

## Summary ‘Self-reliance in detention’

Summary of: Jong, B.J., de, Willems, P.J.H., & Torregrosa, L.D.R. (2016) *Zelfredzaamheid in Detentie: Evaluatie van de pilot Participerende Detentie & Maatschappelijke Arbeid PI Nieuwersluis*. Den Haag / Woerden, WODC / VanMontfoort.

### Research motivation

Until recently, detainees got little responsibilities and were therefore hardly challenged to take their own initiatives and self-organize their lives. The Program Modernization of Penitentiaries has changed this by focusing on the detainees own responsibility. The personal responsibility for the implementation of the detention period is reflected by creating more freedom within the penitentiary. In addition to this content line, DJI had to cut down since 2013. In order to achieve the budgetcuts the Masterplan DJI 2013-2018 has been set up. Part of the Masterplan DJI 2013-2018 and additional austerity measures (Breukelen measures) is to achieve savings through new regimes that are based on self-reliance of detainees and staff. The Plan of Action '*Innovative and Inexpensive Regimes*' further outlines the way in which these savings can be realized.

The Plan of Action '*Innovative and Inexpensive Regimes*' states that the new regimes should be built on the Program Modernization of Penitentiaries and the need to search for more efficient implementation, where detainees are not more heavily protected than necessary and are deployed within the penitentiary as much as possible. In March 2014, two pilots based on self-reliance launched in the penitentiary Heerhugowaard and the penitentiary Arnhem-South. In march 2015 a pilot was launched in the penitentiary Nieuwersluis. The pilot facility has been given a free hand to determine how detainees should get more space to be self-reliant, but the new regimes must comply with the conditions of humane detention, security and a successful return of detainees to society. The Research and Documentation Centre (WODC) of the Dutch Ministry of Security and Justice has giving VanMontfoort the task, following the evaluation of the pilots in the penitentiary Heerhugowaard and the penitentiary Arnhem-South, to evaluate the pilot based on self-reliance in the penitentiary Nieuwersluis.

### Research

In the present evaluation it has been examined in what way detainees are given greater responsibility in everyday life and work in and outside the penitentiary Nieuwersluis, to what extent the measures taken in the pilot lead to self-reliance among the detainees and whether there are cost reductions. The study looked at:

1. the current and desired self-reliance of the detainees in the penitentiary Nieuwersluis;
2. the measures taken within the framework of the pilot and the vision thereon;
3. the results of the pilot (self-reliance and safety);
4. other measures to promote the self-reliance;
5. the cost reductions by the pilot.

To answer the research questions within these five themes, we started with a literature study on self-reliance in the context of detention. Thereafter, both qualitative (face to face- and group

interviews) and quantitative research methods (self-questionnaire; cost-benefit analysis; analysis of incidents) were used. To identify possible explanations for change in self-reliance, we worked on the basis of realistic evaluation (Pawson and Tilley, 1997).

In addition to experimenting with new regimes that are based on self-reliance of detainees, the penitentiary Nieuwersluis also undertaken the assignment to experiment with Social Labor for detainees.<sup>1</sup> The penitentiary Nieuwersluis decided to combine these two assignments into one pilot: *Participating Detention and Social Labor* (PDMA). The present evaluation only refers to the assignment to experiment with new regimes that are based on self-reliance of detainees. All research results refer to the self-reliance of detainees.

### **Content Pilot *Participating Detention and Social Labor***

The pilot PDMA consist of two components: 1) social labor, and 2) measures that give the detainees more freedom and responsibility. The expectation of the PI Nieuwersluis is that the self-reliance of the detainees participating in the pilot will be extended by allowing them to work (outside of the penitentiary) and giving them more freedom and responsibility for their daily lives within the penitentiary. The expectation is that the detainees feel more useful and have more freedom to fill in their day and prepare for life after detention. Freedom is expected to strengthen the self-efficacy (take self-control, self-reliant and being autonomous) of detainees. If detainees are responsible for their own behavior and future prospects, and are not unduly hospitalized, this will contribute to maintaining their self-reliance.

