

COVID-19: ROTL on Compassionate Grounds – Pregnant women, MBUs and the Extremely Medically Vulnerable

This document is being issued on 27/04/2020 and replaces previous versions. The guidance has been updated throughout to make the process clearer. Further details are below, but in particular you should note:

- *The requirement to update the OMU Hub when a decision is reached. This includes whether the decision was to allow or reject ROTL. All decisions to release on Covid-19 SPL, including pregnant women and those in MBUs must be endorsed by the Deputy Director of Prisons following referral via the OMU Hub.*
- *Updated codes for recording releases and breaches*
- *The updated process flow at annex D summarises the process, but full detail is given in the guidance below.*

This version:

- *Clarifies how to manage ROTL applications from those outside the identified groups, and the different definitions of medical vulnerability (Section 1, 2, 3)*
- *Has updated risk assessment guidance (Section 4)*
- *Has updated guidance on electronic monitoring for compassionate temporary releases and prisoners who fall under MAPPA (Section 6)*
- *Has included further guidance on the clearance process, including the need in all Covid-19 SPL cases (including pregnant women and MBUs) to inform the OMU Hub if the prisoner is refused ROTL or if the provisional decision is to allow ROTL (Section 7)*
- *Has included guidance on prisoners appealing against decisions (Section 8)*
- *Has included guidance for prisons booking PECS transport for prisoners released under ROTL (Section 10 and see also Annex I)*
- *Has updated on how to enter the prisoner's discharge address and postcode so that they can receive Universal Credit (Section 12)*
- *Has updated guidance on breach of licence and return to custody processes (Section 13 and see also Annex H)*
- *Updates the Hub Contact Details (See Annex B)*
- *Has included a new version of the SPL licence (See Annex C)*
- *Has an updated and full Process Flow Chart (See Annex D)*
- *Updates the Financial Support Guidance (See Annex F)*
- *Has included guidance on medicines and pharmacy continuity (See Annex G)*

To Note: *This guidance covers the use of pre-existing ROTL powers. It is separate to the End of Custody Temporary Release scheme for those near the end of their sentence, on which you have received separate guidance.*

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Summary

In response to the impact of the COVID-19 outbreak on prisons it has been agreed that the following groups **may** be considered for Release on Temporary Licence (ROTL) under the special purpose licence (SPL) provisions, subject to individual risk assessment:

- Pregnant women
- Prisoners with their baby in custody
- Those defined by the NHS guidelines as 'extremely vulnerable' to COVID-19. A full definition of this group is given in Annex A – Priority 1.

This guidance is supplementary to the [ROTL Policy Framework](#). All procedures within the ROTL policy framework must be followed, except where there are explicitly augmented or varied by this guidance. Two important variations from the normal Policy Framework are that:

- Following a local ROTL Board, all cases must be considered by the Governor – this cannot be delegated. whether final or provisional, this decision must be taken in all Covid-19 SPL cases by the Governor (or in their absence, the acting Governor)
- In cases where the Governor is minded to allow Covid-19 SPL, this will be a provisional decision only, and additional clearance must be sought from the Deputy Director Prisons at HQ before a final decision to release the offender is made.

Information on the use of compassionate ROTL was [published on gov.uk](#) on 24th April. This guidance as more detailed operational instructions to help prison and probation staff implement those principles.

1 Who is in scope for consideration?

Normally, being a member of the groups set out above would not be sufficient grounds for considering compassionate release under a Special Purpose Licence. However, in the specific circumstances of the COVID-19 epidemic you should treat membership of the groups as sufficient to take a prisoner forward for ROTL consideration until further notice, unless such a prisoner is disqualified for ROTL on other grounds set out in the ROTL Policy Framework (see below).

Exclusions and restrictions

The ROTL Policy Framework sets out those prisoners who are excluded from ROTL entirely. In summary, the following prisoners are not eligible to be considered for ROTL:

- Category A or Restricted Status
- Offenders on the escape list
- Offenders who are subject to extradition proceedings
- Remand and convicted unsentenced offenders
- Sentenced offenders who are remanded for further charges or further sentencing
- Offenders held on behalf of the International Residual Mechanism for Criminal Tribunals

Prisoners in closed conditions are ineligible to be released on ROTL if within the last two years or more than once during their current sentence they have:

- Absconded from open conditions; and/or
- Failed to return from a period of ROTL; and/or
- Been convicted of a criminal offence that took place when they were on ROTL; and/or
- Escaped or attempted to escape from prison custody

unless there are exceptional circumstances – see paragraphs 5.3 - 5.10 of the ROTL Policy Framework for further details.

