



A detention concept for the future?

Evaluation of the extended pilot project period for the Lelystad Detention Concept (LDC)

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Summary

The *Dienst Justitiële Inrichtingen* (Dutch judicial institutions service, hereinafter abbreviated to DJI) initiated the Lelystad Detention Concept pilot project (hereinafter abbreviated to LDC) at the end of January 2006. This detention concept consists of six-person cells that are part of an integrated system comprising a newly designed building, a reduction in personnel in combination with innovative support using electronic applications, and changes in the daily programme.

Now that the pilot project has been in operation for nearly three years, the time has come for the Ministry of Justice and DJI to take a final decision regarding the value of this new detention concept for the future and the possibility of wider application of this concept. With this objective in mind, the extended pilot period was evaluated once again in 2008.

Background and motivation

LDC fits in well with the current developments in policy. Implementing the modernisation of the prison service is one of the focal points for the current Cabinet period. To this end, the Modernising the Prison Service programme (*Modernisering Gevangeniswezen*) was set up. The objectives of this programme are the humane enforcement of sanctions, contributing towards a reduction in repeat offences, improving collaboration between organisations in the justice system and an approach focusing on the individual. The policies for achieving this in practice are: placing the prisoners within their own region, setting up individual detention plans and filling in the daily programme in a way that encourages prisoners to take more responsibility. In addition to these points, the current Cabinet is committed to an intensification of the use of multiple occupancy cells.

The Modernising the Prison Service programme began after the start of the LDC. However, the programme is largely a continuation of developments initiated earlier within the framework of the first Security Programme '*Naar een veiliger samenleving*' (Towards a safer society, 2002) and the views contained in the project *Modernisering Sanctietoepassing* (MST, modernising the application of sanctions) and worked out in detail in the organisational change programmes *De Nieuwe Inrichting* (DNI, the new institution) and *Detentie en Behandeling op Maat voor Volwassenen* (DBM-V, tailor-made detention and treatment for adults) in 2004. Some key policy lines that have been kept are the efficient use of cells, the functional application of sanctions focusing on certain target groups - including the group of short-stay prisoners with a sentence or remaining sentence of less than four months after being sentenced in the first instance - and encouraging prisoners to take responsibility. Accordingly, the LDC was assessed against these aspects as part of this evaluation.

The detention concept applied in the LDC takes the form of 25 six-person cells (150 places) and the use of electronic devices enabling a reduction in staffing levels without endangering the safety of staff, prisoners and/or the wider community. The technical tools are:

- (a) A tracking and tracing system for monitoring prisoners electronically;
- (b) A bedside screen for each prisoner, with functionality for such tasks as making phone calls, watching television, listening to the radio, ordering shopping, examining your current account and selecting the daily programme;
- (c) An electronic wristband for prisoners enabling them to be monitored electronically and to log in to their own bedside screen;
- (d) A portable palmtop computer (PDA) for the penitentiary staff with information on the prisoners and providing support for the system of rewards and punishments;
- (e) A system for detecting aggression that provides staff with signals, should a panic situation arise.

When the original plans were made, it was envisaged that the LDC would be expanded to 1,050 places. This assumed nationwide placement of the target group of short-stay prisoners, unlike the current policy principle of regional placement (placement within the district the prisoner is due to return to, or a neighbouring district).

The LDC had already been the subject of evaluations (at the end of 2006 and start of 2007). However, these evaluations gave an insufficient basis for an adequate assessment of the detention concept and decision making regarding the further rollout of the concept. Consequently, it was decided to extend the period of the LDC pilot project and carry out a new evaluation. This report contains the results and conclusions of that new evaluation.

Objective and research questions

The objective of the study was to collect information about how the LDC operated in practice during the extended pilot project period and to compare that practice with the original design and objectives. This information, including information on costs and the experiences of staff and prisoners, will be used by the Ministry of Justice as input for its decision making on increasing the number of cells operated according to this detention concept.

The research questions to be answered in this evaluation are shown in table I.

