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INDETERMINATE SENTENCES FOR PUBLIC PROTECTION INSPECTORATES' REPORT CRITICISES IMPACT AND IMPLEMENTATION

Today, the Inspectorates of Prison and Probation publish a thematic review of indeterminate sentences for public protection. It is highly critical of the scope, implementation and impact of the new indeterminate sentences (IPP sentences for adults and DPP sentences for those under 18). While welcoming recent changes to limit the scope of the sentence and improve processes, it points out that the 4,500 prisoners already sentenced will affect prisons and probation for years to come.

The report notes that the scope of the sentence was very wide and that these prisoners, often with short minimum sentences, entered an already over-stretched and under-resourced system: within prisons, probation and parole. In addition, central national systems for managing lifers and indeterminate-sentenced prisoners had been severely weakened. This it describes as 'a perfect storm'.

The report is based on fieldwork carried out in prisons and probation in late 2007. It found that:

- Many prisoners had complex needs, including mental health, learning disability and a risk of self-harm, as well as criminogenic needs. Nine out of twelve women sampled had mental health needs.
- One in five of the prisoners whose cases were examined were already over tariff. Prisons, both local and training, had no additional resources to deal with them, and staff had not been trained. There were no adequate systems for moving prisoners so that they could access necessary programmes. Prisoners and staff expressed great frustration at their 'Kafka-esque' predicament, unable to access the interventions they needed to secure release.
- The Probation Service did not have sufficient guidance or training to assist the courts with accurate pre-sentence reports when deciding whether to pass an IPP sentence

- There was insufficient provision for the children and young people sentenced to DPP: youth offending teams were unprepared, and there was too little specific prison provision, or interventions to reduce risk.

The report chronicles in detail the real effects of this within prisons. It quotes the views of both staff and prisoners, and includes case studies of those sentenced to IPP and DPP.

Anne Owers, Chief Inspector of Prisons, said:

‘This report should be required reading for all those within the criminal justice system, but particularly those who propose and put in place new sentences or are responsible for implementing them. It is a worked example of how not to do so.

“First, the breadth of the definition meant that this expensive and long-term sentence could be, and indeed was, over-used and insufficiently focused on the population for which it was designed. Second, there was no planning or resourcing to ensure that the already overstretched systems into which these prisoners were to be decanted were capable of dealing with them. Third, this created a vicious circle, in which IPP prisoners were both casualties and contributory causes of a severely overcrowded prison system. Moreover, as they tend to be younger, frustrated prisoners with complex needs, they are likely to pose significant control problems and self-harm risks.

“It is good that action has now been taken, both legislatively and operationally, to manage the crisis this has created – though not before it resulted in a finding of unlawfulness. However, the crisis has a long tail: there are thousands of prisoners already in the system, who, together with the prison and probation services, will feel its consequences for a long time to come.”

NOTES TO EDITORS

1. A full copy of the Inspectorate’s report into is available from <http://inspectrates.justice.gov.uk/hmiprison/>
2. Anne Owers has limited time available for media interviews. Please call 0203 334 3528 to arrange an interview.