

THE CHALLENGES AND NEEDS OF PEOPLE SERVING LONG LIFE SENTENCES FROM A YOUNG AGE

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Why read this evidence review?

In recent decades, a clear legislative trend has emerged towards increasingly long minimum tariffs for people serving life imprisonment in England and Wales. However, little is known about the short- and long-term effects of long periods of confinement in prison.

This evidence review provides an in-depth look at the specific challenges and needs of the significant number of people already serving long life sentences from a young age in England and Wales. The authors of this report are the joint architects of a major research study into the experiences of people serving these sentences in England and Wales, a study described by one reviewer as “the deepest empirical look at adaptation and survival in long-term imprisonment for over forty years.”

This review covers a wide range of issues including:

- The sentencing context and the growing numbers of people serving long life sentences
- The impact of life imprisonment for murder on people sentenced at a young age
- The broad ‘stages’ experienced during such long life sentences
- The challenges of ‘uncertainty’, in terms of the lack of a fixed release date
- The particular needs and challenges for women serving life sentences
- Suggestions for how to respond to the specific needs of long-term life sentenced prisoners.

Context: The rise in long life sentences

Following the partial abolition of capital punishment in England and Wales in 1965,¹ ‘imprisonment for life’ became the mandatory sentence for individuals convicted of murder. Since this time, the number of life sentences imposed, as well as the minimum period of custody set at trial and the average number of years served, have all increased significantly.²

In 1968, just 489 people were serving life sentences, and custodial terms in excess of 10 years were relatively rare (at that time, only two life sentenced prisoners had served more than 15 years of continuous custody, while only six men had served over 12 years) (Radzinowicz, 1968). Now, fifty years later, the life sentenced prison population of England and Wales stands at almost 7,000 men and women, with the majority of these individuals (51%) now facing minimum ‘tariffs’³ of 10-20 years in custody, while almost a third (29%) will serve at least 20 years (Prison Reform Trust, 2021). One of the most significant increases within the long-term life sentenced population has occurred among young people, with men and women sentenced to at least 15 years when they were aged 25 years or younger increasing by more than half between 2013 and 2020 (from 917 to 1,394 people) (FOIA Ref: 201117009).

Importantly, this growing population is being held in a system that was never designed to cater for their needs and which has ‘little insight’ (Flanagan, 1995: xi) into effective sentence planning for custodial sentences that, until relatively recently, were considered barely survivable.

The impact and challenges of very long-term life imprisonment

For individuals serving very long life sentences, the conventional ‘pains of imprisonment’⁴ morph with time, transforming them into ‘problems of survival’ (Flanagan 1981: 212; emphasis added). Indeed, one of the greatest struggles for prisoners serving long, indeterminate sentences is coming to terms with the overwhelming nature of the time that lies ahead. This feels particularly difficult to manage at the early stage of such sentences. Young lifers have described the impact of receiving a conviction for murder and a life sentence as analogous to ‘drowning’, as they become submerged in an acute emotional response, particularly when facing a sentence that is often longer than the number of years that they have lived (Wright, Crewe & Hulley, 2017). Those who dispute committing the murder for which they have been convicted experience feelings of resentment and

injustice. Such sentiments predominate in cases where the prosecution have used the doctrine of ‘joint enterprise’ to convict multiple people for a single offence.⁵ In such instances, individuals who are secondary parties (did not commit the act of murder) feel particularly aggrieved at being labelled as ‘a murderer’ and sentenced to life with a very long minimum tariff (see Hulley, Crewe & Wright, 2019).⁶ Feelings of anger, guilt and shame are often expressed or ‘defended against’ in those early years through substance use, aggression and violence to others, social withdrawal, excessive sleeping, and self-harm (Wright et al., 2017).

‘Lifers’ also report struggling with the inherent uncertainty generated by the absence of a guaranteed release date (indeed, Kummerlowe has suggested that it is this which contributes ‘more than any other factor’ to the ‘debilitating effects’ of long-term indeterminate sentences) (1995: 42). This ambiguity makes it difficult, at least initially, for young lifers to find meaning and purpose, instead focusing on doing their sentence ‘one day at a time’. Feelings of hopelessness and an almost total absence of control are pervasive. Many also struggle with intrusive memories, flashbacks and nightmares about the offence itself. Reports of depression and suicidal ideation are widespread in the initial years as prisoners question whether they can survive the sentence (Wright et al., 2017).

