



Imprisonment for Public Protection (Re-sentencing) Bill [HL] 2024-26

Lords: Committee Stage

The Lords: Committee version of the Bill was published on Wednesday, 04 September 2024

12 amendments have been tabled at this bill stage.

This is the current version of the bill.

Source Documents

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Amendments

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Showing all 12 amendments.



Amendments are new clauses listed at



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*Re-sentencing individuals serving a sentence of imprisonment for public
protection*

(1) The Lord Chancellor ~~must~~ **may** make arrangements to ensure every individual

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Sponsor Amendment 1

Lord Woodley (Lab)

Tabled: 05 Mar 2025

<https://bills-api.parliament.uk/api/v1/Publications/59448/Documents/6138/Download>

This amendment was **WITHDRAWN**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000105>

Clause 1, page 1, line 3, leave out “must” and insert “may”

Explanatory Text:

This amendment would ensure the establishment of an expert advisory committee without the requirement on the Secretary of State to carry out a resentencing exercise.

serving an IPP sentence, ~~whether in prison or the community,~~ **who has been released on licence and is living in the community** has been

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Sponsor Amendment 2

Lord Woodley (Lab)

Tabled: 05 Mar 2025

<https://bills-api.parliament.uk/api/v1/Publications/59448/Documents/6138/Download>

This amendment was **NOT MOVED**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000106>

Clause 1, page 1, line 4, leave out “, whether in prison or the community,” and insert “who has been released on licence and is living in the community”

Explanatory Text:

This amendment would confine the resentencing exercise to those who are currently living on licence in the community.

serving an IPP sentence, whether in prison or the community, **who has served a sentence at least ten years longer than the tariff that was imposed for the original offence,** has been

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Amendment 3

Baroness Burt of Solihull (LD)

Lord Woodley (Lab)

Tabled: 10 Mar 2025

<https://bills-api.parliament.uk/api/v1/Publications/59539/Documents/6163/Download>

This amendment was **NOT MOVED**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000106>

Clause 1, page 1, line 4, after “community,” insert “who has served a sentence at least ten years longer than the tariff that was imposed for the original offence,”

Explanatory Text:

This amendment would confine the resentencing exercise to those who are at least 10 years over tariff.

- re-sentenced within 24 months of the day on which this Act is passed. 5
- (2) The Lord Chancellor must establish a committee to provide advice regarding the discharge of the Lord Chancellor’s duty under subsection (1).
- (3) The committee established by virtue of subsection (2) must include a judge nominated by the Lord Chief Justice, and must lay a report before Parliament on the process of re-sentencing individuals serving an IPP sentence within 12 months of being appointed. 10
- (4) The Lord Chancellor may disband the committee established by virtue of subsection (2) when they consider appropriate after a report has been published under subsection (3), but must disband the committee once all those serving IPP sentences have been re-sentenced. 15
- (5) ~~Once the Lord Chancellor has initiated arrangements under subsection (1), a court that imposed an IPP sentence must re-sentence the person serving an IPP sentence in relation to the original offence. The court may not impose a sentence that is a heavier penalty than the tariff that was imposed for the original offence.~~ **(5) A Crown Court designated by the Lord Chancellor must re-sentence the person serving the IPP sentence in relation to the original offence or offences, and any associated offences.** 16
- (6) The re-sentencing court must not impose a sentence more severe than the notional determinate sentence upon the basis of which the tariff was specified as needing to be served before an application for early release might be made.**



Sponsor Amendment 4

Lord Woodley (Lab)

Tabled: 18 Nov 2024

<https://bills-api.parliament.uk/api/v1/Publications/56915/Documents/5352/Download>

This amendment was **WITHDRAWN**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000107>

**Clause 1, page 1, line 16, leave out subsections (5) and (6) and insert—
“(5) A Crown Court designated by the Lord Chancellor must re-sentence the person serving the IPP sentence in relation to the original offence or offences, and any associated offences.**

(6) The re-sentencing court must not impose a sentence more severe than the notional determinate sentence upon the basis of which the tariff was specified as needing to be served before an application for early release might be made.”

Explanatory Text:

This amendment would ensure those serving IPP cannot be resentenced more severely than the notional determinate sentence upon which the minimum term was based. Confirmation of IPP is preserved for those falling into the category specified in subsection (6A), added by another amendment in the name of Lord Woodley, to ensure public safety.

