



Ministry
of Justice



HM Prison &
Probation Service

Policy name: Transfer of Licence Supervision within UK and Crown Dependency Jurisdictions Policy Framework

Issue Date: 15 October 2026

Implementation Date: 15 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;
- PI 07/2015 PSI 08/2015 Permanent Resettlement Outside of England and Wales
- Travel and Transfer on Licence and PSS Outside of England and Wales

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.

How will this Policy Framework be audited or monitored: This policy will be monitored by exception – that being the escalation route by which staff will send challenging cases to the functional mailbox (listed below) for advice from the central policy team.

Resource Impact: This policy does not introduce any significant changes to current working practice or resources.

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Approved by OPS for publication: Helen Judge, Chair, Operational Policy Sub-board, September 2026

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1. Purpose

- 1.1 This Policy Framework sets out the mandatory requirements for transferring an offender between England and Wales, Scotland, Northern Ireland, the Isle of Man, and the Channel Islands (Jersey and the Bailiwick of Guernsey) ("the jurisdictions") which apply during the licence period of custodial sentences. These jurisdictions will be referred to as 'UK and Islands' throughout the rest of this Framework.
- 1.2 Transfers between UK and Islands are undertaken in accordance with Section 41 and Schedule 1 (paragraph 4) of the Crime (Sentences) Act 1997, and the administrative arrangements applicable in the sending and receiving jurisdictions.
- 1.3 The Policy Framework provides for two types of transfer:
 - **Restricted transfer:** only supervision transfers to the receiving jurisdiction, while responsibility for the sentence and any recall remains with the sending jurisdiction.
 - **Unrestricted transfer:** responsibility for the offender's sentence and supervision transfers to the receiving jurisdiction, which assumes complete responsibility for enforcement.

2. Outcomes

- 2.1 Staff understand:
 - a. that offenders may request a transfer to another jurisdiction within the UK and Islands during the licence period;
 - b. the criteria that must be considered when assessing such applications;
 - c. the difference between a restricted and unrestricted transfer, and where unrestricted transfers cannot be considered; and,
 - d. the need to ensure that cases remain open for restricted transfers, and the means of undertaking recall action if required.

3. Safety Considerations

- 3.1 Any decision relating to an offender's supervision must be communicated in a timely, clear and sensitive manner, taking account of the individual's circumstances and potential vulnerabilities. The communication of a decision should prompt a reassessment of the person's immediate safety, wellbeing and risk factors. This should include consideration of any recent changes in mental or physical health, substance misuse, housing, employment, finances, relationships, safeguarding needs or other significant life events. Practitioners should ensure that individuals are appropriately signposted to relevant support services and understand how to access help if they experience distress or require additional support.
- 3.2 Where there are indications that an individual may be in crisis, or where significant safety concerns arise, such as suicidal ideation, self-harm, acute mental health deterioration, threats of harm to others, or other indicators of immediate vulnerability, practitioners must take prompt and proportionate safeguarding action. This may include undertaking a welfare assessment, contacting emergency services, mental health services or crisis teams, arranging urgent medical attention, and ensuring the individual is supported to access appropriate services. Practitioners should not rely solely on signposting where there is an immediate risk to life or serious harm.

4. Equalities considerations

- 4.1 The Equality Act 2010 identifies the following protected 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.
- 4.2 There is potential for bias in decision making. HMPPS staff working with offenders are therefore encouraged to complete Diversity and Inclusion training. This training can be found on the Diversity and Inclusion learning and Development Hub.
- 4.3 Guidance on the Language Services available to the Probation Service is available on Equip. These include translation, transcription, braille services and interpreting services, including British Sign Language.

5. Requirements

Eligibility Criteria

- 5.1 When an offender requests a transfer to another jurisdiction, the Probation Practitioner must first undertake an initial assessment against the following criteria:
- Does the offender have **close family** or **residential ties** in the jurisdiction in which they wish to resettle, including, but not limited to, any compassionate circumstances that support the application?

and

- Can the **sentence plan be implemented** in the receiving jurisdiction?

If the answer is '**no**', the application must be refused.

- Would the transfer **increase any risk of re-offending or risk of serious harm**, including risk of serious harm to current or future victims, or risk to the offender themselves;

If the answer is '**yes**', the application must be refused.

