

Written evidence from United Group for Reform of IPP (UNGRIPP)

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Executive Summary

We are UNGRIPP; an organisation that raise awareness of, and campaigns for changes to, the IPP sentence. We are led by families of people serving the IPP sentence. Our submission is made on behalf of 31 people (10 people serving an IPP sentence and 21 people with a family member serving the sentence) who chose to submit evidence to the inquiry via UNGRIPP. Twenty-three people submitted written evidence to us and eight submitted oral evidence. We were also contacted informally by dozens more people who wanted to talk about the IPP sentence. Many people told us that they were too scared to submit evidence, for fear of repercussions. Our submission addresses the inquiry's areas of interest, based upon the formal submissions made to us, published evidence from elsewhere, and our extensive contact with people affected by the IPP sentence.

People described many experiences to us, but one message stood out: **the worst thing about the IPP sentence is indeterminate imprisonment.** The words that people used to describe this part of the sentence should have no place in our justice system: inhumane; torture; torment; horror; despair. Deathlike metaphors were concerningly frequent in peoples' testimony, including feeling like '*a ghost of themselves*', as if they have '*been served a death warrant*', that '*the only way out is through death*', that families are '*grieving for someone even though they're still alive*' and, starkly, that the sentence feels like '*being buried alive*'. Tragically, the IPP has come to resemble **a living-death sentence.** There were three key messages that people had about the indeterminate nature of the IPP sentence: it is unjust; it is harmful; it is not rehabilitative; and any solution must end indeterminacy.

Indeterminate imprisonment is unjust. One of the most salient points people made about the sentence was its departure from the commonly understood social contract of punishment. Almost everybody agreed that they or their loved one deserved a prison sentence for their crime, and what they seek is not removal of punishment but *a fair and proportionate punishment.* The experience of arbitrary and unfair punishment has far-reaching consequences, many of which are precisely opposite to the desired outcomes of the IPP sentence. For example, injustice undermines people's trust of, and willingness to engage with criminal justice professionals.

People also told us that when they explain the IPP sentence, others typically find it incomprehensible that such a sentence exists (we also find this in our interactions with the general public). Indeterminate imprisonment for the range of crimes committed by people serving the IPP sentence is judged as a complete departure from most people's common-sense notions of justice. When we engaged people with the full range of solutions offered to the IPP sentence, two thirds favoured determinate resentencing. People were resoundingly clear that they favour a solution which restores the relationship between crime and punishment. They want to seek justice, not evade it.

Indeterminate imprisonment is harmful. People's testimonies, together with the published research literature, clearly show that the IPP sentence is psychologically harmful. There is a recognisable triad of symptoms experienced by people serving the IPP sentence and, worryingly, mirrored in their family members. These are a strong sense of injustice and alienation; high levels of anxiety; and a perpetual sense of hopelessness. This symptom triad is a coherent and natural response to indeterminate imprisonment.

People told us that the psychological harm of the sentence is further aggravated by the lack of acknowledgement from criminal justice professionals about the impact of the sentence on their thoughts, feelings and behaviour. We found that, of those who told us that they or their loved one had ever had a mental health condition, 43% self-reported onset *after* imprisonment, and then often only at the post-tariff stage. Despite experiencing the sentence as a prominent factor in the deterioration of their mental health, people felt that their sentence was the 'elephant in the room' when it came to how their behaviour was depicted by the system. People with shorter tariffs in particular found it distressing to read accounts of themselves refracted through the lenses of 'risk' and 'dangerousness'. People also told us about tragic circumstances in which their loved one had taken their own life, unable to cope with the sentence any longer. 70 people have taken their lives while serving the IPP sentence in prison¹.

¹ We derive this figure from a mixture of official statistics and FOI requests. Records are not kept of how many people serving an IPP sentence have taken their own lives while residing in the community, but we are aware of several cases. In those cases, some families

People told us about other harms of indeterminate imprisonment. These included the knock-on effects of psychological harm on physical health; the financial and legal burdens taken on by families to give their loved one the best chance of release; the stigma experienced by families when people assumed an indefinite sentence meant their loved one had committed the very worst of offences; the distressing impact on children not knowing when their parent was returning home (or might at any moment be returned to prison); the struggle to resettle after spending almost all of a person's young adulthood in prison; and a serious undermining of confidence in the justice system. A crucial point is that the harm of indeterminate imprisonment does not end at the prison gate. The threat of recall to prison perpetuates these harms, and they are experienced as unending. Under such circumstances, the deathlike metaphors used to describe the IPP sentence are unsurprising.

Indeterminate imprisonment is not rehabilitative. People told us that indeterminate imprisonment harmed more than it helped. The impact of indeterminacy undermined the effect of any rehabilitative activities they engaged in. A central pillar of rehabilitative culture is positive relationships. People told us that such relationships are almost impossible under the conditions of the IPP sentence. They are frightened to be honest with professionals, in case it results in further sanctions on their freedom. In cases where this happened, people experienced an acute sense of betrayal and entered into chronic mistrust of the system, which undermined their engagement with any further rehabilitative help. People craved genuine help for their problems, but the pressures of indeterminacy made rehabilitative engagement into a performance to satisfy the authorities. Indeterminate imprisonment also had a directly undermining and disruptive effect on securing rehabilitative resources, as it added difficulties to securing accommodation/employment, put extra strain on family relationships, and promoted self-destructive coping mechanisms that resulted in exclusion from help. Rehabilitation was touted as one of the main benefits of the IPP sentence, but forecasters failed to take the counterproductive impact of indeterminate imprisonment into account. People depicted changes to their behaviour as achieved *in spite of* rather than because of the sentence, and that the help they received and the maturation they underwent would have worked better without the harmful impact of indeterminacy. Getting through the sentence and remaining offence-free came at great cost, as one person indicated in his description of himself as 'a broken man'.

Any solution must end indeterminate imprisonment. When it comes to solving the problem of the IPP sentence, the resounding message from people who submitted evidence to us was to end indeterminacy. Indeterminacy lies at the core of why the sentence has not worked as intended. It is enormously unjust, it inflicts harm, and it has a counter-productive impact on rehabilitation. It functions only as a very costly exercise in the unending warehousing and surveillance of thousands of people. People who submitted evidence to us did not dispute the need for public protection measures. Many pointed out that they are members of the public. But they were clear that the IPP abandons all other sentencing goals. They pleaded for a resolution that restores justice, certainty, and hope for a purposeful future as a free citizen. But they also pleaded for realism, and most wanted to maintain a transitional period between custody and community that aids both public protection and successful resettlement. Just punishment, certainty, and support were unifying principles that most people agreed should apply to every person serving the IPP sentence. But there was also a

have told us that they thought fear of recall was a precipitating factor.

strong plea for recognition that the only thing uniting people serving the IPP sentence *is* the sentence. It disguises a great deal of variation, particularly in index offences. Any solution should restore a relationship between crime and punishment, even if public protection measures are maintained.

People who submitted evidence favoured a resentencing exercise as the best solution. We acknowledge the judicial burden that this would entail. We suggest that a sentence *conversion* exercise to a sentence modelled on the Extended Determinate Sentence (EDS) might satisfy the principles that people said were important. Such an exercise might be achieved administratively in many cases, using a person's tariff as a basis to set a custodial term proportionate to the offence (e.g. 2 x tariff length, as tariffs were originally set at half the equivalent determinate sentence) followed by a defined licence period. A minority of cases may need more careful judicial consideration, particularly the small number who may more justly require a life sentence. Consequent releases would need to be carefully planned for, and possibly staggered, beginning with either people who received the IPP sentence earliest, or those who are most post-tariff. An EDS-style sentence should be an appropriate way to manage people serving an IPP sentence, as it is now the sentence of choice for people who commit specified offences and about whom there are concerns about risk. IPP is a type of sentence, not a type of person. People serving it are no different to people who now receive EDS sentences for similar offences. A sentence that is deemed appropriate for people who commit specified offences today should also be appropriate for people who committed those same offences less than two decades ago.

We thank the Committee for giving the IPP sentence an unprecedented level of attention. The remainder of our submission sets out in more detail the evidence that people gave in response to the Committee's areas of inquiry. But their core message is clear: end indeterminacy and restore justice.

Introduction and Background

The history and detail of the IPP sentence is already well-known to the Committee, so we shall not repeat them in our submission. Instead, we give a brief outline of UNGRIPP's activities, and a summary of the sources we have drawn upon for our submission. We then respond to the inquiry's stated areas of interest, on behalf of the 31 people who chose to submit their evidence through UNGRIPP.

UNGRIPP

UNGRIPP launched on the 3rd of December 2020: the eighth anniversary of the abolition of the IPP sentence. It was born from the campaigning efforts of Shirley Debono and Donna Mooney, who both had family members serving the IPP sentence. UNGRIPP impartially represents the interests of everybody affected by the IPP sentence, but does act as a particular hub for family members of people serving the sentence. Our core principle is that addressing the problems of the IPP sentence is best achieved by a united response across political, professional and institutional divides, led by those who are directly affected by the sentence.

UNGRIPP has four pillars of activity:

Educate. We raise awareness of what the IPP sentence is, and its effects. We have collated the biggest (to our knowledge) archive of material available on the IPP sentence², for use by people affected by the sentence, researchers, journalists, parliamentarians, campaigners, and anybody who wishes to learn more.

Campaign. We campaign for changes to the IPP sentence. We favour particular changes, but we inform people about all the options that have been proposed³, so that they can make up their own minds. We support people to engage politically and civically in efforts to change the IPP sentence.

Remember. We work to keep the plight of people affected by the IPP sentence visible. We monitor parliamentary and institutional activity, deaths in custody, and platform the stories of people affected by the IPP sentence via our Twitter account [@forgotten_ipps](https://twitter.com/forgotten_ipps).

Support. We provide basic legal, policy and welfare information to people affected by the IPP sentence, and signpost to more comprehensive services. We work to make sure that support services are aware of the particular needs of people affected by the IPP sentence.

The basis and methods of our submission.

We drew on several sources for our submission. These were:

- A structured set of questions to help people give written evidence.
- Two oral evidence sessions.
- The body of published research on the IPP sentence.
- Conversations with the many people affected by the IPP sentence who contact us.

Written and oral evidence

We received 23 responses to our invitation to submit written evidence via UNGRIPP, and another eight responses to our invitation to submit oral evidence. Our submission is therefore on behalf of these 31 people. We offered this option for people who, for various reasons, felt disinclined or unable to submit evidence directly to the inquiry (mainly because telling their stories is an emotionally overwhelming and distressing experience). We encouraged people to submit their own evidence directly if they felt able, and we were pleased to hear that many have done so. However, several people told us that they did not wish to submit evidence in any form, as they found the prospect too distressing and/or did not believe that anything would change as a result. Such hopelessness is common amongst people affected by the IPP sentence. Several people also told us that they were too fearful to submit evidence directly (or at all) in case it led to a failed Parole hearing or recall to prison. This fear of participating in any kind of speech that might be deemed critical of the state is also common among people affected by the IPP sentence.

Research

Our research archive⁴ collates published research about the experiences of people affected by the IPP sentence. We would like to draw the Committee's attention in particular to our submission to their previous inquiry into prisoner mental health⁵, which reviews the research

² <https://www.ungripp.com/educate>

³ <https://www.ungripp.com/options-for-change>

⁴ <https://www.ungripp.com/research-archive>

⁵ <https://committees.parliament.uk/writtenevidence/36522/pdf/>

evidence on the mental health of people serving an IPP sentence and their families, as well as collating primary accounts we received.

Our experiences

We do not keep formal records of every contact, but we estimate that the number of directly affected people that we have had contact with lies in the mid hundreds, and that that number rises to over 1,000 if social media interaction is taken into account. We would like to draw the Committee's attention in particular to one of our social media accounts [@forgotten_ipps](#), which is dedicated to anonymously shared stories of people affected by the IPP sentence. Many people tell us that they value this way of telling their stories, as they are frightened of repercussions if they speak openly.

People who contributed evidence via UNGRIPP.

[Appendix I](#) describes the key features of people who submitted evidence to us. Where offence and sentence-related characteristics are reported, these were either reported by the person serving the sentence or by a family member about their loved one serving the sentence. Some key characteristics were:

- The majority (68%) were family members of somebody serving an IPP sentence.
- The reported index offences were predominantly violent (84%), and mostly robbery (32%) or GBH (32%).
- Everyone described themselves or their loved one as post-tariff, with an average tariff of 3.8 years, but ranging from 7 months to 11 years.
- Nearly half (48%) had never been released from prison and had served an average of 12 years, of which 9 years were beyond their tariff. Even people who had been released served an average of 8.4 years, of which 5.3 years were beyond their tariff.
- Of those who had been released, all except one person (94%) had been recalled at some point, and 67% were currently in prison on recall. People had been recalled on an average of two occasions.

