



A Helping Hand

Supporting Families in the Resettlement of People Serving IPPs

Harry Annison and Christina Straub

About the Prison Reform Trust

The Prison Reform Trust is an independent UK charity working to create a just, humane and effective penal system. We do this by inquiring into the workings of the system; informing prisoners, staff and the wider public; and by influencing Parliament, government and officials towards reform. The Prison Reform Trust provides the secretariat to the All Party Parliamentary Penal Affairs Group and has an advice and information service for people in prison.

Our two main objectives are: reducing unnecessary imprisonment and promoting community solutions to crime, and improving treatment and conditions for prisoners and their families. For further information <http://www.prisonreformtrust.org.uk/>

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1. Summary

In England and Wales, the indeterminate sentence of Imprisonment for Public Protection (IPP), created in 2003, was an exemplar of the ‘preventive turn’ in criminal justice seen in many Western nations at the turn of the century.¹ This has had considerable and long-lasting effects. Over 8,000 sentences were imposed in total. Notwithstanding its abolition in 2012, approximately 2,500 IPP prisoners remain; those released remain under licence.² One of our earlier detailed studies of the creation of the IPP sentence (Annison) made it clear that for many involved in its genesis, the IPP was emphatically not about ‘just dumping [people] in prison’: expectations were that IPP prisoners would be released ‘in a reasonable period of time’.³

However, from 2007 a range of reports from organisations including the Prison Reform Trust, Howard League for Penal Reform and the Centre for Mental Health; the Prisons Inspectorate; the Justice Select Committee and others have identified fundamental problems at the heart of the IPP sentence and its operation.⁴ Recently, the Ministry of Justice has recognised the ‘concern and wisdom’ gained over the 15 years since the introduction of the sentence.⁵ We are pleased to be able to note a number of positive developments that have taken place over recent years (which we discuss in Section 6 of this report), which give cause for hope. But significant issues remain. More can – and must – be done.

In our earlier research on the pains of indeterminate imprisonment for families of people serving IPPs, Annison and Condry pointed to the overarching issues of injustice and uncertainty, hope and hopelessness. As Jacobson and Hough rightly argued in their seminal report *Unjust Deserts*, ‘injustice carries a social cost. If the decisions of the justice system are seen as capricious, inconsistent or simply unfair, this erodes the legitimacy of the system’.⁶ Jacobson and Hough reported in 2010 that ‘those who receive the [IPP] sentence find themselves confronted with Kafkaesque obstacles to discovering when they have any prospect of release.’⁷ Our findings suggest that many of these obstacles persist and demonstrate the burdens this places on relatives of those serving IPP sentences.⁸

For those serving IPPs, and for their families, successful resettlement is generally the ultimate goal. The desistance literature tells us that ‘people are more likely to desist when they have strong ties to family and community, employment that fulfils them, recognition of their worth from others, feelings of hope and self-efficacy, and a sense of meaning and purpose in their lives.’⁹ It is now generally accepted that familial and other supportive relationships are a ‘golden thread’ that should run through efforts by the penal system to support prisoners, where families should be ‘seen as a vital resource and . . . treated as valued allies in the rehabilitation cause’.¹⁰

However, and as is widely recognised, families face many challenges in supporting their relative. This report focuses on the specific issues faced by families of people serving IPP sentences. The indeterminate IPP sentence has been described as one of the ‘least carefully planned and implemented pieces of legislation in the history of British sentencing,’¹¹ with its long-term damaging effects now widely accepted. Notable efforts have been made to address the issues surrounding the IPP sentence (see Section 6); rates of release and progression by people serving IPP have increased considerably over recent years.¹²

However, our findings suggest that to date the pains and barriers faced by families of people serving IPP sentences have not sufficiently been addressed. We argue in this report:

- That the IPP sentence is deeply harmful to families
- That the state – and relevant organisations therein – should seek to mitigate these harms
- That changes in legislation, policy and practice are required in order better to enable families to support the successful resettlement of their family member serving an IPP sentence
- That the proposed changes would benefit not only families of people serving IPP sentences, but also the prisoners themselves, criminal justice organisations, and the public.

In this report we focus on measures that are likely to ameliorate the pains experienced by families, and to reduce the barriers experienced by them that hinder their efforts to support their relative. But it is important to emphasise that the families' pains are tied directly to the IPP sentence itself and to the prisoners' experiences. Therefore, efforts to improve the situation for families of indeterminate-sentenced IPP prisoners are intertwined with the need to address the needs of IPP prisoners themselves.

In particular we identify the ongoing unmet needs by many families for clear information on the processes and policies related to the IPP sentence and related issues (including progression, licence and recall). We also identify families' concerns about the need for all relevant practitioners to have an understanding of the practical issues facing IPP prisoners and their families, but also the historical factors that have led to a sense of injustice for many families. And further, we identify the desire by many families to be enabled to be part of the solution for their relative, and for their efforts to be appropriately recognised.

We encourage all organisations to take inspiration from HMP Warren Hill's underlying ethos of seeking the 'quiet rescue' of indeterminate-sentenced prisoners who are considerably over tariff.¹³ With an institutional focus on sentence progression, HMP Warren Hill's work with IPP prisoners aims at balancing risk reduction with trust-building elements.¹⁴ Its prioritisation of the concept of hope – a notion increasingly being recognised as crucial to penal policy, and enabling people to work towards a positive life, free from crime¹⁵ – should similarly be a central focus for relevant organisations. And, specifically, there must be a recognition of the difficulties for families in maintaining hope in the face of the persistent delays and challenges faced in relation to the IPP sentence.

Finally, it is important to recognise that families already carry considerable burdens in supporting their relative serving an IPP. All organisations must be mindful of this in ensuring that actions taken do not inadvertently place further burdens on the individuals who have often given years of devoted support to their family member. Our recommendations – for additional information, guidance and support for families; and actions to ameliorate some of the pains experienced – should be read in this light.

2. Background

The Farmer Report stipulated that criminal justice agencies needed to make much greater effort in working with the families of offenders to enhance resettlement outcomes:

*The emergence of a rehabilitation culture inside every prison ... will not happen unless good relationships with families and others on the outside are treated as a much higher priority in many jails. These need to be seen as a vital resource and ... [families] treated as valued allies in the rehabilitation cause.*¹⁶

This argument must be read, here, in light of the specific issues raised by the sentence of Imprisonment for Public Protection (IPP). The Justice Secretary at the time of the abolition of the IPP sentence described the IPP sentence as:

*Unclear, inconsistent and have been used far more than was ever intended ... That is unjust to the people in question and completely inconsistent with the policy of punishment, reform and rehabilitation.*¹⁷

David Gauke, speaking as Justice Secretary earlier in 2019, said, ‘We need to ensure that we do everything we can to progress these [IPP] cases as best we can.’¹⁸ Together, these statements provide compelling reasons for the pains experienced, and the challenges faced, by the families of those serving IPP sentences to be addressed.