Over time, the impact of the sentence may appear to lessen as individuals learn to limit their temporal horizons, and to focus on ‘managing the present’. Crewe, Hulley and Wright (2017a) indicate that this shift from ‘survival’ to ‘coping’ is often precipitated by other phenomena, for instance, the conclusion of an unsuccessful appeal, hitting ‘rock bottom’, dealing with mental health or addiction issues, or simply a growing realisation that the sentence must be served. The mid-years of a lengthy life sentence often engender a significant shift, as prisoners learn to ‘swim with the tide’ rather than ‘against it’. Education, faith, therapy or creative pursuits help life-sentenced prisoners to find meaning and purpose in their situation, providing them with a ‘hook for change’, and a means of dealing with feelings of guilt and shame (Crewe et al., 2017a). Many such prisoners develop ‘scripts of redemption’ (Schinkel, 2014; Munn & Bruckert, 2013), seeking out opportunities to help others or ‘give something back’ through mentoring or support services (such as becoming a Listener), often as a way of atoning for their offence.

Yet as the long-term prisoner approaches the tariff endpoint, they find themselves unable to continue taking psychological refuge in the present and must instead confront the future. For some, this was an opportunity to begin to nurture hopes about life post-release. Yet for others, this was a period of ‘trepidation’ and renewed uncertainty (see O'Donnell, 2014: 207). Many begin to see the evidence of institutionalisation within their behaviours and experiences (Crewe et al., 2020), often regarding the outside world with a combination of fear, suspicion, and ‘technophobia’ (Woodrow, 2016). The process of pursuing release at this point was fraught with obstacles, and late-stage life sentenced prisoners could descend into fatalism and despair as their tariff point passed and their pathways to release become unclear. For those individuals furthest beyond their tariff expiry, some retreated from the pursuit of release altogether (Wright et al., under review; see also Woodrow, 2016).

Such studies (see also: Toch, 2010; Liem & Kunst, 2013) have challenged earlier assessments of long-term imprisonment as having no ‘cumulative or progressive effects’ on individuals (Richards, 1978: 166). Instead, this more recent body of work highlights the ‘profound existential implications’ of prolonged confinement, particularly from a young age (Crewe et al., 2017a: 519), arguing that individuals become adapted over time to the terms of their confinement in ways which are likely to be deeply damaging for their re-entry into the community. Such concerns are central to Liem and Kunst's (2013) identification of ‘post-incarceration syndrome’; a set of behaviours following release from longterm confinement akin to post-traumatic stress disorder, including hypervigilance, social withdrawal, the suppression of emotion, avoidance of communication and a distrust of the world (see also: Haney, 2003; Grounds, 2005).

Responding to the specific needs of longterm life-sentenced prisoners

While research has found common patterns in the experience of serving a long life sentence from a young age, variations in such matters as sentence length and index offence, age, gender, mental wellbeing and the existence of pre-prison ‘trauma’ (particularly for women - see e.g. Crewe, Hulley & Wright, 2017b; Leigey & Reed, 2010) mean that approaches to managing such prisoners require individualised assessments of need. Life sentenced prisoners who are convicted later in life face different and unique challenges (Crawley, 2007) when compared to their younger counterparts (see Wright et al., in press), while women's experience of serving a long-term custodial

sentence differs from that of their male counterparts, in part because of very common experiences of abuse and trauma (see e.g., Crewe et al., 2017b; Walker & Worrall, 2000; Genders & Player, 2020, 1990). For example, women find the lack of autonomy of imprisonment, and its infantilising and ‘low trust’ qualities, particularly painful, in ways that relate to their life experiences of erratic forms of authority and of often having had their own caring responsibilities from an early age (Crewe et al., 2017b). Recognising women's histories of trauma and specific life experiences is central to supporting them through a long life sentence. It is also important to consider that some life-sentenced prisoners will serve part of their sentence in the secure psychiatric estate, an experience which brings unique and additional challenges with regard to legitimacy, process and ‘stuckness’ (see Adshead, Ross & Salucci, forthcoming). However, far less is known about how issues relating to index offence, sentence stage, gender and mental ill health intersect and interact among these specific populations, highlighting an important focal point for future research. Nonetheless, a number of practices and interventions might be beneficial to most lifers.

