

Effective Date: 9th December 2020

Review Date: 8th December 2022

Owner: YJ Service Manager

Terminology

RoSH – Risk of Serious Harm
SaW – Safety and Wellbeing
RSM – Risk Strategy Meeting
LoR – Likelihood of Re-offending
EMS-Electronic Monitored Services
VLO- Victim Liaison Officer
OOCd – Out of Court Disposal
NPS – National Probation Service
YCS – Youth Custody Secure

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1. Link with other guidance / statutory documents

- 1.1 This document should be read alongside the [Standards For Child in the Youth Justice System 2019](#), [Joint Electronic Monitoring Protocol](#), [Community Sentences For under 18s](#), [Section 6 Case Management Guidance](#), [Enforcement](#)

Section in the ISS Practice Guidance for Case managers, [Transitions Guidance](#) and the Case Management and Supervision Policy.

2. General Principles

- 2.1 In taking any enforcement action the YJS has a duty to be fair, independent and objective, not being affected by improper or undue pressure from any source. The YJS has an obligation to act in the interests of justice and not solely for obtaining a conviction. The YJS also has a duty to ensure that in enforcing any order or programme of intervention that they act within the best interests of the child and consider their individual needs and circumstances, whilst still making defensible decisions and ensuring protection of the public.
- 2.2 Children and their parents/carers should be given clear information about what they are expected to do as part of an order and how enforcement decisions are made. Where possible information communicated verbally should be supported by written, easy to understand information. Case managers should actively check out that everyone understands what is expected of them as part of any order and in turn what the child and parents/carers can expect of YJ workers.

3. Failure to Attend and Lateness

- 3.1 The case manager allocated the case is usually the one responsible for decisions on enforcement. They are responsible for issuing warnings, arranging 'back on track' meetings and initiating breach or consideration of recall to custody. In their absence, another designated person, will take on this role. In the case of Referral Orders', it will be the panel who will make the final decision as to whether an order should be returned to court.
- 3.2 Whilst the responsibility to be at the right place at the right time rests with the child and their parent/carer; when planning appointment times, dates and venues it is essential that the individual needs of the child and their parents/carers has been taken into consideration. This includes considering their school attendance, family commitments (e.g. religious considerations etc) and any other planned appointments etc.
- 3.3 When making judgments on the acceptability of any missed appointment, or lateness, the following should be considered:

Culpability	Did the child (or parent) have control over the circumstances that led to them not attending/engaging? Are there any barriers that are outside of their control or are they experiencing pressure or control from another party? Was the appointment (date/time/location) reasonable considering belief, ability and disability (other factors may need to be taken into consideration e.g. gender related needs)?
Understanding	Are there factors related to special educational needs, maturity or mental / emotional health that impact on their ability to comply and understand what is expected of them?

Patterns of behaviour	Is the behaviour part of a pattern which the child appears to be un motivated to address? (For example, is the same excuse used many times?) As above; are there any barriers that are outside of their control or are they experiencing pressure or control from another party which needs to be considered? Do they understand what they are doing is wrong and the potential consequences of continuing with the behaviour?
Available evidence	Would it be possible for documentary evidence to be provided to support any given reason? If so, has it been provided? Is there a parent /carer /significant other who can provide trustworthy testimony to support the child / parent's reason for non-compliance?
Risk of Harm and Safety and Wellbeing concerns	It may be that due to the level of risk that the child poses or concerns in relation to their risk of offending or safety and wellbeing enforcement action needs to be expedited, this should be discussed with a manager.

- 3.4 All decisions relating to the enforcement of an order, including what factors have been considered and the reasoning behind any decision that have been made, should be recorded on Capita. The reasons for staying/initiating breach must be clearly indicated in Capita and authorised by the Team Manager/Advanced Practitioner.
- 3.5 The child must provide evidence of an acceptable reason within a reasonable time. Good practice would suggest that all missed appointments should initially be followed up by the case manager within 48 hours (e.g. via a telephone call, home visit etc). Decisions as to whether an explanation is acceptable/unacceptable should normally be made within five working days; this allows for missed appointments to be properly followed up/discussed at the next given appointment. Behaviour or failure to engage with specific requirements or agreed elements of an order may also lead to warnings/breach action. Where the child is assessed as high/very high risk of harm and there are heightened concerns regarding their offending behaviour the case manager should consider if there is a need to proceed straight to breach/recall rather than issuing a warning.
- 3.6 It is important to remember that missed appointments are deemed as either acceptable or unacceptable and recorded as such on Capita with the appropriate, action being taken. Verbal warnings should not be given as a response to a missed appointment that has been deemed as unacceptable.
- 3.7 Missing appointments due to family holidays must first be approved by a Team Manager. Decisions must be recorded in Capita and must take account of:

- The positive or negative impact of the holiday, for example exposure to risk, chances for strengthening family relationships, a lack of supervision if the child or young person is left whilst parents go away.
- Any decisions made by others, for example schools.
- The contravention of specific requirements of Orders and licences and the ability for Courts or Prison Governors to vary these conditions.
- The ability of other YJ areas to provide supervision during a holiday in England or Wales (If considered necessary).
- The ability to use other forms of communication to maintain contact with the young person (e.g. telephone/zoom/Whatsapp etc).

3.8 To support the message about the importance of punctuality and attendance, it is important that pro-social behaviour is modelled and that workers ensure they are available for appointments at the given time and place.

4. Unacceptable Behaviour

4.1 Children should have the importance of good behaviour during all contacts with the YJS explained to them; including what is not acceptable and the consequences should these expectations not be met. It should be recorded that the YJ Standards of Behaviour contract has been completed, and if they have understood this information; this should be supported with them signing.

