*[CHECK AGAINST DELIVERY]*

***THE HOWARD LEAGUE PARMOOR LECTURE***

**HOPE – THE MISSING INGREDIENT IN PRISON REFORM**

**Professor Nick Hardwick**

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***Clifford Chance, 10 Upper Bank Street, London E14 5JJ***

Good evening.

Thank you for that welcome. It is a pleasure to be back speaking at a Howard League event again and a genuine honour and quite a surprise to follow in the footsteps of the distinguished individuals who have given Parmoor Lectures in the past.

**[SLIDE 2]** The first time I spoke at a Howard League event, at your AGM in November 2011, I spoke about this man, John Howard, the eighteenth century prison reformer, who might be called the first prison inspector, and after whom the Howard League is named. This is a nineteenth century representation of him.

A surprising amount of what John Howard wrote about in his great book, 'The State of Prisons' is still applicable today. So I thought I would see what he had to say about parole. This is what he said about the parole system in Holland some 250 years ago:

*"Offenders are often sentenced to these houses, according to their crimes, for seven, ten, fifteen, twenty years and upwards: but to prevent despair, seldom for life.*

*As an encouragement to sobriety and industry, those who distinguish themselves by such behaviour, are discharged before the expiration of their term…*

*A little before the election of new magistrates, those who are in office inspect the prisons; and inquire of the keeper which prisoners, of those who have been confined a few years, have been diligent and orderly; and of the minister, which of them have been most attentive to public and private instructions.*

*According to the accounts, they abridge the appointed time of punishment: so that fourteen years will sometimes be reduced to eight or ten; and twelve years to six or seven.*

*This practice is in every view wise and beneficial.*

*Indeed, I have some reason to think that criminals are often doomed to a longer term, with the intention to make such deductions upon their amendment."[[1]](#footnote-1)*

Before we get too carried away with the lessons Howard can teach us, I noted that in the passage of his book immediately preceding his description of parole, he appears to praise the Dutch practice of conducting particularly gruesome public executions of the most serious criminals. They were performed '*with great order and seriousness, and great effect on the spectators'*[[2]](#footnote-2) he wrote approvingly.

Things that were once accepted as normal, even by men as enlightened as John Howard, we would regard with horror today. Some of the things we accept as inevitable today, I fear will appal those who come after us. In that there is message of hope. Things can change for the better, however impossible it might sometimes seem.

I wanted to speak about hope today. That may sound like a strange topic after the dreadful events at Pentonville earlier this week and at a time when the prison service in England and Wales is grappling with such severe problems. I don't want to diminish those problems, about which I will say more in a minute, but the hope that things can be better is a necessary characteristic of anyone interested in prison reform. The ability - and need – to hope is a big part of what makes us human and hope, or the lack of it, is an important thing to think about when we consider the complex ethical and practical issues involved in parole.

And by this I mean not just passive 'hoping for the best' but the belief that if organisations and individuals do the right thing and work hard enough, change is possible.

Looking at what is happening in many of our prisons today, you might be forgiven for thinking the situation is hopeless.

There are two things I want to say about the dreadful incident at Pentonville earlier this week. We don't know the circumstances of the incident. But we know it will have been traumatic and very frightening for the prisoners who are held there and the staff who have to work there still. And more than that, imagine you are the partner or mother of a prisoner who is still there, locked down, unable to phone. Imagine you are the partner or mother of one of the men and women who went back in today to work there. Imagine that.

I do not think we should add to their distress by speculating on the specific circumstances of the incident but I will say this.

I know for a fact that many of those who work in Pentonville do so out of a sense of vocation, because this is where the need is greatest. Pentonville probably has one of the neediest, diverse and fluid populations in the prison estate.

