

Summary and conclusions

1 Summary

1.1 Research objective and research question

The Research and Documentation Centre (WODC) and the Ministry of Justice have commissioned ITS to carry out research into the Detention Concept Lelystad (DCL) in order to evaluate whether DCL succeeds in realizing Tailor-made Detention and Treatment (DBM: Detentie en Behandeling op Maat) in practice, and how this is perceived by detainees and staff. The research was carried out in the period from September 2006 up to and including January 2007. This report provides an overview of the research.

The following research question is central to the evaluation: To what extent does DCL contribute to the four principles as formulated in 'The New Institution', (De Nieuwe Inrichting, DNI) and to what extent does DCL meet the norms of DBM and the five detention principles of the National Agency of Correctional Institutions (DJI)?

This research question has been split up into six sub questions:

1. How could the introduction of DCL help to achieve the four goals stated in DNI? What principles and mechanisms should bring this about? Is there a theoretic basis for this?
2. Do only those detainees end up in DCL who the facility is intended for?
3. To what extent does DCL succeed to realize DBM in practice, as intended in the specific case of DCL? In other words: To what extent are an activities programme, safety and care realized within DCL in the manner intended, according to the detention principles formulated and their interpretation in dimensions of treatment and regime? What problems have come to light?
4. How does the introduction of DCL affect the work situation and the perception of staff, compared to those of staff in a similar situation as far as the category of detainees is concerned?
5. How is DCL perceived by the detainees, compared to the perception of detainees in two-person cells?
6. What are the costs of DCL per place and how do they compare to the costs of a similar place in a traditional penitentiary institution?

1.2 Research set-up

In order to answer the research questions, six sub studies have been carried out. These studies were aimed at finding out how the goals of The New Institution and the detention principles of DJI are being realized in practice within DCL. The following methods were used to answer the research questions:

- *Literature and document studies* concerning the changing ideas about the enforcement of sentences and their effect on policy. This involved background literature about these changes and various policy documents regarding Safety Programme (Veiligheidsprogramma), Modernization Sanctions Enforcement (Moderniserend Sanctietoepassing), The New Institution and Tailor-made Detention and Treatment.
- *Interviews with key informants* in order to gather information about the policy and the way it is being applied within DCL. Representatives of the following organizations have been interviewed: management and policy units of DJI; Penitentiary Institutions Flevoland; project organization DCL, and board, management and staff of DCL.

- *Staff survey* consisting of a group interview with seven prison workers (PIWs: Penitentiary Institution Workers) and a questionnaire (BASAM) for DCL staff..
- *Detainees survey* consisting of a group interview with nine detainees from DCL, eight individual interviews with detainees and a detainees questionnaire (adapted DKS-questionnaire) for all DCL detainees.
- *Cost survey* by means of interviews with financial staff of DJI. It proved as yet impossible to calculate the cost price. Therefore it was decided to use interviews to gain insight in the systematics that a calculation of the cost price should be based on.
- *Survey of registration system* in order to evaluate the effectiveness of the electronics. During the research it became apparent that the electronics were not yet functioning properly. Therefore the research was based on data that *were* available.

1.3 Society, Safety and Detention

In recent years there have been developments regarding social safety in the Netherlands, as a result of unease in society. This has led to adjustments to the policy and its enforcement with the Ministry of Justice and the National Agency of Correctional Institutions; concretely, this has led to the Modernization Sanctions Enforcement project, which now focuses on improving the quality and effectiveness of the penal system. One of the concrete measures within the programme is the application of multi-person cells.

Because of the Modernization Sanctions Enforcement project, DJI too has had to change its methods, which has led to the process of change called *The New Institution*, with the following goals:

- Adapting to changed social ideas;
- Improving collaboration with chain partners;
- Reducing capacity shortage;
- Realizing the financial objectives.