In addition, Restricted ROTL includes a number of elements over and above Standard ROTL (see paragraph 4.9 of the ROTL Policy Framework). The following offenders are all subject to Restricted ROTL:

- Indeterminate sentence prisoners (ISPs);
- Prisoners serving Extended Determinate Sentences, or other legacy extended sentences;
- Prisoners serving sentences imposed under section 236A of the Criminal Justice Act 2003 (offenders of particular concern);
- Any other offender who is currently assessed as high or very high risk of serious harm on OASys.

In current policy there is a strong presumption that those subject to Restricted ROTL who have not been assessed as safe to hold in open conditions are too risky to be released into the community. For this reason, as set out in the Policy Framework, only Open and Women's prisons can grant Restricted ROTL. There are some limited exceptions in that policy where the offender:

- has already been assessed as suitable for open conditions but has not been able to transfer
- is so ill that their condition means absconding is not an issue

This is, however, a presumption and any exceptional circumstances must be considered.

The ROTL Policy Framework also sets out within the table at paragraph 4.15 that there is no minimum eligibility period for Special Purpose Licence. However, Governors should not progress Covid-19 SPL applications from prisoners who are so close to the beginning of their sentence that it would undermine the administration of justice or public confidence in the criminal justice system, to allow ROTL.

The deportation status of a Foreign National Prisoner may not allow ROTL to be allowed. The procedures at paragraph 4.19 of the ROTL Policy Framework make provision for checking this with Home Office Immigration Enforcement.

Prisoners must not be granted Covid-19 SPL where it is judged that they present an unacceptable risk of reoffending or otherwise failing to comply with licence conditions.

Prisoners should only be recommended for release where it is judged that they present a level of risk of harm, reoffending, failure to return or other significant challenge that can reasonably be managed in the community on ROTL. The assessment should be based on the most recent available assessment of risk that is available for the individual, including OASys.

As set out at paragraph 4.6 of the ROTL Policy Framework, **the decision to allow temporary release must always be balanced by an active consideration, by means of rigorous risk assessment, of the need to maintain public safety and public confidence in the justice system.**

It is important to note that the ROTL process is voluntary. If a prisoner does not wish to be considered for release in this manner they are entitled to remain in prison.

2 What should you do now?

You should **immediately** take active steps to identify all prisoners who are in the following groups and not excluded from ROTL, and invite them to apply for SPL in accordance with the ROTL Policy Framework, where they are willing:

- Pregnant Women
- Prisoners with babies in custody
- Extremely Vulnerable Offenders (as defined under NHS Guidelines in Annex A – Priority 1)

This should include confirming pregnancy or the existence of health conditions with the prison health team where necessary. Prison Healthcare services are able to confirm that an individual meets the criteria without giving precise details of medical conditions as considerations of medical confidentiality continue to apply. If you have multiple prisoners in these groups and resources are limited, you should prioritise according to need.

An initial list of extremely medically vulnerable offenders was shared with prisons on 9th April as a starting point of identifying in-scope offenders, and an initial list of pregnant women and those in Mother and Baby Units was shared previously. We are now able to share an updated list of newly identified individuals. This is based on those who it is possible to identify as potentially eligible at a national level and is not an exhaustive list; you will also need to work with establishment healthcare teams to identify and consider applications from others who meet the criteria for extreme vulnerability. The names of any additional individuals you identify should be reported into the central COVID-19 OMU Support Hub to ensure national security considerations can be considered as part of the assessment.

Establishments have drawn up their own lists of prisoners needing to be shielded, in partnership with healthcare teams. These lists will not always match those who may be considered for Covid-19 SPL, for example because some prisoners will be ineligible for ROTL or because some prisoners may be more vulnerable than others but not so vulnerable as to meet the 'extremely vulnerable' criteria.

Where you identify people as ineligible for ROTL because they are on remand, you should encourage them to apply for a fresh bail hearing. Where you identify people as unsuitable for ROTL on risk grounds, you should ensure appropriate shielding measures are put in place to protect them while in custody.

If the recommendation is to release this must be referred to the Central COVID-19 OMU Support Hub (see Annex B for contact details) before final approval is given. Regardless of the outcome of the risk assessment, the Hub should be informed about the decision and full records kept locally of the justification. This process for notification and storage includes cases where the decision is to refuse ROTL before the full risk assessment stage.

