

## Rehabilitation by Design

Influencing Change  
in Prisoner Behaviour

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# Introduction

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The decision made in the EU referendum has undeniably changed the contours of political debate in the UK. However, while the Government negotiates the conditions of 'Brexit' we simultaneously continue to face a crisis in our prison system. Before the referendum the Government made clear that our prison system is failing, and it still is.

Our prisons have been left to languish somewhat, as if they and the people they house are beyond redemption. Hidden behind high walls and razor-wire topped fences, prisoners have become objects to be feared, warehoused and ultimately forgotten. More often than not, current structures and processes actively stifle the initiative, innovation and creativity of staff and prisoners alike.

It is time to reassess the effectiveness of such an approach, and the Prisons and Courts Reform Bill provides the perfect opportunity to do so. In short, our prisons need to become places of hope rather than despair. First introduced by Michael Gove (former Secretary of State for Justice), responsibility for the Prison Reform Bill has now passed to The Right Honourable Liz Truss, who recently said:

*“I want to see radical reform and I am under no illusions about the scale of the challenge we face or how long reform takes ... I will set out the next steps for this agenda in coming weeks, but I am clear that the vital work of prison reform will continue at pace.”*

The Lord Chancellor  
and Secretary of State  
for Justice, Rt Hon  
Elizabeth Truss

While there is understandably some ambiguity surrounding what the prison reform agenda will actually entail, it does appear that Liz Truss agrees with former Prime Minister David Cameron's assertion that prisons need to be more conducive to rehabilitation; they should be places which turn "remorse and regret into lives with new meaning<sup>1</sup>."

<sup>1</sup> Cameron, D (2016) Prison reform: Prime Minister's speech delivered at: Policy Exchange, Westminster

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*Almost 600 incidents of self-harm*

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*According to Safety in Custody Statistics England and Wales (MOJ 2016)*  
During an average week prison staff across the country will have dealt with:

*At least one self-inflicted death, probably more*

*Approximately 350 assaults -including 90 on staff*

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## Why is prison reform needed?

While there are a number of reasons why prison reform has become a political priority, arguably the most pressing of these is re-offending – also called recidivism. There are currently over 80,000 people in prison or jail across England and Wales<sup>2</sup> and almost all of these people will be released at some point. Their time spent serving a custodial sentence can – and should – be used as an opportunity to rehabilitate lives.

Prisons need to become environments which prepare offenders for successful re-entry into the community. After all, a custodial sentence is somewhat futile if that prisoner goes on to re-offend upon release. At present though around 45% of adult prisoners will re-offend within one year of release<sup>3</sup>, so addressing recidivism (alongside first-time offending) is crucial to reducing crime. Moreover, re-offending alone costs the Government up to £13 billion a year<sup>4</sup>.

Yet it is not only re-offending within the community which should be cause for concern. The Prison and Courts Reform Bill likewise offers an opportunity to address the ever growing instances of violence within prisons; violence which is directed at other prisoners, at staff and toward the self. This is a significant problem which has yet to be fully addressed.

In short, it is widely recognised that – despite the best efforts of staff and Governors – our prisons are ineffective at reducing recidivism and are instead places which breed violence, bullying and intimidation. By any measure we need to address the inefficiency and ineffectiveness of our prison system. Yet part of the problem is the prisons themselves. Many prison buildings within the estate were constructed more than a century ago and conditions in some of these premises are no longer up to modern day standards; they are not fit-for-purpose, if that purpose is rehabilitation.

## An ageing, ineffective estate

Of prisons currently in use, 28 were built in the nineteenth century, five in the eighteenth century, with two built as far back as the sixteenth century (see Appendix A for a list of all prisons considered to be historic in the UK).

With a new modernisation strategy in mind, at the end of 2015 the Government announced plans to invest £1.3 billion in a high quality modern prison estate. Nine new prisons will be constructed in England and Wales and some of the existing prison estate will be sold for housing and other development. As part of the Prison and Courts Reform Bill, the Government will commit to making prisons places of reform, where offenders will – as recommended by Dame Sally Coates<sup>5</sup> – have access to better education and work opportunities.

## Safety in prisons

Using older buildings to house prisoners has a number of drawbacks, one of which relates to the safety of both prisoners and staff. In their 2015-2016 annual report<sup>6</sup>, Her Majesty's Inspectorate of Prisons (HMIP) concludes that men's prisons are still experiencing high level of self-inflicted deaths and serious self-harm. For the most vulnerable offenders, our prisons are unsafe.

In addition, levels of violence have increased in almost every male prison, while support for the victims of bullying and violence is generally poor. In 2015, there were over 20,500 assaults on prisoners, an increase of 24% on the previous year, and there were also over 32,000 accounts of self-harm, 25% more than the year before<sup>7</sup>. The prevalence of violence and self-harm presents a fundamental barrier to rehabilitation.

The use of segregation in almost two-thirds of prisons is increasing. In most segregation units, prisoners are held for 23 hours per day with nothing meaningful to occupy their time. Some prisons curtail (already minimal) access to showers and telephone calls as punishment. HMIP considers this level of isolation and lack of purposeful activity detrimental to the physical and mental health of prisoners<sup>8</sup>.

## Purposeful activity

Purposeful activity outcomes in adult male prisons have improved, but from a very low base and are still only deemed 'good' or 'reasonably good' in around half of prisons. Additionally, the effectiveness of new standardised core days (daily unlock times and provision of purposeful regime activities and association) has been adversely affected by staff shortages.

Excessive time locked in a cell often leads to deterioration in mental health and HMIP expects therefore that prisoners should be unlocked for 10 hours a day. However, only 14% of prisoners said this was the case (no change from 2014–15) and the shortage of staff for supervision is blamed as the root cause of this problem<sup>9</sup>.

In addition, the process of moving prisoners to learning, skills and work activities from wings is generally ineffective and poorly managed, with prisoners often allowed to fail to turn up or arrive late, failing to promote a good work ethic<sup>10</sup>.

## Resettlement

In their annual report, HMIP note the assessment system in most prisons is inadequate and in some cases negatively impacts both sentence planning and access to rehabilitative programmes. Some offenders, managed by the National Probation Service, failed to be assessed upon release<sup>11</sup>. They also found that most prisons are not active enough in ensuring public protection arrangements are in place and this has resulted in rushed release planning.

Support for those released without accommodation likewise remains variable, which has implications for securing employment post-release. The number of prisoners leaving with no fixed accommodation has risen.

Lastly, the quality of learning, employment and training advice provided by the National Careers Service is good in just over half of the prisons inspected. However HMIP suggests this is rarely linked to effective 'through the gate' work with other services and organisations<sup>12</sup> (see Appendix B for a more detailed review of recent findings from HMIP).

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<sup>2</sup> Population and Capacity Briefing Friday 10th June 2016 (MOJ, NOMS and HMPS 2016)

<sup>3</sup> Cameron, D (2016) Prison reform. Prime Minister's speech delivered at: Policy Exchange, Westminster

See also Proven reoffending statistics released quarterly by the Ministry of Justice (MOJ 2016)

<sup>4</sup> *ibid*

<sup>5</sup> Ministry of Justice (May 2016) Unlocking Potential A review of education in prison – by Dame Sally Coates

<sup>6</sup> HMIP (2016) HM Chief Inspector of Prisons for England and Wales Annual Report 2015–16. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/538854/hmip-annual-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538854/hmip-annual-report.pdf)

<sup>7</sup> *ibid*

<sup>8</sup> *ibid*

<sup>9</sup> *ibid*

<sup>10</sup> Ministry of Justice (May 2016) Unlocking Potential A review of education in prison – by Dame Sally Coates

<sup>11</sup> HMIP (2016) HM Chief Inspector of Prisons for England and Wales Annual Report 2015–16. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/538854/hmip-annual-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538854/hmip-annual-report.pdf)

<sup>12</sup> *ibid*

## A chance for change; an opportunity for hope

As illustrated above, we need to reform our prison system, which is why, on 27th July 2016, the Justice Committee launched a major, high level enquiry into the anticipated Prison Reform Bill. The enquiry aims to scrutinise the Ministry of Justice's programme as it unfolds, with this initial call for evidence followed by a series of sub-inquiries as more details emerge<sup>13</sup>.

In lieu of any findings from the enquiry, there is still some confusion about what the Prison and Courts Reform Bill will actually entail. However, all indicators seem to suggest we expect to see a commitment to:

This will initially be seen in the creation of six 'reform prisons', followed by the introduction of legislation that is likely to facilitate more autonomy with regard to commissioning and procurement arrangements for prison-based services, including health and education.

## Reforming education in prisons

- This will likely include the implementation –at least in principle –of the recommendations laid out in the review 'Unlocking Potential'.

## Reforming the structures of accountability

- This will likely mean the introduction of new measures both to ensure good performance, and to highlight those institutions which are under-performing

## Modernising the current estate and embarking on new builds

- £1.3 billion will be ring-fenced for the prison modernisation programme, which will include the development of nine new prisons. It is expected that the first five will be built under the current Government

## Prison closures

- Continue with plans to close inner-city Victorian prisons which have been identified as out-dated, operationally expensive and not conducive to rehabilitation

In addition to the above, former Chief Inspector of Prisons Lord Ramsbotham has recently suggested that part of prison reform should be directed at changing accountability structures because, with the exception of high security prisons, no one has overarching responsibility for any type of prison or prisoner. Due to this lack of centralised accountability, Lord Ramsbotham suggests:

***“There is no consistency, and anything good put in by one Governor is likely to be dropped by the next. I would have directors of local, training, resettlement, women’s and young offender’s prisons, as well as directors of lifers, sex offenders, foreign nationals, the elderly and, until the nonsense is resolved, indeterminate prisoners.”***

Each one of these would lay down what was to happen to prisoners, in either those prisons or categories, leaving individual Governors to determine how it was done in their prison<sup>14</sup>.

Moreover, as Lord Ramsbotham points out, 'you don't need legislation to make this happen'<sup>15</sup>.

## How should we approach this opportunity for reform?

There is no one 'theory' of crime, or one 'theory' of desistance. Different people act in different ways at different times for different reasons. We can at least agree on that. Rehabilitation is a multi-faceted and complex process, which can be undermined as easily as it can be encouraged. Full of false starts, rehabilitation is a long and difficult journey for many, and that which motivates one offender to desist from crime may not motivate another.

However, there are commonalities between cases and it is these similarities on which we need to focus. The desistance literature can help us understand the reasons why people stop committing crime, so this research – in many ways – is our starting point. For example, Sampson and Laub's (2001) research identified 'turning points' as significant predictors for change; those moments in life – getting a job, having a child, being inspired by a mentor – are when change is most likely to occur. More often than not these turning points also create social bonds and social capital – giving an ex-offender something to lose by committing crime.

The more opportunities we can provide for individuals to experience these 'turning points', the more attachments they will have to pro-social people and behaviours. We need to find ways to identify and change the 'pathways' back to criminal activity, and this change can only happen in a climate of hope. Offenders need to believe a life without crime will provide a better future.

## Desistance through hope

We start from the position that all offenders need hope, but we recognise that hope can come from a variety of sources and that each individual will find it in different places. However, while each offender is different, family, prison staff, employment and accommodation are the core elements which need to work together to create a climate in which hope, wellbeing and aspiration can thrive.

Such a climate needs to offer real opportunities to live and sustain a more fulfilling life without the pull that crime or substance use so often provides. In Transforming Rehabilitation: a summary of evidence on reducing reoffending, the Ministry of Justice identified nine 'desistance factors'<sup>16</sup> most likely to help offenders to stop committing crime. We believe these factors should drive prison reform. A summary of the nine desistance factors is presented in figure 1.

In short then, we are not seeking to offer a model per se, but rather to discuss and debate the facets and factors which we believe are fundamental elements of the complex, interconnected systems which together encourage desistance from crime. However, this is only possible with some understanding of the current problems being faced – and of equal importance – the problems we are likely to face in the future.

<sup>13</sup> Justice Committee investigation: details can be found here: <http://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/news-parliament-20151/prison-reform-launch-16-17/>

<sup>14</sup> Personal communication between the authors and Lord Ramsbotham  
<sup>15</sup> *ibid*

<sup>16</sup> Ministry of Justice consultation paper CP1/2013 (2013) Transforming Rehabilitation: A revolution in the way we manage offenders. [https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting\\_documents/transformingrehabilitation.pdf](https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting_documents/transformingrehabilitation.pdf)

Fig 1. Summary of Desistance Factors found in Transforming Rehabilitation (MOJ 2013)<sup>17</sup>

Desistance factor	Link to desistance
<b>Getting older and maturing</b>	Getting older and maturing tend to support desistance, particularly for those involved in street crime where, typically, offending rates peak in the late teens or early 20s, then decline steadily before dropping off sharply around the age of 30. This may be due to ex-offenders giving more attention to their families and relationships (see below). The likelihood of reoffending after release from custody also reduces with age.
<b>Family &amp; relationships</b>	Forming supportive bonds with others appears to help desistance. Family and relationships can reduce the amount of time spent in groups of same age, same-sex friends (a known risk factor for young male offending). Strong partnerships and relationships with children also provide an individual with something to lose if there is a return to prison. Living with non-offending parents can have the same sort of effect on ex-offenders. Finally, family and intimate attachments may give offenders a sense of purpose, meaning and direction. Individuals who devote themselves to raising children or caring for parents may find that crime and imprisonment are incompatible with such roles.
<b>Sobriety</b>	Drug and alcohol dependency and misuse are associated with offending. Recovery from addiction is often a key part of desistance processes, although the effect is not automatic, and some individuals may abstain from addictive substances but not crime, or vice versa. Evidence suggests that steady employment – particularly if it offers a sense of achievement, satisfaction or mastery – can support offenders in stopping offending.
<b>Employment</b>	Employment has been identified as an important factor in supporting desistance among offenders aged over 27. However, employment alone cannot prevent offending, and some offenders can desist without employment.
<b>Hope and motivation</b>	Research suggests those who desist are usually very motivated and confident that they can change their lives. Offenders who clearly say they want to stop offending are the most likely to desist. The impact of motivational factors has even been found in long-term studies up to ten years after release from prison.
<b>Giving something to others</b>	People who feel and show concern and empathy for others are more likely to desist from crime. Offenders who find ways to contribute to society, their community or their families appear to be more successful at giving up crime. If these achievements are formally recognised, the effect may be even stronger.
<b>Being in a social group</b>	Those who feel connected to others in a (non-criminal) community are more likely to stay away from crime. Social networks that help desistance include extended family, mutual aid groups, clubs and cultural or religious groups.
<b>Noncriminal identities</b>	People with criminal records who do not define themselves purely as 'offenders' but see themselves as basically good people who made a mistake may find it easier to desist.
<b>Being believed in</b>	Having someone believe in them is important and desistance can be supported by interactions with others who communicate a belief that they can and will change, that they are good people, and that they have something to offer society or others.

17 ibid

## Future projections

Since the 1940s, the UK's prison population has been steadily growing and, since the 1990s, the rate of growth has been especially high<sup>18</sup>. Over the last two decades, the prison population in England and Wales has almost doubled (reaching 84,405 in mid-June 2016). See figure 2.

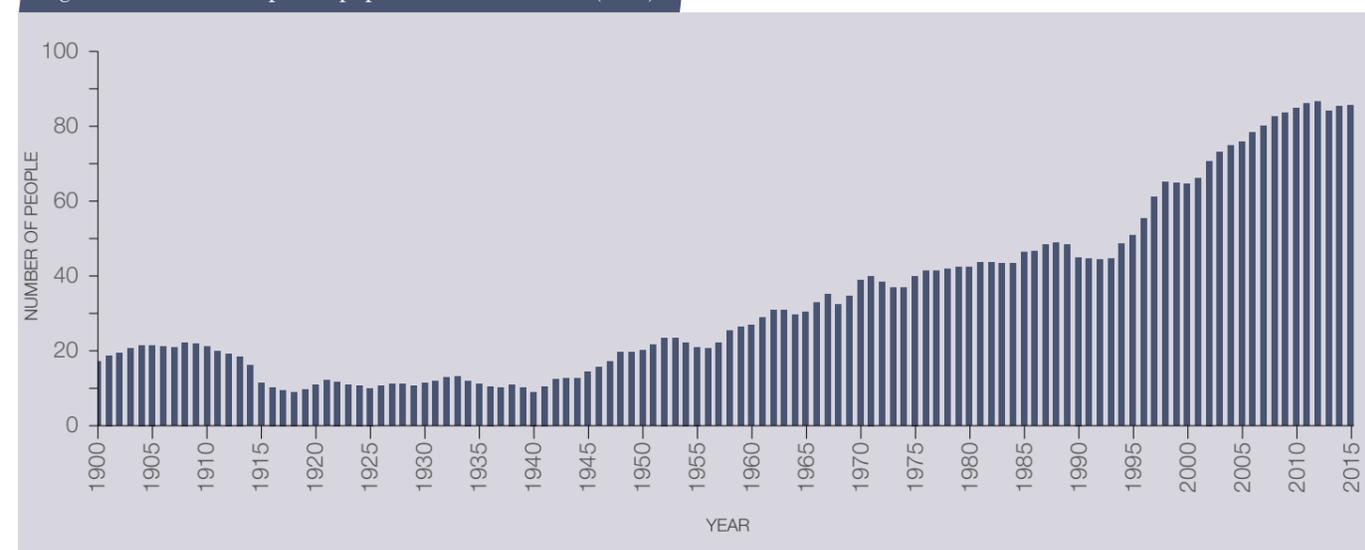
Yet this trend may be slowing down, stabilising, or even reversing. Between March 2015 and March 2016, there was a very slight decrease in the prison population (0.3%)<sup>20</sup>. However, it is too early to tell if this is a new trend and, even with this small reduction in the prison population, England and Wales has the highest imprisonment rate in Western Europe with approximately 148 prisoners per 100,000 in the general population<sup>21</sup>.

A major reason for the high number of prisoners in the UK is the high rate of recidivism. Close to half (46%) of adult releases have been re-convicted within one year<sup>22</sup> and among prisoners serving less than 12 months, the reoffending rate is 59%<sup>23</sup>. A second principal reason for the comparatively high prison population is that, at the other end of the spectrum, the average sentence length for serious offences has increased from 39 to 57 months; a 46% increase. Longer sentences have accounted for two-thirds of the increase in the number of prisoners<sup>24</sup>.

The size of our prison population is a problem, with prisons currently operating at 111% of certified normal capacity on average, with some at over 160%. The new, planned prisons will hopefully relieve some pressure on the system, but the detrimental impact of a growing prison population should not be underestimated.

As such we believe that non-custodial alternatives are an important method by which prisoner numbers can be managed. Incarceration makes many people worse and can actually increase the chance of re-offending. Coupled with designing effective environments for rehabilitation, significant changes are needed to increase the success and scope of community-based sanctions and other non-custodial alternatives. We will – throughout the book – offer recommendations based on prison and alternatives to incarceration.

Fig 2: Historical total prison population: 1900 – 2015 (000s)<sup>19</sup>



18 Allen, Grahame & Dempsey, Noel; Commons Library Briefing, July 4, 2016., Prison Population Statistics  
 19 ibid  
 20 ibid  
 21 International Centre for Prison Studies website, <http://www.prisonstudies.org>

22 Ministry of Justice (2016) Proven Reoffending Statistics Quarterly: July 2013 to June 2014, London  
 23 [open.justice.gov.uk/reoffending/prisons](http://open.justice.gov.uk/reoffending/prisons)  
 24 Ministry of Justice (2016) Offender Management Statistics Quarterly: October to December 2015, London

## Why have the authors come together to write this book?

The planned prison reforms which featured front-and-centre in the Queen's Speech 2016 have the potential to fundamentally change the way we approach criminal behaviour. Before his departure from office, David Cameron suggested that developing a 'twenty-first century prison system' needed to be a 'great progressive cause' in British politics, adding:

***"We need a prison system that doesn't see prisoners as simply liabilities to be managed, but instead as potential assets to be harnessed."<sup>25</sup>***

These goals are far from modest, which means the stakes are high. Concerned with more than just the 'look' of our prisons, the Prison Reforms Bill affords an opportunity to truly interrogate the fundamental principles which underpin approaches toward rehabilitation. We feel this is a genuine chance to make prisons and non-custodial alternatives more effective, both in terms of cost to the public purse and with regards to meaningful behaviour change.

## How successful might our prisons be if we could:

- Reduce assaults on staff by over 50% by adopting a different behavioural approach?
- Reduce the stress and anxiety under which staff work?
- Change behaviour through prison design?
- Genuinely see lives changed for the better while inside prison?
- Reduce life-cycle costs by using staff more efficiently and putting prisoners to work?

While this book cannot fully address all aspects of rehabilitation, it will nevertheless go a long way to answering the questions posed above. We are confident the evidence we present, from the UK and abroad, is sufficiently encouraging to be included as part of the current debate in the UK.

Drawing together a number of different themes and perspectives, this book includes contributions from: global construction consultant Gleeds; renowned industry advisors PricewaterhouseCoopers; Professor of Criminology and expert in prison design Yvonne Jewkes (University of Brighton, UK); Professor of Psychiatry and expert in behaviour change Keith Humphreys (Stanford University USA); American Justice Facility Planner and Design Consultant Mark Goldman; Chief Executive of The Nehemiah Project, Dr John Patience; and Senior Lecturer in Criminology Dr Hannah Thurston (University of Brighton, UK).

## Limitations of this book

There is no silver bullet when it comes to reducing recidivism; rehabilitation is a different process for different people. That said, we can learn lessons from other counties and evaluate our own penal policy in the hope of making better decisions.

What is presented in this book then, are facets of rehabilitation. We have selected the elements of rehabilitation which are most useful in understanding behaviour change and the prison environment. We would encourage readers to envisage 'change' as all of the following:

- The potential for an individual to change
- The interactions out of which these changes occur
- The potential for systems to change
- Professional and management change (prison staff)
- The potential within the local context of commissioning groups, local authorities, statutory providers, third sector support, volunteers and local communities
- The influence of the centre and ministerial change

All of these (along with associated decisions made at various levels) impact on the systems designed to encourage offenders to change their behaviour. Hence it is all the more impressive that Governors, staff and prison partnerships can achieve so much despite the complexity of the process. Clearly no one book could adequately present all aspects of such a dynamic process, but we can offer a guide to what – according to evidence – has worked in the past and will be likely to work in the future. Organisational, institutional and personal change is complex but not impossible.

## What this book does not set out to do

It is not within the scope of this book to adequately address the issues faced by female prisoners, because these challenges can be somewhat different to men. That said we emphasise that many of the examples of good practice offered in this book would also be highly beneficial for female offenders (for example, access to nature, opportunities for education, drug rehabilitation, good work prospects and support when re-entering the family/community).

Similarly, it is not our intention to fully examine the reasons for – or indeed strategies to reduce – deaths upon release from custody. However, again, it is likely that many of the issues discussed in the chapters which follow (relating to feelings of helplessness, despair and loneliness; poor mental and physical health; substance dependency and difficulty in accessing services) may be just as prevalent once outside the prison gate.

Lastly, we have focused our attention on low and medium risk offenders rather than high risk offenders. Clearly from a safety and security perspective, high risk offenders present staff with very specific challenges based on the threat they pose. Moreover, models of behaviour change – when used with high risk offenders – will usually need to vary depending on what crime was committed and why. While certain recommendations made in this book may be appropriate for high risk offenders, we would not want to overstate their applicability.

## Driving principles behind this book

The Focus of *Rehabilitation by Design* is primarily on how to ensure prisons are supportive environments for rehabilitation, but the authors fully recognise that many alleged and convicted offenders do not pose a danger to others and do not need to be incarcerated. We would suggest that this cohort would benefit much more from non-custodial alternatives. Non-custody programmes that follow 'best practices' include case management, supervised pre-trial release, day reporting with individualised programmes based on each person's needs, American-style 'drug courts' and other specialty 'problem-solving' courts.

Furthermore, while prison programmes have traditionally been based on the 'what works' literature, we would suggest that however excellent the programme or course, the critical issue is – and has always been – how it is delivered and received.<sup>26</sup> We therefore start from a position which views change as a 'human process'.

***"Achieving change is a human process, in that the quality of relationship will be a key determinant of outcome; that the personal qualities of the agent of change will thus also be critically important; that for change to occur the offender should confer legitimacy on the agent of change and on the process for achieving change; [and] that legitimacy flows from fair and respectful treatment."<sup>27</sup>***

<sup>26</sup> DARE programme  
<sup>27</sup> Hough, M (2010) Gold standard or fool's gold: the pursuit of certainty in experimental criminology. *Criminology Criminal Justice* 10 (1), pp. 11-22 <<http://eprints.bbk.ac.uk/3815/1/3815.pdf>>

## Guide to using this book

In addition we draw from an often overlooked area, ‘self-recovery’. Here the emphasis is not on a particular approach or on the expert, but on the individual to become responsabilised within their current environment. Interlaced with this are the small and often unnoticed, normal interactions of life. We frame this by arguing in favour of the ‘normalisation’ model, as pioneered in Belgium, the Nordic countries and other parts of Europe.

Normalisation refers to the ways in which prison can, where possible, be made to reflect ‘normal’ life. Indeed, the last Secretary of State for Justice praised the newly appointed Governor of HMP Berwyn (set to open in 2017) for his intention to ‘normalise’ prison life; the ‘men’ (not prisoners) will have ‘rooms’ (not cells) and staff will be encouraged to knock before entering. Yet normalisation can also refer to addressing criminal behaviours in more normal non-custodial environments.

Non-custodial sentences served in the community have proved highly effective elsewhere. With many offenders posing little risk to the public, alternative sentences would often be more fitting both for the offence and for the offender. In short, evidence suggests that more normalised prisons and programmes in the community can have a positive impact on offenders’ behaviour.

Chapter 1 is entitled ‘**Integrating rehabilitation and prison design: Influencing a change in prisoner behaviour**’. This chapter sets out some of the driving principles of the book in more detail. Here readers will find a description of the normalisation model and a discussion about what is needed to create normalised environments. It also outlines what we mean by ‘agency’ and provides suggestions of how we can use agency and normalisation (with a step up, step down approach) to make offenders responsible for their own rehabilitation. The main aim of the chapter though, is to demonstrate how fundamental the design of a prison is to its operation, outcomes and chances of success.

