

Written evidence from Sue McAllister CB, Prisons and Probation Ombudsman

Dear Justice Committee

Re: Imprisonment for Public Protection (IPP) sentences

I understand that the Justice Select Committee is holding an inquiry into Imprisonment for Public Protection Sentences. I am grateful for the opportunity to provide our comments for the Committee to consider.

My role

The Prisons and Probation Ombudsman (PPO) carries out independent investigations into deaths and complaints in custody. Our role and responsibilities are set out in our Terms of Reference¹.

We have two main duties:

- To investigate complaints made by prisoners, young people in detention (young offender institutions and secure training centres), offenders under probation supervision and immigration detainees.
- To investigate deaths of prisoners, young people in detention (including residents in secure children's homes), approved premises' residents and immigration detainees due to any cause, including any apparent suicides and natural causes.

The purpose of these investigations is to understand what happened, to correct injustices and to identify learning for the organisations whose actions we oversee so that we can make a significant contribution to safer, fairer custody and offender supervision.

It is important to note that we do not make recommendations, or take a specific interest in, sentencing. Our focus is on how individuals are treated in custody and on probation supervision.

My submission to the inquiry

I would like to draw the attention of the committee towards an article, published 05/11/2019, on IPP sentences². In this article we state that between 2007 and 2018 the PPO investigated 54 self-inflicted deaths of prisoners serving IPP sentences.

Evidence from the PPO's investigations has found that for some prisoners on IPP sentences, setbacks in their sentence progression can influence their risk of self-

¹ www.ppo.gov.uk/about/vision-and-values/terms-of-reference/

² [Investigating cases involving IPP prisoners | Prisons & Probation Ombudsman \(ppo.gov.uk\)](#)

harm and suicide. Setbacks include recall to prison having been released on license and increases in security categorisation as a result of worsening behaviour in prison.

In cases where IPP issues have influenced self-harm and suicide risk this often stemmed from the uncertainty inherent in the sentence. Due to release being conditional on parole, there is no way for a prisoner to know when, if ever, they will be released. In one case a prisoner, Mr F, was recalled having been released after his IPP tariff. Shortly after being recalled, Mr. F spoke with his community offender manager and asked how long he would remain in prison. They informed him that due to his sentence they were unable to predict when he would be released. Mr. F killed himself that afternoon. While this was not the only contributing factor in his suicide it was significant.

This uncertainty about release dates is more acute for some prisoners who, due to poor custodial behaviour have a low perceived likelihood of ever making parole. In these cases, there is some evidence that IPP sentences can contribute to feelings of hopelessness. One prisoner, Mr. D, had been recalled and held past his tariff due to poor custodial behaviour. During a conversation with a nurse about his sentence progression he stated that there was “no light at the end of the tunnel” and continued to highlight this hopelessness as an issue. Approximately 7 months after this Mr. D was recategorized from C to B, and a few weeks after this killed himself.

In our recent investigations of IPP prisoner deaths, common themes of our recommendations in these cases were around improving the emergency response of establishments, such as reminding staff when to enter cells and call emergency codes, and healthcare provision. Other recommendations included reducing the availability of drugs in prisons, and ACCT management procedures. It is important to note however, that these recommendations are common across all cases not just IPP.

I hope that this is helpful. Please contact me if you require additional information.

November 2021