Guidance for prison release escort arrangements.

June 2023

**Context:**

To date, HMPPS has relied on police forces to provide escorts (e.g. secure transport) to certain prisoners released on licence. Police escorts have been withdrawn by a number of police forces, resulting in inconsistent practice. Arrangements have been made for the Prisoner Escort and Custody Service (PECS) to provide transport for prisoners where the risk management plan identifies a need for an escorted release, and the relevant police force has declined to provide an escort. It is expected that by the Autumn of 2023, there will be a consistent nationally endorsed police position.

The licence conditions Policy Framework (Sept 2022) [[Licence conditions] (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1105940/licence-conditions-pf.pdf) includes the following additional licence condition:

*On release be escorted by police to Approved Premises.*

The condition is typically applied to complex cases where there is a degree of risk that the individual would fail to attend an Approved Premises on release. Agreement for this licence condition is usually agreed locally through the MAPPA process. In light of the number of forces withdrawing police escort, a temporary agreement has been made with PECS to escort eligible released prisoners. To be eligible for PECS escort, the following criteria must be met:

* Case must be managed under MAPPA level three
* The escort must be part of the risk management plan and adhere to the usual criteria of necessity and proportionality
* The following **bespoke** licence condition must be approved by PPCS:

*On release be escorted by the* *Prisoner Escort and Custody Service to Approved Premises*

PECS **will not** escort prisoners as part of an Integrated Offender Management Strategy unless the above criteria apply. If the local police force is able to escort the prisoner on release as part of the risk management plan, and this is agreed in MAPPA, police escort can be used and PECS transport will not be required. Escorts for prisoners managed by Counter Terrorism Police will be managed by the police CT nominal management teams.

To support this process, EMS have agreed that where relevant, GPS tagging can be applied at the prison pre-release. Arrangements for this will be communicated with the establishment on a case-by-case basis. This is a service already offered by EMS and is business as usual within their teams.

This guidance is interim while a national position is confirmed by the National Police Chiefs Council. It is expected that a national position will be agreed later in 2023.

# Operational instructions:

## **Action prior to release**

As soon the requirement for PECS transport for a MAPPA L3 case is identified, the relevant Senior Contract Delivery Manager (SCDM) should be invited to the MAPPA meeting.

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* South: Karen.Loveridge@justice.gov.uk 07593 101264



PECS will be provided with the full risk assessment and risk management plan via the MAPPA minutes.

A professionals meeting should be directed by the MAPPA to agree the operational plan for transport. SCDMs will attend this professionals meeting on behalf of the provider.

The professionals meeting should outline any bespoke disclosure requirements to the provider. For example, identify of high profile prisoners. Disclosure should be ratified at the MAPPA and adhere to the ‘need to know’ principles. SCDMs will undertake disclosure to the provider on HMPPS behalf.

Staff safety should be a primary consideration of the risk assessment.

PECS transport will be provided wherever possible. PECS should be given 28 days notice of any eligible future release via MAPPA level 3. However, there may be exceptional circumstances where the 28-day notice period cannot be met. PECS will assess such cases on a case by case basis.

Consideration must be given to moving the prisoner to a local prison prior to actual release.

The Probation Practitioner must identify a named contact point in the Prison and Approved Premises for PECS to liaise to confirm release arrangements. The probation practitioner will act as a single point of contact for other issues that may arise prior to release. The probation practitioner should provide their contact details and an alternative back up contact who will be available until the prisoner has been dropped off at the designated location. Designated locations (e.g. drop off points) must be an Approved Premises. If partner organisations, including law enforcement, require information regarding the release and arrival at the designated AP, this will be the responsibility of the probation practitioner. AP staff will contact the probation practitioner by phone as soon as the prisoner has been dropped off at the designated location.

All prisoners who have a licence condition for an electronically monitored tag should have the tag fitted in the Prison prior to release. The probation practitioner should provide contacts details to Electronic Monitoring Services and the releasing prison who can confirm date and time. Logistics regarding the EM tag should be agreed in the professionals meeting. This may include arrangements for the prisoner to be moved to a prison closer to the release address. EMS should be contacted as soon as possible to agree the requirements. A minimum of 72 hours notice is required for final arrangements. All EM cases that attract a PECS escort should be communicated in advance to EMS via the below email;

EMSpecialsManager EMSpecialsManager@ems.co.uk.cjsm.net

EMS will need to attend the AP to complete the installation of EM equipment. Arrangements for this parallel install should be made in the professionals meeting.

The provider will be briefed by the PECS SCDM, including disclosure as agreed by MAPPA, prior to the date of the transfer. This briefing will take place prior to the transport.

Ordinarily, PECS transport will take place during office hours. If transport is required out of hours (for example to support operational activity or staff/prisoner safety) this should be communicated at the earliest opportunity and PECS will consider viability. Where possible, options for moving the prisoner to a local prison prior to actual release should be explored and will be accommodated via the prison estate. Where an out of hours transport cannot be avoided, the on call Assistant Chief Officer and Residential HoPP should be made aware and the relevant out of hours number given to the provider via the SCDM.