Chapter 2 – ‘**Education and work: Creating and sustaining a culture of hope and aspiration**’ provides a discussion about how work and study can be used as opportunities to responsabilise offenders serving custodial sentences. Drawing from the recommendations outlined in ‘Unlocking Potential – A review of education in prison’ (MOJ 2016)<sup>28</sup>, it considers how we might go beyond basic skills and how technology can be used more effectively in education so as to move toward the ‘digital prison’. It also examines the benefits of putting prisoners to work maintaining the prison grounds/communal areas, or working in prison services such as laundry or kitchens. Moreover, this chapter offers a brief discussion about how we might support prisoners’ re-entry into the community by offering them skills training in jobs which are currently under-recruiting, such as the construction industry.

<sup>28</sup> Ministry of Justice (May 2016) Unlocking Potential A review of education in prison - Dame Sally Coates

Chapter 3 is entitled ‘**Balancing security needs with spatial aesthetics: Allowing the outside in**’ and provides a discussion of how we can support rehabilitation while at the same time ensuring the safety and security of the prison and the wider community. It will be argued that many of the people who motivate offenders to change their behaviour are actually located outside the prison – family, friends, volunteers etc. As such we should seek to (where possible) let the ‘outside in’ through clever design. More specifically, the chapter offers recommendations around how we can use prison design to facilitate opportunities for meaningful interactions between offenders and the community, offenders and their families, and offenders and prison staff.

Chapter 4 is ‘**The many functions of a prison: Supporting prisoners with complex health needs**’. This chapter explores how changing demographics of the prison population have had a corresponding impact on the prison as an institution. For example, many offenders need the prison to be a place for prayer and worship, a mental health ward, a detox facility, a geriatric ward and/or an accident and emergency department. The chapter therefore discusses the changing functions being performed by prisons and the implications this has for both designing and staffing prisons now and in the future.

This book concludes with Chapter 5 ‘**Balancing the books: Reducing operational and construction costs while supporting rehabilitation**’. With contributions from PricewaterhouseCoopers this final chapter offers a discussion about how we might make our prisons more cost-effective and sustainable, while still ensuring they remain successful rehabilitative environments. It also offers a series of recommendations which include a number of ways to make considerable savings to staffing costs and the overall life-cycle costs of the prison.

## Conclusion

In conclusion, we hope this book makes a considerable contribution to what will no doubt be extensive debates about the future of our prison system and the use of non-custodial alternatives. It aims to provide realistic, evidence-led recommendations based on robust analyses, and should be of interest to anyone concerned with making a meaningful change to offenders’ behaviour.

We believe that now, more than ever, is the time to take stock of the evidence base about ‘what works’ (and with whom) and what does not. While a crime-free society is an impossible dream, that is not to suggest people cannot change. As David Cameron has proposed, we can and should seek to make ex-offenders ‘better neighbours’<sup>29</sup>.

If we are to successfully move forward and implement innovative alternatives to the status quo however, we must first have an understanding of what that status quo consists of. If change is to be accepted, it needs to work for (rather than against) those tasked with implementing it, and it needs to complement (rather than complicate) those elements of the system which are working effectively already. Appropriate and well-evidenced calls for change will – if devoid of context – be resisted at best, and rejected at worst. The reminder of this book not only evaluates current approaches to rehabilitation in prison, it also offers alternatives to the status quo.

<sup>29</sup> Cameron, D (2016) Prison reform: Prime Minister’s speech delivered at: Policy Exchange, Westminster

# Five key recommendations from Rehabilitation by Design

The five key areas where benefits could be harnessed relate to the following:

## Change to the Justice System

Cut prison sentences and length of stay in half by using incarceration to remove from society people who truly pose a serious risk of harming others, and by greatly expanding intensive, evidence-based, treatment-oriented, non-custodial alternatives. For those incarcerated, provide mandatory community-based re-entry programmes tailored to each individual's needs. For those who fail on non-custodial alternatives, provide a full gamut of sanctions consistent with the premise of "Swift, Certain and Fair," with incarceration as an option for those who repeatedly do not respond positively to less severe penalties and restrictions.

### Why is this important to Rehabilitation by Design?

Incarceration makes many people worse. The costs per person for incarceration and the costs to families and society are higher than for all non-custodial alternatives. A combination of evidence-based practices and treatments can slash the incidence of recidivism and long-term costs.

## Designing prisons to encourage offenders' families to visit more regularly

This would include ensuring that prisons are easily accessible by public transport and have adequate parking. It also relates to normalised visit centres which should be welcoming for families and avoid institutional design.

### Why is this important to Rehabilitation by Design?

Prisoners' families have huge rehabilitative potential because they can change a stigmatised identity. Desistance literature teaches us that if an offender feels part of a pro-social group, then they can begin to re-imagine themselves, and in turn re-imagine their life. Seeing oneself as a 'good father' or a 'good son' can be the biggest motivator to sustained behaviour change, both while in prison and once released. Moreover, allowing offenders to spend meaningful time with their children – through helping with homework for example - encourages them to be more involved as parents upon re-entry into the family home. Supporting family to visit can therefore both reduce recidivism and improve parent-child relationships. Lastly, the family member of offenders - be they parents, siblings or spouses – can and does provide accommodation upon release. If these bonds are broken during a custodial sentence, offenders may become homeless or be placed in a hostel, which can have consequences for gaining and sustaining employment.

## Designing prisons to be more supportive of prison staff

This includes providing excellent sightlines, pleasant and stimulating work environments, on-site amenities, and competitive pay with clear means for advancement.

### Why is this important to Rehabilitation by Design?

By improving working conditions for staff, prisons become more effective in terms of attracting and retaining more qualified staff, who in turn can be more effective in their jobs. Both staff and prisoners benefit from natural light with views of nature, noise control/good acoustics, comfortable temperatures, time spent each day in a variety of spaces including outdoors, few barriers between staff and prisoners, good communications, lack of boredom, ability to address personal issues, motivation to improve oneself, and of course safety and security. A housing unit, for example, that contains these physical attributes for staff also contains them for prisoners. Staff satisfaction and wellbeing results in less time taken as sick leave, and improves the retention of good, consistent staff. This not only benefits offenders but also improves safety and reduces costs based on less staff training/ recruitment.

## Designing fewer, smaller, more 'normalised' prisons

A radical reduction in prisoner numbers must be central to reform. England and Wales is over-reliant on the use of imprisonment which succeeds only in incapacitating offenders (usually temporarily and at huge expense) while failing to rehabilitate them or deter future offending.

### Why is this important to Rehabilitation by Design?

Our current prisons and future prison planning strategy are a statement of failure. England and Wales lock up too many men, women and children for too long in over-securitised yet still often dangerous conditions. We could radically reduce prisoner numbers with no detrimental impact on crime rates, leaving a smaller population in custody to receive more tailored and effective help with rehabilitation and resettlement. Fewer prisoners would enable us to design and build smaller prisons which, research evidence shows, are significantly better than larger facilities at housing prisoners safely, providing them with meaningful work, education and training, encouraging purposeful activity, and fostering healthy relationships. A more modest prison planning strategy (in size and scope) would also enable prison architects and designers to embrace the principle of 'normalisation'; that is, that people go to prison as punishment, not for punishment. Prison conditions that, as far as possible, approximate to normal living and working conditions in society are vital to successful rehabilitation.

## Designing prisons to become places of positive change where an individual's journey is both encouraged and sustained

Currently our prisons offer inmates little hope of any future that is much different from their past - this needs to be reversed so that on leaving, the majority will leave with newly acquired skills and an attitude that tells them that they can succeed, and that they are now better equipped to re-enter society. What this constitutes will be different for each person and may seem very small at first, but, from the realisation that 'change is possible', many can then follow a new trajectory and, in time, start to rebuild the links with family and realise that they can make a positive contribution to society. We need prisons where the culture is woven through with the prospect of change, supported by Swift, Certain and Fair boundaries.

### Why is this important to Rehabilitation by Design?

Encouraging positive change should be the default position for prison design: in this way design principles can both 'nudge' and perhaps even sustain change. Psychologically Informed Environments are designed with these principles in mind. In practice it is about physical elements such as natural light, colour, design, layout, but the consequences stem from how the environment influences communication and interaction.

## *Chapter 1*

Integrating rehabilitation  
and prison design:  
*Influencing a change in  
prisoner behaviour*

## Integrating rehabilitation and prison design: Influencing a change in prisoner behaviour

### 1.1 Introduction

It is now widely accepted that the built environments in which we live have consequences for the mind and the body. In Scandinavia, prison architects have famously experimented with progressive and highly stylised forms of architecture, which unsurprisingly cost more (and contain far fewer prisoners) than their counterparts in England and Wales. However, they have also designed internal prison spaces that explore more open, flexible spatial planning, seeking to mirror more closely 'normal' life outside the prison. These modern prisons need not cost more than the over-securitised prisons built recently in England and Wales. Their designers set out to create 'humane' alternatives to the traditional architecture of incarceration.

We believe that in conjunction with well-trained and supported staff, clever prison design is a vital component of rehabilitation. Even the best staff will struggle to support behaviour change if the built environment is not conducive to such a goal. Moreover, this argument – that prison design is a fundamental aspect of rehabilitation – is particularly pertinent given the fact that nine new prisons are planned for England and Wales. As such, this first chapter offers realistic and innovative recommendations about prison design based on evidence-led analysis.

More specifically, the chapter begins by outlining the core principles of the 'normalisation' model pioneered in Scandinavia, while also suggesting ways in which that model can be used to drive prison design here in the UK. The chapter then moves on to a discussion of how

clever design can reduce frustration, anger, violence and depression when used in conjunction with a clear framework of rewards and incentives. The chapter concludes by arguing that all of the above should be considered alongside the 'Swift, Certain and Fair' approach to non-compliant behaviour that has been used in the USA. In short, using illustrative examples from home and abroad, this chapter shows how we can 'build in' opportunities for rehabilitation.

### 1.2 The normalisation model

We recommend adopting the normalisation model wherever possible. Normalisation recognises the prisoners as a social beings with many facets to their identity, not just a 'prisoner'. It also refers to the ways in which the prison environment can be made to reflect 'normal' life. This may relate to small changes in language ('men', not prisoners; 'rooms', not cells; 'gardens', not yards, etc.) but, more fundamentally, evidence suggests that making the built environment more normalised can have a significant impact on offenders' behaviour. From a design perspective prisons should 'design in' opportunities for prison life to mirror normal life as far as possible.

With this in mind, we recommend that all prisoners work towards living in 'normalised' housing units, such as those pioneered in Denmark where it is mandatory for all adult prisoners to cook for themselves. In the Nordic countries, prisoners typically live in units of up to twelve individuals who share a kitchen/communal area (much like University halls). In many such living units, they are responsible for collectively managing a budget, deciding what they will cook and eat, ordering foodstuffs from a well-stocked prison shop and preparing and cooking meals together (an important socialisation skill). Alongside this expectation, they receive education on nutrition, personal hygiene and the importance of maintaining a healthy lifestyle.

#### 1.2.1 What is a normalised prison environment and what is 'agency'?

A normalised prison environment will include: cells that seek to provide opportunities for agency; communal areas that prisoners take responsibility for maintaining; a framework of rewards to encourage progress and access to both passive and active incentivised spaces. All of these combine to give the offender more autonomy and agency.

By affording offenders more autonomy and agency – be it through cooking, recreation or simply being able to control the heating and lighting in their cell – prisons can encourage those in custody to take responsibility for themselves, their behaviour and their surroundings.

We need to use the environment – be it the prison or a community sentence – to inspire the desired outcomes; in this case behaviour change and responsabilisation. In education this is referred to as 'constructive alignment' (Biggs 2011)<sup>30</sup>; we align the environment with the intended outcome. More specifically though, in the context of incarceration and rehabilitation, we should design prisons with opportunities for 'agency' in mind (please see below for a definition of 'agency').

<sup>30</sup> Biggs, J (2011) Teaching for Quality Learning at University, Buckingham: Open University Press/McGraw Hill



**A** Agency is best understood as a sense of control; it is the knowledge that 'I' have some power to impact my life, my future and my direct environment. Opportunities for agency allow people to see how actions have impact. For example, prisoners and ex-offenders should take responsibility for (and ownership of) certain aspects of their lives and their immediate environments.

Changes which promote agency may be relatively small – giving prisoners’ control of the lights or windows in their cell, allowing them to choose their own meal options, encouraging them to store and administer their own medication. These are all ways in which an individual can exert some agency over their immediate environment and lifestyle. Introducing these small opportunities for agency will encourage prisoners to feel a sense of control and can, at least in part, begin to facilitate a more ‘normalised’ daily routine.

By designing in opportunity for agency, and recognising when prisoners achieve progress, we can encourage prisoners to take responsibility for their own rehabilitation.

## 1.2.2 Opportunities for agency in prison

Due to the structured nature of prison life, there are a number of opportunities, in addition to those listed above, to encourage agency. For example prisoners can and should take responsibility for the prison grounds and gardens, the visiting area, an on-site allotment, booking their family and legal visits, and any other communal spaces such as a café or Community Hub (see Chapter 3 for more discussion). In addition all prisons should run schemes to provide opportunities for offenders and ex-offenders to become mentors and mentees (see Chapter 2 for more detail).

Taking on these types of responsibilities can then be rewarded, allowing the prisoner to see and experience how positive behaviour generates positive outcomes. Such outcomes might include increased privileges, and ultimately a step-up into less secure units, followed by further step-up to half-way houses with periodic monitoring, and finally living independently within the community. This type of prisoner responsabilisation (that involves prisoners in

painting, decorating, gardening, building, maintenance etc.) can also reduce the overall maintenance and operational costs of the facility (see Chapters 2 and 5 for more discussion of how work can reduce cost).

In addition to the cost-effective and rehabilitative potential of providing opportunities for agency, engaging in activities such as these can also be used to develop specific skills and attributes. Working as a grounds keeper or helping to maintain the estate means that, upon release, the ex-offender will be able to demonstrate their ability to work independently and in a team, or evidence a time when they took instruction or showed initiative. Moreover, such activities, gardening for example, can also become pro-social hobbies once back in the community.

As is probably already clear, the normalisation model can, in part, be employed within any prison. Changes can be made to language, more frequent visits can be allowed for good behaviour, prisoners can be rewarded for maintaining prison buildings, for example. Yet the most effective way to facilitate rehabilitation through normalisation is to ‘design in’ these types of opportunities for agency and responsabilisation so as to ensure they are available to all prisoners.

## 1.2.3 The normalisation model: Design implications

Prisons are more often than not conceptualised in terms of their sensory deprivation properties. Typically characterised by austere buildings, stark interiors, long, straight corridors and bland colour schemes, prison aesthetics might more accurately be termed anaesthetics, blunting or numbing the senses<sup>31</sup>.

<sup>31</sup> Jewkes, Y. (2013) ‘The Aesthetics and Anaesthetics of Prison Architecture’ in J. Simon, N. Temple and R. Tobe (eds.) Architecture and Justice, Farnham: Ashgate

Prisons are among the most stressful places imaginable and commonly exhibit several of these conditions at the same time, as well as sometimes being (and/or feeling) dangerous and crowded. Research shows that the effects of multiple environmental stressors are cumulative, making negative health impacts more likely and more serious.<sup>32</sup>

Moreover, the coping mechanisms people usually employ, including having a sense of normality and stability, social contact with family and friends, feelings of competence and control, and access to nature, are largely unavailable in prisons<sup>32</sup>. As such, we should seek to design new prisons so as to reduce feelings of stress, depression and frustration rather than magnify them. We should consider how best to create environments which are conducive to behaviour change, while at the same time taking account of building standards. For example, prisons in the Nordic countries – which have significantly lower recidivism rates – are designed so as to avoid sensory overload. That is, they are built in such a way to reduce the likelihood of becoming over-lit, unnecessarily noisy, oppressively hot/uncomfortably cool, or insufficiently ventilated. In short, we can build environments which reduce frustration and anger, and are thus more conducive to rehabilitation.

## 1.3 Using design to reduce anger, frustration and violence

It is worth noting that all new-build prisons in the UK must conform to sustainability building industry standards that demonstrate their environmental credentials as measured by independent assessors against a set of criteria. Moreover, in association with the National Offender

<sup>32</sup> Wener, R. (2012) The Environmental Psychology of Prisons and Jails: Creating Humane Spaces in Secure Settings. Cambridge University Press, New York, NY.

Management Service, BREEAM (Building Research Establishment Environmental Assessment Methodology) includes a specific sustainability assessment and standard developed especially for the prison sector. However, sometimes there is disjointedness in philosophy and practice that has perverse consequences.<sup>33</sup>

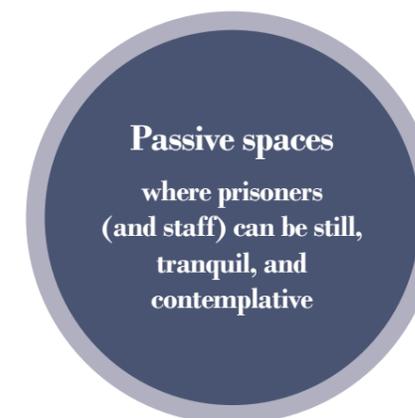
For example, the recently constructed prisons in England and Wales that meet BREEAM standards of efficiency in their design and build quality lack the green spaces in landscaping that might be conceived as part of the holistic picture of a ‘healthy prison’. In an age where prison design and construction are driven by the imperatives of (low) cost and (high) security, planting trees and flowerbeds in prison grounds is regarded both as unnecessary and a security risk. Yet without plant life, prison sites do not attract birds, insects and other wildlife and can become curiously sterile, artificial places; anathema to the notion of a healthy or healing environment.

As such, we would strongly recommend that any new prison has a variety of outdoor spaces. Having access to nature is proven to improve wellbeing which in turn could reduce anger and frustration, both of which can lead to violence and depression. Incorporating nature may go some way to reducing incidents of assault, bullying, self-harm and suicide – issues we discuss at length in Chapter 4.

### 1.3.1 Designing passive and active spaces

When planning outside spaces on prison sites, consideration should be given to both ‘passive’ and ‘active’ spaces. The latter might include sports fields, courts for ballgames, gym equipment (e.g. bars for pull-ups), walking paths and jogging tracks.

<sup>33</sup> Jewkes, Y. and Moran, D. (2015) ‘The paradox of the “green” prison: sustaining the environment or sustaining the penal complex?’ Theoretical Criminology 19(4): 451-469



Activities that combine both elements, e.g. yoga, should be adequately catered for. Recreational activities are important not only because they promote wellbeing, but also because they alleviate boredom which can cause a variety of negative behaviours such as violence, self-harm and drug use. They also release tension, reduce anxiety and help prisoners manage excess energy. Moreover, prisoners on some (e.g. anti-psychotic) medications may suffer side effects of excessive restlessness and need access to a variety of activities during recreation periods. Lastly, the opportunity to engage in (and become attached to) positive recreation is often the most powerful motivator to sustain behaviour change.

Additionally, prisoners need opportunities to relax or have quiet times away from other prisoners, and thus flexibility is a key principle to good prison design. Whether indoors or outdoors, prisoners should be given the option to remove themselves from group activities and they should be able to access a quieter area, without necessarily having to withdraw to their cells. This is particularly important for high needs prisoners, who can become quickly overwhelmed in group settings.

### 1.3.2 Basic design principles which promote positive behaviour

In addition to passive/active outdoor spaces the design of indoor spaces is of paramount importance. Prisons, especially accommodation units, have historically been noisy, institutional environments that do little to ease anxiety or promote healthy behaviour change. This has a detrimental impact on both prisoners and staff. When prisons have been designed to create a calm and normalised environment, research indicates that prisoners are more relaxed and easier to manage<sup>34</sup>, the prison is safer and has reduced staff turnover which can impact on costs substantially (see Chapter 5). Prison design significantly influences how the prison functions once in operation.

Moreover, safety and security are enhanced in environments with good visibility for staff into prisoner areas and high levels of interaction between staff and prisoners. Both direct and indirect supervision needs to be facilitated by design. Other features linked to more positive prison environments for both staff and prisoner are natural lighting, references to nature (these can be figurative or artistic, as well as literal), use of varied materials, uneven lines and

<sup>34</sup> Pratt, J. (2008) Scandinavian Exceptionalism In An Era Of Penal Excess :The Nature And Roots Of Scandinavian Exceptionalism

sensitive colour palettes. As with any environment though, and never more so than in the prison context, the management of temperature, noise and light will have a significant impact on levels of frustration, anger and depression, and concomitant requirements for medication to manage these emotions.

### 1.3.3 Managing temperature

An unforeseen effect of efficient insulation and building materials, which were used in the construction of new additions to existing establishments, is that prisoners and staff have been found to endure exceedingly high ambient temperatures in the summer months. In cells, prisoners have to rely on window grilles with dense steel security mesh as their only source of fresh air.

The thermal efficiency of high-performing buildings (from the perspective of BREEAM) is that, with limited natural ventilation, the indoor environmental quality is poor, leading to uncomfortable conditions for prisoners and staff alike. While blankets may be distributed to prisoners in cold weather, prisons do not lend themselves to flexible ventilation when the temperature is hot, and prisoners (and staff) are 'at the mercy' of the building to a greater degree than, for example, office workers who can open a window, or go outside during their lunch break<sup>35</sup>.

### 1.3.4 Managing acoustics

Pervasive levels of noise in most prisons can have profound effects, and damage to, or loss of hearing may be a serious and under-treated problem. There is little research on the psychological effects of noise in prisons but findings in other settings show that noise can:

- damage mental and physical health
- affect the amount and quality of sleep
- increase levels of annoyance, frustration and aggressive behaviour
- reduce pro-social behaviour and meaningful interactions with others
- interfere with concentration and patience during task-focused activity (e.g. education)
- result in higher levels of medication being prescribed for health concerns

As such avoiding auditory overload should be a key concern for prison architects. This will benefit both prison staff (including teachers, medical practitioners and therapists) and prisoners alike.

### 1.3.5 Managing light

Lighting levels similarly warrant greater attention. Sunlight is frequently a scarce commodity in prisons and artificial lighting is often either unnecessarily harsh or too dim to carry out tasks. Because of light's role in regulating circadian rhythms, people need both good light during daytime hours and good dark at night in order to sleep well<sup>36</sup>. Prisons often lack both, and insomnia is a significant problem. Inadequate sleep can increase irritability, aggression, depression and self-inflicted death<sup>37</sup>.

**Research in healthcare settings show that light levels affect mood and – when right – can reduce depression, as well as levels of stress and pain.**

36 Wener, R. (2012) *The Environmental Psychology of Prisons and Jails Creating Humane Spaces in Secure Settings*. Cambridge University Press  
37 *ibid*

As such, prison design needs to consider all opportunities to regulate temperature, noise and light levels in cells and communal areas. This will be likely to increase prisoner productivity in education and work, while at the same time reducing prisoner anxiety, frustration and depression. The management of noise, temperature and light fits more broadly within the normalisation model, in that it seeks to make the prison environment less institutional and more like 'normal life'. In addition though, to create normalised rehabilitative environments, prisoners must be awarded a perceived level of freedom which is often absent in older prisons.

That is not to suggest prisoners should be free to roam the prison grounds day and night unsupervised, but instead that prisons should be designed to emulate freedom wherever possible while still maintaining safety and security.

This may seem somewhat counter-intuitive at first glance, yet perceived freedom can have a significant impact not only on reducing frustration, anger and violence but also in facilitating rehabilitation. Advancements in communication and surveillance technology mean that emulating freedom is possible while maintaining security and controlling for contraband. The need to evaluate how we can combine effective technology with intelligent design is thus an important issue.

### 1.3.6 Combining effective technology with intelligent design

Technological advances allow an environment to appear more 'normalised' while still retaining security measures. This will be discussed further in Chapter 3 but in short, CCTV, discreet electronic wristbands (which look like ordinary watches and allow prisoners to be tracked anywhere in the

prison), listening devices and Blackberry-style communication aids for staff all enable immediate/enhanced intelligence reports while being relatively non-intrusive<sup>38</sup>. Under the normalisation model these types of technologies can emulate freedom while at the same time assisting staff to manage contraband and identify non-compliant behaviour.

In addition to using technology effectively, we recommend replicating freedom through design where possible. The use of glazing rather than bars, infra-red sensors with less prominent barriers, and fences not walls are advised because they can assist in suicide prevention (due to better sight lines) and provide noise control which reduces stress, tension, assaults and difficulty sleeping. The rationale for making incentivised spaces appear less secure and humane (through both technology and design) comes from well-evidenced research on desistance.

For example, according to *Transforming Rehabilitation* (MOJ 2013)<sup>39</sup>, people who do not internalise the label 'criminal' are more likely to desist from crime. In effect the fabric of the buildings and the environmental layout determines certain types of identity and behaviour. High internal walls, thick mesh fences, numerous gates, cage-like interiors and heavy, vandal-resistant furnishings all communicate negative messages to prison inmates that may become self-fulfilling (e.g. 'you are animals'; 'you are potential vandals'). Put simply, conventional penal aesthetics may simply reinforce criminal and criminalised identities<sup>40</sup>.

38 Offender Information Services (OIS) *Prison Technology Strategy Version 0.8*, London: NOMS  
39 Ministry of Justice consultation paper CP1/2013 (2013) *Transforming Rehabilitation: A revolution in the way we manage offenders*. [https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting\\_documents/transformingrehabilitation.pdf](https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting_documents/transformingrehabilitation.pdf)  
40 Tartaro, C. (2003) 'Self-inflicted death and the Jail Environment An Evaluation of Three Types of Institutions', *Environment and Behaviour*, 35 (5), 605-620

In contrast, designing spaces which feel more open and less overly securitised can encourage an offender to internalise a different more positive label; the entrusted individual who has earned their privileged position and is in charge of their future. In addition to freedom by design though, a clear framework of incentives is needed. Many people who are given a custodial sentence do not – when they arrive – want to change their behaviour. Having spent years, decades even, perfecting their way of life, the prospect of change can be a daunting one. As such custodial sentences should be viewed as an opportunity to make incremental changes to behaviour, and prison design needs to both accommodate and reward these changes.

## 1.4 Designing for incremental behaviour change

Progressive prison design will be only be effective if used in conjunction with the 'step up, step down' approach, a fundamental part of normalisation. Simply put, this approach allows for prisoners to be rewarded for good behaviour and punished for non-compliance. While certain rewards and punishments can be used irrespective of design (removing a television, or family visit rights for example), the most effective incentives often relate to living conditions and access to certain spaces.