Here is a line from the introduction to the inspectorate's last but one report on Pentonville in 2013. It did not get much coverage but said:

*'Many staff and managers worked heroically against the odds but despite their best efforts we remained very concerned about many aspects of the prison'.*

*'Staff worked heroically against the odds'.*

I remember being in the central hub of the prison from which the wings or spurs radiate off like the spokes of a wheel. It was the middle of movement and three alarms went off at the same time. One I know was a man having an acute and violent psychotic episode. Staff were rushing this way and that to help. Prisoners were milling about. The atmosphere was crackling with tension.

In the middle, as calm and focussed as you like, while she issued instructions and brought the situation back under control, was a single, young custodial manager. I watched her do it from the safety of behind a gate and thought, heroic was the right word to describe her.

There will be staff in Pentonville now, as I speak, doing much the same thing. And there will be prisoners in Pentonville too, who tonight will be playing their part in calming things down, comforting their fellows, comforting staff. I know that there are managers in NOMS who will stay awake tonight, grappling with impossible moral and practical choices forced on them by the reduction in funds the prison service receives. There are voluntary and community and faith groups trying to help. I was in Pentonville at an event last week and met staff, prisoners and managers and outside groups who were doing just that.

We have indeed reached a dark place as the Prison Governors Association have said. But draw hope and be inspired by the staff and prisoners and others who are still trying to light a candle.

Whatever the circumstances of the individual incident at Pentonville, at its root lies political decisions about resources and staff levels and it will take political decisions to put things right.

And the next thing I want to say about Pentonville is this.

Just don’t tell me you are surprised this happened.

For most years since 2007, from when the data is published, homicides in prison were a terrible but rare event.

In the year to June 2007 – there was one.

2008 – zero

2009 – three

2010 - zero

2011 – two

2012 – one

2013 – two

2014 – three

and then the numbers increase to levels not seen for years.

2015 – seven

2016 -five

I don’t believe this recent increase is a coincidence. It is the most extreme example of the decline in safety that I and many in this room have been warning about for years.

I don’t now have the day to day knowledge of what is happening on the ground as I did when I was Chief Inspector of Prisons but the latest NOMS safety data is appalling. I know this will be familiar to many of you but it is important to understand what it means.

**[SLIDE 2]** This is the most recently published prison safety data and the change since the same period the previous year. Take a moment to absorb it.

It is not just these figures are bad, they are now the worst they have ever been.

It is not just that they are now worse than they have ever been but that they are getting worse still.

It is not just that they are getting worse still, but the rate at which they are getting worse is accelerating.

They cannot say they were not warned.

For example, if you read the annual reports I published as Chief Inspector for instance, they chart year by year the accelerating decline in prison safety.

Some of you will recall that these warnings were very unwelcome in some quarters and led to some public rows.

Well, I was right frankly and now the situation is now more serious than ever.

The meaning of the increase in suicides, assaults and murders we are seeing now is not just the awful consequences for the prisoners, staff and families involved but the evidence they provide of a loss of control of our prisons.

Any by this I don’t mean just, or even mainly, locks and bars and force but dynamic security, the relationships, the trust, on which prison safety and security truly depend and all of which takes skilled staff time to provide.

In these circumstances, ambitious plans to improve rehabilitation and education or tackle extremism are simply not achievable.

I see no sign that the number of homicides, self-inflicted deaths, self-harm incidents and assaults will not continue to rise.

I will choose my words cautiously. Politicians, policy makers and senior managers need to think through very very carefully and honestly the consequences of further deterioration and how this might end up.

I have the greatest respect for the Prison Governors Association and I take their call for a public inquiry as a cry of anguish but the last thing we need now is to wait years for an inquiry to report before action is taken.

Do we not know what the problem is and what is urgently needed to solve it?

There are a number of factors of course but it is quite clear to me that safety in prisons will not improve unless there is a very substantial increase in staffing levels.

The grounds for hope here is that over the last couple of months I have not met anyone from top to bottom of the prison service and the Ministry of Justice including, I don’t think it is giving away any secrets to say, the new Secretary of State and Ministers, who does not understand this.

