

# UNGRIPP

UNGRIPP campaigns on behalf of everyone affected by the Indeterminate Sentence for Public Protection (IPP) in England and Wales.

## Ending your IPP sentence: How to get a review of your licence

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You can download an electronic copy of this guide at <http://www.ungripp.com/ending-your-ipp>

### Is there really a way to end my IPP sentence?

Yes. You have the right to a review of your IPP licence by the Parole Board 10 years after your **first** release from prison on the IPP sentence, even if you have been recalled and re-released, or are currently recalled in prison. You also have the right to a review every 12 months if your first review is unsuccessful. The Parole Board can decide to a) end your licence (which ends your sentence), b) make changes to your licence conditions, or c) refuse your application.

### How do I get a review of my IPP licence?

Under the Police Crime, Courts & Sentencing Act (which came into force on 28<sup>th</sup> June 2022), you **MUST** automatically be referred for a licence review if it has been 10 years since your first release from prison. The Ministry of Justice is responsible for referring you to the Parole Board two months before you become eligible for a review.

### Is there anything that I need to do to start the review?

No – you should be referred automatically. But if you think you're eligible and you haven't heard anything, get in touch with your Probation Officer. If you are struggling to get hold of Probation, you can email the Parole Board at [info@paroleboard.gov.uk](mailto:info@paroleboard.gov.uk) to ask for advice. They will check your records and make sure a referral is made.

### What steps are involved in the review?

1. Once you have been referred, your Probation Officer should contact you to discuss it.
2. Probation must then write a report to the Parole Board within 28 days of your referral date. The victim of your crime may also be invited to give a statement.
3. You have the right to tell the Parole Board why you think your licence should be ended. This is called 'making representations'. You can also ask your solicitor to do this for you.
4. The Parole Board will either make a decision on papers or at an oral hearing. They can decide to end your licence, make changes to your licence, or refuse your application.
5. If you think that the decision is unfair or irrational, you can use the Parole Board Reconsideration mechanism to appeal within 21 days. The Secretary of State can also do this if they think the decision is unfair or irrational.

### **What if my Probation Officer doesn't support my application?**

It will help your case if Probation support you. But you have the legal right to a review regardless, and the final decision rests with the Parole Board.

### **What will the Parole Board consider?**

The Parole Board must decide '*whether it is necessary for the protection of the public that the licence should remain in force.*' To help them decide this, they may consider:

- What has happened since you were **first** released from prison.
- How you have addressed risk factors, and how stable your life is currently.
- If you have been recalled, they will look at the reasons, and what you have done since then.
- What your supervision has been like.
- Why you had any previous applications refused.
- Whether you pose any risk of serious harm.
- Whether your Probation Officer supports your application, and the quality of the evidence that they provide.

### **What if my application is successful (and I am in the community)?**

All of your licence conditions are ended and cannot be reimposed. If you commit another offence it will be dealt with separately. In effect – you are no longer serving an IPP sentence.

### **What if my application is successful (and I am in prison)?**

All of your licence conditions will be ended and cannot be reimposed if you are re-released from prison, **but you must pass the test for release at a separate Parole hearing first.** If your licence review is successful, you will not automatically be re-released. You must still follow the usual Parole process for being re-released first.

### **What if my application is unsuccessful?**

The Ministry of Justice will automatically re-refer you for another review every 12 months, with reports requested two months beforehand. You can also appeal the decision within 21 days under the Parole Board Reconsideration Mechanism. But there are criteria for appeal, and you should ask your solicitor whether your case meets them first.

### **How likely am I to get my licence ended?**

That really depends on your situation. Hundreds of people are eligible to apply, but only 45 have, and 26 of them were successful (by April 2022). Things that are likely to help your case are:

- No recalls, breaches or further offences.
- Stable life.
- Completed your sentence plan.
- You have a good plan for managing your risk factors.
- You are managing well on reduced Probation supervision.
- Your Probation Officer supports your application.

### **Can I get legal support for my application?**

You can try contacting a member of the Association of Prison Lawyers. Many specialise in supporting people serving an IPP (even if they're no longer in prison). Search their list at:

<https://www.associationofprisonlawyers.co.uk/unrepresented-prisoner-database/> or write to PO Box 46199, London, EC1M 4XA.