

Public Opinion and the Language of Sentencing

Research Report

SENTENCING
ACADEMY

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Executive Summary

Public understanding is an important component of the legitimacy of the criminal justice system. This research report assesses public understanding of some key terms used in sentencing in England and Wales, including life imprisonment, suspended sentences and the victim surcharge. It explores public understanding of these terms and tests whether alternatives are more easily understood. The research also examines the effects of various terms on the perception of whether sentences are appropriate, too lenient or too severe. The report engages with a recent policy proposal to restructure determinate sentences of imprisonment to allow for earned release. The report discusses findings from a survey using a nationally representative sample of the public conducted by YouGov for the Sentencing Academy and the University of Galway in August 2025. Key findings include:

- The term ‘victims services levy’ is better understood than the present term ‘victim surcharge’.
- The term ‘victim impact statement’ is better understood than the present term ‘victim personal statement’.
- There was a lack of understanding of the consequences of breaching a community order.
- The term ‘suspended sentence of imprisonment subject to good behaviour’ was preferred to the current term ‘suspended sentence order’.
- There was a strong preference for describing sentences of imprisonment with reference to their custodial and non-custodial components. That would mean, for example, describing a sentence as one of two years in prison and three on licence as opposed to the current norm of describing that sanction as ‘five years’ imprisonment’.
- Attaching the minimum term to be served by the offender is the most successful way of informing the public about the meaning of a sentence of life imprisonment.
- Where a person is sentenced to a determinate sentence of imprisonment for a non-violent offence, respondents thought that they should serve 59% of that sentence in prison.
- Where a person is sentenced to a determinate sentence of imprisonment for a violent offence, that percentage rose to 83%.
- There were notably mixed views on the Government’s recent proposals to allow for earlier release points subject to an offender progressing toward rehabilitation with marginally more opposition than support for the proposal.

We recommend that the Government consider a comprehensive review of all principal terms used in sentencing to determine whether better terminology exists.

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Introduction

Labelling of Sanctions and Terms

Some elements of the language of sentencing in England and Wales (and elsewhere) can be unclear or misleading. Two examples illustrate. The term '*Suspended Sentence Order*' provides no clear idea of what this sanction entails. Most importantly, it fails to define this sanction as a form of imprisonment. Before a court may impose a suspended sentence order, it must be satisfied that the 'custody threshold' has been passed. This means that the offence was so serious that no lesser, non-custodial sentence would be sufficient. In short, in law, a suspended sentence order is a custodial sentence, although in all likelihood, few members of the public see it as such given that the offender will serve the sentence in the community unless they breach a condition of the order. One of the few studies of public knowledge of the suspended sentence found that many people admitted to 'not confidently understanding what it meant or defined it incorrectly – for example, thinking that it meant delayed' (Wilson and Ellis 2023, p. 19).

A second example concerns '*life imprisonment*'. Aside from around 70 individuals, all prisoners serving a sentence of life imprisonment will be eligible to be considered for release on licence at some point in their sentence. The term 'life imprisonment' therefore may lead the public to think that the prisoner will never be released. Criminal justice practitioners understand these terms well, but they may mislead the public.

In addition to sanctions, other terms used by courts at sentencing may also be misleading. It is the norm in common law jurisdictions to permit victims to submit a statement describing the effects of the crime. This statement is used at various stages of the criminal process, although it is most important at sentencing where it provides insight into the seriousness of the offence from the perspective of the crime victim. Around the world this statement is labelled a 'Victim Impact Statement'. However, in England and Wales the term 'Victim Personal Statement' is used. Since the purpose of the statement is to describe the impact of the crime, the English term may be confusing for victims and the general public.

Over the years, there have been calls for a review of the language of sentencing and in particular the labels attached to different sanctions. Most recently, the House of Commons Justice Select Committee noted the following in the report of its inquiry into public opinion and understanding of sentencing: 'We welcome the Sentencing Academy's work reviewing the terminology of sentencing and we look forward to its findings. We encourage the Government to work with Sentencing Council and the judiciary to explore whether sentencing terminology can be simplified and made more accessible.' (2023, p. 56). The Government at the time, in its reply, stated that it 'share[d] the objective of having sentencing terminology that is accessible and comprehensible to the public'; it continued 'The Government also eagerly awaits insights from the Sentencing Academy's work, anticipating that these findings could contribute to broader initiatives or proposals in this domain' (2024, p. 12).

The purpose of the present survey was to explore the effects of different sanction labels and sentencing terms on public opinion and understanding. We conducted a review of current sanction labels such as '*Suspended Sentence Order*' and devised alternative terms. We then compared public reactions to the current and alternative language. More specifically, we randomly assigned groups of respondents to react to different terms to see whether this led to

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different levels of knowledge or attitudes. We also included questions to explore public reaction to the issue of the percentage of a prison sentence that should be served in prison rather than in the community on licence.

Previous Research Findings

There is very little research on the effects of language on public perceptions of sentencing. One relevant study conducted for the Queensland Sentencing Advisory Council in Australia explored public understanding of key sentencing terms such as ‘life sentence’ and ‘probation’ using a focus group methodology. The focus group moderator presented participants with definitions of sentencing options and asked them whether they understood the terms. Although most participants felt relatively confident in their understanding of sentencing terms prior to interviews, most admitted notable gaps when they were given the correct definitions. For example, for life sentences there was confusion as to how long the sentence would last, how parole worked, and the minimum custodial periods that applied. The researchers thus demonstrated both a lack of public understanding of key sentencing terms and a gap between peoples’ confidence in their levels of knowledge and the accuracy of that knowledge (Jeffs et al., 2023).

A study commissioned by the Ministry of Justice is also relevant. Noting that previous research has consistently found that the public have only a limited understanding of sentencing, this study explored how sentences might be better expressed to improve public understanding. They employed a three-stage qualitative methodology. First, ‘development workshops’ devised new terms for common sentences. Second, in-depth interviews were conducted with 49 individuals to assess public reaction to the new terms. Third, recall interviews took place two days later in order to assess the longer-term impact of the new proposed language used to describe sentences (Wilson and Ellis, 2013).

