

# Supervision, Revocation and Recall of Prisoners Released on Licence

## Contents

---

Policy Statement .....	2
Licence Conditions .....	2
Reasons for Recall .....	3
Recall Process.....	4
Responsibilities .....	5
Being taken back to prison.....	7
Youths .....	8
Additional Information.....	9

---

## Policy Statement

---

### Summary

West Yorkshire Police complies with Authorised Professional Practice (APP) which contains information to assist policing, and has established a local policy procedure to provide clear standards and guidelines.

West Yorkshire Police has a duty to protect individuals and organisations from potential harm and will ensure that offenders who are subject to a prison licence recall are managed in a timely manner.

This policy will explain licence conditions and the reasons why an offender may be recalled. It also details the procedure for recalling offenders, to ensure that recalls are recorded on a centralised corporate system.

---

### Scope

The policy applies to all police officers and police staff that have direct or indirect contact with offenders who are subject to supervision and may have their licence revoked and be recalled to prison.

---

## Licence Conditions

---

### Principles

- There are three types of licence recall:
  - Emergency – Arrest the offender within 48 hours;
  - Standard – Arrest the offender within 96 hours; and
  - Fixed Term – Arrest the offender within 96 hours.
- All offenders serving 12 months custody or more are subject to a licence on release. All licences contain the following standard conditions:
  - Be of good behaviour and not behave in a way which undermines the purpose of the licence period;
  - Not commit any offence;
  - Keep in touch with the supervising officer in accordance with instructions given by the supervising officer;
  - Receive visits from the supervising officer in accordance with instructions given by the supervising officer;
  - Reside permanently at an address approved by the supervising officer and obtain the prior permission of the supervising officer for any stay of one or more nights at a different address;
  - Not undertake work, or a particular type of work, unless it is approved by the supervising officer and notify the supervising officer in advance

- of any proposal to undertake work or a particular type of work;
  - Not travel outside the United Kingdom, the Channel Islands or the Isle of Man except with the prior permission of your supervising officer or for the purposes of immigration deportation or removal.
- Licences may also include additional conditions, for example, exclusion zones or non-contact restrictions. These additional licence conditions need to be specifically asked for by the offender manager (supervising officer) and the Parole Board will judge whether they are necessary and proportionate.
- These categories are:
  - Residence at a specified place;
  - Restriction of residency;
  - Making or maintaining contact with a person;
  - Participation in, or co-operation with, a programme or set of activities;
  - Possession, ownership, control or inspection of specified items or documents;
  - Disclosure of information;
  - Curfew arrangement;
  - Freedom of movement;
  - Supervision in the community by the supervising officer, or other responsible officer, or organisation.

## Reasons for Recall

### Consideration of Recall for Indeterminate Sentenced Offenders and Determinate Sentenced Offenders with Extended Sentences (EPP, ESP and EDS)

- Offender Managers must demonstrate a “causal link” in the current behaviour that was exhibited at the time of the index offence. One of the following criteria must be met when assessing whether to request the recall:
  - Exhibits behaviour similar to behaviour surrounding the circumstances of the index offence;
  - Exhibits behaviour likely to give rise (or does give rise) to a sexual or violent offence;
  - Exhibits behaviour associated with the commission of a sexual or violent offence;
  - Is out of touch with the Offender Manager and the assumption can be made that any of the above may arise.
- Offender Managers must ensure that there is evidence of increased risk of harm to the public and at least one of the criteria above.