For the full process please see the flow chart in Annex D.

3. Prisoners outside the three identified groups

Prisoners who are not within the three identified groups may apply for SPL under the Policy Framework in the normal way, under the heading of "other exceptional, personal, or family circumstances" in cases where the offender is applying for SPL on the basis of vulnerability to Covid-19, the following additional guidance is offered to help governors to determine whether these criteria are met, and whether the offender should proceed to a full risk assessment.

HMPPS has put in place a wide package of measures to help prisons operate shielding of those in custody who may be vulnerable to Covid-19.

It is possible, though, that a prisoner will be able to show that their particular circumstances put them on a par with those identified by the NHS guidelines as 'extremely vulnerable' to COVID-19, i.e. the Priority 1 cases. Prisons should therefore seek advice from the establishment's healthcare provider to confirm the medical status and Covid-19 vulnerability for prisoners applying for SPL on these grounds, and the relative risks of shielding in custody versus the community setting to which they would be released.

4. Risk assessment process

You should invite eligible prisoners to submit a ROTL application, including any exceptional circumstances that apply in their case. You should manage expectations carefully, being clear that this process will not automatically lead to release, particularly where the prisoner poses a high level of risk.

Where it is clear that an individual is not suitable for compassionate ROTL – for example because they do not meet the medical criteria, or because they are subject to Restricted ROTL but are not yet thought suitable for open conditions and there are no exceptional circumstances, you do not need to proceed to a full risk assessment. This should be decided by a senior manager of at least Head of Function level. You must, however, record in full the reasons for this decision, including any actions taken to shield the prisoner in custody, and inform the OMU Hub. The prisoner may appeal this decision (see 'Appeals').

The normal ROTL risk assessment procedure is set out from page 15 of the [ROTL Policy Framework](#). Although the full risk assessment process must be followed, these compassionate cases are by their nature urgent. Assessments and decisions should be expedited wherever operationally practical, taking into account the wider constraints imposed by the response to Covid-19.

There is no presumption that a prisoner eligible for Covid-19 SPL should be granted ROTL. As in all cases, ROTL is subject to risk assessment, and applicants should be considered on a case-by-case assessment of whether it would be safe and appropriate to allow ROTL. The ROTL Policy Framework sets out that the risk assessment must be rigorous, taking account of all the information that is available, obtaining further information where necessary and considering how that evidence bears on the offender's suitability for the proposed activity.

In the current context, the risk assessment will need to bear in mind that these releases will be for longer periods than normal SPL and take account of the very unusual circumstances in which the release is taking place – i.e. during a period of lockdown and other measures which could affect risk, compliance and behaviour in the community. The assessment itself will need to consider the risk to the prisoner's health, and potentially their life, if temporary release is not granted. This will need to take into account the extent to which their health can be protected by shielding measures in custody, and need to be carefully weighed against the other considerations.

Where Restricted ROTL applies, input from Psychology teams will be required and a referral should be made at the first opportunity. The Offender Manager should also consider the need for MAPPA screening and whether panel management is required. In line with the Policy Framework, where a Community Offender Manager has not yet been assigned the NPS LDU or CRC should be contacted. If a COM has not yet been assigned contact should be made by OMU with the home Probation Area via their LDU mailbox enclosing the ROTL request.

In addition to this normal SPL risk assessment, including consultation with the community offender manager, input from your local Security & Intelligence Department, police and other agencies (such as children's services) as required, you should work in conjunction with the Through the Gate (TTG) team. Release on temporary licence must be informed by the specific areas of support individuals will need in the community, which is particularly important in light of changes to services as a result of COVID-19 and the need for social distancing. These checks will need to be conducted urgently.

An Exceptional Delivery Plan for Home Circumstances enquiries has been agreed. This makes clear that enquiries will be conducted via phone rather than face to face. It includes consideration of proximity to victims, the continuation of police checks in Domestic Abuse cases, and is clear that safeguarding checks should be made as usual.

Attention should be paid to any information indicating that the person could be at risk of Domestic Abuse if released to a particular address, and consideration given to the location of the address in terms of any other relevant restrictive conditions such as Sexual Harm Prevention Orders.

Conditions to protect any victim(s) should be put in place where necessary and the victim liaison officer (VLO), or appropriate agency, should be consulted in relevant cases. Those participating in the Victim Contact Scheme must be notified of the release and the conditions put in place for their protection by the VLO, so that they can consider whether they want the VLO to seek additional conditions, pre- or post-release. It is for the current offender manager (prison or community) to ensure that the VLO is consulted at the earliest opportunity. The COM will return the usual ROTL paperwork.