First, broad access to clinical and therapeutic support would help prisoners deal with the acute emotional impact of having been present at or involved in a murder, and been given a life-changing sentence, as well as with preprison experiences of trauma and abuse. Life sentenced prisoners would benefit from having someone neutral and non-judgemental to talk to about their feelings, without their narratives being seen through the lens of risk. In working with young and early-stage lifers, practitioners could usefully acknowledge the emotional origins of the ‘defence mechanisms’ described above among young long-term life-sentenced prisoners and work towards developing ways to mitigate the adoption of harmful emotional-defence strategies. Such practices already exist on a localised and ad hoc basis - for example, HMYOI Cookham Wood recently piloted a ‘Long Sentences Group’, in which young men (aged 15-18 years) sentenced to life imprisonment were brought together to learn and draw strength from the experiences of their similarly situated peers (see Thomas & Sadie, forthcoming).

Second, prisons could offer prisoners at all stages (including the very early months and years) more productive ways to channel their difficult feelings, for example, by enabling and encouraging physical activities, creative pursuits, faith practices and meaningful educational opportunities. Such opportunities help life-sentenced prisoners convicted of murder deal

with the burdens of time, provide emotional outlets, and offer important 'narrative lifeboats', at a time when they may be vulnerable to dangerous alternative narratives (Crewe et al., 2020). For later-stage lifers, talking therapies, such as one-to-one counselling and lifer peer group initiatives, or more creative activities, might help ameliorate the uncertainty, hopelessness and fatalism which may develop at this stage, without focusing solely on risk or offending behaviour work (see Wright et al., under review).

Lastly, from the outset, life-sentenced prisoners require greater provision to maintain meaningful relationships with loved ones throughout a long prison sentence. The practicalities of maintaining relationships with loved ones over several decades of incarceration are exceptionally challenging. Existing means of contact are costly in terms of time and resources (most notably visits and telephone calls) and offer little privacy and few opportunities for the maintenance of emotional intimacy over many years. Since most lifers say that family contact, along with faith and education, are their main sources of hope, enhancing the quality - as well as quantity - of contact opportunities is paramount (see Kotova, 2018). In particular, life sentenced prisoners crave opportunities to engage in 'normal' activities with their loved ones, and forge new memories with them over the course of a long term separation.

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Notes

- 1 However, it was not until 1969 that capital punishment was fully abolished for murder convictions.
- 2 This is not a direct result of increases in the number of homicides but instead part of broader penal trends which involve greater use of 'expressive' forms of punishment and a political culture that is less resistant to punitive demands, particularly from the popular press (Feeley & Simon, 1992; Garland, 2000). The former Director-General of the National Offender Management Service has similarly argued that the 'currency' of sentencing has shifted; that what was once accepted as a 'long' (or perhaps long enough) sentence has increased inexorably in recent decades, within the context of a punitive and populist model of politics (Crewe, Hulley & Wright, 2020: 12).

- 3 The ‘tariff’ represents the minimum period of time that a life-sentenced prisoner must serve before being considered eligible for release (i.e., parole), under licence conditions. However, release is always conditional upon this, and therefore never guaranteed - this is reflected in the technical length of sentences of life imprisonment (99 years).
- 4 See Sykes (1958) for the seminal study on this. See also Crewe (2011) re the ‘new’ pains of imprisonment, Hulley, Crewe & Wright (2016) on re-examining the specific pains of long-term imprisonment, and Crewe, Hulley and Wright (2017a) for a consideration of the gendered nature of this phenomenon.
- 5 Joint enterprise is a doctrine of criminal law which permits multiple defendants to be convicted of the same criminal offence in relation to the same incident, even where they had different types or levels of involvement.
- 6 Life-sentenced prisoners convicted in trials in which joint enterprise has been used are disproportionately Black or Mixed-Race, resulting in such feeling of injustice being particularly prevalent among these groups (Hulley, Crewe and Wright 2019).

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The authors of this report are the principal researchers and joint authors of a major study on men and women serving life imprisonment from an early age, the findings of which were published in *Life Imprisonment from Young Adulthood: Adaptation, Identity and Time* (published 2020, Palgrave MacMillan). They have recently been awarded funding from the Economic and Social Research Council to conduct a longitudinal study, following up their original 147 life-sentenced interviewees, both in custody as well as now in the community, following release.

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