Politicians don’t need me to speak for them but I do believe the new Ministers in the MOJ understand the gravity of the situation and are trying to get a grip.

However, the £14 million that has been announced to provide 400 extra staff targeted on the 10 worst prisons. That is welcome of course, but it does not compensate for the thousands of staff who have taken out of prisons over the last few years and I am afraid there are a lot more than ten prisons in trouble.

The 400 extra staff must be just the first immediate step. The problem is now of such a scale, and the resources required to address it so significant, that it will take a government wide commitment to address it in the next spending round.

And whether government as a whole understands the problem I don't know.

But I do not believe that making prisons safer again should be the end of the story.

I reject the view that there is a choice to be made between the need to improve safety and the need for wider reform.

Analogies between schools and prisons are overdone I think but there are some valid comparisons.

If you were trying to turn round a failing school, the first thing you would do is restore order and discipline. But that would not be an end in itself, it would be a necessary precondition to enable the students achieve their potential, exam results and so on that were the real objective of the school.

So safety, security and decency in prisons should not be seen as ends in themselves - but the necessary preconditions for rehabilitation and education outcomes to be achieved.

Despite or even perhaps because of the present challenges in the prison system, the time is right reform.

Listen to recent debates in Parliament – prison reform has received cross-party support in a way that would have seemed unimaginable a few years ago.

In Mori polls of the most important issues facing Britain today, 55% said it was crime/law and order/violence and vandalism in August 2007. That had fallen to 14% in August 2016.[[3]](#footnote-3)

Look at the ideas for reform coming out of the States - from organisations like the Republican Right on Crime movement in the States – where Trump supporters are producing ideas that would not look out of place on a Howard League website (OK – that might be stretching it a bit – but not too much).

The newly revised United Nations Standard Minimum Rules for the Treatment of Prisoners, known as the Nelson Mandela Rules, to which the UK is a party, provide an important set of standards which if implemented would lead to real improvements here.

The times are more favourable to prison reform than they have been for years. We have a duty not to miss the opportunity.

In the next few days, the Royal Society of Arts will publish their blue print for community based, rehabilitative prisons.

I commend it to you.

You don't have to agree with every jot and comma to applaud the fact that someone is describing a practical path to a better future.

They recognise the critical relationship between staff levels and safety but go on to describe steps to make rehabilitation central to safe prisons, with control decentralised, staff given the training and support commensurate with the complexity of their roles and with inspection powers consistent with international standards and placed on a much clearer statutory footing.

The prison service patient does not just need emergency treatment to deal with its current critical condition but a different and healthier lifestyle going forward to prevent the same sickness occurring again.

I welcomed the change of tone and sense of vision Michael Gove, the previous Secretary of State, brought to the question of prison reform but like others I was impatient to see results on the ground. If Liz Truss, the new Secretary of State now focuses on the delivery rather than the rhetoric, that I think would be no bad thing.

I will turn now to the issue of parole.

First, I want to say something about prisoners and the victims of the crimes they commit.

I am really uncomfortable about a description of prisoners simply as the product of their backgrounds with no real responsibility for the choices that led them to their current position.

For one thing, in my experience, prisoners themselves think you are ridiculous if you believe that.

We know all the statistics about the disadvantage many prisoners have suffered. But despite that they have made choices.

To portray them as simply the powerless products of circumstances beyond their control dehumanises them.

Worse than that, denying their possibility to choose, denies them the possibility of deciding to change. They simply become the recipients of processes done to them rather than agents in their own destiny.

Many of the prisoners who come before the Parole Board have done terrible things. The distress they caused lives on through generations.

Yet the victims and victims groups I have met have not been demanding vengeance.

They may find the prospect of parole distressing but they have dealt with the process with real grace.

What they do legitimately expect, and too often do not get in all parts of the criminal justice system, is to be treated with courtesy and empathy, and to receive the practical and emotional support that those who have suffered a sudden and awful loss require.