The authors concluded that ‘creating a new simple... language across adult sentencing could help address the core need of addressing a greater understanding among the general public. Such an approach could help people feel more confident about how well informed they are, which in itself helps motivate people to engage with sentences more fully. This could help towards establishing greater confidence in the justice system’ (Wilson and Ellis, 2013, p. 25). The report made a number of recommendations to improve the language of sentencing. For example, it suggested using the term ‘fixed’ rather than ‘minimum’ to refer to the period that a prisoner must serve in prison prior to release.

It is worth noting that both studies employed small samples of participants, making it hard to generalise the findings to the general population. The present study overcame this limitation by using a nationally representative sample of the public. The survey was conducted for the Sentencing Academy and the University of Galway by YouGov in August 2025. The total sample size was 2,216 but the findings reported here derive from a sub-sample of 1,844 adults living in England and Wales as the research is focused on sentencing in this jurisdiction.

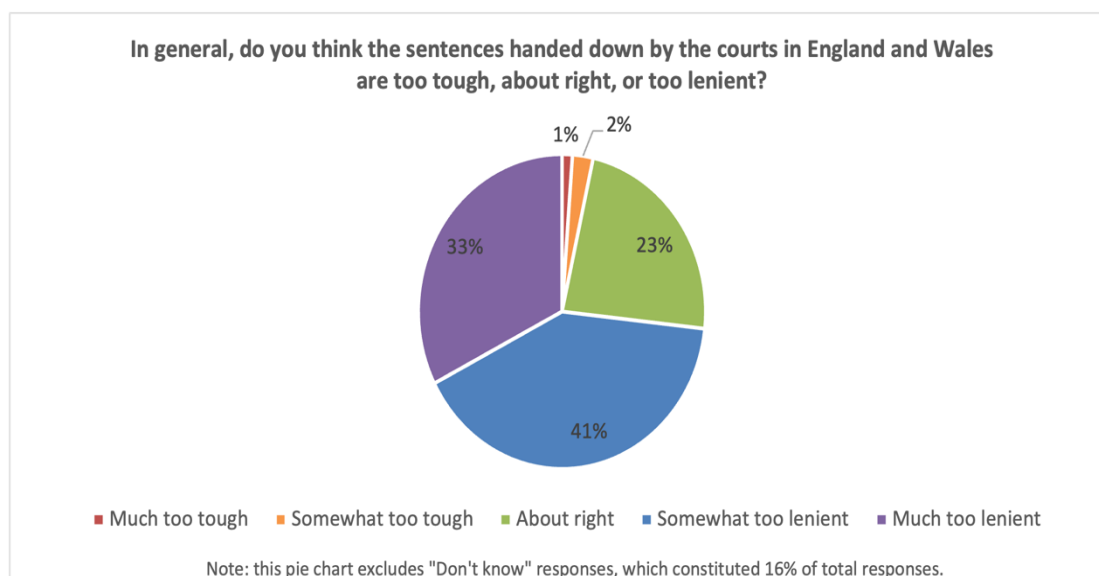
Survey Results

Perceptions of Sentence Severity

Most people underestimate the severity of sentencing.¹ The question ‘Are courts too harsh, too lenient, or about right?’ has been used repeatedly as an index of public punitiveness, albeit one with limitations. The principal limitations are (i) when responding to such questions, most people are thinking of the worst crimes and offenders;² and (ii) a survey does not allow people sufficient time to consider the “evidence” on the question, and may measure only an intuitive, ‘top of the head’ response. However, the imperfections of the question are constant over time, making it a useful barometer of the public mood. Responses to this question have remained consistent over the years. For example, in 1996, 79% of the British Crime Survey sample endorsed the view that sentencing was too lenient (Hough and Roberts, 1998). Earlier surveys have found the same pattern: A Gallup survey in 1981 found that two-thirds of respondents believed that sentences were too soft (cited in Hough and Moxon (1985).

A similar result emerges from our 2025 survey: approximately two-thirds (63%) of survey respondents endorsed the view that sentencing was too lenient. The percentage expressing this opinion rises to 76% if we exclude ‘don’t know’ responses (Figure 1).³ Confusion about, or misperceptions of key sanctions may contribute to this longstanding public criticism of sentencing trends.

Figure 1: Perceptions of Sentence Severity, 2025



¹ For findings from a previous examination of public knowledge of sentencing, see Roberts et al. (2022).

² When respondents are asked to identify the offenders that they had in mind when answering the question about sentence severity, most cited violent or repeat offenders (Roberts, and Hough, 2005).

³ A nationwide survey in 2019 found that 70% of the sample endorsed the view that sentences were not harsh enough; 14% endorsed the option that courts ‘get the balance right’ at sentencing; 3% thought that sentences were too harsh and 13% responded ‘don’t know’ (YouGov, Fieldwork September 2019).

Victim Surcharge

The surcharge helps fund services for crime victims in general.⁴ We compared public knowledge of this element of sentencing using two labels: the current term 'Victim Surcharge' and a more descriptive alternative 'Victim Services Levy'. Respondents were asked to identify the correct definition of the surcharge. We hypothesised that the current term encouraged respondents to believe that offenders had to pay a monetary sum to the specific individual victim they had harmed, which is not the case. More importantly, crime victims may wrongly assume that they will receive the benefit of the surcharge.

As can be seen in Table 1, when the term 'Victim Services Levy' was used, a significantly higher percentage of respondents chose the correct definition of this element of sentencing: 50% vs 41%. This is despite the possible disadvantage of it being a new term with which respondents would be less familiar. The most frequent incorrect response (44%; see Table 1) for those provided with the current term was 'a charge imposed on offenders which is paid to the victim of their crime'. The percentage choosing this incorrect response in the 'Victim Services Levy' group was significantly lower (35%). In light of these trends, we conclude that the Victim Surcharge should be re-labelled to increase the understanding of members of the public and crime victims.

Table 1: Knowledge of Victim Surcharge⁵

	Victim Surcharge	Victim Services Levy
<i>A charge imposed on offenders which is paid to the victim of their crime</i>	44%	35%
A charge imposed on offenders which pays for services for victims and witnesses	41%	50%
<i>An additional charge for all offenders receiving a fine</i>	9%	10%
<i>A charge which crime victims have to pay to access services</i>	6%	6%
Total	100%	100%

Question: What do you think a _____ involves? If you aren't sure what this means, please take your best guess. Correct response in bold.