- 5.2 The Probation Practitioner must consider both types of transfer (see paragraph 1.3) and decide which will best support public protection, the interests of victims (where the Victim Contact Scheme applies), and the rehabilitation of the offender.
- 5.3 The Probation Practitioner must consider the reason why the offender is travelling to the other jurisdiction, in particular drug offence related cases where there may be concerns around cross-jurisdiction "county lines" activities potentially occurring. For employment related travel requests, staff should refer to the criteria set out in the [Overseas Travel on Licence Policy Framework](#).
- 5.4 Most cases should initially be transferred on a restricted basis to support transition, information sharing, and potential return if required. This supports a smoother transition for the individual and allows the Probation Practitioner and the receiving jurisdiction to establish effective information sharing arrangements. It also ensures the offender can be returned to the original jurisdiction if the receiving jurisdiction is unable to supervise them.

Initial Liaison with the Receiving Jurisdiction

- 5.5 If the Probation Practitioner initially supports the application, they must contact the receiving jurisdiction. Contact details are available in a separate document on EQUIP. The receiving jurisdiction must be notified at least 28 calendar days before the potential transfer date. This period can include time in custody if the individual is due to transfer immediately on release.
- 5.6 At the Probation Practitioner's request, the receiving jurisdiction will carry out local checks (for example, accommodation, safeguarding and employment) to support risk assessment and release planning. The Probation Practitioner must provide any required documents or information to allow the receiving jurisdiction to assess whether it can manage the case, including updated risk assessments and completing any required transfer documentation and record action on Ndelius. The Probation Practitioner must also consider any safeguarding concerns and confirm whether the offender is managed under MAPPA, so that any risk or safeguarding concerns can be considered. See further information on MAPPA at paragraph 5.8.
- 5.7 If both jurisdictions agree to the transfer, the type of transfer and the transfer date must be confirmed. The Probation Practitioner must complete a transfer order, which must be signed by the Head of the local Probation Delivery Unit as part of the approval process. This applies even where final approval sits with the Public Protection Casework Section (PPCS) of HMPPS. The transfer order template can be found at Annex A of this Framework and can be used by all jurisdictions. It is also available on nDelius.
- 5.8 The sending jurisdiction must inform the offender of any initial appointments in the receiving jurisdiction before the transfer takes place.

Multi Agency Public Protection Arrangements (MAPPA) Cases

- 5.9 Where the offender is managed under MAPPA at Level 2 or 3 and active case meetings are taking place, the Probation Practitioner must present the proposed transfer to the MAPPA panel. This allows the panel to engage with equivalent arrangements in the receiving jurisdiction and facilitate information sharing. The Probation Practitioner should send a copy of the MAPPA Q to the receiving jurisdiction when MAPPA Level 1 cases are transferred. ViSOR records must be transferred in line with the National ViSOR standards.
- 5.10 This is in addition to, not a replacement for, information sharing between the Probation Practitioner and the receiving jurisdiction. Invitations to MAPPA meetings must be sent to both the Probation Practitioner and the receiving jurisdiction, although the receiving jurisdiction is not expected to attend in person but should attend remotely where possible.
- 5.11 Staff from both areas should attend either the last MAPPA meeting before a change in MAPPA area, or the first MAPPA meeting afterwards to ensure a smooth transition. Further information can be found here: 17. Responsibility for MAPPA Cases (updated 2021) - Multi-Agency Public Protection Arrangements - MAPPA

Sex Offender Notification

- 5.12 Probation Practitioners must ensure that Registered Sex Offenders are aware they must notify the Police in advance of any travel to another jurisdiction, regardless of duration, where notification is required under the Sex Offender Notification requirements.
- 5.13 Approval of a transfer does not remove or replace this requirement. Offenders remain responsible for contacting the Police directly to comply with their notification obligations. Providing information to the probation provider as part of a transfer request does not satisfy these notification requirements.
- 5.14 Probation Practitioners must also ensure that the receiving jurisdiction is informed of the offender's Registered Sex Offender status, and any relevant risk management information to support appropriate oversight and public protection arrangements.

Approval Authority

- 5.15 Transfers for offenders on licence must be authorised on behalf of the Secretary of State as follows:
- **Determinate sentences (automatic release):** authorised by the Head of the Probation Service Local Delivery Unit.
 - **Indeterminate sentences and determinate sentences released initially by the Parole Board:** authorised by PPCS within HMPPS, which will refer to the Parole Board where required.