I have been very impressed by the work of some of the victim groups I have met and think they make a very strong case for better financial support.

I do not think the interests of those concerned about prison reform and parole and those concerned about the victims of crime are in fact very different.

What most victims I have met have said to me is that they do not want more victims to suffer as they have suffered – and of course, safe rehabilitative prisons can play a part in reducing crime and so reducing the victims of crime

Parole has a role to play in the reform process. It can provide two things in desperately short supply: space and hope.

Even if they government were to decide tomorrow to recruit the staff required, it would be many months before they were operational on the wings. Recruitment and training needs to be improved not rushed – and to neglect that would be to deal with immediate problems at the expense of further problems in future.

If staff numbers cannot be quickly increased, the prison population needs to be reduced.

To be clear, I do not think it would be right for me in my current role to advocate radical sentencing or population management changes – although Ministers ought to be looking at all the options.

But I am saying that we should ensure that people are not kept in prison as a result of administrative delays and measures already under consideration to deal with some perceived injustices need to be expedited as quickly as possible.

Just doing that would ease some of the pressures.

I know that some IPP prisoners and others have simply given up hope they will ever get parole. Coincidentally, I met a man in Pentonville only the other day who told me just that. He told me he had given up hope and was going to get himself put in the seg and go on hunger strike in protest. The disruption Pentonville is going through now will not help his process I fear.

The ability to hope is part of what makes us human. This was expressed very well by Judge Power-Forde of the Republic of Ireland in the grand chamber of the European Court of Human Rights in 2013 in the case of *Vintner and others*. I don’t want to get into the specifics of that case but what he said about the importance of hope is relevant to all those serving any kind of sentence.

He said:

*"Hope is an important and constitutive aspect of the human person. Those who commit the most abhorrent and egregious of acts and who inflict untold suffering upon others, nevertheless retain their fundamental humanity and carry within themselves the capacity to change. Long and deserved though their prison sentences may be, they retain the right to hope that, someday, they may have atoned for the wrongs which they have committed"*

A prison in which prisoners feel they have some hope for the future, of a different life, is likely to be safer than one in which people feel hopeless I believe. A prison in which long term and therefore more mature prisoners have a genuine interest in making progress is likely to be one in which a rehabilitative ethos can be more easily established than one in which a significant and influential part of the population feel it is all pointless.

Google 'parole' and you get lots of different meanings. In its original sense, it meant the conditions applied to release of prisoners of war. Look at discussion in the States about it, and it seems to be mainly about whether a prisoner is deserving of mercy and forgiveness. I think many people in England and Wales assume it is something prisoners serving a long sentence can earn through good behaviour. For many professionals it is often about whether they are ably to apply the work that will reduce the prisoner's risk.

It should be about elements of all these things I think. But many prisoners feel I know, sometimes with justification, it is an arbitrary process that, provided they stay out of trouble, does not depend on what they do but on whether a remote offender manager or the 'system' slots them into the 'programmes' or type of prison they need to experience to demonstrate they their risk has been reduced. And risk is assessed to within single percentage points, by algorithms, heavily dependent the prisoners past history, which of course they cannot change.

Past behaviour may be a good predictor of future behaviour and assessing risk is important but as I argued earlier, a view that sees prisoners as simply a product of events and environments beyond their control also denies the possibility of them being agents in their own change. I prefer to see prisoners as individuals who made bad decisions in the past – and who possess the human capacity, should they choose to utilise it, to make better decisions in future.

I suspect that many of you here will only have a vague idea of what the Parole Board does.

It was established by the criminal Justice Act 1967 – next year is our 50th anniversary.

Of course, its role and the scale of its work has changed enormously in that time.

In 2015/16 The Board held over 7000 oral hearings and dealt with some 16,000 cases on the papers. It currently releases about 40% of the prisoners who come before it.

The Parole Board is an independent court-like body that is sponsored by the Ministry of Justice.