### Consideration

- Offender Managers must consider whether to seek recall in cases where:

**of Recall for all  
other  
Determinate  
Sentenced  
Offenders**

- An offender has breached the conditions of their licence;
  - The offender's behaviour indicates that they present an increased or unmanageable RoSH to the public;
  - There is imminent risk of further offences being committed; and/or
  - Contact between Offender Manager and the offender has broken down.
- 

## Recall Process

---

**Process**

- It is the responsibility of the National Probation Service (NPS), Youth Offending Teams (YOT) or Community Rehabilitation Company (CRC) to initiate the recall of offenders on licenced supervision through the Public Protection Casework Section (PPCS).
- The recall process is as follows:
  - The Offender Manager:
    - Completes Part A of the recall report;
    - Submits this report and supporting documents to the PPCS within 24 hours of making the decision to recall. This will include the letter to be served on the offender when arrested by police.
    - If an Emergency recall is required, the Offender Manager must telephone PPCS in advance of submitting the form to obtain approval.
  - PPCS, acting on behalf of the Secretary of State, is responsible for deciding whether to authorise recall requests.
    - For Standard and Fixed Term recalls, this decision must take place within 24 hours of receipt of the recall request.
    - For Emergency recalls, this decision must take place within 2 hours of receipt of the recall request.
  - Where the recall is authorised, PPCS must issue the revocation order to New Scotland Yard, the Police Single Point of Contact (SPOC) and Probation Services.
    - For Indeterminate sentenced offenders and Determinate sentenced offenders with an extended sentence, additional authorisation will be sought from a PPCS duty senior manager.
- The West Yorkshire Police Force, Contact Management Centre (CMC) is the single point of contact (SPOC) for receiving and disseminating prison recall notifications.
- The PPCS will email the Police SPOC with the Request for Recall Report detailing the breach, recent and relevant intelligence and convictions, a brief risk assessment and letter to be served on the offender.
- The powers available to the Police to arrest a person unlawfully at large are

as follows:

- Section 49 of the Prisons Act 1952 provides the power to arrest without warrant anyone unlawfully at large (the arresting officer does not have to be in possession of the revocation notice). Section 254 (6) of the Criminal Justice Act 2003 states “On revocation of licence of any person under this section, he shall be liable to be detained in pursuance of his sentence and, if at large, is to be treated as being unlawfully at large”;
- A power to enter and search premises without a search warrant exists in section 17 of the Police and Criminal Evidence Act 1984;
- The police do not need to wait for a wanted marker on PNC.

---

## Responsibilities

---

### Contact

#### Management Centre (CMC)

As Police SPOC, the CMC is responsible for:

- Providing 24/7 monitoring of the Force Control email box by the Force Command Hub;
- Forwarding the email to Contact Management East (CME) or Contact Management West (CMW) email boxes depending upon which district of the force they relate to, for assessment by Supervision;
- Assessing and forwarding, by CME/CMW supervisors, the email to the Force Helpdesk;
- Out of the Helpdesk’s working hours (see below), for an Emergency recall:
  - Creating a Storm log;
  - Creating a Licence Recall occurrence;
  - Scanning and attaching the recall paperwork;
  - Assessing with a view to it being graded as a Priority Response;
  - Sending a task to the District Despatch desk; and
  - Sending a task to the District Hub Inspector.

---

### Force Helpdesk

The Helpdesk is open Monday to Friday 08x22hrs, Saturday and Sunday 08x20hrs and is responsible for:

- Standard recalls:
  - Creating a Licence Recall occurrence;
  - Scanning and attaching the recall paperwork;
  - Sending a task to the District Hub Inspector; and
  - Checking PNC for a WM report and BOLO marker, if not present, sending a task to PNC Bureau.
- Emergency recalls (in working hours):
  - Creating a Storm log;
  - Creating a Licence Recall occurrence;

**OFFICIAL**

- Scanning and attaching the recall paperwork;
  - Sending a task to the District Hub Inspector; and
  - Checking PNC for a WM report and BOLO marker, if not present, sending a task to PNC Bureau.
  - Emergency recalls (Out of Hours):
    - Checking PNC for a WM report and BOLO marker, if not present, sending a task to PNC Bureau.
- 

**District Hub  
Inspector**

The District Hub Inspector is responsible for:

- Reviewing the NICHE occurrence and sending a task to the PNC Bureau for a BOLO flag to be created, which then creates an entry on the CORVUS tasking system;
- Conducting intelligence research to determine where the offender is likely to be located and, if necessary, liaising with the relevant division over ownership;
- Liaising with the Electronic Monitoring Service to seek intelligence to effect an arrest and seek return of the equipment if the offender was electronically monitored;
- Deploying resources to arrest the offender within 48 hours of an emergency recall request being received, or within 96 hours of a standard recall request being received, by the Police SPOC although a recall will usually be completed and authorised in the same day. Performance indicator for recalls is 75% within the agreed timescales. Where the recall is classified as standard, the Inspector must consider their capacity to conduct an early arrest;
- Serving the letter on them, at the time of their arrest, stating the reason for the recall to prison; and
- Returning them to prison.

Downgrading of logs and reallocation must not take place, unless a risk assessment of the offender and reasons for the decision is recorded on the log and Occurrence Enquiry Log (OEL) on Niche.

---

**District  
Intelligence Unit  
(DIU)**

The DIU is responsible for:

- Checking licence recalls daily;
- Taking the appropriate action, i.e. action at daily tasking;
- Liaising with district Public Protection Unit (PPU) Inspectors for recalls of MAPPA programme offenders. MAPPA cases and risk assessments are recorded on the Violent and Sex Offenders Register (ViSOR);
- Recording any activity on Niche as a Form A or OEL under the licence recall occurrence;
- Streamlining the custody process and recording all relevant paperwork

**OFFICIAL**

under the occurrence, which can then be printed, completed and finalised;  
and

- After 7 days, allocating the recall to a FIO/Researcher who will monitor and take appropriate action to help locate and arrest the offender.
- 

## Being taken back to prison

---

### Principles

There are three types of recalls:

- Fixed-term recalls – an offender will be sent back to prison for either:
  - 14 days if the original sentence was less than 12 months; or
  - 28 days if the original sentence was 12 months or more.
  - **Note** – If an offender is recalled for a second time or does not fit the criteria for a Fixed Term Recall then they will be subject to a Standard Recall;
- Standard recalls – an offender will be sent back to prison until the end of their sentence, unless a parole board or the Secretary of State for Justice decide to release them. Their case will be sent to a parole board automatically after 28 days. They will either release the offender straight away or set a date (within 1 year) when they can be released on licence. An offender manager can also review the case at any time and recommend to the Secretary of State that the offender should be released;
- Indeterminate sentence recalls – the case will be sent to a parole board either:
  - 28 days after the offender goes back to prison
  - within 12 months of their last parole board review

The parole board will do one of the following:

- Release the offender on licence immediately;
  - Set a date when the offender will be released on licence;
  - Keep the offender in prison;
  - Ask the offender to attend a hearing; or
  - Delay making a decision about the sentence until they have more information.
- 

### Court Appearance

- Courts must be informed at any appearance, particularly in remand into custody (RIC) applications, about the:
    - Offender being on licence conditions; and
    - Current status of any recall, whether ongoing or completed.
  - This should be included in RIC applications and subsequent court files.
-

## Youths

---

### Summary

- Young offenders serving determinate sentences of more than one day, who have been released on licence, are liable to be recalled by the Secretary of State at any point during the licence period.
  - Where an offender is subject to a three months' notice of supervision, all requests to recall must be processed through the courts.
  - Young offenders are subject to the same recall provisions as adult offenders released on licence.
  - Indeterminate sentenced young offenders who have been released on life licence can have their licence revoked and be recalled to custody at any time, since their licence may remain in force for the whole of their life – even where supervision and conditions may be lifted.
  - Young offenders are subject to the same recall provisions as adult offenders released on life licence.
-



## Additional Information

---

### Compliance

This policy complies with the following legislation and guidance:

- APP Prosecution and Case Management
  - ACPO Joint National Protocol – Supervision, Revocation and Recall for Offenders Released on Licence
  - MoJ Recall, Review and Re-release of Recalled Prisoners Policy Framework
- 

### Further Information

Further guidance in relation to this policy can be sought from:

- Corporate Services Criminal Justice Department
  - Licence Recall Flowchart
-