⁴ The term 'surcharge' is used in statute (Sentencing Act 2020, s 42), but 'victim surcharge' has been used repeatedly in Government Publications and the Court of Appeal.

⁵ All percentages rounded in this and other tables.

Victim Statements at Sentencing

We asked respondents to select the correct definition of this statement from four possible options. Half were asked about a *Victim Personal Statement* and the others about a *Victim Impact Statement*. As can be seen in Table 2, a higher percentage of respondents were correct when given the label Victim Impact Statement (66% versus 57%). This finding further strengthens the case for relabelling this key element of sentencing as a 'Victim Impact Statement' which as noted is the term used in all other common law jurisdictions.

Table 2: Awareness of Victim Personal Statement

	Victim Personal Statement	Victim Impact Statement
A statement by crime victims which describes their individual circumstances	20%	16%
A statement by crime victims which is used by the police to investigate a crime	14%	5%
A statement by crime victims which informs the court about the effects of the crime	57%	66%
A statement by crime victims to support a claim for compensation	2%	3%
Don't know	7%	9%
Total	100%	100%

Q: 'What do you think a _____ is?'

Community Orders

The survey posed questions probing respondents' knowledge and perceptions of Community Orders. Participants were asked two general questions. The first was to identify the correct definition of a Community Order and provided with four possible definitions. Only a third (34%) chose the correct option (see Figure 2). Just over half the sample (53%) selected the definition which stated that violation of an unpaid work or rehabilitation requirement would 'automatically lead to imprisonment'. Violation of a requirement seldom leads to imprisonment, although it is a legally possible outcome. One respondent in ten responded (incorrectly) that the Community Order was an alternative to a conviction.

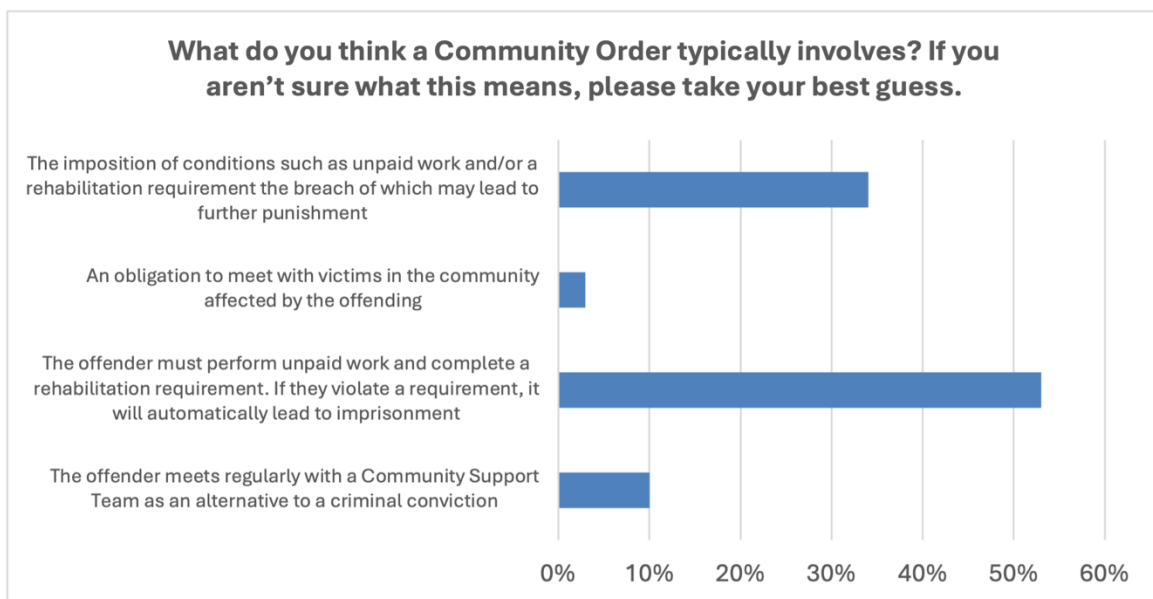
Responses to this question suggest that work is needed to ensure that the public has an accurate idea of this sanction. The fact that most respondents chose the option which included automatic imprisonment may suggest that people believe violation of a requirement should have immediate and severe consequences for the offender. It may also suggest a blurring of sentences served in the community with more work needed to explain and distinguish Community Orders from Suspended Sentence Orders.

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The second general question described a Community Order without using the sanction's name and asked respondents which term from three options best described that order. The three options were 'a community order'; 'a community punishment'; and 'a community-based punishment'. Most respondents (74%) thought that the best descriptor was a community order. This was followed by 18% who selected 'a community-based punishment' and 8% who chose 'a community punishment'.

This preference for the status quo option may reflect anchoring to the current language even though the question asked which descriptor was best (as opposed to which was correct). It may also reflect greater familiarity with the term 'community order', but without a clear grasp of what the sanction entails (as demonstrated by the previous question). This would seem to align broadly with the above discussed work on life imprisonment where public confidence in their understanding of the term was higher than their actual understanding. Regardless, the response indicates that there may be no easy terminological fix to promote wider understanding of Community Orders.

Figure 2: Knowledge of a Community Order



Reactions to the use of a Community Order in Specific Cases

We explored the effects of different labels on perceptions of severity. The sample was divided randomly into thirds. All respondents were given the same brief description of a street robbery:

J was convicted of street robbery after threatening and then shoving an elderly person who was walking home from a night out. The victim was not hurt but was caused some distress. The offender ran off with £150.

Respondents then received one of three descriptions of a Community Order and were asked to rate the severity of the sentence. This question sought to determine whether the description of a community order affected public perceptions of its severity. The three descriptive labels were the following:

- ***The court sentenced J to a Community Order lasting 12 months***
- ***The court sentenced J to a Community Punishment lasting 12 months***
- ***The court sentenced J to a Community-Based Punishment lasting 12 months***

All respondents then rated the severity of the sentence imposed in this case. As can be seen in Table 3, perceptions of the severity of the sentence were unaffected by the label applied. This is likely due to the similarity of the three labels in this question. It is worth noting that in all three conditions almost two-thirds of the sample rated the sentence as being too lenient, with over one quarter rating the sentence as 'much too lenient'.

