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# Approaching the end:

## Interview with Zahid on the process of being released from custody on a life sentence

*Zahid has been serving his life sentence in the community for the last two years, after spending 15 years in custody. He is interviewed by **Dr Susie Hulley**, Senior Research Associate, Institute of Criminology, University of Cambridge.*

### **The interview begins with Zahid describing how he felt towards the end of his sentence, as he approached his tariff date and final parole.<sup>1</sup>**

**Z:** As you get closer to your parole, you get more frustrated and anxious [...] because you have to highlight yourself in a positive way whilst, at the same time, [being] worried about what's going to be deemed as negative [...] on the day of parole. Adding to the pressure are thoughts and questions on how something small is going to be reflected. [...] Also, stories about people ending up on a slippery slope where they say something so small which ends up being used against them leads you to kind of... not deliberately mess yourself up, but kind of unconsciously [...] start messing up whilst being unaware of your actions.

### **SH: What sort of things might you start doing?**

**Z:** You start becoming very agitated, you start becoming very distant from some of your friends. People that you're very close to in prison [...] you have a little bit of an outburst with them about daily prison life leading up to parole. [...] So, I think the downside of that is that you end up holding lots of frustrated thoughts and feelings, and you don't process these things as someone outside would. And that heightened sense of vulnerability at this particular stage kind of causes you to mess up. You're clearly not functioning as you would be, even in a prison setting, in your normal routine prison day setting, as you've been [...] trained to do.

So, you kind of lose that focus as you get closer to parole. I remember when one of my friends said to me, 'You're getting really agitated, you're not yourself ...' and I had to reflect back on it and sit down and say to myself, 'I can't see myself doing this, but I am doing this.' And I really had to think over what I had been like

recently, and then I worked out that what I needed was to take a step back.

### **SH: And what would have happened, do you think, if your friend hadn't said that to you?**

**Z:** I've seen one of my friends who was up for parole and I've seen him get into a small altercation, over a very small incident, and he was someone very focused on getting out. Seeing him get into some sort of physical altercation with another inmate made me realise that this could potentially be me. I had to regularly say to myself, 'No, I'm not going to do that.' So, I think for me it was more like just pulling back and just saying to myself, 'just relax and let it be.'

### **SH: So you had to really sort of focus and reflect on your behaviour as it was happening?**

**Z:** Yes. The reflection wasn't just on [parole] day then; it was more about the weeks leading up. [...] You're always thinking that you're going to be over tariff, you're always thinking that your [parole] is not going to be heard in time and how no one can help you with that. And, leading up to it, I think the only [...] involvement that you have with professionals is to do with what sort of reports they're going to write, making sure that that report captures lots of information on risk management. Therefore, any concerns that you do have about feeling anxious [...] I [didn't] want to mention that to the professionals because I can see them translating that into something different and out of context. So it [made] me reluctant to speak to them about anything. [There ought to be] another service that could intervene or perhaps kind of say, 'We're here as a service to help you specifically during this difficult time'. What I don't understand is why someone in prison is not allowed to be anxious, [whereas] outside it is the norm.

1. The interview itself was longer than could be presented here, due to space restrictions. Therefore, the interview has been edited by both Zahid and Susie – this primarily involved removing words. Some words were added by Zahid, post interview, for clarity. Any words that have been added by Susie Hulley are represented by square brackets and only to ensure clarification.

Also being in an environment where you're around short-termers, around people who are anti-authority and so forth, and then having these type of feelings isn't great, because the last thing you want to do is be around someone who's got a different agenda to you, who doesn't care about their sentence because they're not a lifer.

So, this is very important for prison staff to understand. I mean, I'm sure they know this, but when [they] see a 'lifer', don't take [for] granted that this person is trying his best not to engage in any kind of confrontation, [...] be mindful of that person's state of mind, especially when they're coming up to parole. The worse thing is that some staff try to use lifers to sort out [...] problems on the wing because there's chaos going on there. It often happens, you have a chaotic wing, you have some young inmates coming in and you have a life sentenced prisoner who is older, who [...] conducts himself in a much better way — he often gets used. His good behaviour gets taken advantage of because they want people to deescalate any incidents [with] people [who] are not behaving and conforming [...]. You can look at it as self-governance [...] and kind of say, 'Well, these people are kind of now self-governing the wing for us.' I think the problem is that when you're at a particular stage of your sentence, close to parole, and then you're being used through the self-governance process, it's kind of very, very dangerous because you're not in control of your thoughts and feelings.

