

22 May 2024

**Rt Hon Alex Chalk KC MP**

Lord Chancellor and Secretary of State for Justice

**CC:**

**The Rt Hon Edward Argar MP**

Minister for Prisons, Parole and Probation

**Laura Farris MP**

Parliamentary Under Secretary of State in the Home Office and the Ministry of Justice

Dear Secretary of State,

We are writing to you as a group of organisations working to end Violence Against Women and Girls (VAWG), with serious concerns that the End of Custody Supervised License (Early Release) Scheme will be expanded again, allowing offenders to be released up to 70 days before the end of their sentence.

**Collectively, we are calling for perpetrators of domestic abuse and other forms of VAWG, including stalking, to be exempt from the scheme.**

Although we recognise the need for the Government to reduce pressure on the prison estate, this should not come at the detriment of survivor's safety. There is a significant disconnect between government rhetoric on VAWG and announcements such as the expansion of the early release scheme, that will place survivors, and women and girls more broadly, at risk from dangerous offenders of VAWG. The Government has pledged to treat VAWG with the 'same seriousness as terrorism'<sup>1</sup>. However, whilst offenders convicted of terror offences will be exempt from the early release scheme, all perpetrators of domestic abuse and other forms of VAWG have not been excluded. Perpetrators of serious violence and serious sexual offences are exempt; however, this will not capture all domestic abuse offenders. Additionally, the introduction of Operation Early Dawn, which will implement emergency measures and result in some suspects being released on bail and delays in court cases, will put survivors at further risk<sup>2</sup>. As a sector, we know that women's confidence in the criminal justice system is low, and announcements like this only erode this confidence further.

Conviction rates for offenders of domestic abuse and other forms of VAWG are low. If they receive sentences, they are often short custodial sentences, so are most likely to be among those released early under the scheme's expansion. The Government has estimated that around 10% of cases that result in a sentence of 12 months or less are for domestic abuse. In a further 10% of cases, the offender has been

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<sup>1</sup> Home Office, 2023, [Strategic Policing Requirement \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/118888/strategic-policing-requirement.pdf)

<sup>2</sup> BBC news, 2024, Court cases delayed after pressure on prison places, [Court cases delayed after pressure on prison places - BBC News](https://www.bbc.com/news/uk-politics-68111111)

flagged by probation for domestic abuse<sup>3</sup> and the average custodial lengths for stalking and harassment offences were just 17.1 months and 2 months respectively<sup>4</sup>. The Prime Minister has stated that “No one would be put on the scheme if they were deemed a threat to public safety<sup>5</sup>.” However, historical and recent inspections and Serious Further Offence reviews indicate that this may not be the case.

We are concerned that the underfunded and under-resourced Probation Service cannot effectively monitor the increase in offenders released from custody early under the scheme. It is evident from the murders of Zara Aleena, Terri Harris, John Bennett, Lacey Bennett and Connie Gent that the Probation Service is ill-equipped to ensure perpetrators are managed and women and girls protected from dangerous perpetrators.

We also have serious concerns regarding the Prison and Probation Service’s ability to effectively assess the risk of perpetrators when making decisions as to whether they should be released early. We were shocked by the recent findings of the inspection of HMP Lewes, which took place immediately after the introduction of the early release scheme, and found that its implementation was undermining ‘good, safe release planning and risk management’ of offenders<sup>6</sup>. It revealed that release dates for some high-risk prisoners had been brought forward at short notice, raising serious concerns around the planning and risk assessment implemented before release. In one case, a high-risk prisoner who was a risk to children had his release date brought forward despite having a history of stalking, domestic abuse and being subject to a restraining order.

We are alarmed too that the scheme's expansion was made unexpectedly with no consultation with specialist VAWG organisations and survivors who will be detrimentally impacted by it. The sudden announcement that the scheme will be expanded has given specialist VAWG organisations very little time to prepare to support survivors whose perpetrators will be released up to 70 days early. Additionally, the expansion is being implemented even though there has been no evaluation of the impact of the initial early release scheme on survivors of domestic abuse and other forms of VAWG.

**We are clear that all perpetrators of domestic abuse and other forms of VAWG should be exempt from the early release scheme.** We urge you to ensure survivors are considered in any plans to release perpetrators early from custody. This should apply to any future policy announcements to reduce or suspend custodial sentences.

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3 UK Parliament, 2023, Impact Assessment: Sentencing bill – Changes on the Presumption of the suspension of short sentences - [SentencingBillIAShortSentences.pdf \(parliament.uk\)](#)

4 Criminal Justice System Statistics publication: Outcomes by Offence 2010 to 2022: Pivot Table Analytical Tool for England and Wales

5 UK Parliament, 2024, Engagements debated Wednesday 15 May 2024, [Engagements - Hansard - UK Parliament](#)

6 His Majesties Inspectorate of Prisons, 2024, [Report on an announced inspection of HMP Lewes by HM Chief Inspector of Prisons 5-16 February 2024 \(cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com\)](#)

We hope that you will contact Amy Bowdrey, Policy and Public Affairs Officer at Refuge, ([amy\\_bowdrey@refuge.org.uk](mailto:amy_bowdrey@refuge.org.uk)), to discuss this in more detail.

Yours sincerely,

Abigail Ampofo, Interim CEO, Refuge

Yasmin Rehman, CEO, Juno Women's Aid

Nahar Choudhury, CEO, Solace

Liz Mack, CEO, Advance

Sarah Hill, CEO, IDAS

Maureen Connolly, CEO, Birmingham and Solihull Women's Aid

Souad Talsi- MBE, Founder and Interim CEO, Al Hasaniya Moroccan Women's Centre

Farah Nazeer, CEO, Women's Aid Federation of England (Women's Aid)

Kyla Kirkpatrick, Director, The Drive Partnership

Ellen Miller, CEO, SafeLives

Jo Todd CBE, CEO, Respect

Indy Cross, CEO Agenda Alliance

Andrea Simon, Director End Violence Against Women Coalition

Cherryl Henry-Leach CEO Standing Together Against Domestic Abuse (STADA)