



HM Prison &
Probation Service

Recall

Victim Contact Scheme (VCS) Guidance

HMPPS Victims Team

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1. Introduction

The Probation Service has a statutory duty to supervise offenders released from prison on licence. When there is a breach of a licence condition(s) the Probation Practitioner (PP) will consider and assess whether to request recall. This action will be taken where there are concerns about public protection or the prevention of future offending. A breach of a licence condition or the commission of a further offence does not necessarily mean that recall should automatically be requested.

This guidance is for all staff working with cases where the offender has been recalled, where there is a victim in contact with a Victim Liaison Officer (VLO). It sets out the roles and responsibilities for practitioners, and the information which must be provided to victims.

Additional information can be found in the [Recall, review and re-release of recalled prisoners policy framework](#)

2. Types of Recall

The Public Protection Casework Section (PPCS) has delegated responsibility to make decisions about recalling an offender on behalf of the Secretary of State. PPCS are responsible for recalling offenders, revoking licences, and providing the reasons for recall. The police are responsible for apprehending offenders whose licences have been revoked and who are unlawfully at large (UAL). Prisons are responsible for holding offenders who have been recalled to custody following a breach of licence.

PPCS will consider all Probation requests to recall an offender within 24 hours of the request being received. When a recall is requested, the Probation Practitioner (PP) must identify the licence condition that has been breached. General deterioration in behaviour, or failure to attend, will breach the standard condition of good behaviour. If this deterioration has led the PP to consider that the risk of serious harm or re-offending has increased to an unacceptable level and that it demonstrates increasingly risky behaviour and a breakdown of supervision, recall will be requested. **Emergency provisions** may be applied where the Probation Service believes that to protect the public effectively, the prisoner should be returned to custody immediately. PPCS assess emergency recall requests within two hours of receiving the Part A recall report and mandatory supporting paperwork.

There are two types of recall:

Fixed Term Recall (FTR)

From the 31st March 2026, the Sentencing Act 2026 requires the use of FTR for most adults serving any length of a Standard Determinate Sentence (SDS), unless they fall within one of the exclusion categories listed below.

Eligible offenders recalled on FTR will return to custody for a fixed 56-day period.

The exclusion criteria is:

- MAPPA level 2 or 3
- Recalled on account of being charged with an offence
- Serving a Sentence for Offenders of Particular Concern (SOPC)
- Having been repatriated to the UK following a sentence for murder
- MAPPA category 4
- Considered to be a person who may be at risk of involvement in foreign power threat activity i.e. national security risk
- Serving a sentence for a terrorist or national security offence
- Serving only a youth sentence.
- Serving a sentence to which the release provisions of the Criminal Justice Act 1991 or 1967 apply

For more detailed explanation of the exclusions please refer to the operational guidance.

Occasionally, an offender may be recalled on a FTR, but new information emerges since the recall showing that:

- the prisoner has been charged with a further offence,
- their MAPPA Level has increased to L2 or L3, or
- they are now assessed as Category 4 or posing a national security risk.

In these circumstances, the PP is responsible for completing a 'Recall Upgrade Request Form'. This must be submitted to PPCS who will then determine whether the recall type should be converted to standard.

Separately, if the PP has concerns that releasing the offender at the automatic 56-day release point would create an imminent risk of serious harm, they must assess whether the case meets the Significant Risk Test. If it does, the PP must submit an application to PPCS, who will determine whether the recall type should change.

In both scenarios, the PP is responsible for updating the VLO of both the application and the outcome. VLOs must not inform the victim that an application has been made. However, VLOs **must inform** the victim if the recall type is subsequently changed.

Please note: The FTR of 56-days only applies to adult offenders. Offenders serving a youth sentence are still eligible for FTR but the recall period will be:

- 14 days for custodial sentences under 12 months
- 28 days for custodial sentences of 12 months or longer.

The FTR period begins on the first day the offender returns to custody on or after the recall date. The offender will not be considered by the Parole Board and will be automatically released at the end of the fixed term period or at the SED, whichever date is first.

Standard recall

Offenders who are automatically ineligible for a fixed term recall will receive a standard recall. This means that there is not an automatic re-release date before the sentence expires. A standard recall could result in the offender remaining in prison until the end of their sentence. The offender's case must be referred to the Parole Board within 28 days of return to custody to allow a speedy review of their detention by the Parole Board.

Determinate sentenced prisoners who do not receive a release decision will remain in custody. Their case will be reviewed by the Parole Board on an annual basis, until they reach SED. In case where a determinate sentence prisoner receives an additional sentence, where the CRD from the new sentence is longer than the anniversary date of the annual review, PPCS will reschedule the annual review in line with the CRD date. When the CRD from the new sentence is longer than the SED from the recalled sentence, the prisoner will not receive an annual review. Further guidance can be found in [Recall, review and re-release of recalled prisoners policy framework](#).