**SH: Are there any other feelings that you can remember at that time?**

**Z:** Do you know what? You get pockets of excitement, [...] when the letter used to come through and it would say 'Parole' on there, it's so exciting. You see a date on there and you think, 'I'm on-track here. Things are starting to happen for me. I'm so happy.' Because so often you hear, 'Oh, a date couldn't be confirmed,' or, 'I'm so sorry but a psychologist's report is needed,' 'an amendment is needed', or whatever it is. You're just so used to that. And part of coping in these difficult situations [...] is that you say to yourself,

When you're at a particular stage of your sentence, close to parole, and then you're being used through the self-governance process, it's kind of very, very dangerous because you're not in control of your thoughts and feelings.

'I'm going to prepare for bad news. And when it comes, I am going to embrace it and just deal with it.' [...] Expect the worst.

**SH: And then you can only be pleased if it's better?**

**Z:** Exactly. So, when that happens, you get really excited. And so you do have that. But I remember I was so excited. And then as time went [on] I was getting really anxious and more anxious, more anxious.

I remember my pre sift hearing, my Cat D parole hearing, which I think is more vital than the final parole hearing. [...] [Because] the judges were very rigorous, they were very kind of challenging about [...] about one or two security intelligence reports that were put into my parole hearing [...]. Then there was one psychologist member on the panel and he was really kind of making me think deeply about the offence, really challenging me on everything. They were hardly talking about any of the positive stuff that I'd done. I was coming in there thinking, 'Right. Well, they're going to be pleased with the stuff that I've done' — in my opinion, I thought I was giving them a lot more than they would get on a regular day. But they weren't interested. They were just talking about everything that I didn't want to be talking about so much, but I knew I had to. [...] I appreciated the fact that I [was] going to be released outside into the community and they need to be sure that I'm not a problem.

So, comparing that to the final parole hearing, the one that's considering me for release, I can see how by then there is plenty of evidence to show how I managed myself in the community.

**SH: Right, because in Cat D you would be going out on ROTL<sup>2</sup> and things like that?**

**Z:** That's right. So when you're in Cat D, that main parole hearing focuses on what your experience has been like whilst you've been in Cat D. How you have been adapting to the community outside, what's your behaviour been like since you've been in open conditions, and what sort of progress you've made and have you used your time wisely and what you're going

2. Release on temporary licence.

to do in the future with the time, how have you benefitted from open conditions? [...]

**SH: What about when you were asked at the Cat D sift about your offence, [...] how did it feel?**

**Z:** [...] I was, like, really careful with what I was saying because my case is joint enterprise,<sup>3</sup> and I was kind of saying that... I used a word which I was corrected for straightaway, but I corrected it myself before I was pulled up on it. I can't remember the word, it's not coming to my mind at the moment, but it was about involvement and I was pulled up straight away. 'Hang on a minute, are you trying to deny it, or are you trying to not take any responsibility for this? What are you trying to do?' and straight away I was like, 'No, no, no, no.' I corrected it. I corrected it myself because I noticed that I used the wrong word, so that put my back up a little bit. I was really focusing extra hard. You're being genuine, but at the same time, you still have this thing.

**SH: Yes, and it's complicated for 'joint enterprise' cases, isn't it? Because you're convicted of murder, but [...] you have not necessarily committed the offence, the killing itself, and so there's a very difficult line to walk, I guess. We hear this from people who are convicted using joint enterprise all the time in our research, about the difficulty of walking that line between, 'I accept a level of responsibility for my behaviour or a particular action during the incident, but I still don't feel like I'm legally guilty or morally guilty of murder'. And so I can see how that must be really tricky at parole?**

**Z:** That is absolutely tricky. If you're in that principal situation, you're trying your level best to kind of really read a script that you've been forced to kind of read.