I am confident that the Parole Board makes its decisions independently. Nevertheless, it is a concern that an independent court like body is sponsored by the Ministry of Justice, has its members appointed by the Secretary of State and to be based in MOJ headquarters. I don't like any of that but frankly given the amount of urgent work we have to do, it is not an issue I am going to take up in the near future.

Today the remit of the Parole Board remit is as follows **[SLIDE 4]**:

1. *Deciding* whether to release indeterminate sentence prisoners, including life sentence prisoners and prisoners given indeterminate sentences for public protection (IPP prisoners) after their minimum term of imprisonment has expired
2. *Deciding* whether to release some categories of determinate sentence prisoners
3. *Deciding* whether some prisoners who have been recalled to prison can be re-released
4. *Advising* the Secretary of State whether indeterminate prisoners can be moved from closed to open conditions
5. *Advising* the Secretary of State on any release or recall matters referred to it.

**[SLIDE 5]** In deciding whether to release a prisoner, the Board has to decide whether it is *'satisfied that it is no longer necessary for the protection of the public'* that the prisoner should remain detained.

In effect, the prisoner has to demonstrate that releasing him or her would not create a risk of a serious further offences rather than those opposing release being required to demonstrate it would do so. The problem for the prisoners is how do they prove a negative.

**[SLIDE 6]** You can see here how the workload of the Board has increased in recent years.

**[SLIDE 7]** This chart shows how the effect of the decision in the case of *Osborn and others*, which required the Board to hold more staff and member intensive oral hearings, led to an increase in the Boards backlog of outstanding cases.

I support the principle of more oral hearings but at that time the Board was not given the resources it needed to cope with that increased workload and so the backlog grew.

**[SLIDE 8]** The Board has a five-point strategy going forward:

* Safely eliminate the backlog of outstanding cases that are delayed (due to capacity constraints) by the end of 2017.
* Ensure the Board’s remit is focussed on those cases where its expertise is of most value and does not detract from partner’s rehabilitative responsibilities.
* Work with others to ensure that by the end of 2017 the majority of IPP prisoners have been safely released or have clear plans in place that will enable them to progress.
* Ensure that the Board’s cultural and procedural approach to risk is consistent with the successful implementation of its other strategic objectives.
* Members and staff work together to continuously improve how we work, whilst treating those we deal with respect and humanity.

We are making progress.

**[SLIDE 9]** We are getting the backlog down. We are ahead of schedule and we believe that by the end of 2017 we will have the backlog down to frictional levels.

I have to confess this is almost nothing to do with me. My predecessors laid the foundations by taking some tough decisions about putting new systems in place, and Martin Jones, the Parole Board Chief Executive, and the Board's truly impressive members and staff have worked incredibly hard to turn things round. I pay tribute to them.

I know that there are many people in this room concerned about IPP prisoners.

**[SLIDE 10]** The imprisonment for public protection sentence was created by the Criminal Justice Act 2003 and implemented in 2005. The sentence was curtailed in 2008. It was finally abolished in 2012.

It was intended to ensure that dangerous offenders were detained until their risk was manageable in the community but the sentence was used much more widely than had been originally anticipated.

The sentence is in two parts. The tariff, or punishment part of the sentence, which is the minimum period that the judge says the prisoner must serve. Post-tariff, the risk test applies and the prisoner can only be released if the Parole Board is satisfied he or she no longer poses a risk of committing a serious further offence.

The sentence was used much more widely than had been anticipated, and was subject to widespread criticism by the courts, Parliament and sections of the media.

The prison service struggled to put the offender management processes and programmes in place to help prisoners reduce their risk.

The Parole Board struggled to keep up with its increased work load.

Before the sentence was curtailed in 2008, judges had very little discretion about the use of IPP sentences and up to that point it was available for relatively minor offences. There was no minimum tariff so some IPPs were imposed with extremely short tariffs (infamously the lowest period to be served was just 28 days).

