

## **FTR 56 Overview – PPCS STAFF**

### **FTR 56 - What is changing?**

The Sentencing Bill mandates the use of Fixed Term Recall (FTR) for the majority of adults who are subject to a Standard Determinate Sentence (SDS) if they do not meet one or more of the exclusion criteria.

It replaces the previous fixed terms of 14 and 28 days with **a new 56-day period** and will be applicable to all standard determinate sentences for adults regardless of their sentence length.

The new 56-day FTR will replace FTR48, which will end. Unlike FTR48, FTR 56 is a permanent change.

All offenders who meet the eligibility criteria For FTR 56 and, are currently in custody serving a standard recall will be automatically released in tranches (as happened for FTR 48). The first tranche release date will take place on 31 March 2026, there will be a total of six tranche releases, with the final releases taking place on 12 May. Prison and probation staff will confirm eligible prisoners in scope for release and will identify what tranche they will be released in. PPCS recall staff will work with prisons and probation to ensure anyone who did not meet the exclusion criteria at the point of recall, but now meets one or more of the criteria, has their eligibility for FTR 56 reviewed. (Annex B process)

### **Business as Usual – 31 March Onwards**

From 31 March PPCS staff will no longer have discretion when assessing a recall for an adult who is serving a standard determinate sentence.

**If the offender meets one or more of the exclusion criteria at the point of recall, they will automatically be made subject to a standard recall**

**If the offender does not meet any of the exclusion criteria at the point of recall, they will automatically be made subject to a 56-day Fixed Term Recall.**

*The only exceptions will be for youth offenders, or adults who were sentenced as a youth, assuming they are only serving a 'youth' sentence (under S.91 or S.250 Powers of Criminal Courts ((Sentencing)) Act 2020). If they have a concurrent 'adult' sentence, they will be treated as an adult*

### **The exclusion criteria for FTR 56 is as follows:**

- Managed at MAPPA level 2 or 3 at the point of recall
- Recalled on account of being charged with an offence
- Repatriated to the UK following a sentence for murder
- MAPPA category 4 (which includes individuals at risk of involvement in terrorism).
- Considered to be a person who may be at risk of involvement in foreign power threat activity
- Are serving a sentence for a terrorist or national security offence
- Are serving Indeterminate, Life or Extended sentences.

- Serving a Sentence for Offenders of Particular Concern (SOPC)
- Serving a Discretionary Conditional Release (DCR) sentence.
- Are serving a sentence to which the release provisions of the Criminal Justice Act 1991 or 1967 apply
- Are serving only youth sentences (Under S.91 or S.250 Powers of Criminal Courts (Sentencing)) Act 2020).
- Referred to the Parole Board under section 224ZB (power to detain).

#### **Further Charges and Convictions:**

FTR56 mandates that if an offender is recalled on account of being charged with an offence, they are subject to a standard recall. However, please note the following further information surrounding **charges and convictions** when determining the recall type:

| <b><u>Reason for Recall</u></b>                                                                        | <b><u>Recall Type</u></b> |
|--------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Charged with an offence</b>                                                                         | <b>Standard Only</b>      |
| <b>Charged <i>and</i> convicted on the same day</b>                                                    | <b>Standard Only</b>      |
| <b>Convicted for an offence</b>                                                                        | <b>56-Day FTR Only</b>    |
| <b>For other reasons, when there's a pending charge, but this is not one of the reasons for recall</b> | <b>56-Day FTR Only</b>    |

**Section 255A(8)(k) Sentencing Act 2026** excludes from fixed term recall an offender who has been recalled on account of being charged with an offence. They must receive a standard recall. However, if someone has been charged, and later convicted and/or sentenced prior to being recalled, the policy states they can only receive a 56 day fixed term recall. If you are dealing with a recall for someone who has been charged and convicted/sentenced, and aren't sure what recall type to apply, please ask a recall manager.

#### **Offenders Released under HDC**

Offenders released on a HDC licence should be considered for this legislation in the same way and the exclusion criteria above should also be applied.

## Young offenders and offenders sentenced as a youth

Any offenders who were sentenced under S.250 or S.91 of the Criminal Justice Act 2003 as youths will not be subject to a 56 day recall, depending on their sentence length, they will be subject to a 14- or 28-day fixed term recall, or a standard recall if the criteria is met. A separate Part A report has been created for young offenders and the eligibility criteria for a 14/28 days FTR or standard recall is outlined within the report. If you are dealing with a young offender, or someone who was sentenced as a youth, and are unsure of the recall type to be applied, please ask a recall manager.

## Changes to PPUD

New recalls types for 56-day Fixed Term Recalls have been added to PPUD. There will also be a new 56-day FTR review screen and the merge documents for in custody recalls and FTR Reps Packs have been updated. The Reps Pack and Dossier templates have been updated to reflect 56-day FTRs and two new placeholders have been added to both the 56-day FTR and Standard dossier templates, these placeholders are for recalls that have been upgraded due to new information and recalls that have been upgraded due to the significant risk test, they are titled as follows:

*Recall upgraded to standard – New information*

*Recall upgraded to standard – Significant Risk Test*

## Recall categorisation buttons

PPUD has been updated with new FTR 56 categorisation buttons. When completing the recall type, you **must** also complete the recall categorisation. There are four options to choose from:

- FTR 56: Mandated FTR
- FTR 56: Mandated Standard
- FTR 56: Further info. Upgrade from FTR to standard
- FTR 56: Significant Risk Test (SRT)

Only the first two options will be applicable to staff outside of the recall team.