**SH: What's that script? What's the expectation?**

**Z:** It comes from the psychological assessments and offending behaviour courses. It's forced on you. And when you've been in Cat A for so long, you know that, okay, you're getting to a point now where this isn't working for you; you're forced to go down a specific route...

**SH: Which is to be more explicit about guilt?**

**Z:** Yes. And it's kind of like [...] there are grey areas. There are bits that you can say to yourself, [...] 'this wasn't murder'. [...]

**SH: But it's interesting because it's the law. It has nothing to do with the prison system, in the sense that it's the label that you have been given at conviction that dictates the way you have to navigate a system, which expects you to**

**acknowledge guilt. Most people that we spoke to in our research, who are convicted of murder as secondary parties using joint enterprise, would say, 'I'm guilty of something, I'm just not guilty of that. So, if it said on my record 'violent disorder' or 'perverting the course of justice'...'<sup>4</sup>**

**Z:** [or] Manslaughter.

**SH: Yes, or manslaughter even [...] 'I would put my hands up and say, 'yes, definitely'. But I can't morally come to terms with the fact**

**that I'm expected to recognise that label of murderer for myself?'**

**Z:** 100 per cent. This is a big struggle.

**SH: Can I take you back to parole itself? Because one of the things I was interested in is, once you were granted parole, [...] how long was it until you were actually released?**

**Z:** [I had to wait] 21 days, as a result of the John Worboys thing.<sup>5</sup> [...] You will get your comms in the post, or get your decision emailed, and then someone informs you. So I think for me, I found out [that my

Because you're convicted of murder, but [...] you have not necessarily committed the offence, the killing itself, and so there's a very difficult line to walk.

3. 'Joint enterprise' is the term given to a form of legal liability that enables more than one person to be convicted of an offence committed by another (see Hulley, S. and Young, T. this issue). Zahid, like many other people serving life sentences for murder, was convicted as a 'secondary party', which means he would have been convicted of murder for either 'assisting and encouraging' the principal party or 'foreseeing' that they might have acted as they did.
4. For reference, see Hulley, S., Crewe, B., and Wright, S. (2019), 'Making Sense of Joint Enterprise for Murder: Legal Legitimacy or Instrumental Acquiescence?', *British Journal of Criminology*. 59(6), pp. 1328–1346.
5. Changes were made by the Government, following the case of John Worboys, including the implementation of a 'reconsideration mechanism', which means victims have the opportunity to challenge the decision of the Parole Board if they believe that it was 'fundamentally flawed'. A period of 21 days is available for this process (see <https://www.gov.uk/government/news/new-improvements-to-parole-board-transparency-and-victim-support>).

parole was successful] through my solicitor. I was checking regularly, and then the letter came in a few days later or whatever it was.

**SH: And how did you feel?**

**Z:** I felt relieved. I felt great. I felt amazing. I thought, 'This is done.' But I was, like, 'I want to get out now.'

**SH: Were you on tariff?**

**Z:** The funny thing is I had my parole hearing two months before my tariff expired. [...] My tariff wasn't expired.

**SH: So you literally got out on tariff...?**

**Z:** On the tariff date. [...]

**SH: So how did you feel in those 21 days when you were waiting to go out?**

**Z:** 'I've been granted parole.' The sense of entitlement: 'I should be out of prison. What am I doing here? Let me out.'

**SH: How does that affect your behaviour at that point then?**

**Z:** I think it makes you really anxious. [...] You just think, like, 'Okay. Yeah, I've got it.' But then you're still thinking 'anything could happen', a little bit. I think there are anxieties, but then they start to reduce a little bit. But I think, again, I think it's a bit more painful, I think; the fact that you can say to yourself, 'I shouldn't be here. I've been given parole. I'm allowed to go out now — why am I still here?'

**SH: Were you nervous?**

**Z:** To come out? No, I wasn't because I was coming out in open conditions. I was coming out regularly anyway.

**SH: So you'd done quite a lot of time outside and you felt kind of comfortable going out into the community?**

**Z:** Yeah. There were other guys that were regularly talking about what's going to happen when the gates open when they come outside and step out? I was like, 'I drive to work every day. I'm not going to leave my car and get somebody to drop me off and then they're going to come and pick me back up. I'm just going to come out and drive a car like normal. I don't need anyone to come outside the gates.'

