
**Third Report of the Justice Committee, IPP Sentences,
HC 266, and the Government response, HC 933*****Westminster Hall debate | Howard League Briefing | 1.30pm Thursday 27 April 2023***

The Howard League for Penal Reform is a charity working for less crime, safer communities and fewer people in prison. Established in 1866 and named after the prison reformer John Howard, the charity was at the forefront of the campaign to abolish capital punishment and helped to create the probation service. Today, through research, campaigning and legal work, and with the support of our members, including members in prison and their families, we promote solutions that deliver better justice and minimise the harms of prison, for prisoners, victims and society at large.

Background

Imprisonment for Public Protection (IPP) sentences are indeterminate sentences, designed to detain anyone who poses a significant risk of causing serious harm to the public through further offences. Once the IPP tariff is served, the prisoner is only released when the Parole Board is satisfied that they are no longer dangerous and can be detained indefinitely if they are not deemed to be safe. Those serving IPPs are released on licence and can be recalled to prison if they break any of their conditions. They may apply for their license to be terminated by the Parole Board after they have spent 10 years in the community.

The Howard League has opposed IPP sentences since they were first introduced in 2005, warning that they could create a bureaucratic nightmare that would haunt successive governments. IPPs were abolished in December 2012, but the sentence continues to devastate lives a decade on. The change was not applied retrospectively and, [as of 31 December 2022](#), 2,892 people are still serving IPP sentences.¹

Key stats

There are 1,394 unreleased IPP prisoners in custody in England and Wales, and 1,498 recalled in custody – mostly for administrative breaches. Of those unreleased on IPP sentences, 98 per cent have served beyond their tariff, with 42 per cent serving four years or more past their tariff expiry date. In the second quarter of 2022, 25 per cent of those recalled on an IPP sentence were facing further charge and 75 per cent were recalled for non-compliance.

Wellbeing of IPP cohort

The sense of hopelessness caused by IPP sentences is causing higher levels of self-harm and suicide within the cohort. In 2021, those serving indeterminate sentences made up 11 per cent of all self-harm incidents [recorded](#), despite only making up three per cent of the entire prison population.

The psychological impact of IPP sentences has also been highlighted in the Justice Committee's [inquiry](#) into mental health. In their [report](#) into IPPs the committee found "*suicidal thinking and suicide attempts featured frequently in the testimonies of those serving the IPP sentence in prison, with many citing the sentence itself as a major contributory factor.*" In

¹ Note that the Ministry of Justice will be publishing updated quarterly statistics on the day of the debate.

evidence to the committee, the Howard League highlighted a large number of people serving IPP sentences who are seriously unwell and have either become stuck in hospital or should not be in prison.

Justice Committee's IPP recommendations

The Justice Committee carried out an inquiry into IPPs and published a [report](#) in September 2022 which concluded that not enough had been done to reduce the IPP prison population. It recommended the government introduce legislation reducing the qualifying period for terminating a licence from 10 years to five and resentence all people subject to IPP.

In February, the government stripped hope from thousands of people by rejecting these sensible and practical recommendations. This decision attracted strong criticism from MPs and Peers on both sides of the House and key prison reform organisations. HM Prison & Probation Service had committed to publish a revised action plan for those serving IPPs by 31 March 2023. To date, this has not been published.

Case studies

- The Howard League recently heard from a man who had been kept in prison for more than five years after the tariff period of his IPP sentence. When he was eventually released, he managed to turn his life around: he found secure employment, bought a house, and got engaged. Yet after years in the community, he lost the future he had built for himself because of an administrative recall;
- On a similar vein, the Howard League has been approached in prisons by men who have been recalled for administrative breaches three and four years after release respectively, despite having secured successful work – in one case setting up a business employing 12 people – and building families in their communities. They are now back in prison with no sense of what it will take to get out;
- The Howard League has also recently been in touch with a man originally sentenced to an IPP with a minimum tariff of two years and seven months. At the time, it was suggested he would either be issued an IPP sentence or an indeterminate sentence of three years. Seventeen years later, he remains in prison despite having taught himself to read, completed every single course available to him (57 in total) and had no problems with violence.

These individuals and their families are rapidly losing hope. Unfortunately, they are not exceptional cases and the Howard League hear similar stories regularly.

Key outcomes

The Howard League believes **the new Justice Secretary must reverse the previous decision to reject the Justice Committee's recommendations on IPP sentences**. It should particularly reconsider recommendations around introducing legislation reducing the qualifying period for terminating a licence from 10 years to five and resentencing all people subject to IPP.

When the Howard League [surveyed](#) prison governors about IPPs in 2013, 42 per cent were dissatisfied with their job because they could not adequately support prisoners on IPP. Immediate measures should be introduced to support those on indeterminate sentences, including increasing the regularity of health checks and improving the quality and provision of pastoral care. Legislation should also be changed to prevent people who have safely reintegrated into communities from being recalled.

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