



Rt Hon Harriet Harman MP
Chair, Joint Committee on Human Rights
House of Commons
London
SW1A 0AA

28 November 2023

Dear Harriet,

VICTIMS AND PRISONERS BILL: PAROLE

You wrote to the Lord Chancellor on 4 September concerning the provisions in Part 3 of the Victims and Prisoners Bill that seek to amend the parole process and prisoners serving Imprisonment for Public Protection (IPP) sentences.

In his response of 20 October, the Lord Chancellor explained the purpose of the parole measures, but said that he would reflect on them given your concerns and those raised by other parliamentarians. I am pleased to confirm that, having given the matter further consideration, the government has now concluded that certain parole measures in the Bill are no longer necessary. As a consequence, the Lord Chancellor has now tabled amendments to amend or remove the relevant clauses.

In summary, the changes we are making will still enable ministers to intervene in the release of serious offenders, such as murderers or rapists. However, instead of retaking the parole decision themselves, ministers will be able to refer cases directly to the Upper Tribunal to decide on. Our amendments also make clear that this power will apply only to those cases that might particularly affect public confidence and where the Upper Tribunal might reach a different conclusion to the Parole Board. The government will publish guidance on how this power will be applied in due course. We are also tabling an amendment to remove the provisions that would enable the Parole Board to refer a case to the Secretary of State for Justice of its own volition.

On IPP, I am pleased to confirm that we are amending the Bill to introduce new measures that will:

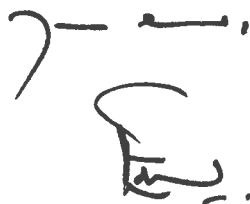
- a. reduce the qualifying period that triggers the duty of the Secretary of State to refer an IPP licence to the Parole Board for termination from ten years to three years;
- b. include a clear statutory presumption that the IPP licence will be terminated by the Parole Board at the end of the three-year qualifying period;
- c. introduce a provision that will automatically terminate the IPP licence two years after the three-year qualifying period in cases where the Parole Board has not terminated the licence; and
- d. introduce a power to amend the qualifying period by Statutory Instrument.

As you know, the Justice Select Committee published a report on IPP Sentences in September last year. That report provided a valuable opportunity to take stock and identify areas for improvement and that is why the recommendations it made have been considered carefully.

I have been particularly persuaded by the Committee's recommendation to reduce the qualifying licence period from 10 years to five years and we are going further: reducing the period to three years. These amendments will restore greater proportionality to IPP sentences by reducing the qualifying period to three years and providing a clear pathway to a definitive end to the licence and, therefore, the sentence.

The parole and IPP amendments will be considered on 4 December when the Bill has its Report stage in the House of Commons.

Thank you again for raising these important issues; I trust that your committee will welcome the changes the government proposes to make to the Bill.

A handwritten signature in black ink, appearing to read 'E. Argar', with a horizontal line above it.

RT HON EDWARD ARGAR MP