Actions Following a Restricted Transfer (out of England and Wales)

- 5.16 Following a restricted transfer, the Probation Practitioner in England and Wales remains the overall responsible owner of the case and case records must remain open, with the case remaining allocated.
- 5.17 The Probation Practitioner must undertake all sentence management activity required of them by other policies and practice, including recall with the exception of direct reporting between the offender and the receiving Probation Practitioner.
- 5.18 The Probation Practitioner must keep in regular contact with the receiving jurisdiction. Telephone/video conferencing meetings should take place as agreed between the two parties, and at least as frequently as the individual's reporting schedule, unless a different arrangement has been agreed with the receiving jurisdiction.
- 5.19 The Probation Practitioner remains responsible for authorising any licence variations, warning letters or recall to custody, as the offender remains on an England and Wales licence. Should recall take place, then this will be via PPCS and any consideration of re-release will be via the Secretary of State or the Parole Board of England and Wales. For further details see the Recall, Review and Re-Release of Recalled Prisoners Policy Framework.
- 5.20 The Probation Practitioner must consider the needs of the receiving jurisdiction. As breach standards differ, disagreements may arise. While the Probation Practitioner in England and Wales leads, the receiving jurisdiction may terminate the transfer at any time if they believe the offender is no longer manageable. In such cases, the Probation Practitioner must instruct the offender to return to England and Wales and consider recall to prison custody if the risk has become unmanageable in the community.

Conversion to an Unrestricted Transfer (out of England and Wales)

- 5.21 During transfer case management discussions, where the offender is eligible for an unrestricted transfer, the Probation Practitioner and receiving jurisdiction must agree a timetable for reviewing whether conversion to an unrestricted transfer is appropriate. Reviews should take place every six months, or sooner at the receiving jurisdiction's discretion.
- 5.22 Where conversion is agreed, a transfer order must be completed (see paragraph 5.7). Following approval, for MAPPA cases, arrangements should be made to ensure both areas participate in MAPPA meetings (see paragraph 5.10).
- 5.23 Following an unrestricted transfer, the Probation Practitioner must ensure that all relevant information on the case has been transferred to the receiving jurisdiction. Once that has been completed, then all case records which are limited to England and Wales may be closed down.

Transfers to England and Wales

- 5.24 Where an offender on licence in another jurisdiction has requested a transfer to England and Wales, the sending jurisdiction will contact Probation in England and Wales to arrange allocation and transfer of the case. The allocation process is set out in PI 05/2014 / PSI 14/2014 Case Allocation.
- 5.25 The same considerations set out in paragraph 5.1 must be considered when reviewing an incoming transfer request.
- 5.26 The default position for incoming transfers is that they should be accepted on an unrestricted basis wherever this is lawful and operationally appropriate. A restricted transfer may be appropriate where the Probation Practitioner has sufficient concerns about the risks and issues posed by the offender that may result in a potential recall to custody or return to the sending jurisdiction within the period spent on licence, or if the offender is ineligible for an unrestricted transfer. See paragraph 5.32 for further information on ineligibility.
- 5.27 Any incoming transfers must be approved using the same approval authority as set out in paragraph 5.14. Once approval authority is given for both the transfer and the type of transfer, then case records must be created as appropriate including the creation of an England and Wales licence should the individual transfer on an unrestricted basis.
- 5.28 If a restricted transfer takes place, then as with paragraph 5.19, joint management meetings must take place between the Probation Practitioner and the sending jurisdiction, along with reviews to consider whether conversion to an unrestricted transfer should take place per paragraph 5.21. Any potential recall consideration for a restricted transfer would be undertaken by the sending jurisdiction.
- 5.29 Should the sending jurisdiction not request that the offender is recalled to custody, and the Probation Practitioner believes them to be unmanageable, then a restricted transfer may be terminated. This requires consultation with senior management first, and approval of the head of the probation local delivery unit. Following that, final approval must be sought from the Public Protection Unit: licence.policy@justice.gov.uk, who may liaise with the sending authority on behalf of probation to rectify the issues before any action is taken.

