UNGRIPP

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This briefing sheet outlines what the IPP sentence is and the problems with it.

What is an IPP sentence?

- The Criminal Justice Act 2003 introduced the Indeterminate Sentence for Public Protection, known as the IPP sentence or DPP if it was given to a child.

- The IPP was a life sentence that could be given for any of 153 crimes, including affray and criminal damage. Many of these crimes had never previously been given a life sentence.

- Before 2005, life sentences were reserved for murder, and the most serious cases of manslaughter, GBH, robbery with violence, and perpetrators of sexual violence.

- Between 2005 and 2013, 8,711 people in England & Wales were given the IPP sentence. Prior to its implementation, it was predicted that only 900 people would receive this type of sentence, as it was intended for only the most serious offences. 326 people who received the sentence were children.

- In 2012, following a ruling against the IPP sentence by the European Court of Human Rights for breaching Article 5(1), it was abolished by the Government. But it was not abolished retrospectively. In December 2024, 2,614 people were still serving an IPP sentence in prison.

- Until recently there was little precedent for retrospective changes to law. However, the introduction of the Terrorist Offenders (Restriction of Early Release) Act 2020 indicates that, where there is political will, retrospective changes will be enacted.

- In September 2024, the Government announced they would be making changes to the IPP Licence conditions, reducing the qualifying period for a licence review from ten years after first release down to three years after first release. For those who were given a DPP sentence (people who received their IPP sentence as a child) the period would be two years after first release. They also introduced a route to automatically terminate a person's IPP sentence. If the Parole Board decides to leave a person's IPP licence in place after the qualifying period has expired, a two year 'clock' starts. If the person avoids being recalled in that two-year period, their IPP sentence will automatically be terminated.

- These changes will help many people in the community but do very little for those who are still stuck in prison serving IPP.

How does the IPP sentence work?

- The IPP is divided into two parts. The judge decides how many years a person must spend in prison as punishment for their crime (known as a 'tariff'). Once that time is served, they may apply to the Parole Board for release. If they achieve release, they must then serve a licence of a minimum of three years (two for DPP), they will then have a licence review by the parole board. If the Parole Board decides to leave a person's IPP licence in place after the qualifying period has expired, a two year 'clock' starts. If the person avoids being recalled in that two-year period, their IPP sentence will automatically be terminated.

- Tariffs were set based on how many years imprisonment a person would receive before the IPP sentence was introduced. Because it covered so many crimes – many not serious - tariffs

were often very short. The shortest was 28 days. The tariff was then followed by indefinite confinement in the interests of public protection, and, if release was achieved, recall on a public protection basis. It is the ongoing, indeterminate nature of the sentence, which has caused today's problems.

Why is the IPP sentence a problem?

The IPP sentence has failed on a number of indicators of successful criminal justice policy. It has entirely departed from the principle of proportionate punishment, and has failed to demonstrate a measurable impact on reducing reoffending. The problems of the sentence are outlined below.

- **Far more sentences were given out than was ever expected.** The sentence failed in its aim to target only the most dangerous people.

- **This overwhelmed the prison system, and help was not available** for people serving an IPP sentence to address their problems and reduce their risk, leading many to fail at Parole hearings due to institutional failings. This created a legacy of hopelessness and mistrust in the IPP population, which severely hinders any fractional improvements in the provision of rehabilitative help.

- **The prison environment is overcrowded, dangerous and threatening.** The logic of the IPP sentence demands that people make lasting changes to their behaviour, yet prison currently provides precisely the opposite to conditions known to promote change.

- Evidence shows **a consistent pattern of psychological toxicity created by the IPP sentence**, in the form of feelings of injustice, anxiety, and despair. Again, this toxicity is not conducive to change, and instead merely inflicts suffering and causes mental deterioration.

- **The IPP sentence relies on being able to predict future offending.** The best methods available for doing this are around 70% accurate. To our knowledge, no study has examined the accuracy of risk assessment tools specifically with people serving an IPP sentence. The unique circumstances of the sentence may well alter the predictive validity of existing tools and produce counterproductive effects.

- **Evidence shows that the IPP sentence produces harmful effects in the families of people serving an IPP sentence,** including to children.

- **The increasing growth of the recalled IPP sentenced prison population indicates that it is failing to help people move on**, and is perpetuating a cycle of imprisonment.

- **There is no evidence that we are aware of which suggests that IPP and similar sentences are any more effective at reducing reoffending than determinate sentences.**

- **The sentence fails to preserve justice and proportionality of punishment,** as it results in people convicted of similar crimes serving very different lengths of time in prison. This severely undermines public legitimacy of sentencing.

Where can I find out more about what the IPP sentence is like?

Our Twitter account @forgotten_ipps shares stories submitted anonymously by people serving IPP sentences, and their families.

Our media archive contains stories of individuals serving the IPP sentence:
www.ungripp.com/news-article-archive