A research study by Dr Harry Annison and Dr Rachel Condry published in 2018 provided the first detailed empirical study of the pains of imprisonment experienced by the families of IPP prisoners.¹⁹ Subsequent meetings with key stakeholders revealed a considerable – and unmet – demand for evidence-based expert guidance for criminal justice organisations in order to a) understand the specific problems facing families of IPP prisoners; and b) develop appropriate solutions.²⁰

This project, which this report forms part of, addresses that need. It seeks to support, via a process of co-production, the provision of tangible benefits to families of prisoners serving indeterminate IPP sentences. These are likely to be provided through substantive improvements by relevant organisations such as HMPPS, the Ministry of Justice, the Parole Board and relevant third sector organisations, such as the Prison Advice and Care Trust (Pact) and Partners of Prisoners (POPS), in their understanding of, and responses to, the issues facing this group.

3. Objectives and Methodology

The recommendations made in this report have emerged from a three-step process:

1. Engaging with family members²¹ of people serving IPP sentences, through co-production workshops, an online survey and one-to-one informal discussions. This enabled us to identify specific issues that organisations should seek to address,²² or changes to policy or practice that would be likely to provide the most benefit. We sought, in other words, to build on our initial findings of ‘The Pains of Indeterminate Imprisonment for Families of IPP Prisoners’²³ by asking: ‘What specifically would ameliorate your suffering, and help you in your efforts to achieve the successful resettlement of your relative serving an IPP sentence?’
2. Engaging with relevant criminal justice organisations to understand emerging policies and practices, which may be capable of addressing some of the issues identified.
3. Refining our recommendations by: reviewing existing reports on IPP specifically and related issues such as prisoners’ families, prison suicides and so on, and relevant scholarly literature; revisiting our co-production workshop notes and survey responses.

We thereby worked together to:

1. Identify families’ main difficulties (institutional and personal) in dealing with IPP and in facilitating transition upon release and in providing resettlement support.
2. Identify best practice examples of communication, support, and information already delivered by stakeholders (i.e. HMPPS, the Parole Board, the Probation Service, and relevant voluntary and third sector organisations, such as POPS and Pact).
3. Collect and develop the ideas and suggestions provided by family members around the reduction of secondary pains and an enhancement of resettlement, to inform recommendations for service and policy delivery by stakeholders.

Accommodating the complexity and sensitivity of the research topic, workshops were purposefully designed to include only a small number of participants. This was done with a view to enable extensive individual contribution as well as providing sufficient time and space for discussion of, and reflection upon, difficult issues.²⁴

Workshops with family members of individuals sentenced to IPP took place in London, Manchester and Cardiff. They lasted 3-4 hours, involving 5-7 participants and were facilitated by Harry Annison or Christina Straub, supported by a co-facilitator. Throughout each workshop detailed notes were taken, and participants’ contributions were audio-recorded. The collected data was then analysed with a view to detecting recurring issues or suggestions.

Insights from the workshops were consequently used to inform the design of an online survey available for completion by family members of IPP prisoners who were unable to attend the workshops but wanted to contribute to the study. These were supplemented by one-to-one discussions by the authors with a number of relatives of IPP prisoners.

4. General Findings

4.1. Workshops

I've been doing this since my early forties. I'm 59 next birthday. It has consumed my life. I haven't had a life for myself ... It's not fair.

workshop participant

Some of the predominant themes identified revolved around the secondary pain and distress experienced by family members 'on behalf' of the IPP prisoner.²⁵ Participants repeatedly described a reverberation process whereby a prisoner's trials and tribulations exerted an immediate effect on the well-being of the family member(s); they were commiserating greatly with their incarcerated loved one. Often, they had become case workers on behalf of the prisoner, always ready to present and explain the individual's case files in painstaking detail. Families expressed their disappointment with organisations that their care and efforts had not been recognised, echoing broader concerns about the 'hidden and undervalued contributions of citizens in the provision and delivery of public service.'²⁶ Families felt that part of the responsibility of, and duty of care held, by public services for their loved ones had been 'outsourced' to them. Despite experiencing the situation as bearing considerable weight upon their shoulders, families were not prepared to give up. They often expressed a duty to speak on behalf of their relatives, to make them 'feel they've got a voice and they're not powerless, because that's one of the worst things about the IPP sentence, you are more powerless than anybody who's a determinate prisoner' (workshop participant).

4.2. Families survey

As a family it has destroyed us, and we need all the support we can get

family member, survey response.

Having developed a set of provisional suggestions for action from the workshops with families, an online survey was utilised to enable those who could not attend workshops in person to contribute to the project.

We received 51 responses to the survey. All respondents were female and over four-fifths reported being 'White-British'. We received responses from all parts of England and Wales. Three-quarters of respondents said that their relative had not been released from prison; the others said that their relative had been released but subsequently recalled at least once. Respondents were all over 18 years old and the spread of reported ages broadly matched the demographics of the adult UK population. The most common reported relationships were partner, parent, sibling, friend (and 'other' including grandmother, aunt and daughter). The survey results suggested that there is widespread support amongst families affected by the IPP sentence for the suggestions emerging from the workshops.

Information and communication

The most popular suggestions included:

Here are some suggestions that have emerged from the workshops so far. Do you agree that they would improve the situation?	Mean (out of 5)
1. Recognition by organisations of the understandable feelings of injustice, given the abolition of the sentence in 2012.	4.67
2. Clear information provided to families about relevant processes (e.g. parole hearings, recall, licence conditions).	4.60
3. Better and more consistent communication between agencies and families.	4.56
4. Provision of specific support for families in the wake of recall.	4.49
4. Explicit recognition by relevant organisations of the hard work put in by families to support their relative sentenced to IPP.	4.49
5. A dedicated 'one stop shop' IPP point of contact for families.	4.26
6. Facilitation of local peer support for family members.	4.21

As regards communication, a small number of positive experiences were reported:

From our own experience I can say that the communication with Probation has always been good, I still now have a good relationship with his [offender manager] and his solicitor, both of which I am in regular contact with, this I feel is due to my willingness and my partner's to try to work together with them.

workshop participant

Nevertheless, most families reported considerable practical difficulties. Indeed, the same family member with a positive experience had also experienced challenges:

The frustration comes with the delays and misinformation, at times this is just down to misunderstandings rather than any malice... [And] surely if families were involved in the process of managing that risk with agencies and able to put forward other alternatives to put to the board we may be able to release and support more effectively.

workshop participant

Policy and practice, training and guidance

The most popular suggestions were:

Here are some further suggestions that have emerged so far from the workshop. Do you agree that these measures would improve the situation?	Mean (out of 5)
1. Revised approach to progression planning: IPP-specific sentence plan tailored to individual needs of prisoner that specifies necessary measures such as educational qualifications, professional qualifications, and courses that are treated as binding. Once completed, presumption would be that the prisoner is to be progressed/released unless there are compelling reasons not to do so.	4.71
2. More effort to make licence conditions supportive of individual living conditions of released prisoners and their families.	4.63
3. Better training of staff in relation to IPP sentence and related issues, ensuring that they demonstrate both awareness and empathy.	4.60
3. Same professionals stay with the prisoner to build long-term relationships (e.g. key workers from agencies such as the Offender Management Unit (OMU), probation service, prison service, and HMPPS psychology department).	4.60
4. Support for family members to act as advocates for their relative (enabled by staying in contact with prisoner's assigned key workers in the prison and probation service, for example).	4.54
4. A review of the use of Approved Premises (APs) for IPP prisoners and their conditions.	4.54

Emerging as a distinct issue from the workshops were concerns that many staff in relevant organisations did not necessarily have a sufficient understanding of the specific nature of the IPP sentence and the issues that flow from it:

The officers do not really understand IPP, they treat them like any prisoner on a determinate sentence, which they are not. It is stressful not knowing when they will come home, and they think about that every day while they are inside.

workshop participant

The survey responses therefore support recommendations regarding training for relevant staff in relation to the law and policies in relation to IPP prisoners (including those released on licence), and the lived experience of the sentence. In particular, it is essential that staff understand the substantial, deleterious impact of the indeterminacy, uncertainty and hopelessness that it engenders.²⁷

5. Detailed findings

Here we provide in relation to each organisation the families' reported experiences and issues, recent changes in policy and practice of which we are aware. Section 7 then sets out recommendations for further action.

5.1. Prison Service

a) Families told us that specific issues faced included:

- The indeterminacy and uncertainty inherent in the IPP sentence has made it difficult for families to avoid relationship breakdown and estrangement from their relative serving the indeterminate sentence.²⁸ Furthermore, they told us that the loss of relationships presents a challenge, if not a danger, to the well-being of IPP prisoners. They advocated for heightened awareness within the Prison Service of these issues, since:

*these prison officers, offender managers, offender supervisors, they know, 'Oh, that IPP prisoner there in cell number two never has a visit, never has a phone call, don't have no letters, he's got nobody,' and they do need taking care of more ... you have got the ones that have got nobody because they've been in prison a long time, families have got fed up of visiting ... So ... all touch is lost with family. And I think these prison officers ... have got to note – because these are the prisoners that are more likely to commit suicide as well.*²⁹
workshop participant

- It was often very difficult to reach relevant staff within the prison, a problem which was particularly worrying where families had pressing concerns about their relative's wellbeing.³⁰ This represented a major stressor for families on the outside who felt powerless dealing with this form of one-sided communication. Asked what would make the most important difference to them, one workshop participant suggested the following:

For me, overall, I think it would be ... to be able to communicate with the prison ... somebody that is a key worker for all IPP prisoners, who will talk to the families ... because I can't get hold of my son when I want to, they don't listen, they don't give them the message ... And, I worry and worry ... That to me is key, it would make such a difference for everybody ... When you are worried about their health, and you can't get through, it is a nightmare.
workshop participant

- Prison staff were often experienced as knowing little about the IPP sentence and failing to display awareness of the pains experienced by families. One mother pointed out that prisoners, like her son, who had been incarcerated for a long time needed:

professionals, not just his emotional mother ... it needs someone who is an IPP ... specialist ... And they have the knowledge ... And the experience to be able to deal with those issues ... likewise for the prisoners but also for families it would be very helpful.
workshop participant

- There was a general belief by families that:

IPP prisoners ... have different needs from determinate sentence prisoners, so ... in a sense some of the regulations do need to be different.

workshop participant

- There was a perception that a lack of awareness of the mental strains and effects of an IPP sentence could sometimes lead to a 'misreading' of behaviour. One mother voiced her concerns about

the lack of mental health training for prison officers. To me [son's name] behaviour, has not just come down to aggression ... he's had no hope ... he said to me, "I'm rotting, I'm being left to rot".³¹

workshop participant

- Regular family visits were often found to be a real challenge, due to cost, distance and the sometimes detrimental experience of the visit itself (especially for children).
- The culture surrounding prison visits was often described as unwelcoming, leaving partners and/or families feeling stigmatised: an offender-by-association. This was related by a workshop participant who noted that:

people judge a whole family, don't they? They don't just judge the person that committed the crime ... Oh there's a massive stigma, yeah, it's a very hard thing to get past ... that fear of being judged – it's difficult.

workshop participant

- Families felt a keen absence of opportunities for any 'taste of normal life' while their relative was in prison, which was felt to be particularly important given the considerable amount of time that had often passed beyond tariff and the need to retain hope of release.
- Telephone contact with their relative was generally difficult and expensive whilst other forms of contact, such as letters or emails, were, at best, of mixed utility. Workshop participants therefore welcomed the introduction of phones in individual prison cells in some prisons, so that contact could be established when it was needed the most:

When you're down, sometimes you reach crisis point. You don't know when that's going to be.

workshop participant

b) Policies and practices already in place or in development:

We are pleased to note the increased policy focus on families of prisoners, and the re-doubling of efforts to support them, at a national level following the publication of the Farmer Review.³² These general developments may have some benefits for families of people serving IPPs, and include:

- all establishments being required to develop a specific family strategy;³³
- an initiative to improve family communications (as part of tackling a number of pressing issues facing prisons);³⁴
- the embedding of a Families Working Group into the Safety and Rehabilitation Directorate within HMPPS;
- and developments including the allocation of a ‘family service partner’ to each public sector prison, supported by a relevant third sector organisation.

Some of these initiatives appear to be bearing some fruit.³⁵ However, specific issues facing people serving IPPs – and their families – could be a more central focus in current efforts. It is particularly important that prison staff – a large proportion of whom will have begun their careers after the abolition of the IPP sentence – are aware of the sentence, the challenges it poses for progression, and the detrimental impact it often has upon prisoners and their families.³⁶

5.2. Probation Service

a) Families told us that specific issues faced included:

- Problems and obstacles in being able to communicate with probation. Participants thought that ‘families should ... be able to interact more with the probation officers because a lot of the times when you’re in prison [the prisoner] can’t get to a phone’, and the same could be said for people released from prison. This was seen as a major cause for concern, since good relationships with probation officers could either hinder and hold an IPP prisoner back or propel them forward.
- A general need for continuity was expressed. This would include more proactive support of IPP prisoners during their sentence, to flow on after release.
- Workshop participants further advocated for a more inclusive resettlement approach involving increased services and third parties, rather than relying only on family members to do the ‘heavy lifting’ in resettlement work. As much as families wanted to play an important role in their loved ones’ resettlement, they felt they were left with a disproportionate amount of emotional and economic labour imposed on them:

Not everyone’s got the resources to be able to do that ... or don’t want to do that. They’ve had a lifetime of managing very difficult stuff and maybe they don’t want it anymore. There’s an expectation that families can go on and on providing it – well, no, they can’t, because ... you’re depleted.