You should work with the TTG team to consider ongoing healthcare and medication needs, as well as adult social care arrangements and any self-harm risks, in preparation for ROTL. TTG teams should be consulted about the support they can offer within their reduced model of delivery.

A COVID-19 OMU Support Hub has been set up to provide support to establishments. Full contact details for the Hub are detailed in Annex B. **Regardless of the outcome of the risk assessment, the Hub should be informed about the decision. You should also make a full record of the decision in NOMIS case notes, including any steps taken to reduce the risk to the prisoner in custody, and keep**

records in the case file. This includes cases where the decision is to refuse ROTL before the full risk assessment stage.

5. Health check process and social care

You should work in partnership with local health teams, local authorities, and other relevant agencies; making every effort to ensure prisoners are seen by healthcare services at least 48 hours before release so that arrangements for safe care and continuity of medications can be completed. Local authorities should be contacted at the earliest opportunity where an individual has social care support needs. The specific needs of the individual must be considered. These include adult social care requirements, access to pre- and post-maternity care in the community from a midwife, and for expectant mothers, referral to a GP and local maternity unit. **You should only release the prisoner if their accommodation, immediate social care and health needs can be met post-release, and they can travel safely to their accommodation.**

The prisoner should be examined by a healthcare practitioner during the 24 hours prior to discharge, and necessary medications/prescriptions should be issued to the prisoner, according to existing discharge procedures, along with information of the place, date and time of any future medical appointments.

Health and Justice partners have been working closely together to put into place procedures to ensure continuity of medicines during an outbreak as the supply of medicines is a clinical priority to minimise the risk of harm to health and justice patients.

Guidance has been circulated by NHS England and PHE to support their front-line staff on key aspects of early release for the groups that are being considered. On 27 March, NHSE published advice for health and justice healthcare teams on medicines and pharmacy services continuity.

On 15 April, PHE also published [guidance](#) for commissioners and providers of services for people who use drugs or alcohol. There is also [equivalent guidance](#) for Wales. For the full process please see the NHSE guidance in [Annex G](#).

6. Licence conditions and Electronic Monitoring

The Policy Framework sets out that the maximum duration of a SPL should ordinarily be no more than 4 nights in 28 days, although licences can be renewed repeatedly where necessary. In the present circumstances no return date will be added to the licence, but governors need to review the licence weekly to ensure it remains appropriate and may revoke the licence and recall the offender to prison at any time. Decision to recall will need to be taken on a case by case basis – and inviting the prisoner to return may be appropriate in the first instance - but further instructions will be issued as the response to Covid-19 develops.

Prisons should use the new “SPL (Covid-19) Licence Template” which will be placed on NOMIS. A copy is attached at Annex C. This should also include any necessary additional conditions, such as those agreed to protect any victims or others relevant to the particular case e.g. non-association. Note that the provisions on electronic monitoring do not necessarily require electronic monitoring to be applied, just for the individual to comply where it is.

If the individual is close to their Conditional Release Date (CRD) or HDC Eligibility Date (HDCED), they may reach this while they are on this temporary release. In these cases, therefore, when issuing a ROTL licence you should also issue the release licence that may come into effect at CRD or, given that HDC is presumptive and that the individual will have successfully completed a period on SPL, at HDCED, when probation supervision commences. You should clearly explain the differences between the two sets of conditions.

In line with the ROTL Policy Framework, electronic monitoring is not mandated for compassionate temporary releases, but may be appropriate as an additional tool to mitigate any risks posed. Where you think electronic monitoring would be appropriate you should contact the OMU hub to arrange this.

MAPPA-eligible individuals and those assessed as a high/very high Risk of Serious Harm should generally be subject to electronic monitoring, and you should add an additional licence condition to maintain regular contact with the Community Offender Manager.

