

# Standard 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, and your risk of harm or reoffending is currently assessed as too high for you to stay in the community. 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 do I need to do?

- Be open and honest with your community offender manager (COM) or responsible officer (RO) about the reasons for your recall.
- Speak to your COM or RO about what you need to do to work towards being released. If you do not know who your COM or RO is, please ask a member of prison staff.
- Work with prison staff on your sentence plan.
- Behave well while you are in prison.
- Show by your behaviour and attitude in prison that you are willing to keep to the conditions on your licence when you are released.

## Who can release me?



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 the rest of your sentence** 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.

## When can I be released?

There are two fixed points where the law says the Parole Board must review whether you are suitable for re-release.

- Day-28 review – your case will be sent to the Parole Board 28 calendar days after you are returned to prison and they will review it on a date after that.
- Annual review – this will happen no later than 12 months after your last Parole Board review.

Your COM or RO can **review** your case at **any time** during the rest of your sentence and make a recommendation to release you back into the community. There must be a good reason or evidence of you making progress for your COM or RO to ask for you to be re-released.

If your COM or RO asks for you to be re-released, the Public Protection Casework Section (PPCS) will, on behalf of the Secretary of State, decide whether you are safe to be released or if your case needs to be sent to the Parole Board.

## 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.

## What happens next?

Your COM or RO will help and support you to work towards being released back into the community. They will contact you to discuss why you were recalled and what you need to do in prison before you can be safely re-released into the community.

Your COM or RO will write a **Part B risk report** for the Parole Board or the Secretary of State 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.

## How can I have my say?

You are entitled to send the Parole Board your own written representations. This is your chance to explain to the Parole Board **why** you think you are safe to be released back into the community.

You can send your representations to the PPCS within **28 calendar days** from the date that you are given your recall dossier. If you do not send them on time, the Parole Board may review your case without them.



**The PPCS will send your dossier to the Parole Board 28 calendar days after you returned to prison. If your dossier has already been sent to the Parole Board, you should send your representations direct to the Parole Board.**

**Your legal representative, if you have one, must send all legal representations direct to the Parole Board.**

**The Parole Board will always review whether you are suitable for release, even if you don't make any representations.**

## Can I write my own representations?

Yes, you can write your own personal representations.

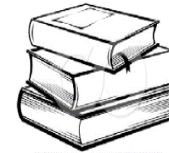
The prison will give you lined paper and they will send your representations to the PPCS for you. If you find writing difficult, ask a member of prison staff to help you.



## 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.



Legal Aid  
Agency

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.

## When will my Parole Board paper review take place?

The law says that your case should be sent to the Parole Board when you have been in custody for 28 days. Once the Parole Board have received your case, they will review whether you should stay in prison or be released. The Parole Board will look at your recall dossier, your COM's or RO's Part B risk report and your representations, if you have made any. 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.

- To send your case for an oral hearing.

(An oral hearing is when the Parole Board would like to speak to you face-to-face or via video screen.)

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 am not released?

It is important to remember that even if the Parole Board do not release you after 28 days, your case **can** be reviewed again at any time. Please read your decision letter from the Parole Board (if you need help, ask a member of prison staff) and speak to your COM or RO about what you need to do to become ready for release.

Your COM or RO will work with you to understand what you need to do to deal with any issues in the Parole Board's decision letter and what needs to be in place in the community for your release. Your COM or RO will give you an idea of how long it will be before your release should be reviewed again.

**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.**