4.2 Enforcement action for unacceptable behaviour can only legally be taken if the behaviour occurs during a statutory appointment. If behaviour occurs during a voluntary or unplanned contact, then advice should be sought from a Team Manager about the correct action to take.

4.3 In some circumstances, programme providers may make decisions to exclude a child from group activities following unacceptable behaviour for health and safety reasons, or to ensure the smooth running of programmes for the majority. Where this impacts on the ability to deliver a requirement of an order or licence the case manager will need to decide whether it is appropriate to list the matter for breach or order amendment.

4.4. Standard licence conditions state that a young person should 'be of good behaviour and not behave in a way which undermines the purpose of the licence period'. The purpose of a licence is: to **protect the public**, to **prevent re-offending** and to **secure the successful re-integration of the offender into the community**.

5. Thresholds for Non-Compliance

5.1 Where a child fails to attend, and the explanation is deemed to be unacceptable, a formal written warning should be issued.

5.2 Where two formal warnings have been given, a discussion should be had with the Team Manager/Advanced Practitioner and consideration should be given as to whether a meeting to discuss compliance should be convened.

- 5.3 Where there are three unacceptable failures to attend, consideration should be given as to whether immediate breach action is initiated, or the child is given an opportunity to attend a meeting.
- 5.4 Any breach action must be initiated within a reasonable timeframe; this would normally be within 10 working days of the unacceptable absence which has triggered the breach. Where there are heightened concerns in relation to the child's risk of harm or likelihood offending it may be appropriate to expedite breach action. Breach action may be stayed which requires the authorisation of a manager. The date of breach initiation is the date the Court is contacted for a hearing date.
- 5.5 Case managers should be aware that, breach action can be initiated following a single serious unacceptable failure to comply; however, this is usually only in exceptional circumstances and should be agreed with a manager.

6. Back on Track Meetings

- 6.1 The decision as to whether to hold a 'back on track meeting' will be decided on a case by case basis following a discussion between the case manager and AP/manager; taking into consideration the child's engagement, behaviour, level of SaW/Rosh, need and responsivity. Back on track meetings should not be reserved solely to discuss non-attendance, but should also be considered where the case manager has concerns regarding other factors which are impacting upon an order (e.g. decreased motivation, non-engagement with YJ/other staff etc).
- 6.2 The first two sections of the 'Compliance Report' (see *appendix 2*) detailing failures to comply and any progress made, should be completed by the case manager and made available to the manager two working days in advance of the 'Back on Track Meeting' to enable the manager to familiarise themselves with the case. The manager/AP and case manager will meet with the child, parent/carer and, where it is considered appropriate, other agencies. The purpose of the meeting is to discuss the child's compliance, identify any barriers to engagement and agree a plan of support for the child to assist them to comply with their order. Any support/action in relation to the parent/carer or other agencies should also be identified and recorded on Capita after the meeting.
- 6.3 If the decision from the back on track meeting is to take breach action then the 'Compliance Report for Breach Proceedings' will be updated by the case manager based on the discussions at the meeting.

7. Referral Orders

7.1 In relation to Referral Orders, where two formal warnings have been given (attendance or behaviour), and there is a further warning issued, a 'back on track' panel meeting should be arranged to take place within 10 working days of the last missed appointment/incidence of unacceptable behaviour, to determine whether the child will be referred to court. The decision to convene a back on track panel meeting may also be made when there is a single serious unacceptable failure to comply, or in cases presenting a high Risk of Serious Harm, where it is felt that they can no longer be safely managed within the community.

7.2 A back on track panel template should be completed and presented at the panel.

7.3 If, following the 'back on track' panel Meeting, it is decided that a child should be referred to court, this needs to be initiated by booking of a court date within 10 working days of the panel meeting.

8. Out of Court Disposals (O OCD)

8.1 If the child fails to comply with voluntary intervention, efforts should be made to re-engage the child, but if unsuccessful, then the case can be closed.

8.2 If the child fails to comply with the conditions of their YCC, the usual YJS warning /enforcement process will apply, including TM/AP visit for a back on track meeting. If the child continues to fail to comply, their case will be referred to the next available O OCD Panel to decide on breach action.

8.3 The case manager will complete a compliance report for the O OCD Panel.

8.4 The O OCD panel may decide to give the child further opportunity to engage in interventions or return the case to the officer in the case (OIC) with a recommendation to charge to court as the child has failed to comply with their YCC.

9. Breaches of Bail Support or Bail ISS

9.1 It is an expectation that, following non attendance with an appointment that has been made as a condition of bail, the case manager should;

- Make an initial follow up of any failure to comply within 24 hours by phone/visit or a letter, if there is no response;
- Give a written warning for the unacceptable failure to comply;
- On a subsequent unacceptable absence inform the YJS Police Officer of a breach of bail unless there are exceptional circumstances, and the manager/AP has endorsed this. If a YJS Police Officer is not readily available this should be reported to the divisional police for action.

9.2 Further guidance can also be found within the [Bail and Remand Policy](#).

10. Breaches of Stand Alone Electronically Monitored Curfews

10.1 The electronic monitoring service (EMS) will inform the YJS when it assesses that court action is required regarding enforcement action.

10.2 It remains the responsibility of the EMS to lay information to court, book a hearing date, prepare a breach pack for the YJS and provide witnesses where required. Only the EMS (not the YJS) is able to withdraw the case prior to Court.

10.3 The YJS will have responsibility to present the case in court, and the Court Duty Officer should familiarise themselves with the evidence provided by the EMS. The YJS may withdraw cases at court where the interests of justice are served.

10.4 Post Court, the YJS Court Officer is responsible for informing the EMS of adjournments, trial dates, and the eventual outcome of proceedings.