Within the pilot detainees work the entire day (36 hours per week) and not, like other detainees, just in the morning or in the afternoon. In addition, detainees do not work in the labor room: the detainees who participate in the pilot work outside the penitentiary area on the premises of the penitentiary Nieuwersluis or even outside the premises. On the premises of the penitentiary Nieuwersluis the detainees work at the convention center, the mobile cleaning or the maintenance crew. This is mainly work previously done by external providers. Outside the premises of the penitentiary detainees work, inter alia, at the social workshop, a beautician or the Salvation Army. The detainees arranged the workplace outside the premises of the penitentiary Nieuwersluis themselves or the workplace is arranged for them by the penitentiary. The penitentiary Nieuwersluis has agreements with outside companies to arrange this. The kind of work that the detainees within the pilot conduct offers the detainees more freedom and demands more responsibility than the work in the labor room. Therefore, the detainees within the pilot get higher wages.

In addition to the social labor, detainees participating in the pilot receive more freedom and responsibilities on the unit, at work and in the penitentiary. The detainees in the pilot stay on unit B or unit Q. Unit B only consists of detainees participating in the pilot. On unit Q, the participating detainees stay among other detainees who do not participate in the pilot. The detainees participating in the pilot have more evening recreation: detainees on unit B may stay outside their cells every day until 21:30. Detainees on unit Q may stay outside their cells until 21:30 for four

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<sup>1</sup> Letter of the State Secretary of Security and Justice, dated November 21, 2014, feature 579 858

days a week. The days that the detainees have the possibility to stay outside their cells until 21:30, they have to provide for their own dinner: they cook and do groceries at the supermarket. In addition, the detainees are not locked in during lunch and they have more mobility: within the penitentiary the detainees move around without guidance. Detainees who work outside the premises of the penitentiary Nieuwersluis go to work unsupervised by bicycle or public transport. Detainees on unit B also have access to a garden. Detainees who work outside the premises of the penitentiary also go on a supervised hike on the weekends. If the detainees are outside penitentiary area, they have access to a mobile phone. This enables them to maintain contact with the outside world, including family and their personal network, but also arrange matters necessary for the return to society.

#### *Selection detainees and rules pilot PDMA*

Not all detainees can participate in the pilot PDMA. Detainees must apply for the pilot themselves or are asked by the staff to take part in the pilot. At the start of the pilot the applications were discussed weekly in a special pilot MDO. After a while, discussing the pilot applications was integrated into the regular MDO. In order to take part at the pilot, detainees must meet certain criteria, which include staying in the penitentiary regime, eligible to work, good behavior (participation in the plus program) and group suitability.<sup>2</sup> A prisoner cannot participate if current addiction problems and/or mental problems have an impact on functioning in the pilot.

Before the pilot starts, the detainee signs a contract specifying the conditions and the regulations which are included in the pilot. The contract states that the detainee is at risk to be placed back in the basic regime if she fails to fulfill commitments. If detainees betray the trust they are given, this is followed by exclusion of the pilot and placement within the basic program. Then, the detainee must show good behavior for at least 6 weeks to qualify for the Plus program again and hence for the pilot.

#### *Matching measures pilot PDMA to measures from literature*

In the literature study there has been looked at measures that emerge as promising in the scientific literature to encourage detainees in detention to be self-reliant. The measures in the pilot PDMA are partly consistent with the scientific literature. The possibilities of activities without too much oversight in the day program have expanded, like going to work unsupervised, unsupervised grocery shopping and cooking together. Detainees are also checked for cooking healthy food. Unit B is peaceful and quiet because of the low number of detainees and the penitentiary Nieuwersluis wants to start with education-oriented programs, such as an emergency response course. Other measures which the literature states are promising are not deployed in the pilot PDMA. There is no use of soothing music, there are no peer programs which encourage detainees guiding activities and there is no use of direct punishing or rewarding detainees (*contingency management*). In addition, there is noise on unit Q.