Research question	
1	<p>Actual practice versus the intended detention concept:</p> <ul style="list-style-type: none"> - In the extended pilot project, to what extent were all aspects of the LDC regarding the architecture, deployment of electronic devices, staffing and the contents of the daily programme implemented in the manner intended in the original detention concept? - What problems arose (during the initial and/or extended pilot period) and what solutions were chosen? - If not all the aspects of the LDC were implemented as intended, to what extent did this adversely affect the achievement of particular objectives of DNI?
2	<p>The population in the LDC:</p> <ul style="list-style-type: none"> - Does the LDC accommodate the prisoners for which the institution is intended? - Are the prisoners in LDC representative of prisoners in this domain (short-stay prisoners)?
3	<p>Staff working conditions and perceptions:</p> <ul style="list-style-type: none"> - What consequences did the introduction of the LDC have for staff working conditions and how they perceived those conditions, compared with staff in a similar situation as regards prisoner categories? - Do staff require specific competencies or skills to work in the LDC?
4	<p>Incidents and the perceptions of prisoners:</p> <ul style="list-style-type: none"> - How do prisoners experience the LDC, compared with the experiences of other prisoner categories? - Were there any incidents; if so, how many and what kind of incidents?
5	<p>The costs of the LDC per day per place:</p> <ul style="list-style-type: none"> - What would be the estimated costs of the LDC per place if an LDC annexe were to be built onto an existing institution? - What would be the estimated costs of an LDC per place if the LDC were to be a separate institution? - How do these costs relate to those of a similar place in an institution (remand prison or another institution)?

Tabel 1: 1: overview of research questions

Answering the research questions

We will start by describing the way in which the results of this evaluation study were obtained. Table 2 shows the research methods and techniques used for each of the research questions. This is followed first by a separate answer to each of the five research questions. After the individual research questions have been answered, a synthesis follows with conclusions on how the LDC functions as a whole.

Research question		Research techniques
1	Realisation versus the plans	<ul style="list-style-type: none"> - Document study - Visit to the location - 12 exploratory, semi-structured interviews
2	Representativeness of the population	<ul style="list-style-type: none"> - Primary and secondary analysis of records from the TULP system - Descriptive statistics
3	Staff experiences	<ul style="list-style-type: none"> - Secondary analysis of BASAM-DJI questionnaire data including an extra module on aggression and violence - Document study (evaluation of HRM) - 6 semi-structured interviews with penitentiary staff - 1 semi-structured interview with a training coordinator - 1 semi-structured interview with an LDC PE instructor (ILO <i>Instructeur Lichamelijke Oefening</i> [physical education instructor]) - Group interviews with the prison Central Staff Council and the Lelystad penitentiary Staff Council
4	Prisoners' experiences	<ul style="list-style-type: none"> - Prisoner survey - Secondary analysis of the questionnaire and descriptive statistics - 8 semi-structured interviews with prisoners - Semi-structured interview with the Supervisory Committee - Analysis of complaints and incidents and descriptive statistics
5	Cost	<ul style="list-style-type: none"> - 5 exploratory interviews with the Costs working group and the IT Shared Service Centre - Primary and secondary analysis of financial data - Scenario analysis

Tabel 2: 2: overview of the research methods and techniques used

Research question number 1: actual practice versus the intended detention concept

The answers to research question number 1 can be summarised as follows:

- (a) The key technical functionalities were realised, as were the key elements as regards the content;
- (b) The pilot project therefore provides a good test of how the detention concept functions and contributes to the objectives of DNI, with the exception of the costs;
- (c) The implementation of some technical aspects requires improvement;

- (d) The LDC operates a number of electronic devices that could also cut costs in other penal institutions;
- (e) One vulnerable aspect is the management and maintenance of the systems, especially if there is an increase in the scale of activities in the future;
- (f) The concept could possibly have been realised more quickly, but never as quickly as was laid down in the schedule drawn up beforehand.

Research question number 2: the population in the LDC

The conclusions regarding the representativeness of the LDC population are as follows:

- (a) The prisoners placed in the LDC are those for whom it is intended, i.e. short-stay prisoners who (with the occasional exception) stay less than four months in the LDC;
- (b) The average length of stay for a prisoner in the LDC fell from nearly 31 days in the final four months of 2006 to 23 days in 2007 and as few as 21 days in the first seven months of 2008. This low average length of stay is a logical consequence of the high proportion of individuals under arrest and placed directly in the LDC;
- (c) Capacity utilisation at the LDC fell from 96% (in the final months of 2006) to 86% in 2007 and 70% in 2008;
- (d) The population is not representative for the target group of short-stay prisoners; however, it is for the target group of individuals under arrest. There are virtually no prisoners in the population who have been transferred from another institution.