7. Clearance Process

The process of consideration set out at paragraphs 4.18 and 4.19 of the ROTL Policy Framework must be followed, augmented for Covid-19 SPL with an additional clearance process at HQ, so that the steps will be as follows:

- **Application** – from the prisoner;
- **Information** is sought – from the community OM and police, and other agencies as required;
- **Dossier** is compiled of relevant risk assessment and other information – by the case administrator;
- **Assessment** – of the risks presented by the temporary release proposed, by the Prison Offender Manager or Offender Supervisor
- **Board** – a ROTL Board is convened to consider the application and make a recommendation.
- **Decision (not to allow ROTL) or Provisional Decision (to allow ROTL)** – whether final or provisional, this decision must be taken in all Covid-19 SPL cases by the Governor (or in their absence, the acting Governor), who must not have been involved in the Board.
- **Referral to Deputy Director Prisons** via OMU Hub (in cases of a provisional decision to allow ROTL) – for clearance of any provisional decision to allow Covid-19 SPL. *The OMU Hub should be informed of the decision, even if it is not to allow ROTL.*
- **Final decision** – following consideration by the Deputy Director Prisons, the final decision is made and the offender and relevant parties notified of the outcome.

For Covid-related releases under SPL, prisons are required to seek additional clearance, via the OMU hub, from the Deputy Director Prisons before a final decision to release the offender is made. The ROTL dossier should be sent to the Hub for clearance.

A higher level of scrutiny is required for these cases given that:

- some of these prisoners would not normally be released on ROTL, but in the unique circumstances of Covid-19 it may be appropriate
- some of the establishments considering Covid-19 SPL applications will be less practised in ROTL processes.

The Deputy Director of Prisons may:

- Endorse the Governor's provisional decision; or
- Refer the case back to the Governor for further information, for further consideration, or to amend proposed licence conditions; or
- Reject the Governor's provisional decision.

As set out above, the Hub should be informed about the ROTL decision whether it is to release or refuse ROTL, and full records kept locally of the justification.

8. Appeals against decisions

Where a prisoner is dissatisfied with a decision either on whether to commence a full risk assessment or on whether to release following the assessment, they may submit a formal complaint via the normal HMPPS complaints process. Where there is a complaint it must be reviewed locally by the governor to ensure that the application has been considered correctly. The governor must ensure that full written reasons for the decision, taking account of the prisoner circumstances and all representations made, have been given to the prisoner, a record is kept, and the number of such decisions is sent daily to the OMU hub, with the prisoner's details. Where the governor was involved in the decision (i.e. a decision not to release following assessment), the appeal must instead be heard by the PGD. If the complaint is upheld and a release recommended, this must still be endorsed by the Deputy Director of Prisons.

9. Financial Support on release

Prisons should provide prisoners on release:

- A **grant of £80** (to cover their first week in the community, as the regular payments are processed, given the short notice of release limits preparation time);
- A **travel warrant** (to cover travel from the prison/PECS drop off to their accommodation).

And for those who are eligible:

- A **discretionary accommodation payment** up to £50 (to cover accommodation costs paid directly to the accommodation provider – as is usually the case for people released from prison).

They will then be eligible to claim Universal Credit. You should hand them the flier contained in **Annex E**. Specific guidance on financial support is attached at **Annex F**.

10. Transport

Transport is available to designated locations via PECS. It is not mandatory for prisoners to use this, but we would encourage take-up to avoid multiple unnecessary journeys and comply with the government's instruction to limit travel. The Contractor will deliver the prisoner to the address on their discharge licence or to the nearest reasonable drop off point if this is a residential property as all moves will take place in a cellular vehicle to maintain PHE guidelines on social distancing.

All cases falling into one of the categories set out in this instruction will be case managed by the on call Contract Delivery Manager (for contact details refer to the weekly GOLD Roster) whom in consultation with the prison and the Contractors Control/Service Centre will arrange transport. A minimum of three working days' notice should be allowed for planning purposes, but this can be a provisional booking, with final confirmation by 10:00 on the day before the transport is required.

Prisons should ensure that the prisoner is available for collection by the PECS contractor at midday (12:00pm). The PECS contractor will pick up from reception as per current IPT arrangements. Prisons are required to provide a PER for each prisoner who is handed over to the Contractors care.

Detailed guidance to prisons on the transportation by PECS of prisoners released under ECTR is included at **Annex I**.

11. Accommodation on release

You should work in collaboration with the Through the Gate (TTG) teams, who are operating in accordance with the new Exceptional Delivery Model (EDM) for both ROTL and TTG.

If an individual already has accommodation to be released to then, in accordance with the appropriate EDM, an assessment will be undertaken on its suitability and confirmation provided to you that it is appropriate for that individual to be released to that address.

Assessments should be made of the home/accommodation that the individual will stay at during ROTL to ensure that appropriate isolation (shielding) under NHS guidelines can be maintained and supported at all times including the provision of adequate food and appropriate space to sleep bed/cot equipment etc.