This pattern is broadly similar to the tariff range, time served, post-tariff time served and recall status reflected in official statistics about people serving an IPP sentence⁶. People convicted of sex offences, and their families, are less represented. We find that the additional stigma and complex family circumstances attached to these offences can prevent people contributing their experiences.

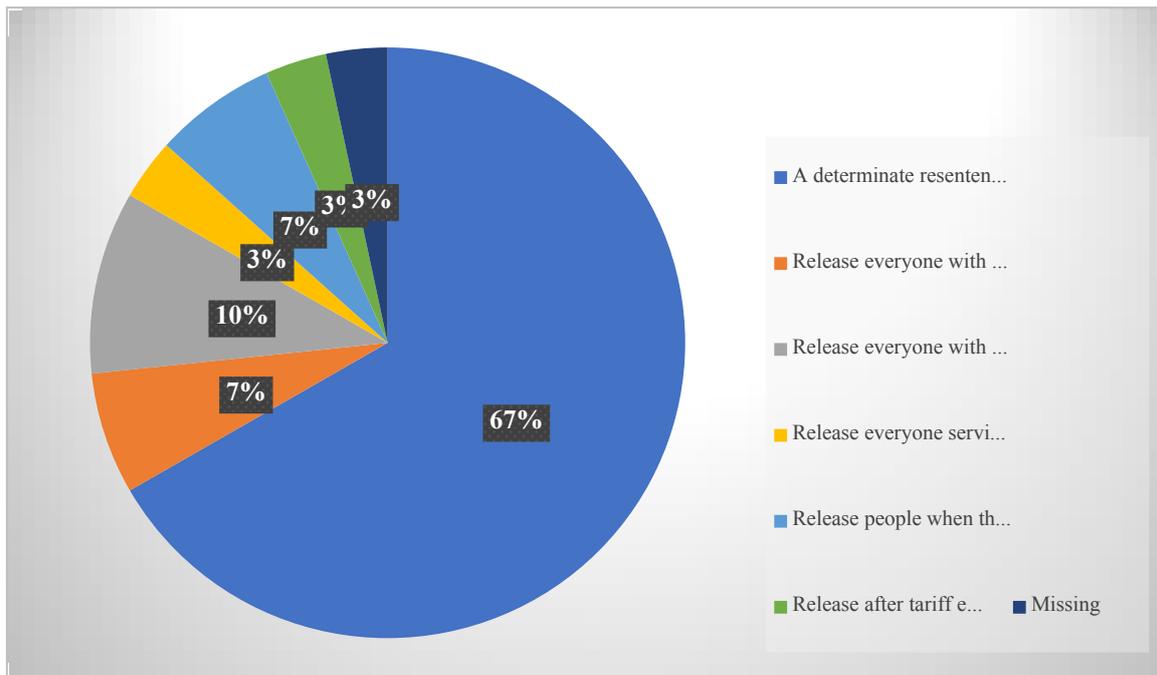
Proposed Solutions to the IPP Sentence and Their Implications

We presented people serving the IPP sentence, and their families, with a range of options that have been proposed for addressing the problems of the sentence. We asked them which one they thought would work best, and why.

Figure 1

Favoured Solutions to the IPP Sentence

⁶ Offender Management Statistics Quarterly releases, "Prison Population" spreadsheet, Tables 1.9a and 1.9b. <https://www.gov.uk/government/collections/offender-management-statistics-quarterly>



Views on resentencing and release-based solutions

There was a strong preference for a determinate resentencing exercise. People were almost unequivocal in their view that the crime they or their loved one had committed deserved a prison sentence. But they were equally unequivocal in the assertion that the sentence should be *proportionate to the crime committed*. The severed connection between crime and punishment is the source of severe distress for many people affected by the IPP sentence. While, in principle, the post-tariff element of the sentence is for the purpose of public protection rather than punishment, it is still *experienced* as punitive. Indeed, it is often experienced as *more* punitive than the part of the sentence intended for punishment because it is experienced as unjust and arbitrary, especially when compared with the determinate sentences that people receive today for similar crimes to those committed by people who received the IPP sentence.

"I always said my brother deserved some sort of prison sentence for his crime. But it should be on merit. People who have committed murder have got out before him."

"I think to resentence IPP prisoners for the crime they have committed is fair as they will serve the sentence that should of been handed down to them. It also it [gives] IPP prisoners who pose a serious threat to the public the option of been given a life sentence, and ends the torment of waiting for a date."

While people favour a range of solutions, the need to restore justice, fairness, and a proportionate but limited punishment was the strongest one expressed to us. The proportionate relationship of crime to punishment was seen as a vital principle of justice, and 'having a release date' was described as something that would greatly increase hope, coping, and ability to focus on addressing problems, even if that date was some time away. Addressing the indefinite nature of the sentence was described as extremely important, because this is the main source of pain and suffering. People frequently describe their experiences to us using words like 'inhumane', 'torment' and 'torture'.

"The IPP sentence was and is inhumane. Every individual needs to know they have release date unless they are serving a whole life sentence. Ending the sentence by resentencing people seems to me to be natural justice for something that is essentially unjust."

People were aware that a resentencing exercise may involve life sentences. Most did not disagree with this, as they recognised that the IPP sentence comprises people convicted of a wide range of offences, including very serious ones. But there was support for a resentencing exercise that reserved a life sentence only for the most serious of cases, rather than being imposed in all cases where life is the maximum available sentence. A particular example of the risks of this option are with robbery; a crime where life is the maximum available sentence, but which can vary significantly in seriousness, as evidenced in the wide range of tariff lengths robbery (or their family member) among the people submitted evidence to us, and their family members (2.1 – 11.5 years). People also reasoned that it would be unfair to impose a life sentence *post hoc*:

"The sentences given reflected the severity of the crime. If the crime was due a life sentence, that would have been the original sentence handed down. The amount of time IPPs have spent beyond their tariff means that none should [be] converted to a life sentence. This is only fair given how many lives have been destroyed because of IPP."

People were cautious about the option of executive release, but there was some degree of support for releasing people serving tariffs of under four years (10%), under two years (7%), or people who have served the maximum determinate sentence available for their crime (7%). This was again because people generally thought that blanket executive release would result in releasing some people who would either pose a risk to the public, had committed offences of such seriousness that they should be serving a life sentence, or that releasing too many people too quickly would lead to people struggling to cope, and facing severe social and practical problems.

"Releasing everyone might be unjust given all the myriad of different acts of wrongdoing that may have been done."

"Releasing everyone with a four year tariff or less might have an overwhelming effect on those released. They have been adversely institutionalised by a disgraceful extended and unlawful incarceration."

"To get released straight away with no help would not work due to the problems this sentence has caused them. Many would not be able to cope outside due to being institutionalized."

"Depend[ing] on [the] index offence.....might still be dangerous offenders. [But] also got the other end of the scale – people with months long tariffs get stuck in years of revolving doors. Keeping them in is unlawful and undermines public confidence in the justice system."

Views on administrative, policy and post-release solutions

When presented with a range of options, there some that none of the people who submitted evidence chose as their preferred option. These were:

- Put the burden on the state to prove that people are an ongoing risk, rather than the prisoner having to prove they are safe to release.
- End individual people's sentences once they get released by the Parole Board.
- Let people apply to the Parole Board to have the sentence removed two years after first being released.
- Let people apply to the Parole Board to have the sentence removed five years after first being released.
- Restrict the power of the Probation Service to recall people. Give that power to the Parole Board instead.

"None of the options that involve the Parole Board or Probation will work. These options are a variation of the current set-up, which is not working. It relies too much on subjective knowledge where individual bias is extensive. All it takes is an admin error and the prisoner remains in prison for another few months till the next hearing."

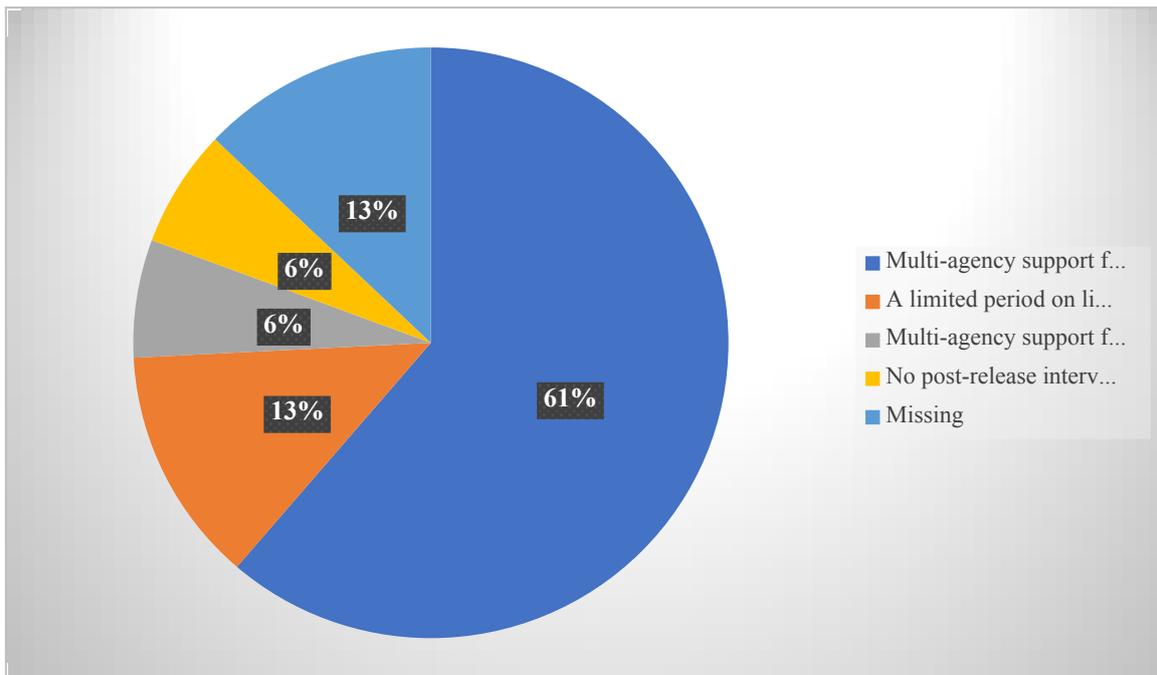
We asked people to indicate their preferred option only. In a prior submission to the [Independent Commission into the Experience of Victims and Long-Term Prisoners](#), we invited people to select all the options they favoured. Under such conditions, the above options did attract some support, although still not a great deal. From our conversations with people, it is clear that they would welcome any solution that improves the circumstances of people serving the IPP sentence, but that they vastly favour options that offer some degree of certainty, rather than continued indeterminacy. They also favour legislative change more than administrative or policy adjustments, and they favour solutions that address the plight of people at all stages of the sentence, not just post-release.

Post-release follow-up options

We also asked people to indicate their preferred post-release follow-up option for any scenario involving an increased rate of release.

Figure 2

Favoured Post-Release Follow-Up Options



There was a strong preference for post-release support. People were very concerned about post-release reintegration into society, particularly for those sentenced at a young age who are now in their mid-thirties, and those who had served a long time in prison. They were also concerned about people's ability to cope in the community due to the psychological damage and institutionalisation caused by the sentence, which they felt had left themselves and their loved ones with a range of social and emotional problems that would lead to coping struggles without support.

"Everyone is going to need support dealing with the change from custody to society."

"I think due to...the problems this sentence has caused...everything should be done to help each and every one of them to get the help needed to reintegrate back into society."

"Because unreleased IPPs have become victims of institutional prison living away from those who enjoy liberty and freedom, they will need time and support to re-adjust to today's society."

"Prisoners will need real support, (and I don't mean looking for reasons to lock them up again,) as they adjust to a changed if not bewildering world after so many years locked up away from it."

"The damage that has been caused to people serving this sentence is colossal. Most people serving this sentence have missed out on huge chunk of their life. Society changes at such a speed that many will be returning to a world that they no longer recognise."

Releasing everyone with no supervision is a crazy option. IPP has destroyed a lot of people. Learning to cope in the real world will be a big struggle for a lot of people especially those sentenced young. I grew up in there. I have been out a year and still face daily struggles and frustrations as I am a step behind the real world.

It's a massive adjustment from prison to the outside world. Things have moved on a lot, I couldn't even use a mobile phone. There needs to be a stepping stone of support. Without it we're setting them up to fail.

However, people who had experience of being released wanted to communicate that post-release support needs to be improved, if it is to have any real effect.

"I was released on monthly support. I could have done with help with housing and benefits and getting a good job."

"He's only getting counselling because we're paying for it. Probation built this picture that wasn't really there."

There was also a high degree of agreement that a limited period of mandatory engagement with support services, and some supervision, would be needed. The reasons given for this included the recognition that public protection should not be abandoned completely, and that some degree of testing was reasonable.

"It allows for adjustment with less risk. There is still an element of responsibility to be held by both the offender & those managing their case, however it would offer both hope & progress to all involved."