If choosing the FTR 56: Mandated Standard option, you will then be asked to tick a box showing which of the exemption criteria has been met.

**The following applies only to recall staff, rota staff will not be expected to deal with upgrade requests or significant risk applications**

## Conversion from FTR to Standard Recall

There are two routes by which a recalled prisoner who does not initially meet the exclusion criteria at the point of recall, can be converted to a Standard Recall:

- Where ‘**new information**’ is received, during the recall period, that the offender has now been charged with a further offence, is now MAPPA Level 2 or 3 or Category 4 or poses a national security risk:

- via a new power called the '**Significant Risk Test**' which determines that a prisoner is not suitable for automatic release where it can be evidenced that they meet the Significant Risk test criteria and threshold. This test is intended to be used only in exceptional circumstances. There will be a small team of staff in the recall team who deal with these cases and separate guidance provided.

## **New Information**

From 31 March, If new information is received after the revocation order has been issued, that states the offender has been charged with a further offence, is now MAPPA Level 2 or 3 or Category 4 or poses a national security risk a '**Recall Upgrade Request Form**' should be submitted to PPCS by probation informing PPCS of the new information. PPCS recall staff will then assess the information and determine the recall type. Probation staff can find the form on NDelius.

Unlike at the point of recall, PPCS is not required to automatically convert the recall to a standard when processing an upgrade request. PPCS have discretion to decide whether the person remains suitable for a fixed term recall or should be upgraded to a standard recall.

When assessing the upgrade request, there is a separate section on the upgrade form for the PPCS case manager to enter their decision and the rationale behind that decision. The completed form should be emailed to probation and the prison and then uploaded to PPUD on the recall screen as a 301 document and the email as a 303 document

When uploading the documents to PPUD, the recall categorisation should be changed to **FTR 56: Further info. Upgrade from FTR to standard** and the relevant exemption criteria selected. Once saved, the 'recall upgrade date' box on the recall screen (bottom right corner under police force and method) will automatically update with the date the recall was upgraded.

## **Appendix 1 – Standard Wording for minutes and emails**

### **56-day Fixed Term Recall minute:**

#### **Mandated 56 DAY FIXED TERM RECALL APPLIED**

Checks completed; background info correct.

Given the information provided and the fact the exclusion criteria has not been met, a mandated 56 Day Fixed term recall has been applied.

Reason for recall:

This places them in breach of licence conditions: *(please type out licence conditions fully and number them as they are displayed on the licence)*

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### **Standard Recall minute:**

#### **MANDATED STANDARD RECALL APPLIED**

Checks completed, background info correct.

*Given the information provided and the fact the exclusion criteria has been met, a standard recall has been applied.*

Reasons for recall: xxxxxxx *(please outline the reason the recall meets the criteria for a standard i.e. charged with a further offence/MAPPA Level 2 etc.)*

This places him/her in breach of licence conditions xxxxxx *(please type out licence conditions fully and number them as they are displayed on the licence)*

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### **Upgrade Minute:**

#### **RECALL UPGRADED TO A STANDARD RECALL**

Given the new information provided and the fact that Mr X has now been charged with a further offence/will now be managed at MAPPA Level 2/3, I am satisfied the risk would no longer be manageable at the end of the fixed term period, therefore a standard recall has been applied.

Reason for upgrade:

This places them in breach of licence conditions: *(please type out licence conditions fully and number them as they are displayed on the licence)*

**Response email to COMs where they have requested a fixed term/standard but the recall circumstances do not meet the criteria:**

You have recommended a fixed term/standard (*delete as appropriate*) recall however due to the legislative changes the came into force on 31 March 2026 as a result of FTR 56 PPCS no longer have discretion when applying the recall type at the point of recall. Unless the offender meets one of the criteria outlined below, the recall will be an automatic 56 Fixed Term. If one or more of the criteria outlined below is met, the recall will be an automatic Standard:

- Managed at MAPPA level 2 or 3 at the point of recall
- Recalled on account of being charged with an offence
- Repatriated to the UK following a sentence for murder
- MAPPA category 4 (which includes individuals at risk of involvement in terrorism).
- Considered to be a person who may be at risk of involvement in foreign power threat activity
- Are serving a sentence for a terrorist or national security offence
- Are serving Indeterminate, Life or Extended sentences.
- Serving a Sentence for Offenders of Particular Concern (SOPC)
- Serving a Discretionary Conditional Release (DCR) sentence.
- Are serving a sentence to which the release provisions of the Criminal Justice Act 1991 or 1967 apply
- Are serving only youth sentences (Under S.91 or S.250 Powers of Criminal Courts (Sentencing)) Act 2020).
- Serving a sentence for a terrorist or national security offence.
- Referred to the Parole Board under section 224ZB (power to detain).

Please provide an amended Part A report detailing the correct recall type