These goals were further developed into a new vision on detention, called *Tailor-made Detention and Treatment for Adults (DBM-V)*, based on the principle that each detainee is responsible for his own behaviour and is confronted with it. DBM-V has the same goals as DNI. To realize them, detainees have been divided into three functional groups (domains):

- Preventive detainees (domain 1): for detainees in preventive detention, the detention up to their conviction is primarily aimed at optimally facilitating the court procedures.
- Short-term detainees (domain 2): for detainees with a (remaining) sentence of no more than four months after their initial conviction, detention is aimed at the enforcement of their imprisonment or custodial measures and practical support of the preparations for their return to society.
- Long-term detainees (domain 3): for detainees with a (remaining) sentence of more than four months after their initial conviction, the detention is aimed at the enforcement of their imprisonment or custodial measures. In addition to practical support for their return to society, recognized behavioral interventions will be applied to a suitable and motivated group. Leading up to their return to society, opportunities may be offered for short or longer stays outside the institution, if this is considered safe based on the risk assessment.

In the enforcement of a sentence, five *detention principles* of DJI play an important role:

- Safe enforcement: safety of society, staff and detainees;
- Normalization: life inside the institution should be related to life in free society as much as possible;
- Openness: possibilities for detainees to keep in contact with free society, a penitentiary organization that is transparent for society and civilians;

- Appeal to personal responsibility: developing and appealing to a sense of responsibility with detainees;
- Consistent approach: consistent treatment of detainees.

DCL was not primarily developed for the application of DBM-V. DBM-V arose as a result of a new vision on detention, in which detainees should be more responsible for their behaviour and good behaviour is rewarded. Simultaneously, Detention Project Lelystad was developed, as more and more new technologies were entering the market in which the Ministry of Justice was interested. Both developments resulted in the present form of DCL. Therefore, the evaluation of DCL should not be considered an evaluation of DBM-V.

1.4 Detention Concept Lelystad

In January 2006, DCL was opened and 150 short-term detainees were housed in six-person cells. The regime is characterized by personal responsibility and a system of punishments and rewards. DCL distinguishes itself from other penitentiary institutions by:

- The building's architecture, with the panoptic on and the carousel system.
- The use of considerably less prison workers.
- The daytime programme offered, and the regime.
- The application of electronics.

Electronics are used extensively within DCL:

- Radio Frequency Identification: in order to determine the location of detainees and to check whether they do not violate the rules, and to determine the location of staff members;
- Palmtop computer: available to staff, containing information on detainees;
- Touch screen: available to all detainees to sign up for the daytime programme, for instance;
- Aggression detection systems: detecting aggression based on sound.

With the application of these elements in DCL, a penitentiary institution has been built that should meet the goals of DNI and the five detention principles.

Upon entering Penitentiary Institution Lelystad, detainees are screened by the receiving officer and a nurse. In case of doubt concerning the question whether detainees are suitable for stay in a six-person cell, they may also be screened by a psychologist. If the detainee is considered suitable for stay in a six-person cell, he receives a wrist band and is escorted to DCL by a prison worker. Further explanation about the prison is left to fellow-detainees. If a detainee later proves to be unsuitable for stay in a six-person cell, he may be transferred. The vast majority of detainees who are transferred to department X, do not return to DCL anymore. The category of detainees in DCL meet the criteria for domain 2-detainees.

The building of DCL consists of compartments, and detainees rotate in a so-called carousel system, so that detainees from different compartments never meet during the daytime programme. Detainees are housed in six-person cells, equipped with all kinds of facilities. For instance, each detainee has a touch screen with, amongst other things, their own telephone and television. There is also a kitchen, a washroom and a shower in each cell. Detainees are personally responsible for heating their meals, washing their clothes and cleaning their cell. During their detention, detainees can choose from five activities per day, and are obliged to take part in at least three of those.

In the daytime, security is provided by six prison workers, in the evening and at night there are two guards present. Until 21.45 these are assisted by an IBT (Internal Support Team). After 21.45 the IBT is confined to barracks and may be called upon in case of problems.

Within DCL, electronics are used extensively, as mentioned earlier. Each detainee has a wrist band, with which he may log on to the touch screen at the foot of his bed. The touch screen enables the detainee to perform all kinds of activities. The wrist band also serves as the locator for the tracking & tracing system, which shows the location of a detainee and whether he is not breaking the rules. Since the facility was opened, there have been constant problems with the electronics. The problems for detainees in particular have not yet been solved. The following functions were still not operational in December 2006: planning visits, reading the newspaper, reading books, signing up for activities, questions to the medical service, questions to the Bureau for Social Services. There have been many malfunctions, and this leads to irritation with detainees and staff alike. Good behaviour ought to be rewarded automatically in DCL, but during the research period this system did not work. Rewards were being awarded by prison workers, based on subjective criteria. Detainees are not always satisfied with this method.