"Because it gives people a chance to prove they are no longer a risk."

"You need something because they'll be one plum who does something stupid & make the rest of us look bad."

"No-one is saying we are innocent. We did commit crimes, therefore there should be a period on licence. I feel this is a good way to gauge what support needs people have."

However, people emphasised that the spectre of recall seriously undermines any of the benefits that might be achieved by continued support and supervision post-release.

"One lad lived in gated community & because Probation went round and she didn't know the code, she went back & recalled him for not being there."

"I had [professional mental health support] in community, then recall stopped it." (This person stated that they were recalled for calling someone an offensive name).

"Probation are a joke and offer nothing but dread."

"Probation used to be helpful and supportive. Now they just control and monitor."

UNGRIPP's favoured solutions

UNGRIPP represents the views and experiences of people affected by the IPP sentence. Based on our core principles and the people we represent, we have always campaigned for three key changes:

- Determinate resentencing.
- Reform of the licence portion of the sentence.
- A comprehensive and holistic support package to address the damage caused by the IPP sentence, alongside risk.

We favour these solutions because they address the central problems of the sentence. Resentencing is the only option that will restore any sense of justice, legitimacy, certainty and hope. Until these conditions are present, people serving an IPP sentence are unlikely to feel any alleviation to their suffering. Until their suffering is alleviated, they are unlikely to engage in the way the justice system wishes, and will continue to cost the system a great deal of money and increasing reputational damage. We campaign for resentencing because it is the most principled and effective thing to do. We are aware of concerns about the judicial burden that a resentencing exercise may entail. We suggest that much might be achieved by sentence conversion exercise based on tariff length. For each person serving an IPP sentence, a judge has already given an indication of a proportionate determinate sentence length via the tariff given (half the equivalent determinate sentence). While some cases may need more detailed consideration, many might be dealt with by a simple conversion to a custodial period and post-release licence based on doubling the tariff length.

However, while the sentence exists in its current form, we favour substantial reforms to the licence portion of the sentence that restore hope, certainty, legal safeguards against arbitrary reincarceration, and alleviate suffering for some. For that reason, we favour the range of amendments to the Police, Crime and Sentencing Bill that are designed to limit the licence period and automate its expiry unless the state can prove ongoing risk.

It is vital that any solution comes with a substantial package to support its implementation. Such a package should explicitly make provision for the damage caused by the sentence, particularly to families and children. It should be designed with restorative principles in mind, and focus on health alongside risk.

Key messages about preferred solutions

There are two key messages that we wish to emphasise about solutions, on behalf of people who submitted evidence to us. The first is that the views on solutions from people serving the IPP sentence and their families should be taken seriously. As well as being directly affected by the sentence, they are citizens with a stake in the justice system with nuanced views on its purpose, practices, and legitimacy. They are not simply looking to evade justice, as some skeptics might suggest. On the contrary, they care deeply about justice, and are well placed to comment on how justice has – or has not – been enacted for them and their loved ones. The clear preferences that they favour to tackle the IPP sentence are strongly indicative of what a just solution might look like.

The second message is that there *is* a clear preference for retrospective abolition of the IPP sentence, but in a particular form. That form is to convert IPP sentences to determinate sentences, or life sentences for the most serious of cases. Any releases that occur as a result, should be followed by a substantial package of post-release support, and a mandatory period of engagement with support and supervision. Some element of public protection measures should be preserved post-release, but they should be for a limited period, and the recourse to recall should be greatly reduced.

A final message from people serving the IPP sentence and their families was a plea for political courage. They recognise the difficulties for any parliamentarian in enacting legislation that reduces the severity of the IPP sentence, but they strongly advocate for the correction of what has already been acknowledged, through abolition, as a gravely misjudged sentence.

"The IPP sentence was not clearly thought through and had unintended consequences. It is perceived as unjust and inhumane. It has done an incredible amount of damage to individuals serving it, their families and to the criminal justice system. When a wrong has been done it's best to just admit it was wrong and make amends where possible. This is true of governments as well as individuals."

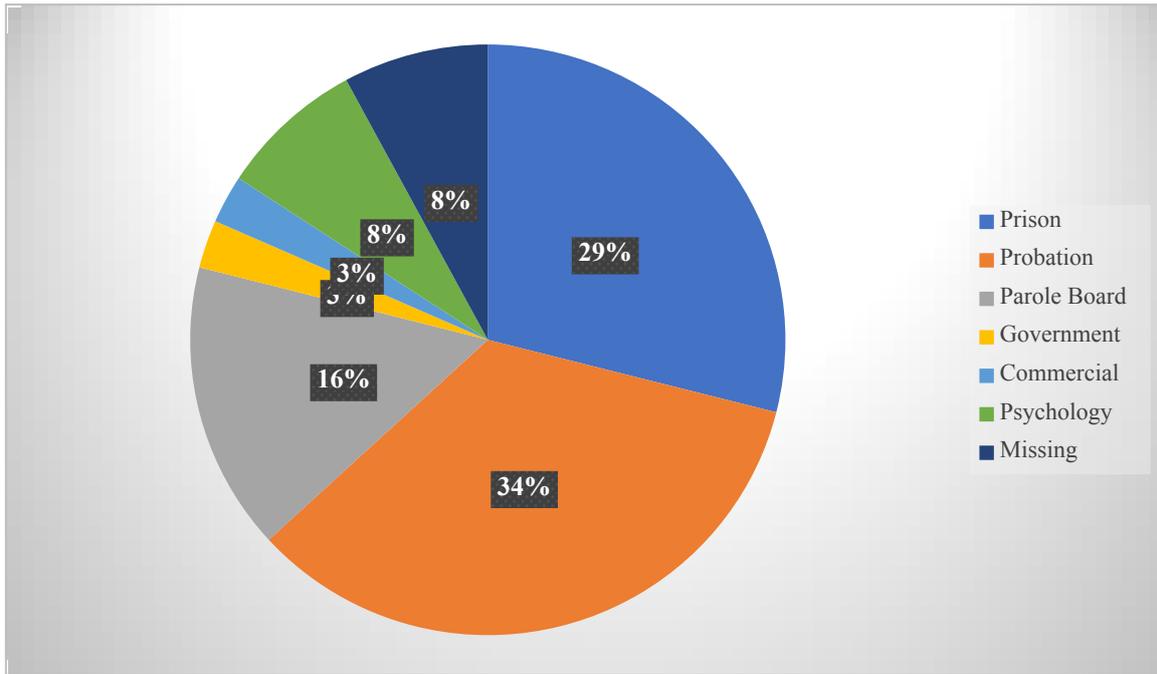
"I see the maintenance of this vicious IPP as a failure of courage, as a reluctance to face negative comments from the tabloid press, (preferring to remain in the comfort of their offices while the suffering goes on elsewhere)."

People predominantly described barriers to progression that arose from organisational mistakes, delays, inefficiency, or outright failure to provide resources for progression. These bureaucratic barriers also ultimately acted as a barrier to release. Other barriers to release concerned how people felt they came to be depicted by criminal justice professionals. They felt that the label of 'high risk' was a lens through which all of their problems and behaviour were refracted, such that any criticism they raised about procedural failings, concerns about professionals, questions about the efficacy of interventions they were directed to undertake, or even mental health crises that they experienced, were interpreted as signs of risk or noncompliance.

People described organisational barriers within several criminal justice institutions that administer the IPP sentence.

Figure 3

Institutions Where Barriers to Progress/Release Were Identified



Prisons

"It is as though people forget their action or inaction has an impact on someone's life. Imagine this was a hospital; casualties due to poor paperwork would be completely unacceptable. And yet Her Majesty's Prison Service continues operate inefficiently. Is a life not a life?"

People described prisons hindering progression in a number of ways. Most prominent was the failure to locate people in a prison where they could access the interventions that they were expected to complete in order to reduce their risk. This was due either to frequent prison transfers, or to being stranded in a Category A prison whilst not being a Category A prisoner. A family member who submitted evidence to us had a relative in a Category A prison who was a Category D prisoner.

People also described a number of other obstructions to accessing rehabilitative interventions, especially offending behaviour programmes. These included long waiting lists (sometimes just for assessment, as well as securing a space on a programme). This could be compounded by wildly varying sentence plans. Changes in Probation Officer were a source of acute anxiety to people, because of the risk of last-minute sentence plan additions.

"When my brother was recalled, his first Probation Officer said it was just a blip. His second one said no you're very dangerous and you need Kaizen [a high-intensity offending behaviour programme]. He waited a year for an assessment and was then told he wasn't suitable. A year after that, they decided he needed Building Better Relationships [another offending behaviour programme]."

Other barriers to accessing offending behaviour programmes were health related. These included Covid-19, but also more chronic exclusion problems on the basis of health or

disability. One person reported being told he could not access programmes because of his speech impediment. Low literacy could also be an exclusionary factor.

Some people drew attention not only to problems of access but concerns about the *effectiveness* of offending behaviour programmes. They had either found them personally unhelpful, or they were well-aware of the evidence in recent years that the suite of programmes delivered by HMPPS have either shown little/no effect on reoffending^{7,8}, or do not yet have published evaluations⁹.

We believe that the growing evidence for the ineffectiveness of offending behaviour programmes should be taken very seriously in light of the IPP sentence. While the official guidance is that they are neither necessary nor sufficient for release, in practice many people tell us that officials recommend continued imprisonment on the basis that they ‘may benefit’ from completing an additional programme. If a person’s freedom is to rely on a structured intervention, those interventions should have a very strong evidence base. That aside, the fact that the recent troubles of offending behaviour programmes are now fairly widely known to the IPP population is problematic. Any person might reasonably be unwilling to, and worried about, undertaking a psychological intervention with a shaky evidence base, and people serving an IPP sentence are now expressing concern about the expectation of undertaking an intervention which requires considerable effort and vulnerability, potentially without a result. However, their reliance on completing them for release leaves them deeply frustrated about lack of provision.

Lack of support in prison was an issue beyond offending behaviour programmes. People felt that their specific needs as a person serving an IPP sentence were not understood by prison staff. People with mental health difficulties and/or disabilities felt that these were not understood, and at worst framed as signs of risk rather than distress or difficulty. They also felt that the normal ups-and-downs of prison life were pathologized.

“He was told to ‘behave himself’ during a psychotic episode.”

“When you’re IPP you cannot have a bad day. If you get upset you are called emotionally unstable.”

A last prison-related barrier was the impact of uncompleted or inaccurate paperwork. Uncompleted paperwork was often the source of months-long delays to Parole hearings. Written information was ‘sticky’. It attached itself to people and followed them for many years of decision-making about them¹⁰. This was very distressing if the information was not accurate, or treated as if it was contemporary rather than historic.

⁷ Mews, A., Di Bella, L. & Purver, M. (2017). *Impact evaluation of the prison-based Core Sex Offender Treatment Programme*. Ministry of Justice. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/623876/sotp-report-web.pdf

⁸ Robinson, C., Sorbie, A., Huber, J., Teasdale, J., Scott, K., Purver, M., Elliott, I. (2021). *Reoffending impact evaluation of the prison-based RESOLVE Offending Behaviour Programme*. Ministry of Justice. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957855/RESOLVE_report.pdf

⁹ As well as intervention programmes, the results of a commissioned impact evaluation on the Offending Personality Disorder (OPD) Pathway are not yet published (see [here](#) for a description of the study design). In March 2021, [a tabloid press article](#) suggested that this study showed no impact of the OPD pathway on reoffending, but sufficient detail to draw conclusions is not publicly available.

¹⁰ This phenomenon is also well documented in the research literature on the experience of modern imprisonment. See for example Crewe, B. (2011). Soft power in prison: Implications for staff–prisoner relationships, liberty and legitimacy. *European Journal of Criminology*, 8(6), 455-468. <https://doi.org/10.1177/1477370811413805>

"Once written down on the OaSys report [it] is seen as fact."

"I have had to do things in prison to survive which are held against me years later."

Probation

Barriers to progress/release that lay with Probation were related to the amount of contact, the quality of relationships, and the quality of decision-making. People reported having no, or very limited contact with their Probation Officer, which they felt was entirely disproportionate to the high-stakes decisions that Probation Officers were making about them (such as sentence plan additions), and that these were often arbitrary, unfair or inaccurate, because their Probation Officer had not gotten to know them.

"My first Probation Officer was very supportive. My second one wasn't, and just saw me as dangerous addict. What got me was that my new sentence plan was longer on recall than when I was originally in."

They were frustrated about being allocated inexperienced Probation Officers with poor or inconsistent communication styles, but were frightened to complain in case it had negative effects on their progress.

"We have found our relationship with our Probation Officer challenging. Communication has proved difficult & poor professional choices have led to unnecessary stress, pressure, resentment issues & recalls."

People also described Probation Officers' attitudes towards them as risk-averse, but they understood that this was largely a product of the system that they were operating in rather than individual attitudes.

