainees Under the Mental Health Act

- 3.93 Prison staff and Probation Practitioners are required to undertake those processes as set out above for the production of licences for any mentally disordered offender detained under the Mental Health Act 1983 (The 1983 Act) where a licence is required. There are three primary scenarios that can arise where an offender will be subject to a licence when they remain detained in a psychiatric hospital under the 1983 Act:
- A prisoner is transferred to hospital prior to their earliest date of release (sections 47/49 of the 1983 Act) and who remain detained in hospital at the point they would have been released;
 - An offender was directed to hospital by a court for treatment of a mental disorder alongside a prison sentence under a hospital and limitation direction (section 45A of the 1983 Act) and who remains detained in hospital at the point they would have been released;
 - An offender who has committed an offence which has led to a sentence of imprisonment whilst they have remained detained in a hospital under a hospital and restriction order (sections 37/41 of the 1983 Act)
- 3.94 Mentally disordered offenders who are subject to sections 47/49, section 45A or sections 37/41 are collectively known as restricted patients. More information about restricted patients can be found at the following link: [Mentally disordered offenders: The Restricted Patient System 2017 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/mentally-disordered-offenders-the-restricted-patient-system-2017).
- 3.95 Where transfer to a secure psychiatric hospital has occurred, the responsible prison (should production be their responsibility as set out in paragraph 3.62 above) will be the last holding establishment. In the case of offenders subject to s45A order the responsibility for the licence will be the remand prison. Occasion will arise where an offender was not remanded to prison prior to conviction and sentencing, in these cases the prison or probation office nearest the detaining hospital will be responsible for the licence.
- 3.96 Licences for offenders who remain detained in hospital under the 1983 Act must be produced prior to the CRD and issued to the offender. The licence remains active and multi-agency work will be required to ensure that the offender's licence conditions remain appropriate; this includes terrorist risk offenders detained in hospital. It is important to note

that the licence is not suspended; an offender who is detained in hospital remains subject to an obligation to comply with their licence. Logistically and practically, this may not always be possible and as such, close co-ordination between the Probation Practitioner and responsible clinician is essential. Similarly, active engagement between agencies is required to ensure that any additional licence conditions are compatible with the offender's continuing detention in hospital including periods of community leave. The Probation Practitioner should actively manage the licence for those offenders who remain in hospital beyond their earliest date of release. The close liaison between Probation Practitioners and the hospital is particularly important as the offender's discharge from hospital detention will not necessarily be predictable and will, in large part, be determined by their treatment needs.

- 3.97 An offender should not be penalised for breaching their licence due to circumstances outside of their control; their status as a restricted patient may mean that certain licence conditions cannot be adhered to. Furthermore, if the inclusion of additional licence conditions impacts on the patient's mental disorder or treatment pathway, such as the placing of a GPS tag, consideration must be given to the necessity and proportionality of it, and legal advice sought where necessary.
- 3.98 The Probation Practitioner should contact the Mental Health Casework Section (MHCS) at MHCSMailbox@justice.gov.uk if they require contact information for the detaining hospital and the clinician responsible for the treatment of the offender, and for details of the extremism lead at MHCS for terrorist risk offenders. Stakeholders should use the above mailbox for any further advice or guidance on the management of restricted patients.
- 3.99 Should changes to the licence be required by the Probation Practitioner, this will be modified via a licence variation as described below. As previously stated, staff at MHCS should be contacted if advice is required.

Management While in Hospital / IS91 Detention

- 3.100 When an offender has reached their Conditional Release Date (CRD), they are released on licence regardless of whether or not their physical location has changed. In some circumstances, an offender may be already outside a prison in a hospital or a mental health facility. In those circumstances the offender is still released on licence, but the presentation of the licence and the explanation of the conditions must be customised based on the circumstances of the case.
- 3.101 The Probation Practitioner must also consider which of the licence conditions can be practically enforced, and must not penalise the offender where conditions cannot be fulfilled because of circumstances outside of their control. For example, not being able to abide by reporting instructions because the offender is in hospital.
- 3.102 The Probation Practitioner must also ensure that any engagement with the offender continues as close to normal as possible, and whether any additional licence conditions are required to manage the unique circumstances which the offender is in.
- 3.103 Similar considerations apply to those Foreign National Offenders who are held under immigration powers, referred to as IS91 Detention. This type of detention can take place following CRD, in either a prison or in an Immigration Removal Centre. This means that once the offender reaches CRD, they are released on licence even though they may very well remain in the same establishment they were in previously. The same considerations apply as stated elsewhere in this section to these cases.

Licence Authorisation

- 3.104 Licence authorisation is where the Probation Practitioner identifies that a temporary change to an additional licence condition is required. The capacity to do this is enshrined in the majority of additional licence conditions having text at the end allowing for the COM to grant permission for the offender to undertake activity otherwise not allowed.
- 3.105 An offender on licence can informally request permission for a temporary change as part of a regular conversation with their Probation Practitioner.
- 3.106 Before authorising a temporary change to a licence condition, the Probation Practitioner must seek input from any stakeholders involved in its formulation. Where the condition was formulated through a meeting or forum, and the request is sufficiently urgent that it cannot wait until the next scheduled meeting, the Probation Practitioner must instead consult the chair of that meeting. Where the condition was agreed through MAPPA, the MAPPA Coordinator is the appropriate contact.
- 3.107 The Probation Practitioner may wish to discuss any request from the offender on licence with their Senior Probation Officer, before informing the offender of the decision. Any decision must be recorded in Case Notes on nDelius, with the rationale and decision included along with a record of any stakeholders who were engaged in the decision making.
- 3.108 A guide to licence authorisation and the differences between it and licence variation is located alongside this policy framework at <https://www.gov.uk/government/publications/licence-conditions-policy-framework>.

