

'Reducing Risk: Integration or Aversion? Risk assessment, management and the use of IPP in England and Wales'.

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Current Position

- 6,130 IPP prisoners in England and Wales (MoJ figures)
- Of these some 2,850 have passed their tariff date
- Only 99 had been released by June 2010, with approx 24 recalled
- Each prisoner costs £40,000 per year
- 2,120 had not finished one programme as of July 2010
- November sees a review of IPP sentencing

Growing Controversy

- Prison Governors Association has called for end to IPPS and the end to the 'bureaucratic limbo' of such prisoners
- IPPs are 'unfair and inhumane'
- Parole board has become 'risk averse' post high profile SFOs
- Prison Reform Trust report June 2010
- Ken Clarke's 'rehabilitation revolution' and challenge to the 'bang em up' culture
- Too high a proportion for lower risk offences- proportionality and seriousness not adhered to
- Projection: 12,000 IPPs by 2012

Recent Research

- Jessica Jacobson and Mike Hough for the Prison Reform Trust, 2010
- Key points: lack of offending behaviour programmes, limited parole board capacity, risk aversion, lack of rehabilitative opportunities in prison, cannot 'prove' safe to release
- HMIProb and HMIPris March 2010:
“Given that the present position is unsustainable, a major policy review should be conducted at Ministerial level, analysing the costs and benefits of these sentences”.

Impact on Prisoners

- 'Kafka-esque limbo'
- Hopelessness, nothing to lose, fatalism
- Fractured contact with families, especially for young male prisoners
- Frustration, lack of incentive, no future goals
- Long waiting times for group/treatment programmes (despite appeal court judgement)

Impact on Practice and Key Agencies

- Volume against the under-resource
- Quality of Pre-sentence reports inadequate for IPP decision making
- Judges' decision making
- Difficulties with key terms and risk thresholds
- Lack of prison programmes
- 'Bottle necking' in local prisons
- Poor quality sentence and risk management plans

Aversion or Integration?

- The persuasive logic of the precautionary principle
- Politically risk averse (until the money runs out)
- The resurgence of rehabilitation
- ‘Holistic’, ‘balance’ and recent HMIP report
- GLM, integration, and community supervision

Some Broader Considerations

- Precaution and aversion versus integration and rehabilitation
- Seizing the agenda in the age of austerity
- ‘Blended protection’- through enhanced community supervision, prevention, and creditable rehabilitative strategies
- Caution- beware the displacement of risk onto those least able to manage it!

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