10.5 Location Monitoring GPS

10.6 Location Monitoring is **in addition to the current curfew monitoring service** on offer for the management of under 18s in the community (DTO, HDC GPS).

10.7 When Location Monitoring GPS is used it is the role of the YJ case manager to assess the nature of the breach; EMS consult with the YJ supervising officer and seek their guidance on the appropriate action to take.

10.8 EMS will then consider the guidance from the YJS alongside the standard consideration of the case before determining if the matter should be excused, a warning letter issued or the matter is submitted for enforcement action.

For further details [Location Monitoring GPS see here.](#)

11. Listing Cases in the Youth Courts

11.1 Breach action will be initiated by obtaining a court date; this can be done by emailing nt-listing@Justice.gov.uk.cjsm.net .

11.2 In most cases, the child or young person will be notified by a posted summons of the need to attend court. In cases of high risk, it may be worth considering obtaining and serving the summons to expedite proceedings. Evidence of serving will need to be sent to the court.

11.3 Where a child or young person's whereabouts are not known the case manager will ask the court listings office to list the case before the court so that a warrant without bail can be issued. It is important to remember to highlight any vulnerabilities/special circumstances (e.g. if they have been reported as a missing person) to the court when applying for a warrant.

11.4 Any section 9 statements (*appendix 1*) and Compliance Reports will need to be prepared in advance and sent to the Court prior to the hearing date.

11.5 In the event of a breach being admitted or proved, and proceeding to re-sentence, the witness statements for the original offence(s), a list of previous convictions and a copy of the Order (or licence) will need to be available to the court.

11.6 Where the case manager believes that the parent(s) or guardian(s) have failed to support the child or young person, or they are aged under 16, consideration should be given to a Parenting Contract or an application for a Parenting Order. A Parenting Order can be applied for if the parent/guardian refuses to sign or to comply with a Parenting Contract.

12. Breach of Crown Court Orders

12.1 Breaches of orders made in the crown court are dealt with in the youth court (unless retained by CC Judge and recorded as such on the order) with cases

being committed for re-sentence if the breach is admitted or proved, and the youth court feels this is appropriate.

- 12.2 As the YJS has no rights of audience in the crown court, counsel will need to be instructed via the Principal Legal Officer (Enforcement) based in the County Council's Legal Services. The section 9 statements, compliance history report, witness statements for the original offence(s), a list of previous convictions, and a copy of the order (or licence) will need to be forwarded to legal services.

Principal Legal Officer (Enforcement)
Phone Number 0115 97 74004
County Hall
Loughborough Road
West Bridgford
Nottingham
NG2 7QP

13. Contested Breaches

- 13.1 When a breach is not fully admitted case managers should first discuss with a manager whether contested dates can be removed and agreed instances of breach be used to conclude matters without a trial.
- 13.2 Where a trial is necessary counsel will need to be instructed via the Principal Legal Officer (Enforcement) based in the County Council's Legal Services. A Case Summary, section 9 statements, compliance history report, witness statements for the original offence(s), a list of previous convictions and a copy of the Order (or licence) will need to be forwarded to legal services. The child or young person and their parent/carer should be reminded to access legal advice from a solicitor.

Principal Legal Officer (Enforcement)
Name: Phone Number 0115 97 74004
County Hall
Loughborough Road
West Bridgford
Nottingham
NG2 7QP

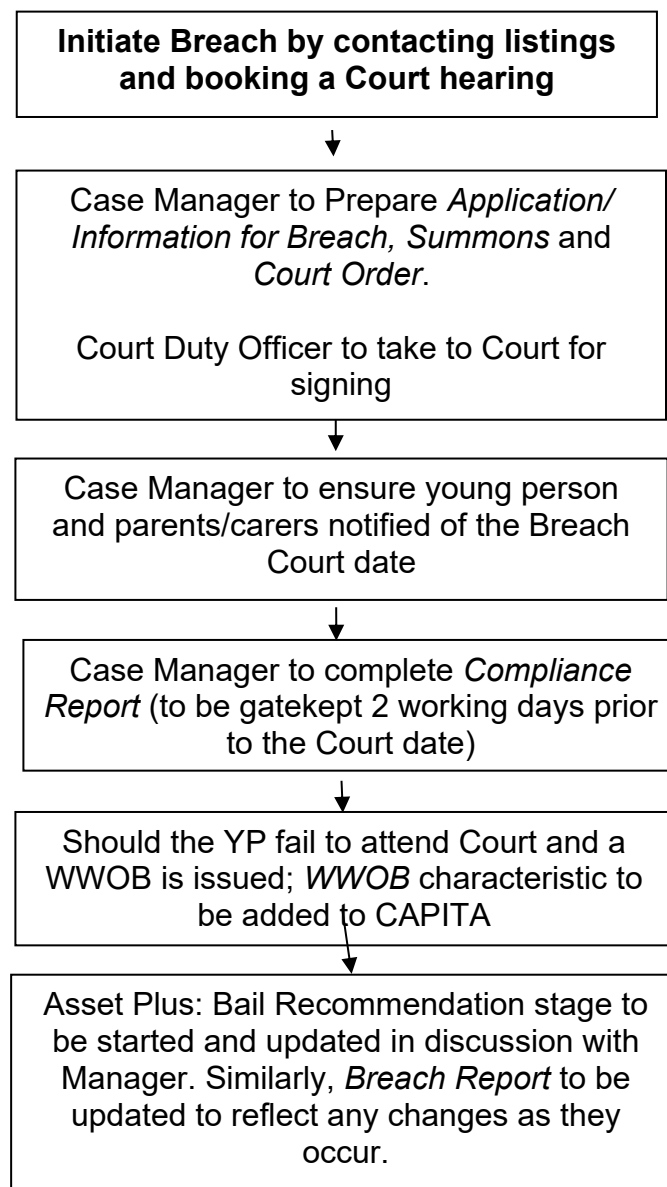
14. Non-attendance at Court

- 14.1 Where a child does not attend court in relation to a breach hearing, and there is no known/reasonable explanation for non-attendance, the Court Duty Officer should request that the court issue a warrant for the child's arrest. It is important to remember to highlight any vulnerabilities/special circumstances (e.g. if they have been reported as a missing person) to the court when applying for a warrant so that these can be listed on the warrant. The case manager should ensure that; a WWOB characteristic is added to Capita with supplementary notes regarding suggested actions should the child be produced at a future date; breach reports should be updated on a regular basis and available to assist the Court Duty