The release rate was low. In 2010-11 the Board released just 140 IPPs.

At the point of abolition in December 2012 there were 6,080 IPPs in prison. Since that date the number of IPP prisoners has fallen by about a third (according to last published data there were 3,998).

**[SLIDE 11]** You can see what has happened to the IPP population here.

This is the indeterminate sentence population – lifers and IPP prisoners. When the IPP sentence is introduced in 2005 there is this dramatic rise and a decline starts once the IPP sentence is abolished in 2013.

**[SLIDE 12]** This shows how the Parole Board has been handling IPP prisoners.

The orange bars show the steady increase in IPP prisoners considered for release as more and more reach the end of their tariffs.

The green bars show the increase in the actual number of IPP prisoners released. That number has increased from 140 in 2010/2011 to 715 in 2015/16.

The solid brown line shows the release rate, - the proportion of IPP cases considered that result in release. That is now just under 40%

So with IPP prisoners, we are making progress there too. But formidable problems remain.

**[SLIDE 13]** 3,263 IPP prisoners, 82% of the IPP population still in prison, are now post-tariff. The overwhelming majority (83%) of those are still held in closed conditions. There are still 667 IPP prisoners in prison who had a minimum tariff of less than two years. There are also 730 who have not yet served their minimum tariffs, some of whom, I think it is reasonable to assume some of these would have received a discretionary life sentence if the IPP sentence had not been available.

Broadly, and this is an oversimplification, you can think of the IPP prisoners in three groups.

Firstly, there are those who we can be confident no longer pose a risk. Prisoners who are safe to release as soon as they have reached the end of their tariff and we can hold a hearing.

On the other hand, there is a group who continue to pose a very serious risk and it is difficult to see that reducing to a safe level for many years. Let me be clear, the Parole Board is not going to release individual prisoners or recommend the release of categories of prisoner we think continue to pose a serious risk.

But in the middle, there is a much more complex group, prisoners with mental health problems for example, or prisoners with chaotic life-styles who are unlikely to be model citizens but who do not pose a risk of *serious* further offences and could be managed if in the community if the right supervision arrangements could be put in place.

Let me give you an example. An elderly and frail sex offender with early onset dementia. At the hearing, confused about where he was.

His very frailty reduced the risk he posed but nevertheless, he might still pose some risk to children he came into contact with.

The panel concluded he was safe to release if a care home could be found that was willing to take him and could ensure he did not have contact with children.

Therein lay the difficulty. Was there a care home that was prepared to take him?

Eventually, after a lot of good work by the probation service, such a care home was found but there will be other cases where men remain in prison, needing high levels of care, because no community placement can be found for them.

It remains the case that co-ordination between the Parole Board, Probations Service and prisons needs to be improved further and sometimes inadequate co-ordination leads to unnecessary deferrals and adjournments.

Restrictions on the use of Release on Temporary License or ROTL creates significant problems. I think the management of ROTL did need to be improved but now the restrictions are such that it makes it much more difficult to assess a prisoner's risk by seeing how they behave away from the prison environment.

If the Parole Board we can resolve some of these issues and continue to make the progress it has been making, and if nothing else changes, we estimate we can get the number of IPP prisoners down to about 2,000 by 2020.

Initial releases though are not the end of the story.

**[SLIDE 14]** There is now a real problem with the growing number of recalls. Released IPP prisoners remain on what amounts to a life license. Breaches of license conditions can lead to individuals being recalled to prison and potentially the whole parole process has to start again. The license period is too long, the bar to get recalled is too low and the recall process needs greater procedural safeguards.

As a result of all this, real pressure for reform has built up.

**[SLIDE 15]** In May this year, in a speech to prison governors, Michael Gove, the previous Secretary of State, said this:

*“But more still needs to be done - and I have asked Nick [Hardwick] to help develop an improved approach to handling IPP prisoners which keeps inside those who pose real risks to the public but gives hope and a reason to engage in rehabilitative activity to the majority”[[4]](#footnote-4)*

He never in fact got round to asking me to do this officially, but I ignored that and told him and the new Secretary of State what I think anyhow. This is what I have said.