**SH: It's such a sort of mediated version of release from prison, isn't it? That the big gates open and your mum's waiting there and you run into her arms.**

**Z:** Do you know what? When I was in Cat A, that's what I thought it was going to be like. And so when you actually come to it, you don't think, 'Hang on a minute, this is what it's going to be like.' I never imagined it to be like that.

**SH: And so then how did it feel the last time you drove out after spending 15 years in prison?**

**Z:** You know what? The last time I drove out, I was just, like, 'Yeah, that's it.' Then I was like, 'Yep, I'm done. That's it.' That's when I said, 'Okay, I'm done. I'm finished.'

**SH: What does that mean? What does being done and finished mean?**

**Z:** I just think it means I don't need to stress about time. I don't need to be anxious about what's going to happen. I don't need to worry about what sort of reports are going to be written about me. I don't need to worry about getting a nicking. [...]

**SH: In what ways did you feel that your time in prison had prepared you for life outside?**

**Z:** I think that when you're in Cat A, you're not prepared for outside life at all. You're just prepared for the next step. You're given that preparation just for the next step. And the way that you're kind of treated in there — the strictness, the harshness, the extreme isolation, the rigidness, the extreme extents of it — just to get out of there and get away from there makes you feel so relieved. [...] Once you're not Cat A anymore, you just feel to yourself, 'Okay, there's a possibility of progress now.' You feel like you can move forward. [But] at that time, when you're in a Cat A, it's not possible — you just can't even [imagine] coming outside. My tariff was 15 years. I did eleven years as a Cat A prisoner.

**SH: It's amazing how quickly you progressed after that.**

**Z:** Yeah. I always said to myself, 'I want to get out.' I remember a friend of mine said to me 'I need to get out now because anything could happen. I could be jeopardised. Anything could happen.' That's the sort of thing that reinforced my pace.

'I've been granted parole.' The sense of entitlement: 'I should be out of prison. What am I doing here? Let me out.'

**SH: [Is that because it feels] volatile in the Cat A system?**

**Z:** Absolutely, there's that. [...]

**SH: [And] what isn't available in the system at the moment that would have helped you on release? You mentioned, for example, having someone to talk to towards the end. And I wrote down at the time, 'Does it need to be someone who's outside of that system that's writing reports for your parole?' Does it need to be someone who's not looking through like a risk lens, who's just talking to you as a counsellor?**

**Z:** Absolutely love the question, because in there you just said 'not risk-assessed' and 'counselling'. I think that we need to move to a direction which looks at specifically life-sentence prisoners. [...] You can say that everyone's got these, kind of, primary prison pains and so forth, but [...] life-sentence prisoners have specific psychological harms that are associated with them because of the parole process, because of their length of sentence, and so many other factors. Now, what they need is a mixture of counselling [and other] ways to deal with trauma.

**SH: Support and advice?**

**Z:** Yes. [...] I think [you need] a discussion, or kind of group settings with people who are well aware of your situation, get your point, know your frustration and pains, not because they've experienced it physically themselves [necessarily], but because they have got the knowledge of it.

It's so strange that when you go to most environments nowadays, you have mental health, [...] you have trauma discussions with prison staff — anything that happens, there's a protocol to go by. [...] All of this stuff exists, ensuring that that person's frame of mind is okay. But none of that is considered for the prisoner when they've just had a parole hearing, or [they're experiencing] these anxieties and frustrations [related to parole]. The very first thing that should be addressed is, 'How do you feel?' [...] And not just

because you want to ensure that the parole hearing goes ahead, you can tick your box and, 'I've done my job.' But that person's trauma isn't considered. Their wellbeing isn't considered. [...] And you know what? [...] assisting with wellbeing in prisons is heavily incorporated with offending behaviour courses, but offending behaviour courses are the last places that help to reduce any kind of psychological harms that you have.