Indeterminate sentenced prisoners, who do not receive a release decision are not subject to annual review but will be managed under the Generic Parole Process (GPP), see [Generic Parole Process Policy Framework \(GPP\)](#) for more details.

If the offender is recalled on account of a further charge which is later dropped, no further action is to be taken, or the offender is found not guilty they still remain on a standard recall.

3. Informing victims of a recall

When the decision is taken to request the recall of an offender, the PP must inform the Victim Liaison Officer (VLO) as soon as possible. The VLO must then inform the victim as soon as the offender is returned to custody, unless it is considered appropriate based on the circumstances of the case to tell them earlier. For example, if there is a high chance that the victim will encounter the offender or a high chance of media coverage.

The VLO should tell the victim the reasons for recall only in general terms. For example, it is appropriate to tell the victim that the offender was recalled because they breached a non-victim related licence condition, but not which condition or how exactly it was breached. It would not be appropriate to tell the victim if the offender had been arrested for a new offence until they have been found guilty at court. However, if an arrest has been reported in the media, it can then be confirmed as the reason for recall. If the recall related to a victim related licence condition or to the offender's behaviour towards the victim, it is appropriate to inform the victim of this.

VLOs must be aware of the Fixed Term Recall automatic release arrangements and must assume, and prepare the victim for the eventuality, that standard determinate sentenced offenders will be automatically released after 56 days, unless the case meets the exclusion criteria. A VPS will not be available in these circumstances, as release will generally occur without Secretary of State or Parole Board involvement. Licence condition representations should be submitted to the PP in good time before automatic release.

If an offender is returned to custody on a standard recall, VLOs must ensure they inform victims of their entitlements, including that they can:

- Submit a Victim Personal Statement
- Request licence conditions
- Apply to observe a private oral hearing
- Apply for a public hearing
- Request a decision summary.

If the offender is recalled under a standard recall and is not released following a Risk Assessed Recall Review (RARR) by PPCS, or by the Parole Board, they will eventually be released at the SED without any restrictions or licence conditions. The VLO must make the victim aware if this is the case, together with the fact that contact under the VCS will end.

4. Risk Assessed Recall Review (RARR)

RARR is a discretionary statutory power that allows the Secretary of State to re-release on licence offenders subject to a standard recall who are serving:

- A standard determinate sentence
- An Imprisonment for Public Protection (IPP) sentence
- A Detention for Public Protection (DPP) sentence
- An extended sentence

PPCS undertake this role on behalf of the Secretary of State. To approve a RARR release, in line with the statutory release test PPCS must be satisfied that it is not necessary for the protection of the public that the prisoner should remain in prison. In the case of an offender serving an IPP sentence, only the Public Protection Group Director or someone more senior may approve RARR re-release.

Release via RARR avoids the often-lengthy period in prison before the Parole Board completes a review with a direction that the offender be re-released. Release under RARR will only be authorised where the risk of serious harm has been assessed as manageable in the community on licence.

Actions for Victim Liaison Officers and Informing victims of RARR

- PP notifies VLO of recall
- VLO issues recall letter 84a which explains RARR, and explains the victims right to provide a VPS.
- VPS must be submitted **within 15 working days** from the date the offender is returned to custody.
- PP notify the VLO that they will consider RARR as part of their Part B report
- PP complete Part B with release recommendation
- PPCS review case (including VPS and requested licence conditions) and issue decision if RARR is approved.
- PP notifies VLO when a decision has been issued.
- If approved, VLO to inform victim of decision to re-release and relevant licence conditions.
- Victim must be advised they can request a decision summary. VLOs should email any requests for a decision summary to: RARRSummaries@justice.gov.uk

Probation Practitioners must keep the VLO informed of any updates where the case meets the criteria for the Victim Contact Scheme (VCS) and the victim(s) elect to receive the services provided under the Scheme.

In turn VLOs should provide eligible victim(s) engaging in the VCS with the opportunity to submit a VPS and/or representations about victim-related licence conditions. The victim is given 15 working days to provide a VPS from the date the offender is returned to custody. An alleged victim of further offending is not permitted to submit a VPS, until such time as the offender is convicted for such matters and receives a qualifying sentence, and the next parole review commences

The victim can request a Decision Summary if the decision is to re-release, regardless of whether that is release by the Parole Board or through RARR.