We believe that by designing in opportunities to 'step up' – that is, for example, to live in less secure environments – prisoners will be incentivised to change their behaviour and maintain that positive change throughout their sentence. In other words, having the ability to earn privileges through sustained good behaviour is proven to motivate offenders to desist from more negative behaviours such as violence, intimidation, bullying and drug use/drug supply.

### 1.4.1 The 'step up, step down' approach

Crucially the 'step up, step down' approach needs to be both well-defined and fair; prisoners must know exactly what behaviour will elicit what outcome. When used correctly, it can be a highly successful way of facilitating behaviour change. The strength of this approach is two-fold:

- **Firstly** it provides something to lose/remove from non-compliance
- **Secondly** it makes the offender accountable for their own choices and actions; prisoners effectively become responsible for their own rehabilitation



**Good behaviour should be rewarded in a number of ways so as to incentivise all prisoners.**

These might include stepping up to less austere living conditions (communal campus style flats for example) or more freedom to move around unescorted, more family visits, more desirable work duties etc. We discuss examples of 'step up' incentives in sections 1.5 and 1.6 of this chapter.



**Non-compliant behaviour should result in a step down.**

This might mean moving to a more secure, more austere environment or the removal of privileges such as kettle or television.

This can work in conjunction with the 'Swift, Certain, Fair' approach found to be very effective in the USA. We discuss the success of Swift, Certain and Fair later in this chapter.

## 1.5 Making offenders responsible for rehabilitation

The 'step up, step down' approach seeks to align the environment (prison) with the intended process or outcome (responsibilisation, rehabilitation and behaviour change). This alignment can be achieved most successfully through design by 'building in' opportunities for agency and responsibility. A framework of incentives can be used to 'nudge' individuals toward desistance through responsibilisation.

In other words, by showing how one success can build on another, hope for a different and better future begins to seem possible. This process of responsibilisation likewise needs to allow individuals to acknowledge that their previous choices and actions will have had negative consequences for others; their own families, the victim of their crime and the wider community. In short, recognising the negative impact of destructive behaviour will only be effective if good behaviour is simultaneously rewarded.

However, while prison and community based alternatives should encourage people to take responsibility for their crime(s) and make better choices in the future, prisons and some community based programmes often limit opportunities both to take responsibility and to make choices. There is a mismatch between the approach we take and the outcome we desire.

Chronic staff shortages in prisons in England and Wales have also contributed to the problem because prisoners often spend longer periods of time in their cell than is ideal. While we strongly advocate a 'working day' model whereby prisoners are 'out' at work and/or in education, and have as much movement around the prison site as is feasible, we nonetheless recognise that there may be times when prisoners are confined to their cells for long periods. As such, good cell design is vital.

### 1.5.1 Cell design: Basic requirements

The design and layout of cells should reflect the numerous cell functions, providing a multi-purpose personal space. This means somewhere to sleep, toilet, shower, eat, watch television, read and undertake personal study. Prisoners also need adequate, secure storage for their personal items within their cells. Lighting within the cell, both natural and artificial, should allow for all these activities, during the day or at night.

Prisoners should also be afforded dignity while feeling safe, so good, easy visibility into cells by both custodial and health staff is vital. However, prisoners must be afforded privacy, reflective of a decent and humane environment, especially in the bathroom. Ventilation and heating in cells should be appropriate to climatic conditions. At least one cell on each wing of an accommodation unit should be designed to be able to house prisoners with physical disabilities.

As far as is possible, cell design should emulate the standard of rooms in a university student hall of residence. Single cells should be the norm and they should have an en-suite shower room and toilet. A small number of double cells offer the opportunity for those who want to 'double-up' to do so and can be particularly advantageous for individuals deemed at risk of self-harm or self-inflicted death to be 'buddied up' with another prisoner. All cells must be designed to minimise the risk of prisoners hurting themselves or others.

### 1.5.2 Cell design: Promoting agency and responsibilisation

It is essential that both outdoor spaces and cells are designed to offer opportunities for agency and promote responsibilisation. As argued throughout this chapter, giving prisoners more agency encourages responsibilisation, which in turn helps offenders to see the impact of their behaviour on themselves and others. Agency through design can thus have a significant impact on rehabilitation.

In short, prisoners should be able to control as much as possible in their immediate (room) environment. This goes not only for temperature, light air circulation etc., but also for the 'softer' elements that make a prison cell feel like 'home'. There could be a great deal more flexibility in allowing for some personal furnishings, bed linen, curtains, photos, posters etc. Such allowances help people in prison to feel 'invested' in their surroundings and look after them well.

Research literature on prison violence also suggests that affording prisoners a degree of personal autonomy/agency over their environment can encourage compliance and reduce frustration<sup>41</sup>.

Moreover, having the capability to exercise some autonomy also encourages prisoners to take personal responsibility in a way that mirrors expectations in the wider society. It is an effective means of testing and rewarding behavioural gains, and can be part of an incentives and earned privileges programme. Shared spaces which prisoners are responsible for maintaining and decorating (gardens, prayer rooms, gym etc.) also foster a sense of responsibilisation.

<sup>41</sup> Fairweather, L. (2000). Psychological effects of the prison environment. In Leslie Fairweather and Sean McCorville (eds) *Prison Architecture: Policy, Design and Experience*. Architectural Press: Oxford



Other practical examples include the ability to prepare a hot drink or a snack, have a phone, own an iPad, or have access to more TV channels. In-cell television should be available to all prisoners, including those under observation in care and separation units. Likewise, in-cell telephony can go a long way in helping prisoners to maintain family links and in reducing the number of illegal mobile phones smuggled into prisons along with all the attendant problems associated with this high status 'currency' (see Chapter 3 for further discussion).

In short then, we suggest that good cell design, coupled with effective use of technology and a clear framework of incentives (which allow a prisoner to progress to more normalised environments) will assist positive behaviour change. However, in order for this 'step up, step down' approach to be successful, offenders need incentives. These can of course be individual items for personal use, but access to incentivised spaces are likely to prove highly desirable to most prisoners.

### 1.5.3 Designing incentivised spaces

Giving well-behaved prisoners access to incentivised spaces is likely to reinforce improvements in behaviour. A design that allows for progression, with good behaviour rewarded through access to amenities such as indoor spaces with 'softer' fixtures and fittings, more in-cell equipment (kettle, fridge, picture board), pleasant association rooms, large outdoor areas with seating, planting etc., can be a powerful motivation for behavioural change. Conversely, disruptive, violent or anti-social behaviour can be managed with a move 'backward' or a 'step down' to more

austere living conditions. However, the drive for compliance must be balanced by an understanding of the 'therapeutic' effects of outside spaces. The current tendency to 'punish' non-compliant prisoners with limited periods of exercise in small concrete yards may be counterproductive.

In Scandinavia, prisons are equipped with state-of-the-art lighting imitating daylight. They employ extensive use of reinforced glass so as to avoid the need to have bars on windows and designers prioritise views of green spaces and sky from the offenders' rooms and communal areas. In addition, many Scandinavian prisons use different colour palettes creating varied atmospheres in each 'zone', with displays of artwork, uneven horizons and curved lines/rounded walls rather than corners. By incorporating these design features into our own new prisons we might be able to mitigate against some of the more negative features of prison life which are known to impact negatively on prisoner wellbeing and in turn, impact negatively on the likelihood of rehabilitation.

A solid body of evidence links improved health outcomes in relation to depression, agitation, and sleep with access to nature<sup>42</sup> and it must be recognised that there is value in being able to provide some prisoners – particularly those with high needs – with access to outside space where they can engage in therapeutic activities in a natural setting. These could include, for example, gardening, gentle exercise, walking or having one-to-one conversations with their personal officer.

<sup>42</sup> See Dilani (2008) Psychosocially Supportive Design: A Health Promoting Approach on Prison Environments. Downloaded from <http://www.designandhealth.com/uploaded/documents/Publications/Books/A-Health-Promoting-Prison-Design.pdf>

## 1.6 Addressing non-compliant behaviour

In addition to incentivising good behaviour, prisons need to be ready to manage non-compliance. Yet in both prisons and in community supervision programmes, offenders often face a system that sends confusing signals about what the rules are and what the consequences are for breaching them. An ostensibly forbidden behaviour (e.g., cannabis use, making threats) may be ignored on some occasions and punished severely at others.

Further, the criminal justice system is often so slow to administer consequences that offenders frequently draw no connection between a punishment and a long-ago behaviour in which they engaged. Unsurprisingly, offenders typically react to this arrangement by increasing misbehaviour and becoming alienated from a system that they perceive as capricious rather than just.

These feelings – associated with a system perceived to be unfair and arbitrary – can lead to frustration and anger, both of which are highly undesirable in what is already a very volatile environment. There is however a better way of supervising offenders.

### 1.6.1 Swift, Certain and Fair: A model of rehabilitation

This method of encouraging behaviour change is well mapped to the realities of how human beings learn. It has been proven to do a better job of reducing re-offending, decreasing frustration with the system and reducing the need for overly punitive punishments for offenders in the community. The core principles of this method for administering criminal justice relate are swiftness, certainty and fairness, all of which are considered of equal importance.

## Swift

Swiftness means when offenders engage in undesirable behaviour the system administers a consequence rapidly

While giving governors more autonomy is welcomed, we would nevertheless recommend that the 'Swift, Certain, Fair' approach to non-compliant behaviour be adopted across the entire prison estate. Testing the approach will clearly have benefits, but if successful in trials, it should be adopted relatively quickly to ensure it is perceived as 'fair' by prisoners who are moved between prisons. To be clear, if any one of the core components is not achieved, the approach is far less likely to be effective.

Ample scientific research documents that if a punishment is certain, it does not need to be severe to deter misbehaviour. Also, modest punishments (e.g. limiting access to incentivised spaces for a period of time) can be administered more swiftly than severe or harsh punishments, which take an extended time to apply because due process procedures are appropriately more extensive.

### 1.6.2 Applications of Swift, Certain and Fair: USA and UK

A classic application of Swift, Certain and Fair principles emerged a decade ago in the US state of South Dakota – mandatory sobriety. Frustrated at the revolving door of alcohol-involved offenders in his courtroom, Judge Larry Long mandated them to abstain from alcohol for 90-180 days and backed it up with twice daily breath tests. Offenders who had a positive breath test experienced a consequence (one night in custody) immediately with no exceptions. Despite the modest nature of the penalty, its swiftness and certainty were extraordinarily motivating. After over 8 million tests, offenders have appeared for the breath test and passed it at a rate of 99.1%.

Rigorous research on what came to be called "24/7 Sobriety" showed that counties which implemented it experienced a 12% decrease in repeat drink-driving arrests as well as a 9% decrease in domestic violence arrests<sup>43</sup>. Its state-wide implementation was followed by declines in vehicular homicide and population mortality<sup>44</sup>. The programme was endorsed by the Obama White House, rated as a promising practice by the US Department of Justice, and has already been adopted by a dozen US states with more to come.

Swift, Certain and Fair principles have also been shown effective at reducing illegal drug use and criminal offending among supervised individuals who have problems with substances other than alcohol (e.g., methamphetamine)<sup>45</sup>. This is not surprising as Swift, Certain and Fair programmes employed fundamental principles of behaviour change rather than anything specific to alcohol consumption or indeed to substance use behaviour in general. Indeed, judges are now beginning to apply them to other monitorable offender behaviours such as breaching the grounds of restraining orders (i.e., venturing near the home of a domestic violence victim) and violating the terms of child sexual abuse-related restrictions (e.g., lingering near playgrounds).

In light of this evidence, Parliament in 2012 authorized trials of mandatory sobriety in the UK. The first pilot was conducted in South London with 111 offenders, 92% of whom successfully completed all conditions of supervision, a rate half again higher than what is typical in those boroughs. The Greater London Authority and the Ministry of Justice are now rolling the programme out London-wide.

<sup>43</sup> <http://www.rand.org/health/projects/24-7.html>  
<sup>44</sup> [http://www.rand.org/pubs/external\\_publications/EP66340.html](http://www.rand.org/pubs/external_publications/EP66340.html)  
<sup>45</sup> <http://hopehawaii.net/>

### 1.6.3 Applications of Swift, Certain and Fair: Prison context

More recently, several US jurisdictions have begun applying Swift, Certain and Fair principles inside correctional facilities as a way to create a safer, more predictable environment for staff and offenders and to promote productive behaviour change. While the programmes are still relatively new, the States of Washington and Pennsylvania both have initial evidence suggesting that:

*Implementing Swift, Certain and Fair principles in response to problematic behaviour in prisons reduces assaults on inmates and staff, as well as stress on both inmates and staff.*<sup>46</sup>

Opportunities thus exist to more broadly apply Swift, Certain and Fair principles in community supervision programmes and within prisons. The result will be greater safety for offenders, staff and the public, as well as more fairness and accountability in the system.

### 1.7 Conclusion

In conclusion, this chapter has sought to consider how prison design can impact on prisoner behaviour. It goes without saying that clean, humane and safe environments are unquestionably desirable for prisoners and prison staff, and that factors such as natural daylight, aesthetic stimuli and comfort are clear indices of quality of life. The imperatives of cost, safety and security that have underpinned the design (and subsequent additions to) prisons in England and Wales have all had an impact on the 'look' and 'feel' of these custodial environments.

Yet in very recent years, prisons in England and Wales have witnessed multiple ascending trends: overcrowding; the growing prominence of security concerns within and outside the penal estate; the radicalisation of prisoners to fundamentalist faiths; an influx of 'legal highs', mobile phones and other contraband; an unprecedented number of murders; and a dramatic rise in self-harm and self-inflicted death. These issues are clearly cause for concern, yet a fresh chapter is unfolding in the evolution of custodial design. Now is the time to question our 'taken for granted' knowledges about the way we should build new prisons.

This chapter has offered a series of recommendations (summarised below) based on the normalisation model of incarceration more commonly associated with the Nordic countries, which have much lower re-offending rates than England and Wales. Creating normalised environments which are conducive to rehabilitation should be a priority in the coming years, and should be taken into consideration when designing cells/communal areas and planning outdoor spaces. All elements of the built environment should be designed with responsabilisation and agency in mind.

In addition, this chapter has outlined how administering Swift, Certain and Fair punishments for non-compliance can increase prisoner and staff safety while also providing the basis for successful, long-term behaviour change. As a new raft of politicians and civil servants review the future of the prison estate, we fervently hope that those individuals responsible for commissioning, designing, constructing and operating future prisons in England and Wales will follow the lead of their counterparts in other countries. This is our chance to create environments that facilitate rehabilitation, helping offenders prepare for meaningful and productive lives upon release. Quite simply, we can build prisons that offer future generations of prisoners hope.

## Recommendations

### Addressing the need to make prisons conducive to responsabilisation

Recommendations: design to encourage responsabilisation through normalisation. For example we suggest an on-site essentials shop; some communal kitchen areas; opportunities to manage a weekly budget; rooms for prisoners to engage with IT and arrange visits/appointments; single cell (or 'room') design with toilet/washing facilities; more personal belongings in rooms; more opportunities for family visits (on-and off-line).

### Reducing violence; contraband, bullying and intimidation

Recommendations: designing to incorporate good sight lines which also create a sense of openness; use of glazing rather than bars to increase mental wellbeing; single cells with washing facilities to reduce frustration and increase privacy; better use of technology to support risk reduction and increased staff contact with prisoners.

### Reducing self-harm, suicide, poor mental health

Recommendations: better use of natural light; using design to minimise sensory overload and sensory deprivation (eg. noise reducing design features); passive and active recreation areas; specific colour schemes in different areas to encourage desired behaviour; curved lines, rounded walls (to replace corners) and uneven horizons to reduce mundanity of environment.

### Reducing anger/frustration due to inherent perceived unfairness

Recommendations: clear step up, step down (incentive vs punishment) framework; implementation of the Swift, Certain and Fair approach as pioneered in the USA. We do not recommend that this is offered as an alternative to rehabilitation but rather as an approach that is complementary and delivered alongside proper assessment, treatment and appropriate support.

<sup>46</sup> <http://triblive.com/state/pennsylvania/10630935-74/somerset-inmates-staff>

## *Chapter 2*

*Education and work:  
Creating and sustaining  
a culture of hope and  
aspiration*

## Education and work: Creating and sustaining a culture of hope and aspiration

### 2.1 Introduction

People who have committed a crime must take responsibility for their actions – this is a fundamental aspect of rehabilitation, as discussed in the previous chapter. However, offenders, particularly those serving custodial sentences, also need to be given the skills and tools with which to succeed. Hope for a better future is a prerequisite of behaviour change. Upon release from prison, ex-offenders need the ability and confidence to locate themselves within the law-abiding community, and successfully desist from crime. As suggested in Unlocking Potential (MOJ 2016)<sup>48</sup> increasing education and job prospects are crucial to reducing re-offending. Similarly, in Transforming Rehabilitation (2013)<sup>49</sup> the Ministry of Justice helpfully summarised common factors which contribute to successful desistance. These included:

- Employment
- Hope for the future
- Having something to give to others
- Having a place in a social group
- Not having a criminal identity

All of these desistance factors can be achieved through work and education, yet many prisoners have significant numeracy and literacy problems which can present a challenge. 52% of male prisoners have no qualifications at all upon arrest, 65% have numeracy skills at or below Level 1 and 48% have literary skills at or below Level 1. Level 1 relates to the expected level for an 11-year-old.

In short, sustained desistance from crime relates in part to the availability of opportunities for employment or training both within and upon release from prison. Much of this will depend on the education level of the prisoner prior to sentencing and the role of the prison in preparing the prisoner for life outside prison; nevertheless much can be done to improve the prospects for prisoners and ex-offenders in terms of both education and employment.

Drawing heavily on the aforementioned Coates report '*Unlocking Potential*'<sup>50</sup>, this chapter begins by considering ways in which we might promote rehabilitation through education. This includes an evaluation of current curricula and suggestions of how we might go beyond teaching 'basic skills'. The chapter then considers how academic and vocational programmes can work together, supported by an appropriate digital infrastructure, to provide offenders with hope for a better future. Lastly the chapter demonstrates how work is a potential pathway to behaviour change. This might involve learning a trade or skill, working on the prison grounds or acting as a mentor to other prisoners. In its entirety then, the chapter argues that providing decent educational programmes and equipping prisoners with real-world transferable skills is a fundamental part of rehabilitation.

50 *ibid*

### 2.2 Rehabilitation through education

Dame Sally Coates recently suggested that "education should be at the heart of the prison system"<sup>51</sup>. Advocating a multi-agency approach, Unlocking Potential recommends that prisons, education providers, health providers and probation services should work more closely to meet shared targets for reoffending, employment and educational attainment. We strongly support the view that decent educational opportunities are vital in supporting rehabilitation and resettlement. From basic skills courses (not only literacy and numeracy, but things such as healthy eating or managing a budget) to higher education and postgraduate study, prisoners should be able to access level appropriate education throughout their custodial sentence. As Coates concludes:

***"If education is the engine of social mobility, it is also the engine of prisoner rehabilitation."***<sup>52</sup>

Although some prisoners might benefit from provision such as substance detoxification and basic skills education in custody, virtually no research supports the notion that imprisonment per se can be rehabilitative; indeed, many experts regard prisons as antithetical to rehabilitation. In addition, overcrowded conditions, frequent failure to meet basic living standards, insufficient and inadequate provision of offending behaviour programmes, availability of drugs, and 'contamination' effects mean that many people leave prison more damaged than when they entered. For some, it is the harmful effects of imprisonment – more than pre-prison problems – that create the need for rehabilitation.<sup>53</sup>

51 *ibid*

52 *ibid*

53 Burnett, R. (2008) 'Rehabilitation', in Jewkes, Y. and Bennett, J. (eds.) (2008) Dictionary of Prisons and Punishment, Cullompton: Willan

The converse problem is that prisons offer little by way of positive motivation or inspiration for offenders to learn, work or make positive changes to their behaviour. Research indicates that before they ever come into contact with the prison system, most prisoners have a history of social exclusion, which includes high levels of educational disadvantage.<sup>54</sup>

The failure of other agencies to deal with these aspects of social exclusion leaves the Prison Service and its partners with the task of 'putting right' a lifetime of service failure. Consequently, along with strategies to address offending behaviour and re-conviction rates, the teaching of basic skills has become a priority in prisons. If prisoners are to lead 'law-abiding and useful lives in custody and after release', as the Prison Service aims, then education is a key component in enhancing their life opportunities in the short and long-term.

Prison education programmes have, in recent years, been facilitated by the Offender Learning and Skills Service (OLASS), and delivered by three external colleges and one independent learning provider. The teaching and learning experience in prison is frequently more negative than in the wider community, partly because the standard of teaching is often lower, and partly because prisoners find it difficult to have faith in, or engage with, a provision that they failed at (or that failed them) earlier in their life. These challenges make recruiting high quality teaching staff who motivate and inspire fundamental to the success of any education initiative.

54 Social Exclusion Unit (2002) Reducing Re-Offending by Ex-Prisoners. London: Social Exclusion Unit

### 2.2.1 Barriers to delivering high quality education in effective learning environments

One long-standing barrier to delivering high quality education in prison is the difficulty in recruiting (and keeping) teachers. Most high quality graduates will only consider becoming a prison educator if the wages are at least commensurate with those in comparable education sectors on the outside. Additionally though, prisons need to provide teachers with excellent training, facilities, working conditions and curricula in order to retain high-performing staff. Prison libraries should be preserved and stocked with a range of non-fiction and fiction books/audio books. They should cater for non-English speaking users with an appropriate number of books in other languages. Likewise, classrooms should be designed with learning in mind and, as will be discussed further below, prisons need to offer facilities that are equipped for delivering on-line education and the ability to link prisoners to tutors and trainers off-site.

In the near future, there are plans to give prison Governors responsibility for handing out education contracts, following the recommendations of Dame Sally Coates. Coates also advised that prison education be inspected by Ofsted using the same criteria as for FE and skills providers, and that inspection reports should include the same level of detail as for other educational settings. In addition, the Prison Service must do more to ensure continuity of education and to recognise the previous accomplishments of individuals if, as often happens, they are moved around the system. Some of the barriers to delivering education in prisons might be reduced if 'enhanced' status prisoners could be given

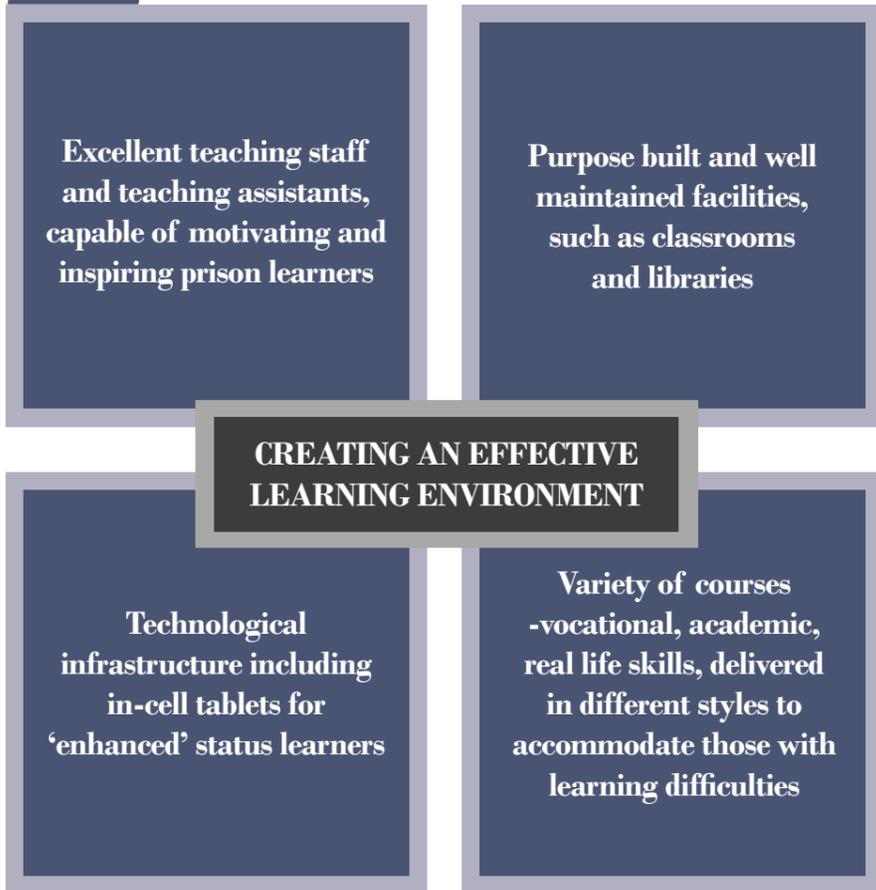
iPads for personal use. This would allow prisoners to 'pick-up where they left off' by using downloaded educational material even when relocated, including English language lessons for foreign national prisoners.

It is worth noting though, that while enabling connectivity in cells would afford more opportunities for prisoners to engage in educational activities such as reading, care should be taken that offenders do not retreat to their cells and become isolated or antisocial. Independent learning may suit some prisoners but for many, having a teacher or teaching assistant nearby will be beneficial. Education staff can help motivate and inspire prison learners, while also being on hand to answer questions, clarify tasks and reinforce success. As aforementioned though, whether learning takes place in a group or independently, prisoners should have access to computers so as to fully prepare them for the outside world.

Excellent teachers, purpose-built facilities and technological infrastructure will together make prisons more effective environments for learning. In addition though, all prison establishments are required to deliver a core curriculum which includes basic and key skills, English for speakers of other languages, and various accredited social, behavioural and cognitive skills programmes.

The education offered to prisoners might therefore also include more vocational training, as well as real-life skills to prepare offenders for release. Academic, vocational and real-life skills programmes should be prioritised and their standard should be monitored to ensure high quality. (See figure 3).

Fig. 3



### 2.2.2 Academic courses, employability and real-life skills

Increasing education and job prospects are crucial to reducing re-offending, so we recommend that every prisoner be given an individual learning plan when they enter custody, combining traditional learning to an appropriate level with vocational training that will equip them for life after they complete their sentence. Prisoners should be encouraged to take 'ownership' of their learning plans in line with the 'responsibilisation' and normalisation model advocated in the previous chapter.

