

# Enforcing sentences and managing offenders

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Police officers may assist in enforcing the sentences given to offenders, managing their experiences of the criminal justice system following non-custodial sentencing, and preventing further crime being committed by existing and potential offenders. Enforcement is supported by a number of key national organisations which assist the police service, and offender management is strengthened by the integrated offender management (IOM) approach.

## Enforcement

The duty to enforce punishment is supported by different processes and shared by a number of national organisations.

## Warrant management

Arrest warrants can be issued by either a magistrates' court or a crown court. They are usually for:

- breaching court conditions
- failing to appear at court in answer to bail from an earlier court hearing – if a defendant over the age of 18 years who has pleaded not guilty does not appear in court without good reason, and is found guilty by the court in his/her absence, the court can pass sentence and/or issue a warrant of arrest

Approved enforcement agencies and court enforcement officers (CEOs) were created to ensure that arrest warrants are managed effectively. CEOs are empowered to execute arrest warrants in circumstances of failure to appear and breach of (some) bail conditions. This secures the attendance of the defendant in court.

For further information see:

- [Police and Criminal Evidence Act 1984, s 17\(1\)\(a\)](#) and [s 117](#)
- [Police and Criminal Evidence Act 1984, Code A](#) and [Code B](#)

## His Majesty's Courts and Tribunals Service

This is an executive agency of the Ministry of Justice. It is responsible for the administration of the criminal courts in England and Wales, and has a remit to provide speedy access to justice for all who are party to criminal proceedings. His Majesty's Courts and Tribunals Service (HMCTS) has the following resources to carry out enforcement activities.

For further information see:

- [His Majesty's Courts and Tribunals Service](#)
- [Sentencing Council](#)

### Court enforcement officers

The duties of CEOs include enforcing magistrates' court orders (which may require them to execute warrants of arrest, committal and detention), warrants for the collection of unpaid rent and/or, for example, instructing bailiffs to seize and sell an offender's goods to recover outstanding debts.

### Traffic enforcement centre

The traffic enforcement centre (TEC) is a registration point for local authorities that have decriminalised on-street parking charges. Vehicle emission penalties, London road user charging (congestion charging) and bus lane encroachment penalties for London boroughs are also recovered through the TEC.

## National Offender Management Service

The National Offender Management Service (NOMS) is an executive agency of the Ministry of Justice. It was created to protect the public and reduce reoffending by combining the headquarters of the National Probation Service and His Majesty's Prison Service.

Responsibilities include:

- providing end-to-end management of an offender, from first contact with the correctional services to full completion of the sentence, whether in a custodial or community setting

- managing the prison population, including providing prisoner escorting and custody services, and maintaining the existing estate and building prison capacity
- providing secure accommodation places and attendance centres for young people, as commissioned by the Youth Justice Board (YJB), and services to immigration detainees commissioned by the UK Border Agency (UKBA)
- running public sector prisons (individual public sector prisons are managed through [service level agreements](#), agreed between directors of offender management in NOMS and governors – private sector prisons operate under contract to NOMS)

For further information, see the [National Offender Management Service website](#).

## National Probation Service

The National Probation Service has a statutory duty to supervise offenders in order to reduce reoffending and to protect the public.

Probation trusts supervise convicted offenders released from prison on licence, and those on community sentences made by judges and magistrates in the courts. Their role is to ensure that offenders comply with community sentences and to initiate breach proceedings at court.

There are 35 probation trusts across England and Wales. Trusts receive funding from NOMS, to which they are accountable for their performance and delivery.

The National Probation Service has a statutory duty to provide services to victims (or their families) of sexual or violent offences where the offender has received a [custodial sentence](#) of 12 months or more or, in the case of mentally disordered offenders, where certain hospital orders have been made.

For further information see [National Probation Service](#).

## His Majesty's Prison Service

His Majesty's Prison Service (HMPS) keeps in custody those committed by the courts. Its role is to hold prisoners securely, reduce the risk of prisoners reoffending and to provide safe and well-ordered establishments.

For further information see [HMPS](#).

## Parole

When someone is released from prison on parole, they are supervised by an offender manager. On release they are given a copy of their parole licence with all the conditions they need to adhere to.