Table 3: Perceptions of Severity by Label of Sentence

	Community Order	Community Punishment	Community-Based Punishment
Much too tough	0%	1%	0%
Somewhat too tough	2%	2%	2%
About right	30%	32%	33%
Somewhat too lenient	32%	34%	33%
Much too lenient	30%	27%	27%
Don't know	5%	5%	4%
<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>

Q: 'J was convicted of street robbery after threatening and then shoving an elderly person who was walking home from a night out. The victim was not hurt but was caused some distress. The offender ran off with £150. The court sentenced J to a _____ lasting 12 months. In your view is this sentence:..'

Suspended Sentence Orders

As noted earlier, a Suspended Sentence Order (SSO) is deemed a custodial sentence. Across all courts in 2024, SSOs accounted for over one-third of all custodial sentences.⁶ We tested public knowledge of the SSO by providing four definitions, only one of which (the second) is correct:

- ***The court suspends sentencing and the offender returns to court at a later date to hear the sentence***
- ***The court imposes a prison sentence which is suspended for a period of time and releases the offender who is normally subject to conditions such as unpaid work and a curfew***
- ***The court places the offender on probation and then suspends the probation sentence for a period of time***
- ***The court suspends sentence until the offender has compensated the crime victim***

The sample was divided in half with one group being asked to choose the correct definition of a 'Suspended Sentence Order' and the second being asked about 'Suspended Imprisonment'. We were testing the hypothesis that a clearer label would result in a higher percentage of correct responses. The percentage of correct responses was marginally higher when respondents were given an alternative label but the difference was not statistically significant (73% vs 76%; see Table 4).

⁶ There were 46,365 SSOs and 75,342 immediate prison sentences imposed in 2024.

Table 4: Awareness of Suspended Sentence Orders

	Suspended Sentence Order	Suspended Imprisonment
The court suspends sentencing and the offender returns to court at a later date to hear the sentence	13%	9%
The court imposes a prison sentence which is suspended for a period of time and releases the offender who is normally subject to conditions such as unpaid work and a curfew	73%	76%
The court places the offender on probation and then suspends the probation sentence for a period of time	12%	12%
The court suspends sentence until the offender has compensated the crime victim	2%	3%
<i>Total</i>	<i>100%</i>	<i>100%</i>

Q: 'What do you think is ____? If you aren't sure what this means, please take your best guess.'

A subsequent question approached the issue from a different perspective. We provided an example of a Suspended Sentence Order and asked respondents to choose which of three labels 'best described' this sanction. The description was the following:

An offender has committed an offence serious enough to receive a prison sentence. The court does not activate the term of imprisonment straight away. Instead, it imposes conditions such as unpaid work, or attending a rehabilitation programme, or a strict curfew for a fixed period of time. If the offender breaks these conditions or commits another crime, the initial sentence of imprisonment will be activated and he will go to prison. Which of the following do you think would best describe this measure.

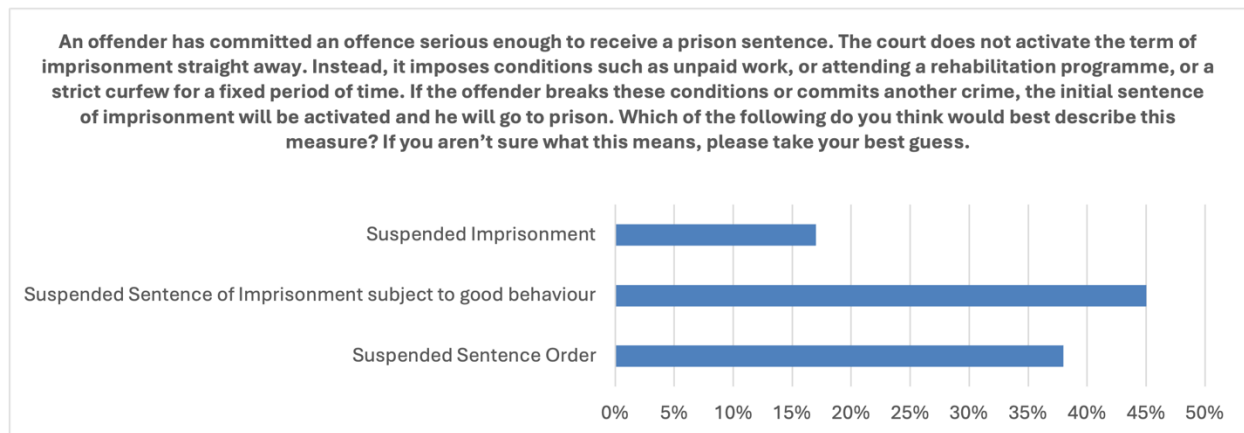
The three labels were:

- ***Suspended Sentence Order***
- ***Suspended Sentence of Imprisonment subject to good behaviour***
- ***Suspended Imprisonment***

Given this choice, the largest percentage (45%) chose the middle option. The current label for this sanction 'Suspended Sentence Order' was chosen by fewer (38%) and the least popular was 'Suspended Imprisonment' (17%) (Figure 3).

The responses to the general questions indicate familiarity with the term 'suspended sentence' but also show that the term 'Suspended Sentence of Imprisonment subject to good behaviour' was preferred as a descriptor for the sanction.

Figure 3: Identifying a Suspended Sentence Order



Reactions to Specific Scenarios

The next question tested the hypothesis that the nature of the label placed upon the Suspended Sentence Order would affect public perceptions of its severity.

Respondents read a description of a case which was a likely candidate for a suspended sentence:

A bank employee was convicted of theft. She diverted £30,000 from a customer's account into her own account. The offender pleaded guilty to the crime, has no previous convictions, and is the mother of two young children. She has also begun to pay the money back to the victim.

The three labels were:

- ***The court imposed an 18-month suspended sentence order. For 18 months, the offender remains in the community and must comply with a number of conditions. If they violate these conditions they will be imprisoned***
- ***The court imposed a sentence of 18 months suspended imprisonment. For 18 months, the offender remains in the community and must comply with a number of conditions. If they violate these conditions they will be imprisoned***
- ***The court imposed a period of suspended imprisonment subject to good behaviour. For 18 months, the offender remains in the community and must comply with a number of conditions. If they violate these conditions they will be imprisoned***

The first option corresponds to the current name applied to the sanction; the others are variants. Few differences emerged between the conditions: the percentage rating the sentence as 'about right' ranged from 58% to 62%. These differences are not statistically significant. Among the remaining respondents, people were significantly more likely to see the sentence as too lenient, but again with little variation across conditions.