During the research, attempts were made to gain insight into the costs of DCL. The problem is that it was not yet clear exactly which costs should be attributed to DCL. Presently DJI is carrying out an internal study to determine the costs per place in DCL.

In order to describe the detainees' perception of DCL, a detainees survey has been taken. In addition, individual and group interviews have been held. Because of the low number of respondents, the results can not necessarily be considered representative. Therefore, the results should be interpreted with caution.

Detainees give high marks to the meals, the rules and rights, hygiene, safety and contacts with the outside world. Contacts with fellow detainees are good and there is hardly any discrimination in DCL. The main advantages of their stay in DCL are the social contacts, the social control and the possibilities for contact with the outside world. The main drawback of DCL is the lack of privacy. Health, technology and staff receive slightly lower marks. Detainees indicate they are not satisfied with the activities in the daytime programme; these do not meet the detainees' needs.

Comparisons have been made between various groups of detainees in DCL, divided according to length of detention, detention history and type of cell during previous detentions. These show that detainees who have spent a previous detention in a one-person cell are less satisfied with health and health care in DCL than detainees who have spent a previous detention in multi-person cells. Detainees in DCL are approximately equally satisfied with their stay as detainees in other penitentiary institutions. Minute differences can be noted in several aspects¹.

The staff's perception of DCL has been surveyed by means of the BASAM-questionnaire and a group interview. The staff's perception of DCL and their appreciation of their work situation largely corresponds to the BASAM-scores of comparison groups. Comparisons have been made with prison workers working in a regular prison (a reference group) and with staff working in institutions with multi-person cells.

What is particularly appreciated within DCL are the working hours; the extent to which nights off and weekends are spread evenly, and the integrity; how staff perceives their personal integrity. Their main point of criticism is the amount of pay received and its instrumentality; the belief that if someone functions well, this will yield results (meaning better pay).

Regarding the occurrence of aggression and violence, some differences were found between DCL and the rest of the prison system; staff in DCL experience less aggression and violence from detainees, prison workers in DCL often feel less safe when they are on the job alone, and in DCL there have been slightly more instances of serious injuries as a result of physical violence. When interviewed, prison workers indicate they do not feel threatened and that there is less aggression toward staff in DCL.

¹ The differences in perception between DCL-detainees and detainees in other institutions should be interpreted with caution, considering the low number of respondents amongst the DCL-detainees.

However, the additional questions from the BASAM-questionnaire show that aggression and violence occur frequently. This is a remarkable difference for which no explanation has been found. The interviews show that prison workers in DCL find the work challenging and varied, though it can at times be very hectic. The technology in DCL still suffers from frequent malfunctions, as interviews with staff reveal, but these problems are expected to be solved in the future.

2 Conclusions

2.1 Detention principles

DCL is a domain 2 institution, which means it houses detainees with a (remaining) sentence of less than four months. The institution is intended for detainees from police cells, and so-called 'detentiefaseerders' from preventive detention after their initial conviction. 'Detentiefaseerders' are detainees who are transferred from a closed institution to a semi-open or open institution, to eventually take part in a penitentiary project or electronic monitoring.

The detainees present in DCL during the period January-December 2006 are all part of the target group. The realization of DBM in practice as intended specifically for DCL, is based on the five detention principles described above.

To ensure *safe enforcement*, detainees can be monitored throughout the building by means of the tracking & tracing system. However, this system is not primarily intended to follow detainees, but to check whether detainees do the things they have agreed to do, so that good behaviour can be rewarded automatically. Initially a system of rewards and punishments was to be introduced, by awarding and deducting points. In DCL, however, punishments have been done away with. It is believed that not getting a reward is punishment enough by itself.

