

---

STATUTORY INSTRUMENTS

---

**2008 No. 1216**

**The Criminal Justice (Northern Ireland) Order 2008**

PART 2

SENTENCING

CHAPTER 4

RELEASE ON LICENCE

*Recall after release*

**Recall of prisoners released early under Article 19**

**30.**—(1) If it appears to the Secretary of State, as regards a person released on licence under Article 19 (“P”)—

- (a) that P has failed to comply with any condition included in the licence, or
- (b) that P’s whereabouts can no longer be electronically monitored at the place for the time being specified in the curfew condition included in the licence,

the Secretary of State may, if the curfew condition is still in force, revoke the licence and recall P to prison under this Article.

(2) P—

- (a) shall, on returning to prison, be informed of the reasons for the revocation and of the right conferred by sub-paragraph (b); and
- (b) may make representations in writing with respect to the revocation.

(3) The Secretary of State, after considering any representations under paragraph (2)(b) or any other matters, may cancel the revocation of P’s licence under this Article.

(4) Where the revocation of P’s licence is cancelled under paragraph (3), P is to be treated for the purposes of Article 19 as not having been recalled to prison under this Article.

(5) On the revocation of P’s licence, P shall be—

- (a) liable to be detained in pursuance of P’s sentence; and
- (b) if at large, treated as being unlawfully at large.