Determinate Custodial Sentences

Most offenders sent to prison will serve at least half of their determinate sentence of imprisonment in the community. The exact percentage varies depending upon the nature and seriousness of the offence of conviction. Until recently, most prisoners were released at the 50% point of the sentence. Under emergency legislation introduced last year (known as SDS 40),⁷ many prisoners are released at the 40% mark. The terms used to describe standard determinate prison sentences may provide a misleading impression of what these sentences actually entail.⁸

The sample was again divided in order to see how the public understood a sentence of imprisonment. Respondents were given one of two scenarios and asked to choose the description which best matched the sentence imposed.

1. *A court has imposed a sentence that requires a violent offender to spend 4 years in prison and 2 years on licence in the community. Which of the below do you think best describes their sentence?*
 - ***A 6 year sentence of imprisonment***
 - ***A 6 year sentence***
 - ***A 6 year sentence with 4 years' imprisonment***
 - ***A sentence of 4 years in prison followed by 2 years in the community***

The first response option reflects the current terminology used in the courts. However, only approximately one respondent in 20 chose this option. Approximately two-thirds chose the fourth option (see Figure 4).

⁷ As a result of the Criminal Justice Act 2003 (Requisite and Minimum Custodial Periods) Order 2024 which was approved by Parliament on 29 July 2024.

⁸ See similar research in the United States on Truth in Sentencing, e.g., Owens, (2011).

Figure 4: Perceptions of a Custodial Sentence



The second scenario read as follows:

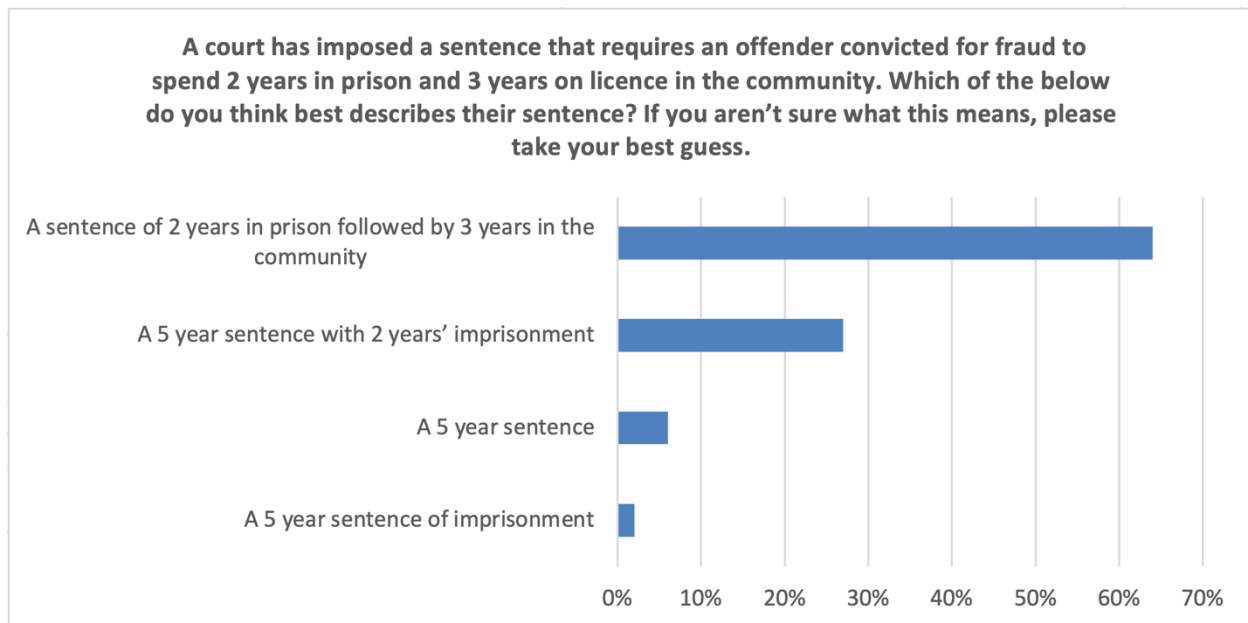
2. A court has imposed a sentence that requires an offender convicted for fraud to spend 2 years in prison and 3 years on licence in the community. Which of the below do you think best describes their sentence? If you aren't sure what this means, please take your best guess.

- **A sentence of 2 years in prison followed by 3 years in the community**
- **A 5 year sentence with 2 years' imprisonment**
- **A 5 year sentence**
- **A 5 year sentence of imprisonment**

The same pattern emerged in response to the second scenario. Almost two-thirds (64%) chose a sentence of 2 years in prison followed by 3 years in the community (Figure 5).

These trends provide strong support for calls to re-label sentences of imprisonment in a manner that more closely reflects the sentence as it is served by the offender.

Figure 5: Describing a Custodial Sentence, Second Version



Perceptions of Severity and Labels for Sentences of Imprisonment

The survey next provided a description of a serious crime accompanied by one of three different labels for the sentence of imprisonment:

F was convicted of attempting to murder L. F had taken a knife to the pub in case he ran into anyone who would cause him trouble. Whilst at the pub he saw L with whom he had had disputes for years. F attacked L with a knife whilst screaming "I'll kill you". L suffered only minor harm before others intervened and, though distressed by the incident, has moved on with his life. F has no previous convictions and pleaded guilty at the earliest opportunity.

The three descriptions were the following:

- ***The court imposed 12 years' imprisonment***
- ***The court imposed a 12 year sentence with 8 years to be served in prison***
- ***The court imposed a 12 year sentence***

All respondents then rated the severity of the sentence using the same five options.

The label had no statistically significant impact on ratings of the severity of the sentence. Just over half of the respondents in all groups rated the sentence as about right (56%; 56%; and 54%; see Table 5). If determinate sentences were relabelled to better reflect that they are constituted of time in prison and on licence, there would, thus, not be a basis on this evidence for concern that that such reform would be viewed by the public as making sentences more lenient.