Officers. Where there is a known significant change in the young persons circumstances a review of AssetPlus should take place; however, where there is minimal change events should provide weekly updates/directions.

15. Preparing for Breach Court

- 15.1 Where the decision has been taken to initiate breach action and progress the case to court, this is viewed as a significant change and the case manager is required to review the existing assessment; reviewing the child's current situation and taking into consideration the impact of the breach upon a child's level of Risk of Serious Harm and Safety and Wellbeing.
- 15.2 The case manager should prepare a breach pack as per the Breach Checklist contained in [YJ Policies and Procedures, Breach Pack](#). Guidance on [recording breaches in CAPITA](#) can be found in this link.



16. Enforcing Section 90-92 licences

16.1 The guidance to be followed for enforcing section 90-92 licences can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/877071/recall-review-rerelease-pf.pdf

This guidance provides a step by step guide as to what actions to take and by what timescales.

- 16.2 Case managers must consider whether to seek recall in cases where a young person has breached the conditions of their licence, the young person's behaviour indicates that they present an increased or unmanageable RoSH to the public or there is an imminent risk of further offences being committed. Recall should also be considered in cases where contact between the case manager and the young person has broken down.
- 16.3 Where there are allegations of further offending, there is no requirement for the case manager to await the outcome of police investigations or for the young person to be charged. However, the decision to request recall must be based upon the young person's reported behaviour and the case manager must be satisfied that the reported behaviour meets the recall threshold.
- 16.4 Case managers should have a discussion with a Team Manager as soon as concerns come to light. The outcome of any discussions, and decisions made regarding recall, must be clearly recorded on Capita.
- 16.5 If a decision is made not to recall, the case manager must issue a warning letter, this should be endorsed by a Team Manager. Even for minor infringements no more than two warning letters should be issued before recall is commenced.
- 16.6 Where a decision is made to initiate recall the following steps should be taken:
- The case manager and Team Manager must determine whether a fixed-term recall, standard recall, or emergency recall should be recommended, and this decision should be approved by the Service Manager. This decision is based upon whichever is considered suitable in order to manage the young person's risk.
 - Where it is assessed that the young person is **not** suitable for a fixed term recall due to the level of RoSH that they pose, the case manager should recommend a standard recall. **Further guidance around this decision process in Section 6 of the [Recall, Review and Re Release of Recalled Prisoners Policy Framework 2020](#)**
 - Any decision must be agreed and signed off by a Senior Manager; however, the final decision as to the type of recall rests with the Public Protection Casework Section (PPCS) within NOMS.
 - The case manager should submit the recall request [Part A: Recall Report](#) along with supporting paperwork** to the Public Protection Casework Section of NOMS recall2@justice.gov.uk within 24 hours of the decision to recall being made. this should be signed by a Team Manager and a Senior Manager. If the request is for emergency recall, the recall request should be completed as a matter of urgency (see emergency recall below).

- Supporting paperwork is as follows:
 - [Part A: Recall Report](#) and risk management plan
 - a copy of the licence
 - up-to-date copy of previous convictions
 - most recent Pre-Sentence Report
 - court comments at sentence regarding licence conditions
 - an updated Asset Plus – placement notification stage
 - Charge sheets (if applicable)
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- A copy of the [Part A: Recall Report](#) should also be submitted to YCS Placements at YCSPT-Midlands@justice.gov.uk so that they are aware of the Child or Young person's imminent return to custody.

*** Case managers must ensure there is nothing contained within the Part A or any supporting paperwork that is non-disclosable to the YP as they are provided with a copy of the full recall dossier. Please pay particular attention to any victim names and names of other YP's in the Asset Plus.*

- The PPCS will then have 24 hours from the point of receiving the recall request to make a decision regarding the recall type.
- Where there is a victim(s) involved in the victim contact scheme, case managers must ensure that the VLO is informed of the recall request.

17. Emergency Recalls

- 17.1 When considering if the emergency recall process should be used; *at least one* of the following criteria must be met. The young person:
- Is assessed to present an imminent RoSH; or
 - Is subject to an indeterminate sentence;
 - Is subject to MAPPA level 3 arrangements, or is a Critical Public Protection Case (CPPC); or
 - Is assessed to present an imminent risk of re-offending
- 17.2 If the emergency recall is being requested during office hours, Case managers must alert the PPCS recall team to the request by telephone for approval in advance of submitting the recall paperwork. The number for this is: recall team 2 (Midlands) Team Phone: 07773 183028. A full list of PPCS contacts can be found on Sharepoint [Recall Documents and Information](#).
- 17.3 The **Out of Hours (OoH) service** must be used to seek recall for cases where the criteria for an emergency recall are met and the case has come to light after 5pm or before 9am on a weekday or during a weekend including Bank Holidays. In this instance, the following steps should be taken:

- The case manager must contact the out-of-hours switchboard to request recall on 03003032081 and explain the circumstances of why an emergency recall is being requested out of hours.
- The PPCS out of hours team will take the case manager details and will provide a reference number and the time that the recall was logged.
- This will then be passed to a PPCS duty worker who will call the case manager back and take the details of the recall. At this stage the PPCS duty worker will decide whether to authorise the OOH emergency recall. The PPCS must make this decision within 2 hours of the case manager contacting the out-of-hours switchboard.
- The PPCS will ask the case manager for the police single point of contact (SPOC) – this is the local force area (Nottinghamshire), no specific named person is required as the PPCS have the named contacts already.
- Where recall is authorised, PPCS will issue the revocation order to New Scotland Yard, the Police Single Point of Contact and YJS.
- The case manager must remain contactable until PPCS has issued the revocation order. A direct dial telephone number or mobile number must be provided for either the case manager or, if not available, another member of staff.

