

Amendments to Fixed Term Recall from 2 September 2025

This information sheet has been prepared to take account of the changes introduced by the Criminal Justice Act 2003 (Suitability for Fixed Term Recall) Order 2025.

The changes will come into force from 2 September 2025.

Fixed Term recall (FTR)

Under the 2025 Order the test for determining whether a recalled prisoner is suitable for Fixed Term Recall after 28 days has been amended so as to include a larger cohort of prisoners.

Under this Order, most fixed term prisoners who are serving a non-parole sentence of less than four years would be eligible.

The suitability criteria for a 28-day FTR has been as follows:

- a) the person is aged 18 or over;
- b) they are serving a sentence of less than four years (prisoners may be eligible for 14-day FTR if their sentence is less than 12 months);
- c) they are not serving a sentence in respect of a specified offence listed in Schedule 19AA Criminal Justice Act 2003 where they are not suitable for automatic release;
- d) they are not serving a fixed-term sentence imposed in respect of a terrorist related offence as set out in section 247A(2)(3) Criminal Justice Act 2003;
- e) they are not excluded by falling within the definition of a terrorist offender as set out in Section 325(2)(aa) or (c) of the Criminal Justice Act 2003
- f) they have not been recalled on account of being charged with a further offence
- g) they are not or will not be on release, managed at MAPPA level 2 or 3

The Order applies to the following prisoners:

- a) those who have been recalled under section 254(1) of the Criminal Justice Act 2003 before 2nd September 2025,
- b) those who, immediately before 2nd September 2025, are being detained in pursuance of the sentence as the result of having been so recalled, and
- c) those who are not being dealt with in accordance with section 255B of the 2003 Act.

Under this provision, the Secretary of State has the power to convert the 28-day FTR to a standard recall, if they have received information:-

- i. that results in a determination that they may be at risk of involvement in terrorism-related activity (within the meaning of section 325(9) of the 2003 Act),
- ii. that, after being recalled, they have been charged with an offence, or
- iii. that results in a determination that, if released at the end of the automatic release period, they would be managed at MAPPA level 2 or 3

If so, you must be notified immediately and provided with the updated version of the recall dossier. You may make representations.

Prisoners recalled before 2 September 2025

In respect of prisoners who have been recalled prior to 2 September 2025, their relevant release date for the 28-day FTR is calculated as follows:

- i. 2nd September 2025, where the sentence expiry date is on or before 30th November 2025;
- ii. 9th September 2025, where the sentence expiry date is after 30th November 2025 but on or before 28th February 2026;
- iii. 16th September 2025, where the sentence expiry date is after 28th February 2026 but on or before 30th April 2026;
- iv. 23rd September 2025, where the sentence expiry date is after 30th April 2026 but on or before 31st July 2026;
- v. 28th October 2025, where the sentence expiry date is after 31st July 2026 but on or before 30th November 2026;
- vi. 25th November 2025, where the sentence expiry date is on or after 1st December 2026

If you have any questions regarding this information sheet, please do not hesitate to contact us, either by writing to us or contacting us on the Advice Line.

<p>PRISONERS ADVICE SERVICE PO BOX 46199 LONDON EC1M 4XA Advice line: Tel: 020 7253 3323 Mon, Wed, Fri 10am -12.30 & 2-4.30pm</p>