Table 5: Perceptions of Severity of the Sentence

	12 years' imprisonment	12 year sentence with 8 years served in prison	12 year sentence
Much too tough	4%	1%	2%
Somewhat too tough	15%	14%	15%
About right	56%	56%	54%
Somewhat too lenient	11%	14%	14%
Much too lenient	9%	10%	10%
Don't know	5%	6%	5%
<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>

Q: 'F was convicted of attempting to murder L. F had taken a knife to the pub in case he ran into anyone who would cause him trouble. Whilst at the pub he saw L with whom he had had disputes for years. F attacked L with a knife whilst screaming "I'll kill you". L suffered only minor harm before others intervened and, though distressed by the incident, has moved on with his life. F has no previous convictions and pleaded guilty at the earliest opportunity. The court imposed _____. In your view is this sentence:'

Life Imprisonment

To explore perceptions of the sentence of life imprisonment, we asked about a sentence imposed for a person 'convicted of murder'. The sample was divided into three groups, and each was asked to choose which of three descriptions best matched the descriptor. The three descriptors were:

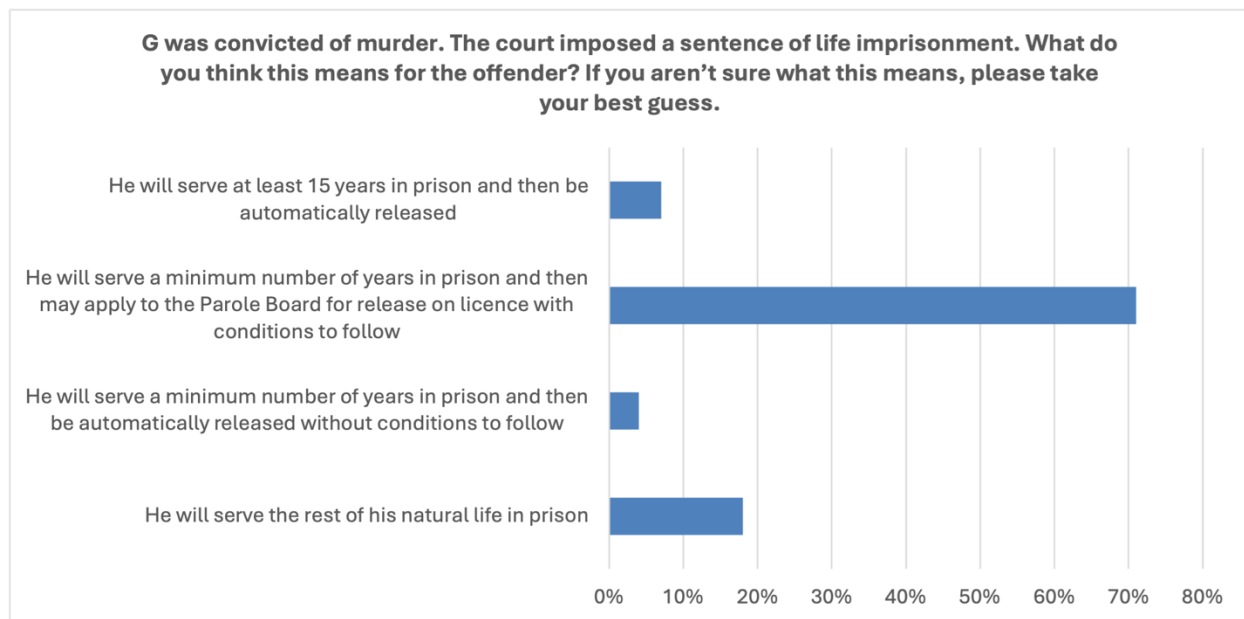
- **A sentence of life imprisonment**
- **A life sentence with a minimum term of 15 years**
- **A life sentence**

The response options for the first (a sentence of life imprisonment) were the following:

- **He will serve the rest of his natural life in prison**
- **He will serve a minimum number of years in prison and then be automatically released without conditions to follow**
- **He will serve a minimum number of years in prison and then may apply to the Parole Board for release on licence with conditions to follow**
- **He will serve at least 15 years in prison and then be automatically released**

In response, 71% respondents chose the correct answer. However, this means that almost one-third were incorrect (Figure 6). Extrapolated to the population this means that millions of people misunderstand the meaning of a life sentence.

Figure 6: Life Imprisonment Case Scenario

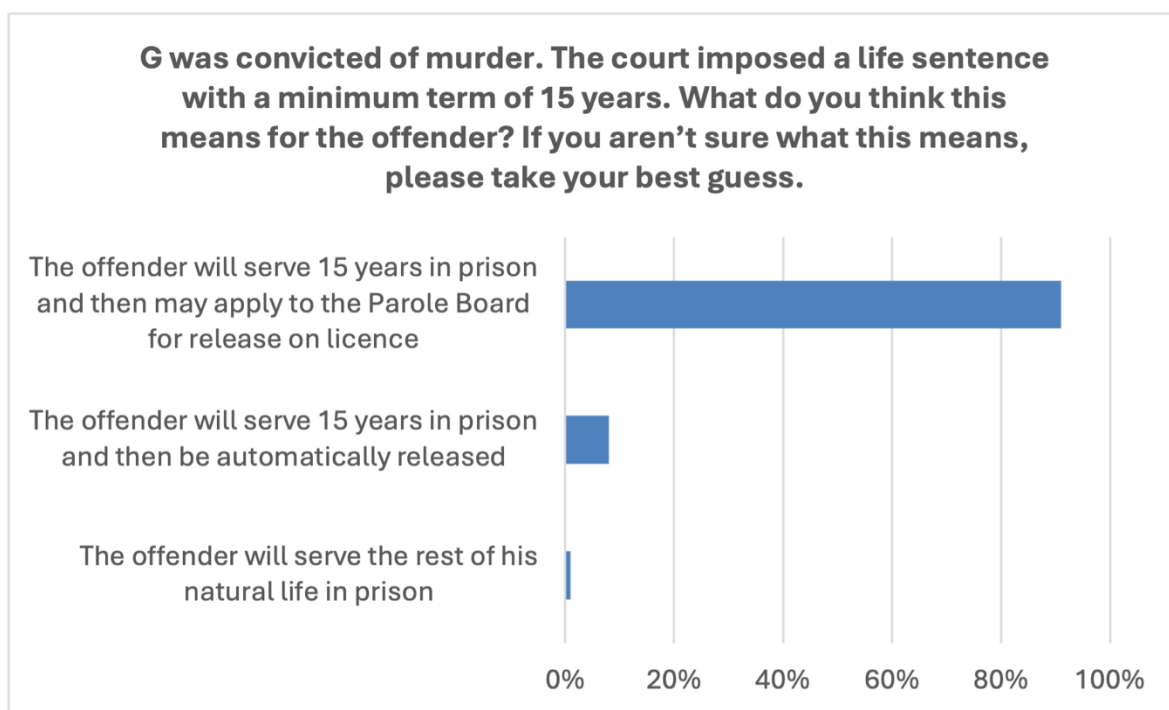


The second group were informed that: *The court imposed a life sentence with a minimum term of 15 years.* Their options were the following:

- ***The offender will serve the rest of his natural life in prison***
- ***The offender will serve 15 years in prison and then be automatically released***
- ***The offender will serve 15 years in prison and then may apply to the Parole Board for release on licence***

In response to these options, an even higher percentage of respondents were correct (91%; Figure 7).

Figure 7: Life Imprisonment Case Scenario, Second Version

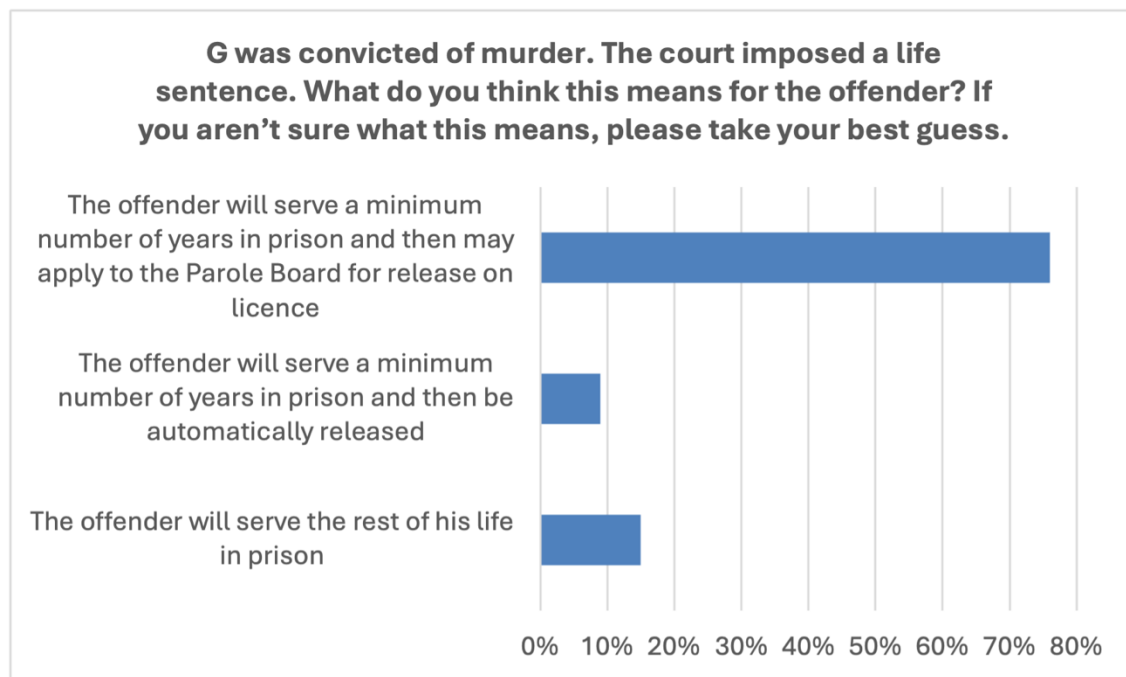


The third label '**a life sentence**' accompanied the following response options:

- ***The offender will serve the rest of his life in prison***
- ***The offender will serve a minimum number of years in prison and then be automatically released***
- ***The offender will serve a minimum number of years in prison and then may apply to the Parole Board for release on licence***

In response, approximately three-quarters selected the correct option, meaning that one-quarter were incorrect (Figure 8). It is clear from this pattern of responses that attaching the minimum term to the life sentence was the most successful way of informing the public about the sentence. Respondents benefitted by only having one option specifying the number of years (15) as opposed to having to guess between what the offender would serve from only the term 'life imprisonment' or a 'life sentence'. Including the specific minimum term may also assist in distinguishing between sentences of life imprisonment of quite different real-world severity be it life with a minimum term of 15 years or life with a minimum term of 30 years.

Figure 8: Life Imprisonment Case Scenario, Third Version



Effects of Different Labels on Perceptions of the Severity of Life Imprisonment

Respondents were asked about the severity of a life sentence imposed for the following case:

G got into a street-fight with a stranger and stabbed him with a knife. The victim died and G was convicted of his murder.

Participants rated the severity of a sentence described as one of the following:

- **A sentence of life imprisonment**
- **A life sentence with a minimum term of 15 years**
- **A life sentence**

Responses suggested that the imprecise term 'life sentence' was less likely to be rated as 'about right' – 59% chose this option compared to approximately three-quarters of respondents in the other two groups (Table 7). This is a statistically significant difference. The terms 'Life sentence' and 'life imprisonment' may be thought of as near synonyms in legal circles, but how we describe sentences imposed in criminal courts affects public perceptions of severity. The term 'a life sentence with a minimum term of 15 years' would appear the most appropriate of the three 'labels'. It avoids the implication that the prisoner will spend the rest of his or her life inside and was also perceived to be about right by respondents to the survey.

Table 7: Perceptions of Severity of Life Sentence

	Life Imprisonment	Life Sentence	25 years' Imprisonment
Much too tough	1%	0%	0%
Somewhat too tough	4%	7%	4%
About right	76%	73%	59%
Somewhat too lenient	7%	8%	21%
Much too lenient	7%	7%	13%
Don't know	4%	6%	3%
<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>

Q: 'G got into a street-fight with a stranger and stabbed him with a knife. The victim died and G was convicted of his murder. The court imposed a sentence of _____. In your view is this sentence:.'