"[Their] whole ethos is risk averse. People are scared to stick their head above the parapet. Probation are scared they will have to carry the can for it."

Parole Board

People frequently reported delays to their Parole hearing, which were generally due to uncompleted paperwork by professional witnesses. The other main barrier described was struggling to prove that they had reduced their risk in a climate of high risk-aversion and limited opportunity. Sometimes this came down to institutional factors that IPP prisoners cannot reasonably be expected to navigate, such as having completed a non-accredited programme rather than an accredited one. On other occasions, people felt left in limbo following a Parole refusal with no clear recommendations on what to do to progress, when

maintaining innocence for their index offence, or when their coping strategies for dealing with the sentence were interpreted as signs of risk.

"I found the whole parole process an extremely stressful upsetting situation- you do all that is asked and you still don't secure release or any move forward. I wasn't violent in jail for eight years and my parole was refused on petty rule breaks. My mental health attributed to these behaviours and struggles, yet this was never recognised by the Parole Board. Instead they labelled me non-compliant."

Psychology and mental health services

Psychology and mental health are two distinct services in prison, although individual psychologists may work in both. HMPPS psychologists frequently complete psychological risk assessments of IPP prisoners when directed by the Parole Board. People echoed the view that psychologists, like other prison staff, viewed them through a lens of risk rather than getting to know them as a complete person. They were fearful of the high level of authority that a psychologist's report carried. If these were not completed on time, they felt it substantially affected their likelihood of securing release. Psychological framing of their difficulties also created a high level of fear in people when it came to expressing themselves.

"You are automatically treated like you are mental and if you speak sense or show you still have a brain you are told you're manipulating the system because they expect you to be a psychopath."

People gave more mixed evidence about mental health services. Diagnosis mattered.

"He has been diagnosed with autism, but before that he was diagnosed with personality disorders. If he had been diagnosed properly then he may never been diagnosed with the personality disorders."

We are aware that many people serving an IPP sentence are being referred onto the Offending Personality Disorder Pathway, which has been running since 2015, but for which there is as yet no published evaluation of effectiveness¹¹. While an individualised approach to supporting people is welcome, we are concerned about the enthusiasm to refer people onto something that could potentially add years to their imprisonment if further interventions are directed as a result.

People who were transferred to secure hospital reported a more positive treatment service, but such access was not rapid.

"Staff at hospital said if we'd had this person from arrest we could have sorted it in 6 months. He's been in 12 years."

"Moving to a secure hospital because the facilities for mental health are available, and real support for my disability. The real focus is on overcoming my mental health rather than punishment. It is a supportive environment."

Government and commercial

A small number of people made reference to the wider forces at play in the IPP sentence. They felt that barriers to their release were not only institutional but political. They recognised that any move that made it easier to release people from prison would make the Government nervous. They also felt that indeterminate imprisonment creates increased commercial opportunities in the form of services to the justice system.

Help to Progress

People described two main scenarios that were or would be helpful in the current system. One was simply for the system to 'work' as intended. People said that timely access to rehabilitative help (as long as they found the course meaningful), smooth Parole procedures, and working with staff who communicated well and understood them were all helpful for progression. People also noted the importance of proper mental health support, and support from loved ones. When people had these things in place, their ability to cope with the sentence improved. However, failures of the system precipitated tragic mental health breakdowns and, on occasion, suicides.

"In the first five years my brother proactively tried everything to progress - trying to get on courses, making written requests to be put on them, all to no avail. He did everything to try to help himself to progress, but this had very little effect. And now he is dead."

"My son is suicidal most of the time. He is sitting there for nothing."

"After some failed suicide attempts and becoming disengaged through mental breakdown and being admitted to hospital, [Probation's] release plan was sabotaged by HMPPS conducting various acts of wrongdoing."

The second 'helpful' scenario was people finding a mindset in which to cope with the fact that the system was not working as intended for them.

"His own resilience in the face of a despairing situation, & a fair if generally unimaginative Parole Board."

"For me I stopped doing courses unless I felt I would benefit from it."

"My own attitude towards freedom, not letting the system win and destroy my mental health."

In our previous submission to the JSC mental health inquiry¹², we raised concerns about a published research study that looked at ‘conceptualising success’ in people serving an IPP sentence. The study found that people said similar things to the above, in regard to finding ways to mentally cope with the system. While we agree that people serving an IPP sentence do sometimes find a way to adapt to their circumstances, we caution against any notion that finding the resilience to survive a sentence experienced as traumatic and unjust is an indicator of success.

We asked people what would have helped them to progress sooner. They had a clear menu of solutions (listed below), but these were coupled with high levels of hopelessness that the system could *ever* work as it is intended to work. In the words of one person:

“To get a hearing is hard enough. To have the hearing take place is a blessing. To satisfy the Parole Board is a miracle.”

The regularity with which people serving the IPP sentence and their loved ones tell us of systemic failings sends a strong message that the administrative ‘vision’ of the IPP sentence simply cannot be matched by reality. The demands are too high, not only on people serving the IPP sentence, but also on the underfunded and struggling staff and systems tasked with delivering a utopian ideal of correction that does not exist.

Figure 4
Intended Sentence vs. Experienced Sentence

Intended/Desired Sentence	Experienced Sentence
<p>Staff understand the IPP sentence.</p> <p>Accurate understanding of needs, problems and goals.</p> <p>Individual needs inclusively supported.</p> <p>Timely and smooth provision of rehabilitative help.</p> <p>Effective help offered.</p> <p>High quality professional communication and decision-making.</p> <p>Consistent approach to sentence planning.</p> <p>Timely Parole hearings with all paperwork complete.</p> <p>Signs of risk distinguished from signs of coping with the sentence.</p> <p>High-quality mental health care.</p> <p>Robust release planning.</p>	<p>Not all staff understand the IPP sentence.</p> <p>Needs go unrecognised for many years, or are reframed as risk/noncompliance.</p> <p>People with health/disability related needs are excluded from rehabilitative help or struggle to cope with prison.</p> <p>Long delays for assessment and access to rehabilitative help.</p> <p>People are expected to undertake interventions without a strong evidence base.</p> <p>Quality of professional communication and decision-making varies. Poor relationships can be fatal to progress.</p> <p>Last-minute sentence plan additions impact progress.</p> <p>Parole hearings delayed and paperwork uncompleted.</p> <p>Coping strategies to deal with the sentence taken as signs of risk of reoffending in the community.</p>
	<p>Lack of mental health care.</p>

The Experience of the IPP sentence

Finding out what the sentence means

We asked people what the impact on them was when they found out that they or their loved one had received an IPP sentence. Many people spoke of the catastrophic realisation that it was in fact a life sentence. This was something that people had not been prepared for prior to trial. Some had actively been told that their sentence was not very long, and only found out how it worked a long time later, often via their own research rather having it explained to them.

"At court, my barrister said I'll be out in 3 years."

"I made a noose. Luckily officers found it. It said 99 years on the computer."

"At first I didn't believe it was true. Upon further investigation & research I was shocked to learn that this has been & still is experienced nearly 10 years after it was supposedly abolished."

"I was devastated and shocked that a sentence like this is still in place in the UK."

"Disbelief that this was allowed to happen. People are being imprisoned for what someone thinks they may do and not what they have done. Surely most of society should be imprisoned if this were the threshold for justice?"

"I stopped thinking about the future because the future was uncertain. I was diagnosed with PTSD because of the impact of the sentence. It changes you – turns you into a ghost of yourself. There is nothing to look forward to."

"My brother tried to commit suicide twice when he realized what it was. He asked another prisoner to throttle him."

"I was absolutely distraught."

"[I felt] suicidal. But I had his siblings to raise."

"We didn't know for nearly over a year after my partner was sentenced what it even meant."

"You research it and you realise oh my God it's a life sentence through the back door. I had breakdown – wasn't sleeping, smashing plates. I didn't know where to turn."

The poor communication about the nature of the sentence, and the initial shock and horror of realisation, is a particularly dark episode in the history of the IPP sentence. It is something that people have clearly struggled to recover from.

How the IPP sentence affects the experience of prison

We asked people to explain how the IPP sentence affects the experience of prison, compared to serving a different sentence. People described four clear ways that the IPP sentence made prison time especially distressing: the disproportionate length of imprisonment; the impact of indefinite imprisonment; the self-defeating effect on progression; and the impact of their loved one's indefinite imprisonment on families.

Disproportionate length of imprisonment

The length of imprisonment compared to the crime committed was incomprehensible to most people. This incomprehensibility made it particularly difficult for families to explain their loved one's situation to people not familiar with the sentence. People were often skeptical that the sentence actually existed, which led to assumptions that families must be hiding the 'real' nature of their loved one's actions.

"People struggle to understand why he had to serve 9 months in prison for being late back to an approved premises."

"[I was] looked at as a monster as many people are unaware that IPP was also given for petty crimes."

"I just have to keep explaining the sentence to so many people, even highly educated people. They just can't believe that it exists."

"Confusion from family, friends & members of the public as to why he has served as long."

"The misconception regarding IPP. People think my partner was a rapist or child molester."

Indefinite imprisonment

Indefinite imprisonment was experienced as particularly 'heavy', distressing, and all too often fatal. The feeling not ever being able to escape the toxic environment of prison was devastating for people serving the sentence and their families.

"Extremely emotional, confused as why he is locked away for a crime he has already served time for. He was a teenager then. He is a man now."

"I could die before he's free."

"I've witnessed prisoners suicidal and self-mutilating due to the disgusting sentence. I believe all are being tortured."

"The IPP sentence took my brother away. He went into the prison estate alive and came out dead, having experienced the worst treatment and complete lack of any sort of care or empathy. I watched a video of him being dragged to an unfurnished cell, searched fully, put on a concrete floor and told to behave himself, whilst he was suffering from a mental health episode because he had been turned down for any sort of progression. He took his own life less than 24 hours later."

Self-defeating effect on progression

The combination of the sentence and the prison environment often had a self-defeating effect on people's progression towards release. Rehabilitative steps were harder because of the sentence, rather than easier.

"It made me more depressed than regretful . I do regret my crime but I am depressed [about my sentence] and that takes over."

"I had to hide my mental health as that's used to keep you locked up."

"I got stuck on anger and stuck in paranoia that no one wanted to help me get out. Therefore I shut down with professionals as year after year they refused to support my move on."

Impact on families

The impact of indefinite imprisonment is very hard on families. They described feeling helpless and desperate as they watched their loved ones' deterioration, unable to help.

"I have had to deal with his despair in phone calls."

"Hearing him feeling low and down. He shuts off from the world. He gets disheartened. Being in the parole window has a huge impact and doesn't do a lot for his mental health... it is complete torture and its mentally draining."

"[I feel] submerged by my own powerlessness and anger at a grown man in his thirties, locked up since 24 years old, desolate at his plight, so reduced, when he should be at the height of his powers, to primarily in intimate familiarity with a cell 12 feet x 8."

"More than 12 years of outrage, fear, frustration, anger, depression, anxiety, worry, torment, torture, financial difficulties, travel difficulties and lost time. I can't stop campaigning to those who have the power to end all of this wrongfulness, for if I do, I fear it will kill me."

"I fear that the resilience of the man I have befriended [will] not be infinitely renewable, and that his despair in anything ever improving [will] lead him to add to the 69 suicides to date. When I last asked [an official body] some years ago about the IPP, I was told it was being 'monitored'. Oh really?"

How the IPP sentence affects the experience of being on licence

People who had experience of being on licence on the community (or of their loved one being on licence) were unanimous in their description of the high levels of fear, uncertainty and hopelessness that characterise this period of the sentence. Fear centred on two factors: the fear of being recalled indefinitely to prison, and the fear of a souring relationship with Probation Officers, in case that led to recall. These two fears considerably interfered with

daily life and functioning, in ways beyond those intended. Fear permeated people's efforts to resettle and undermined their mental health, as much as keeping them from committing crime, leaving many people in a difficult situation where they felt unable to seek help for problems that were related to their previous offending behaviour.

"Concern about the support he is receiving from his Probation Officer, worrying about how their relationship is going.. Worry that he may be recalled because she is unhappy with something he said or did or didn't do. Imagine your freedom being dependent on what someone thinks of you."

"Constant fear of recall will lead almost anyone to depression."

"Constantly worrying if you have a tone in your voice in public or your car tyre needs air. If you get stopped by police you could be recalled for no reason."

"I am forever scared of recall. It petrifies me every day even though I do nothing wrong. I have not even had a warning since being out. I comply with every thing asked if me but the feeling never leaves."

"I have to jump through every hoop Probation set even if they're stupid. I'm a broken man."

"It puts you on edge and makes everyone be able to blackmail you and have something over you."

"I massively worry about going back – it affects my mental health."

People also described the difficulties of rebuilding family relationships under conditions of licence. Sometimes the IPP sentence was a vehicle for further statutory intervention with the whole family, which people found distressing, humiliating, and a cause of further difficulties.

