

# UNGRIPP

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## BRIEFING

### The latest picture on IPP and problems with the Government's approach

#### What did the Justice Select Committee inquiry on IPP recommend?

The JSC inquiry into IPP recommended a resentencing exercise for everyone serving IPP, carefully planned by an expert group and adhering to three principles:

- a) preserving judicial independence.
- b) ensuring nobody received a worse sentence than IPP.
- c) balancing public protection with justice.

They made 21 other recommendations, but were clear that the only adequate solution was resentencing.

A second key recommendation was to reduce the waiting period for licence review from ten years to five. Presently, people first released from prison ten or more years ago should be automatically referred to the Parole Board for a review of their IPP sentence, with the potential for it to be lifted.

#### What did the Government say?

The Government rejected the recommendations to resentence, and reduce the licence review period.

Instead, it committed to a number of procedural fixes, including a new IPP action plan, better mental health and psychological services, and an HMI Probation review of IPP recalls.

#### How do the Government's claims about IPP stack up?

*The Government claims that the number of people serving IPP in prison is expected to reduce in the coming years.*

*The evidence shows:*

**The prison population is up.** The downward trend in the number of people serving IPP in prison has reversed for the first time since its abolition.

**Releases are down.** And people are spending longer in prison on recall.

**Recalls are up.** The recalled IPP population is steadily going up. The Government used to produce forecasts of the recalled IPP population. In the last forecast, they did not include the number of people being recalled on IPP. They know what's going to happen.

**It's harder to get out.** In June 2022 the Justice Secretary introduced a new policy making it much harder for people serving indeterminate prison sentences to be moved to open prison conditions. Before the new policy, 94% of Parole Board recommendations for a transfer to open prisons were accepted. Since the new policy, it has dropped to 13%.

*The Government claims that: they 'recognise not having a release date can be unsettling'.*

*The evidence shows:*

**Suicides are up.** Nine people serving IPP killed themselves in custody in 2022 – the highest number since the sentence was introduced. One was Ryan Jewell, who wrote 'free' on his chest before taking his own life.

**And they are sentence-related.** We are aware of at least four self-inflicted deaths since the Government rejected the JSC report. At least two have indicated the role of their sentence in their pain.

**IPP is political.** In April, a man on an IPP scaled the roof of HMP Manchester and wrote ‘FREE IPPZ’.

**IPP ruins lives.** Dozens of media interviews, personal accounts, collective testimonies, and published research studies have shown the link between serving an IPP sentence and deteriorating mental health, suicidality and loss of hope, for people serving IPP and their families.

*The Government claims that: resentencing people serving IPP is not acceptable because it could lead to the release of dangerous people without oversight by the Parole Board.*

*The evidence shows that:*

**‘Dangerous’ is a shaky label.** The Government itself acknowledges that IPP was abolished because it was applied ‘too widely and inconsistently’. This casts doubt on the assumption that serving an IPP accurately equates to dangerousness.

**Mass release can be avoided.** The JSC are well aware of the risk of mass release. That is why they recommended convening an expert group to carefully plan a resentencing exercise, around three principles that include balancing justice with public protection. The risk of mass release is a solvable issue.

**Experts think it can be done.** The Government did not refer in any way to the recommendation to form an expert group. But 138 multidisciplinary criminal justice experts

wrote to the Justice Secretary endorsing a carefully planned resentencing exercise.

*The Government claims that: reducing licence review period is not acceptable because it is an important tool in public protection and reintegration support.*

*The evidence shows that:*

**Most people on licence do fine.** The number of people serving IPP recalled is around 5% of all people serving IPP on licence at any one time.

**Nobody seriously reoffends after five years.** The number of serious further offences (SFOs) committed by people serving IPP on licence since 2009 is 47 - and over three quarters are committed within two years of release. No SFOs have been committed by people serving IPP for more than five years on licence.

**Women don’t need an IPP licence.** No SFO has ever been committed by a woman serving IPP.

*The Government claims that: automatic eligibility for licence reviews provides a pathway out of IPP.*

*The evidence shows that:*

**Reviews are not happening.** At September 2022, 502 people were eligible to have their licence reviewed, but 61% had not had a review.

1 [Ministry of Justice \(2023\). Offender management statistics quarterly: July-September 2022. Prison population spreadsheet Table 1.9a.](#)

2 *ibid.* Releases spreadsheet. Table 3.1.

3 Licence recalls spreadsheet. Table 5.11 (n 1).

4 Table 1.9b (n 2).

5 [Ministry of Justice \(2023\). Prison population projections. Cf. 2022-2027 and 2021-2026.](#)

6 [Secretary of State's Directions to the Parole Board 2022.](#)

7 [Prison Reform Trust \(2023\). Bromley briefings prison factfile. January 2023 \(p. 4\).](#)

8 [Ministry of Justice \(2023\). Safety in custody quarterly: Update to September 2022. Deaths in prison custody 1978 to 2022 spreadsheet. Table 1.6.](#)

9 [Liverpool Echo 16 November 2022. ‘Model prisoner’ wrote ‘free’ on stomach before taking own life after jail move refused.](#)

10 Personal communications to UNGRIPP.

11 [Manchester Evening News 12 April 2023. Strangeways protestor daubs FREE IPPZ on the roof.](#)

12 See UNGRIPP's [media archive](#), [reports archive](#) and [research archive](#).

13 For a review of IPP and mental health see [this review](#) submitted to the Justice Select Committee.

14 [Home Office \(2023\). Imprisonment for Public Protection: Police, Crime, Sentencing and Courts Act 2022 factsheet.](#)

15 For the JSC discussion of resentencing concerns and solutions, see sections 148, 149, 152, 154 and 156 of [their report](#).

16 Letter seen by UNGRIPP. Signatories included psychologists, psychiatrists, criminologists, legal scholars, former Probation Officers, former prison Governors, several professional bodies and a former Director-General of the Prison Service.

17 Figure derived from expressing the number of people recalled in a quarter with the total number of people on licence at the end of that quarter. Assembled from various FOIs and available on request.

18 For context, since 2014-15 (when SFOs began to be routinely recorded), there have been 2,165 convictions for SFOs.

19 [FOI 210721007.](#)

20 *ibid.*

21 N 19.