



Criminal Justice and Courts Act 2015

2015 CHAPTER 2

PART 1

CRIMINAL JUSTICE

Release and recall of prisoners

8 Recall adjudicators

(1) After section 239 of the Criminal Justice Act 2003 insert—

“239A Recall adjudicators

- (1) In this Chapter, “recall adjudicator” means a person for the time being appointed as such by the Secretary of State.
- (2) The Secretary of State may appoint the Board or another person.
- (3) The Secretary of State may, in particular, appoint a person—
 - (a) to carry out all or only some of the functions of a recall adjudicator;
 - (b) to carry out such functions only in relation to a specified area;
 - (c) to carry out such functions only in relation to a specified description of case.
- (4) The Secretary of State may make rules with respect to the proceedings of recall adjudicators.
- (5) The Secretary of State may appoint a recall adjudicator (referred to in this section as “the chief recall adjudicator”) to oversee the activities of recall adjudicators.
- (6) The chief recall adjudicator may, in particular—
 - (a) issue guidance with respect to the carrying out of the functions of recall adjudicators, and

Status: This is the original version (as it was originally enacted).

- (b) make recommendations to the Secretary of State about the termination of appointments under this section.
 - (7) Before issuing guidance the chief recall adjudicator must consult the recall adjudicators and the Secretary of State.
 - (8) A recall adjudicator must carry out his or her functions in accordance with guidance issued from time to time by the chief recall adjudicator.
 - (9) The Secretary of State may make payments to a recall adjudicator.
 - (10) A person is not to be regarded as acting on behalf of the Crown, or as enjoying any status, immunity or privilege of the Crown, by virtue of an appointment under this section.”
- (2) The amendments of Chapter 6 of Part 12 of the Criminal Justice Act 2003 (release etc of fixed-term prisoners) in section 9 of this Act confer functions on recall adjudicators in connection with the release of fixed-term prisoners following their recall.
- (3) Schedule 3 to this Act contains further provision relating to recall adjudicators.