## Joint letter from 100 civil society figures opposing the indeterminate sentence for public protection

To The Rt Hon Dominic Raab, Secretary Of State For Justice.

This joint letter has been endorsed by a broad coalition of experts, and society comity, organisations and campaigners opposing the indeterminate sentence for the protection of the public (IPP).

We the undersigned have come together to oppose the indeterminate sentence for public protection, we ask that you consider the options below for change to the IPP sentence

- A) Resentence all IPP prisoners.
- B) Release all IPP prisoners on a licence more suited to the index offence. In order to ensure that all prisoners are released with the help and support of probation services, community mental health care, housing support and housing accommodation. Help former IPP prisoners to get into employment and gain much needed support from the DWP while looking for work and access to drug and alcohol support services through NHS services. Ensure these prisoners have support to reintegrate them back into society and that the support helps give them a chance to become law abiding members of the community.

Like other life sentences, the IPP is divided into two points: The judge decides how many years a person must spend in prison as punishment for the crime they committed (known as a tariff) once that time is served, they may apply for release.

They must then serve a licence for the rest of their life. The licence includes restrictions on where they live, who they see and where they go.

Tariffs were set based on how many years imprisonment a person would receive before the IPP sentence was introduced - because it covered so many crimes - many not serious - tariffs were often very short - the shortest tariff was 28 days.

The tariff was followed by the continued confinement in the interest of public protection.

There is no guarantee that a person serving IPP will ever be released from prison after they have served their tariff. The parole board must decide that they are no longer dangerous and unlikely to commit another offence.

Almost nobody serving an IPP has been released on their tariff date. On 30 June 2022, there were 1,492 people serving an IPP sentence who had never been released from prison. 97% of these people were past their tariff date. 73% of those have served 5 or more years over tariff. 608 people had been in prison for more than 10 years over their tariff, including 10 people whose tariff was less than one year. There were a further 1,434 people subject to IPP sentences who were in prison having been recalled to custody. This was 8% higher than the previous year.

Even once released, if a person with an IPP breaks the terms of their licence, they can be returned to prison indefinitely and may never be released.

The fundamental difference between an IPP sentence and a sentence of a set number of years in prison is that (after serving time) the IPP sentence keeps people in prison based on what they might do in future, rather than what they have done in the past. It relies on professionals predicting the future accurately.

How Does The IPP Sentence Work The sentence was supposed to deal with the most dangerous people in society. It was supposed to give them long enough in prison to access help to change their behaviour and stop committing crime. The IPP sentence has not achieved this goal.

1) The sentence loses sight of Justice.

By sentencing so many people with so many different offences to the same sentence, the principles of proper punishment are lost. This can lead to people convicted of very serious offences often serving the same number of years as people convicted of less serious offences, based on whether they are considered rehabilitated. Many people who were given the IPP sentence themselves as well as the general public, have indicated that the principles of proportionality is important.

2) Too many IPP sentences were given out.

When the IPP sentence was planned, the Government predicted around 900 people would receive it. It was actually given to more than 8,000 people altogether, including over 1,500 in the first two years. Prisons were not prepared to receive this many people with no release date.

3 )People did not appreciate how serious the sentence was.

In the early years, people who were given the IPP and criminal Justice system alike could not take in that there really were so many life sentences being given to so many people, for so many crimes. This meant the sentence was badly managed, and those serving the IPP were clear about what was expected of them. Even the minister who introduced the IPP sentence, David Blunkett, now campaigns for its abolition.

4) Not enough help was available.

Prisons did not have enough rehabilitation services available to help those given IPP to deal with the problems behind their crimes. That meant they were still assessed as dangerous when they came up for parole, and so stayed in prison much longer. Together this toxic psychological mix makes it very difficult for people serving the sentence to do what is expected

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of them. The sentence produces psychological conditions which makes its goals almost impossible.

5) Prison is not the best place for change.

Studies show that rehabilitative programmes are less effective when delivered in prison - change happens best under conditions of psychological safety and security- prison is overcrowded and dangerous. People serving the IPP report that their sentence makes them more vulnerable in prison, because other prisoners know they have more to lose by misbehaviour.

Studies show three psychological effects of IPP Sentence:

6) The sentence is psychologically toxic.

Anxiety, despair and a deep sense of injustice.

This is consistent with what we know about human behaviour.

Not knowing what will happen, or feeling like relief from distress will never happen, both reduce our sense of control over our lives. In the most extreme cases, people resort to self-harm or suicide. The self-harm and suicide rate for those serving IPP is higher than those of other prisoners.

Additionally, those who were given an IPP knew the sentence was banned, and that in most cases, their sentence is disproportionate. We know that if people feel unfairly treated, they are less likely to comply with the law. The remaining people serving the IPP sentence feel so unfairly treated by the system, that they find it difficult to cooperate with the help that is now offered "A requirement for their release".

7) We cannot predict the future.

We cannot predict the future. The IPP sentence relies on professionals being able to predict accurately whether someone will reoffend. But the best avoidable methods only predict reoffending with around 70 % accuracy, and no study has examined how accurately reoffending by those given an IPP can be predicted. The unique circumstances of the sentence may mean that current production models do not work so accurately.

8) The sentence damages people and their families.

10 Reasons Why The Sentence Is Not Working It is by professionals that IPP has produced a legacy of mental health problems. Being in prisons for an uncertain length of time, and relying on Judgements about an uncertain future, is traumatic, and damaging 73 people with an IPP have killed themselves. The sentence also damages family members. Studies have shown that the family members of those given IPP suffer financial and emotional strain, hopelessness and loss of faith in the justice system. Some children of IPP prisoners show separation, anxiety, emotional distress and behavioural problems.

## 9) Licences are not working.

When those who have been given an IPP sentence do get released, they are getting recalled to prison at a higher rate than those other released prisoners. This is not because they are offending at a greater rate, but because they are struggling to comply with their licence conditions. This is often because of problems that pre-dated prison, such as drugs and homelessness. The probation service has had its budget cut dramatically in the last 10 years, making it difficult for them to help those serving an IPP cope with the damaging legacy of their sentence. Many were imprisoned as teenagers and are released in their mid 30s, which makes learning to live as an adult especially difficult.

10) There is no evidence that sentences like the IPP are effective.

IPP is not the first sentence of its kind. Other sentences, in both the UK and other countries, have been used. Based on the principle that imprisoning someone indefinitely will resolve their problems, and result in less crime. However, there is no evidence that such a sentence works any better than such a sentence to a set number of years in prison with a determined release date.

Kind Regards

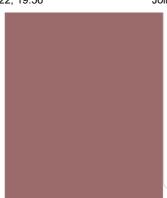
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