**SH: Why?**

**Z:** Because they only focus purely on risk. They are not there for helping you to feel better or to feel less traumatised or to feel less anxious or to feel less frustrated or to feel in a position where you aren't going to mess up. [...] A parole hearing is not an easy process. It's so complicated. [...] That whole long procedure, process, waiting, the anxiety, the frustration, the letters, the dates, the feeling excited and then feeling disappointed and then feeling kind of like what's going to happen to you on the day [of release] and then after.

**SH: How long would you say that process is, then, for you? How long are you feeling those feelings?**

**Z:** [...] I think the closer you get to it, it intensifies. I mean, the closer you get to it, it's like you know when you're reversing and you hear your car getting closer?

**SH: 'Beep, beep, beep'**

**Z:** You're out like flat, 'Beeeeeep!'

**SH: So is it sort of two or three years? Do you feel that way for sort of two or three years, that intensity of kind of anxiety and frustration and worrying?**

**Z:** I think for me with my sentence, [...] it was like seven years.

**SH: That's a long time to feel that level of intense stress.**

**Z:** Yes

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6. This section was co-written by Zahid and Susie after reflecting on the interview and thinking about the implications of Zahid's experience for HMPPS and the Parole Board (and the experiences of other long-term prisoners reported in the study undertaken by Susie, with colleagues Professor Ben Crewe and Dr Serena Wright) for HMPPS and the Parole Board.

### Post-interview reflections<sup>6</sup>

The experience of the parole process — at the pre-tariff review (around three years prior to tariff date), at tariff, or post-tariff for some prisoners — generates complex emotions for life-sentence prisoners. While there are feelings of excitement and hope, the experience can feel overwhelming as they are flooded with anxiety. Some have waited many years, even decades for their first chance to move closer to release or to be released. There is a lot at stake.

In this context, there is an irony then, that in the run up to any parole hearing — when day-to-day compliance feels most critical — the immediate environment presents additional risks to maintaining ‘good’ behaviour. These include prisoners serving (often shorter) determinate sentences, who have less to lose, or staff requests to help manage problems on the wing. These represent potential threats to a late-stage lifer’s successful pathway to release. Zahid describes feeling emotionally ‘on the edge’ — at a heightened risk of lashing out verbally or physically, due to intense feelings of anxiety and frustration.

For men and women convicted of murder as secondary parties, using ‘joint enterprise’, the process of parole (including the preparation of reports) is complicated by the need to navigate complex discussions and expectations related to legal and moral

guilt. Accepting ‘responsibility’ for one’s actions while continuing to question the legal legitimacy (or fairness) of a ‘murder’ conviction feels precarious.<sup>7</sup> A tight-rope to walk, which can also increase anxiety.

Zahid’s story (and others like his) suggest that increasing understanding of the intense emotional pressure that late-stage lifers face, among prison staff and members of the Parole Board, would benefit such individuals. For staff, this might mean considering alternative support mechanisms for lifers who are approaching parole, particularly those who appear to be non-compliant or are displaying challenging behaviour. As has been suggested elsewhere,<sup>8</sup> life sentenced prisoners would most benefit from support that is person-centred and focused on wellbeing, rather than risk. In the context of a broader awareness of mental health, recognition of how ‘normal’ concerns about release are and their likely impact on behaviour is crucial. Zahid makes a final plea: ‘there should be room to consider the emotional journey parolees go through’. We hope that greater empathy and understanding of the complex emotions that characterise the experience of a life sentence, among staff and the Parole Board, might increase hope among late-stage lifers,<sup>9</sup> improve the legitimacy of the system and avoid delays to release for individuals who have been waiting decades to live (well) in the community again.

7. See n.4.

8. Wright, S., Hulley, S., and Crewe, B. (2021) ‘The Challenges and Needs of people serving long life sentences from a young age’, Clinks Evidence Library. Available online: <https://www.clinks.org/sites/default/files/2021-08/The%20challenges%20and%20needs%20of%20people%20serving%20long%20life%20sentences%20from%20a%20young%20age.pdf>

9. See Wright, S., Hulley, S. and Crewe, B. (2022), ‘Trajectories of hope/lessness among men and women in the late stage of a life sentence’, *Theoretical Criminology*. Published online <https://journals.sagepub.com/doi/full/10.1177/13624806211067770>