For further information see:

- [A Quick Guide to Parole](#)
- [Meeting your offender manager](#)
- [National Offender Management Service](#)

## Recall

A person on parole can be recalled if they do not keep to the conditions of their licence, and can be returned to prison. They can be recalled if:

- they commit or are charged with another crime
- their behaviour leads their offender manager to think they might be about to commit another crime, for example, they start drinking heavily, or are often violent when drunk
- they break their licence conditions

The length of time a prisoner who has been recalled will have to serve in prison depends on the type of recall they are subject to. There are three types of recall. Prisoners are given the reasons for their recall along with the opportunity to make representations to the parole board.

### Fixed term recall

The duration for this is a fixed period of 28 days. Prisoners are eligible for this unless they:

- are serving a sentence for a violent or sexual offence
- are serving an extended sentence
- have been recalled before on the same sentence
- were recalled before their automatic release date, having been released early under the home detention curfew scheme or on compassionate grounds

### Standard recall

This applies to prisoners not eligible for a fixed recall because:

- they are serving a sentence for a violent or sexual offence
- they are serving an extended sentence
- it is felt they are too much of a risk to be eligible for a fixed term recall

This type of recall can result in the prisoner remaining in custody until the end of their sentence, or until the parole board deems them suitable for release.

### **Emergency recall**

This is when a prisoner is eligible for standard recall, but their risk of harm or risk of reoffending is considered too serious to warrant release.

The recall notice comes to the police from NOMS. It is subject to strict timescales for action to ensure that dangerous offenders are prioritised and recalled and that the public are protected. The timescales vary, depending on the type of recall.

## **Parole board**

The parole board is an independent body that works with its criminal justice partners to risk assess prisoners and decide whether they can be safely released into the community. It handles the release and recall of prisoners where the sentence has an intermediate aspect.

For further information see [Parole Board – About us](#).

## **Revocation**

The National Probation Service can request that a licence be revoked. Revocation is decided on and undertaken by the relevant section in NOMS, acting on behalf of the secretary of state.

## **Youth Justice Board**

The Youth Justice Board for England and Wales (YJB) is an executive non-departmental public body. Its board members are appointed by the Secretary of State for Justice. The YJB:

- oversees the youth justice system in England and Wales

- works to prevent offending and reoffending by children and young people under the age of 18 years
- ensures that custody for them is safe and secure
- addresses the causes of their offending behaviour

For further information see [About the YJB](#).

## Offender management

The primary purpose of the integrated offender management (IOM) approach is to reduce reoffending and cut crime.

IOM is an umbrella term for a set of principles that were inspired by the success of the work of the:

- prolific and priority offender (PPO) scheme
- drug interventions programme (DIP)
- multi-agency public protection arrangements (MAPPA)
- neighbourhood policing teams

All offender management approaches support the police to work in multi-agency partnerships in local areas, and to facilitate the joint management of specific cohorts of offenders within communities.

For further information see:

- [Prolific and priority offender scheme](#)
- [Drug interventions programme](#)
- [Association of Chief Police Officers \(ACPO\) \(2010\) Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders, second edition, version 2](#)

## Integrated offender management

IOM does not replace pre-existing offender management arrangements but provides a structure that embraces existing programmes and approaches. For example, within an IOM approach, the PPO scheme will remain appropriate for those offenders who need the most intensive management, and drug misusing offenders will continue to be managed through DIP, with the most non-compliant referred for consideration as PPOs.

This approach forges and extends joint identification and assessment, offender management, and information sharing frameworks for those offenders in the community who present a high risk of reoffending. It can also be applied to other cohorts of offenders as prioritised locally.

## Key principles

These are:

- all partners tackling offenders together
- delivering a local response to local problems
- offenders accepting their responsibility or facing the consequences
- facilitating better use of existing programmes and governance
- that they include all offenders (according to local priorities) at high risk of causing serious harm and/or reoffending in scope

By understanding what triggers an individual to commit crime, police officers can work with partners such as the Jobcentre, NHS and the local authority housing departments to help rehabilitate offenders and prevent reoffending.