"He was placed on MAPPA 2 (something he has never been subject to before) which meant a lot of intervention from services. Having never dealt with services before I was subject to police intervention & then immediately placed on a child-in-need plan from social services which caused deep distress & anxiety & further judgment from family & friends. Restrictions meant that time together was always limited & we never felt able to fully relax."

"We never felt listened to & were made to feel inadequate & untrustworthy. All we want is to live peacefully as a family, work & help support our community."

"He wasn't allowed to move home and be with myself and our children and it caused a lot of distress as we never got to be a family."

How the IPP sentence affects treatment by staff

We asked people about their contact with various staff groups, and how they think the IPP sentence affected the treatment they received from those groups. We also asked family members giving evidence whether they had had any contact about their loved one from each staff group.

Prison Officers

29% of family members had had contact with a Prison Officer. People described two experiences that were particular to the IPP sentence. One was that officers frequently did not

know what the sentence was, and so were unable to offer appropriate information and support. The other was that on some occasions when officers *did* know what the IPP sentence was, it opened up space for a dangerous abuse of power. People reported being told maliciously by officers that they were ‘never getting out’, being treated in a degrading manner, and having the ‘power of the pen’ wielded over them with apparent impunity.

“Some officials see the IPP prisoner as someone so within their power via the indeterminate nature of the sentence, that they can do what they like, with no accountability.”

Write-ups of behaviour had particularly serious consequences for people serving an IPP sentence.

“He was turned down [for Parole] because he said ‘fuck you’ to officer, because he wasn’t allowed to get his hair cut for a visit. He tried to kill himself after that. If he’d succeeded I would have killed myself too.”
(mother of a person serving the IPP sentence)

Psychologists

19% of family members had had contact with a psychologist. People were clear that psychologists’ reports held weight in regard to their prospects of release. The importance of this part of the sentence meant that people found it distressing when they felt psychologists did not spend adequate time on their assessment, when they were assessed by trainees, and when they were assessed in particular by prison-employed psychologists. People described such psychologists as treating them as somebody who must have ‘something wrong with them’ and making repeated recommendations for different ‘fixes’. They also described a lack of empathy about the impact of the sentence, and a lack of access to psychological treatment (as opposed to assessment). Independent psychologists were perceived as more empathic in regard to recognising the impact of the sentence on psychological functioning, and families described being better treated by independent psychologists.

“One psychologist seemed to have done a quick assessment and recommended he do yet more courses in his 15th year inside! She subsequently declined to review any of her statements until the Parole Panel told her to at the last hearing, where I’m told she agreed not everything she had written was accurate.”

: It seems to me many of these ‘experts’ fail to see how they condemn themselves if all they do is recommend more of the same, somehow expecting it to be better next time around.”

“I can only discern a failure of humanity perhaps arising from being locked into notions of the quality of their own expertise, so [they] can dispense more suffering to IPP prisoners and then walk off, presumably with a clear conscience, to a comfortable life.”

“I met very few psychologists. I had 6 sessions with one in the entire 9 years I was in prison. I was on the mental health list but there were too many other people needing support. They didn’t have time for

Offender Supervisors

13% of family members had had contact with their loved one's Offender Supervisor. People described highly variable experiences with Offender Supervisors. They did not describe being treated particularly differently to other prisoners, but the excessive reliability of people serving an IPP sentence on Offender Supervisors to manage their sentence meant that general problems like poor contact were experienced as particularly distressing. Contact tended to come at important points like Parole, and the highly administrative nature of such contact was experienced as dehumanising.

"This is a harder question to answer I had both positive and negative experiences with supervisors I feel towards the end people were better at understanding the difficulties of being IPP."

"To them I was just another dangerous person based on what the historical notes said. It's a faceless organisation. We never saw them on the wings."

"You don't matter. They rarely engage unless you put an app in to see them and then you don't see them again for months."

"Psychologists in the Prison Service tend to write reports that support retention of IPPs in prison. They are trainees writing flawed reports. It's also a funding game."

"They make things up as they go along. They make no sense and make judgements based on you behind the gate, not in the community."

"I barely saw them. IPP meant more work for them."

"These people would be equally good at moving luggage around as sentient human beings who have already suffered excessively."

59% of family members said they had had contact with their loved one's Probation Officer. For people serving an IPP sentence, the supervisory relationship was invariably tainted by its very unequal power. People felt scared to talk honestly to Probation Officers because they were scared of being recalled. They also described having very little contact with some Probation Officers. Family members described feeling stigmatised and talked down to by Probation Officers. Some also described the shock at confiding in Probation, when it triggered public protection measures rather than support to address problems. When people encountered a Probation Officer who was supportive, understanding and helpful, this could

turn out to be a very valuable resource for coping with the IPP sentence, but this appeared to be rare, and people were frustrated with frequent changes in their assigned Probation Officer.

"I always felt as if I was being spoken down to. My thoughts, feelings & considerations were never taken into account. I am a very fair, compassionate & law-abiding person. It was as if my choice to be in a relationship with my partner was questioned and judged, and that there must clearly be something wrong with me for choosing him."

"I was really naïve. I thought they were a service there to help, so I was saying what worried me."

"I had one good one many years ago. The others I hardly saw them. One I never met. The current one I have to call her. She never calls me."

"IPPs are scared to speak out about how they're feeling."

"Only after my brother died. She had only met him once, on a 20 minute call. She then went on to make recommendations about [him] based on this 20 minute phone call."

"Meeting my exasperated appeal for help with a statement [about] how difficult the IPP sentence is. Yes, I know!"

"Probation are the last people I'll tell if I've got problems."

"The level of engagement varied with the person but generally my experiences have been positive and informative."

People described a stronger sense of fairness and due process from the Parole Board than from other staff groups, which they appreciated. However, core parts of the Parole process are experienced as distressing, including the hearing itself, and the framework of risk which was experienced as a stressful and dehumanising way to be depicted and judged. Families also described varying responses to their engagement with the Board.

"[I had] two much appreciated meetings with the Chair & CEO of Parole Board. Both supportive, but like the rest of us, dependent on the Government to rouse themselves."

"I was not permitted to engage them at an oral hearing and have been treated with contempt by the Parole Board with regard to written communication."

"[I felt] fairly treated based on the information they had."

"I always got on with them. They painted a very different picture of me to the rest of them."

"I found the whole experience distressing. The times they would defer on the day were heartbreaking. The way they ask you the same question in 5 different ways felt like you're trying to be tripped up. The length of time you're in there is crazy."

"I was a risk in their eyes regardless of the offence."

"The look on their faces as to whether I was lying in hearings [was upsetting]."

Other staff

Other staff mentioned in relation to the IPP sentence were offending behaviour programme facilitators, substance misuse workers, education and workshop staff, mental health staff and chaplaincy. Generally, these staff were described as positive, helpful and supportive, with many in deep sympathy with the difficulties faced by people serving an IPP sentence. If staff were less familiar with the IPP sentence, they were experienced as less helpful.

Mental Health

We urge the Committee to read our previous submission to the prisoner mental health inquiry¹³. It contains a comprehensive overview of the evidence-base on the mental health of people serving an IPP sentence and their families, and includes evidence on in-patient treatment, self-harm, self-inflicted deaths, death by natural causes, mental health, and personality disorder, derived from the published literature and the personal testimonies submitted to us. The key points in that submission were:

There has never been a substantial (published) clinical study of the prevalence of mental health conditions in people serving an IPP sentence using conventional diagnostic methods. The majority of studies rely on HMPPs administrative data, which is less robust than use of clinical instruments.

Such studies – the largest of which were conducted in 2010 or earlier – indicated that people serving an IPP sentence had higher levels of pre-existing mental health problems than people serving life or determinate sentences¹⁴, but still only a minority of people serving an IPP sentence had pre-existing problems.

In the later days of the sentence, a greater majority are reporting poor mental health. Recent studies that ask people serving an IPP sentence about their experiences almost always foreground poor mental health as a prominent feature, and describe it as caused or perpetuated by the sentence¹⁵.

Similarly, in 102 submissions made to *The Forgotten*, by IPP sentenced prisoners and their loved ones, 75% mentioned experiencing some kind of mental/emotional distress that was caused or perpetuated by the sentence.

The self-harm rate for IPP prisoners is double that of other life sentenced prisoners, and almost double that of determinately sentenced prisoners¹⁶.

¹³ See footnote 4.

¹⁴ For example, Sainsbury Centre for Mental Health (2008). *In the dark: The mental health implications of Imprisonment for Public Protection*. https://www.centreformentalhealth.org.uk/sites/default/files/in_the_dark.pdf

¹⁵ For example, Harris, M., Edgar, K. and Webster, R. (2020), 'I'm always walking on eggshells, and there's no chance of me ever being free': The mental health implications of Imprisonment for Public Protection in the community and post-recall. *Criminal Behavior and Mental Health*, 30, 331-340. <https://doi.org/10.1002/cbm.2180>

¹⁶ Ministry of Justice (2020). Safety in custody statistics. <https://www.gov.uk/government/collections/safety-in-custody-statistics>

Suicidal thinking and suicide attempts feature prominently in the testimonies of IPP sentenced prisoners, with the sentenced cited as a major contributory factor.

When asked about their experiences, people serving an IPP sentence describe a consistent and recognisable triad of symptoms across studies: strong feelings of injustice; living in a state of perpetual anxiety; and a pervasive feeling of hopelessness. Their families reported a similarly recognisable triad of symptoms. The consistency of this triad across studies may indicate a distinctive syndrome of poor mental health that is found in people affected by the IPP sentence.

The prevalence of mental health conditions in people serving the IPP sentence

We asked people for details about their mental health. We concentrated particularly on establishing the presence of particular conditions, the timing of their onset and diagnosis, and the impact of indeterminacy on mental health. 68% of people who submitted evidence (n=21) said that they (or their loved one who was serving the sentence) had suffered from a mental health condition at any point in their life. Of these, two thirds reported onset and/or diagnosis *after* their tariff had expired (n=14). Of deep concern was that 43% (n=9) of those who reported they or their loved one suffered from a mental health condition, said that there had been *no mental health concerns before the person was imprisoned*. For people who received a diagnosis post-tariff, the average amount of time they had served beyond their tariff before they received this was 3.6 years, with a range of 8 months to seven years.

We think that the onset or diagnosis of mental health conditions at the post-tariff stage urgently needs further investigation. Although the absolute number who told this to us in their testimony is low, it reflects a scenario frequently described both to us and to researchers, that people experience the IPP sentence as a *causal factor in deterioration of their mental health*. This has serious implications for the decision to keep people indefinitely imprisoned, if doing so is actively harmful. Criminal justice decision-makers must, of course, balance issues of harm with public protection. A section of the public often neglected in such discussions are the families of people serving an IPP sentence – who have committed no crime and are members of the public – and show a very similar profile of mental health deterioration to their loved ones serving the sentence. They too report deterioration once the post-tariff stage is reached.

The figures below show what we could derive about the conditions people described in their evidence. However, as our primary aim was to support people in submitting evidence rather than data gathering, sometimes there was not enough information to establish nature of conditions or timing of diagnosis. We also relied on self-report, or reports from loved ones, and the number of people who gave evidence was not high enough to generalise these figures to the entire IPP population. Any conclusions from the information below should therefore be drawn with some degree of caution.