Research question number 3: staff working conditions and experiences

The LDC staff are predominantly positive in their opinion of LDC working conditions. The following remarks apply here:

- (a) The LDC has been continually plagued by technical problems. These technical problems cause the LDC staff trouble and they have to call in support virtually on a daily basis.
- (b) Drug addicts and very short stay prisoners sometimes cause disturbances in the six-person cells. The penitentiary staff feel that some categories of prisoners are sent on to the LDC who in their opinion are fundamentally unsuited to the concept (vagrants, drug addicts, prisoners with mental health problems). They also say that there are regularly problems in the cells with people who are only staying there for a very short time, behaving disruptively for a few days and then leaving again. On the other hand, the number of incidents is low.
- (c) Staff are satisfied with their day-to-day work. They see it as a challenge to be working in such an innovative environment. The staff interviewed believe in the concept of the LDC and are prepared to contribute to it. The LDC team is a close-knit, enthusiastic, pragmatic team, getting down to work to solve any problems itself.
- (d) The experience of working in the LDC is generally similar to experiences in other penal institutions. The figures on the experiences of working in the LDC are broadly comparable to

those of the prison service as a whole. The figures on aggression and violence also largely agree. The LDC staff feel safe working at the LDC, even slightly safer than staff at other penal institutions. Aggression and violent incidents are rare, rarer than in other penal institutions. The prevalence of aggression and violence perpetrated by prisoners in the LDC is slightly lower than in other penal institutions. The degree of internal violence is the same.

- (e) The perception of the interaction with prisoners is comparable to other penal institutions. There turns out not to be any difference in the levels of satisfaction with the interaction with prisoners between staff working at the LDC and staff at other penal institutions.
- (f) Working at the LDC requires extra technical and other competencies. Various competencies and skills are required to work at the LDC. A number of these competencies were defined beforehand by DJI; these were collaboration, the ability to learn, being motivated to achieve, handling details and decisiveness. Staff also feel the following competencies or skills are required: technical skills, communicative ability, sociable and the ability to cope with stress.

Research question number 4: Incidents and the experiences of prisoners

The experiences of the prisoners are as follows. Most of the prisoners have a positive opinion of their stay at the LDC but are slightly less positive than the reference group. Their opinions are as follows regarding the various aspects:

- (a) They are predominantly positive in their opinion of the technical facilities. Most of the prisoners are positive in their assessment of how the technology was applied. In particular, they are extremely satisfied with the functionality available on their individual screens. However, the compulsory wristband does not meet with much approval due to practical objections.
- (b) Prisoners vary in their assessment of specific LDC activities and procedures. The prisoners at the LDC are satisfied with being able to heat up their own meals and with the household chores. They are less satisfied with a number of training programme meetings and the e-learning modules. Furthermore, they value being given a choice in the daily programme but are less in favour of the compulsory participation in activities.
- (c) Most of the prisoners value the system of rewards and punishments; however, they are not so convinced about the pedagogic effect. About half the prisoners think the rewards are worth it and consider it a punishment when a reward is withheld. At the same time, it seems that the carrot-and-stick system means prisoners take part in activities without being motivated and/or in a disruptive fashion to avoid losing out on a reward.
- (d) Half of the prisoners do not have any problem with accommodation in a six-person cell. On the other hand, a quarter of the prisoners have serious problems with that aspect of the LDC. However, the group dynamics vary considerably from cell to cell, as do opinions about the accommodation. A prisoner's opinion is also affected by the position he occupies within the group. Incidentally, most prisoners complain about the lack of privacy in a multiple-occupant cell and the feeling that there is only limited external supervision of what is

going on in the cell, irrespective of whether they are positive or negative about multiple-occupant cells. It also turns out that prisoners who are drug addicts, suffer from mental health problems or lead a transient life outside prison have problems integrating in the LDC.

- (e) A majority of the LDC prisoners feel safe, although they feel less safe than comparable prisoners in other institutions. Although half of the prisoners feel safe at the LDC and only one in ten feels threatened by fellow prisoners on a regular basis, these results are poorer than in other institutions. The lower level of perceived safety seems to be explained by the fact that several prisoners have to stay in a room together without external supervision, plus the presence of unpredictable prisoners with mental health problems sharing the cell.
- (f) The interaction with penitentiary staff is judged to be relatively poor, certainly in comparison with the reference group. Their opinion of the penitentiary staff is not easy to pin down. The prisoner survey gives a relatively negative picture in which the LDC penitentiary staff are characterised as workers with a fairly low level of involvement, certainly compared with the reference group. On the other hand, the in-depth interviews with the prisoners give a mixed impression. Various interviewees said they regularly had good contacts with the LDC staff while others said they never communicated at all with staff or even that they had a poor relationship with one or more penitentiary staff members.
- (g) Most of the prisoners think they get on well enough with each other (outside their own cells). Only a quarter of those questioned feel prisoners do not treat each other with respect. There are no obvious differences between this picture and the results for the reference group.
- (h) The LDC prisoners only have limited knowledge of the institution's rules and their rights. Many prisoners turn out not to know exactly what the general house rules are or where they could find them. They also give varying interpretations of the procedures for lodging a complaint and are fairly unfamiliar with the Supervisory Committee.
- (i) Opinions on how their days are spent and the options for relaxation are mixed. It is clear from the survey that the LDC is not a holiday location. Half the prisoners feel they cannot spend their time doing the things they enjoy, characterising life in the institution as monotonous. Even so, they have a higher opinion of how their days are spent and the relaxation options than the reference group. Sport and recreation in particular score better at the LDC. Despite this, most of the prisoners are regularly bored. The period spent in their cells from five in the afternoon until lights out and the Sunday afternoon are particularly notorious.
- (j) Hygiene in the LDC is judged to be very good. The LDC prisoners are extremely positive about the hygiene in the institution. Their opinions are more favourable than those of the reference group. The prisoners also turn out to be eager to contribute to the high levels of hygiene by doing household chores.