Learning how to write a CV should be mandatory for every prisoner, but a CV has to contain more appropriate accomplishments than just prison accredited behavioural programmes, as is currently often the case. Skills acquired within prisons (e.g. in the prison kitchens, laundry, gyms and gardens) should be accredited and certificated where possible to enhance future prospects, and the transferable/employability skills developed from such work need to be clearly identified with CVs updated accordingly. Preparing for job interviews is also important and could be role-played with video recording so that it can be played back and used as part of

the learning process. To reduce pressure on staff and educators, elements of this programme could be sourced through the local job centre or volunteering groups. (See figure 4).

### 2.2.3 Beyond basic skills I: Encouraging creative pursuits

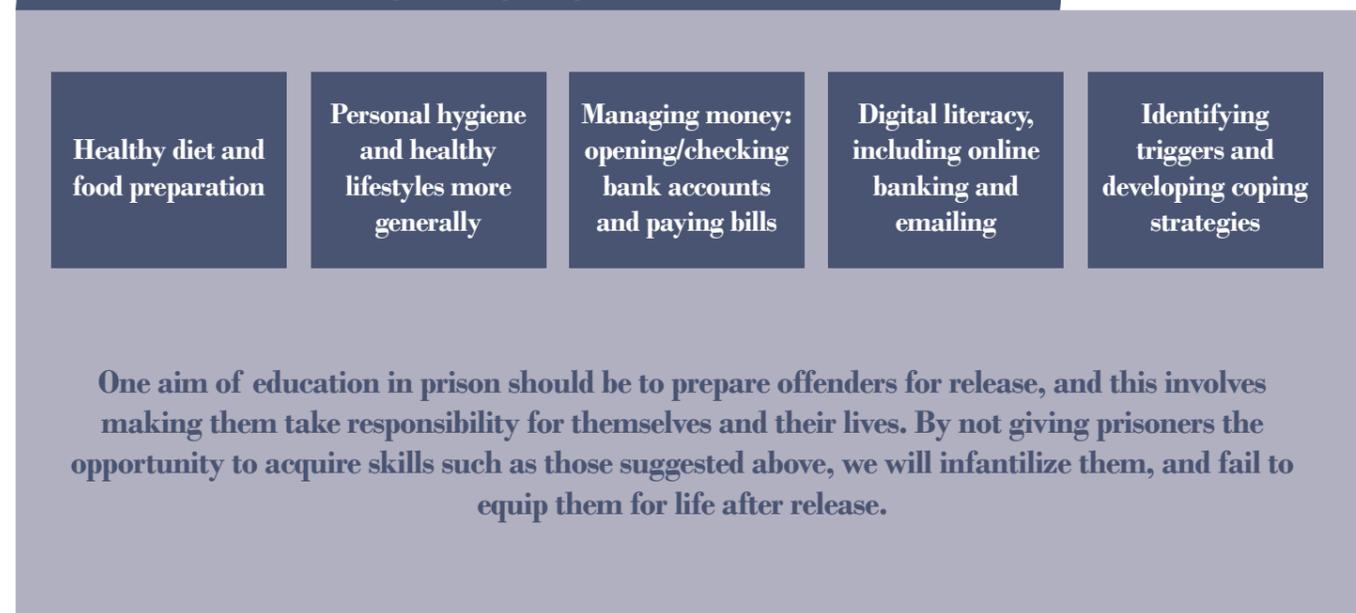
Basic literacy and numeracy are vital skills that many individuals lack when they enter prison, but they should not be taught at the expense of other activities. Creativity and self-expression must be encouraged, as they can be genuinely transformative. Educational and recreational opportunities in art, music, drama and horticulture must become as important as vocational training and the more traditional academic subjects. For example prisons should aim to submit entries into the Koestler Trust annual awards, an award scheme for offenders, secure patients and detainee.<sup>55</sup>

Further, creative arts in prisons could be used much more successfully to break down the barriers between prisons and the communities in which they are situated. Theatre productions, musical concerts, public lectures, art exhibitions and the like could be held in prisons for outside audiences, and appropriate, flexible spaces should be incorporated into prison designs for these purposes.

Prison buildings tend to have well-equipped areas that are unused for significant periods of the day. If new prisons were designed with state-of-the-art workshops, design labs, art and craft rooms (and if these spaces were 'outward facing' rather than in the middle of the prison) there is no reason why they should not be shared with local organisations, charities and individuals, who could perhaps pay to use them.

<sup>55</sup> <https://www.koestlertrust.org.uk/>

Fig 4. Prisons should continue to prioritise specific programmes dedicated to 'life skills' such as:



Lastly, opportunities to be creative in prison are important because they can help offenders realise their own talents and develop skills in which they are successful. This can help improve a person's self-image (making people feel better about themselves) which can in turn contribute to post-release success. Many prisoners feel that they have become a failure, so we need to provide multiple ways for offenders to become successful, recognising that different people succeed in different areas. While some prisoners may excel in academic or vocational courses, others will do much better in sports or more creative pursuits such as music, drama and art.

### 2.2.4 Beyond basic skills II: Encouraging higher education

Although the current focus of prison education is very much on basic learning and skills programmes, in theory prisons offer their occupants the opportunity to go further in their academic studies. Foremost in this respect has been the delivery, since the early 1970s, of Open University (OU) courses. However, academic learning in prison is fraught with difficulty. In addition to all the practical problems of studying in an environment with high noise/disruption levels, the move to online delivery of courses has made the OU a much more problematic option for prisoners (discussed further below).

Students in custody may share a cell with someone who is not sympathetic to their need for quiet study, and they might have limited access to sometimes poorly resourced libraries. They may also face the possibility of being transferred to a different prison where there is no provision for studying the course they are part of the way through. On top of these obstacles, students in prison have to negotiate adverse financial considerations. First, prisoners who wish to study, face the disincentive of significantly lower 'wages' than those who work. Second, although the Open University and other educational institutions do, under certain conditions, offer fee waivers, there are limited external funds to help students in prison register for distance learning programmes.

**Example of good practice**  
Prisons could do much more to bring inmates and citizens from the local community together and Hydebank Wood College in Northern Ireland, stands as a particularly good model. Initiatives there include:

**The Men's Shed:** Old age pensioners come to the prison and teach carpentry skills to young offenders (while informally mentoring them and providing valuable life lessons)

**Joint Choir:** A choir of recovering alcoholics from the local community rehearse with the Hydebank Wood choir at the prison

While many thousands of students have benefited from the financial support, advice and mentoring services of the Prisoners' Education Trust (PET), the Trust is a registered charity relying on external donations. As such funds are very limited. Above all, within the context of a focus on getting all prisoners to a literacy and numeracy rate of an 11-year-old child by the time they leave custody, the resources directed at GCSE, 'A' level and degree level qualifications are limited and have become smaller over the last two decades.

## 2.3 Incorporating technology into education

In line with the Prison Service's more general education policy, the e-learning facilities and training that currently exist in prisons are primarily directed at the basic-level skills end of the spectrum. While these initiatives are very important given the social exclusion many prisoners face before they enter custody and when they try to resettle in the community, they represent only part of the picture.

As discussed in the previous section, there is still a challenge for those who believe that further and higher education is an important opportunity that can help to rehabilitate offenders and give them the kinds of life choices that may encourage them to desist from committing crime. Vocational training is clearly hugely important for the majority of prisoners who need all the help they can get to resettle on release. But at the other end of the education spectrum, learning (as opposed to training), particularly in relation to degree programmes, has been squeezed.

Moreover, a new emerging threat to further and higher education in prisons is the restricted access to computers and the Internet that prisoners have. In relation to the 'beyond basic skills' programme, access to computer technologies is becoming vital, as education providers such as the OU have moved to online provision of courses. More broadly speaking, there is growing evidence that Internet access would provide prisons with a far wider range of resources for delivering effective courses, and offer prisoners and staff opportunities for the acquisition of new skills.

Yet notions of prisoner empowerment do not sit easily with modern political rhetoric, which is arguably still more concerned with public perception than with prisoners' rights. Fears persist that the Internet will be used by prisoners to view pornography, contact victims, intimidate witnesses or plot escapes. Indeed, even technologies that are not internet-enabled, but could potentially be converted, get vetoed by security officers. The Coates review quotes a prison learner:

*"There is a mentality around IT in prisons that assumes that if prisoners are given a paper clip and a piece of tin foil, they will immediately build a modem and use it for illegal purposes."<sup>56</sup>*

Alongside these anxieties is the widely held principle of 'less eligibility', which proposes that prison inmates should not receive better conditions than they would in normal life; a principle that is frequently invoked when it is reported that a notorious offender is being educated in custody (either in the traditional sense or in the creative arts). In either case the educational activity in question must be deemed to be 'publicly acceptable'.

This is a deeply entrenched and oft-repeated view, which underlines current rationales for punishment and belies an overt risk-aversion. It is rarely, however, balanced by a desire to exploit the full capacity of the digital prison. As a means of communication, accessing public services, research, education, banking and employment, the potential of ICTs is simply not even being systematically or strategically addressed<sup>57</sup>.

<sup>56</sup> Ministry of Justice (May 2016) Unlocking Potential A review of education in prison Dame Sally Coates

<sup>57</sup> Champion and Edgar, K. (2013) Through the gateway: How computers transform rehabilitation, London: Prison Reform Trust < <http://www.prisonreformtrust.org.uk/portals/0/documents/through%20the%20gateway.pdf>>

Further, the 'inarguable' justifications for limiting prisoners' use of new media and the refusal to countenance ways in which technology could be made safe (for example, allowing Wi-Fi connections and then 'white-listing' approved sites) only adds to the inequitable and unjust landscape of media flows that maintain existing relationships of power within society.

When offenders leave the prison they often find the changing nature of society incredibly challenging. For those serving longer custodial sentences, society will have changed substantially and the impact of entering a 'new' world should not be underestimated. Offenders often experience anxiety as they approach release, so preparing for re-entry into what will be a very different (and increasingly digital) job market is essential.

### 2.3.1 Recent developments in e-learning

The Coates Report<sup>58</sup> followed various recommendations over many years by the All-Party Parliamentary Group for Further Education and Lifelong Learning, in arguing that facilities for distance learning and e-learning should be enhanced in every prison. In addition, the report suggested that supervised Internet access should be made available to prisoners doing courses that require it. Over the last decade numerous pilot projects have been trialled and several prisons have introduced ICT suites, where prisoners can learn basic computing skills and where foreign nationals can, in some prisons, study online in their own language on condition that they study English Language classes as well.

<sup>58</sup> Ministry of Justice (May 2016) Unlocking Potential A review of education in prison – by Dame Sally Coates

Indeed, if only for economic expedience rather than any rehabilitative purpose, it may not be too many more years before England and Wales follow the lead of some of its near neighbours in Europe, where prisoners will soon be connected to a secure digital platform via laptops (e.g. Belgium) or in-cell tablets (e.g. The Netherlands). Sir Martin Narey has paved the way for discussion about iPads in UK prison cells (they are already being trialled in Northern Ireland) and, as aforementioned, Dame Sally Coates has recommended strengthening digital infrastructure to support new ways of learning in prisons.

So while many recent developments are encouraging, the problem, as ever, is that there is no uniformity across the prison estate, and some prisons continue to work with old and out-dated hardware and software. For example, the 'email-a-prisoner' scheme requires prisoners to compose handwritten replies, which are scanned and returned electronically<sup>59</sup> in an era of instantaneous communication, the application of the scheme appears so unwieldy and impractical that relatively few prisoners participate, preferring instead to use the few phone calls and visits that they are permitted.

### 2.3.2 Designing spaces for learning and work on and offline

Designing-in the technical infrastructure required for personal, digital media should become a priority. There is currently a 'digital divide' between 'new' prisons and 'old' prisons (where it may not be physically possible to create a digital environment because of the remoteness of the site, the thickness of walls etc.), and between privately managed facilities and those in the

<sup>59</sup> Knight, V. (2015) 'Some observations on the digital landscape of prisons today', Prison Service Journal no. 220, 3-9

public sector. Private contractors see it as part of their role to bring in innovations that lead to greater efficiency and effectiveness, and improve prisoners' quality of life and chances of resettlement. Indeed, they may be subject to financial penalties if they fail in these regards. It is private prisons that have tended to lead the way in trialling Skype, in-cell phones, 'smart' kiosks, etc.

Establishments run by Her Majesty's Prison Service, on the other hand, can seem 'stuck' in their Victorian pasts, unable (or unwilling) to embrace change, which can make the issue of which prison someone is sent to even more of a lottery because now, along with the physical variables of 'high security' and 'low security' and the vagaries of what may or may not be available in any given establishment, we must add the communication variables of 'high information' prisons versus 'low information' prisons<sup>60</sup>.

With regards to newly built prisons, internet-enabled computers should be an intrinsic feature, with attention paid to creative learning environments. Classrooms should be adequate in number, with spatial layout and adaptability to different tasks in order to support problem solving, creativity and social interaction. They should have large windows to let in as much natural light as possible and should be in dedicated, quiet areas of the prison that do not have much footfall from others passing through. Quiet rooms are also needed in housing units and on each wing, because association rooms can be distracting places to study.

Classrooms should be equipped with modern, technological aids to teaching and learning; smart boards, laptops and audio-visual equipment, not tatty flipcharts and marker pens. A good model is the 'Intensive Learning Centre', commissioned by

<sup>60</sup> Meyrowitz, J. (1985) No Sense of Place: The Impact of Electronic Media on Social Behaviour, Oxford: Oxford University Press

Corrective Services NSW in Australia, who worked with a team from the University of Technology Sydney's Designing Out Crime Research Centre<sup>61</sup>. One of the simple ideas they came up with was segmented tables that can be configured flexibly for individual, small group and large group learning. Their broader vision was to create an interlinked, indoor-outdoor, flexible learning space that allows prisoners to access 'dynamic 21st century learning', and aims to impart enthusiasm for such a learning experience. Providing access to outdoor areas where activities can take place (traditional education, but also art, poetry etc.) is a key part of this.

Yet the need to equip prisoners with modern communication, educational and transferrable work skills, raises questions about how much space to dedicate to these activities. Prison architects tend to design custodial facilities in the way that they have been designed for many decades. Accordingly, vast acres of space are given over to hangar-type workshops supporting assembly style working where carpentry, metalwork, packing and white goods repair, for example, would have taken place. But as manufacturing industries have declined in wider society, in favour of service and IT industries, prisons in general have not kept pace with these changes. There are exceptions and several prisons in England and Wales have call centres, IT suites, design and print rooms, etc. But these kinds of facilities should become the norm rather than the exception.

In addition, there is possibly more scope for offenders to produce items used by the prison estate (furniture or clothing for example) and also to maintain and repair prison vehicles and buildings. Either way, education and work should go hand-in-hand with flexible spaces to accommodate both activities. When released from prison,

employment can be one of the greatest motivators for long-term change, and thus opportunities to 'skill-up' offenders should be taken. A job provides a healthy attachment to society; it becomes 'something to lose' from re-offending. Without employment many offenders will return to crime because the benefits of criminality outweigh the costs. We need to change this cost/benefit analysis with better job prospects for ex-offenders.

## 2.4 Rehabilitation through vocational training and work

Building in opportunities to work is an important component of a 'healthy' prison. The importance of attractive landscaping cannot be underestimated in any environment that aims to 'heal' damaged people, yet frequently green spaces are minimised in prison design plans because of the costs attached to keeping them tidy (as well as exaggerated security fears). But maintaining the grounds and tending gardens, like other maintenance activities, including painting and decorating, can provide prisoners with valuable work opportunities, as well as reducing operational costs.

Moreover, as suggested in Chapter 1, prisoners can and should take responsibility for the grounds and gardens, the visiting area, their own menu choices, booking their family and legal visits, organising medical appointments and administering/storing their own medication. These are opportunities for offenders to demonstrate agency, and become responsabilised for their own rehabilitation. Taking on this type of work should be rewarded, so the prisoner learns that positive behaviour generates positive outcomes.

In addition to the cost-effective and rehabilitative potential of providing opportunities for work, engaging in activities such as these can also be used to develop

specific skills and attributes. Working as a grounds keeper or helping to maintain the estate means that – upon release – the ex-offender will be able to demonstrate transferable skills. Moreover, activities such as gardening can also become pro-social hobbies once back in the community.

### 2.4.1 Identifying skills deficits (such as within the construction industry)

With over 80,000 people in prison, identifying specific areas in the job market which are under recruiting could be advantageous both to offenders and the wider community/economy. For example the Government has committed to an ambitious house building projection for 2020 at a time when the construction industry is struggling to recruit. Training could be delivered to eligible prisoners in order to equip ex-offenders with desirable skills ready for release. Most construction certificates and accreditations use a modular teaching structure, and could thus be delivered alongside other courses.

Moreover, identifying and delivering skills/training which map more closely to localised job availability (and thus provide realistic job prospects) would be likely to motivate offenders to achieve more while serving their sentence. This type of mapping, along with a framework of incentives for education and work such as more time out of cell and release on temporary licence, may help to increase the number of prisoners who go on to jobs when they are released. It may also be appropriate to consider early release when exceptional educational progress is demonstrated.

In addition to identifying/filling skills deficits and providing work through maintaining prison buildings and grounds, there is another opportunity for offenders to learn valuable transferable skills in preparation for

their release: prison mentoring schemes. These are particularly important for offenders who may not be able to manage more physically demanding work duties due to disability, illness or old age.

### 2.4.2 Prison mentoring schemes and employability

Both the prison and the release process needs to assist offenders in developing a positive self-identity. As will be discussed in the next chapter, this can be achieved through family connections (viewing oneself as a good son, father or partner for example), but it can also be developed through opportunities to engage in mentoring while serving sentence. In the words of one ex-offender who successfully desisted from crime:

*“Being in that long, I was given a role in the centre as a mentor to some of the younger kids inside, giving them my life story, hoping they'd take advantage when they got out I suppose [...] I didn't really like the idea of working for nothing, but once I got involved with the kids and the people doing the work, I really enjoyed it.”<sup>62</sup>*

Being given the role of mentor helps individuals to see themselves as worthy of respect. It helps younger offenders mature, and to differentiate between themselves and the young men they have been entrusted to give advice to. There are already some mentoring schemes within prisons, but there is a lack of consistency across the prison estate. This is an area which could be developed much further, because the contribution that prisoners themselves can make to the smooth running of an establishment is so often underestimated.

Moreover, as suggested in Transforming Rehabilitation<sup>63</sup>, being part of a pro-social group and feeling as if you have something to 'give back' are two desistance factors which are likely to contribute to behaviour change.

Mentoring schemes are a relatively inexpensive way of giving some offenders a chance to 'give back' to their own prison community (as a mentor) and to give others a chance to receive support from a source that is often perceived to be non-judgemental (as the mentee). Considering the size of the prison population, the potential here is huge, and, as the Coates report found, this potential is far from realised. Indeed, serving prisoners/ex-offenders can become part of the workforce, delivering basic skills programmes and supporting education by working as teaching assistants.

### 2.4.3 Multiple benefits of prison mentoring schemes

#### Benefits to the mentor

- Time well spent (Prison Reform Trust) suggests that prisoners who are given the opportunity to mentor can become more 'active citizens'. Mentoring also develops skills around active listening, confidentiality, professionalism, trustworthiness and dealing with vulnerable people. All of these increase employability.

#### Benefits to the mentee

- Mentors can provide more than just educational support. They can also advise on: prison procedures; dealing with and reducing the chance of intimidation; recognising depression and anxiety; food and nutrition; coping with feelings of isolation and substance withdrawal. As such the mentee will receive increased support and a healthy bond/friendship. These meaningful interactions can help prisoners to develop coping strategies and to identify triggers and turning points within their own lives.

#### Benefits to the prison staff

- Vulnerable prisoners can 'buddy up' with a mentor, who they are arguably more likely to confide in. Mentors can also move into the cell of a vulnerable prisoner and provide one-on-one support, something outside the remit of a prison officer. Lastly, mentoring schemes are somewhat self-populating in that mentees can become mentors and continue the cycle.

#### Link to desistance factors:

- The MOJ (2013) identified nine desistance factors, and being a mentor/mentee can encourage four of these: [1] having something to give to others; [2] having a place within a social group [3] not having a criminal identity [4] being believed in. Additionally, for those serving longer sentences, mentoring can be a fulfilling challenging role which reduces boredom and the negative behaviours often associated with it.

<sup>61</sup> [designingoutcrime.com/project/csi-intensive-learning-centres/](http://designingoutcrime.com/project/csi-intensive-learning-centres/)

<sup>62</sup> Hearn, N. (2010) Theory Of Desistance. Internet Journal of Criminology. Available at: [http://www.internetjournalofcriminology.com/hearn\\_theory\\_of\\_desistance\\_jjc\\_nov\\_2010.pdf](http://www.internetjournalofcriminology.com/hearn_theory_of_desistance_jjc_nov_2010.pdf)

<sup>63</sup> Ministry of Justice consultation paper CP1/2013 (2013) Transforming Rehabilitation: A revolution in the way we manage offenders. [https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting\\_documents/transformingrehabilitation.pdf](https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting_documents/transformingrehabilitation.pdf)

Mentoring schemes should be regularly monitored so they remain effective and are able to respond to the changing issues facing the local prisoner population. In addition, adequate safeguards are needed to ensure mentors do not abuse their position or take advantage of weaker or more vulnerable prisoners.

## 2.5 Maintaining employment upon release

Research shows that offenders are faced with a number of challenges on release from prison. These are different for each individual but there are commonalities. For example, a lack of accommodation is a key barrier to securing employment with potential employers reluctant to take on someone who is homeless. Similarly, if home/hostel life is volatile, the chances of maintaining employment reduce. The potential of prisons to assist prisoners' resettlement into society should therefore be maximised, and once released that same level of support must be maintained.

### 2.5.1 Preparing prisoners' families

Pre-release programmes designed for ex-prisoners' families are as important as those designed for the ex-offenders themselves. Receiving a family member back into the home (sometimes after many years) can be challenging for both a partner and children. The challenges of having a loved one in prison, and having them home after a custodial sentence are complex, but, suffice to say, if home life becomes difficult then holding down a job will be problematic.

Moreover, prisoners' families can themselves be involved in unhealthy behaviours and criminal activities, or they too might be struggling with substance abuse, anger management, poor mental health and unemployment. We should thus see supporting families as a top priority, and extend the courses and programmes being delivered by Pact, a charity which works with and supports prisoners' families. These courses include<sup>64</sup>:

A full discussion about the rehabilitative potential of prisoners' families can be found in Chapter 3.

<b>Building bridges</b>	This course is designed to help strengthen relationships between young offenders and their loved ones
<b>Family literacy in prisons</b>	This course is designed to help imprisoned parents to be involved in their children's early development and literacy
<b>Building stronger families</b>	This course is aimed at helping to improve communication between prisoners and their loved one
<b>Inside stories</b>	Pact uses story-telling to improve prisoners' relationships with their children
<b>Time to connect</b>	This is a parenting course for imprisoned parents

<sup>64</sup> <http://www.prisonadvice.org.uk/news/pact-partners-sodexo-launch-family-time-team-hmp-forest-bank>

### 2.5.2 Providing appropriate accommodation

Some offenders become homeless on release, which is clearly not conducive to either desistance or employment. Every effort should be made to increase the number of good quality hostel spaces which should come with re-settlement support. This support will most likely come from a variety of agencies, not least the third sector. Moreover, as Chapter 4 of this book shows, many ex-offenders have addictions and/or mental health issues. If these are not assessed, acknowledged and monitored, then appropriate support may not be provided. Without support from appropriate agencies, ex-offenders will become socially excluded, and may turn to crime as a way of life. Similarly, if an ex-offender with addiction issues is placed in accommodation with people who have returned to substance use, then staying clean becomes far less likely. These issues – if left unchecked – can and do impede sustained employment. As such, continual assessment and individualised support is recommended, much of which can be provided by the third sector.

Prisoners should also be helped with opening bank accounts (managed online) while serving their sentence. This can be used to save some money ready for a deposit upon release, to reduce the likelihood of homelessness. Lastly, it is worth noting that for those who break the conditions of their probation, research suggests that the punishment need not necessarily be punitive. Instead non-compliance during probation should be dealt with in a way which is Swift, Certain and Fair. One key aspect of this model is clarity; ex-offenders need to know exactly how, why and when they will be punished and what that punishment will be (see Chapter 1 for more details).

## 2.6 Conclusion

In conclusion, most would agree that providing decent education and skills training in prisons can create better futures for those who are incarcerated. This in turn is likely to reduce recidivism and thus reduce the number of people subject to victimisation. Indeed, as a collective, prisoners often have little stake in society and part of this is due to a lack of real job prospects upon release. Purposeful activity such as education and work not only supports individual growth and promotes a sense of agency, it also builds self-esteem, changes a stigmatised identity and offers the potential to put something back into society.

Moreover, if those skills can meet demands within workforces – for example the current house building programme – it is beneficial for both the prisoner and the industry. Similarly, if putting prisoners to work on the prison grounds can reduce the operational costs of a prison, and having prisoners act as mentors can relieve some of the pressure on staff, there is little to be lost from implementing such arrangements. We also suggest that any income generated through training bonds should be directed towards both victims of crime and their families, while also supporting the families and children of offenders through post-release projects and initiatives.

Some of the most controversial recommendations in this chapter, though, may be those which relate to prisoner learning and more specifically the suggestion that prisoners should have access to tablet computers. It is however worth noting that tablets are due to be trialled shortly at some privately owned prisons in England and Wales and also in some state prisons in other jurisdictions

across the UK. There are obvious benefits and opportunities here for education (through the Open University), reading (with the Kindle app), 'normalised' leisure activities and online banking, keeping in touch with families (via the Skype app), searching for post-release employment and so on.

The digital prison is coming, and we need to recognise this inevitability in any design decisions for new builds. Without a digital infrastructure a profound and unprecedented level of disconnection will continue to exist between the prison and society, leading to deep, long-term social exclusion of individuals who have been sentenced to custody. Only by moving towards a more inclusive model – one which equips ex-offenders with the skills they need to live healthy lives both inside the prison and upon release – can we hope to reduce recidivism.

## Recommendations

### Motivating prisoners to engage in work and education

**Recommendations:** Consistency across prison estate and support for prisoners with learning difficulties and disabilities will most likely reduce frustration and improve motivation. In addition, poor design (see chapter 1) and poor mental health/substance use (see chapter 4) will negatively impact motivation. Education should be placed within the framework of incentives to encourage attendance and progression (see chapter 1). Lastly we need to attract high calibre graduates to work in prisons for an initial period of two years (see Coates 2016) and prison officers/those involved in the peer mentoring scheme should be given appropriate courses, professional development opportunities and rewards to train as educators. This would enable staff/prisoners to deliver high quality education and act as inspiring and motivating teaching assistants.