Figure 5

Self-Reported Presence of a Mental Health Diagnosis

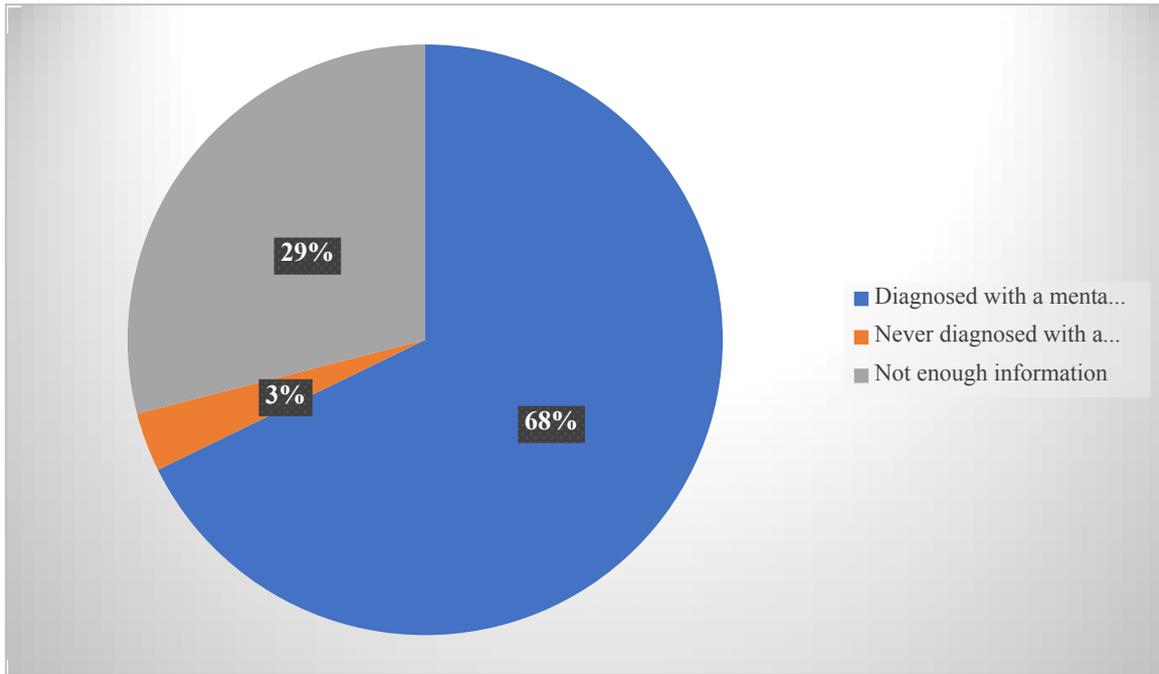


Figure 6
Self-Reported Mental Health Conditions in Those Who Reported Any Diagnosis

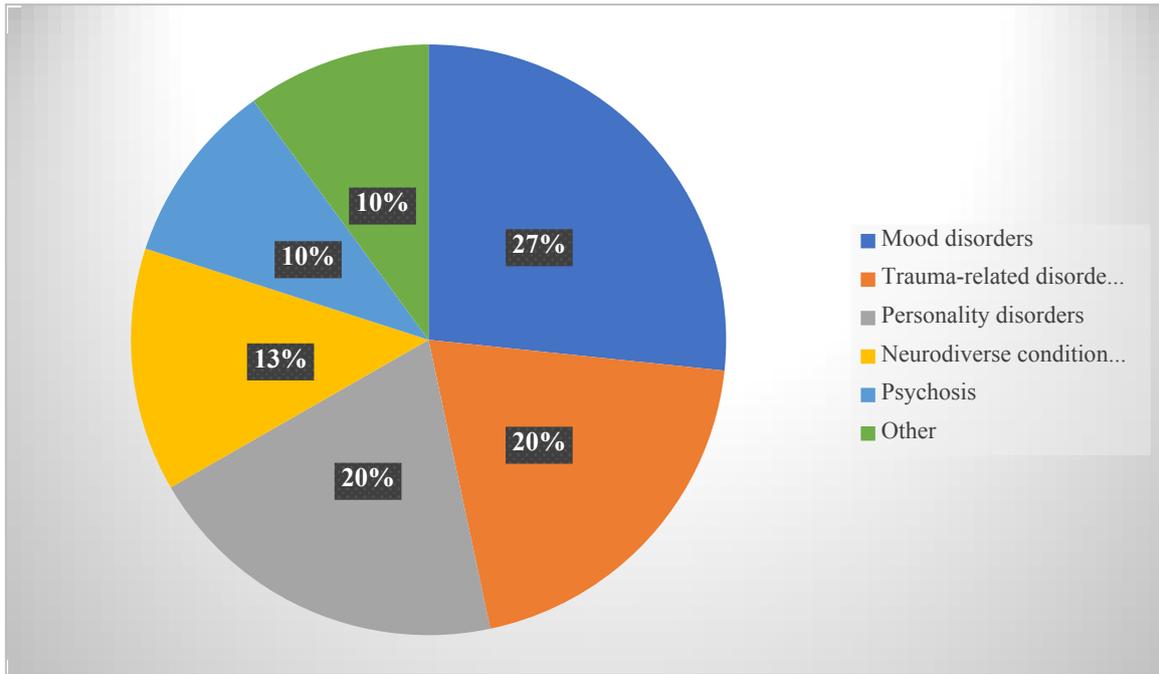
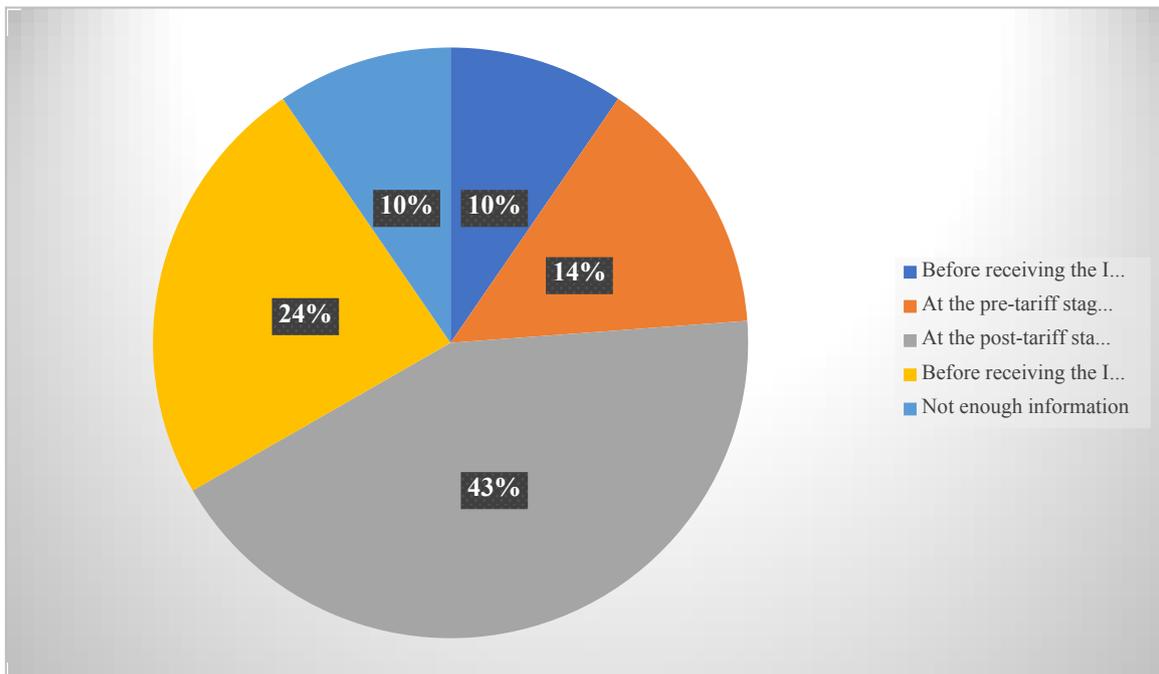


Figure 7
Sentence Stage At Which Mental Health Diagnoses Were Received



The impact of indeterminacy on mental health

The high rate of post-tariff diagnoses could be hypothesised as to be a result of pre-existing conditions going undiagnosed before sentencing, or tariff expiry. However, when asked to comment on their mental health experiences, people were united in their testimonies about the effect of indeterminacy on their and their loved ones' mental health. It was described as

severely exacerbating their existing mental health problems and causing mental deterioration when no prior problems had existed.

People serving an IPP sentence

"A lot [of impact] because of not having any hope of ever getting out."

"Always thinking you're never going home."

"The no release date was a massive factor for me. No light at the end of the tunnel. The parole process is lengthy and agonising and came around every year or so. I hated it. I couldn't sleep, couldn't eat, couldn't even function."

"Left with no hope, no way to get to the end without killing yourself. That's the only way to end the IPP's impact on your life."

Losing hope! Having the belief that professionals are all against you. High levels of stress/anxiety

"Being left to rot in a violent place with no help."

"Treated as a monster. People looking at you and thinking he's gonna die in here. Not knowing if you're ever going home."

Families of people serving an IPP sentence

"It is very stressful standing on the sidelines watching. Stress is intrinsic to existence, so I get on with it, just mourning the terrible loss."

"Non-stop worry and the inability to move on. I don't want to be with other family members at Christmas or Easter because he is not around. I didn't want to celebrate anything because he is not around. I catch myself enjoying a film and think it is not fair that he is not here to enjoy it too. I am grieving for my brother though he is still alive."

"The injustice, the helplessness and the feeling that no one cares because he committed a crime is always there. I want to campaign against IPP but the perception that the dreams, goals and aspirations for prisoners is of no concern to society gives me despair. And I think if this is how society feels, who will help them, who will advocate for them and give them a second chance. Where is mercy and grace?"

"I do feel desperate some days, I feel like life is genuinely unfair. I watch people living their lives and I just wish we could have that too, but the IPP is always holding us back. I'm sick of waiting. Waiting for him to come home, waiting for him to be recalled again, waiting for a report, waiting for a date. Just always waiting."

"There's a constant feeling of despair & heartache."

of people serving an IPP sentence solely in their pre-prison experiences and enduring personality traits. While many people do indeed tell us that they suffered considerable difficulties before they committed their offence, and that those difficulties were relevant to the offence, they are unequivocal in their descriptions of how the sentence has caused them equal or greater struggles. Those struggles might reasonably be considered as a normal response to indefinite imprisonment, rather than evidence of pathological difficulties.

We were particularly concerned about the Ministry of Justice's response to the inquiry's questions of *'What is the experience of people on IPP sentences in prison? What additional mental health challenges do people serving IPP sentences face because of the nature of their indeterminate sentence?'* We therefore offer some observations on their response to these questions.

First and foremost, we are disappointed that the question about the experience of people on IPP sentences is not answered. Testimony from people serving an IPP sentence is not included.

"We have found that a large proportion of the IPP population have personality related issues, alongside cognitive difficulties; or mental health concerns, or a combination of these."

- Ministry of Justice submission (p. 3)

We monitor published research on the IPP sentence and are not aware of these findings being available in any public forum. Without detail on how these findings were generated, it is difficult to judge their validity, or to understand how 'a large proportion' is quantified. We are concerned about the use of sub-diagnostic thresholds ('issues', 'difficulties' and 'concerns') and a lack of information about how these were measured or classified¹⁷. We would also welcome clarification about the timing of onset of mental health concerns.

"Many IPP prisoners likely to meet the criteria for a diagnosis of a 'personality disorder' are able to access interventions that can help them with their specific needs."

- Ministry of Justice submission (p. 3)

We are concerned at the lack of contextual information provided about how the classification of 'likely to meet the criteria for a diagnosis of personality disorder' is arrived at, as this is different to a definite diagnosis of personality disorder. Without knowing how this judgement is made, this statement risks giving misleading impression about rates of personality disorder in people serving an IPP sentence.

"96% of those serving IPPs, including recalled IPP prisoners, are screened onto the Offender Personality Disorder pathway due to the level of risk and personality traits or difficulties that mean they may need additional consideration from a sentence planning perspective."

- Ministry of Justice submission (p. 3)

Again, we are concerned about the lack of contextual information about this statement and consider it to be dangerously misleading given the stigma attached to the term 'personality disorder'. No comparison data with people serving other sentences is given. Without such comparators, it is not clear whether screening onto the Offending Personality Disorder (OPD) pathway is a distinguishing characteristic of people serving an IPP sentence. If that were the

¹⁷ We appreciate the position cited in the Ministry of Justice guidance that they favour a move towards functional assessment of people's behaviour along a continuum of difficulty, rather than the use of pathologising labels. But we are concerned that, in this instance, 'difficulties', 'issues' and 'concerns' are presented as binary classifications, without sufficient detail on what those terms mean. This risks depicting people serving an IPP sentence as particularly pathologised, rather than as experiencing a continuum of responses that may all be 'difficult' or 'concerning', but which may span normal to extreme reactions to indefinite imprisonment.

case, an examination of the screening process suggests reasons that people serving an IPP sentence might screen onto the pathway in high numbers due to the nature and impact of their sentence. The guidance on the screening process for the OPD pathway¹⁸ indicates two screening stages, based on judgements of risk and need level¹⁹. Simply *having* an IPP sentence is sufficient to meet the screening threshold for risk; a judgement that ignores the sentence’s fraught political history, acknowledged over-application and eventual abolition²⁰.

Figure 8
*Step 1 of the Screening Process for the OPD Pathway*²¹

Step 1: Check risk level	Check one or more boxes to progress
a. Indeterminate sentence (IPP or life)	
b. Men and women - determinate sentence for sexual or violent offence Or women only – any sentence type for an offence of violence, criminal damage, sexual (not economically motivated), or against children	
c. Currently high or very high risk of harm in OASys and managed by NPS	
d. Currently medium risk of harm to others, with current/previous sexual or violent offences	
e. Women only: high risk of further offences of violence, criminal damage, sexual (not economically motivated), or against children	

If you have ticked ANY of the above boxes, please complete the section below
 Screening on the basis of need involve firstly scoring ten items from the OASys risk and need assessment which form the OASys PD screening tool²². The guidance states that the presence of seven or more items ‘might indicate raised concerns’ and ‘may indicate the presence of marked problematic personality traits associated with offending behaviour’. If someone does not have seven or more items present, the presence of two or more other indicators is sufficient to screen in.