Monitoring the detainees does work, and staff find the system fairly easy to use. Detainees are less satisfied with the functions and comfort of the wrist band they have to wear for the tracking & tracing system. According to detainees conflicts are often solved amongst themselves.

Analysis of the data from DCL furthermore shows that only those detainees end up in DCL who the facility is intended for. There are no detainees with a (remaining) sentence of more than 119 days, and the norm of 80 percent detainees from police cells and 20 percent 'detentiefaseerders' is met for the most part. Furthermore it turns out that 19 percent of the detainees from DCL are transferred to department X or another institution. Beforehand it was estimated that this percentage should not exceed 20.

The second detention principle is *normalization*. Detainees in DCL are offered a daytime programme, for which they have to choose at least three activities from a list of five: sports, recreation, airing, education and chores. Of these, education and chores are obligatory for a fixed number of times per week. Detainees are dissatisfied with the content of education, and find that the system of signing up for activities via the touch screen does not work.

There is sufficient *openness* in DCL; it is possible to receive visitors and each detainee has his own phone, which is greatly appreciated. The touch screen also allows them to watch television and listen to the radio.

Personal responsibility of the detainees plays an important role within DCL. Detainees are accountable for their behaviour and must take care of certain matters themselves, such as eating, cleaning, washing and taking part in activities. Good behaviour is rewarded and the rewards are handed out by prison workers.

The *consistent approach* of detainees was initially to be supported by an automatic rewards system, but this system is not yet operational. For the time being, rewards are being handed out by prison workers. In spite of the fact that the electronic system does not work, the vast majority of detainees and staff find the rules and procedures in DCL clear and unambiguous.

2.2 Staff

The consequences of the introduction of DCL for the staff's work situation and their perception thereof are mainly positive. They are least satisfied with their pay and its instrumentality. This is, however, also the case with reference groups working in judicial institutions. Working in DCL is challenging and varied, but also demanding on the staff. There are, for instance, matters that are not functioning properly yet, such as the technology. In such cases it depends on the staff whether DCL still works, which is a huge responsibility. The staff at DCL experience resistance from the 'main building'. They find this difficult, because they are trying to make DCL work, which is hard enough without resistance. Another recommendation would be to create a staff room for DCL staff, where they may also receive visitors, in order to increase peace and quiet in the control room. Compared to the prison workers reference group and prison workers working in institutions with multi-person cells, there are no significant differences in perception of the work situation.

2.3 Detainees

Detainees think adjustments are needed for DCL to become a success. Within DCL, a distinction should be made between detainees with a relatively short sentence (up to one month) and detainees with a relatively long sentence (one month or more). If these groups were separated, this would prevent irritation and conflicts. The combination of short-term and long-term detainees is, however, deliberate; long-term detainees can more easily show short-term detainees how things work in DCL. Education should be aimed more at the needs of detainees; it should help them with resocialization and planning for the future, for instance. According to detainees, this might even help prevent recidivism. The daytime programme should ensure detainees are not bored. Boredom may lead to irritation, which in turn can lead to conflicts. There should be more possibilities for privacy within the cell, to enable detainees to be on their own every now and then.

Interviews show that detainees appreciate the set-up of DCL (the phone and television in particular) and that it could be introduced on a national scale. They think, however, it should be left up to detainees themselves whether they want to stay in a six-person cell, and DCL is not suitable for psychiatrically unstable detainees.

2.4 Costs

In order to analyze DCL's finances properly, it must be clear which costs within Penitentiary Institution Lelystad specifically pertain to DCL. Only then a reliable and final cost analysis can be made to determine whether DCL contributes to cost reduction. A survey of financial data needed to calculate the costs is presently taking place within DCL.

2.5 Technology

During the entire research period, from September 2006 to January 2007, there were technical problems within DCL. Several functions of the system, such as the possibility for detainees to plan appointments by means of the touch screen, did not work during the entire period. The technical malfunctions have led to irritation amongst staff and detainees. As a result of technology not being operational, it was in various respects impossible to evaluate to what extent DCL contributes to the objectives of DNI and the realization of the detention principles, as within DCL this depends heavily on electronics. Therefore it is recommended that the technical problems be solved, before it is decided to further expand DCL.