### Creating effective environments for learning

**Recommendations:** Excellent teachers, purpose built facilities and technological infrastructure will together make prisons more effective environments for learning. There should also be quiet study areas in every housing unit and wing, as association rooms can be distracting. Variety is also key, both in terms of content (of courses) and teaching styles (so as to accommodate those prisoners with learning difficulties). Provision for art, music, poetry and sport would also help engage less traditionally academic prisoners. In line with Coates (2016) we agree that prisoners should take ownership of their individual learning plans to encourage responsabilisation. Lastly prisoners learn well from non-prison staff, so every opportunity to involve the community, the third sector and ex-offenders (as mentors) in rehabilitation should be researched.

### Embracing the digital prison

**Recommendations:** Prisoners need to be prepared to enter a digital world. We thus recommend a full review of how offenders are taught skills such as typing/word processing, emailing, paying bills online or accessing services through websites. In addition, learning should take place both in the classroom and through tablets or computers in cells. This could substantially increase the chance of prisoners undertaking higher education as independent learners and help prisons go beyond 'basic skills'. Skype calling can also be used more effectively to maintain links with family (see chapter 3).

### Equipping prisoners with transferable skills through work

**Recommendations:** Prisoners need to acquire skills while in prison in order to change their lives. Working on the prison grounds (painting, decorating, gardening etc.) can encourage behaviour change, reduce operational costs of the prison and equip prisoners with much needed transferable skills. Moreover, identifying skills gaps within the wider economy (such as in the construction industry) and supporting prisoners to learn the skills required can increase the likelihood of employment upon release.

## *Chapter 3*

Balancing security needs  
with spatial aesthetics:  
*Allowing the 'outside in'*

# Chapter 3

## Balancing security needs with spatial aesthetics: Allowing the ‘outside in’

### 3.1 Introduction

Prisons need to be safe environments; people who are threatened or intimidated do not focus on changing their lives or taking responsibility for their actions. Similarly, drugs and contraband destroy security but they also undermine change, generating exponential harm. This harm can be far reaching. Offenders’ families often have to pay prison debts or find themselves facing criminal charges for entering the prison carrying drugs and other contraband. Prison design can significantly limit the ingress of drugs but also create psychologically informed, safer environments that themselves are more conducive to supporting change in behaviour.

Good design, as well as keeping drugs out, can significantly enhance interactions not only between offenders and their families, but also prisoners and prison staff, and offenders and wider society. This chapter therefore discusses how we can keep drugs and other contraband out, while also supporting meaningful interactions between prisoners and the outside world.

### 3.2 Designing for desistance: Encouraging meaningful interaction with friends and family

In Transforming Rehabilitation<sup>66</sup> the Ministry of Justice suggested that some offenders desist from crime due to maturation. Similarly Sampson and Laub (2001) have suggested that ‘turning points’ (e.g. having a child, getting married or reuniting with an estranged parent) are the moments at which change is most likely to occur and be sustained. We thus need to encourage

offenders to recognise the turning points within their own lives and, where possible, facilitate their occurrence.

Visits from family and friends can provide the motivation an offender needs to change their behaviour. This is well documented both in government publications and academic criminological discourse. Regular visits which involve meaningful interaction are important for two reasons. Firstly while serving a sentence, family visiting privileges can be used within the framework of incentives to motivate progression, and secondly, once released from prison, the bonds ex-offenders have with the outside world become crucial to sustained desistance.

However, when interviewed, families often speak about the challenges associated with visiting their loved ones; challenges which have the potential to destabilise healthy relationships. In short, family and friends play a key role in the rehabilitation for many offenders, so visitor centres are an extremely important part of the prison complex. Careful consideration needs to be given to ensure these areas are inviting and that the interactions that occur within them are meaningful.

#### 3.2.1 The importance of prisoners’ families

Offenders need the opportunity to build social capital while serving their sentence. This capital – which can come from family acceptance or employment, for example – becomes vital as offenders approach the end of their sentence. Both offenders’ and ex-offenders’ families need to be supported so that they can play a significant role in rehabilitation and sustained desistance.

<sup>66</sup> Ministry of Justice consultation paper CP1/2013 (2013) Transforming Rehabilitation: A revolution in the way we manage offenders. [https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting\\_documents/transformingrehabilitation.pdf](https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation/supporting_documents/transformingrehabilitation.pdf)

A report commissioned by the Ministry of Justice suggests that:

*“There is growing interest in the relationship between offenders and their families, both in terms of the role of family as a conduit to reducing reoffending and how offending behaviour affects children and families. Working with families of prisoners could represent significant benefits for society in terms of reduced reoffending and other positive outcomes.”<sup>67</sup>*

In addition, the research found that:

*“Maintaining family relationships may help prevent reoffending. Consideration should therefore be given to the adequacy of systems to facilitate family contact and involvement. The impact that parental imprisonment and this contact may have on the prisoners’ families should also be considered”.<sup>68</sup>*

It is however worth noting that one function of the prison is to act as a deterrent, and to perform this function successfully the prison arguably needs to appear austere. Some might say that children should find the prison a distressing place to be, otherwise they may grow up not fearing it. However, we have been trying this approach and it is not working. In fact, if we are talking about mid to low risk offenders, it has never worked – anywhere.

To make the prison a frightening place serves to satisfy the (perceived) punitive urges of the public, but there is little evidence that harsh prison conditions reduce the likelihood of re-offending. In reality, quite the reverse is true. There is an overwhelming amount of evidence which suggests that less punitive environments which award more generous privileges for

<sup>67</sup> *ibid*  
<sup>68</sup> *ibid*

good behaviour tend to be more effective at reducing recidivism. This is, in part, because the label ‘prisoner’ is a stigmatised identity and reinforcing that label at every turn is counter-productive.

People need a reason to change and attachments to family members can provide that reason. For example, the more a person has to lose – a girlfriend, their home or access to their children – the less likely they are to re-offend. Similarly, seeing oneself as a good father, or husband or son (rather than just a ‘prisoner’) is a significant motivator for change<sup>69</sup>. We therefore need to encourage family and friends to visit their loved ones in prison. There are of course instances in which this is not advised – domestic violence cases, for example – but for the majority of male offenders, visits from family can encourage both the start of desistance, and maintain that process. Indeed, family ties can motivate desistance in ways that a probation officer or prison officer simply cannot; they are the human connection that stabilises offenders while in prison and supports ex-offenders upon release.

In short, interactions with friends and family offer an opportunity to construct a new identity, one which includes hope for a better future. We therefore need to help these types of healthy relationships, commitments and attachments to thrive. Yet having a family member in prison can be a difficult time for everyone involved. In order to support and encourage healthy relationships, we need to acknowledge the needs both of the offender and of their family in tandem. If the family is unsupported, they are less likely to be in a position to motivate desistance. As such, understanding the impact of incarceration on a family is highly important.

<sup>69</sup> Ministry of Justice Analytical Series (2013) Transforming Rehabilitation: a summary of evidence on reducing reoffending

### 3.2.2 Understanding prisoners’ families

Having a family member enter prison can have profound financial, psychological and emotional consequences for those they leave behind, and the impact of incarceration can be particularly negative for young children. Literature suggests that having a parent in prison is one of the key predictive factors in a child going on to commit crime themselves. While we can never be entirely sure how or why this family connection operates, it is likely to be influenced by high recidivism rates. Children see their parent re-offend, and thus crime as a ‘way of life’ becomes a normal life-choice.

This presents yet another reason to consider ways in which we can use prison to reduce the likelihood of re-offending, because recidivism can have a secondary impact on the children of offenders. It is estimated that approximately 95,000 children have a parent in prison at any given point, and taken over a period of twelve months, approximately 200,000 children had a parent in prison at some point during 2015<sup>70</sup>. This secondary impact of recidivism will thus be far-reaching.

Moreover, while many offenders cite family as a reason for their desistance, from reviewing the research conducted with the prisoners’ families, it is clear that visiting the prison setting presents a whole set of challenges for the family members. Families report that intrusive security measures are used which make them feel ‘guilty by association’. They enter a ‘liminal space’; not quite law abiding, not quite criminal<sup>71</sup>. Often austere and sterile environments which are far from child-friendly, many of

<sup>70</sup> PACT [www.prisonadvice.org.uk](http://www.prisonadvice.org.uk) February 2015 ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/278837/prisoners-childhood-family-backgrounds.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278837/prisoners-childhood-family-backgrounds.pdf))

<sup>71</sup> Mills, A. and H. Codd (2005) Prisoners’ families and offender management: Mobilizing social capital. *Probation Journal*. 55 (1) 9-24

our current facilities seem to have been designed so as to actively discourage people from visiting their loved ones while in prison, and discourage any meaningful interaction during those visits. As such we need to examine (and improve) access to prisons, and examine (and improve) the environments in which visits take place.

#### 3.2.3 Access to and from the visitor centre

Good transport links to prisons are essential. Without affordable public transport to and from the prison and adequate parking, family and friends are unlikely to visit and the rehabilitative potential of these visits will be lost. This is clearly an important consideration for the location of new prisons, but should also be evaluated in relation to existing prisons. Furthermore, the visitor centres would ideally be located on the edge of the complex, so as to afford some less secure areas. These could be used by low-risk prisoners and their families so as to avoid overly intrusive security measures.

#### 3.2.4 Encouraging more meaningful interaction between offenders and their families

Visits should be seen as an opportunity to engage in meaningful behaviour. Counselling, family therapy and parenting classes would be advised where appropriate, with particular attention paid to those offenders who are approaching their release date. Pre-release programmes for families, which would include group meetings, could also take place here.

Designing flexibility into these areas is thus vital. The rooms may be used for parenting classes, couples/family therapy or mentor meetings. These types of experiences are an essential part of successful re-entry

into home and the community. Further, these spaces should ideally be separate from standard prisoner programme rooms to avoid negative connotations and the associated negative emotions.

In addition, spaces should be created in which prisoners can engage in pro-social activities with family and friends. These might include a kitchen to bake cakes with children, picnic tables and playground area, or a café with a crèche. Engaging in these types of activities would assist offenders to change a stigmatised identity - 'prisoner' - into a healthier image of the self (father, son, or friend for example). It would also give prisoners a reminder of the outside world which in turn provides hope for the future. Having hope is a fundamental part of the rehabilitative process, so to provide normalised non-institutional experiences should be an integral part of a prisoner's sentence.

### 3.2.5 Balancing security measures and family-friendly design

The control of contraband during visits is an important security concern; however this should be achieved by the least intrusive measures possible so as not to discourage visiting. Prisoners' families often say they feel 'guilty by association'; any opportunity to remove this secondary stigmatisation should be taken. A welcoming reception area might include toys, chairs, magazines, television and children's artwork. In addition, all areas should avoid institutional design - prioritising natural light, bright colours and comfortable yet durable fixtures. In line with the normalisation model, wherever possible visitor centres should seek to replicate a normalised home environment in order to prepare both offenders and their families for release.

Skype calling should be encouraged wherever possible. Video calling is particularly important for those offenders who have lost their face-to-face visits or whose family live overseas. However, while these types of interactions present far less security concerns, they are not a replacement for traditional visits.

Similarly, prisoners with children should also be invited to video or audio record a 'bedtime story'. This can then be emailed to their child through the child's primary carer in order to maintain routine and contact. Such a scheme could possibly be organised and supported by the voluntary sector, who would act as a link between family and offender. As with Skype calling, this again provides an opportunity for prisoners to engage with their families without posing any major security risks.

Improved surveillance technology and design can also be used to create the appearance of freedom while maintaining safety and security. As discussed in Chapter 1, seeking to emulate freedom can promote better mental health which in turn reduces the likelihood of depression, frustration, violence and self-harm; it helps to remove the label of 'prisoner' and begin the psychological change to 'trusted individual'; it provides access to incentivised spaces which can be used in a framework of rewards; and removing the more overt security functions of prison officers enables those officers to engage in more meaningful interactions with prisoners. This final advantage is discussed in more detail below.

#### Supporting prisoners' families: Examples of good practice

- **Pact**, who work to support prisoners' families, have joined with Sodexo Justice Services to deliver a range of excellent activities at HMP Forest Bank. These include:
- **Family Days: family visits in more informal environments which include structured play activities for a range of ages.**
- **Homework Club: weekly after school sessions where Dads support their children with homework and other study.**
- **Within My Reach: course focussing on healthy relationships and how to form successful bonds / make better choices.**
- **Family Literacy in Prisons: designed in partnership with the University of Sheffield, teaches Dads to play a central role in their children's literacy using simple everyday practices.**
- **Dad & Baby Play: offer Dads the chance to play with their pre-school aged children supervised by a play worker.**

### 3.3 Designing for desistance: Retaining staff to ensure consistency

Even the best designed, most technologically advanced prisons cannot operate without sufficient, appropriate, and well trained staff. Simply put, staff who would rather be working elsewhere, who are exhausted and stressed, who are financially strapped, and/or have too little experience and training, can be problematic. Such staff can negatively impact prison operations, safety/security, and programmes if they are ill-equipped for the role of prison officers. That said, it is widely recognised that capable, knowledgeable and enthusiastic staff have a positive impact on prisoner behaviour. We should thus seek to 'design in' opportunities for meaningful interaction between prisoners and staff. This is of particular importance considering the increase in our prison population at a time when prison staff numbers are being reduced.

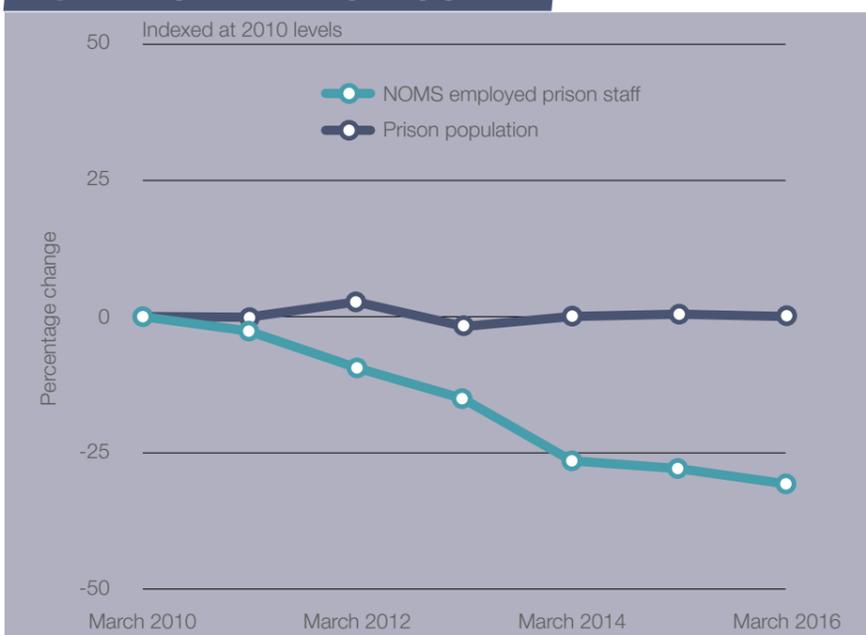
#### 3.3.1 Reversing the decline in numbers of prison staff

While the number of UK prisoners has remained relatively unchanged in recent years, the number of prison staff has declined sharply. Over the last six years the number of staff has been reduced by 13,720<sup>72</sup>. During the same time period, the number of prisoner-on-prisoner and prisoner-on-staff assaults has dramatically increased, as have incidents of prisoner suicide and self-harm.

In addition to workforce reductions, the other primary reason for lower numbers of staff has been high levels of turnover. In the UK, sometimes staff at one prison are

<sup>72</sup> Ministry of Justice (2016) National Offender Management Service Workforce Statistics, London; and Ministry of Justice (2016) Offender Management Statistics Quarterly: October to December 2015, London

Fig 5. NOMS prison staff and prison population



asked to cover in other prisons which have more significant staffing shortages, in order to minimise safety-related issues<sup>73</sup>. While justifiable, this can be disruptive to the staff and to prison operations. Staff shortages can result in poor supervision of prisoners, as well as cuts in rehabilitative programmes. Furthermore, staff turnover is very expensive because it necessitates devoting more resources to recruitment and to training new staff. See figure 5 Source: Prison Reform Trust Bromley Briefings, Summer 2016, page 5; NOMS Workforce Statistics Bulletin: March 2016 and Offender Management Statistics.

#### 3.3.2 Reducing staff turnover

Without motivated, well-trained and supported staff, behaviour change in prisoners is unlikely, and the costs associated with staff turnover are high (see chapter 5 for more discussion of costings). The location of a prison will have direct

implications for its staff, so when choosing potential new sites, attention should be paid to the ease with which staff can travel to work. The prison should be located on public transport routes and allow suitable parking facilities. In addition, the site should be considered for its proximity to towns and cities as long commutes may discourage applicants and the inconvenience may be a factor in staff retention rates.<sup>74</sup>

#### Access to the prison

The new "super-sized prison" currently being built in Wrexham, HMP Berwyn, is creating debate about accessibility for both staff and visitors. It is likely that staff will commute by car adding to the congestion in the area, while public transport services have suffered from funding cuts in recent years. By contrast, Ravenhall Prison in Australia, which is currently under construction, will be served by direct bus routes from the two nearest train stations and benefit from a nearby car park and a bicycle network route<sup>75</sup>. Similarly, in the

<sup>74</sup> National Offender Management Business Plan (2014) 4.9  
<sup>75</sup> <http://www.forensicare.vic.gov.au/pagettransfer.aspx>

<sup>73</sup> House of Commons written question.

US, the decision to relocate the Utah State Prison to Salt Lake City was driven by this site's proximity to employees, volunteers, courts and hospitals, with the considered benefits of this outweighing the relatively high construction cost<sup>76</sup>. Plans for the upgrade of the prison estate in England and Wales should make transport links a priority in order to improve prison accessibility both for staff and for prisoners' families.

## Prison design and staff facilities

It should not be forgotten that prisons are workplaces and that good design is essential if we hope to recruit and retain high-calibre applicants. Prisons should be designed so as to assist staff in their day-to-day duties and make them feel like valued employees and agents of change. These facilities should include – as a basic requirement – adequate spaces for staff to exercise, change their clothes, store personal items, shower before/after a shift, be debriefed, engage in training and socialise during breaks.

As with other areas of the prison, these spaces should avoid institutional design and instead embrace the normalisation model. Natural lighting is advised, as are references to nature (literal and figurative), the use of varied materials, uneven lines and sensitive colour palettes. They need to be constructed using durable yet comfortable furniture, equipment and fixtures which undergo regular maintenance so as not to become run-down or tatty. Officers who feel well trained and supported, who feel their good service is recognised and rewarded, and who have decent working conditions and facilities, will contribute to the smooth running of a prison and the rehabilitation of offenders. In short, rather than treating staff spaces as a design afterthought, they should be constructed with job satisfaction and professionalism in mind.

76 <http://fox13now.com/2015/08/11/prison-relocation-commission-recommends/>

## Reducing the number of assaults in prisons

In addition to easy access and good prison design/facilities, reducing the number of incidents of self-harm, suicide and assaults (both on other prisoners and on staff) will be likely to reduce the high turnover of staff in prisons. However, the numbers of assaults and homicides in prisons have tragically risen in recent years. Between March 2015 and March 2016, 290 people died in prison, which was more than in any other year on record<sup>77</sup>. This included six homicides, the highest number ever recorded. In 2015, there were 2,197 prisoner-on-prisoner assaults and 625 serious assaults on staff<sup>78</sup>. In addition to the rise in physical assaults, between 2011 and 2015 the number of sexual assaults more than doubled to 300. This will take its toll on the men and women tasked to deal with increasing levels of violence. However, research shows that much can be done to reduce the number and magnitude of assaults<sup>79</sup>.

In many cases, the most effective way of reducing assaults in prison is to increase the staff-prisoner ratio, and ensure officers are communicating directly (and effectively) with prisoners. Similarly overcrowding, including double-bunking in small cells and providing too little space per prisoner in communal areas can increase stress, tension and the likelihood of negative and aggressive behaviour.

More open spaces, and spaces that appear larger due to windows, pastel colour schemes, and high ceilings promote a less stressful environment for prisoners and for staff. In addition, providing prisoners with desired activities that they do not want to be denied such as sports, playing game, and (for many) vocational training can reduce the likelihood of negative behaviours. As

77 Ministry of Justice (2016) Safety in Custody Statistics Quarterly Update to December 2015. London  
78 *ibid*  
79 *ibid*

already discussed in Chapter 1, sensory deprivation (and sensory overload) can also increase frustration and anger which can lead to violence. Excessive noise and high temperatures in particular cause stress and anxiety which create more dangerous environments. Lastly, overuse of solitary confinement can impact negatively on prisoners' psychological state and leads to security and safety concerns<sup>80</sup>.

## Job satisfaction

Staff who believe that they are helping others and making a difference are most likely to be satisfied with their jobs and stay. Feeling valued and valuable are important for retention. Moreover, while some staff are uneasy about working directly with offenders, generally speaking, staff who work in 'Direct Supervision' housing units and interact directly with prisoners experience greater job satisfaction than staff who work in 'Indirect Supervision' housing units<sup>81</sup>.

Officers' sentiment toward their profession, their co-workers and the prisoners has an effect on job satisfaction, as does how the role is perceived by the wider community<sup>82</sup>. Unfortunately the job of prison officer is widely undervalued and officers are frequently regarded as mere 'turn-keys' or guards. If public perception of prisoners can be altered from viewing them as risks to be managed to assets to be harnessed, the perception of prison staff may change to regarding them as professionalised facilitators<sup>83</sup>. In addition, providing more in-depth and more intense training – similar to that of a probation officer – would be likely to make the job more desirable, more respected and could increase levels of satisfaction.

80 Wener, R. (2012) *The Environmental Psychology of Prisons and Jails*, Cambridge University Press

81 Wener, R. (2012) *The Environmental Psychology of Prisons and Jails*, Cambridge University Press p. 100-106.

82 Bennett, *Understanding Prison Staff*, 149.

83 Prison Service Pay Review Body 11th Report on England and Wales 2012, 7.

Lastly, staff salaries and benefits need to be as good – or ideally be better – than those offered by other employers for positions with comparable qualifications, and the job needs to offer the potential for growth. Staff are most likely to stay when they believe that there is potential for them to progress in their career. This could be achieved by more opportunities to specialise in specific types of prisoners (e.g. the elderly) or specific types of behaviours (e.g. self-harming or drug use). Officers would be accountable for monitoring success with these specialist groups of prisoners and be paid more accordingly.

## 3.4 Designing for desistance: Encouraging meaningful interactions with staff

Many of the issues identified within this book involve changing the way in which our prisons operate and changing the ways in which staff approach their own roles and responsibilities. But we need to recognise the key challenges that staff face, while also providing ways to empower them to become agents of change.

### 3.4.1 Improving staff effectiveness

When staff work directly with prisoners they can become models of positive social behaviours, but when staff merely observe the prisoners and are forced to perform more overt security/risk based tasks, they are less likely to become (and be perceived as) agents of change. Hence, all staff should be cross-trained in security and treatment, and all should understand how they can help people become productive law-abiding citizens<sup>84</sup>. Research shows that staff who work in Direct Supervision facilities (with no physical barriers between

84 NOMS (2014) section 4.10

staff and prisoners) communicate more with prisoners, feel more engaged in their work, and have greater job satisfaction compared with staff who work in Indirect Supervision facilities. In other words Direct Supervision staff are measurably more effective in managing and positively influencing prisoners, and this is evidenced by fewer assaults and less destruction of property.<sup>85</sup>

Similarly, studies show that officers in Direct Supervision housing units experience fewer stress-inducing events than their counterparts in Indirect Supervision housing units<sup>86</sup>. This is important because staff are more effective when their stress levels are low. Uncontrolled employee stress negatively affects morale, efficiency, productivity and job burn-out rates. Limited relief for stressors also causes high staff turnover and high levels of sick leave, both of which have financial cost implications and consequences for offender rehabilitation<sup>87</sup>. Stress relief can come from meditation, exercise and yoga, all of which should be facilitated on-site<sup>88</sup>.

Sleep deprivation is also a serious problem and presents a barrier to meaningful interaction with prisoners. This is especially true for staff who work 12+ hour shifts. Sleep-deprived staff have lower levels of mental alertness, self-regulation, self-control and risk assessment. They have poorer judgment and reasoning skills, and increased impulsiveness. Sleep-deprived staff also have higher rates of absenteeism and they make greater use of sick time<sup>89</sup>. To combat this, regular shift patterns – including all night shifts – help reduce the stress of fatigue and increase the likelihood of meaningful interaction<sup>90</sup>. Furthermore, staff who work consecutive night shifts

85 Wener, R. (2012), *The Environmental Psychology of Prisons and Jails*, Cambridge University Press

86 *ibid*

87 Elaine M. Crawley (2013) *Doing Prison Work*: Routledge.

88 NOMS (2014) sections 4.4; 4.14.

89 *ibid*

90 *ibid*

should have at least two days of recovery before being scheduled to work. All of the suggestions above will be likely to increase staff effectiveness and – along with appropriate training – can empower staff to become agents of change.

## 3.4.2 Using technology to assist Pro-Social Modelling and 'Every Contact Matters'

As aforementioned, when staff are forced to spend most of their time performing overt security based tasks they are less likely to become agents of change. Technologies should thus be used to complement staff engagement with prisoners and reduce the time spent unlocking and locking doors, for example.

Surveillance technology must be used along with clear lines of sight so that staff 'on-the-ground' can focus on duties other than mere observation. The ability to observe people and their behaviour both inside and outside of their cell is of course crucial, but so too is interacting with prisoners on a personal level.

Knowing the locations of prisoners through GPS bracelets and CCTV cameras can help staff to avoid being mere 'turn-keys' and escorts. Discrete body cameras can be worn by staff to deter assaults and monitor interactions. Barriers to interaction can be identified by watching the footage and new initiatives developed to combat any issues which arise<sup>91</sup>. The size of housing units, outside areas and programme spaces needs to be managed so as not to become overcrowded, but they should not be so large that visibility and manageability are compromised. Smaller group sizes will also increase the quality and quantity of interactions between staff and prisoners.

