

## 56181 Recalls to Custody

As part of a small desk-based research project, we are seeking information to help us better understand how recalls to custody for people released on licence are managed across Scotland. We would appreciate your assistance in answering the following questions. We are happy to accept partial or approximate responses where precise data is unavailable.

### Theme 1: Data on Recalls

How many people were recalled to custody from licence in your local authority area in each of the past ten years (or, if ten-year data is not available, for the most recent years)?

Do you hold any data on the demographic characteristics (e.g., age, gender) of those recalled to custody? If so, please provide this.

This information can be found on the Scottish Government's website, where they publish annual data on Throughcare including the number of prisoners recalled:

<https://www.gov.scot/publications/justice-social-work-statistics-additional-time-series-tables/>

(Justice social work statistics: local authority time series tables)

The specific document is 'Throughcare Part 1 – 2023-24'

Please navigate to tab 'TC\_7' and filter on the local authority area for 'Edinburgh, City of'.

### Theme 2: Decision-Making and Processes

What criteria or processes are used by your authority to determine whether a recall is necessary?

We follow national guidance published at:

<https://webarchive.nrscotland.gov.uk/20201120173827/https://www2.gov.scot/Publications/2004/12/20473/49301>

The decision to recall is a matter for the Parole Board of Scotland or Scottish Ministers. Justice Social Work initiates breach proceedings in respect of an individual where for example, they have breached licence condition or been charged with further offending. Recommendations to the Parole Board for recall are based on whether the risk the individual presents is still manageable in the community. In the event an immediate recall is considered necessary, this is a matter for Scottish Ministers. This is based on there being an imminent risk. The information contained in the Throughcare Licence Breach report, allows the Parole Board or Scottish Minister to make the decision on what action they consider most appropriate.

More information about this can be found on the [Parole Board for Scotland](https://scottishparoleboard.scot/publications/) website at:

<https://scottishparoleboard.scot/publications/>

Please refer to the 'Annual Report 2023-24' or by contacting the Community Licensing Team by e-mailing [communitylicence@gov.scot](mailto:communitylicence@gov.scot)

Does your local authority use any locally developed policies or guidelines in addition to national guidance when making recommendations for recall?

We follow the national guidance referenced in A3 above.

In the case of recalls triggered by third-party information (such as police intelligence), how does your authority verify and record this information before recommending recall?

In terms of Police Scotland intelligence, this would be a matter for the Parole Board to review and seek verification from Police Scotland.

### **Theme 3: Policy and Guidance**

Could you please provide copies of, or links to, any local policies, procedures, or practice guidance your local authority uses specifically regarding recalls from licence?

We use the above-referenced national guidance and templates (Throughcare Breach Report Template attached) in relation to breaches of post-release licences. As previously intimated the decision to recall is a matter for the Parole Board of Scotland or Scottish Ministers.

Does your local authority use a standardised system to record the reasons for recall? If so, what categories or coding framework do you use?

Yes – Scottish Government require Justice Social Work to report using the following:

- Recalled due to non-compliance with licence conditions
- Recalled due to both non-compliance of licence conditions and commission of an offence

What training, quality assurance, or oversight processes are in place for staff involved in recall decisions?

As previously intimated, the decision to recall is a matter for the Parole Board of Scotland or Scottish Ministers. Quality Assurance is built into the Throughcare Breach Report process. All Breach Reports are reviewed and counter-signed by a Line Manager before submission. This ensures that the Breach Reports are written to the required standard that will allow the Parole Board / Scottish Ministers to make decisions.

Has your authority conducted any internal reviews or analyses on patterns of recall, including common reasons, trends, or the impact on service users and/or their families? If so, could you please share these documents or direct us to them?

The Care Inspectorate published their [review](#) in 2021 which is available on their website at:

[https://www.careinspectorate.com/images/documents/6295/FinalDraftRpt\\_ThroughcareReview\\_Sep2021\\_V04\\_Website.pdf](https://www.careinspectorate.com/images/documents/6295/FinalDraftRpt_ThroughcareReview_Sep2021_V04_Website.pdf)