

# Being on licence



## Being on licence

Information for people serving a prison sentence who are released on licence

# Being 'on licence'

This leaflet is about being on licence. Please read it carefully. If you are unsure about anything or you have any questions, please ask the officer responsible for managing your licence (called 'the officer' in this leaflet).

You must then sign the form at the back of the leaflet to say that you understand the information in this leaflet.

You have been released from prison **on licence**. You are still serving a prison sentence, but you can live in the community instead of being in prison. This means that you can start to rebuild your life and settle back into the community. The officer responsible for managing your licence will help you do this.

When you are on licence there are rules that you must follow. These are called **conditions**. Your officer will talk to you about the conditions of your licence and make sure you understand them.

You will have to follow **six standard conditions**.

## Standard conditions

These are the six standard conditions in your licence:

1. Be well-behaved. Do not commit an offence and do not do anything that could ruin your chances of resettling back in the community.
2. Keep in touch with the officer responsible for managing your licence and do what they ask you to do.
3. Let your officer visit you where you are living if they need to.
4. Live at an address that your officer says is acceptable. Tell your officer if you plan to change your address or stay at another address (even for one night).
5. Only do work (paid or unpaid) that your officer says is OK. Tell your officer if you plan to change the work you do.

6. Do not travel outside the United Kingdom without permission. If you have a very important reason to travel outside the UK, ask your officer if this is OK first. But be aware that permission to travel abroad is not usually given so you will probably not be allowed to leave the UK. You should therefore ask before you make any arrangements or spend money on things like tickets.

You may also have to follow some **additional conditions**. Your licence will say what the additional conditions are.

## Additional conditions

You might see additional conditions in your licence which will be under the following headings:

- **Contact requirement**
- **Prohibited contact requirement**
- **Prohibited activity requirement**
- **Residency requirement**
- **Prohibited residency requirement**
- **Curfew requirement**
- **Exclusion requirement**
- **Supervision requirement**
- **Programme requirement**
- **Non-association requirement**
- **Drug testing requirement.**

The officer responsible for managing your licence will explain which conditions you have to meet. They will tell you about the support you will get from the Probation Service to help you resettle in the community and avoid re-offending.

# What happens when you are released from prison on licence?

## You get your licence

You will get a copy of your licence at the prison before you leave. Your licence will say what conditions you must meet and when you must report to the officer responsible for managing your licence.

**You live in the community and report regularly to the probation office** as instructed on your licence.

## You follow the conditions of your licence

You carry on serving the rest of your prison sentence in the community.

## OR if you break the terms of your licence

You may be recalled to prison immediately.

- **Depending on the circumstances, you may get a warning the first or second time you break the conditions of your licence.**
- **The third time you break the conditions of your licence, you will be recalled to prison.**

## What happens if you are recalled to prison?

If you are recalled to prison, the Parole Board will meet to review your case. It will decide if your recall was fair and justified and if you can be safely released back into the community.

**The Parole Board does not want to keep people in prison longer than is necessary. It will look to re-release you on licence if it is sure that it is safe to do so and if it decides that you are likely to stick to your licence conditions in the future.**

See next page for what happens if you are recalled to prison...

If you are recalled to prison, the police will arrest you and take you back to prison. Your licence will be 'revoked' – this means your licence to live in the community is taken away and you must go back to prison.

# What happens if you are recalled to prison?

## The Probation Service writes a report about you.

It sends 1 copy to the Parole Board and 1 copy to you. This report could be important in helping the Parole Board to decide whether to re-release you, so you should be helpful if your officer asks you for information.

The report will say:

- how you behaved when you were on licence;
- how you broke the conditions of your licence and why you were recalled to prison;
- if the officer responsible for managing your licence thinks you are likely to re-offend if you went back to live in the community;
- if other people might be at risk if you went back to live in the community; and
- how the Probation Service would help you to keep to your licence conditions if you went back to live in the community.

You agree with what the report says.

OR if you do not agree with what the report says:

you can write to the Parole Board and make a 'representation' to say why you are not happy with the report. The Parole Board will look at all the information.