- court that imposed an IPP sentence must re-sentence the person serving an IPP sentence in relation to the original offence.
- (6) The court may not impose a sentence that is a heavier penalty than the tariff that was imposed for the original offence.

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**(6A) The re-sentencing court may confirm the sentence of IPP only if—
(a) at the date of the original sentencing, ignoring the alternative of an IPP sentence, and at the date of re-sentencing, the person serving the IPP sentence might properly have been and now would be sentenced to life imprisonment, and
(b) that person, at the date of re-sentencing, constitutes a substantial risk of causing serious harm if released.
(6B) Cases falling within the potential scope of this subsection (6A) may only be re-sentenced by a judge authorised to try cases of murder.**

Sponsor Amendment 5

Lord Woodley (Lab)

Tabled: 18 Nov 2024

<https://bills-api.parliament.uk/api/v1/Publications/56915/Documents/5352/Download>

This amendment was **NOT MOVED**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000108>

Clause 1, page 1, line 20, at end insert—

“(6A) The re-sentencing court may confirm the sentence of IPP only if—

(a) at the date of the original sentencing, ignoring the alternative of an IPP sentence, and at the date of re-sentencing, the person serving the IPP sentence might properly have been and now would be sentenced to life imprisonment, and

(b) that person, at the date of re-sentencing, constitutes a substantial risk of causing serious harm if released.

(6B) Cases falling within the potential scope of this subsection (6A) may only be re-sentenced by a judge authorised to try cases of murder.”

Explanatory Text:

This amendment would give the Court the power to confirm a sentence of IPP only where, had not IPP have been an available alternative, the original sentence could lawfully have been a sentence of life imprisonment, the person would under current sentencing practice be sentenced to life imprisonment, and where the re-sentencing judge is authorised to try cases of murder.

that was imposed for the original offence.

(6A) The re-sentencing court may recommend that the re-sentenced person may be subject to an extended licence, if the re-sentencing court considers this appropriate.

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Sponsor Amendment 6

Lord Woodley (Lab)

Tabled: 25 Jun 2025

<https://bills-api.parliament.uk/api/v1/Publications/61717/Documents/6764/Download>

This amendment was **NOT MOVED**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000108>

Clause 1, page 1, line 20, at end insert—

“(6A) The re-sentencing court may recommend that the re-sentenced person may be subject to an extended licence, if the re-sentencing court considers this appropriate.”

Explanatory Text:

This amendment seeks to allow the resentencing court to impose an extended licence as part of the new sentence, so that anyone who is resentenced can be properly supervised on release.

that was imposed for the original offence.

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(6A) A court carrying out a review of a sentence of IPP may substitute a hospital order, with or without a restriction on release, for a sentence of IPP.

(6B) A court may not make a hospital order under subsection (6A) unless—

(a) it has received evidence from two registered medical practitioners that the defendant is suffering from a mental disorder of a nature or degree which makes it appropriate for them to be detained in hospital for treatment, and

(b) those medical professionals have recommended what treatment would be appropriate.

(6C) A court may not add a restriction on release to a hospital order unless—

(a) it is satisfied that the subject of that hospital order poses a significant risk to the public if not detained in a hospital,

(b) one registered medical practitioner who has given oral evidence in court supports the making of a restriction order, and

(c) it is satisfied that appropriate in-patient treatment is available for the defendant concerned.

Amendment 7

Baroness Fox of Buckley (None)

Lord Woodley (Lab)

Tabled: 06 Mar 2025

<https://bills-api.parliament.uk/api/v1/Publications/59489/Documents/6146/Download>

This amendment was **NOT MOVED**

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<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#8C1A0CA6-8D2C-4BD0-B4FC-3C391D926868>

Clause 1, page 1, line 20, at end insert—

“(6A) A court carrying out a review of a sentence of IPP may substitute a hospital order, with or without a restriction on release, for a sentence of IPP.

(6B) A court may not make a hospital order under subsection (6A) unless—

(a) it has received evidence from two registered medical practitioners that the defendant is suffering from a mental disorder of a nature or degree which makes it appropriate for them to be detained in hospital for treatment, and

(b) those medical professionals have recommended what treatment would be appropriate.