For further information, see [Home Office \(2010\) Integrated Offender Management: Key Principles](#).

## Operational principles

These are:

- extending the reach of community supervision
- multi-agency problem-solving
- offender rights and responsibilities
- offender management and continuity and consistency
- clear partnership governance

## Offender focus

Taking police crime intelligence and NOMS probation and prison data as a starting point, IOM schemes target the offenders of most concern or risk to the community. Local public, private, voluntary and community sector partners take a multi-agency problem-solving approach by focusing on those offenders.

In existing schemes this usually results in joint tasking and migration meetings and risk assessment arrangements. The offender focus helps to improve the management of the offender at all stages of their offending journey.

## Process

In the process of managing these offenders, it is important that IOM schemes enforce and achieve compliance from offenders by sharing intelligence and taking swift police and partnership action, along with providing rehabilitative services. IOM schemes provide offenders with a clear understanding of what is expected of them and what they can expect in return if they are compliant.

The aim is to motivate offenders to change, brokering and sequencing the provision of services across agencies via the mapping of offender pathways to address their behaviour and relevant lifestyle factors.

This also achieves cost benefits, as delivering services in a rational sequence is more likely to work first time, rather than failing through not managing to take account of chaotic lifestyles or addictive behaviours.

## Other multi-agency structures

A number of other multi-agency structures are linked to public protection.

### Crime and disorder reduction partnerships

Crime and disorder reduction partnerships (CDRPs), referred to as community safety partnerships (CSPs) since April 2010, were developed as a result of the [Crime and Disorder Act 1998](#) to ensure the Act was implemented, and to reduce crime and disorder by bringing together agencies and communities to help tackle local problems.

The 1998 Act places a duty on responsible authorities (RAs) to work with other agencies and organisations to tackle crime and disorder. The RAs are listed in [s 5\(1\)](#) of the Act as:

- the chief officer of police
- local authority
- police and crime commissioners
- the fire and rescue authority
- primary care trust

- health authority

The RAs are required to work in cooperation with the bodies listed in [s 5\(2\)](#) of the Act. This includes local probation boards.

## Community safety partnerships

In some areas CSPs (formerly known as CDRPs in England) have been formed to incorporate various multi-agency partnerships, including drug action teams (DATs) or drug and alcohol action teams (DAATs). These partnerships can maximise resources, improve linkages and reduce bureaucracy.

DATs and DAATs bring together representatives of local agencies involved in delivery of the [national drug strategy](#), such as health services, adult and children's social care, police, probation services, local education authorities, youth services, social housing providers and voluntary sector service providers. They commission services, monitor and report on performance and communicate with stakeholders.

Another example is the National Association for the Care and Resettlement of Offenders (NACRO), which is a crime reduction charity for England and Wales. It focuses on prevention, offender management and resettling prisoners.

For further information see [NACRO](#).

## Domestic abuse partnerships

These include domestic abuse forums and domestic abuse multi-agency risk assessment conferences (MARACs).

Domestic abuse forums are multi-agency partnerships that fulfil a number of roles including local policy advice, media campaigns, initiating multi-agency projects and providing or applying for funding and facilitating networking of practitioners.

The role of MARACs is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety. Information is shared in order to identify victims of domestic abuse who are at a high risk of harm.

For further information see [MARAC frequently asked questions \(safelives.org.uk\)](#)

## Sexual abuse partnerships

Examples of sexual abuse partnerships include sexual assault referral centres (SARCs) and Rape Crisis Centres.

SARCs are single sites with facilities for a high standard of forensic examination. Here, victims can receive medical care and counselling while assisting the police investigation. SARCs are usually provided by a partnership including the local police force(s) and health services, with close involvement of the specialist sexual violence services.

Rape Crisis Centres provide specialist services for women and girls who have been raped or who have been subject to other forms of sexual violence.

For further information see:

- [sexual assault referral centres](#)
- [Rape Crisis Centres](#)

## Local safeguarding children boards

As a result of the Children Act 2004, every local area must have a local safeguarding children board (LSCB). LSCBs replace the former structure of area child protection committees.

For further information see [Working Together to Safeguard Children](#).

## Tags

Case management