workshop participant

- Families felt that some probation staff were lacking sufficient knowledge with regard to the specific issues as regards the IPP sentence and implications for the prisoner and their family that flowed from this. This was often attributed to systemic issues and recruitment policies:

I think the turnover of staff is probably quite great...they don't really have an understanding ... of the complex situations of the prisoners and IPP sentences ...That's been my whole experience apart from the odd couple of people that have been pretty amazing.

workshop participant

- In a similar vein, a lack of continuity and consistency in the allocation of both offender supervisors and probation officers was raised as a cause for concern. Families felt that in order to correctly risk assess and supervise individual prisoners, it was vital that staff met their clients personally and got to know them over a longer period of time. This would enable them to provide tailored support and advice.
- Families commonly perceived Approved Premises (APs) as being treated as the default option upon an IPP prisoner's release. Reasons for this were often not given, or poorly explained, and families perceived their own views on how best to support the IPP prisoner to be unheard.
- The risk of recall brought families particular distress due to their powerlessness and anxiety about the uncertainty it caused. These feelings were mainly caused by a distinct lack of clarity and consistency around it. What were the guidelines concerning, and limitations upon, who could recall an IPP prisoner? For what reasons could recall take place? Under what circumstances? What would happen following recall? Families often felt left alone in the aftermath of the recall of loved ones, paying a high emotional price. One mother described herself as 'a broken person when my son was recalled I think on the ... third occasion, I was desperate ... I didn't know what to do with myself'.
- There was a widely perceived injustice in the proportionality of the length of the period in prison following recall, when considering the reason for recall. It could lead to families and prisoners reacting in panic, to their own detriment, over a recall decision:

The mental impact on IPP prisoners when they know they're recalled, the first thing they want to do is run ... They're still in a 'prison' within themselves. So it has to be taken into consideration that this has ... a mental impact on them to get their head round [if they're recalled]: 'I'm going away for the rest of my life again'.

workshop participant

- Licence conditions were another factor contributing to families' and IPP prisoners' anxieties. The awareness that freedom could be taken away immediately – often for reasons not fully clear to the individual – over a long licence period contributed to a feeling of being stuck in an ongoing nightmare. Even release from prison did not seem to bring relief:

Having been through this process many times, it just gets harder and harder each time. It's just the beginning, the release. The problems of getting through the Parole Board is a battle enough, but then getting through that and you feel this intense relief and it doesn't go away. You're living with it the whole time.

workshop participant

b) Policies and practices already in place or in development at relevant organisation:

The National Probation Service (NPS) has faced substantial reductions in available resources over recent years, as has the Ministry of Justice as a whole.³⁷ Further, the challenges posed by the restructuring of probation from 2015 have been well-documented.³⁸ Families' concerns about probation contact tended, whether explicitly or implicitly, to reflect, in part, concerns about the resulting high caseloads held by NPS staff. Given the concerns raised about Approved Premises, we are pleased to learn of plans to review their use to ensure that they are utilised appropriately and only where necessary.

We were informed that training tools – both e-learning packages and 'practice improvement tools' – are being made available to probation officers, which specifically include training on the 'IPP journey', with the role of families included within this. More generally, training to encourage engagement by staff with families of those supervised by probation and to enable nuanced analysis of (ex) prisoner behaviour and risk assessment may have beneficial effects for both IPP prisoners and their families. The development of the new OMiC (Offender Management in Custody) model,³⁹ if successful, may facilitate the development of higher quality and more sustained relationships between those serving IPPs and their offender manager. Further, it holds the potential to facilitate improved contact with family members, and the transition towards release.

5.3. Parole Board

a) Families told us that specific issues faced included:

- A perceived lack of communication with families and information for them was often noted, although participants recognised and appreciate recently introduced changes made by the Parole Board. In particular they felt that practical guidance about what happens before, during, and after parole hearings as well as which role family members can and cannot assume was difficult to obtain (if it existed at all).
- Families often felt that their detailed understanding of their relative was not utilised as part of parole hearings. This also hindered their sense of participation and recognition, as illustrated by the following quote:

I have written as well to the Parole Board. I have been [to a hearing] as an observer too. My mum's been as a witness as well. But ... I don't really feel listened to. They don't listen to families ... I'm the key person in my son's life, I've been with him since the day he was born, I've supported him, I know him very well ... I'm not naïve ... How can you go on and on about the importance of families in supporting offenders on their release if you're not prepared to listen to them and take what they say seriously?

workshop participant

b) Policies and practices already in place or in development at relevant organisation:

The Parole Board have succeeded in reducing the considerable backlog of cases that arose as a consequence of the decision in the case of Osborn to increase oral hearings.⁴⁰ However, deferral rates for hearings remain high. The Parole Board has recognised how the postponement of

hearings, often at short notice, undermines the effectiveness of the system and potentially exacerbates the distress of all involved by causing ‘increased uncertainty for victims, prisoners, and their families’.⁴¹ An internal project, COMPASS, has been conducted to examine ways to reduce on the day deferrals. This shows indications of being able to achieve significant reductions in deferrals and swifter resolution of hearings that cannot take place on the listed day; the underlying principles of the project will be rolled out for all parole panels in 2019-20.⁴²

Recent years have also seen a considerable increase in the rate of release of IPP prisoners – both in terms of numbers and as a percentage of parole hearings.⁴³ Difficulties remain for families, including the stresses of the parole process itself; the increasing number of released IPPs being recalled; and families’ acute concerns about the prospect of recall once on licence.⁴⁴ Nonetheless, the Parole Board’s – and others’ – past and ongoing efforts to improve the progression of IPP prisoners do provide reasons for hope.

We are pleased also to note the Parole Board’s public recognition of the injustice perceived by many IPP prisoners and their families. It has stated, for example, that it ‘is clear that more can and should be done to give hope and a reason to engage in rehabilitative activity to the majority of IPP prisoners.’⁴⁵

5.4. HMPPS Psychology

a) Families told us that specific issues faced included:

- Families were often concerned that requirements placed on their relative in terms of lowering their assessed risk did not always align with what could reasonably be achieved. This typically related to the availability – or otherwise – of particular offending behaviour programmes and other courses,⁴⁶ and sometimes also to factors specific to a prisoner (including the existence of learning disability, mental health needs, or language issues):

Prisoners are told they have got to do these courses. But either they are not available because they are full up, or they don’t run them, or you have got to wait years for them ... How are they supposed to achieve the unachievable?

workshop participant

- A related concern was that IPP prisoners’ loss of hope in release became a self-fulfilling prophecy, with ‘the frustration, the anxiety, the despair that they suffer...somebody’s life drifting away’.