If an individual does not have identified accommodation to be released to, then in accordance with the appropriate EDM, the TTG Worker or Community Offender Manager will investigate options for securing temporary accommodation, which could include Bed & Breakfasts, hotels or hostels. In accordance with the appropriate EDM an assessment will be undertaken on its suitability and confirmation provided to you that it is appropriate for that individual to be released to that address. **Until confirmation of a suitable address has been received, then the individual must remain in custody.**

If the individual has an eligible social care need you will need to consider which local authority has a statutory duty to deliver and pay for their care upon their release. This will likely impact upon where accommodation must be secured for the individual to enable continuity of their social care package.

You should emphasise the importance of keeping regular contact with their TTG worker (for those in the last 12 weeks of their custodial term), and Community Offender Manager.

12. Reporting

Any releases under this guidance must be logged on NOMIS. The 'Reason' field should be completed with the 'Emergency Temporary Release – Preg/MBU' (ETR1) code for pregnant women and women with babies in MBUs, and 'Emergency Temporary Release – Vulnerable' (ETR2) for those who are extremely medically vulnerable as defined in the summary section on page one of this document.

If the prisoner subsequently breaches the emergency release licence/is recalled from emergency licence, please use either 'Breach of Emergency Temporary Release' (ETRB) or 'Recall from Emergency Temporary Release' (ETRLR). If recall is due to previous release in error please use 'Emergency temporary release rel in error' (ETRRIE).

It is critically important that the correct codes are used when logging releases so outcomes for these individuals can be tracked accurately through Gold Command and for ministers.

Prisons must ensure the prisoner's discharge address and postcode is entered under Offender Personal Details > Offender Address > Add address (address type 'discharge'). This is to help DWP ensure this cohort receive Universal Credit.

13. Licence revocation and return to custody

The OMU Hub should be notified of all breaches. They will initiate a revocation review within 24 hours of the transgression, including consultation with the local Governor, to reach a decision on whether to revoke.

If the decision is to revoke, you should work with the OMU Hub to:

- Notify the local Police Force by phone
- Send a scanned copy of the ROTL Licence, the detention warrant and the template letter at **Annex H** to the Police, using an agreed functional mailbox.

The nearest local prison will be identified and subject to available capacity, arrangements will be made for PECS to transport the prisoner to the prison.

14. Failure Review

Failures should be reviewed in line with ROTL Failure procedure set out in the ROTL Policy Framework.

15. ANNEX A - Prioritisation

All of the in-scope cases are urgent and a review should be undertaken as soon as possible. Where resources are constrained, the list below – in combination with the clinical judgment of the prison health team – should be used to prioritise. Note that only those in the groups set out at the top of this document should be considered to automatically meet the threshold for consideration for compassionate ROTL (see 'Prisoners outside the 3 identified groups').

Priority 1: Extremely vulnerable People:

1. Solid organ transplant recipients.
2. People with specific cancers:
 - people with cancer who are undergoing active chemotherapy or radical radiotherapy for lung cancer
 - people with cancers of the blood or bone marrow such as leukaemia, lymphoma or myeloma who are at any stage of treatment

- people having immunotherapy or other continuing antibody treatments for cancer
 - people having other targeted cancer treatments which can affect the immune system, such as protein kinase inhibitors or PARP inhibitors
 - people who have had bone marrow or stem cell transplants in the last 6 months, or who are still taking immunosuppression drugs
3. People with severe respiratory conditions including all cystic fibrosis, severe asthma and severe COPD.
 4. People with rare diseases and inborn errors of metabolism that significantly increase the risk of infections (such as SCID, homozygous sickle cell).
 5. People on immunosuppression therapies sufficient to significantly increase risk of infection.
 6. Women who are pregnant with significant heart disease, congenital or acquired.

Priority 2: Those who are eligible for flu vaccination, pregnant or suspected pregnant

Eligible for flu vaccination includes those who:

- are 65 years old or over
- are pregnant
- have certain medical conditions defined on www.nhs.uk as follows:
 - *chronic (long-term) respiratory diseases, such as asthma (that requires an inhaled or tablet steroid treatment, or has led to hospital admission in the past), chronic obstructive pulmonary disease (COPD), emphysema or bronchitis*
 - *chronic heart disease, such as heart failure*
 - *chronic kidney disease*
 - *chronic liver disease, such as hepatitis*
 - *chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis (MS), a learning disability or cerebral palsy*
 - *diabetes*
 - *problems with your spleen – for example, sickle cell disease or if you have had your spleen removed*
 - *a weakened immune system as the result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy*
 - *being seriously overweight (a BMI of 40 or above)*

This list of conditions is not definitive. It is always an issue of clinical judgement.

