

Too many bends in the tunnel? Women serving Indeterminate Sentences of Imprisonment for Public Protection – what are the barriers to risk reduction, release and resettlement?

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Abstract

This research examines the situation of women serving indeterminate sentences of imprisonment for public protection (IPP) with the objective of identifying barriers to risk reduction, release and resettlement. This sentence was introduced in 2005 as part of the Criminal Justice Act 2003 and abolished by the Legal Aid, Punishment and Sentencing of Offenders Act 2012. Recent published figures (24 April 2018): 74 women in prison on IPP, 96% of these over tariff.

Findings

- Each of the nine women interviewed had served at least twice her tariff with one serving eleven times her tariff.
- None of the women had spoken before about the reality of serving an IPP sentence.
- All of the women came into custody with pre-existing internal barriers.
- All of the women spoke about the lack of information on IPP at the time of sentencing and the continued struggle to understand the sentence.
- All of the women distinguished their tariff lengths (which they all judged as fair) from the length of time actually spent in custody. The indeterminate element was what caused most frustration and affected their ability to progress.
- There were widespread feelings of anger that the sentence had been abolished, but they were still in custody. This led to lack of confidence in the system and affected willingness to engage.
- The women all experienced significant losses during their sentence, with five of the nine losing children into local authority care. Five of the nine had also experienced significant bereavements in the post-tariff period of their sentence.
- All of the women spoke about the adverse effect of the sentence on their mental health, which affected their ability to engage in regime and risk reduction work.
- Six of the nine had tried to commit suicide multiple times during the sentence.
- Accessing interventions was problematic due to poor availability, including lack of appropriate courses, and past trauma and anxiety making it difficult to engage.
- Parole Board (PB) hearings were immensely stressful for the women and three had a majority of paper hearings, despite being entitled to oral hearings. The approach of individual boards had an impact on the women and their perception of due process.
- All the women said that simply 'having a date' would make the most difference.

Recommendations

for managing IPP prisoners

- Each prison should have a designated IPP caseworker in recognition of the complex needs of this group of prisoners.
- Professionals who work with IPP prisoners should talk with women about the lived reality of serving an IPP sentence and consider their feelings and experiences in their casework.
- Training for professionals supporting IPP prisoners should be developed in collaboration with IPP prisoners and their families.
- Specific materials and programmes to address female sex offending behaviour and facilitate risk reduction should be developed.
- The PB should monitor the number of IPP prisoners choosing paper parole decisions.
- HMPPS should ensure that IPP women over tariff who have been reviewed at national level are informed of this fact and updated about progress and additional reviews.
- Other avenues of support should be investigated by prisons in recognition that Offending Behaviour Programmes may not necessarily, or solely, remove barriers to release.
- Mental health and offending risk needs should be integrated into programmes of help that can be evaluated and rolled out in joint work between NOMS and health providers in prisons.

Recommendations

for legislative and national policy change

- Convert all or some IPP sentences to a fixed term sentence.
- Make provision for all or some post-tariff prisoners to be released by a certain date.
- Place the burden of proof on the PB to demonstrate that IPP prisoners continue to pose a serious risk of harm to the public which must be managed in custody.
- Use existing powers to release IPP prisoners who have now served more than the current maximum tariff for their offence.
- End the IPP sentence once the PB has ordered release, limit licence lengths and deal with further offences under normal sentencing provisions.
- Make greater use of release on temporary licence and approved premises support for IPP prisoners through increased funding.