A lack of consistency and continuity in relationship between staff and prisoner (and family) was a common concern. This was seen as being particularly important in relation to psychologists whom families felt could enhance rehabilitative efforts by providing long-term therapeutic relationships:

My son has had the most amazing psychologist and she is a very experienced forensic psychologist and she has done nothing but support him for ... the last four years, yeah, she’s been amazing ... She is very experienced, very down to earth and realistic about the

sentence and what he needed ... she put in all the referrals for the services, she made sure that she was still involved when he was discharged, released from prison. She continued until she couldn't do it anymore ... She has been one of the only professionals that's been consistent over five years with him and that's made a big difference. He completely trusts her, she knows everything about him, she's done therapy with him and everything ... It shows you the importance of someone who ... understands the IPP.

workshop participant

b) Policies and practices already in place or in development at relevant organisation:

From its inception to the present day, individualised risk assessment, and HMPPS psychologists, have been central to the operation of the IPP sentence – in particular decisions on progression and release.⁴⁷ Concerns raised by families about efforts by IPP prisoners to progress (and their own efforts to contribute to this) align with more general concerns – raised in the scholarly literature and elsewhere – about the limitations and unintended consequences of an individualistic conception of ‘risk’ and thus ‘rehabilitation’.⁴⁸ We are pleased to learn of efforts to develop a strategy towards IPP prisoners that prioritises a strength-based perspective deriving lessons from the desistance from crime literature.

Following the setting up of a joint HMPPS-Parole Board IPP Action Plan in 2016, a central case file review of IPP prisoners who had not made the anticipated progress was conducted by senior psychologists. It has been reported that:

*out of 1,365 completed reviews, 233 prisoners in these most challenging cases achieved release, with a further 401 achieving a progressive move to open conditions. We have put in place enhanced case management for the most complex cases, so that a multidisciplinary team can work together to remove barriers to progression.*⁴⁹

Furthermore, this action plan set out to assist IPP prisoners in demonstrating their suitability for release by:

*prioritising post-tariff prisoners in accessing rehabilitative interventions, including psychology service-led reviews in cases where there has not been satisfactory progression, and enhanced case management for those prisoners sentenced with a complex set of risks and needs.*⁵⁰

Additionally, progression regimes have been developed and implemented at four prisons across the country, which are ‘dedicated to progressing indeterminate prisoners struggling to achieve release via the usual routes.’⁵¹

However, difficulties have been recognised concerning the limits of available resources that may hinder the ability to address and promote important factors including hope, family engagement, and employment.

5.5. Third sector organisations

a) Families told us that specific issues faced included:

- They reported making little use of services provided by third sector organisations. Some participants preferred ‘to just keep a little circle, you don’t want everyone knowing your business’, to ‘look to my family for support, so I don’t feel the need to go outside of that’ (workshop participant). When those services were accessed however, participants particularly valued being listened to and when service providers acted:

I found that Pact was so good, they actually listened to me, they wrote everything down, they came back to me and said, ‘Look, we’re going to do this, this and this,’ and I mean, actually when he was in the prison, made an appointment to see him and then ended up ... saying, ‘We’ve heard that you’ve had these problems here with your mental health and not getting the help you need and is there anything you’d like to do – this is what we can offer to help you with.’ I mean, I think they were amazing, you know, to take it that far.
workshop participant

Some respondents had tried to contact non-criminal justice charities, such as mental health charities, and had been disappointed by their apparent unwillingness to provide support.

- Many families reported having a need for signposting towards relevant organisations for support with issues related to the IPP.
- Some families, ideally, desired a specialised, comprehensive support system dedicated solely to IPP and its impact upon family members and loved ones. In particular they reported valuing mental health support in relation to the pains associated with the IPP sentence.
- Some participants pointed out that being able to share their thoughts and concerns in a small peer group, reflective of our workshop structure, would provide a sense of ‘being received’, being heard, in turn providing immense relief for stress. They suggested that the development of peer support systems (beyond campaigning and activist activities) would be valued. This could take the format of regional or national support group meetings with other family members of IPP prisoners where trust and understanding were key.

b) Policies and practices already in place or in development at relevant organisation:

Third sector organisations Pact and POPS have both provided support to families of people serving IPPs, along with others including the Prison Reform Trust and Howard League for Penal Reform. It is likely that other charities are also providing some support for families of IPP prisoners. These organisations are generally constrained by limited resources, yet we were nevertheless struck by the extent to which their staff and volunteers sought to go above and beyond to help families who had contacted them.

We were made aware of specific schemes that could provide a useful model for the support of families of IPP prisoners. One example was the POPs partnership with Greater Manchester Probation Trust from 2009 that focussed on providing integrated support for families of people subject to an Intensive Alternative to Custody Order.⁵² Any such initiative would of course require adequate resourcing.

This report focuses on criminal justice organisations. It should be noted, however, that the significant negative health effects reported by families of IPP prisoners can be viewed as a public health issue.⁵³ The numerous ways in which the effects of imprisonment ripple out beyond the prison walls, impacting children, families and communities, are increasingly well-documented.⁵⁴ At the same time, it is clear that a lack of adequate supports in terms of housing, employment and other basic needs, dramatically undermines efforts by ex-prisoners and their families to achieve successful resettlement.⁵⁵

We share Liebling et al's (2019) concern at the 'tragic "dropping off" of ... support on release'.⁵⁶ Thus, while beyond the scope of this report to examine these matters in detail, we emphasise that these issues generally – and specifically as regards families of those serving IPP sentences – require policy and practice responses beyond criminal justice, including health, education, housing and social welfare.

6. Recommendations

6.1. Legislation

Ultimately, the specific difficulties set out in this report result from the creation of the IPP sentence, and the failure to take retrospective action at the time of its abolition in 2012. There remains a need to legislate to end the injustice it represents for those still serving it, whether in custody or on licence in the community. The precise shape and scope of that legislation is beyond the remit of this study, but now requires a detailed technical proposal to be constructed and parliamentary time found for its implementation.

6.2. Prison Service

Policy and practice

- Ensure that families are consistently and reliably able to be recognised and involved as advocates for their relative serving an IPP sentence, where appropriate.
- Prioritise consistency in building staff-prisoner and staff-family relationships over time.
- Ensure that those serving IPP are in establishments which can both support progress towards release and facilitate contact with family.
- Relevant prisons to have a dedicated IPP caseworker, with protected caseload of IPP prisoners.

Information and communication

- Ensure a system is in place whereby family members with concerns about a prisoner's safety can contact an identified member of staff – and expect an appropriate response – without delay.⁵⁷
- Ensure that prisoners are able to communicate with family members as a matter of urgency during times of high stress or crisis (including failure to achieve progression or release at parole hearing).
- HMPPS to develop appropriate information materials for families that explain the systems, processes and responsibilities related to the IPP sentence (see 2.3).
- Ensure swift and straightforward communication between IPP prisoners' family members, the prisoner's key worker, and other relevant staff.
- Ensure clear information for families is available regarding recall, including clarity regarding contact details, taking into account the high levels of stress often caused by recall and related uncertainties.

Training and guidance

- Improved training to ensure that all staff who come into contact with IPPs understand the specific issues relating to the IPP sentence, particularly in terms of the practical implications of the sentence and the ramifications of this for families of IPP prisoners.