Figure 9
Step 2 of the Screening Process for the OPD Pathway

¹⁸ National Offender Management Service and NHS England (2015). *Working with offenders with personality disorder: A practitioners guide. (2nd edn)*. <https://www.england.nhs.uk/commissioning/wp-content/uploads/sites/12/2015/10/work-offndrs-persnlty-disorder-oct15.pdf>

¹⁹ Details of the screening stages are taken from the second edition of the official guidance for working with personality disorder (see footnote 18), as the more recent third edition (published 2020) no longer includes these details, with the exception of the OASys personality difficulties screening tool (item a in step 2 of the screening process). Therefore, we cannot say whether any of the other screening items have since been updated. The third edition can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1035881/6.5151_HMPPS_Working_with_Offenders_with_Personality_Disorder_accessible_version_.pdf

²⁰ We also appreciate that making the presence of an IPP sentence sufficient to progress to the next part of the screening process may be intended to expediate the provision of services to people serving an IPP sentence, given the importance of timely provision for them. Nevertheless, if it results in increased numbers of people serving an IPP sentence screening onto the pathway, it risks overrepresenting them in the category of ‘likely to meet the criteria for personality disorder’.

²¹ This and Figure 9 taken directly from footnote 18.

²² Number of convictions aged under 18 years; violence/threat of violence/coercion; excessive use of violence/sadistic violence; does not recognise victim impact; financial reliance on friends, family, others for support; predatory lifestyle; reckless/risk taking; childhood behaviour problems; impulsivity; aggressive/controlling behaviour.

Step 2: Check for personality disorder indicators	Check one or more boxes to progress
a. 7+ PD items endorsed - (<i>please see below for the PD items</i>)	
b. Childhood difficulties - physical, sexual, emotional abuse and neglect and/or childhood behavioural problems	
c. History of mental health difficulties - that are <i>persistent</i> over time. Isolated incidents related to adjustment problems would not be scored here	
d. Self-harm/suicide attempts - <i>persistent</i> over time. Isolated incidents related to adjustment problems would not be scored here.	
e. Challenging behaviour - <i>persistent</i> and/or <i>pervasive</i> . May include making frequent written complaints, adjudications for violence, failures while under supervision, dismissal from treatment provision	
CONSIDER PERSONALITY DISORDER IF EITHER a), OR 2 of b) to e) PRESENT	
NEXT STEP – make an informed decision about whether the person meets the OPD pathway criteria	

However, the guidance gives several cautions and caveats on reaching any conclusions from the screening tool. These are that:

- High numbers of people who have committed offences reach the cut-off. There are well-known circularity issues with the overlap between antisocial personality disorder and committing crime, with each used as an explanation for the presence of the other.
- Screening tools must always be used with extreme caution, with consideration of purpose, setting, competence of the administrator, validity and next steps.
- “Firm conclusions should never be drawn’ the results never quoted in reports. Their only purpose is to guide the practitioner to further action.”²³

In light of this guidance, we urge caution in interpretation of the MoJ’s statement on the number of people serving an IPP sentence screening onto the OPD pathway, as the guidance seems to suggest that the use of the screening tools should be restricted to guiding practitioner action only, and there is no evidence presented (and none published that we are aware of) on the validity of the screening tool in imprisoned populations.

We are also concerned about the extent to which the traumatising impact of the IPP sentence may manifest in the indicators used on the PD screening tool, and be mistakenly assessed as personality difficulty. It appears to be possible for somebody to screen in if they are serving an IPP sentence and present with mental health difficulties, self-harm/suicidal behaviours and/or challenging behaviour. Mental, emotional and behavioural deterioration are responses to the distress of indeterminate imprisonment that people frequently describe to us. In essence, we fear that amidst the vast amount of time and resources dedicated to conceptualising the behaviour of people serving the IPP sentence, the elephant in the room has been missed – the impact of the sentence itself.

²³ See footnote 18, p. 19.

“There are also a proportion who are not engaging with those managing them and so are not able to progress while they are not willing to acknowledge or address their risky behaviour.”

We are disappointed that the reasons for disengagement with professionals are framed solely as an unwillingness to address risk. As the testimony submitted to us clearly demonstrated, one of the frequently described effects of indeterminate imprisonment is a loss of trust in the system, and the professionals who represent it. People are protecting themselves from the risks of shattered hope, unwilling to undergo the considerable pain and vulnerability that offence-focussed work entails. Equally painful are the future-focussed parts of interventions that force them to set out an aspirational future in painstaking detail which they know they may abruptly be deprived of at their next Parole hearing. For people convicted of less serious offences, the constant pressure to frame themselves as dangerous people is experienced as distressing to their self-identity. In essence, the psychological costs of engagement are simply too high for some people, and those costs need to be reduced if the impasse of non-engagement is to be overcome.

Experiences of Release Planning and Resettlement

We asked people about their experience of release planning/preparation, and resettlement. People generally reported that housing was arranged, but that hostels were the typical arrangement, which posed a number of coping problems including family separation, isolation, and the struggle of being in close proximity to drugs. Families reported taking on a great deal of the burden of practical release planning to support their loved one with readjustment, but they sometimes found that their efforts were met with hostility from criminal justice authorities, and that they were excluded from the planning process.

“I have no idea what, if anything HMPPS and its affiliated organisations are doing ahead of any Parole Hearing. However, I have made arrangements for my relevant person to have accommodation and employment upon release. Unfortunately HMPPS just treat me with contempt.”

“[We helped] as a family as much as we could: work placements, references of support within the community etc.”

“[The release process] was confusing and out of my control.”

“It’s draining. Once they come into the parole window their emotions are everywhere and it’s so hard to keep them positive.”

“On both occasions I have had zero plans [and was] released with no ID, no bank account no mental health support. I was told on both times I would have support of local services but these were not in place! Everything I have now I have accomplished myself. It took 6 months to arrange appropriate ID and bank account.”

“Probation don’t help, they just give them a number and leave them to get on with things. You have some IPPs who are released and have not even used a mobile phone before and they are expected to learn how to live in a new world. They are being set up for a recall.”

People experienced the early days of release as a period of neglect, stress and tension.

"The experience of the Probation Officer makes a significant difference but he had four different probation officers in 7 months. That did not help with building a trusting relationship."

"Can never relax or do anything spontaneous as thinking I will have to ask if I am allowed to drive to another town or if I my car breaks down on way to probation or if I raise my voice in public I will be recalled . You're never actually released. It's just like prison but in your own home."

"Poor. No-one checked really."

"Outside of my family and apart from the hostel accommodation, I am not aware of what was available."

"The AP I was released to told me after a week I am wasting a bed. I was there in total for 20 days. I received no support there. They moved me to my mums which is a high risk situation for me I received no support."

We found the below submission a particularly succinct and poignant example of the circularity of the system's provision of support.

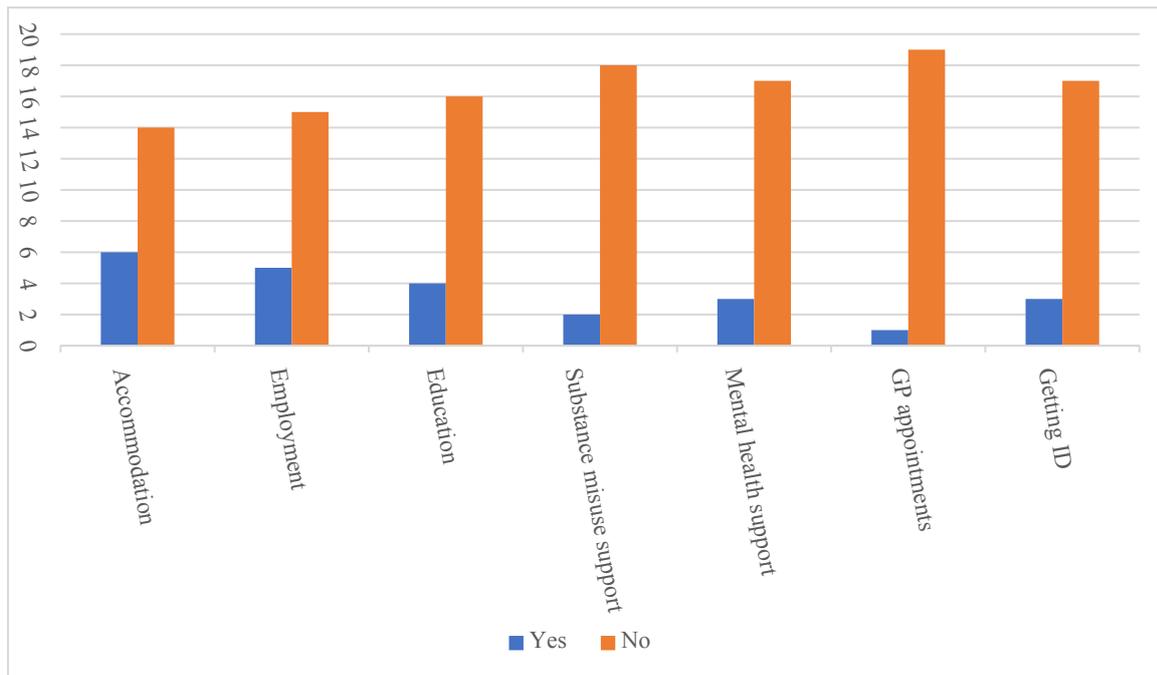
"I was supported by probation to get the days and times needed off work, to attend probation."

The impact of the IPP sentence on release and resettlement

We asked people whether they had ever struggled to access or been turned down for services because of their unpredictable release date.

Table 1

Services Refused Due to Uncertain Release Date



Most people had not been turned down for services specifically because of their unpredictable release date, but some had been, and this was most commonly accommodation.

Rather than the impact of uncertainty pre-release, the impact of uncertainty *post-release* and the heavy costs of abiding by licence conditions were more difficult for people serving the sentence and their families.

"I am appalled that after a minimum 17 years inside, he then has a further 10 years to worry about. I'm all for protecting the public, but it seems here to have become an overriding mantra to impress the tabloids and never mind the damaging effect it produces."

"Also, he has to get permission to start a relationship. This strikes me as humiliation masquerading as essence of propriety."

"It's hard to get work if not in the same town. Most people need to travel for work."

"The fact he couldn't live at home was the biggest struggle. We waited all those years to be a family and we were never allowed the chance."

Recall

Reasons for recall

Accommodation was frequently reported as an issue that led to recall. People described being recalled for losing their space at an approved premises. Other people described lengthy periods on recall following further charges, which were generally dropped, but sometimes attracted determinate prison sentences shorter than the recall period. One person described being recalled on the basis of their physical description, but was subsequently found not to be the sought-after person. They still had to sit a Parole Board to secure re-release.

The impact of recall

People's descriptions of recall were very similar to the Prison Reform Trust's findings. Common words were despair, stressful, suicidal, helpless hopeless and traumatising.

"Traumatic on both sides. Imagine the relief at being released only to have it snatched away. And not because a crime has been committed. That is the most shocking part of it all."

We asked people what support they received following recall. The answer was almost unanimously 'none'. One person said they had a very helpful solicitor, and one person said their loved one's Probation Officer made efforts to find a new hostel after their loved one lost their space, and wrote in favour of his release.

Appendix I: Profile of Contributors

Table 2

Sentence-Related Characteristics Reported By Contributors

Note: People serving an IPP sentence reported their own sentence-related characteristics, and family members reported the sentence-related characteristics of their loved one.

	n	%
Total	31	100
Relationship to IPP sentence		
Serving an IPP sentence	10	32
Family member or other loved one is serving an IPP sentence	21	68

Index offence			Mean tariff length		Tariff range	
			Mean	Range	Mean	Range
Robbery	10	32	4 years		2.1 years – 11.5 years	
Wounding with intent	10	32	4.6 years		1.5 years – 10 years	
Threats to kill	2	7	1.9 years		1.3 years – 2.5 years	
Violence (offence not specified)	2	7	-		-	
Attempted murder	1	3	-		-	
Possession of a firearm with intent	1	3	-		-	
Meeting a child in a public place	1	3	-		-	
Missing	4	13	-		-	
All offences			3.8 years		7 months – 11.5 years	

Release status			Time served in prison so far		Time served before release	
			Mean	Range	Mean	Range
Never released from prison	15	48	12 years	5-16 years		
Released from prison	16	52			8.4 years	3.8 – 12 years

Tariff status			Time served beyond tariff	
			Mean	Range
Pre-tariff	0	0		
Post-tariff (unreleased)	15	48	9 years	1.4 years – 14.3 years
Post-tariff (released)	16	52	5.3 years	1 month - 10.5 years

Recall status			N recalls		Time served on recall	
			Mean	Range	Mean	Range
Not applicable – never released	15	48				
Never recalled	1	3				
Ever recalled	15	48	2.0	1-6*	2.8 years	3 months – 5 years
Recalled – currently in prison	10	32	2.3	1-6*	3.4 years	8 months – 5 years
Recalled – but rereleased and currently in community	5	16	1.4	1-3	1.7 years	3 months – 4.5 years

*Only one person was recalled six times. One was recalled four times. The remainder were recalled three times or less.

