

CENTRE FOR CRIME AND JUSTICE STUDIES

Briefing for IPP (Re-sentencing) Bill Lords Committee Stage (Friday 4th July)

- The Imprisonment for Public Protection (Re-sentencing) Bill has [passed its second reading](#) in the House of Lords and is now in Committee stage. A series of amendments (see page 2) are up for debate.
- In November 2024, the government published the first Annual Report on the IPP sentence. While the report confirmed a gradual decline in the IPP population since the sentence was abolished in 2012, it also highlighted troubling trends: first-time releases have steadily decreased, while recalls to custody have risen in both number and duration. Consequently, the number of recalled IPP prisoners now exceeds those who have never been released.
- The government has taken some steps on IPP, which include implementing changes to post-release licence conditions and introducing fresh urgency into supporting prisoners to make progress to a safe and sustainable release.
- IPP sentences have been found to have an adverse effect on mental health. Indeed, the number of self-inflicted deaths by IPP prisoners has been increasing yearly, reaching a record high of nine in 2023.

Despite confirmation by the Justice Committee that its recommendation of a resentencing exercise would not mean automatic releases, the government continues to refuse to consider any sort of resentencing – but a new private members’ bill by Lord Woodley seeks to put this issue back on the table. The Imprisonment for Public Protection (IPP) sentence was introduced in 2005 and allowed for people convicted of specified offences to be imprisoned for an indeterminate length of time, with a specified minimum length (or tariff), where the court considered the offender posed a significant risk of serious harm in the future. Following criticism of over-use, the law was amended in 2008 to allow for greater judicial discretion over the imposition of IPPs, but prisoners were still required to demonstrate to the Parole Board they were “safe for release” – an impossibly high bar for many.

This torture sentence was abolished in 2012, in effect replaced with new provisions for life sentences to be imposed on convictions for a second serious offence. However, it was not abolished retrospectively – meaning that people serving an IPP sentence continue to pay the price of poorly thought through legislation.

A total of 8,711 IPPs were imposed by the courts, with the number of prisoners serving them reaching a peak of over 6,000 when it was abolished. [As of March 2025](#), there were still 2,544 IPP prisoners in custody in England and Wales, 1,012 of whom have never been released. All but 6 unreleased prisoners have passed their tariff date.

Resentencing exercise

In its 2022 [inquiry](#), the Justice Committee recommended legislation to allow a resentencing exercise for all IPP prisoners, excluding those whose licences have been terminated. It argued that this was **“the only way to address the unique injustice caused by the IPP sentence”**. The Committee proposed a time-limited expert committee to advise on safe and practical implementation.

However, successive Justice Secretaries – including most recently Shabana Mahmood – have rejected the proposal. On 22 October 2024, Mahmood told MPs: “We are not considering a resentencing exercise for IPP prisoners, because that would automatically release a number of people who we do not believe it would be safe to release.”

But in a [recent letter](#) to Lord Timpson and Sir Nic Dakin MP, the Justice Committee challenged this interpretation, arguing that **“resentencing would not mean the automatic release of all IPP prisoners”**. Chair Andy Slaughter MP

reiterated that the proposed scheme would include expert oversight, legislative safeguards and post-release supervision, with continued detention for those posing a serious risk.

IPP (Re-sentencing) Bill and amendments

Although the government has rejected resentencing, this is now being [addressed](#) by a Private Members' Bill from Lord Tony Woodley, former leader of Unite the union. The [Imprisonment for Public Protection \(Re-sentencing\) Bill](#) seeks to "make provision for a resentencing exercise in relation to all IPP sentenced individuals" and "establish a time-limited expert committee, including a member of the judiciary, to advise on the practical implementation of such an exercise" – basically, following the Justice Committee's key recommendation from 2022.

[Four amendments](#) have since been tabled by Lord Woodley:

1. Changes to the wording removes the requirement to resentence, and instead ensures that the government establishes an expert committee to advise on sentencing;
2. Resentencing should be limited to people already living on licence in the community;
3. Fixing a technical flaw: ensures that new determinate sentences imposed in resentencing should be no more than double the original tariff, reflecting the way IPP tariffs functioned in practice;
4. The Bill should exclude very serious offenders who would likely have received a life sentence regardless.

The first two of these are what are known as "probing" amendments – proposals designed to test the government's position rather than to improve the Bill. The second two seek to improve the Bill directly.

Amendments tabled by other Peers:

1. Baroness Burt of Solihull proposes resentencing for all IPP prisoners 10 years or more over tariff (probing);
2. Baroness Fox of Buckley proposes that the resentencing court could replace an IPP sentence with a hospital order, if the individual is suffering from a mental disorder and poses a serious risk to the public;
3. Bishop of Gloucester proposes a review of the Act within 12 months, assessing the impact on services that support IPP resettlement, rehabilitation, mental wellbeing and employment;
4. Lord Blunkett proposes the removal of licence restrictions for prisoners who were subject to invalid recalls prior to the Victims and Prisoners Act 2024;
5. Lord Blunkett proposes limiting the resentencing exercise to those serving sentences of Detention for Public Protection, which were IPP sentences for under-18s (probing);
6. Lord Moylan proposes two amendments that limit resentencing to offences committed before 2008, when the IPP eligibility criteria was narrowed (probing).

'Psychological torture'

To give examples, [Thomas White](#) was handed a two-year minimum sentence for stealing a mobile phone but has served 12 years. [John Wright](#), then 17, was given a two-year tariff for head-butting a younger child and stealing his bike but has served 17 years. [Martin Myers](#) received a 20-month tariff in 2006 for attempted robbery of a cigarette but has served 18 years. [Yusuf Ali](#) was given a three-year tariff in 2008 for seriously injuring another prisoner but has served 16 years. All four men are still incarcerated.

UN special rapporteur on torture, Dr Alice Edwards, [describes](#) IPP as an "inhumane" punishment that "often amounts to psychological torture". Quoting CCJS evidence, the Justice Select Committee asks in its 2022 [report](#) on IPP sentences: "Had capital punishment been abolished in the same fashion, would the previously sentenced have been hanged nonetheless?" (See also our 2022 [report](#), *Imprisonment for Public Protection: Psychic Pain Redoubled*.)

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