- (k) Most of the recorded incidents concern the forbidden use of drugs. In addition, prisoners say arguments and fights are frequently occurring incidents. Most of the recorded incidents involve the use of drugs. In contrast, there are virtually no examples of violence between prisoners and staff at the LDC. Prisoners who are asked whether there are incidents give examples that are not always to be found in the LDC records. Such examples are fights or forms of intimidation taking place behind the closed doors of the cell.

Research question number 5: the cost of the LDC per day per place

The answers to research question number 5 are:

- (a) Operations need to be on a sufficient scale in order to give a positive result from the point of view of the economics. The detention concept may start to be of interest at a scale of 600 detention places or more.
- (b) There will continue to be uncertainty about the development costs for the time being. Determining the actual, structural development costs for the technology will continue to be problematic. However, the savings of €32.50 on staff and floor space will be partly or entirely offset by the technology costs. Given how costs have been developing over the last few years, it is likely that the actual costs will be higher than the standard costs calculated for 2008 at €121.93.

Synthesis and conclusions

Once the research questions had been answered, the results were examined further with the aim of constructing a synthesis. Table 3 shows the frame of reference used for this purpose.

Objectives
Efficient use of sanctions capacity
Functional application of sanctions - contents of the daily programme
Encouraging prisoners to take responsibility
Prerequisites (principles of detention)
Safe enforcement
Normalisation
Transparency
Consistent approach

Tabel 3: 3: Frame of reference in terms of objectives and prerequisites

The synthesis of the answers to the research questions led to the following conclusions:

- (a) The LDC does not make an obvious contribution to improving efficiency.
- (b) The experiences with the daily programme are predominantly negative.
- (c) The LDC encourages prisoners to take responsibility.
- (d) The technology is functioning as it should, after a problematic introduction.
- (e) The detention concept meets the prerequisites regarding safety, normalisation and transparency.
- (f) The penitentiary staff are positive about their work at the LDC.

The LDC meets the prerequisites, with a few exceptions. As regards fulfilling the objectives, there are doubts about the efficient use of sanctions capacity. This is highly dependent on the changes in IT costs and the scale of operations chosen. In addition, the content of the daily programme needs to be improved. These conclusions and those previously mentioned are worked out in more detail and explained further below.

Efficiency

The cost analysis showed that this detention concept can only contribute to the objective of efficiency if carried out on a sufficient scale (at least 600 detention places). The costs for the electronic devices and their implementation are the determining factor here. It is difficult to estimate beforehand the extent to which these costs are structural. It is uncertain - even in optimistic scenarios for the development of technology costs - what efficiency gains can be expected from this detention concept. If costs are fully allocated and 600 or more detention places assumed, the estimated costs range from €126 to €144 depending on the scenario (from 'very optimistic' to 'pessimistic'). For comparison: the norm costs for a standard place in a remand prison are €147.54. However, the LDC can be seen as a tryout location for testing new technology for the entire prison service. In that case the cost estimate would look more favourable as part of the costs would not be allocated to the LDC.

Furthermore, expanding this detention concept is at odds with the policy principle of placing prisoners within their home region. The target group is not so large in terms of the required cell capacity. In addition, the nature of the group is such that if this detention concept were to be applied on a larger scale, problems (or greater problems) may arise in the selection of prisoners for the concept (and possible in the selection of staff as well).

The daily programme

The educational element and the associated e-learning opportunities have been realised in the formal sense. However, the prisoners, the penitentiary staff and the support staff all have a low opinion of them, with the exception of a few specific lessons. Compulsory attendance for lessons

in combination with the system of rewards and punishments also has a negative effect on the atmosphere during lessons. What is more, noise levels in the classroom (located next to the playing fields and the sports hall) do not help in making the lessons a success.