Licence Variation

- 3.109 If a Probation Practitioner identifies that a risk or issue has changed, or new information is brought to their attention following release, which requires the alteration of a licence condition or the addition/removal of a condition, then they must apply for a licence variation. Requests may not come directly from the offender on licence and should that offender have any issues with existing licence conditions then they must speak to their Probation Practitioner. Bespoke licence conditions may still be applied for under a licence variation, and still follow the process as set out in the initial release section for PPCS approval.
- 3.110 Where there is a VCS victim involved in the case, and the variation involves conditions related to them, then the VLO attached to the case must be informed. Reductions in VCS related exclusion zones may only take place where the original risks/issues identified have been reduced, and it is no longer necessary and proportionate to the relevant risks.
- 3.111 The Decision Maker for licence variation is different to that for licence preparation for initial release, as Prison Governors (or delegates) do not retain responsibility after release. The Decision Makers for the different scenarios are as follows:

Cases released Automatically on initial release

- The Head of the Probation Delivery Unit (PDU), with the ability to delegate to a Deputy PDU Head.

Cases released initially by the Parole Board

- The Parole Board.

3.112 The method for varying a licence depends on the original means of release, and in the case of automatic releases, the system under which the most recent licence was produced. In the case of recalled offenders who are subsequently re-released and have their licence varied, they are not considered by the Parole Board unless their original release was as a result of a decision by the Parole Board.

Cases released Automatically on initial release

- Licences produced on Create and Vary a Licence (CVL): Variation is conducted via the CVL digital solution.
- Licences produced on PNOMIS: Probation Practitioners must request variation through their local Probation Hub (or via diary managers in Wales) using the form found on nDelius under >Institution Reports (within the event/sentence) and then >Licence Variation.

Cases released initially by the Parole Board

- Probation Practitioners must request variation to PPCS using the form found on nDelius under >Institution Reports (within the event/sentence) and then >Licence Variation. The contact point at PPCS is the team which managed the original release. PPCS will then refer this request onwards to the Parole Board, who will respond directly to all parties.
- If time allows, the COM must inform the offender on licence of the variation request and provide them with seven days to submit representations. Any representations must be submitted to PPCS alongside the variation report.

3.113 Production of an updated licence following release remains as set out in 3.62. However, any responsibilities assigned to the prison transfer to the Probation Service. For determinate sentence licences, the method of production will depend on the system used to create the existing licence, as set out in the bullets above. Any explanation of new licence conditions provided to the offender must take account of the requirements set out in the Sharing and Issuing of Licences section.

3.114 Licence variations are considered to be in place after the new version of the licence document is presented to the offender and the condition explained. They are required to sign to signify that the explanation has taken place, if they refuse then the licence should be signed and countersigned by two staff members to validate that the conditions have been explained.

Pre-Weekend/Bank Holiday Re-Releases

3.115 Where an offender serving a determinate sentence is being held in custody until their Sentence and Licence Expiry Date (SLED), and the SLED falls on a weekend or a bank holiday, that offender must be released on the preceding working day. This will normally be the Friday immediately prior, or earlier in accordance with the [Discretionary Friday/Pre-Bank Holiday Release Scheme Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/pre-bank-holiday-release-scheme-policy).

Application of Licence Conditions on the SLED

- 3.116 A licence for an offender on a determinate sentence is in force on the Sentence and Licence Expiry Date (SLED) or Licence Expiry Date (LED) until 11:59pm of that day. However, given the limited nature of breach ability of breach action on that day, no licence is to be issued where a release takes place on a SLED or LED.
- 3.117 Where an on-SLED or on-LED release is brought forward by one or more days due to the date otherwise falling on a weekend/bank holiday or due to the Discretionary Scheme linked above, the SLED/LED itself does not move. A licence must be produced which will be in force until the actual SLED/LED.

4. Constraints

Approval of Licence Conditions

- 4.1 Governors may not propose licence conditions for prisoners of any type. The Probation Service must propose any conditions.
- 4.2 Governors and PDU Heads may not approve bespoke licence conditions where permission has not been given by PPCS for determinate sentences (as appropriate to the type of case). If evidence has not been demonstrated by the probation provider that such permission has been agreed, then any such requests must be rejected, and the direction given that the probation provider should seek permission from PPCS for the bespoke condition to be included on the licence.

Production of Licences

- 4.3 Prison and probation staff are not permitted to create a licence outside of PNOMIS or a digital solution. The appropriate risk mitigation to ensure that licences are ready in the event of a computer/power failure is to print and share the licences at least seven days in advance.

Sharing and Issuing of Licences

- 4.4 Where there is a mandatory action set out in a policy to share a licence document with an external agency, staff members are not permitted to conduct individual data protection assessments of the need to do so. Issues regarding the sharing of this information have already been discussed at an agency level, and no additional considerations are to be made locally. Where staff do have concerns over the need to share information, this should be flagged to licence.policy@justice.gov.uk.