Appendix II: Statements About the Impact of the IPP Sentence

We include here people's answer to the question 'Can you give a statement about the overall impact of the IPP sentence?' We include answers in full, and only minimally edited for clarity.

People serving the IPP sentence

“SOUL DESTROYING!”

“Scared, broken, alone. Left to rot with no hope at the end of the tunnel. The entire experience is degrading and negative. The impact post release is just as bad: no support, no job, no hope.”

“It's inhumane. It's caused my MH to be worse in jail. Not knowing when I'm getting out. Being warehoused in a jail. The IPP is just inhumane. I wouldn't give my worst enemy an IPP.”

“Dehumanised.”

“It has ruined my life, ruined my family life and ruined the opportunity for me to have healthy relationships with my children.”

“Inhumane. We hold our hands up to our crimes but should have just given a full life term or normal sentence . The not knowing if or when you will be home is the worst part of an IPP prisoner journey.”

Family members of people serving the IPP sentence

“Honestly I don't think I could put into words how much this sentence has ruined our lives. 16 years of torment, 16 years of never knowing when, always jumping through hoops while you watch the prisoner in for the same crime go home and carry on their lives years earlier with ease. The mental torment for the children of the IPP prisoners who never know when daddy is coming home, or the torment of watching them being recalled for not even committing a crime. The emotional breakdowns where you can't do it anymore because you're sick of constantly fighting for what is fair. It really has ruined our lives. We haven't had normal in 16 years. There hasn't been a day that the IPP sentence hasn't controlled our lives.”

“This has been a complete emotional rollercoaster. It's absolutely heartbreaking to hear him on his lowest days, and knowing what has been witnessed by him in the prison system is awful. Knowing he really isn't ok but acts up on the phone is horrible! It makes you feel useless and it hurts because there is nothing you can do to help or make it better. It's mental torture and it really tests you as a person. The not knowing is the worst... when he shuts down it breaks your heart and mind. It's so draining because there is nothing that you can do to pick your loved one up and you can't see an end to this inhumane barbaric sentence. It destroys all involved.”

“I find it hard to believe still after almost 10 years of my son's imprisonment under this sentence, the total and absolute injustice of it. How can you sentence people with them not knowing when they will be released? How can you not provide the appropriate courses they need to progress and then not release them on those grounds? How can you use a risk test that tries to predict people's future behaviour? Why is it that when questioned about the sentence Government ministers in particular ALWAYS talk about 'dangerous people who are a risk to the public'. Yes, there are some IPP prisoners who would fit this criteria, but many, many more have committed relatively minor crimes and are still imprisoned years after their tariff has expired. How can you as an IPP prisoner see people serving a similar sentence to you that is not under an IPP, leave when their time is served but you have to remain?”

“My son has developed mental health issues whilst serving this sentence. He has PTSD and is chronically anxious. I have always tried to be positive with him and the sentence but I am so desperately worried about him all the time. I can hear the despair in his voice when he calls and frequently there is little I can do to alleviate it. His teenage son misses him dreadfully

and especially since lockdown as we were unable to visit at all and we visited fortnightly prior to this. I am 67 now and can only hope I live long enough to see my son released.”

“The IPP sentence is an unlawful and inhumane deprivation of liberty that tortures, torments and destroys the souls of all victims involved. It appears to have been a very lucrative opportunity for a minority who have benefited from the contributors to the Central European Fund and from UK taxpayers.”

“I am so shocked people are being treated like animals. [He] has cried on many occasions saying he just wants freedom. He has not committed any further offences since 2006 so why is he locked up? It makes no sense.”

“Initially I didn't understand the severity. Having worked in the mental health sector I now understand. My son killed no one thank god, but the severity of this sentence he might as well had. The sentence is abolished so why make the ones on it before still have to pay penance? My own mental health is not good anymore as I try to keep my son positive. We are a Christian family and believe all will come good but the pain and suffering of my son and our family have times of not coping. It is sooo frustrating and I believed these unjust things only happened in other countries not the UK.”

“I am drained supporting this man through the years, through this vicious sentence. I never say so of course, being glad to be of some regular support, but incandescent at the waste, the avoidable pain he has to endure, the enforced loneliness, the mind-numbing loss as the best years of his life are let drift away, with no hope materialising even yet.”

“I feel it is a very unjust sentence and does not solve or help rehabilitation whatsoever. My son deserved to be punished for his crime and he acknowledges that continuously. However, to have been incarcerated for as long as he has is inhumane. He has served his sentence, the first parole board member told him that. He has had three parole hearings since. The prison system is hindering his release by the lack of support and progression. He has fulfilled all the courses up to his parole hearings and then the goal posts are moved again. Some courses he has recently been recommended for he was deemed not meeting the criteria for, some years earlier. As a family we are never asked of the impact on my son or us collectively. We attend every hearing and it feels like a decision has often been made regardless. He has never had the same probation officer twice at any of the parole hearings and on one occasion he had not even met his probation officer let alone spoke to him prior to the hearing.”

“My life has changed in a way that it will never return to. My brother's life was taken because of this sentence and that is something I have to wake up to everyday for the rest of my life.”

“Eye-opening, unsettling, stressful, mentally challenging and draining, frustrating, upsetting, disheartening, slow.”

“I think it is so bad there should be IPP.”

“It is an unjust sentence with a very high barrier to progression both in and out of prison. The licence conditions are unreasonable and intrusive. There is no peace with the IPP sentence, neither for the prisoner nor for their loved ones. It is a state of limbo that stretches unendingly.”

"It's very difficult putting it into words really. It's a struggle no matter how well my son is doing. I can't help but worry how he is coping. Due to his autism he doesn't tell me a lot of things. Staff aren't really trained for that. I get stressful over little things all the time. Things have changed so much on the outside."

Appendix III: What is the most important thing you want to say to the Committee? - Responses

We asked people what the most important things were that they wanted the Committee to know. We include answers in full, and only minimally edited for clarity.

"This sentence is a destroyer of time, lives, hopes, families, potential: well described as a stain on the justice system. My appeal to the Committee is to try its utmost to soften the hearts of the Government, since hard they must be to have let this viciousness go on for so long. I fear for all IPP prisoners, but understand something of the enormous, and no doubt typical suffering of the one I have come to know well over the years, currently sharing a wing with a man who got 16 years for murder; my friend equalling that time by Christmas this year. A grotesque extension & distortion of his original 18-month tariff delivered Christmas 2005. Please help in all the ways you can."

"I understand the need for public protection and consequences, but the IPP sentence has gone far beyond anything like this. I would like to think we live in a society and country that has fair justice, but there is nothing left of this sentence which represents that. What is left is an extreme form of punishment and mental torture for a lifetime for anyone serving it, and for their families. The damage that it has and continues to cause is so far reaching that there are possibly more victims because of it than there ever would have been had it not been introduced. Nothing will bring my brother back or undo the pain I feel everyday because of what he went through and knowing I will never see him again or hear his voice or hug him. But there are fair and safe ways to fix this and to put a stop to the damage it continues to cause."

"It is wrong to give disabled people an IPP especially those with sensory issues. I am living proof that prison does not cater for people with disabilities. I have been messed around for 16 years because the sentence was never thought out properly or implemented with the right resources. I should have been given a section not an IPP. On a section I have a life licence anyway but instead I am now under two life licence. If I get recalled - I go straight back to jail, again a disabled person with no access to anything. I would rather be recalled back to hospital where real support is offered and I can improve."

"This unjust sentence has gone on for long enough. It's no longer acceptable to just brush it under the carpet. If they have served their sentence ,why are they still locked behind bars instead?"

"I feel it needs to be looked into, and release those that are now political prisoners. It's such an unfair sentence and a lot of IPP prisoners were given this sentence so an example could be made of them. So many are and have suffered so extremely they saw no other way out but to take their own life... its awful. Some self-harm because it's their only way of dealing with

it. So many have spent years in prison or on a recall for crimes that wouldn't even warrant a life sentence, but yet they are still in prison. Those who are sex offenders or have killed someone adult or child get released with new identity but then go on to reoffend. Then you have this IPP sentence where a lot of them serving it should never of been given it, and they just want the chance to live whatever time they have left and be happy and not have to be scared to be 5 minutes late in the fear of a recall. It's terrible and it doesn't just have an impact on the prisoner, it also has a huge impact on their families and their loved ones."

"I honestly believe this sentence has ruined the lives of so many. It has destroyed peoples' mental health, it has a generation of children growing up affected by parents being given this sentence unfairly, it's given probation and the parole board too much power to determine whether someone is suitable for release. Prisoners have to prove they are no longer a threat without ever really being able to prove that and are then knocked back. It should be the job of the probation and parole board to prove this person is a danger to the public and is still not rehabilitated. It has gone on for far too long now and there really does need to be change. We all want to get on with our lives, but even writing this I feel it will still be a very long time before anyone listens enough to change things. One thing we have learnt is to not get our hopes up anymore. I just wish this mess was over, I really do."

"I want to change be a father to my kids, teach them this isn't the way, and have an impact on society."

"If we just had an end date we would work toward being the best version of ourselves, and have a reason to get out of bed and become better people. We watch rapists, murders/ child molesters come and go daily and we think they do such horrible crimes that most of IPP prisoners couldn't even imagine, but they are treated better than us and go home way before us. And they wonder why many IPP prisoners end up dead . Imagine being treated worser than the worst kind of humans to walk this earth. Just give us an end in sight."

"IPP- the struggle is real. Most of us were damaged before receiving the sentence and once on IPP found ourselves broken in ways that are indescribable. It is of no shock to any IPP when we hear the news of another suicide as I can talk for all IPPs I know personally, we all believed the only way out of this sentence was in a body bag! The ways we coped was either drug use, self-harm, self-destructive behaviour, or all of the above. I myself had two suicide attempts (both post tariff) and struggled with addiction throughout my 13 years. I lost myself during my sentence I feel I am a shadow of myself. They took the best years of my life and all Mr Blunkett can say is he is sorry! I was sorry for the mistake I made but still spent 13 years paying for it. This sentence is the worst thing to happen to our justice system it has brought nothing but more problems and not 1 solution!"

"It is in humane. The sentence serves no purpose to rehabilitate, only hinder. It affects so many peoples' lives. As a family, we live the sentence also. My son has served his sentence, he deserves a chance of life. To say it is an indeterminate sentence is like signing his death warrant and that he will never live to see freedom or be with his family again. That is worse than the offence he was sentenced for in the first place."

"It's wrong."

"Learn from the mistakes made in the past and don't do nothing. Change has to be made."

“Please abolish it once and for all. Automatically release these prisoners once their tariff has expired and give these prisoners a chance to move on with their lives. Let justice prevail. IPP is not justice in any way shape or form.”

“Please abolish the whole sentence as it benefits no one. All the time in prison costs money and services. IPP sentence shouldn't exist at all. There are other ways.”

“Please persuade the Government to reverse individual IPP sentences to determinate sentences except in the most serious of cases. Please enable the release of prisoners who have served their sentences and those who are post tariff. Please change the release test and place proving the burden of risk on the state not the individual. Please change the licence conditions to make them shorter and achievable and reduce the amount of recalls. And for those who have taken their own lives as a result of this inhumane sentence, please apologise to their families.”

“That you are dealing with human beings not numbers and statistics. That the IPP sentence not only deeply impacts those serving it, it also deeply affects partners, family, children, loved ones & friends of those serving it. The mental effects & helplessness are felt by all involved & the uncertainty & timescale of progress is agonising for all involved. As we now approach almost a decade following its abolishment, substantial changes must be made for everyone involved. It is unnecessarily ruining lives because no one seems to be willing to make changes.”

“The IPP has destroyed [him] as a person. He says he doesn't recognise himself. He is a lovely person liked by many who know him. No one in our area can understand why he has done so much prison time as he has a wonderful nature and happy to help anyone. Basically these people have had different rules to others, how is that fair at all? He hasn't been able to get a career or make a family just in case he might hurt someone? How awful to do that to a human who wants nothing but love.”

“The IPP sentence is an inhumane, torturous and unlawful sentence. When the sentence was outlawed, those detained under it were to have been granted resolve by UK Government powers who obtains UK taxpayer funding and did get Central European funding (pre Brexit) for the purpose of finding resolve. Government in cohorts with LASPO have so far failed to do what is required by law. You have been failing the public and justice since 2012. Get it sorted before the year is out.”

“Time to end the suffering, let's get rid of this sentence once and for all. People who deserve this should be switched to life sentences with a end date, I've done 12 years on release. I believe that's more than enough time to have this IPP ended. I want my life back without having this over my head.”