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<sup>2</sup> See section 4.4.5 for a complete list of all selection criteria.

### **Pilot results: self-reliance detainees**

In the present research a self-reliant detainee means *'a detainee that provides in her needs and living facilities as much as possible, minimizes the need of help from the penitentiary staff, fulfills tasks to help keep the penitentiary running and is able, if necessary, to arrange help and support for herself.'* Both staff and detainees think that the self-reliance of detainees is reduced upon entering the penitentiary. Detainees think that they dependent on the staff too much, including issues that they can arrange themselves, such as matters which are aimed at their reintegration into society after detention. A tailored approach based on the degree of self-reliance of the detainees is necessary, since the degree of self-reliance varies by detainee who enters the penitentiary.

#### *Self-reliance detainees in the pilot*

To determine whether the detainees use the given space to be self-reliant, they were asked to fill in a questionnaire on self-reliance. The questionnaire was completed by the participating detainees and by a staff member on detainees. Sixty percent of the statements was filled in positively by the detainees, meaning that they see a positive change in the indicators of self-reliance. The detainees mainly state that the pilot gives them more freedom to fill in their days how they want it (94%). In addition, we see that the majority of detainees find that they keep an eye on each other and correct each other (83%), more often think about their future (78%), feel more useful (78%) and are more cheerful and optimistic (83%). There is almost no difference between detainees who stay on unit B or unit Q. It is striking that more detainees on unit B than on unit Q find that since participating in the pilot, they take greater account with other detainees.

The staff is significantly more positive about the change of the detainees than the detainees themselves. Eighty-one percent of the staff members filled in the statements positively. The staff sees that detainees feel useful, have more freedom to fill in their day, pay more attention to their health, often think about the future and are better prepared for life after detention. The staff sees the biggest effect in the increase of self-reliance due to the use of the mobile phone. The detainees have become less dependent on staff members and are able to search for housing on their own and arrange their banking.

#### *Change mechanism in self-reliance*

The detainees and the staff agree that the detainees use the given space to be self-reliant, because they feel confident that they can and should arrange matters themselves. The detainees should also get this kind of confidence from the staff. The detainees feel fully human again instead of detainee. The freedom to arrange matters themselves and to walk through the penitentiary without guidance, ensures that inmates have a sense of calm and control. This leads to detainees having less stress, causing fewer problems. With the ability to think about the type of work that detainees want to do, detainees are more concerned with the future: participation in the pilot is a good step forward into the future.

### **Pilot result: safety and cost**

The Plan of Action *'Innovative and Inexpensive Regimes'* states that experiments with a new detention regime based on self-reliance may not be at the expense of the safety of staff members and detainees within the penitentiary. Both inmates and staff do not feel less safe after the pilot

initiated. Less supervision does not lead to more escalation or incidents. This is confirmed by the number of incidents during the first year of the pilot compared to the previous year. This has to do with the feeling of responsibility. The detainees are aware that by violating the rules, they can be excluded from the pilot. For many, this is a strong motivation to prevent incidents and to work out group conflicts: this is social control. When the present research was conducted, two detainees were excluded from the pilot: one because of a positive urine control and the other for not keeping commitments.

In addition to maintaining the safety, experiments with a new detention regime based on self-reliance should lead to cost reductions. The penitentiary Nieuwersluis expects the pilot PDMA to achieve savings by fully implementing the idea of the Semi-Liberté on a unit. This allows that less staff is needed during the day, because the detainees are not on the unit. The expected savings with a department of 24 detainees is approximately € 475.000 per year. Currently, these savings are not yet realized because the physical layout of the penitentiary Nieuwersluis does not allow this. Moreover, the required number of detainees has not yet been reached in the pilot. Because of the social labor there can also be saved on other components. Detainees in the pilot PDMA take over work that was previously done by other (external) providers. Because of the pilot, contracts with a number of outside companies were not renewed. A preliminary calculation shows that the penitentiary Nieuwersluis saved at least €73.000 on an annual basis.

