



## Opening Hours

**Monday to Friday**  
9.00am - 8.00pm

**Saturday and Sunday**  
10.00am - 3.00pm

## Indeterminate Sentences

### Life and Extended Sentences/Imprisonment for Public Protection 'IPP' (prior 2012)

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#### **If a prisoner receives a life sentence does this mean they will be in prison for the rest of their life?**

Not necessarily. Some prisoners will stay in prison for the rest of their lives because of the sheer nature of their offences. However very few prisoners, less than 1% of all 'lifers', receive whole life tariffs.

#### **What is a tariff?**

Most prisoners will receive a set 'tariff' which is the time they must serve in prison before they will be considered for release.

#### **How is the tariff set?**

In the past the Home Office decided upon the tariff for mandatory lifers and the courts set the tariff for discretionary lifers. Now all tariffs, both mandatory and discretionary, are set by the courts.

*A mandatory lifer* is someone who has been convicted of murder and this is the only sentence that this offence warrants.

*A discretionary lifer* is someone who has been given a life sentence as the maximum sentence for another serious offence.

#### **Where will the prisoner be detained?**

Prisoners given life sentences normally start their sentence at a main lifer centre. It is normal for a prisoner to spend around three to four years at a

main lifer centre. What happens next depends on progress within the system. The progress aim for lifers would normally be that they would start their sentence at a category A establishment then they would move to a category B training prison, before moving to a category C prison. It is expected that a move to a category C prison would normally only be undertaken when the majority of work into addressing offending behaviour is complete. Once in a category C prison work is usually undertaken to prepare a prisoner for release, so this is generally not considered until very late in the sentence. It is possible for a lifer to eventually move to a category D (or open prison), but this would only usually be considered after their first parole review. Time in an open prison will give a prisoner who has spent a long time in custody a chance to readjust and prepare for life back in the community.

#### **What happens during the sentence?**

All lifers will have a life sentence plan which is reviewed every year by staff at the prison. The aim of the plan is to look at issues such as offending behaviour and behaviour in prison and to plan for the following twelve months. A plan might include, for example, a recommendation that an individual undertake an anger management course or a substance abuse course. Each lifer should be able to see the plan and have an opportunity to discuss it with staff. There should also be a space on the plan for the lifer to make his own comments on the suggestions made. A lifer should expect to have his

progress reviewed at regular intervals. This can be anywhere between every one and five years but in most cases they will be around every three years. As part of the review a number of people will be asked to compile reports. These people might typically be the personal officer, the lifer liaison officer, a probation officer and possibly other people who have had contact with the lifer for example education or work officers. The prisoner will be allowed to see these reports and make their own comments on what is said. The aim of these reports is to look in more detail at the long term aims and goals that would be worked towards in the sentence plan. Often these reviews will be the trigger for a change in category or an allocation to a new prison.

### **When will the prisoner's case be reviewed?**

About three years before a lifer's tariff expires, the first parole review will begin. At this stage the Parole Board does not have the power to recommend release but they can recommend that a prisoner is suitable for a move to open conditions.

When the review starts the prison will be asked to compile a parole dossier on the lifer. The dossier will contain reports similar to the ones prepared for progress reviews, details of the offence, details of the lifer's personal history (including previous convictions), and the lifer's progress within the prison. Again, the prisoner will be allowed to see these reports and will have one month from seeing the dossier in which to make his own representations. The review should take between six and nine months to complete.

Once the review is complete, the case is put before a panel (Parole Board) who will provide written advice to the Home Office. The Home Office do not have to accept the recommendations of the Parole Board and can instead choose to make a different decision. In all cases, full and written reasons for any decisions will, and must, be given to the lifer concerned. If parole is refused then further hearings will normally be held on an annual basis.

### **What happens upon release?**

If parole is granted a lifer will be released on a licence which will remain in place for the rest of their life. This licence will contain certain standard conditions and some conditions that are specific to the individual. The standard conditions will include living at a specified address, reporting to a

probation officer and not to leave the country without permission.

The specific conditions are designed to reflect an individual's own circumstances and might include a requirement to attend a certain course or not to enter a certain area. There may also be a condition not to contact the victim of the original offence. Failure to adhere to these conditions can result in a prisoner's recall to prison.

### **Imprisonment for Public Protection or 'IPP' (prior 2012)**

Unlike prisoners who are given a set sentence in court who will be released when they have served the custodial portion of their sentence, prisoners given an IPP sentence (Imprisonment for Public Protection) have no automatic right to be released. IPP prisoners must serve a set period in prison before they will be considered for release. This period is referred to as a 'tariff' and is set by the trial judge. IPP sentences are usually given to someone who has been convicted of a serious specified violent or sexual offence.

*IPP sentences will no longer be issued (post December 2012) but those currently serving will remain on IPP.*

IPP prisoners should not expect to be released at any time prior to the completion of their tariff period. However, serving the full tariff period does not guarantee automatic release. The prisoner will only be considered for release once the Parole Board is satisfied that the risk of harm posed to the public by the prisoner has reduced to a safe level. This means that IPP prisoners can serve many years after the expiry date of their tariff.



## **New extended sentences**

These replace previous 'IPP' sentences and are thus only given to those considered a significant risk to the public. Those placed on an extended sentence are given a recommended tariff, which they must serve, the individual can then be held for an extended period after this tariff, if they are still seen as a risk to the public. This extended period cannot exceed 5 years for those serving time for a violent offence, and 8 years for those serving for a sexual offence.

Extended sentences can be quite complex dependent on the specifics of the case, it would be recommended to speak with the prisoners' solicitor, or to check via the justice website for further details.

## **Release of IPP/Extended and Lifer prisoners**

Where the prisoner is subject to an IPP, life or extended sentence with discretionary release, the prisoner must demonstrate to the Parole Board that their risk is manageable in the community, in order to obtain release on licence. If the prisoner is not fully engaged with the sentence plan, the Offender Manager or Offender Supervisor must ensure the prisoner is aware that if he/she does not comply with the sentence plan, and does not demonstrate a change in behaviour or attitudes associated with offending and work towards identified objectives, this may affect the individuals chances of being released.

## **What about victims?**

The Victim's Charter states that the Probation Service must contact the victim or their family within two months of sentence. The victim or their family can ask to be informed when the prisoner is to be moved, released or to go on an escorted absence or release on temporary license. They can express any worries they have concerning the prisoner's release and these will be taken into account when license conditions are set. If you are a victim of an offence and concerned about the release of a prisoner you can contact the Victim helpline on: 0845 7585112.