When the LDC was introduced, the position was that the target group of short-stay prisoners should not be given work. At that time the decision was made to include the element 'education' in the LDC with the aim of preventing boredom and letting prisoners spend their time meaningfully. However the content of the daily programme, which the prisoners say is limited in scope, is such that boredom does sometimes arise.

Incidentally, the 'household chores' element is much appreciated, as will be discussed in the following section.

Prisoners taking responsibility

The LDC contains many elements that help to encourage prisoners to take responsibility. Being responsible for keeping your own living area clean and in good condition, making choices about the content of the daily programme, the options on the bedside screen and the cooking and washing facilities in the cell all have a positive effect. The system of rewards and punishments provides extra incentives to take on this responsibility.

The technology and its implementation

The key electronic devices now function as they should. This is the case for the tracking and tracing system, the options on the bedside screen, the PDAs for the staff and the aggression detection system. A number of less crucial elements were dropped. These include reading the paper and books via the bedside screen and support systems offering a number of support services that could reduce workloads (such as the automatic wardrobe system and '*Zuster Clivia*' [nurse Clivia], which would enable a number of medical tests to be taken). The main points for improvement in the technology are the operation of the tamper alarm on the wristbands (the alarm that goes off if a prisoner tries to take off his wristband) and the operation of the webshop's order system.

However, the implementation of the electronic devices was problematic. The timetable for the implementation was too optimistic; also, choices made in the development strategy did not turn out well. This was to be seen, for example, in periods of large-scale failure of bedside screens (as a result of which the beds could not be used) and in the delayed selection of a single tracking and tracing system. The maintenance of the LDC technology turned out to be both crucial and a particularly vulnerable aspect during the implementation and this will also be the case in the near future. The reason for this is that the technology is so specific that only a limited number of

people have sufficient expertise. On top of this, maintenance has to meet stringent requirements because of safety considerations.

Moreover, the study has shown that the implementation was plagued by a fundamental dilemma facing those involved in the LDC. On the one hand, there was the desire to invest in the pilot project so that the problems that had been identified could be solved. On the other hand, it remained unclear whether the pilot project would receive a positive evaluation and whether it would therefore be worth making the investment. This conflict led in some instances to delay in the complete realisation of the detention concept.

The prerequisites of safety, normalisation and transparency

A positive evaluation can be given regarding the prerequisite of safe enforcement. It can be deduced both from the rather low number of incidents and from staff and prisoners' perception of safety that safety in the LDC is not judged to be any less than in other detention regimes. It is true that prisoners seem to be more afraid of their fellow prisoners, in particular of prisoners with mental health problems and prisoners staying only for a very short time¹. The researchers are of the opinion that the division of the building into compartments, the use of technology and the availability of the *Interne Bijstands Team* (IBT, internal assistance team) contributed to the relatively positive opinions on safety.

There are differences in how the stay in a six-person cell is experienced. The functionality of the bedside screen, the facilities available in the cell and the group process in the cell all fit in with the ideas of normalisation and transparency. Half the prisoners even say they like staying in a six-person cell. A quarter of the prisoners are neutral regarding this statement. The prisoners would appreciate it if there were a little more privacy.

However, there are groups - allocated to a six-person cell following screening - who then have a hard time of it. A quarter of the prisoners say they are unhappy with their stay. These are mostly prisoners with mental health problems, drug addicts, vagrants and prisoners staying for a very short period. Other prisoners are also negative in their opinion about having to share a cell with prisoners from these groups. However, these groups are not by definition unsuited to stays in multiple-occupant cells. Nevertheless, these groups are present in large numbers, given the composition of the population entering the LDC (98% are individuals under arrest).

¹ The reference group is described in Appendix A (in Dutch). The reference group consists of prisoners staying in a unit for individuals under arrest. Not all of them were in multiple-occupant cells.

The contact with penitentiary staff is less intensive than elsewhere, although the staff feel that there is more time for the explicit task of 'social intercourse' in the contact they have with prisoners. That is, they do not have to spend so much time on practical matters. Even so, the time a member of the penitentiary staff can spend per prisoner is less than in other settings and that is also how the prisoners see it.

How penitentiary staff experience working at the LDC

The penitentiary staff at the LDC - in particular those involved from the beginning in the implementation of the detention concept - are very passionate about the work they do. Various sources indicate healthy working relationships and only a limited number of violent incidents.

The main differences in the work of the penitentiary staff compared with working in other penal institutions are in the interaction with the prisoners (six people), handling the technology and working in teams with a certain degree of self-management. For these reasons, a number of extra competences are desirable, particularly in the field of technology.