First, there are things that the Parole Board can do itself, or by working with others, to reduce the number of IPP prisoners still held.

**[SLIDE 16]** These are the sorts of things we are doing. I will not go through them all but I have said if we do all these things successfully, we can reduce the IPP population to around 2,000 by 2020. It was 6,000 at its height. It is now about 4,000. We can get it down to 2,000.

But if Minister want to go further or faster, it will require legislative or policy changes.

**[SLIDE 17]** These are the policy options they have:

**CONVERSION**: Convert all or some IPP sentences to a fixed term sentence with a definite sentence end date.

**SUNSET CLAUSE**: Establish a provision to provide that all or some post tariff prisoners must be released no later than a certain date.

**RISK TEST:** Reverse the risk test for some or all IPPs so the Parole Board has to demonstrate the prisoner poses a serious risk rather than the prisoner needing to demonstrate that they do not. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) gives Ministers the powers to do this. So far it has not been used.

**COMPASSIONATE RELEASE**: Consider using existing powers to release IPP prisoners who have now served more than the current maximum tariff for their sentence.

**SHORT TARIFF IPPs:** Reverse the risk test for IPPs with an original tariff of less than two years.

**RECALLS**: End the IPP sentence once the Parole Board has decided release and deal with further offences under normal sentencing provisions and limit license periods.

These are options, not recommendations. I don't think the first three are realistic possibilities either because I do not see a legislative opportunity to make them happen or they would involve releasing prisoners who remain plainly dangerous and I do not believe that would be acceptable – to me as much as anyone else.

The bottom three are more doable.

Compassionate release involves the relatively small number of prisoners who are serving an IPP sentence - that has now been abolished - and who have now served longer than the maximum sentence available if they committed the same offence today.

That just feels unjust to me.

Dealing with short tariff IPP, the 700 or so who – before 2008 don't forget – received a sentence with a tariff of less than two years.

I am not suggesting they should be automatically released but there is a case that for this group of prisoners, whose tariff suggests they committed relatively minor offences, on this occasion at least - it should be for the state to prove they pose a serious risk rather than for the prisoner to prove they do not. LASPO already gives the Secretary of State power to do this.

Urgently do something about recalls. My suggestion would be at the very least establish a position that the first time an IPP prisoner is released by the Parole Board, their IPP sentence ends.

If they commit a further offence or breach their license conditions, they should be dealt with according to current sentencing options. I think there is also a strong case for making license periods for IPP prisoners equivalent to those that would be imposed on someone who committed a similar offence today and fixed rather than lasting until they die.

These measures would not completely resolve the IPP problem but by quickly getting some cases off our book, it would free up resources to focus on and make progress on the more complex cases.

My approach to prison reform and the role of the parole system within it are the same. I recognize there are formidable current difficulties. We should be mindful of the concerns of victims and manage risk carefully.

But I do believe change is possible. We should not lose hope. It is possible both to make prisons safer and to push ahead with a wider reform agenda. We can make substantial progress on the IPP issue.

Successful reform of any type in any situation needs both vision and a practical path to delivery.

We have done the vision thing I think. Now I am hopeful we can turn to delivery.

Thank you.

1. Howard. J (177) *The state of prisons in England and Wales with preliminary observations, and an account of foreign prisons and hospitals*. 2nd ed. Warrington, William Eyres. p.54 [↑](#footnote-ref-1)
2. Ibid p.53 [↑](#footnote-ref-2)
3. https://www.ipsos-mori.com/researchpublications/researcharchive/2905/Issues-Index-2012-onwards.aspx [↑](#footnote-ref-3)
4. https://www.gov.uk/government/speeches/making-prisons-work [↑](#footnote-ref-4)