Priority 3: Other underlying long-term conditions

Priority 4: Anyone else

16. ANNEX B – COVID 19 OMU Support Hub Details

The COVID19 OMU Support Hub has been established to support prisons and community probation teams with offender management tasks relating to the release of prisoners under the Covid-19 SPL and End of Custody Temporary Release (ECTR) arrangements, including;

- Technical Support
- Knowledge,
- Advice and guidance regarding HDC, ROTL, (inc. ECTR & SPL) and Bail.

The Hub will act as a single point of contact for OM related matters and will also serve the wider organisation by tracking and overseeing the safe release of risk assessed prisoners as part of the exceptional measures to manage the impact of Covid-19.

Hub Contact details

Location: 1st Floor, Edwards House, Edward Quay, Birmingham

[Redacted]

[Redacted]

Support with Compassionate ROTL/SPL queries is available from:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Support with PECS and PMU queries is available from:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Support with Electronic Monitoring queries is available from:

[Redacted]

17. ANNEX C – SPL (COVID-19) Licence

SPL (COVID-19) LICENCE

PROTECT - PERSONAL

[Establishment Name]
[Establishment Telephone Number]

Insert Picture here

Name:

NOMS No:

CRO No

Date of Birth:

Prison No:

PNCID No:

1. Under the provisions of Prison Rule 9/9A or YOI Rule 5/5A you are being released on temporary licence. Temporary release is not an entitlement but is at the discretion of the prison. Your temporary licence may be revoked at any time whether or not you have broken any of the terms and conditions of this licence. You must return to the prison immediately on revocation of your licence otherwise you will be unlawfully at large and subject to arrest by the police.

2. You must:

- (a) be of good behaviour and not behave in a way which undermines the purpose of the licence period;
- (b) not commit any offence;
- (c) comply with all current Government COVID-19 announcements, directions and guidelines;
- (d) keep this licence with you at all times throughout your release on temporary licence, and must provide it if requested to do so by a police officer or a probation officer;
- (e) reside at [address] between the hours of 7pm and 7am unless otherwise authorised by a variation to this licence;
- (f) not partake in gambling, or making payments for other games of chance;
- (g) not consume alcohol or enter any premises whose primary function is the sale and consumption of alcohol; ie pubs, club and bars. You may enter licenced premises such as supermarkets provided you do not purchase or consume alcohol;
- (h) not contact the media (including any person or place associated with broadcasting or publication), either directly or via a third party;
- (i) not upload, add or modify any material on any social networking site or internet chat-room, either directly or via a third party;
- (j) not take unauthorised controlled drugs or psychoactive substances;
- (k) not return to the establishment with any unauthorised articles;
- (l) not leave the United Kingdom; AND
- (m) comply with any electronic monitoring conditions which may be imposed at any time during the release as directed.

3. While subject to electronic monitoring, you must–

- (a) allow an electronic device to be fitted to your person, or if electronically monitored by another device, carry that device on your person at all times;
- (b) allow the installation of any equipment associated with electronic monitoring and/or install any electronic monitoring equipment provided to you as directed;
- (c) not damage or tamper with the electronic device or equipment associated with electronic monitoring;
- (d) ensure at all times that the electronic device is sufficiently charged;
- (e) immediately report to the prison or any person nominated by the prison if the electronic device or equipment associated with electronic monitoring is not working correctly;

(f) allow any person nominated by the prison to check whether the electronic device or equipment associated with electronic monitoring is working correctly.

4. If you remain at large after an instruction from the prison revoking your licence/recalling you has been made, you will be liable to arrest and may be excluded from further ROTL and transfer to open conditions further you may be charged for committing an offence under section 1 of the Prisoners Return to Custody Act 1995.

Additional Conditions

Contact:

[Redacted]
[Redacted]

Signed: _____ Role : _____
Date: _____
for the Secretary of State for Justice

This licence has been given to me and its requirements have been explained.

Name:

Signed:

Date:

SPL ROTL – Pregnant, MBU, Vulnerable Offenders

Eligibility Process - Prisons

List of potentially eligible individuals provided to prisons, based on NHS and NOMIS data.
Prisons should also identify locally any others who meet the criteria.

