

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

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including
18 November 2024*

[Amendments marked ★ are new or have been altered]

Clause 1

LORD WOODLEY

- ★ 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.”

Member's explanatory statement

This amendment would ensure a person serving an IPP sentence could not be resentenced to a sentence more severe than the notional determinate sentence, upon the basis of which the tariff was specified when that person was originally sentenced, unless that person falls into the category specified in subsection (6A), added by another amendment in the name of Lord Woodley.

LORD WOODLEY

- ★ Clause 1, page 1, line 20, after subsection (6) 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.”

Member's explanatory statement

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.

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