### **Conclusion: considerations for expansion measures pilot PDMA**

The research revealed that the detainees use the space that they are given to be self-reliant. In addition, research has been done under what terms and conditions the mechanisms for self-reliance are best reflected. This gives attention to the expansion of the pilot PDMA within the penitentiary Nieuwersluis and other penitentiaries in the Netherlands.

#### *Features of detainees*

In order to be able to take part in the pilot PDMA detainees have to be in the plus program. This means that the participating detainees to some extent already are self-reliant, before participating in the pilot: they must show self-reliant and responsible behavior before they can enter the plus program. Therefore, the pilot is not suitable for the entire detainee population. Once they are in the pilot, it is seen that some detainees only use the given space to be self-reliant because they get a reward in return (the freedoms and responsibilities), others see it as a chance for a better reintegration after their detention period. This asks for a tailored approach from the staff: from a *contingency manager* to a coaching or just a facilitating role.

Detainees who are not self-reliant by themselves currently have no place in the pilot. According to the staff, making these detainees more self-reliant is exactly the challenge. However, more is needed than just providing the space to be self-reliant: these detainees should be made self-reliant by, for example, training or other forms of support.

#### *Expanding the detainees target group*

The space to be self-sufficient within the pilot is reserved for detainees with a remaining sentence of less than 12 months. As a result, long-term detainees are excluded from the pilot in advance and thus deprived of the space to be self-reliant during their detention. When extending the pilot, it is

advisable to examine the possibility to give detainees with a remaining sentence longer than 12 months the space to be self-reliant. Within the penitentiary there are various options, as can be found in the literature.

#### *Staff attitude*

To give detainees the space that is needed to be self-reliant, the attitude of the staff is essential. Working with measures that give detainees the space to be self-reliant, asks a different attitude from the staff towards the detainees. The culture of managing and controlling must be replaced by a culture of trust and working together. This attitude is not obvious for the staff of the penitentiary. The group of workers who normally work on a very less secured facility (ZBBi) do have this attitude in general, but for penitentiary officers and guards, this is a new way of working. Therefore, professional development (expertise) or case discussion is necessary.

#### *Support organization*

According to the staff, the implementation process did not go completely as planned. They feel that they were not sufficiently involved in the process. The lack of communication on both the realization and the practical implementation of the pilot has led to reduced support from the staff. The pilot requires a different attitude from the staff. The staff supports the idea of the pilot, but if they are not included in the development of the pilot and are not supported in this way of working, the support decreases. This allows the staff falling back into the old pattern of controlling and monitoring. This has a negative effect on the self-reliance of the detainees. Therefore, there must be attention for the active involvement of all staff when further expanding the pilot: from penitentiary officers and guards to labor staff and executives. To realize the change in attitude, it is important that staff members are properly controlled and receive guidance from their managers.

#### *Physical environment*

Both inmates, staff, and the management see added value in placing pilot participants on a separate unit. By achieving this, the pilot participants learn from each other and encourage each other in a positive way. The atmosphere is more relaxed on a separate unit, because all detainees participating in the pilot are motivated to work on their future. By means of more calmness and less noise detainees utilize the given space to be self-reliant. More calmness is especially experienced on a small unit, in which all detainees participate in the pilot. A unit also including detainees who do not participate in the pilot causes more noise and prevails more agitation.

### **Recommendations for further research**

In the present study, we see two starting points for further research:

1. The pilot PDMA has more goals than stimulating self-reliance. This is due to combining two assignments from the Ministry of Security and Justice. Also, the pilot is still in development. Therefore, in time, it is recommended to evaluate the pilot as a whole and to consider the extent to which the pilot goals are achieved.
2. Penitentiary Nieuwersluis only houses female detainees. It is impossible to say with certainty that the self-reliance mechanisms work the same on male detainees. Application of the pilot on male detainees may require adjustments. Therefore, further research into the development of a pilot similar for male detainees is strongly recommended.