91 NOMS, 2014, 4.1.

### 3.5 Designing for desistance: Encouraging third sector involvement

Engaging both third sector and the wider community to be a part of a prisoner's life is vital to supporting desistance and enabling people to lead productive lives while in prison and once released. Designing in less secure spaces – such as a Community Hub discussed below – for low risk offenders could relieve some of the pressures on prison staff. The Hub would have reduced security checks for third sector workers thus freeing up officers' time, and those third sector workers could deliver programmes with the offenders and their families, further alleviating strain on staff.

#### 3.5.1 The Community Hub

As suggested in the Clinks Report (2016)<sup>92</sup>, a 'Community Hub' could increase opportunities for offenders to access a variety of services including educational courses, employment support, mentoring and counselling (family and/or individual). These 'outward-facing' hubs would be semi-public yet secure spaces, which could also include a prisoner-run café and shop (selling prisoner-made items) which would be open to the public<sup>93</sup>. Taking part in pro-social activities (such as working in the café or receiving CV guidance) and engaging with third sector projects (be they related to employment, education, mentoring or addiction) can change an offender's stigmatised identity, and can in turn provide hope for a better future once released from prison.

#### 3.5.2 Preparing for release

The RSA report 'Building a Rehabilitation Culture'<sup>94</sup> endorses the requirement to 'embed prisons in their communities and economies', and urges more of 'us' – the public, employers, entrepreneurs, and wider services – to play our part in rehabilitation. The report also states that positive behaviour change is far from straightforward.

***"[It] is not a linear process that 'happens' to an individual. Rather it requires a set of behaviours, attributes and values within individuals, institutions and the broader community that support and sustain desistance from crime and enable people to live productive lives".***

Different approaches reflect this, whether services are commissioned and in partnership with a local prison, as is the case at Humber; or in terms of non-residential rehabilitative support as provided by The Salford Prison Project<sup>95</sup>. Either way, prisoners need spaces which are designed to effectively bring together a hub of support from which individuals can draw. It is worth noting that reoffending rates for the Salford project are less than 9%, which is considerably less than average. This is, in part, due to the holistic approach adopted by the project. As one worker identifies, the needs of an offender when they leave prison can be multi-faceted and complex, so having a service which seeks to address these needs holistically is incredibly important.

#### Examples of good practice

- **The non-residential rehabilitative support provided by The Salford Prison Project effectively brings together a 'hub' of services from which individuals can draw. With reoffending rates of less than 9%, The Salford Prison Project suggests that the development of a 'Community Hub' in all prisons would be beneficial.**

***"I know how tough it is when people get out – they may be homeless, have problems with drugs or alcohol, no money, no food, clothes or washing facilities, mental health issues and a poor social network if they have one at all – and they constantly get judged on their record. They may be unaware of some of these issues or simply have no idea where to start, so we're quite hands on with trying to help. We do whatever that person needs – there's no one size fits all."***

Having a Community Hub in each prison would provide a space for third sector organisations as well as probation officers to meet and discuss the specific needs of those being released from prison. These needs might relate to employment, accommodation, substance use and/or mental health. The Community Hub is an opportunity to let the 'outside in'. It can give the appearance of freedom (which is paramount for the normalisation model to be effective) while still controlling for contraband.

### 3.6 Controlling for contraband: 'Designing in' less intrusive, more effective security

As suggested in Chapter 1, good sight lines are a fundamental aspect of prison design due to the heightened risk of contraband in secure environments. They also provide a sense of openness which is a core element of good mental health and wellbeing. Furthermore, keeping good staff (in part through pay and job satisfaction) has the added benefit that staff will be less likely to bring in contraband to sell to prisoners.

In addition though, there are also technologies being developed which can complement good prison design. These technologies have the potential not only to reduce the security role of officers, encouraging more meaningful interactions between staff and prisoners, but also to give the appearance of freedom within a secure environment.

#### 3.6.1 Using technology effectively

CCTV can transmit digital images to a control centre which processes them automatically, identifying unusual objects/movements in the Community Hub, in visiting spaces and around the prison complex more broadly. In addition, prisons should make use of biometric monitoring with discrete electronic wristbands (which look like a wristwatch). This would allow prisoners to be tracked anywhere in the prison, reducing the need for high walls and numerous sally ports. Listening devices can likewise be used to monitor the spectral content of the sound within prisons, and alert staff to anything from illicit use of mobile phones to early signs of aggressive behaviour.

As aforementioned, discrete body cameras can also record interactions between staff and prisoners, providing footage as evidence of non-compliance, and they deter staff from bringing contraband into the prison. Lastly, Blackberry-style personal devices that support voice, data and image communications, could enable immediate/enhanced intelligence reports<sup>96</sup>. Like body cameras, these can further assist staff in their security duties, while also deterring people from entering the prison with contraband.

These types of technologies also have the benefit of being relatively discrete and are thus less likely to discourage volunteers, education staff and family members from visiting/working in the prison. All of these technologies can give the appearance of more freedom while still controlling contraband and identifying non-compliant behaviours. Introducing these measures would have the potential to change a prisoner's conception of self which in turn encourages a change in behaviour.

#### 3.6.2 Avoiding over-securitisation

Many prisons throughout the world appear to be designed for the most dangerous and difficult prisoners with an abundance of security and safety measures which interfere with rehabilitation. Certainly, in prisons, security and safety must come first. However, with a good classification system and periodic reassessments, most prisoners can be placed in more normative and less expensive medium and minimum-security prisons which are more supportive of rehabilitation, rather than in maximum and super-maximum security facilities. Studies have also shown that over-isolation and over-control of one's life by others can be detrimental to mental health and wellbeing,

and can make the transition from prison to the community difficult and unsuccessful.

One prison design concept that balances safety and security with rehabilitation is a doughnut-shaped campus style configuration. On the outside edge of the doughnut is a very secure perimeter, and all the buildings to which prisoners have access face the doughnut hole, which contains landscaped courtyards and recreation areas. The buildings have lots of glazing providing views of nature, sound-absorbing materials that help reduce noise, and movable furniture (for all but the highest security levels).

While observed but unescorted, prisoners walk outside to go from housing to dining to programme areas to medical facilities and so forth. Prisoners are encouraged to behave well because they know that if they fail to comply with rules they will be transferred to another prison or part of the complex where they will have less movement and far more restrictions.

As previously mentioned though, it is also important for prisons to be welcoming to visitors and staff. While at the perimeter, entries and exits must all be highly secure, public and staff entries should be designed so they are inviting and welcoming. Prisons can convey positive messages by providing attractive landscaping and spacious and quiet lobbies that appear more like doctors' waiting rooms. All of these will not only help to allow the 'outside in', they will also prove productive for positive behaviour change.

Moreover, if we could change prisoner behaviour in the first instance, the desire for contraband might also decrease.

<sup>92</sup> Clinks (2016) The Rehabilitative Prison: What Does 'Good' Look Like?

<sup>93</sup> Clinks (2016) The Rehabilitative Prison: What Does 'Good' Look Like?

<sup>94</sup> file:///C:/Users/JohnP/Downloads/RSA\_building\_a\_rehabilitation\_culture\_11\_06\_14.pdf  
<sup>95</sup> <https://www.theguardian.com/social-care-network/2014/sep/29/programme-male-prisoners-avoid-reoffending-release>

<sup>96</sup> Offender Information Services (OIS) Prison Technology Strategy Version 0.8, London: NOMS

### 3.6.3 Reducing the demand for contraband

An often overlooked method of controlling contraband is to simply reduce the desire for the items commonly smuggled into a prison. For example, the use of illegal mobile phones and drugs are two of the biggest challenges currently being faced in our prisons. These two items are popular for a number of reasons, but in most cases mobile phones are being used simply to contact family, and drugs are in demand because of high levels of addiction and high levels of boredom. To tackle the cause of demand is one way of tackling the problem of supply.

Increasing the number and quality of family visits would reduce some of the demand for mobile phones, as would permitting the use of Skype and/or installing in-cell phones. A bigger perceived problem is organised crime, which can operate to get drugs into the prison – though it should be noted that research evidence finds that mobile phones are used far less for nefarious purposes in prison than for maintaining contact with family<sup>97</sup>. Nonetheless, reducing the demand for mobile phones may in part be achieved by reducing the demand for drugs.

We need to recognise that for many offenders prison is a detox facility, an issue we discuss in Chapter 4. Yet in conjunction with improved services for managing addiction, we need to recognise that many prisoners use drugs out of boredom. As such providing more opportunities to engage in pro-social purposeful behaviour such as education and work – as recommended in Chapter 2 – will reduce the demand for new psychoactive substances and other similar drugs.

Rehabilitation is a complex process but hope for a better future, one which does not include drug dependency, is the best motivator for behaviour change.

### 3.7 Conclusion

In conclusion, this chapter has sought to demonstrate how important prisoners' families and the third sector are to the process of offender rehabilitation. Many prisoners serving custodial sentences and ex-offenders in the community rely on their family and friends for emotional and financial support, so we must do we all can to keep those attachments strong and healthy. Moreover, we must recognise that receiving an ex-offender back into the family home can be very challenging, and every effort should be made to support families during resettlement. From a design perspective, the areas where prisoners meet with friends and family should be welcoming so as not to discourage visits, and security measures – assisted by technology – should be as non-intrusive as possible.

Indeed, as this chapter has argued, using technology more effectively around the entire prison complex should be a top priority for prison reform. With 'Direct supervision' - that is when there are no physical barriers in housing units between staff and prisoners - staff interact with prisoners regularly and more positively. This not only improves job satisfaction and thus helps with retention, it also empowers staff to become agents of change. By reducing the security role of prison officers (through employing the various technologies) we can increase meaningful interaction between staff and prisoners, making every contact matter.

Moreover, introducing a Community Hub – as suggested in the Clink Report (2016) – would help to involve the voluntary sector in more meaningful ways, and enable prisons to offer a variety of services under one roof. Involving the third sector in rehabilitation can also alleviate some of the pressure on staff, which might reduce job-associated stresses and sick leave. Staff are vital to the process of change and we need to recognise that a healthy workforce is a prerequisite for a healthy prison. We must involve prison officers in the design of prison spaces, and afford Governors the autonomy to make changes when needed.

In short, family, prison staff, employment, support from the third sector - these are the core elements which need to work together in order to create a climate in which hope can thrive. A rehabilitative prison climate has to offer real opportunities to live and sustain a more fulfilling life while inside the prison, and reduce the pull that crime or substance use so often provides. Moreover, many of these sources of inspiration and motivation can (and do) come from outside the prison. It is therefore imperative that we find ways of balancing security needs with letting the 'outside in'.

## Recommendations

### Designing prisons that are conducive for family and friends to visit

**Recommendations:** Reduce overly intrusive security measures with more effective surveillance technologies. More flexible spaces appropriate for meaningful 'normal' interaction with friends, families and third sector support staff. Welcoming reception area; durable, comfortable, non-institutional fixtures; use of natural light and bright colour schemes; play/crèche area.

### Designing prisons that are conducive to delivering effective third sector programmes

**Recommendations:** Reduce overly intrusive security measures for third sector workers, and provide low security suites of rooms for use by low risk offenders and those preparing for release. Design in a Community Hub (with computer room for job searching) which would feature more flexible spaces to accommodate a variety of functions and organisations.

### Reducing the supply of (and demand for) drugs and mobile phones

**Recommendations:** Reduce demand for mobile phones through opportunities for more meaningful and regular interactions with family and friends; use surveillance technologies to detect irregular behaviours and noise; reduce the demand for drugs through boredom alleviation and better services/programmes to target addiction.

### Empowering staff to become effective agents of change

**Recommendations:** staff spaces to work for (rather than against) staff, designed with professionalism in mind. Durable, comfortable non-institutional fittings and fixtures; 'time out'/debrief rooms; gym with shower rooms; framework of incentives for staff progression and specialist training.

<sup>97</sup> NOMS (2015) The demand and use of illicit mobile phones in prison draft report

## *Chapter 4*

*The many functions of a prison:  
Supporting prisoners with  
complex health needs*

# Chapter 4

## The many functions of a prison: Supporting prisoners with complex health needs

### 4.1 Introduction

In April 2016, The Ministry of Justice's 'Safety in Custody' statistics<sup>98</sup> confirmed a rising tide of despair and substance use inside prisons. A total of 9,458 prisoners – one in 10 – were reported to have self-harmed in 2015, with a 25% rise in reported incidents of self-harm to more than 32,000. These bold figures obfuscate the detail of the cause of many deaths in custody. For example, a recent report by the Prisons and Probation Ombudsman (PPO) states that while establishing a direct causal link is difficult, new psychoactive substances (NPS) – often referred to as 'legal highs' – were a relevant factor in at least 19 self-inflicted deaths between April 2012 and September 2014<sup>99</sup>.

Moreover, in 2013, the House of Commons Justice Committee published a report on older prisoners and their needs within prison establishments<sup>100</sup>. This suggests that the prison estate overall is neither suited nor prepared to accommodate older prisoners. Evidence suggests environments appropriate to older prisoners have been facilitated in more modern prisons, but not otherwise. The increasing number of older prisoners brings a corresponding rise in the multiple, chronic health problems associated with ageing. A thematic review by HM Inspectorate of Prisons in 2004 about the needs of elderly prisoners demonstrated that more than 80 per cent of

older prisoners have a long-standing chronic illness or disability. Of these more than a third suffer from a cardiovascular disease and more than a fifth from respiratory disease. Overall the Inspectorate concluded that the health of older prisoners is worse than that of their peers in the community<sup>101</sup>.

In short, due to the high levels of self-harm, suicide, mental and physical health issues, drug use and age associated health concerns, we need to recognise that while the crimes these people have committed may indeed be heinous (although it is worth noting that many are not), they are nevertheless some of the most vulnerable people in our society. Behaviour change is unlikely to occur if mental and physical health needs are not met. If we want our prisons to be effective environments for rehabilitation, we need to acknowledge that the prison – and by extension prison staff – have a number of functions well beyond that of retribution or deterrence (see Appendix C for a more detailed breakdown of prison population demographics).

### 4.2 The prison as a detox facility

Substance misuse issues will always be complex to treat because treating addiction involves facing the past behaviours and the people who have been hurt by that addiction; a process which is highly challenging. As such drug and alcohol programmes cannot be delivered in isolation, and instead need to exist within a climate of hope for a better future. Yet indications are that prisoners are far from places of optimism, with the use of Spice – a devastating new psychoactive substance – widespread and normalised in the prison estate.

Moreover, the use of drugs causes a whole host of other problems beyond that of addiction, all of which have serious consequences for the rehabilitative potential of the prison. In consideration of how 'healthy' our prisons are, Her Majesty's Inspectorate of Prisons (HMIP) note in their annual report for England and Wales (2015-2016) that<sup>102</sup>:

***“Despite the sterling efforts of many who work in the Prison Service at all levels, there is a simple and unpalatable truth about far too many of our prisons. They have become unacceptably violent and dangerous. A large part of this violence is linked to the harm caused by new psychoactive substances (NPS) which are having a dramatic and destabilising effect in many of our prisons. The effects of these drugs can be unpredictable and extreme. Their use can be linked to attacks on other prisoners and staff, self-inflicted deaths, serious illness and life-changing self-harm.”***

Our prisons are facing crisis. Well over half of prisoners (64%) reported that they had used drugs four weeks prior to custody and 55% reported that they committed offences connected to their drug taking<sup>103</sup>. In addition, 31% of prisoners say it is easy to get drugs in prison and, of those who have used heroin, almost a fifth report first trying it while in prison<sup>104</sup>.

### 4.2.1 The current drug problem

Of importance here are both the figures presented above and the trend they reveal. The danger is that numbers mask the day-to-day reality of living in prison. Inmates

<sup>102</sup> HMIP (2016) HM Chief Inspector of Prisons for England and Wales Annual Report 2015–16. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/538854/hmip-annual-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538854/hmip-annual-report.pdf)  
<sup>103</sup> Ministry of Justice (2013) Gender differences in substance misuse and mental health amongst prisoners  
<sup>104</sup> Centre for Social Justice (March 2015) Drugs in Prison.

Fig. 6

Psychotic effects	Lack of emotional attachment	Severe paranoia and confusion	Hallucinations	Extreme anxiety	Suicidal thoughts
Physical effects	Increased heart rate	Headaches	Vomiting	Violent behaviour	Seizures

related stories of escalating debts to the gangs dealing spice; spiralling mental health issues connected with usage; of horrific bullying, including 'spiking' people and forcing users to overdose for entertainment. Other physical effects include seizures, fits, palpitations and skin infections<sup>105</sup>.

Moreover, some prisoners report that spice users are at times punished without proof they are using the drugs because staff have to make a decision based on guesswork as there is no test<sup>106</sup>. Sadly there seems to have been little progress made, with The Chief Inspector of Prisons, Peter Clarke stating in July:

***“I have found that the grim situation referred to by Nick Hardwick in his report last year has not improved, and in some key areas it has, if anything, become even worse. What I have seen is that despite the sterling efforts of many who work in the prison service at all levels, there is a simple and unpalatable truth about far too many of our prisons. They have become unacceptably violent and dangerous places.”***

<sup>105</sup> <http://www.uservoice.org/news/user-voice-news-blog/2016/05/nhs-report-by-user-voice-hears-directly-from-inmates-the-true-horrors-of-nps-use-in-prisons/> Based on interviews with 120 serving prisoners and a self-report questionnaire with 684 prisoners in nine prisons.  
<sup>106</sup> HM Inspectorate of Prisons (Dec 2015)

The Chief Inspector further states that:

***“We have seen how NPS-fuelled instability has restricted the ability of staff to get prisoners safely to and from education, training and other activities. ... The effects of these drugs can be unpredictable and extreme. Their use can be linked to attacks on other prisoners and staff, self-inflicted deaths, serious illness and life-changing self-harm.”***

It would appear that unless this issue can be controlled and significantly reduced, all of the suggestions made throughout this book about encouraging behaviour change will have little or no effect on those who are taking NPS drugs. For example the PPO disclosed that, in at least one case, a prisoner who died had been given spiked cigarettes by other inmates who wanted to test new batches of legal highs before taking them themselves<sup>107</sup>.

It is worth noting though, that while addiction and substance misuse are features of all prisons, every prison will face different drug problems. Similarly, addiction patterns can change and evolve (both within the prison and for those in the community). This means any policy which seeks to reduce substance use should be flexible and dynamic enough to accommodate change<sup>108</sup>.

<sup>107</sup> [http://www.ppo.gov.uk/wp-content/uploads/2015/07/LLB\\_FII-Issue-9\\_NPS\\_Final.pdf](http://www.ppo.gov.uk/wp-content/uploads/2015/07/LLB_FII-Issue-9_NPS_Final.pdf)  
<sup>108</sup> *ibid*

### 4.2.2 New challenges associated with the rise of NPS

In some respects, this is an entirely new challenge for the prison service. No other drug with this level of effect has taken hold so quickly in the prison system. Those who take NPS often experience severe side-effects, including mental and physical deterioration, and these are typically much more severe than those experienced after smoking marijuana<sup>109</sup>. Moreover, the effects of synthetic cannabinoids are highly unpredictable, even life-threatening. More specifically, the National Institute on Drug Abuse states that users of NPS can exhibit the following behaviours in Figure 6.

In addition, providing and distributing NPS in prison might be a more attractive prospect to organised crime networks than other drugs for a number of reasons. Firstly, the value of NPS once in prison is around 10 times that of the outside. This compares to a 3 times mark up for other drugs. Secondly, considering their potency, Spice and other NPS are also relatively easy to transport both to and within the prison. Thirdly, NPS are not easily detected by test kits, so users are less likely to be detected through routine checks.

<sup>109</sup> National Institute on drug abuse: <https://www.drugabuse.gov/publications/drugfacts/synthetic-cannabinoids>

Fig. 7

Denmark	70% of the prison population in Denmark have a history of addiction. In response to growing problems, the prison introduced 'Projekt Menneske' ('Project People'), creating a prison-based drug-free environment in a motivational unit. Inmates live alongside staff to prevent access to drugs, with recovery-focused drug treatment in the form of motivational interviewing, cognitive-behavioural therapy, education, health/fitness, trauma treatment, and family counselling. Alongside treatment, prisoners engage in activities like cooking, painting and swimming.
Japan	Around 5,000 prisoners (7% of prison population) participate in drug treatment programmes each year and prisons in Japan tend to work more closely with private-sector self-help agencies to support offenders with emotional and psychological issues.
Switzerland, Germany and Spain	A 2006 report concluded that needle exchanges in prisons: do not endanger staff or prisoner safety but instead make prisons safer; do not increase drug consumption; reduce risky behaviour and disease (such as HIV, hepatitis B and C) and have successfully met the needs of staff and prisoners in a range of different prisons.

New challenges also arise with regards to treatment. At present, there is no clear treatment regime, except to deal with the immediate effects of NPS. This is highly problematic, because the nature of NPS means the effective element can be highly concentrated and then sprayed onto suitable material. Small amounts can produce many doses and thus the impact has been far-reaching. However, while NPS do present new challenges for the prison system, we can nevertheless still learn lessons from the past.

### 4.2.3 Learning from past challenges associated with drug use in prisons

The current crisis does have some commonalities with other drug problems. Firstly, this is a closed community (in most cases) so NPS drugs are brought into the prison by the same channels as other drugs. Contraband can enter the prison – and move around the prison – in a number of ways, and NPS is no different in this respect. Design can interrupt and deter transport mechanisms, but a clear strategic plan is also vital.

Moreover, communicating that plan to those who are tasked with implementing it is likewise essential. While a drug-free prison is clearly the end-goal, realistically we should seek to minimise the problem by approaching it from a number of complementary and balanced approaches. This holistic approach would seek to:

- Restrict opportunities for supply with clever surveillance technology, locating visitors and staff lockers outside of secure perimeters and by attracting and keeping good staff
- Educate prisoners about the consequences of drug use
- Ensure friends and families know the associated dangers of using NPS
- Remove privileges from those found to be dealing NPS
- Reduce demand for the substances by providing activities that alleviate boredom, and ultimately by providing hope for a better future without drug dependency (see Chapter 2)

- Encourage behaviour change through opportunities for agency, responsabilisation and the 'step up, step down' approach so as to give offenders something to lose (see chapter 1)
- Adopt the Swift, Certain and Fair approach to drug use (see Chapter 1)
- Provide quick and effective treatment for all effects/addictions and provide extensive training for staff to recognise effects

We do not suggest that this problem is intractable, but rather that significant inroads could be achieved through a comprehensive strategy which uses normalisation and purposeful activity to support positive behaviour change.

### 4.2.4 Learning lessons from abroad

During 2013 and 2014, Home Office ministers and officials conducted 11 international fact-finding visits in order to see how other countries were dealing with both addiction and drug supply in their prisons. Some of their findings – and success stories are presented in Figure 7<sup>110</sup>.

<sup>110</sup> The Home Office Drugs: international comparators. [UK] Home Office, 2014 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/368489/DrugsInternationalComparators.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368489/DrugsInternationalComparators.pdf)

Moreover, a 2015 review of international evidence looked at the findings of a number of needle-exchange programmes taking place in Switzerland, Germany and Spain. In summary, the review concluded in figure 8<sup>111</sup>.

While these findings are limited to a small number of countries, the evidence is nevertheless compelling. Treating addiction holistically, in conjunction with a safe and monitored needle-exchange programme has been effective in other countries and this evidence should not be ignored.

In short then, a comprehensive strategy is needed; one which not only seeks to reduce the supply of drugs but also the demand. If this is to be successful we need to understand why offenders take drugs in the first instance, rather than only finding ways to manage the after-effects. Moreover, such a strategy should include the 'Swift, Certain and Fair' approach to drug use, which has been very effective with offenders in the community and shows significant signs of promise in the prison context also (see chapter 1). In addition, the strategy should be complemented by excellent design and effective use of surveillance technology which can reduce movement of contraband (see chapter 2).

Fig. 8: Needle exchanges in prisons

Do not endanger staff or prisoner safety. In fact they make prisons safer places to live/work
Do not increase drug consumption or injecting
Reduce risky behaviour and disease (including HIV, hepatitis B and C) transmission
Have other positive outcomes for the health of prisoners
Have been effective in a wide range of prisons
Have been adapted to meet the needs of staff and prisoners in a range of prisons

<sup>111</sup> <http://www.aivl.org.au/wp-content/uploads/NSP-in-Prisons-An-International-Review.pdf>

However, it is crucial that this holistic approach to reducing NPS and other drugs is delivered within a more rehabilitative environment than is often the case in our current system. Any attempt to reduce drug use will only be successful if there is a culture of hope from which prisoners can draw strength. As such it is vital that the current political appetite for building rehabilitative cultures is sustained.

### 4.3 The prison as a mental health facility

In April 2016, The Ministry of Justice's 'Safety in Custody' statistics<sup>112</sup> confirmed a total of 9,458 prisoners – one in 10 – were reported to have self-harmed in 2015. This represents a 25% rise in reported incidents of self-harm to more than 32,000. Further, in both 2014 and 2015, 88 prisoners took their own lives compared with between 58 and 61 per year in 2008 to 2012. The rate of self-inflicted deaths in prison is at least three times higher than in the community. As such, prisons – in many ways – have come to act as mental health facilities, providing care for people with highly complex needs and who demonstrate very challenging behaviours. Moreover, while prisons have become more adept at

creating environments which are 'suicide resistant' (using specifically designed fittings and fixtures) this clearly does little in terms of identifying and removing the root causes of self-harm and suicide, or evaluating who is most at risk and when.

### 4.3.1 Suicides and self-harm: The current context

No fully reliable figures on attempted suicide and self-injury exist, either in prison or in the community and reporting can be haphazard despite increased emphasis on its importance<sup>113</sup>. Part of the problem lies in the fact that no consensus exists as to what constitutes a 'genuine' suicide attempt, and when deaths should be recorded as 'self-inflicted' (i.e. a drug overdose) rather than suicide. In addition, the relationship between suicide and self-harm is more complex than is often suggested. In most reports and studies the two behaviours are commonly treated as separate phenomena. However, Liebling and Ludlow argue that suicide attempts can have an 'appeal function' whereby, if there is no response to a prisoner's 'last ditch' effort to change an unbearable environment, suicide is extremely likely<sup>114</sup>.

Liebling and Ludlow further note that it has become clear that situational factors are easier to identify, and may be more informative than individual factors in the prediction of suicide in prison. We know that most suicides occur by hanging, and at night. A slightly higher number occur at the weekend, and during the summer months when staffing and activity levels are low<sup>115</sup>. A disproportionate number of suicides occur in secluded locations, such as healthcare centres and segregation units.

