



Ministry
of Justice

Lord Keen of Elie QC

Lord Phillips of Worth Matravers, KG
House of Lords
London
SW1A 0PW

2 August 2017

Dear Lord Phillips

CLARIFICATION OF ORAL ANSWER ON IMPRISONMENT FOR PUBLIC PROTECTION PRISONERS

During Lord Brown of Eaton-under-Heywood's oral question on 20 July on the Justice Secretary's discretionary power to amend the Parole Board release test for prisoners serving a sentence of Imprisonment for Public Protection (IPP), you asked the following:

'My Lords, how many IPP prisoners have been refused release by the Parole Board because they have been unable to discharge the burden of proof upon them?'

I responded as follows:

'I understand that at present the rate of release on first oral hearings of IPP prisoners is about 38%. That is a material increase in the release rate of three or four years ago, when it was about 28%.'

I would like to clarify the scope of my answer. In 2015/16, 38% of IPP oral hearings resulted in a release decision, compared to 28% in 2011/12. These figures relate to both IPPs released for the first time and following recall, which was not made clear in the answer.

The recently published Parole Board annual report provided updated figures for 2016/17 which show that 46% of IPP oral hearings resulted in release decisions for the first time and following recall. The percentage for IPPs released for the first time for 16/17 is 41%.

I am copying this letter to Lord Brown of Eaton-under-Heywood and the other peers who spoke during the debate. I will also place a copy in the House Library.

Yours sincerely,

LORD KEEN OF ELIE QC