17.3 If the **Young Person is in police custody at the point of emergency recall**, then the case manager should contact the police custody suite to ensure they have received the licence revocation. If not, the case manager should email this directly to ensure they can detain the young person.

17.4 Once the police are in receipt of the revocation of licence, the case manager must contact YCS placements on 08453636363 to book in a new placement and follow the standard placement booking in procedures (under 18s).

17.5 If the young person is being detained following arrest for further offences, the case manager must liaise with the police and the YCS placements team about when the young person will be released from police custody and is ready to be transported to the secure establishment. The case manager can provide the YCS placements team with the contact details for the police custody suite so they can liaise directly about this.

17.7 When the young person is returned to custody the PPCS will direct the secure establishment to issue the young person with a copy of the recall dossier within one working day.

17.8 PPCS will email the case manager with a request to prepare Section 10 / 11 of Part B: Post Recall Risk Management Report (to be completed within 28 days). The report must be completed by the case manager who will be responsible for the management of the case when the young person is re-released. The report should be signed off by a team manager and service manager. An updated Asset plus must also be submitted along with any other additional new supporting documents not already submitted.

17.9 Part B: Post Recall Risk Management Report should be submitted to the PPCS at recall2@justice.gov.uk and to the secure establishment Offender management unit, to arrive within 10 working days following the young person's return to custody. The secure establishment will ensure that the young person

receives the Part B report. If the young person has been recalled to a YOI the YCS placements team do not need the Part B paperwork as they are not involved in YOI recall reviews. If the recall is to an SCH or STC then the YCS placements team should also be sent the Part B report. *Please refer to section 4.10 of [Recall, Review and Re-Release of Recalled Prisoners Policy Framework 2020](#) for guidance on completing the Part B report.*

If you have any query about the release and recall process for long-term sentence Young People, please reference : **Recall, Review and Re-Release of Recalled Prisoners Policy Framework dated 31/3/2020**

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/877071/recall-review-rerelease-pf.pdf

or contact the Public Protection Casework Section directly for advice using the following telephone number:

Recall team 2

07773183028 (recall2@justice.gov.uk).

Home Detention Curfew (HDC) queries should be directed to:[07970670930](tel:07970670930).



Appendix 1:

Example Section 9 Statement:

I am NAME and I am employed as a ROLE working for the Nottinghamshire Youth Offending Service, a position I have held for NUMBER years.

NAME /DOB OF YOUNG PERSON was given a Bail Supervision and Support Package at COURT / DATE for an offence of OFFENCE / DATE.

Bail conditions require NAME to comply with the following conditions:

- ADD IN CONDITIONS THAT HAVE BEEN IMPOSED

NAME OF YOUNG PERSON has breached his bail conditions by the virtue of; **LIST HOW THEY HAVE BREACHED THE CONDITIONS INCLUDING SPECIFIC TIME AND DATES OF ANY MISSED APPOINTMENTS. INCLUDE EVIDENCE AS TO HOW THEY KNEW OF THEIR CONDITIONS** e.g. The BSS timetable for the week commencing 10th March was hand delivered to his address by myself on the 7th March, he was therefore aware of all appointments.

The current YJS risk assessment has him/her classified as being a RISK OF RE OFFENDING/RISK OF SERIOUS HARM - LEVELS TO BE ADDED. The Bail Support and Supervision (BSS) package requires him to maintain 25 hours of supervision (in person) per week.

Date:

Appendix 2:

Compliance Report for use in breach proceedings

Name of Child or Young person:		D.O.B	
Address:		Court Date:	
Order:		Duration:	
Order requirements:			
Made on:		Made by:	
For the offences of:			

Number of appointments given	
Number of appointments kept	
Number of acceptable failures	
Number of unacceptable failures	

Details of non-compliance			
Date	Nature of Requirement	Any explanation given	Action taken

Case manager:	Date:
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General comments, including
 *Progress and achievements in relation to the order

 *Issues likely to affect compliance and how these have been addressed

Proposed action:

Case manager:	Date:
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Appendix 3:

Information to Include in Compliance Reports to Court

Sources of information

- Is the breach report based upon appropriate sources of information?
- Does it contain updates from other agencies involved with the YP?

Details of compliance

- Does the report detail current failure to comply?
- Are progress and achievements under this order clearly recorded?
- If a multi order requirement is compliance with ALL elements of the order addressed?
- Are failures to comply with any previous orders clearly noted?
- Does the report acknowledge any comments made by the RO panel or at the CMM?
- Are the details of the original offence recorded?
- Does the report highlight any issues likely to affect compliance and how these have been addressed?
- Are diversity factors considered and addressed (i.e. have these impacted upon the YPs ability to comply, has work to improve compliance been detailed, has the impact of the proposal been considered)?
- Does the report include the YP's attitude towards the breach?

- Are the parents / carers views noted?