<sup>113</sup> Liebling, A. and Ludlow, A. (2016) 'Self inflicted death, Distress and the Quality of Prison Life' in Jewkes, Y., Crewe, B. and Bennett, J. (eds) Handbook on Prisons (second edition), London: Routledge

<sup>114</sup> *ibid*  
<sup>115</sup> *ibid*

<sup>112</sup> Liebling, A. and Ludlow, A. (2016) 'Self inflicted death, Distress and the Quality of Prison Life' in Jewkes, Y., Crewe, B. and Bennett, J. (eds) Handbook on Prisons (second edition), London: Routledge

With regards to who is most at risk, we know that many completed suicides have injured themselves before, often in custody. A history of psychiatric treatment is less likely among prison suicides than among suicides in the community, but a high proportion are found to have psychological and emotional difficulties falling short of a formal psychiatric diagnosis, such as alcohol and drug addiction, personality or borderline personality disorders, self-reported anxiety and depression.

Studies have also revealed that suicide is most common among males who are on remand at the time of death, and that half to two thirds of prison suicides occur within the first month of custody. In addition, one-third of the prisoners who go on to commit suicide have a history of in-patient psychiatric treatment and lifers are over-represented. Lastly we know that most have previous convictions – that is, they are repeat offenders - and that 40% have been seen by a doctor in the week preceding death<sup>116</sup>.

### 4.3.2 Possible reasons for suicide and self-harm

Overcrowding may exacerbate problems that contribute to suicide risk among the vulnerable. Examples include lack of access to medical and other specialist care, increased misconduct and assault rates, lack of time spent in activity, lack of clothing and food, feelings of helplessness, and rapidly changing hierarchies among prisoners. A senior psychiatrist asked to investigate a series of young prisoner suicides in Scotland's Glenochil prison in 1985 concluded that prison suicide 'is not a psychiatric problem, it's a management problem'<sup>117</sup>.

<sup>116</sup> *ibid*  
<sup>117</sup> Scottish Home and Health Department (1985) cited in Liebling and Ludlow

Moreover, the disproportionate rate of suicide during the remand period is in part due to the greater number of prisoners exposed to risk, but other factors include the stressful and unstable nature of early confinement, the tension and uncertainty of the pre-trial phase, the proximity of the offence, fear of other prisoners, and the high proportion of mentally disordered prisoners on remand. These issues are further exacerbated by overcrowding (see Appendix D for information on overcrowding and current prison capacity).

Alcohol and drug dependence also play an important role, particularly among those suicides that occur within the first 24 hours of reception into custody<sup>118</sup>. The high number of suicides is a key reason why extensive prison reform and new and renovated prisons are needed in the UK. In a recent one-year period, from March 2015 to March 2016, close to 100 UK prisoners committed suicide<sup>119</sup>.

### 4.3.3 Suicide prevention through design and robust assessment

Firstly prisons should continue to adapt and design cells, showers, association rooms, and activity rooms to include suicide resistant fixtures. Such fixtures include plumbing, sprinkler heads, door knobs, windows, clothing hooks, HVAC vents, and furnishings. However, we would suggest that those who commission, design and construct new prisons need to go beyond their conventional thinking about designing-out risk of physical harm through environmental modification.

<sup>118</sup> Liebling and Ludlow *op. cit.*  
<sup>119</sup> Ministry of Justice (2016) Safety in Custody Statistics Quarterly Update to December 2015

Since the establishment of a World Health Organisation working group in 1999 – which reviews and makes recommendations on suicide policy in prisons – the focus has been on 'hard' situational prevention techniques. These include developing cell designs with no ligature points from which prisoners can hang themselves. While attempts to reduce suicide and self-harm through design are clearly important, concern appears to have moved away from the lived experience of prison and the associated stresses. This book has suggested ways in which we can design and build more successful rehabilitative prisons, yet it is a 'culture of hope' that we so desperately lack.

Moreover, we need to recognise that the most consistent findings of research are that a disproportionate number of suicides occur among remand prisoners and/or those who are early in custody, and we need to address this more strategically.

'Reception', which entails being stripped and searched, and having your clothing removed, logged and filed away, is undeniably a dehumanising process, yet we do little to alleviate the distress it can cause. Indeed, reception has been described by former prison governor, Andrew Coyle, as 'one of the most traumatic experiences any individual can undergo'<sup>120</sup>. The shock of being processed through the administrative machinery into what is usually an austere and de-personalised environment, together with the sudden and enforced separation from family and friends, can result in severe trauma. The design of more normalised prison environments should start, then, with the reception areas where prisoners are received and processed.

<sup>120</sup> Coyle, A. (1994) *The Prisons we Deserve*, London: Harper Collins, p. 27

### 4.3.4 Suicide prevention through hope

In addition to designing suicide resistant prisons, and changing the ways in which prisoners are admitted, we also need to re-conceptualise suicide prevention more broadly as 'the promotion of wellbeing'. Moving beyond just the avoidance of the behaviour – often the aspiration of policy and practice – is an important way of tackling not only self-harm and suicide, but mental health issues in general. As explained in this book, creating a culture of hope should be a fundamental part of prison reform, and this can begin by making the simplest of changes. For example, in ongoing research by Jewkes, Moran and Turner, the small but significant act of prison officers making new receptions a cup of tea on arrival was identified as alleviating tension at this critical entry point on the prisoner's journey through custody<sup>121</sup>.

We accept that in many recently built establishments, greater efforts have been made to be sensitive to the needs of the new prisoner as well as to the bureaucratic demands of the system. But it is nevertheless arguable that the demands of efficiency are incompatible with the concerns of the individual who, when he most needs it, is given no opportunity to discuss the reality of the world he is entering or his fears concerning any unresolved problems on the outside. These opportunities might come eventually, but at the point of greatest stress to the new prisoner, the needs of the system come before the needs of the individual.

<sup>121</sup> ESRC Standard Grant ES/K011081/2: "Fear-suffused environments" or potential to rehabilitate? Prison architecture, design and technology and the lived experience of carceral spaces'

This can however be changed for the better. Research by Alison Liebling and her colleagues at the University of Cambridge has found that the four measures of the prison environment which contribute most directly to suicide risk are:

- Perceptions of safety
- Personal development
- Family contact
- Dignity

As this book has argued, and continues to argue in the pages which follow, these are the areas on which we should focus more attention if we aim to create successful rehabilitative environments. In addition though, the research by Liebling and her colleagues found that frustration, high levels of drug use, poor relationships with staff, low levels of support on entry into prison, low levels of individual care, and lack of activities aimed at addressing offending behaviour were significantly correlated with high levels of distress. As such, addressing the quality of life in prison will lead to better outcomes; and viewing suicide prevention as 'the promotion of wellbeing' is crucial.

In summary then, prison designers need to balance 'hard' solutions to suicide prevention with 'soft' approaches that aim to create a 'healthy' prison. Rather than understanding suicide and self-harm in the strictly forensic mental health sense, we require a more comprehensive approach which takes account of prisoner wellbeing and is driven by the desire to create a culture of hope. We need prisons that foster trust, respect and positive staff-prisoner relationships, and thus our aim should be to create environments which are 'therapeutic' in the holistic sense.

### 4.3.5 Prisoners who have suffered a traumatic brain injury

In addition to high levels of self-harm, suicide and depression, a recent study of 613 men in Leeds Prison, conducted by The Disabilities Trust Foundation<sup>122</sup>, found that almost half (47%) of those screened on admission to HMP Leeds reported a history of Traumatic Brain Injury (TBI). Experiencing this type of trauma can have a significant impact on the types of behaviour exhibited by prisoners and the support they will need as a result.

***"Offenders who have sustained a mild TBI (especially several mild TBIs) may find it more difficult to engage with offence-focused rehabilitation due to possibly reduced processing abilities or dis-inhibited behaviour."***<sup>123</sup>

More specifically, those who have suffered a TBI may struggle with memory loss, aggression, lack of concentration, anxiety and depression, all of which can lead to negative behaviours including violence and self-harm. TBI causes life-long physiological brain damage, which affects an individual's personality and control responses to situations. While more research is needed, if this proves to be a consistent finding, then prison staff – including prison educators – need specialist training to manage offenders who have experienced these types of traumas. Screening upon entry to prison is also recommended so that offenders who have suffered a TBI can be adequately supported. Such help could prove invaluable as part of the challenge to reduce reoffending.

<sup>122</sup> The association between neuropsychological performance and self-reported traumatic brain injury in a sample of adult male prisoners in the UK [http://www.thedtgroup.org/media/3699/prison\\_research\\_briefing\\_paper\\_16022015.pdf](http://www.thedtgroup.org/media/3699/prison_research_briefing_paper_16022015.pdf)  
<sup>123</sup> Williams, W.H., Mewse, A.J., Tonks, J. et al. (2010) Traumatic brain injury in a prison population: prevalence and risk for re-offending. *Brain Injury*: 24: 1184–1188.

### 4.3.6 Devising a holistic, comprehensive strategy

As this section of the chapter has illustrated, prisoners are best understood as a vulnerable population with complex needs and corresponding adjustments to treatment plans are essential. The Prison Reform Trust recently found that 62% of men sentenced to prison have a personality disorder; 16% said they had been receiving treatment for a mental health problem in the twelve months before being sentenced and 67% of all prisoners are on some form of prescribed medication<sup>125</sup>.

Addressing past trauma might also be an issue for many offenders and their families upon release. It has not been within the scope of this chapter to discuss in any detail, but many offenders have also experienced domestic violence as children or adults and it is thus essential these traumas are addressed so as to equip ex-offenders with the skills they need to maintain healthy family lives. As such continual reassessment throughout the duration of sentence (whether served in prison or in the community) is a key concern. Moreover, it is commonly suggested that rehabilitation is less likely to occur if the mental and/or physical needs of prisoners are not met in the first instance. Equal attention should be paid to both.

It may also be useful to see suicide – both in action and intent – as a continuum, wherein the continuities may be more important than the differences. Self-injury may be the first overt symptom of a level of distress only steps away from a final act of despair. Both may be reactive rather than purposive (or ‘manipulative’) and may be impulsive rather than planned. It is important then, to find out why the behaviour occurred rather than examine only what it was intended

to achieve. If staff respond, and provide support and solutions, prisoners may be diverted from the destructive route on which they are setting out<sup>126</sup>.

This suggests that suicide prevention strategies that treat suicide as an exclusively medical or psychiatric problem are likely to prove ineffective, and instead a more holistic approach is needed. Prisons need to become places of hope and aspiration, with a clear framework of rewards to incentivise offenders. Without respect, support and the prospect of a better future, we fear that depression, suicide and self-harm will continue to be a pervasive problem within our prisons.

To be clear though, poor mental health in prison custody is an incredibly complex issue, and we suggest that it should be considered – at least in part – as a consequence of harsh and impoverished conditions. For example the over-use of segregation and poor medical care contribute to the problem, as does chronic overcrowding. Prisons are operating at 111% of certified normal capacity on average, with some at over 160%, and problems relating to prison life (including less time out-of-cell for prisoners) are further compounded by drastic cuts in staff numbers. All these factors have potentially severe implications for the mental and physical health of people in prison. As INQUEST have said, until there is a fundamental review of the overuse of prison for the most vulnerable and marginalized in society, violent assaults, self-harm and prison deaths will continue<sup>127</sup>.

<sup>126</sup> *ibid*  
<sup>127</sup> INQUEST <http://www.inquest.org.uk/issues/prison-deaths>

## 4.4 The prison and elderly offenders

Older men constitute the fastest growing section of the prison population. In 2014 there were 10,749 people over 50 in prison in England and Wales (12% of the total prison population). This number is growing year on year and is predicted to reach 20,000 by 2020. This represents a doubling in the number of older prisoners in 10 years. Moreover research suggests a prisoner’s physiological age is often much older than their chronological age. In older prisoners, the difference can be up to 15 years, so many prisoners aged 55 may face similar issues as some 70 year olds on the outside. As such, prisons increasingly deal with health conditions associated with ageing and dying in prison (see Appendix C for a more detailed breakdown of prison population by age).

### 4.4.1 Older prisoners: The current context

Reasons for the dramatic increase in older prisoners (besides the obvious fact that people in general are living longer) include:

- Tougher sentencing, e.g. a mandatory life sentence for those convicted of a second serious sexual assault under the Crime Sentences Act 1997, and the introduction of indeterminate sentencing for public protection also known as IPP
- Tighter licence conditions, leading to greater numbers failing to meet the stricter requirements of post-release supervision, registration and surveillance in the community and being returned to prison

- Greater policing activity (e.g. Operation Yewtree) augmented by intense media coverage, following the revelations about several high-profile offenders, which has resulted in a significant increase in prosecutions of older men for historic sex offences - 42% of prisoners aged over 50 are sex offenders.

It is worthy of note that there has been considerable political debate about whole life tariffs imposed for a number of serious offences and some testing of these in the European and UK courts (Hutchinson v UK 2015). But older offenders serving de facto life sentences are excluded from both the statistics and from debates about the ‘justness’ of such sentences. Put simply, a 10-year or 20-year tariff carries different meanings and prospects for a 65-year-old than it does for a 25-year-old.

High security and category C working prisons tend to be the most likely to accommodate older prisoners (in some cases up to 15 per cent of inmates are 60 and over) due to the longer sentences for the severity of offences and public protection. For some of these prisoners, their risk of harm to the public is low and in older age their health and social care needs could be more effectively met in the community. Some prisons have created older prisoner units with the aim of providing more effective care for those who share severe health and social care needs. The benefits of specialised units are that they include:

- The provision of specialised staff/ resources for the elderly (which reduces cost)
- A more suitable physical environment (which reduces accidents)
- An inclusive environment (where prisoners feel safe and are not subject to victimisation in the wider prison environment)

However the Ministry of Justice has concluded that segregation of older prisoners in units or wings is not an ideal solution, as there are benefits of older prisoners mixing with younger ones. This places a greater emphasis on the overall prison environment to establish regimes that provide and cater for the needs of older prisoners.

In addition, some prisons have begun to respond to this changing population by, for example, adapting existing cells to provide facilities for old, frail or dying prisoners. However, there is growing recognition that prisons are not designed with the needs of such prisoners in mind, and that addressing the structural and practical obstacles to providing appropriate services is an imperative. The ‘modernisation’ programme, currently being undertaken in England and Wales, has entailed the closure of old prisons designated ‘unstrategic and uneconomic’<sup>127</sup> (MoJ 2013) and the opening of a smaller number of very large prisons, accommodating up to 2,500 inmates.

The inappropriateness of old, Victorian jails for elderly prisoners is self-evident (steep staircases, long walkways, distances to be travelled from cell to health centre or education, football pitches and gyms, bunk-beds, thin mattresses, hard fixtures and fittings, communal showers, incessant noise) and has been noted – though not explored to any great degree – by prison ethnographers, who have observed that prisons are constructed in ‘blithe unconsciousness of the needs and sensibilities of the old’<sup>128</sup>. But the extent to which the nine new facilities being commissioned and built are appropriate for older people with a range of specific

<sup>127</sup> Ministry of Justice (2013) ‘Press release: Modernisation of the prison estate’, 4 September. Available at <https://www.gov.uk/government/news/modernisation-of-the-prison-estate>  
<sup>128</sup> Crawley, E. and Sparks, R. (2005) ‘Hidden injuries? Researching the experiences of older men in English prisons’, *Howard Journal of Criminal Justice* 44(4):.p.350

healthcare needs has yet to be divulged. With very few exceptions, the design of old and new prisons exacerbates the literal and metaphorical ‘pains of imprisonment’<sup>129</sup>.

### 4.4.2 Addressing the needs of older prisoners

The fabric of the prison estate varies and, due to the design and layout of some buildings, prisoners can be excluded from involvement in purposeful activities and isolated from the rest of the prison population. When older prisoners are unable to work or engage with the normal prison regime, it is important that they have a regime that allows them to be as active and productive as possible. NOMS should ensure all prisons have an older prisoner policy that provides age specific regimes for older prisoners. Similarly, in accordance with the Equality Act, Disability Discrimination Act 2005 (DDA 2005) and the Building Regulations Part M, prisons should be accessible to people with disabilities and for those who may require the use of a wheelchair. The prison building should support accessibility via modifications/ adaptations to the building where possible and appropriate.

In older prisons, it can be difficult to make physical adaptations, particularly if the building is listed and restricts the extent and nature of modifications that can be made. In 2013, the MOJ recommended that NOMS conduct a survey of prisons for compliance with disability discrimination and age equality laws, to determine those unable to make the adaptations necessary to hold older prisoners. Older prisoners should then no longer be held in these institutions accordingly. The Ministry of Justice (MOJ) notes that:

<sup>129</sup> Sykes, G. (1958) *The Society of Captives: A Study of a Maximum Security Prison*, Princeton NJ: Princeton University Press

**“Work is at an early stage to consider how a strategic approach to the use of the prison estate can best ensure that older offenders are accommodated where their needs can best be met, and where the built environment can facilitate this.”<sup>130</sup>**

A number of studies examine the interconnected health needs of older prisoners. O’Hara et al (2016)<sup>131</sup> lists a catalogue of health issues affecting older prisoners more than the general population, citing various authors to show that: Over 80% of older prisoners have at least one major illness and 77% of older prisoners are being prescribed medication, most frequently for cardiovascular problems. The most common mental health diagnosis among this group though, is depression:

**Seventy per cent of older prisoners reported receiving treatment or counselling for a health problem in the year before prison entry. Cooney et al reported that prison staff perceived older prisoners to have a physical health status 10 years older than people of the same biological age living in the community, acquiring age-related health problems 10 to 15 times faster than their peers in the general population.**

Prison-related factors, including the stress of imprisonment, increased anxiety, isolation and separation from family may also be associated with lower life expectancy and premature ageing. She concludes:

**“The high prevalence of depression among older prisoners, now confirmed across a number of studies, supports the need for routine, effective and early depression screening to be established. The systematic use of health and social care assessments and subsequent care planning, alongside screening for depression, should provide a two-pronged approach to better addressing the high levels of depression among older prisoners with unmet health and social care needs.”**

As Wilson (2005)<sup>132</sup> points out, all of this ‘underscores the need for there to be good health care provision for this age group after they have been incarcerated’. Nonetheless, Stuart Ware, the 67-year-old former prisoner who co-founded the self-help group for older prisoners called Pacer 50 Plus described health care provision for the elderly in prison as a “lottery”<sup>133</sup>.

#### 4.4.3 Death, dying and chronic illness

Unsurprisingly, more people are also dying before completing their sentences, often in environments neither designed nor equipped to cope with them. Contrary to popular belief, dying prisoners are rarely released; hence there is now an urgent demand for palliative care in prisons which is defined by WHO as:

**“An approach that improves the quality of life of patients and their families facing the problems associated with life-threatening illness, through the prevention and relief of suffering by means of early identification and impeccable assessment and treatment of pain and other problems, physical, psychosocial and spiritual.”<sup>134</sup>**

The terms ‘palliative care’ and ‘end of life care’ are often used interchangeably and signify care given to someone with advanced, progressive, incurable illness. Until recently there was almost no palliative care provision within prisons and many prisons have no in-patient healthcare facilities (some having recently closed in response to budgetary pressures). Prisoners who have a life-limiting illness can apply for compassionate release but, contrary to popular belief, this is very seldom granted.

Further, applications for early release (e.g. in circumstances of chronic ill-health) are frequently thwarted because a precondition of early release is that the prisoner must have demonstrably reduced their risk of reoffending by undertaking courses such as the Sex Offender Treatment Programme (SOTP), victim awareness, and developing ‘thinking skills’. However, accredited programmes of this nature frequently have very long waiting lists, meaning that some individuals can never access them. In addition, many older prisoners have deteriorating health conditions such as dementia or post-stroke symptoms, which render them unable to attend or complete courses and thus incapable of demonstrating reduced risk of reoffending.

Importantly then, palliative and end of life care encompass more than simply providing specialist beds and facilities, but there is little knowledge about what models of palliative care exist and where they are to be found in the prisons estate. Prisoners requiring specialist palliative or end of life care are frequently treated either in the small number of beds in regional prison healthcare facilities or are transferred to local hospitals or hospices. In these circumstances they are placed under ‘bed-watch’ and are usually handcuffed to a

prison officer and/or chained to their bed. Bed-watching can be a distressing and shaming experience for prisoners and their families (and for other patients and staff) and has been the subject of criticism in several PPO reports.

It is frequently assumed that prisons are not places that should care for people at the end of their life, but the advantages and disadvantages of being treated in prison (as opposed to in external healthcare environments) are not widely understood. In addition to the stigma experienced by prisoners who are treated outside the prison, many older prisoners have no contact with their families, in part because some have offended against family members. For these individuals, their most salient relationships may be with other prisoners, and transfer out of the prison for palliative care can result in an isolated and lonely death.

In the US though, rather than burden government with expensive on-going medical care for an increasing number of older prisoners, there has been a movement towards early release for those deemed as low risk. This can mean elderly offenders are placed back with their families (if possible) or into a retirement home where more appropriate care can be provided. This can of course be combined with electronic monitoring and regular visits from probation and third sector organisations.

In summary then, our prison population is ageing and we need to find ways of coping with the added burdens this has placed on prisons. A solid body of evidence links improved health outcomes with access to nature and therapeutic activities (e.g. opportunities for gardening, gentle exercise and walking). Prisons should offer these alternative types of purposeful activity wherever possible. In addition, specific courses dedicated to coping with ageing,

preparing for retirement and accessing specialist services upon release are needed. All of these can be facilitated by the third sector and/or prisoner-led mentoring schemes and groups. Yet while these changes may alleviate some of the pressure on prison staff and give older offenders more opportunities to engage with the rest of the prison population, we still need a serious evaluation of what models of care are effective within secure environments. Further, an honest and open debate is needed about the realities of dying in prison and the possibility of early release for certain elderly offenders.

#### 4.5 The prison as an accident and emergency department

As already established, prisons face high rates of self-harm, suicide, drug use and substance related health issues. This is coupled with an increasing population of elderly prisoners. As such the prison is not only expected to perform the functions of a mental health unit, a detox facility and a geriatric ward, it also needs – as far as possible – to provide services associated more commonly with an accident and emergency department. All of the issues already addressed in this chapter are important here. For example, one of the ways in which we might reduce the number of emergencies is to reduce levels of self-harm, suicide and drug use in prisons.

Similarly, providing better care for elderly prisoners and designing spaces with physical disability in mind would be likely to be followed by a decrease in the number of accidents. In addition, more consideration needs to be given to the regularity and robustness of periodic assessments. While attention is often given to the risk an offender poses – which is understandable – we should afford the same level of due diligence to understanding the specific needs of each offender.

#### 4.1.5 Assessment and reassessment

Regular assessment/reassessment and updating of records accordingly, should be a top priority for two reasons. Firstly, an offender’s needs change with circumstance and situation. For example, the break-up of a relationship or a death in the family can increase chances of self-harm or of substance use. Secondly, offenders – like everyone – benefit from regular recognition of their achievements, which might include taking on extra responsibilities or the completion of courses/programmes. Continually setting (and reaching) realistic goals can encourage hope for a more successful future and measuring responsibility is crucial. It takes some time to measure this in terms of re-offending but compliance with normalisation activities can be measured instantly and provide a useful picture of the offender or ex-offender as an individual.

However, we should recognise that the majority of those within the prison system may well see disclosure of personal information in a number of different ways. Often what is shared can be partial; deliberately shaped to best advantage the person within their present situation. For example, the disclosure of a suicidal or self-harm history may be hidden to avoid segregation or different treatment. The point here is that the quality of assessments is in large part based on trust and honesty. Working together, different individuals/ organisations can gather information and feed-back over time so as to construct the most accurate picture of an individual and their needs.

<sup>130</sup> <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmjust/89/8905.htm>  
<sup>131</sup> O’Hara, K et al (2016) Links between depressive symptoms and unmet health and social care needs among older prisoners <http://ageing.oxfordjournals.org/content/45/1/158.full>

<sup>132</sup> cited Wilson, D. (2005), *Death at the Hands of the State*, London: The Howard League for Penal Reform, p 111  
<sup>133</sup> *ibid*  
<sup>134</sup> <http://www.who.int/cancer/palliative/definition/en/>

## 4.5.2 Adopting a ‘triage centre’ approach

In a 2015/16 report, the HMIP suggested the ‘Wellbeing Induction centre’ in HMP Peterborough should be held up as an example of good practice. The centre is described as having:

**“A range of staff including chaplains, drugs workers, resettlement officers and prisoner and peer workers. The centre was bright, welcoming, well decorated and ...prisoners were more likely to feel at ease and access the range of help that was offered”<sup>135</sup>.**

Due to the high rate of suicide, self-harm and depression in the early months of incarceration, we agree that induction into prison should be approached as a kind of triage system, in which potential emergencies and long-term needs are prioritised and dealt with accordingly. The type of induction and wellbeing centre adopted in Peterborough creates the right atmosphere to then start the process of an ongoing triage system, one that is capable of undertaking comprehensive assessments and periodical re-assessments.

Moreover, as discussed earlier in the chapter, recent research conducted in HMP Leeds has indicated that nearly half of prisoners had suffered some form of ‘traumatic brain injury’, highlighting the importance of proper screening. Without knowledge of past trauma – be it physical or psychological – prison staff will struggle to design and deliver effective programmes. We know these types of trauma can have a direct consequence, influencing thoughts, feeling and behaviour. Whether in community programmes or in prison, treatment and case management plans should be regularly updated to include, for

example: education, employment, life skills, substance abuse and addictions, mental and physical health needs and any other responsibilities or life circumstances such as family arrangements.

In addition, we strongly recommend that each prison develop an on-site healthcare centre which should include (at the very least) an infirmary, dentist, nurse, pharmacy, medication hatch and ‘crisis’ centre. Being on-site is essential given the increase in elderly prisoners, as well as the rise in self-harm, suicide and drug use. In addition, 67% of all prisoners need medication so the design of new prisons should facilitate regular chances to see a nurse, both in-cell and in a healthcare centre.