- 5.30 If an unrestricted transfer takes place, then all information received from the sending jurisdiction must be incorporated into the case management systems as appropriate. The offender is then treated as if the case originated in England and Wales and would be eligible for any licence conditions otherwise not available in the sending jurisdiction (for example, polygraph testing on licence) or programmes.
- 5.31 If an offender breaches their licence following an unrestricted transfer to England and Wales, then they would be treated in the same way as a case which originated in this jurisdiction including recall to custody. For further details see Recall, Review and Re-Release of Recalled Prisoners Policy Framework.
- 5.32 When considering the types of transfer, the likelihood that an offender would be eligible for an unrestricted transfer when being transferred to England and Wales is very high.

Ineligibility for Unrestricted Transfers

- 5.33 Offenders may transfer to another jurisdiction on an unrestricted transfer where there is a similar sentence structure available in the receiving jurisdiction. No two jurisdictions of the UK and Islands fully mirror another's sentencing structure, or even the structure of the post-release period. As such, the following types of cases are not eligible for unrestricted transfer, and may only be transferred on a restricted basis:
- A. Offenders subject to Imprisonment for Public Protection (IPP), except where the transfer is between England and Wales, and Northern Ireland;
 - B. Offenders who would be subject to a shorter licence period in the receiving jurisdiction than if they remained in the sending jurisdiction, or no licence period at all;
 - C. Offenders who have been identified as requiring a specific licence condition that would be undeliverable if they transferred on an unrestricted transfer;
 - D. Any other sentence where there is not a similarly structured sentence in the receiving jurisdiction comprising the same or a longer licence period.

Liaison with the Receiving Jurisdiction

- 5.34 Transfers must not take place without the agreement of both jurisdictions. The receiving jurisdiction is not required to accept an unrestricted transfer and may refuse any such request.

Residency Outside of Transfers

- 5.35 Probation Practitioners must not permit an offender on licence to reside in another jurisdiction, unless the receiving jurisdiction has agreed to the arrangement and a formal transfer has been arranged.
- 5.36 Offenders on licence must still notify the Probation Practitioner of their intention to travel to another jurisdiction of the UK and Islands, as although permission to travel may not be required, an address check and safeguarding checks are needed to permit them to stay overnight for one or more nights. Upon receiving such a request, the Probation Practitioner must get in touch with the contact for that jurisdiction, so that local enquiries and address checks can be carried out where required. This will also enable the Probation Practitioner in the sending jurisdiction to provide any information which will support the effective management of the case while it is managed or supervised in the receiving jurisdiction.

- 5.37 Should the offender on licence only intend to conduct a day trip to another jurisdiction, the Probation Practitioner must still get in touch to inform the local contact so that they are aware and safeguarding measures may be put in place if required.
- 5.38 In some circumstances, the receiving jurisdiction may request that the offender report to a local Probation Practitioner (or equivalent) during their stay. This will depend on the individual nature of the case.
- 5.39 If an offender overstays or refuses to return to England and Wales following the end of their notified trip to another jurisdiction, they are in breach of the standard licence condition related to residency, which may result in the offender being recalled to custody in particular if they continue to refuse to return.
- 5.40 Contact points for other jurisdictions will be stored separately but alongside this policy framework on EQuIP in the sections related to travel and transfer outside of England and Wales on licence.
- 5.41 For indeterminate sentenced offenders, staff may wish to consider whether a progression panel could be used to assist the reintegration of the offender back into England and Wales.

Foreign National Offenders

- 5.42 FNOs who have no links to any location within the UK and Islands may not be transferred between those jurisdictions outside of this policy. Such offenders may only be transferred following a request made by them, and only to a jurisdiction where they have some sort of family or residential tie. All other considerations apply, and approval must still be given by the receiving jurisdiction.

Annex A – Order for the Transfer of Supervision

FROM: [SENDING JURISDICTION]

TO: [RECEIVING JURISDICTION]

This transfer between jurisdictions is taking place under the basis of the legislation in place in those two jurisdictions, following a request by [INSERT NAME HERE] to be transferred.

This individual will be supervised by the receiving jurisdiction until [INSERT END OF SUPERVISION DATE HERE]. This will be under the basis of a [RESTRICTED/UNRESTRICTED] transfer.

Signed:

Status:

Date:

for the [SENDING JURISDICTION'S LEGAL AUTHORITY (for example Secretary of State for Justice)]

This Order has been given to me and its effect has been explained.

Signed:

Date: