

## **IPP sentences**

### **Update 13.12.12**

#### **LASPO Act**

The Legal Aid Sentencing and Punishment of Offenders Act was passed by parliament in May 2012.

The abolition of IPP sentences came into force on 3<sup>rd</sup> December 2012.

However, the IPP sentence can still be given to someone convicted before 3<sup>rd</sup> December 2012 but sentenced after 3<sup>rd</sup> December 2012.

Anyone convicted after 3<sup>rd</sup> December cannot get an IPP.

The IPP sentence has been replaced with determinate and extended sentences. This does not affect people already sentenced.

There will be no sentence conversion or automatic release for people already on the sentence.

The Secretary of State will have the power to change the parole board release test, but at the moment there are no plans to change the release test for existing IPPs.

#### **NOMS changes**

##### Transfers to open conditions

- Transfer are being managed centrally for people who are post-tariff and pre-tariff and have had their decision from the Secretary of State approving a move to open conditions
- People are prioritised depending on how long they have been waiting for transfer (not time over tariff)
- From March 2012, 100 people (IPP prisoners and lifers) are moving into open conditions a month
- The average waiting time has come down from 9 months to 6 months.
- This does mean that people might not be allocated to their preferred open prison.

##### Offender Management

- New offender management specification will come in for April 2012 – resources will be targeted at risk (so more interventions for people who are higher risk)
- For the next year, probation based offender managers will be the lead offender manager but this will change in April 2013 so that while someone is in prison, the lead offender manager will be a prison based offender supervisor

##### Release on Temporary Licence (ROTL)

There is a new Prison Service Instruction 21/2012 about ROTL. It says that:

- In exceptional cases, governors can now allow ROTL for IPP prisoners and lifers who have been approved for transfer to open conditions but are in closed conditions.
- Governors can allow inter-prison transfers (to open prisons or between open prisons) using ROTL for IPP prisoners and lifers. This is for people who have already had unsupervised ROTLs successfully.