Prisoners excluded if:

- Category A and Restricted Status
- Those held on remand or committed for trial
- Some Deportees
- Extradition and International Criminal Court cases
- Unacceptable risk of reoffending or failing to comply with conditions
- Those so close to the beginning of their sentence that it would undermine the administration of justice to ROTL them
- Have reoffended on ROTL and it would undermine the administration of justice to ROTL them.

Risk Assessment - Prison

Prisoner invited to apply for ROTL
Completes application form, including any exceptional circumstances that apply in their case

Check if Restricted or Standard ROTL applies
Only Open & Women's prisons can grant Restricted ROTL, with some limited exceptions (see guidance)

ROTL Screening Check
Prisons identify eligibility and consider risk and any exceptional circumstances to identify who needs full risk assessment.
Where decision is not to proceed, prisoner must be informed, OMU Hub informed, and full justification for decision recorded locally.

Risk Assessment and Home Circumstances check
Prison carries out SPL risk assessment process, including:
Consultation with community offender manager.
Input from local Security Department, Police & Other agencies (including Children's services) as required.
Liaise with Victim Liaison Officer for any necessary conditions.

Accommodation
Where no accommodation is available work with local TTG team to investigate options for temporary accommodation.

Health Assessment
Prisons and TTG team to consider ongoing healthcare and medication needs, including adult social care arrangement.
Referral to a GP and local maternity unit.

ROTL Board makes recommendation. Governor takes (provisional) decision to allow or decision to not allow ROTL and report this to OMU Hub

OMU Support Hub

A COVID-19 Central Offender Management Hub is being mobilised to provide support to establishments.
Hub can provide support on risk assessments where necessary.

Additional Clearance
For all three cohorts – pregnant women, prisoners with their baby in custody and the extremely medically vulnerable – prisons are required to seek additional clearance, via the OM Hub, from the Deputy Director Prisons before a release is confirmed.
Hub will seek national security input where relevant.

Recording Decisions
The outcome of ALL decisions, whether to release or not, must be sent to the OMU HUB and the full justification recorded locally.

Ministerial Oversight

Advanced sight by Lord Chancellor
Recommendations of the Deputy Director Prisons will be provided to the Lord Chancellor.

Additional information provided as required.

Deputy Director of Prisons provides clearance via the OM Hub that the prisoner may be released. Prison follows normal release processes.

For assistance and advice
Covid-19 OMU Support Hub
0121 728 3981
Covid19-OMU-Support@justice.gov.uk

19. ANNEX E - Claiming benefits on your release – advice from 6 April

On release, you should make your claim online as soon as possible

- **Input your claim online** <https://www.gov.uk/apply-universal-credit>
- You will then have an interview over the phone
- Your personal details will be verified
- You will be supported with applying for an advance

If you don't have access to or are not able to use a smartphone or computer:

Call 0800 169 0345

- We will input your claim over the phone
- Verify your personal details
- Support you with applying for an advance

For all new claims you will need:

- Release licence number if applicable
- Bank account details (If you don't have your own account you may use a trusted friend or family member's account as a one-off)
- Details of your accommodation, including any housing costs

If you do not have access to a smartphone, computer or telephone you may still be able to get support in the Jobcentre but we strongly advise that you try to make your claim online or by phone if possible

Jobs available – there is significant demand for agricultural workers, warehouse and retail workers. Go to www.findajob.dwp.gov.uk

If you are **over pension age** you may need to claim Pension Credit - call the application line on **0800 99 1234**

You must stay at home, self-isolate and contact us online or by phone if you have:

- **been confirmed as having Coronavirus**
- **Or have medical condition which places you at very high risk of severe illness** from coronavirus

Or have

- **a high temperature** – this means you feel hot to touch on your chest or back (you do not need to measure your temperature)
- **a new, continuous cough** – this means coughing a lot for more than an hour, or 3 or more coughing episodes in 24 hours (if you usually have a cough, it may be worse than usual)

20. ANNEX F - Financial Support for Release on Temporary Licence during COVID-19



ROTL Financial
support guidance (A

21. ANNEX G - NHSE Guidance for medicines and pharmacy service continuity



NHSE COVID-19
guidance for medici

22. ANNEX H - Licence Revocation and Return to Custody



Annex - license
revocation notificati

23. ANNEX I - Guidance for prisons on booking PECS transport for releases under ROTL



Prison Guidance -
Pregnant MBs & Vul