If by day 28 PPCS have not endorsed re-release, they must refer the case to the Parole Board to comply with the statutory requirement. The RARR process can continue even after referral. Where a referral has been made to the Parole Board and PPCS subsequently make a release decision, the referral will be withdrawn. Where PPCS do not re-release following the RARR process, the referral to the Parole Board will continue.

RARR can be initiated at any point during the prisoner's recall by the PP submitting an updated report to PPCS. There is no requirement to wait until a scheduled review of the case (including a directed oral hearing) to request re-release.

5. The Parole Board's power to review recalled offenders

All offenders subject to a standard recall are entitled to have their recall considered via an oral hearing. Determinate sentenced offenders and those serving an EDS or IPP/DPP are entitled to apply to the Parole Board for an oral hearing if their re-release has been unsuccessful when reviewed by the Parole Board on the papers.

Parole Board Member Case Assessment (MCA) Review: The Parole Board Member may:

- direct the prisoner's re-release
- recommend transfer to open (indeterminates only)
- not direct the prisoner's re-release, in which case the Probation Practitioner can re-consider RARR if there is a significant change in circumstances which impacts

on the RMP. This would require a Part C report. The offender can appeal the decision not to direct to oral hearing.

- direct to an oral hearing and request a further report. The Probation Practitioner can re-consider RARR if there is a significant change in circumstances which impacts on the RMP. This would require a Part C report.

The Parole Board's powers at an oral hearing are:

- **to direct re-release on licence:** The Secretary of State must give effect to this decision (unless there is an active application to set aside or reconsider the decision).
- **to recommend a transfer to open conditions (indeterminate sentenced prisoners only):** The Secretary of State will consider such recommendations and make the final decision,
- **to make no direction to re-release the prisoner**

In deciding whether to re-release an offender, the Parole Board must be satisfied that the arrangements for the offender's supervision are sufficient to safely manage their risk in the community, including in relation to any victims.

In all cases where an offender has been returned to custody on a standard recall, a VPS can be made by the victim of the original index offence, regardless of the reason for recall. The PP must inform the VLO immediately the offender is back in custody. An alleged victim of further offending is not permitted to submit a VPS, until such time as the offender is convicted for such matters and receives a qualifying sentence, and the next parole review commences.

If the Parole Board makes no direction for release and the offender has 13 months or more to serve on their sentence, the case must statutorily be re-referred to the Board within 12 months of the review. The PP must inform the VLO of the outcome as soon as the Parole Board decision is issued, and the VLO must inform the victim as soon as possible.

6. Disapplying a Recall (IPP)

The Victims and Prisoners Act 2024 (VAP), which commenced on 1 November 2024, introduced a number of measures linked to IPP/DPP sentences, one of which was to allow the Secretary of State to **disapply a recall**. This power allows the Secretary of State to treat a recalled IPP or DPP's licence as if it had remained in force for the purposes of the two-year automatic termination period, where it is in the interests of justice to do so.

Where the power is used, the licence will be treated as having remained in force during the period that the person spent in custody on recall and the two-year automatic period will not reset on re-release. This means that any time the offender spent serving the recall after the relevant qualifying period (three years for IPPs prisoners and two years for DPP prisoners) will count towards the two-year automatic termination period. **A Recall cannot be disapplied if the offender was released from recall prior to 1 November 2024.**

Whilst this will automatically be considered by PPCS as part of the RARR process, there will need to be an application where the release decision comes from the Parole Board. Applications can be made at any time from the date of the Parole Board decision until the automatic termination date. Where the Parole Board directs the release of a recalled IPP or DPP prisoner on licence, Probation Practitioners can at any point consider whether to provide an assessment to PPCS on using the power to disapply the effect of the recall on the two-year automatic licence termination period. Where the Probation Practitioner assesses that it is in the interests of justice for the Secretary of State to use the power to disapply, they must:

- contact PPCS via the appropriate functional mailbox; and
- provide their reasoned assessment on why it is in the interests of justice that the power to disapply be used.

Where the prisoner or legal rep request that PPCS consider using the power to disapply following a Parole Board re-release decision, PPCS will email the Probation Practitioner to request an assessment on the use of the power to disapply.

Where PPCS decides to use the power to disapply they are responsible for issuing the decision to the prison, Probation Practitioner, and legal representatives (where applicable). They will also notify all parties if the decision is made to not disapply the recall.

As part of the RARR consideration, PPCS will contact the Probation Practitioner to provide their professional judgement and an evidence-based rationale of whether it is in the interests of justice to disapply the recall or not. Where PPCS decide to use the power to disapply they are responsible for issuing the decision to the prison, Probation Practitioner, and legal representatives (where applicable). They will also notify all parties

if the decision is made to not disapply the recall. The Probation Practitioner is then responsible for informing the VLO.