6.3. Probation Service

Policy and practice

- Ensure that families are consistently and reliably able to be recognised and involved as advocates for their relative serving an IPP sentence, where appropriate.
- Set clear expectations that offender managers and supervisors will consider and pursue avenues of progression for IPP prisoners and provide support in a timely manner.
- Review the use of Approved Premises as release options, and appropriate alternatives.
- Ensure continuity and consistency in the allocation of, and communication with, dedicated offender managers.

Information and communication

- Ensure swift and straightforward communication between IPP prisoners' family members – in particular those identified as advocates – and relevant staff.
- HMPPS to develop appropriate information materials for families that explain the systems, processes and responsibilities related to the IPP sentence. These would include:
 - Understanding the post-release licence
 - Understanding recall
 - Possible processes such as suspending some licence conditions or ending the licence

Training and guidance

- Improved training to ensure that all staff who come into contact with IPPs understand the specific issues relating to the IPP sentence, particularly in terms of the practical implications of the sentence and the ramifications of this for families of IPP prisoners.
- Develop clear guidance for probation staff around IPP licensing conditions (particularly in relation to recall) and how this affects families' daily lives.

6.4. Parole Board

Policy and practice

- Ensure policy is consistent in terms of how the chair of a parole hearing should treat family members in attendance.
- Develop policy for written contributions by family members to parole hearings and produce related guidance for families.

Information and communication

- Develop information materials for families that explain the systems, processes and responsibilities related to parole aspects of the IPP sentence.

Training and guidance

- Provision of guidance to Parole Board members as regards families of IPP prisoners: including the issues that they face, the role families often seek to play in supporting their relative, and the potential role they can play in successful resettlement.

6.5. HMPPS psychology

Policy and practice

- HMPPS to ensure IPP prisoners are provided access to relevant programmes within appropriate timescales.
- Progression and release plans to involve families where appropriate, and reflect on the positive role they may be able to play (and support that may be required to facilitate this).

6.6. Third sector organisations

Information and communication

- Explore the possibility of establishing a ‘Families of People Serving IPP’ webpage, bringing together – or linking to – sources information about IPP policies and processes. This would act as a ‘one stop shop’ for families of those serving an IPP sentence to obtain information in a straightforward and accessible manner.
- Relevant organisations that support families of prisoners are encouraged to explore the possibility of facilitating local peer support groups for family members of people serving IPPs.

Training and guidance

- Relevant organisations are encouraged to explore the development of guidance documents for staff/volunteers providing support for families of prisoners, specifically on the issues faced by families regarding the IPP sentence.

7. Conclusion

This report has made clear the pains experienced by families of those serving IPP sentences. It has set out the specific challenges they face, and the ways in which their vital role in the resettlement of people serving IPPs could better be supported.

We have seen that families report a sense of the injustice ‘eating away at you’ and the stress of ‘not knowing when it will ever end’ (workshop participant).⁵⁸ Families often reported finding it difficult to obtain information about even basic matters. Important processes like parole hearings or recall, the division of responsibilities between organisations, and other crucial matters often remained obscure.

Efforts to help their relatives were experienced as stressful and time-consuming, and families often felt over-burdened by the labour required of them. At the same time, they reported feeling ignored or sidelined, with their efforts to support their relative not recognised. This left many feeling ‘powerless’, ‘depleted’ and sometimes both (workshop participant). These experiences are particularly concerning given the central role that can often be played by families in the successful resettlement of prisoners.

The recommendations set out here, if implemented, would constitute important steps in mitigating the pains experienced by families, and reducing barriers experienced by them that hinder their efforts to support their relative. The changes proposed in this report would benefit not only the families of people serving IPPs, but also: those serving IPPs themselves; relevant criminal justice organisations (by easing the costs and burdens imposed by this sentence); other public services (by reducing the negative health effects experienced by families, for example); and the wider public (by improving the prospects of successful long-term rehabilitation for people sentenced to IPP).

We have seen that the IPP sentence was recognised by the government in 2011 to have been ‘unclear, inconsistent and have been used far more than was ever intended’,⁵⁹ and that there has been more recent governmental recognition of the ‘concern and wisdom’ cumulatively gained over the 15 years since the introduction of the sentence.⁶⁰ We welcome the progress that has been made over recent years to address the legacy of the IPP sentence. There is, however, still more that must be done.

8. Endnotes

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- ¹ Annison, H. (2015) *Dangerous Politics: Risk, Political Vulnerability, and Penal Policy*. Oxford: Oxford University Press
Note that people under the age of 18 at time of sentencing were sentenced to 'Detention for Public Protection' (DPP).
- ² By default, the individual remains on licence for the rest of their life. However, the ex-prisoner can apply for the licence to be ended after 10 years. In addition, it is possible for most of the conditions of licence to be suspended after four years (10 years for those convicted of a sexual offence).
- ³ Annison, H. (2015) *Dangerous Politics: Risk, Political Vulnerability, and Penal Policy*. Oxford: Oxford University Press p. 182: quoting policy makers involved in the creation of the IPP sentence.
- ⁴ Prison Reform Trust. (2007) *Indefinitely Maybe? How the Indeterminate Sentence for Public Protection is Unjust and Unsustainable*. [online] Available at:
<http://www.prisonreformtrust.org.uk/Portals/0/Documents/Indefinitely%20Maybe%20-%20IPP%20briefing.pdf> [Accessed 10/06/2019]. The Howard League for Penal Reform. (2007) *Indeterminate Sentences for Public Protection* [online] Available at: <https://howardleague.org/wp-content/uploads/2016/05/IPP-report.pdf> [Accessed 10/06/2019]. Centre for Mental Health. (2008). *In the Dark: The Mental Health Implications of Imprisonment for Public Protection*. [online] Available at: http://www.centreformentalhealth.org.uk/sites/default/files/in_the_dark.pdf [Accessed 10/06/2019]. Criminal Justice Joint Inspection, *Indeterminate Sentences for Public Protection: A Joint Inspection by HMI Probation and HMI Prisons*. [online] Available at:
http://www.justiceinspectorates.gov.uk/probation/wp-content/uploads/sites/5/2014/03/IPP_report_final_2-rps.pdf [Accessed 10/06/2019]. Alden, B., Ranns, H., Sullivan, S., and Taflan, P. (2016). *Unintended consequences: Finding a way forward for prisoners serving sentences of imprisonment for public protection* p. 9. [online] Available at:
<http://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2016/11/Unintended-consequences-Web-2016.pdf> [Accessed 10/06/2019]. Beard, J. (2019). *Sentences of Imprisonment for Public Protection* House of Commons Library. [online]. Available at:
<https://researchbriefings.files.parliament.uk/documents/SN06086/SN06086.pdf> [Accessed 10/06/2019].
- ⁵ *Hansard*: HC Deb 11 June 2019, col. 288WH. [online] Available at: <http://bit.ly/2M13rpo> [Accessed 10/06/2019].
- ⁶ Jacobson, J., Hough, M. (2010). *Unjust Deserts*. Prison Reform Trust. p. 3 [online] Available at:
<http://www.prisonreformtrust.org.uk/uploads/documents/unjustdeserts.pdf> [Accessed 10/06/2019].
- ⁷ Jacobson, J., Hough, M. (2010). *Unjust Deserts*. Prison Reform Trust. p. vi [online] Available at:
<http://www.prisonreformtrust.org.uk/uploads/documents/unjustdeserts.pdf> [Accessed 10/06/2019].
- ⁸ This project adopted an expansive notion of 'family member' to encompass blood relatives but also (for example) close family friends who are primary supporters, in order to capture the variety of individuals heavily involved in providing ongoing support to IPP prisoners, and who consider themselves to be, or to be acting akin to, 'family'.
- ⁹ Maruna, S., Mann, R. (2019). *Reconciling Desistance and What Works*. HM Inspectorate of Probation. [online] Available at: <http://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/02/Academic-Insights-Marunaand-Mann-Feb-19-final.pdf> [Accessed 10/06/2019].
- ¹⁰ Lord Farmer. (2017). *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. Ministry of Justice. [online] Available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642244/farmer-review-report.pdf [Accessed 10/06/2019].
- ¹¹ Jacobson, J., Hough, M. (2010). *Unjust Deserts*. Prison Reform Trust. p. vii [online] Available at:
<http://www.prisonreformtrust.org.uk/uploads/documents/unjustdeserts.pdf> [Accessed 10/06/2019].
- ¹² Prison Reform Trust. (2018). *Bromley Briefings Prison Factfile: Autumn 2018*. p. 29 [online] Available at:
<http://www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Autumn%202018%20Factfile.pdf>
- ¹³ Liebling, A., Laws, B., Lieber, E., Auty, K., Schmidt, B.E., Crewe, B., Gardom, J., Kant, D., Morey, M. (2019). Are Hope and Possibility Achievable in Prison? *The Howard Journal of Crime and Justice*. 58(1), pp.1-23.
- ¹⁴ Liebling, A., Laws, B., Lieber, E., Auty, K., Schmidt, B.E., Crewe, B., Gardom, J., Kant, D., Morey, M. (2019). Are Hope and Possibility Achievable in Prison? *The Howard Journal of Crime and Justice*. 58(1), pp.1-23.