(6C) A court may not add a restriction on release to a hospital order unless—

(a) it is satisfied that the subject of that hospital order poses a significant risk to the public if not detained in a hospital,

(b) one registered medical practitioner who has given oral evidence in court supports the making of a restriction order, and

(c) it is satisfied that appropriate in-patient treatment is available for the defendant concerned.”

Explanatory Text:

This amendment would ensure those serving IPP and suffering from a mental disorder who present a significant risk are detained in a secure mental hospital until discharged by the Mental Health Review Tribunal, the Mental Health Review Tribunal for Wales or a Secretary of State.

- (7) In relation to the exercise of the power in subsection (5)—
- (a) that power is to be treated as a power to re-sentence under section 402(1) of the Sentencing Act 2020;

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- (b) the Sentencing Code applies for the purposes of this section (and, accordingly, it does not matter that a person serving an IPP sentence was convicted of an offence before 1 December 2020).

2 Interpretation

In this Act—	5
“IPP sentence” means—	
(a) a sentence of imprisonment or detention in a young offender institution for public protection under section 225, since repealed, of the Criminal Justice Act 2003, a sentence of detention for public protection under section 226, since repealed, of the Criminal Justice Act 2003	7
institution for public protection under section 225, since repealed, of the Criminal Justice Act 2003, or	8
(b) a sentence of detention for public protection under section 226, since repealed, of that Act (including such a sentence of imprisonment or detention passed as a result of section 219 or 221 of the Armed Forces Act 2006);	10
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Amendment 10

Lord Blunkett (Lab)

Lord Woodley (Lab)

Tabled: 05 Mar 2025

<https://bills-api.parliament.uk/api/v1/Publications/59448/Documents/6138/Download>

This amendment was **NOT MOVED**

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<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000111>

Clause 2, page 2, leave out lines 7 to 13 and insert “a sentence of detention for public protection under section 226, since repealed, of the Criminal Justice Act 2003”

Explanatory Text:

This amendment would confine the resentencing exercise to those sentenced to the juvenile equivalent of IPP, DPP (Detention for Public Protection).

- “original offence” means the offence in relation to which the IPP sentence was imposed. 15

3 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act may be cited as the Imprisonment for Public Protection (Re-sentencing) Act 2024. 20

Amendment 8

Lord Bishop of Gloucester (Bshp)

Lord Woodley (Lab)

Tabled: 12 Mar 2025

<https://bills-api.parliament.uk/api/v1/Publications/59667/Documents/6195/Download>

This amendment was **NOT MOVED**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000110>

After Clause 1, insert the following new Clause—

“Report on impact of Act on certain services

Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report assessing the impact of this Act on services that support the—

- (a) resettlement,**
 - (b) rehabilitation,**
 - (c) mental wellbeing, and**
 - (d) employment prospects,**
- of those sentenced to IPP.”**

Explanatory Text:

This amendment would require a review of the effect of the Act on services that support the resettlement, rehabilitation, mental wellbeing and employment prospects of those sentenced to IPP and DPP.

Amendment 9

Lord Blunkett (Lab)
Lord Woodley (Lab)
Tabled: 25 Jun 2025

<https://bills-api.parliament.uk/api/v1/Publications/61717/Documents/6764/Download>

This amendment was **NOT MOVED**

View the speech made in the House:

<https://www.parallelparliament.co.uk/debate/2025-07-04/lords/lords-chamber/imprisonment-for-public-protection-re-sentencing-bill-hl#25070428000110>

After Clause 1, insert the following new Clause—

“Removal of licence restrictions for prisoners with invalid recalls

In Section 31A of the Crime (Sentences) Act 1997 (imprisonment or detention for public protection: termination of licences), after subsection (4H), insert—

“(4I) Where the prisoner was subject to an invalid recall prior to the enactment of the Victims and Prisoners Act 2024, the Secretary of State must order that their remaining licence period is reduced to one year in cases where the remaining period is more than one year.””

Explanatory Text:

This amendment seeks to reduce the licence period for IPP prisoners who were subject to invalid recalls prior to the enactment of the Victims and Prisoners Act 2024 and who therefore were deprived of the opportunity to have their licence period terminated.