Attitudes to the Proportion of a Prison Sentence Served in the Community

As noted earlier, almost all standard determinate sentence prisoners will serve part of their prison term in the community, although the exact percentage varies from 40% to two-thirds, depending on the seriousness of the offence. We asked respondents to state what percentage of a prison sentence should be served in prison. The question was posed with respect to non-violent and violent crimes. The exact wording of the question was:

*'In most countries, the latter part of a prison sentence is served in the community. The offender must comply with conditions and may be returned to prison if he violates these conditions. In your opinion, what percentage of the total prison sentence should the prisoner serve in prison for a **non-violent/ violent** offence?'*

Table 8 summarises responses excluding the one-quarter who responded, 'don't know'. The average percentage to be served in prison was 59% for nonviolent offences and 83% for violent crimes. These statistics presumably reflect public opposition to prisoners serving a large percentage of their prison sentences in the community. There was a clear public preference for the majority of custodial sentences to be served in prison. This is particularly true for prisoners convicted of a crime involving violence. These results are relevant to current discussions over the future of sentencing. The recent Independent Sentencing Review's recommended introducing earlier release points for determinate sentences of up to as early as one-third for non-violent offenders, and up to halfway for serious violent and sexual offences (Independent Sentencing Review, 2025). These proposals have now been incorporated into the Government's new Sentencing Bill.

Table 8: Views of the Proportion of Prison Sentence that Should be Served In Prison

	Non-Violent Crime	Violent Crime
0-20%	9%	4%
21-40%	15%	1%
41-60%	31%	5%
61-80%	28%	36%
81-100%	17%	53%
Total	100%	100%

Q: 'In most countries, the latter part of a prison sentence is served in the community. The offender must comply with conditions and may be returned to prison if he violates these conditions. In your opinion, what percentage of the total prison sentence should the prisoner serve in prison for a **non-violent/ violent** offence?'

Reaction to Recent Government Proposal for Accelerated Prison Release

The final question tested public reaction to a recent Government proposal regarding the release point for determinate sentence prisoners. According to this proposal, the point at which a prisoner would be released on licence would be determined by their progress while in prison. Prisoners who made clear progress could earn an earlier release into the community. The exact wording was the following:

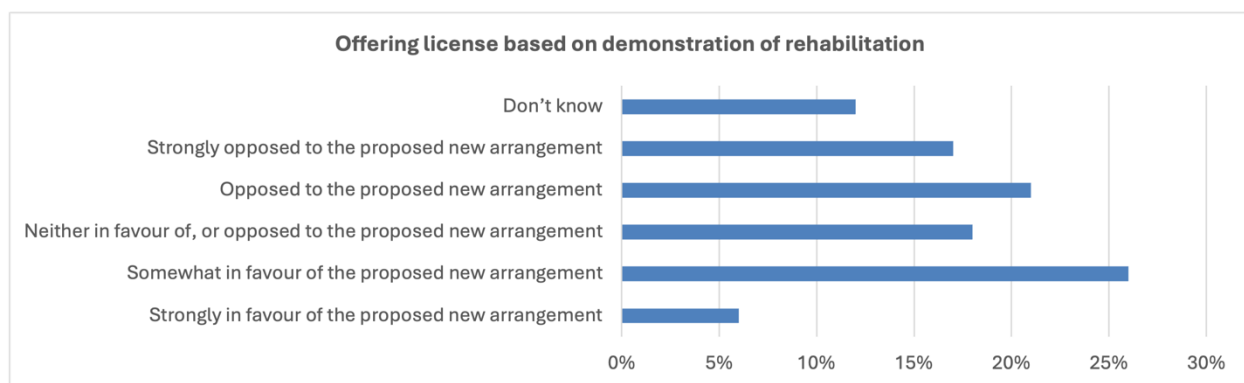
'At present, there are two parts to a fixed sentence of imprisonment. For most sentences, the prisoner serves about half the sentence in prison and is then released to serve the second half in the community on licence. While on licence an offender will be subject to supervision and must comply with conditions. If an offender breaks these conditions, they may be recalled to prison.'

The government is currently considering a proposal to change this arrangement. The goal is to encourage prisoners to actively work towards rehabilitation. This may mean improving their education or professional skills and addressing any psychological problems.

Under the new proposal, offenders sentenced to six years would first serve one third in prison. Their exact release point would be determined by their efforts and progress towards rehabilitation. If they made significant progress, they could earn release after two years. They would then serve the remaining four years in community on licence. If they did not make any effort towards rehabilitation, they would serve three years in prison and then three years in the community on licence.'

Respondents were asked whether they were in favour of or opposed to such a reform to the release points of determinate prison sentences. There was marginally more opposition than support for the proposal: 32% were in favour (6% strongly; 26% somewhat) while 38% were opposed (17% strongly opposed; 21% opposed). Around one in ten responded 'don't know'. Of those expressing a 'strong' view, responses were clearly more opposed than supportive (see Figure 9).

Figure 9: Proposal for Accelerated Prison Release



These responses likely link to public opinion regarding the percentage of a prison sentence which is served in the community on licence. People may oppose the Government's proposal because they believe that more time should be served inside prison, regardless of the prisoner's progress towards rehabilitation. Serving only one-third of the sentence (in the case provided) may strike the public as insufficient – as reflected in their preferences for the proportion of a prison sentence that should be served inside (see Table 8).

Conclusion

To the extent possible, the language of sentencing, including the labels attached to specific sanctions, should be accurate and comprehensible to all. If members of the public misunderstand a particular sentence, or element of the sentencing process, criticism of sentencing is a likely consequence.

This research has demonstrated the importance of labels and suggested that some current terms are misleading. The differences between conditions for some questions may appear modest but scaled to the population become more significant. For example, there was a difference of approximately 10% in the accuracy of respondents identifying the purpose of a victim statement depending on whether they received the label 'Victim Impact Statement' or the current 'Victim Personal Statement'. If the Victim Personal Statement was relabelled a Victim Impact Statement, millions of people would have a more accurate idea of the purpose of this important source of information for a sentencing court.

The present survey represents the first step towards developing a more comprehensible language of sentencing. We have explored only a limited number of sentencing terms. At this point we urge the Ministry of Justice to conduct a larger multi-method investigation which would result in a set of new terms which would convey more accurately the sentences and concepts they represent. Once a clearer set of terms had been established, the government could consider whether changes would require legislative action. The introduction of better terms would make a significant contribution to improving public understanding of sentencing and possibly also increasing confidence in the sentencing process.

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