- ¹⁵ Ashworth, A., Zedner, L. (2019). Some Dilemmas of Indeterminate Sentences: Risk and Uncertainty, Dignity and Hope. in Keijser, J., Roberts, J.V, Ryberg, J. (eds). *Predictive Sentencing: Normative and Empirical Perspectives*. Oxford: Hart Publishing. Maruna, S., Mann, R. (2019). *Reconciling Desistance and What Works*. HM Inspectorate of Probation [online] Available at: <http://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/02/Academic-Insights-Maruna-and-Mann-Feb-19-final.pdf> [Accessed 10/06/2019]. Maruna, S. (2001). *Making Good: How Ex-Convicts Reform and Rebuild Their Lives*. Washington DC: American Psychological Association.
- ¹⁶ Lord Farmer. (2017). *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. Ministry of Justice. [online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642244/farmer-review-report.pdf [Accessed 10/06/2019].
- ¹⁷ *Hansard*: HC Deb 1 November 2011, col. 785–787. [online] Available at: <http://bit.ly/321Y1zU> [Accessed 10/06/2019].
- ¹⁸ *Hansard*: HC Deb 23 April 2019, col. 581. [online] Available at: <http://bit.ly/2XDLwrV> [Accessed 10/06/2019].
- ¹⁹ Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ²⁰ The initial meetings and dissemination of the research findings were funded by the Southampton Law School Impact Fund Award 2017-18.
- ²¹ Our participants were mostly – but by no means all – mothers and female partners.
- ²² It should be noted that families of people serving IPP sentences have been particularly active in campaigning about the situation they face, and engaging directly with relevant policymakers. See, for example, ‘IPP Prisoners Families Campaign: Justice for IPP Prisoners’ <http://ippfamilycampaign.blogspot.com/> and ‘Smash IPP: Fighting for prisoners serving IPP sentences’ <https://smashipp.org.uk/>
- ²³ Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ²⁴ The project received university ethics approval, number ERGO II 47431.
- ²⁵ Many of these insights on the nature and quality of secondary pains experienced by family members of IPP prisoners echoed those previously established by Annison and Condry (2018). See: Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ²⁶ Durose, C., Richardson, L. (2015). Co-productive Policy Design. in Durose, C., Richardson, L. (eds) *Designing Public Policy for Co-production: Theory Practice and Change*. Bristol: Bristol University Press.
- ²⁷ For detailed discussion of these pains, see: Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ²⁸ For more detailed discussion of this, see: Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. p. 11 [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ²⁹ For a discussion of similar concerns refer to: IAP (2017). *Keeping Safe – preventing suicide and self-harm in custody*. Prisoners’ views collated by the IAP. [online] Available at: <http://iapdeathsincustody.independent.gov.uk/wpcontent/uploads/2017/12/Keeping-Safe-FINAL-Dec-2017.pdf> [Accessed 10/06/2019].
- ³⁰ For a discussion of similar concerns refer to: IAP (2017). *Keeping Safe – preventing suicide and self-harm in custody*. Prisoners’ views collated by the IAP. [online] Available at: <http://iapdeathsincustody.independent.gov.uk/wpcontent/uploads/2017/12/Keeping-Safe-FINAL-Dec-2017.pdf> [Accessed 10/06/2019].
- ³¹ As Ashworth and Zedner (2019: 13) have noted, ‘IPP prisoners were effectively consigned to an enduring state of hopelessness.’ See: Ashworth, A., Zedner, L. (2019). Some Dilemmas of Indeterminate Sentences: Risk and Uncertainty, Dignity and Hope. in Keijser, J., Roberts, J.V., Ryberg, J. (eds), *Predictive Sentencing: Normative and Empirical Perspectives*. Oxford: Hart Publishing.