RoSH and Safety and Wellbeing

- If the YP has been identified as High ROSH does the report address whether this has increased because of non-compliance and clear how this will be managed via the proposal?
- If the YP has been assessed as at risk of adverse outcomes to their own safety and wellbeing does the report address whether this has increased because of non-compliance and clear how this will be managed under the proposal?
- Is the report clear as to the impact of non-compliance upon their likelihood of re-offending and how this will be managed under the proposal?

Proposal

- Is there a single clear proposal?
- Is the proposal fair and commensurate with the level of compliance and seriousness of the original offence?
- Is there evidence that the proposal has been discussed with the YP?
- Is there evidence that the proposal has been discussed with the parent / carer?

Presentation

Is the report:

- Impartial?
- Free from discriminatory language and stereotypes?
- Verified and factually accurate?

- Concise?
- Understandable to the Child or Young person?
- Free from spelling and grammar mistakes?
- Well presented?

PART A: Recall Report

This report forms the basis to request the recall of all types of offenders released on a determinate, indeterminate, ORA or extended sentence licence whether Standard or Fixed Term Recall (FTR).

FOR ALL EMERGENCY, IPP & LIFER RECALLS ONLY: PLEASE TELEPHONE PPCS BEFORE SUBMITTING REQUEST

Please note that this report will be disclosed to the offender, so careful consideration must be given to how any sensitive information is presented. For further guidance please consult PI14/2016 or PSI15/2016 and PI48/2014.

Sensitive information must be submitted as a separate document where there are concerns regarding disclosure. Non-disclosure information must be scanned, e-mailed and submitted as a separate document along with the Non-Disclosure Application Form (Annex A Pro-forma – attached to PI14/2016).

Please confirm that you have considered all alternatives to recall prior to completion of this form.

You will be required to evidence this in Section 21

Recommendation on Recall

1. Is this an Emergency recall?

You must call the Recall Team for verbal approval in advance of submitting the Emergency Recall request.

Note: In the case of all emergency recall requests including those for life/IPP/DPP sentences, community offender managers must ensure that they remain contactable until PPCS has issued the revocation order.

Please select

2. Is the offender serving a life or IPP/DPP sentence?

Please select

3. Is the offender serving one of the following: Please Select

- **Extended Sentence (Criminal Justice Act 2003, Powers of Criminal Courts (sentencing) ACT 2000, Crime & Disorder Act 1998);**
- **Extended Determinate Sentence (Legal Aid Sentencing and Punishment of Offenders Act 2012); or**
- **Extended Sentence for Public Protection (CJA 2003)**

4. Offender/Young Offender Details

Full name:

Date of birth:

Ethnic category: Please select

Gender: Please select

CRO No:

PNC No:

Prison No:

PNOMIS No:

Releasing prison/Custodial establishment:

Date of last release and previous release:

Dates of previous recalls on this sentence:

5. Sentence details

Index offence of current sentence which has led to the offender's recall:

Date of original offence:

Date of sentence:

Length of sentence:

Licence expiry date:

Sentence expiry date:

Extended sentence/EPP/EDS prisoners:

- **Custodial term:**
- **Extended term:**

6. Is the offender currently in police custody or prison custody?

7. Last recorded address where s/he should be residing:

If the offender is currently of 'no fixed abode', please state here:

If the offender is in police custody, state where:

Provide any other possible addresses:

8. Are there any arrest issues of which police should be aware? Please select If yes, provide details below, including information about any children or vulnerable adults linked to any of the above addresses:

9. Local police details and the OM's local police contact:

Police single point of contact name:

Current contact telephone number:

Fax number:

Email address:

10. Are there any vulnerability issues and/or diversity needs in view of arrest and subsequent location at prison or police custody?

Please Select

Consider the following:

- Risk of suicide or self-harm
- Relationship breakdown as a result of recall
- Domestic abuse issues
- Substance misuse concerns (drugs and /or alcohol)
- Risk to others by bullying behaviour/vulnerability to bullying
- Assessed as being at RoSH from others
- Adult or child safeguarding concerns.
- Mental Health concerns/conditions (including details of and compliance with medication)
- Any health concerns/conditions (including details of and compliance with medication)

- Bereavement issues
- Learning difficulties or disabilities or physical disabilities
- Ethnicity/cultural language

If yes, provide details:

11. Do you have any suspicions that the offender is using recall to bring contraband into the prison estate? Please Select

If yes, provide details and contact your local police SPOC to share information or concerns:

12. Current MAPPA Management:

MAPPA Category: Please Select

MAPPA Level: Please Select

13. Registered PPO/IOM:

Please Select

14. VLO Contact:

Is there a victim(s) involved in the victim contact scheme (contact must be made with the VLO if there is victim involvement)? Please Select

If yes, the community offender manager must inform the VLO:

- of the recall request
- that the victim can submit a Victim Personal Statement
- that the victim can request a copy of any Parole Board Decision Summary or Secretary of State Executive Release Decision Summary

Confirm the date the VLO was informed of the above:

15. Current Risk of Serious Harm Assessment at time of this recall:

Public:

Please Select

Known

Adult: Please Select

Children:

Please Select

Prisoners:

Please Select

Staff:

Please Select

16. Provide details of the index offence(s) and write a succinct offence analysis:

17. Tick all standard licence conditions which have been breached:

a) be of good behaviour and not behave in a way which undermines the purpose of the licence period;	<input type="checkbox"/>
b) not to commit any offence;	<input type="checkbox"/>
c) keep in touch with the supervising officer in accordance with instructions given by the supervising officer;	<input type="checkbox"/>
d) receive visits from the supervising officer in accordance with instructions given by the supervising officer;	<input type="checkbox"/>

e) reside permanently at an address approved by the supervising officer and obtain prior permission of the supervising officer for any stay of one or more nights at a different address;	<input type="checkbox"/>
f) 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;	<input type="checkbox"/>
g) not to 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 purpose of immigration deportation or removal.	<input type="checkbox"/>