The Parole Board will review your case to decide if you can be re-released from prison on licence.

This should happen within 1 month of your return to prison. (But if you are late in sending in your representation, this will delay your case being considered by the Parole Board and could result in you spending more time in prison).

If the Parole Board needs more information they will ask for other reports. If the facts are not clear from the written reports, the Parole Board may decide that your case needs to go to an oral hearing.

THERE ARE 3 POSSIBLE DECISIONS

**Oral hearing:** This is where you can meet the Parole Board and say why you think you should be re-released.

**1. The Parole Board decides to re-release you from prison on licence straight away**

or within a short time if arrangements need to be made for you.

**2. The Parole Board decides to set a re-release date for you.**

**3. The Parole Board decides that you should not be released and either:**

**a) Sets a date to review your case again.**

If you have more than 12 months before your licence or sentence ends, the Parole Board will review your case at least every 12 months.

**b) Decides not to review your case again** (if you have less than 12 months left to the end of your sentence).

If you are re-released from prison on licence, there may be new conditions in your licence and you will have a resettlement plan. You must make sure you understand and follow these.

If you wrote to the Parole Board to make a representation, and it decides you cannot be re-released from prison on licence you may be able to ask for an oral hearing.

# About this leaflet

The important information you need is in your licence. Your licence is a legal document and was given to you when you were released from prison.

This leaflet does not replace or alter the information in the licence. This leaflet is not a legal document.

## Prisoners on licence from 4 April 2005

From 4 April 2005, there are new arrangements for prisoners on licence. You can now be recalled to prison **immediately** if you break any of the conditions in your licence.

## Remember!

It is very important that you understand exactly what your licence means, and what you can and cannot do.

- If you are not sure if you are allowed to do something, **ask first**.
- If you need to ask questions at any time, contact the officer responsible for your licence.
- Don't miss any appointments – if you can't attend an appointment for any reason, you must tell your officer **before** you miss an appointment, so they can decide whether your reason is acceptable and what needs to be done about it.

## Further information

For more information about anything in this leaflet, please ask the officer responsible for managing your licence.

We keep information about you in our records. It is kept safely and securely. If you want to find out about seeing this information please ask your officer.

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**The National Probation Service is committed to working fairly and professionally with all offenders regardless of factors such as their race, religion, culture, age, gender identity, sexual orientation, or disability.**

## If you have a complaint

If you have a complaint about the Probation Service please talk to your officer who will try to help. If you are not satisfied you can ask to talk to the unit manager. If you are still not satisfied, ask for the leaflet called 'Making a Complaint'.

# Declaration of understanding

You must sign this form to say that you understand:

- the conditions in your licence
- what will happen if you break the conditions in your licence.

Make sure you understand this form **before** you sign it. The officer responsible for managing your licence will look at the leaflet with you and answer your questions.

If you need a translator or someone to help you read the form, please ask your officer.

(NOTE: this sentence must be read out to the licensee by the officer.)

**Your officer should give you a copy of this signed form for you to take away and will keep the other copy as a record.**

Print your name: \_\_\_\_\_

Print the address you will stay at. This must have been approved by the officer responsible for managing your licence.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- I agree that the officer has explained the terms of my licence and what I need to do to meet the conditions in my licence.
- I understand what I must and must not do while I am on licence.
- I understand that I must follow the six standard conditions in this leaflet, and the additional conditions written in my licence, which are (as ticked by the officer):

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Contact         | <input type="checkbox"/> Prohibited contact   | <input type="checkbox"/> Prohibited activity |
| <input type="checkbox"/> Residency       | <input type="checkbox"/> Prohibited residency | <input type="checkbox"/> Programme           |
| <input type="checkbox"/> Curfew          | <input type="checkbox"/> Exclusion            | <input type="checkbox"/> Supervision         |
| <input type="checkbox"/> Non-association | <input type="checkbox"/> Drug testing         |  |

- I understand that my licence gives the full legal information about the conditions in my licence.
- I understand what will happen if I do not follow the conditions in my licence.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Name of officer responsible for managing licence: \_\_\_\_\_

Name of probation office: \_\_\_\_\_