

Fixed-Term Recall

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This leaflet explains what this means for you

This leaflet is also available in Welsh.

If you would like a copy in Welsh, please speak to a member of prison staff.



Why have I been recalled?

You have been returned to prison as you have broken at least one of the conditions of your licence. This is known as a recall. It is very important that you understand why you have been recalled. The reasons are explained in the **Part A recall report** in your recall dossier, which a member of staff will explain when they give it to you.



What is my recall dossier?

Your recall dossier is very important. It contains all your recall documents and will give you information on why you were returned to prison. You can keep your recall dossier. If you do not want to keep it, please tell a member of prison staff.

What is a fixed-term recall?

A fixed-term recall is for a fixed period – either 14 days or 28 days. Your recall dossier will let you know which applies to you. The prison will release you automatically at the end of the fixed period, unless your sentence ends beforehand.

Will I be released again on licence?

Yes, when you are released you will be under a new period of licensed supervision, unless your sentence has ended.

Can I be released early?



The Parole Board and the Secretary of State both have the power to release you back into the community. The Parole Board are independent, like a court. They will decide if you can be managed safely in the community.



The Secretary of State can also release you **at any time during your fixed-term recall** without your case being sent to the Parole Board. Before releasing you, the Secretary of State will have to be satisfied that you can be safely managed in the community.

How can I have my say?

If you think you should be released before the end of the fixed-term period you can send your own written representations to the Parole Board.

14-day fixed-term recall – you must send your representations to the Public Protection Casework Section (PPCS) within **five working days** from the date that you are given your recall dossier.



28-day fixed-term recall – you must send your representations to the PPCS within **10 working days** from the date that you are given your recall dossier.

Your case will only be sent to the Parole Board if you send your representations to the PPCS.

Can I write my own representations?

Yes, you can write your own personal representations. The prison will give you lined paper and they will send your representations to the PPCS for you. If you find writing difficult, ask a member of prison staff to help you.



Can I have a solicitor?

Yes, you can have a solicitor, if you want one. If you already have a solicitor and you want to use them again, you should contact them as soon as possible to let them know you have been recalled and get their help in making written representations.



If you do not have a solicitor, there is a list of approved solicitors you can use. Ask a member of prison staff about this.

What happens if I cannot afford a solicitor?

If you cannot afford to pay for a solicitor you may be able to claim legal aid.



This will depend on your financial circumstances. Your solicitor will usually apply for legal aid on your behalf. If you want to find out more about legal aid, speak to your solicitor.

Who else can write representations for me?

Anyone can write representations for you, **apart from the following**.

- A person being detained (held) under the Mental Health Act.
- A person who might soon be detained under the Mental Health Act.
- A person who is currently in prison or has left prison but is still on licence.
- A person who has an unspent offence (an offence they must tell an employer about if it is still on their criminal record).

Please note that you must give your written permission for someone other than your solicitor to write representations on your behalf. If you are unsure how to do this, please speak to a member of prison staff.

What happens next?

If you send in representations, your community offender manager (COM) or responsible officer (RO) will be asked to write a Part B risk report for the Parole Board telling them how you would be managed in the community if you were re-released. This report will also include the following.

- Any extra information which may have come to light about your recall or your risk of harm and details of further offences.
- Information on your progress in prison since you returned (what you have been doing and how you have been behaving).
- A review of your current risk of harm or risk of committing further offences.

- A recommendation about whether you can be safely released into the community.

The prison will give you a copy of the report. You can keep your Part B risk report. If you do not want to keep it, please tell a member of prison staff.

Who is my COM or RO?

Your COM or RO is the person who is responsible for your supervision during your sentence, both in prison and in the community. They will be based in either the National Probation Service or a Community Rehabilitation Company.

When will my Parole Board paper review take place?

If you have sent in representations, the PPCS will send your case to the Parole Board. The Parole Board will look at your recall dossier, your COM's or RO's Part B risk report and your representations. They will make one of the following decisions.

- To release you on licence immediately
- To release you on licence on a date in the future
- Not to release you

A copy of the Parole Board's decision will be sent to you (at the prison) and to the prison governor, your COM or RO, and your solicitor, if you have one.

(Summaries of Parole Board decisions are available to the public and victims if they ask. Summaries of Secretary of State executive release decisions are available to victims if they ask.)

What if I'm not released?

If the Parole Board or the Secretary of State do not release you, you will still be released automatically by the prison at the end of your fixed period.

Note: If you have any questions about your recall or anything else (such as family visits) within the prison, please ask a member of prison staff.