18. If any additional licence condition(s) has been breached, write out each breached condition:

19. Detail the circumstances and behaviours leading to the recall and provide an assessment as to why the risk is no longer manageable in the community. This must include details of any further offending, including ongoing police investigations and/or charges, court dates and convictions:

20. Provide details of how the offender has responded to supervision to date?

21. What alternatives to recall have been taken to try to secure compliance and manage risk prior to requesting recall? Provide full details below including dates:

ACTION TAKEN:	Details including dates and type
Warnings (including dates given)	
Increased frequency of reporting	
Additional licence conditions including AP/hostel accommodation	
Referral to multi-disciplinary teams (e.g. IOM, MAPPA, Gangs Unit)	
Referral to partnership agencies	
Risk Escalation (CRC cases)	
Referral to Approved Premises	
Drug testing	
Other	

For determinate sentenced offenders only

Assessment for suitability for fixed term recall:

The offender is suitable for FTR if the identified risks can be safely managed in the community at the end of the fixed term period. In your assessment about the offender's suitability for an FTR, you must consider the following factors:

- The offender's index offence i.e. was it sexual or violent
- The offender's previous offending
- Current behaviours and attitudes
- Manageability of risk in the community on re-release at day 14 or 28
- Risk factors
- Risk assessment

22. Select the proposed recall type, having considered the information above: Please select
Explain your reasons
for the above recall type recommendation:

23. If you are proposing a Fixed Term Recall, a new licence will be prepared by the prison. Therefore, write out any additional non-standard licence conditions you want added to the offender's licence:

For indeterminate and extended sentence offenders only

24. When recalling an ISP or ESP the law requires that at least one of the following criteria below must be met. Select from the options below and comment on how the offender's behaviour meets each criteria:

i) Has the offender exhibited behaviour similar to the circumstances surrounding the index offence; is there a causal link? Please Select Please Comment:

ii) Has the offender exhibited behaviour likely to give rise, or does give rise to the commission of a sexual or violent offence? Please Select Please Comment:

iii) Is the offender out of touch with probation/YOT and the assumption can be made that any of (i) to (ii) may arise? Please Select Please Comment:

25. Probation Details – NPS/YOT community offender manager completing the Recall Report and Risk Assessment:

Name of person completing the form:

Telephone Number:

Email Address:

NPS Division NPS LDU (Please select) A-H or I - Z

Switchboard Telephone Number:

Fax Number:

E-mail address to which PPCS should respond including a functional mailbox:

Date of decision to request revocation:

Time (24 hour) of decision to request information:

26. If different from above, details of the current supervising NPS/YOT community offender manager:

Name of OM/YOT worker:

Telephone Number:

Email Address:

NPS Division NPS London

NPS LDU (Please select) A-H or I - Z

E-mail address to which PPCS should respond including a functional mailbox:

27. Endorsement of Recall Report and Risk Assessment by NPS/YOT Line Manager

I am satisfied that alternatives to recall have been considered in this case and in my assessment the risk posed by this offender is no longer manageable in the community.
Tick Box

I have discussed all aspects of this case with the community offender manager and I am endorsing:

- Alternatives to recall have been fully explored
- The recall type requested
- The quality of information
- The offender is no longer manageable in the community

Please provide additional information:

Name of person completing this form:

Email address:

Telephone Number:

Date:

28. Authorisation and comments by senior manager who is equivalent to the former ACO grade/YOT Manager or equivalent.

I am satisfied that alternatives to recall have been considered in this case, however, in my assessment the risk posed by this offender is no longer manageable in the community.

Tick Box

This means you are endorsing both the recall and the quality and content of the recall report.

Name of person completing this form:

Telephone Number:

Email Address:

Date:

Time (24hr):

Email address for receipt of a copy of the revocation order to be sent to:

Report sent to the Public Protection Caseworker Section by email on:

29. Attachments

Please scan and email copies of the following documents to PPCS and indicate in your covering email any documents that are missing and why:

- OASys R6.1,
- OASys R6.2
- OASys R10 (**For cases assessed as low ROSH, a full OASys does not need to be completed**);
- The pre-sentence report (where available);

- **Up-to-date list** of previous convictions;
- Licence and details of and reasons for any conditions added post-release;
- Charge sheets/police evidence where relevant if recall relates to further offending;

For Young Offenders:

- Asset Core Profile;
- Asset Risk of Serious Harm

PART B: Post Recall Risk Management Report

You MUST complete this report for all standard recalled prisoners and submit it to PPCS within 10 working days of the prisoner returning to prison custody.

You MUST send a copy of the report to the holding prison for disclosure to the prisoner/young offender.

CRCs MUST obtain NPS endorsement of all Part B reports submitted.

Do NOT complete this report for any Fixed Term Recalls, unless release before the fixed term period is being requested.

Please note this report will be disclosed to the prisoner, so careful consideration must be given to how any sensitive information is presented. For further guidance please consult PI14/2016 or PSI15/2016 and PI48/2014.

NB. Sensitive information must be submitted as a separate document where there are concerns regarding disclosure. Non-disclosure information must be scanned, e-mailed and submitted as a separate document along with the Non-Disclosure Application Form (Annex A Pro-forma – attached to PI14/2016).

1. Prisoner/Young Offender Details

Full name:

Date of birth:

Prison No:

PNOMIS No:

2. Registered IOM:

3. VLO Contact:

Is there a victim(s) involved in the victim contact scheme (contact must be made with the VLO if there is victim involvement)?