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- ³² Lord Farmer (2017). The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime. Ministry of Justice. [online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642244/farmer-review-report.pdf [Accessed 10/06/2019].
- ³³ These strategies are required to be published on the National Information Centre on Children of Offenders (NICCO). See: NICCO (2018). *Directory of Services*. [online] Available at: <http://www.nicco.org.uk/directory-of-services> [Accessed 10/06/2019].
- ³⁴ Please see: Ministry of Justice (2018). Minister announces '10 Prisons Project' to develop new model of excellence. [online] Available at: <http://www.gov.uk/government/news/minister-announces-10-prisons-project-to-develop-new-model-of-excellence> [Accessed 10/07/2019].
- ³⁵ Some of which can be found in the following document: HM Inspectorate of Prisons. (2017). *Children and families and contact with the outside world*. [online] Available at: <http://www.justiceinspectorates.gov.uk/hmiprisons/ourexpectations/prison-expectations/rehabilitation-and-release-planning/children-and-families-and-contact-with-theoutside-world/> [Accessed 01/06/2019].
- ³⁶ In 2018, 40% of prison staff had less than 3 years' service. See: Prison Reform Trust (2018). Bromley Briefings Prison Factfile: Autumn 2018. [online] Available at: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Autumn%202018%20Factfile.pdf> [Accessed 10/06/2019].
- ³⁷ Garside, A., Grimshaw, R., Ford, M., Mills, H. (2017). *UK Justice Policy Review*. 8(8). [online] Available at: <http://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/UK%20Justice%20Policy%20Review%208%20C%20April%202019.pdf> [Accessed 10/06/2019].
- ³⁸ See: Corcoran, M., Carr, N. (2019). *Probation Journal special issue: Five Years of Transforming Rehabilitation: Markets, management and values*. 66(1).
- ³⁹ See: HMPPS (2018). *Manage the Custodial Framework*. [online] Available at: <http://www.gov.uk/government/publications/manage-the-custodial-sentence> [Accessed 01/06/2019].
- ⁴⁰ R (Osborn) v The Parole Board [2013] UKSC 6.
- ⁴¹ Jones, M. (2017). IPPs, recalls and the future of parole. Russell Webster. [online] Available at: <http://www.russellwebster.com/martin-jones2/> [Accessed 14/06/2019].
- ⁴² See: Parole Board (2019). *Annual Report and Accounts 2018*. p. 16 [online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818677/The_Parole_Board_for_England__Wales_Annual_Report_and_Accounts_2018-19.pdf [Accessed 19/08/2019].
- ⁴³ Prison Reform Trust (2018). *Bromley Briefings Prison Factfile: Autumn 2018*. p. 29 [online] Available at: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Autumn%202018%20Factfile.pdf> [Accessed 10/06/2019].
- ⁴⁴ See: Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ⁴⁵ Parole Board (2016). *Annual Report and Accounts 2015/16*. p. 3 [online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/571930/Final_Version_PB_ARA_2015-16.pdf [Accessed 14/06/2019].
- ⁴⁶ Similar findings have been put forward in the thematic report by the HM Inspectorate of Prisons. See: Alden, B., Ranns, H., Sullivan, S., Taflan, P. (2016). *Unintended consequences: Finding a way forward for prisoners serving sentences of imprisonment for public protection*. HM Inspectorate of Prisons. p. 9 [online] Available at: <http://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2016/11/Unintended-consequences-Web-2016.pdf> [Accessed 10/06/2019].
- ⁴⁷ See: Annison, H. (2015). *Dangerous Politics: Risk, Political Vulnerability, and Penal Policy*. Oxford: Oxford University Press; Zedner, L. (2012). Erring on the Side of Safety: Risk assessment, expert knowledge and the criminal court. In: Dennis, I., Sullivan, G.R. (eds), *Seeking Security: Pre-empting the Commission of Criminal Harms*. Oxford: Hart Publishing.
- ⁴⁸ See: Annison, H., O'Loughlin, A. (2019). Fundamental Rights and Indeterminate Sentencing in England and Wales: The value and limits of a right to rehabilitation. In: Meijer, S., Annison, H., O'Loughlin, A. (eds), *Fundamental Rights and Legal Consequences of a Criminal Conviction*. Oxford: Hart Publishing.

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- ⁴⁹ *Hansard*: HC Deb 11 June 2019, col. 288WH. [online] Available at: <http://bit.ly/2M13rpo> [Accessed 10/06/2019].
- ⁵⁰ *Hansard*: HC Written Question 8 May 2019, 248729. [online] Available at: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2019-04-29/248729/> [Accessed 10/06/2019].
- ⁵¹ *Hansard*: HC Written Question 8 May 2019, 248729. [online] Available at: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2019-04-29/248729/> [Accessed 10/06/2019].
- ⁵² See: POPs (2019). Intensive Alternative to Custody. [online] Available at: <http://www.partnersofprisoners.co.uk/intensive-alternative-to-custody/> [Accessed 10/06/2019].
- ⁵³ Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ⁵⁴ See, for example, Condry, R., Scharff-Smith, P. (eds). (2018). *Prisons, Punishment and the Family: Towards a New Sociology of Punishment*. Oxford: Oxford University Press.
- ⁵⁵ See, for example, Social Exclusion Unit (2002). *Reducing Re-offending by Ex-Prisoners*. London: Social Exclusion Unit.
- ⁵⁶ Liebling, A., Laws, B., Lieber, E., Auty, K., Schmidt, B.E., Crewe, B., Gardom, J., Kant, D., Morey, M. (2019). Are Hope and Possibility Achievable in Prison? *The Howard Journal of Crime and Justice*. 58(1), pp.1-23.
- ⁵⁷ Setting up an emergency contact line for families and friends has also been recommended by the Independent Advisory Panel on Deaths in Custody (IAP) report. IAP (2017). *Keeping Safe – preventing suicide and self-harm in custody*. Prisoners' views collated by the IAP. [online] Available at: <http://iapdeathsincustody.independent.gov.uk/wpcontent/uploads/2017/12/Keeping-Safe-FINAL-Dec-2017.pdf> [Accessed 10/06/2019].
- ⁵⁸ Annison, H., Condry, R. (2018). *The Pains of Indeterminate Imprisonment for Family Members Findings and Recommendations: Extended Report*. Southampton: University of Southampton. p. 3 [online] Available at: https://eprints.soton.ac.uk/423560/1/IPP_Families_Extended_Final.pdf [Accessed 10/06/2019].
- ⁵⁹ *Hansard*: HC Deb 1 November 2011, col. 785–787. [online] Available at: <http://bit.ly/321Y1zU> [Accessed 10/06/2019].
- ⁶⁰ *Hansard*: HC Deb 11 June 2019, col. 288WH. [online] Available at: <http://bit.ly/2M13rpo> [Accessed 10/06/2019].

The indeterminate sentence of Imprisonment for Public Protection (IPP) was created in 2003. Over 8,000 sentences were imposed in total, and despite the sentence being abolished in 2012, approximately 2,500 IPP prisoners remain in English and Welsh prisons. Those released remain under licence and the numbers recalled to prison are growing.

This report focuses on measures to ameliorate the pains experienced by families of IPP prisoners, and to reduce the barriers that hinder their efforts to support their relative. The families' pains are tied directly to the IPP sentence itself and to the prisoners' experiences. Therefore, efforts to improve the situation for families of indeterminate-sentenced IPP prisoners are intertwined with the need to address the needs of IPP prisoners themselves.

The changes proposed in this report would benefit not only the families of people serving IPPs, but also those serving IPPs themselves, relevant criminal justice organisations, other public services, and the wider public by improving the prospects of successful long-term rehabilitation for people sentenced to IPP.