**ACTION BY THE DISCHARGING PRISON & RECEPTION**

The transfer of the prisoner will be booked onto Book a Secure Move (BaSM)

Unmarked vehicles will be used. Staff will wear discreet uniform e.g. polo shirts.

Transfer and handover information will be recorded as per current arrangements

using a Person Escort Record (PER). This is to match current practice and ensure information regarding property is recorded correctly.

The prisoner will be permitted to travel with as much property as can be

stored safely on the vehicle. Any additional items that cannot be transported

will need to be forwarded on by the prison.

The prisoner will not be permitted to be in possession of property whilst in the

vehicle (other than what is contractually permitted) for health and safety reasons.

**ACTION BY THE PROVIDER DURING TRANSFER**

Providers are aware these prisoners are not in custody and therefore not subject to the normal prison rules. Officers will not and must not exercise their normal PCO powers within the Criminal Justice Act 1991.

Any prisoner who is taken ill during the journey or requires medical attention will be dealt with in accordance with Provider’s current policies. The probation practitioner will be informed at the earliest opportunity.

Should the Provider perceive the transfer to be at risk this will be dealt with in accordance with Provider’s current policies.

Comfort breaks will be actioned as determined and agreed prior to the date of transfer. This should be considered in the professionals meeting and avoided wherever possible.

If there is a medical reason for comfort breaks, this should be confirmed and outlined by prison healthcare prior to travel.

Any requirement to cross-deck the prisoner (i.e. move between vehicles/providers due to contractual constraints) during the transfer will be determined within the plan and agreed prior to the date of discharge.

Prisoners are not being transferred under secure escort arrangements in the way that they would be moved between prisons for example. They must be permitted to leave the vehicle on request, as soon as practicably possible and safe to do so.

The escort Provider has no power or jurisdiction to detain the person that has requested to leave the vehicle. Prisoners should be advised that this may breach licence conditions. The professionals meeting should provide a written contingency plan specifying required actions should the prisoner leave the vehicle unexpectedly. This may include contacting 999. Where possible, prisoners should travel under a police unique reference number although when travelling between force areas this may be complex.

Any incident of abuse or aggression should be immediately reported to the police or probation practitioner (as this may be a breach of licence conditions) but cannot result in detainment by the Provider. The Provider will make themselves available for debrief and provide witness statements where requested.

**ACTION BY THE PROVIDER AT THE DROP-OFF LOCATION**

The Provider will follow the arrangements at the drop off location agreed at the professionals meeting as part of the case management arrangements. The prisoner will be received by a designated member of AP staff who will confirm arrival with the single point of contact/probation practitioner.

The prisoner will not be required to sign the PER sheet at the end of the journey to indicate all their property has been returned as recorded on the PER.

Verbal confirmation will be requested and will be recorded on the PER by the escorting staff.

No release checks will be required by the Provider at the drop-off point. All release checks will have been conducted and authorised by the prison prior to discharge.

**Prisoner/Person on Probation Release Escort FAQs**

**Probation Service:**

**What if my case is not MAPPA level 3?**

Your case will not be eligible for PECS transport. Requiring PECS transport is not sufficient rationale for escalating a case to MAPPA 3.

**Are all categories of MAPPA case eligible?**

Yes, as long as the case is MAPPA level 3. Category 4 cases will usually be transported by Counter Terrorism Police. This should be confirmed in the MAPPA.

**Do all MAPPA level 3 cases require an escort from custody?**

No. Escort conditions should be considered on a case by case basis determined by the risk assessment.

**The police have said they will escort my person on probation to the AP. Should I arrange PECS transport instead?**

If the police have agreed to transport the person on probation and this is agreed as part of the risk management plan, you do not need to arrange PECS transport.

**What if the person on probation refuses to get in the PECS vehicle/go with the PECS staff?**

As every case under escort requires an escort licence condition, this would be a breach of licence and could lead to recall. You should discuss contingency plans for this scenario and record this in your risk management plan.

**What if the person on probation tries to leave the vehicle before they arrive at the AP?**

PECS have no lawful power to detain the person in this scenario. As above, this would be a breach of licence and recall should be considered. PECS staff will report any incidents immediately including as much detail as possible.

**Can the person on probation be dropped off at a police station to complete Sex Offender /Serious Crime Prevention Order/Terrorist Notification registration?**

No. PECS transport will transport people on probation to Approved Premises only. Alternative arrangements should be made for a person on probation to register with police.

**Glossary:**

**AP:** Approved Premises

**BaSM:** Book a Secure Move

**EM:** Electronic Monitoring

**EMS:** Electronic Monitoring Services

**PCO**: Prison Custody Officer

**PECS:** Prisoner Escort and Custody Service

**PER:** Person Escort Record

**PP:** Probation Practitioner

**SCDM:** Senior Contract Delivery Manager

**The provider:** The company providing the escort services e.g. Serco and GEOAmey



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