If yes, answer the questions below:

i) Confirm the date the VLO was contacted. Insert date of contact:

ii) Confirm whether the victim(s) wishes to submit a Victim Personal Statement?

iii) Confirm that the VLO has been informed that the victim(s) can request a copy of any Parole Board Decision Summary or Secretary of State Executive Release Decision Summary?

4. Has the prisoner's Risk of Serious Harm (RoSH) changed since Recall?

5. RoSH Assessment at the time of completing this report:

Public:

Known Adult:

Children:

Prisoners:

Staff:

Has the prisoner been assessed as posing a RoSH to themselves?:

Has the prisoner been assessed as being at RoSH from others?:

Complete, where applicable, the relevant risk assessments at the time of writing this report:

OGRS3 probability of proven reoffending:

OGP probability of non-violent reoffending:

OVP probability of proven violent type reoffending:

6. Provide an analysis of RoSH/reoffending; including who is at risk, the nature of the risk and what the aggravating and protective factors are:

7. Have you made contact with the prisoner since recall?

(i) Provide an assessment of the prisoner's current attitude towards their recall (including their understanding of the reasons for the recall)

(ii) Provide an assessment of the prisoner's likelihood of compliance with a further period on licence in the community:

(iii) Provide any additional information which has come to light since completing the Part A Recall Report:

8. Where applicable, provide the latest information about any further offences, court dates/outcomes and details of ongoing police investigations:

9. Outline any significant behaviour in custody since recall (including any positive behaviour displayed since recall, as well as, any adjudications, security concerns, IEP status and any MDTs/VDTs):

Complete section 10 if you are supporting release **OR** section 11 if you are not supporting release.

10. SUPPORTING RE-RELEASE:

Please complete the following only if you are supporting immediate or future re-release at or before Day 28:

A. Confirm that the OASys submitted with this report has been updated since recall (if your risk assessment or RMP has changed, you must complete a new assessment): **Please select Date of OASys:**

(For cases assessed as low ROSH, a full RMP does not need to be completed.)

B. Give a clear recommendation why you assess it is safe to re-release the prisoner at or before Day 28:

C. Accommodation

(i) Please confirm if accommodation is available immediately: Please select

(ii) If accommodation is not immediately available, please provide a timescale for release:

(iii) Provide details of accommodation plans, including who resides at the address (where there is no address, give reasons why):

(iv) Please confirm appropriate police/safeguarding checks have been undertaken:
Please select

D. Provide an outline of the supervision plan for the prisoner whilst in the community (including offending behaviour work / engagement with drug/alcohol agencies / employment information etc. If you are recommending interventions/courses, please provide a timescale for commencement):

E. Additional Licence Conditions. Write out any additional specific non-standard licence conditions you are requesting and the rationale for the request (including any additional conditions included on the previous licence that you would like to have added again):

(i) If an exclusion zone is being requested a map must to be provided with this report. Maps must show clear boundaries of roads or geographical locations such as canals and rivers. If the map is not detailed enough to show each road or boundary a list must also be provided.

An Exclusion Zone Map is included with this report: Please select

11. NOT SUPPORTING RE-RELEASE:

Please complete the following only if you are not supporting re-release at Day 28. The Parole Board may still direct release, therefore you MUST provide a full RMP with this report:

A. Confirm that the OASys submitted with this report has been updated since recall (if your risk assessment or RMP has changed, you must complete a new assessment): **yes** **Date of OASys:**

(For cases assessed as low ROSH, a full RMP does not need to be completed.)

B. Give a clear recommendation why you assess that it is not safe to re-release the prisoner:

C. Outline Sentence Plan objectives for the prisoner to undertake whilst in custody in order for them to work towards re-release in the future (including interventions/risk management strategies. If you are recommending interventions/courses, please provide a timescale for commencement):

D. Accommodation

(i) Please confirm if accommodation is available immediately: NO

(ii) If accommodation is not immediately available, please provide a timescale for release:

(iii) Provide details of accommodation plans, including who resides at the address (where there is no address, give reasons why):

As above

(iv) Please confirm appropriate police/safeguarding checks have been undertaken:

E. It is the community offender manager's responsibility to consider and assess all recalled prisoners on an ongoing basis and submit an updated report to PPCS when they assess that they can be safely re-released. Please confirm when you will review this case:

3-6months

6-9 months

(i) Provide reasons for the length of the review selected above:

12. Probation Details

Agency:

Name of Community Offender Manager:

Telephone Number:

Email Address:

Date:

CRC

A-Z [select]

13. Endorsement of a CRC managed prisoner by a CRC Line Manager.

I have discussed all aspects of the case with the community offender manager and I am endorsing (tick boxes below to confirm):

- The quality of the information
- The content of the risk management plan
- The recommendation made by the community offender manager

Endorsement:

Name:

CRC

Email:

Telephone Number:

Date:

14. Endorsement of a CRC managed prisoner by NPS senior manager who is equivalent to the former ACO grade or a manager designated by the Deputy Director for this purpose.

By endorsing this you are agreeing to any proposals and confirming you are satisfied with the quality and content of the Part B Post Recall Risk Management Report, the Risk Management Plan and the Sentence plan. **Tick Box**

Endorsement:

Name:

NPS Division

NPS LDU

Email

Telephone Number:

Date:

15. Date sent to Public Protection Casework Section and confirm the email address used:

16. Confirm which prison establishment the report was sent to and the email address used:

17. Attachments

Please scan and email copy of the following applicable documents to the Public Protection Casework Section, and tick box to indicate it has been sent:

Updated OASys R1-R11 or CRC appropriate equivalent analysis document

Updated OASys criminogenic needs summary and section score: or CRC appropriate equivalent analysis document or Sentence Plan

Exclusion zone map (if applicable)