## 4.5.3 Location of new prisons

Not all emergencies and accidents can be dealt with on-site, so access to and from hospitals, fire stations and other emergency services is vital. Provisions should also be made for delivery access for medical supplies/equipment. These requirements make the location of new prisons important. We have already discussed some of the issues relating to location in Chapter 3, but it is worth recapping briefly. Prisons need either to be located near cities or have excellent transport links. This is important for prisoners’ families, for staff and for third sector/volunteer engagement while also ensuring that the emergency services can reach the prison in a reasonable amount of time.

Siting prisons within towns and cities can also help with resettlement, which means improving the success of the prison as a tool for rehabilitation. Although a physical barrier to the outside world is required, the aesthetics of the facility should ideally seek

to integrate it with the community because locating prisons in remote areas brings with it the potential for additional costs and complications associated with:

- Lack of access to food, water, and fuel supplies
- Lack of access to medical care and fire services
- Staff and visitor access problems, and the need to provide on-site staff accommodation
- Deficiency of available staff
- Fewer work opportunities for prisoners who are released or involved in community-based correction schemes
- Difficulties transporting prisoners
- The procurement of supplies

Furthermore, new prisons – as suggested by Lord Ramsbotham – would be more likely to be effective if they were grouped geographically into clusters.

**‘Prisons are not grouped geographically, as recommended by Lord Woolf in his *Strangeways report*. He recommended what he called ‘community clusters’, for which read regional clusters, with sufficient of prison places in each region to house every prisoner in that region, with the exception of high security prisons [there not being enough high security prisoners to justify a separate prison in each region]. If his 1990 recommendation had been acted upon in 1991, when it was included in the only White Paper on prisons, just think how different things would be, with regions being responsible for rehabilitating their own?’**

We are inclined to agree that grouping prisons into regional clusters which have more autonomy to develop specific programmes based on local need would be a step in the right direction. The size and location of new prisons is also important, so as to house all prisoners as near as possible to their families and to the area they will live once released (see Chapter 5 for more site specific considerations).

## 4.6 The prison as a place for worship and faith based activities

As directed in ‘Faith and Pastoral Care for Prisoners’<sup>136</sup>, prison establishments must contain specific designated spaces for worship and meditation. The benefits of meditation – for both prisoners and staff – have already been discussed in Chapter 1. Suffice to say that offering prisoners a space to reflect on their behaviours in the past and reconsider their behaviour in the present and future is an important element of the rehabilitative process. As such, these spaces need to reflect the size of the practising population for each faith, but would ideally be larger so that some areas can be used by offenders/staff who wish to engage in (non-faith based) reflection or other quiet pastimes. That said, each prison still needs to include specific spaces for prayer (see Appendix C for a more detailed breakdown of prison population demographics based on race and faith).

## 4.6.1 Designing faith spaces

Areas of the prison which are designed for prayer, worship and other faith based activities should be located away from undue noise. This goes for any space dedicated to independent study, meditation or self-reflection, as it will promote tranquillity and encourage reflexivity. They should also be close to washing facilities and have adequate storage for artefacts, books and religious symbols, while being flexible enough to accommodate different faith needs such as fixed direction prayer. In addition, the following considerations are paramount in the location of places for worship and meditation:

- Accessibility (faith-based spaces might also be made accessible to the public in some low security prisons)
- Convenience for staff observation and supervision
- Wall and floor finishes, heating and ventilation
- Required fixtures and fittings where necessary e.g. shoe racks
- The needs of all appropriate Chaplains and faith practices
- Flexibility of configuration

It is worth noting that health and safety and/or security and control limitations of the individual faith space within the prison may limit the numbers of prisoners allowed to attend worship at any one time. This may need to be assessed and accommodated for by prison management. In cases where there is insufficient capacity to allow all who wish to attend to do so at a single service other provision must be made so that no one is denied access to their act of worship or meditation.

## 4.6.2 Protecting vulnerable prisoners

As with all areas of the prison, faith spaces still need good sight lines to ensure they are convenient for staff observation; faith spaces are not exempt from intimidation and bullying. Adopting good security measures and using appropriate assistive technology in these areas is also pertinent given that vulnerable prisoners might be susceptible to radicalisation.

The Prison Officers Association reports that religious extremists may actively seek prison sentences in order to radicalise other prisoners and that it may be possible that socialising with other prisoners serves to reinforce criminal ideologies and facilitate gang associations. The recent review into extremism in prisons, led by Ian Acheson, recommends that the current system whereby TACT prisoners (that is, those sentenced under the Terrorism Act 2000 and its successors) are dispersed across prisons should be reviewed, and consideration given to containment of known extremists within dedicated specialist units – a ‘prison within a prison’, as they are commonly described<sup>137</sup>.

It may seem appropriate to house radical or violent extremist prisoners separately to prevent their influence on others; however, this may also serve to reinforce feelings of marginalisation and limit opportunities for rehabilitation. Therefore thorough risk assessments should be carried out in order to assess how best to deal with these challenges on an individual basis and staff should be trained to recognise the signs of radicalisation.

<sup>135</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/538854/hmip-annual-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538854/hmip-annual-report.pdf)

<sup>136</sup> Ministry of Justice (2013) Service Specification for Faith and Pastoral Care for Prisoners

<sup>137</sup> MOJ (2016) Summary of the main findings of the review of Islamist extremism in prisons, probation and youth justice, August 2016, <http://www.statewatch.org/news/2016/aug/uk-prisons-extremism-acheson-review-summary-8-2016.pdf>

Radicalisation is a highly contentious issue and it is not within the scope of this book to discuss it in any great detail. We would instead refer readers to the aforementioned MOJ report led by Acheson, and to the Kings College London Study ‘Prisons and Terrorism Radicalisation and Deradicalisation in 15 Countries’<sup>138</sup>. While the KCL report offered a total of twenty recommendations, two are particularly pertinent:

**“The ‘security first’ approach of most countries results in missed opportunities to promote reform. Many prison services seem to believe that the imperatives of security and reform are incompatible. In many cases, however, demands for security and reform are more likely to complement than contradict each other.”**

Furthermore, the report concluded that:

**“Prison services should be more ambitious in promoting positive influences inside prison, and develop more innovative approaches to facilitate prisoners’ transition back into mainstream society.”**

### 4.6.3 Disabled access

As already noted, the prison population is ageing and many prisoners have difficulty walking long distances or using staircases. More broadly though, all communal areas (such as faith based spaces) need to be easily accessible by any offenders with a physical disability. This is a fundamental design requirement.

Although the Equality Act puts all equality and discrimination legislation into one place, the Disability Discrimination Act or DDA

(2005) still applies and mandates specific requirements around the design and access of buildings. Prisons have a duty to facilitate both disabled prisoners and disabled visitors to the premises. New build and existing prisons should be assessed via an ‘access audit’ to determine the extent of compliance with the DDA. An access audit would typically cover the following aspects of the building:

- Car park facilities and approach to the premises (including entrances, external ramps, steps)
- Reception areas, lobbies, corridors and internal doors, stairs and ramps
- Lifts and platform lifts, WCs (general provision for ambulant users and wheelchair users)
- Internal surfaces, facilities which would include way finding and lighting
- Acoustics
- Evacuation arrangements
- Building management

The Act denotes that service providers and employers have an obligation under the DDA to focus on specific user needs and making reasonable adjustments to any physical barriers of the building which may prevent disabled people accessing and using a service. Under the DDA, a prison is therefore responsible for making reasonable changes so that a prisoner can play a full part in prison life and be treated in a good and fair way by staff and other prisoners.

## 4.7 Staff training and support

We have already alluded to the importance of a happy, healthy workforce in Chapter 2, but it is also pertinent to include in his chapter some discussion about the stresses of working within a prison. Staff are expected to keep the prison safe and secure and be effective agents for change while at the same time managing incredibly difficult individuals exhibiting the worst types of behaviour, and all of this occurs within increasingly volatile and hostile environments.

Indeed, considering the complex needs of the prison population, it is vital that we train prison staff to both identify problems and deal with the initial challenges presented by those problems as they arise. However, practicalities of staff training are only part of the issue. We need also to recognise the emotional labour that prison officers are expected to perform and how the role of a prison officer both impacts on (and is the result of) a prison’s organisational culture.

### 4.7.1 The role of a prison officer and the culture of the prison

The term ‘culture’ is used here to describe the pervading atmosphere, the shared assumptions values and beliefs which together create the context. As such, culture can be used to speak about aspects of an entire system, organisation or process, of an individual prison or institution, of even a specific wing or area. When the culture is right, it can be truly inspiring for both prisoners and staff but, conversely, when the culture is problematic, staff and offenders suffer. As the cultural architects Javier Bajer suggest:

**“Culture is the personality of an organisation. It is what engages people ... to make things happen. It drives everyday decisions, inspiring high performance ... Culture is not what the posters say it is. It is what people talk about when we are not watching.”<sup>139</sup>**

Culture is thus the spoken and unspoken rules, norms, traditions, values and beliefs of a group of people. When we talk of ‘normalisation’ we do not mean a culture that underplays the real issues, but instead confronts them, however difficult that might be. We would thus suggest cultural change in the context of prisons occurs most effectively when both the business or ‘hard side’ of the prison (security, safety, etc.) is understood in conjunction with the more human, individualised ‘soft side’ (a healing, therapeutic environment). Moreover, before change can really occur, we must first listen to staff in order to understand the particular challenges being faced in specific prisons. As was recently reported in The Times:

**“Prison officers had repeatedly spoken of their fear of being murdered... the thing that chilled me most was the matter of fact way that these very brave people... expected an incident where they would be taken hostage and killed. They perceived every day that was an issue they had to manage that psychological threat, and to get on with their jobs. I was very struck by their stoicism and that the threat had been completely main-streamed and normalised. It was quite shocking to me.”<sup>140</sup>**

The role of prison officer is incredibly stressful, as proven by the high turn-over in staff. If we have acknowledged that the prison functions as a detox facility, a mental health institution, a geriatric ward and potential site of radicalisation, we need

also to recognise that staff working within prisons reflect these alternative functions in their own roles. They are expected to do (and be) far more than mere guardians of security.

### 4.7.2 Good practice for supporting staff

To become agents of change, capable of safeguarding but also inspiring those within their care, officers need to invest in prisoners’ lives. Considering the complexity of those lives and the past trauma many offenders have experienced, this can take a heavy emotional toll. We thus need to talk to prison officers in order to develop appropriate and effective support which will enable officers to do all they can to help facilitate a change in prisoners’ lives.

Prison officers are not the only people who work with difficult behaviours. Yet while volunteers and other healthcare professionals (such as those who work with substance users) are encouraged to be reflexive in terms of their role and their own wellbeing, prison staff can at times be forgotten. A similar approach is needed with prison staff if we expect them to create environments of hope in places which are naturally geared toward despair. More formal staff mentoring schemes, along with regular debriefs (not only after assaults or suicides) may help to support staff in their roles.

### 4.7.3 Staff training

This has been discussed in Chapter 2, but to recap, staff should be given every opportunity to specialise in certain types of behaviours or specific groups of prisoners (such as those who have self-harmed, or the elderly). These extra responsibilities should be rewarded and pay increased

accordingly. Receiving advanced training, and being given responsibility for the wellbeing of certain groups, increases job satisfaction because officers feel valued while at the same time being empowered to make a difference to offenders’ lives.

## 4.8 Conclusion

Prisons should be environments which are conducive to rehabilitation, yet more often than not they breed hopelessness and despair. The reality is that most people who enter prison have already lost confidence in the systems and structures that surround them. Having placed their trust in people who have let them down, many of those serving custodial sentences will engage in criminal behaviour upon release.

Moreover, rehabilitation and behaviour change is unlikely to occur if mental and physical health needs are not met. Poor mental health can be a contributor to recidivism once back in the community, as is the lack of appropriate support networks. For many, the decision to change their lives will in itself be insufficient without considerable wrap-around support provided by agencies, families or friends, prison staff and the third sector. Given the opportunity of a better future, many can and will choose to change. But we have to provide rehabilitative environments which are designed to accommodate the needs of every offender within the prison population, however complex or challenging those needs may be.

In this book then, we have discussed the elements of rehabilitation which are most useful in understanding behaviour change and the prison environment. We wonder though, what if we could implement even 30% of what is described in this report? Would this be sufficient to be transformational? What would be the tipping point to enable and sustain change within our prison system?

<sup>138</sup> International Centre for the Study of Radicalisation and Political Violence at King’s College, London 2010 examined the evidence from fifteen countries about how people could be radicalised or reformed in prison. <http://icsr.info/wp-content/uploads/2012/10/1277699166PrisonsandTerrorismRadicalisationandDeradicalisationin15Countries.pdf>

<sup>139</sup> Cultural architects: <http://www.javierbajer.com/>  
<sup>140</sup> <http://www.thetimes.co.uk/article/jail-staffs-daily-fear-of-attack-by-terror-inmates-m3fdmsxbf>

## Recommendations

### Reducing high levels of addiction/substance use in prisons

**Recommendations:** The third sector is well placed to deliver specialised services based on the specific drug-related problems/issues a prison is facing (see 3.7.2). Needle exchange programmes have proved effective elsewhere, as have heavily staffed drug-free units. The fundamental issue though, is convincing offenders that a life free from addiction is a worthwhile pursuit. This can only be achieved through a holistic approach which relates to all aspects of prison life; be it about prison culture, prison regime, or prison design.

### Reducing high levels of depression, self-harm and suicide in prisons

**Recommendations:** Views of (and opportunities to engage with) nature can reduce stress, anxiety and depression in the prison. Acknowledgment of who is most at risk - and when - is also key. Self-harm should not be treated as 'manipulative behaviour'. Suicide resistant fixtures can also help, as can engaging prisoners in more meaningful and more regular purposive activity (such as work or education - see Chapter 2) or visits from family and friends (see Chapter 3). Good sight-lines/surveillance also help reduce bullying/intimidation.

### Addressing the needs of elderly prisoners

**Recommendations:** Disabled access to all communal areas will benefit all prisoners, but other recommendations include specialised courses (preparing for retirements, for example) and low intensity fitness programmes (such as chair aerobics). On-site medical services are also vital as is recognition that palliative care is a growing reality. As with all offenders, we would also suggest that elderly offenders might benefit from: alternatives to incarceration (for those who pose little risk of harming others); shorter prison sentences followed by intensive community-based transition/re-entry programs, and incentivised early release (based on compliance, good behaviour, achieving their treatment plans' goals).

### Recognising and reducing the emotional toll on prison staff

**Recommendations:** Good design can help officers do their jobs with regards to security, but we need also to recognise the significant stress officers may experience as part of their role. For some offenders, the prison acts as a detox facility, a geriatric ward, a mental health institution and an emergency room. Staff witness - and have to deal with - the most destructive individual and behaviours in our society, so we need to provide both emotional support and teach coping strategies to keep the prison workforce healthy and motivated.

## *Chapter 5*

*Balancing the books:  
Reducing operational and  
construction costs while  
supporting rehabilitation*

## Balancing the books: Reducing operational and construction costs while supporting rehabilitation

### 5.1 Introduction

This final chapter of the book considers the Business Case for Rehabilitation by Design. It begins with a consideration of the current cost of the UK prison system, and this is followed by an exploration of the cost savings and benefits of the *Rehabilitation by Design* proposals detailed in the previous chapters. The potential financial, social, and environmental benefits are considered, recognising that many of the benefits will reach beyond the financial cost base of a prison. For instance, greater rehabilitation of prisoners would lead to benefits for the economy through greater employability and a reduction in the costs associated with recidivism. The cost effectiveness of non-custodial alternatives are then considered, as these are seen as key to reducing recidivism and prisoner numbers.

This chapter concludes that effective design and the introduction of greater measures focused on rehabilitation can lead to cost savings and wider economic, social, and environmental benefits. When coupled with a focus on building non-custodial alternatives, these measures could lead to a positive fundamental shift in the cost base and effectiveness of the UK prison and offender rehabilitation system.

### 5.2 Spend to save

As outlined at the beginning of this book, the Government has committed to:

- Establishing six 'Reform Prisons' (one of which is HMP Wandsworth, built in 1851)
- Building nine new prisons (details yet to be released), with £1.3bn of investment announced in the Spending Review<sup>141</sup>
- Extending the freedom of Governors to control all key aspects of prison management, including education, the prison regime, family visits, and partnerships to provide prison work and rehabilitation services<sup>142</sup>

The development of a prison expansion and modernisation programme for England and Wales is one which is welcome. The construction industry typically contributes between 6% and 7% to UK GDP and is a major employer of small, medium and large scale enterprises. Every pound spent on construction generates £2.84 for the wider economy<sup>143</sup> so a large-scale building programme can make a considerable contribution to the health of the UK economy in itself. Regardless of this though, the programme cannot be undertaken without careful planning and preparation.

Any large scale public sector investment programme should work on the basis of 'spend to save', in this instance considering not only the long term economic benefit of the investment but the social impact on the prison population and their families, on recidivism rates, on victims of crime and on the wider community.

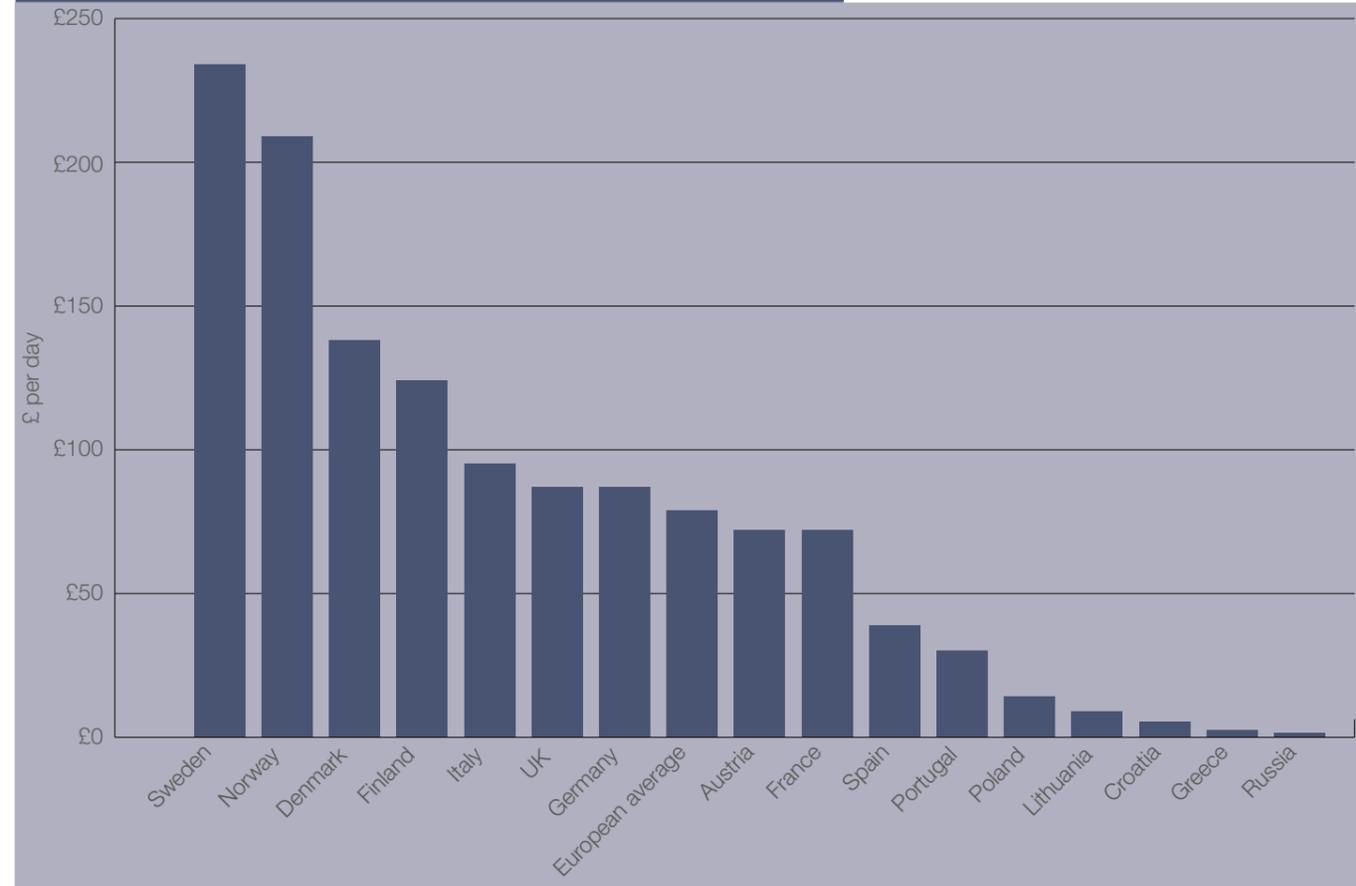
<sup>141</sup> <https://www.gov.uk/government/news/biggest-shake-up-of-prison-system-announced-as-part-of-queens-speech>  
<sup>142</sup> *ibid*  
<sup>143</sup> CBI: <http://www.cbi.org.uk/business-issues/construction/insight-analysis/>

The scale of the prison population puts considerable pressure on the prison estate, and prison staff, as well as prisoners themselves and their families. If prisoner numbers are to be reduced, consideration needs to be given to non-custodial alternatives that provide a combination of retribution, deterrence and rehabilitation. Moreover, for offenders who are incarcerated, a prison needs to offer safety and security while actively shaping rehabilitation and hope for the future.

Both UK government and NOMS have confirmed their commitment to reducing reoffending and adopting more effective alternatives to incarceration. But this raises important questions, captured in reports by the Justice Committee, Commission on English Prisons Today, the Prison Reform Working Group, the Conservative Party and the National Audit Office. These questions include:

- Could we get better value for money by "reinvesting" some of the money spent on prisons, either in other parts of the criminal justice system (such as community sentences) or on activities that prevent crime in the first place (such as early intervention)?
- Should we have smaller local prisons, which may work better by rehabilitating offenders closer to home, or larger prisons providing economies of scale?
- Should more be done to rehabilitate prisoners serving less than twelve months, 60% of whom are re-convicted within a year, but who often have no access to work or courses?

Fig. 9: Amount spent in GBP per prisoner, per day: UK costs vs European



### 5.3 UK costs vs. European costs

Research undertaken by the University of Lausanne for the Council of Europe (CoE) suggests that taxpayers in England and Wales are by comparison paying more to run prisons in the UK than many other major countries in Western Europe. This is largely because England and Wales imprisons more people than comparable countries, at higher cost to the public purse. Professor Marcelo Aebi, the lead researcher on the CoE project, said that prison costs in the UK are also directly related to our tougher penal system.

<sup>144</sup> Institute for Criminal Policy Research: <http://www.prisonstudies.org/>

**“England traditionally has very harsh penalties compared to its neighbours, which often apply softer sentences” adding “In England and Wales it is a very punitive system.”**

With regards to cost per prisoner, the Scandinavian counties spend more per prisoner than any other European countries but this is - at least in part - because they incarcerate comparatively few people per population.

- Norway for example imprisons **70** people per **100,000**
- England and Wales imprison **146** people per **100,000**<sup>144</sup>

Toward the end of this chapter we provide a number of reasons why non-custodial alternatives should be a top priority in England and Wales, not least because any cost-saving could be spent more wisely on crime prevention and/or community sentences. In addition though, reserving prison for those who truly pose a threat to society would result in fewer prisoners, so time and resources could be spent more efficiently on those prisoners, as it is in the Nordic countries. Please see figure 9.

Fig: 10

Prison type	Direct Resource Expenditure		Overall Resource Expenditure <sup>146</sup>	
	Cost per place	Cost per prisoner	Cost per place	Cost per prisoner
All types average	£26,744	£24,935	£36,237	£33,785
Male local	£30,357	£23,758	£40,873	£31,989

Moreover, as this book has argued, adopting elements of the Nordic normalisation model need not necessarily increase the cost of new and existing prisons drastically. With careful planning there are ways to 'design in' opportunities which will support behaviour change. In a recent US report by the Pell Center for International Relations and Public Policy, the author suggested that:

*“Scandinavian countries are often considered models of successful incarceration practices, particularly Norway which, at 20%, has one of the lowest recidivism rates in the world ... While Americans may scoff at the treatment of prisoners in other countries ... the low incarceration and recidivism rates suggest that the “normalization” approach works.”<sup>145</sup>*

### 5.3.1 Cost per prisoner in England and Wales

Figures from the MOJ and NOMS illustrate that it costs around £65,000 to imprison a person in England and Wales, taking account of all police and court costs. After that, it costs circa £40,000 per year per prisoner. In their 2013-2014 Annual Report, NOMS report annual cost of imprisonment in figure 10.

The cost per place refers to the cost according to the accommodation capacity of the prison. The cost per prisoner is the actual cost of imprisonment according to the number of people imprisoned.

On completion of a custodial sentence, prisoners are subject to a period 'on licence' during which they are subject to supervision and monitoring by the Probation Service or, increasingly, a private Community Rehabilitation Company. In London, the average cost of providing post release supervision is given as £2,380 per offender. The cost of managing a non-custodial sentence per year is £5,240.<sup>147</sup>

### 5.3.2 The broader costs of incarceration

Broadly speaking, the cost of incarceration includes:

- **Construction of the prison** – the capital investment covering the purchase of land, site development, the construction process, furniture, equipment and fees
- **Operation and maintenance** of the prison estate – capturing staff, maintenance, food services, medical, utilities, supplies and other operational costs

- **Supervision and monitoring** of prisoners post release – on completion of a sentence, prisoners are subject to a period of supervision and monitoring by the Probation Service or equivalent private company.

The construction of a prison can be complex. HMP Oakwood, a Category B prison, is reported to have involved 1,000 subcontractors to construct 17 separate buildings consisting of 2,700 rooms, offering accommodation for 1,600 prisoners. The cost to build is quoted at £190m<sup>148</sup> Although designed with 1,600 cells, single cells are already being converted into double cells to increase capacity to 2,106<sup>149</sup>.

### 5.3.3 Breakdown of expenditure over a prison's whole-lifespan

Like many construction projects, it is common for decisions about prison design and performance to be considered in terms of capital cost only. Yet thinking about the 'whole life cost' and about 'value' enables design decisions to be made in full consideration of prison management and operations.

In other words, capital outlay is typically only a small proportion of the total expenditure for a prison lifespan, equating to between 5% – 10%, with operational costs

<sup>146</sup> Ministry of Justice, costs per place and costs per prisoner, information release 28 October 2014  
<sup>147</sup> Ministry of Justice, Probation Trusts Unit Costs 2011-2012, Information Release published 25 October 2012, Revised 28 November 2012.

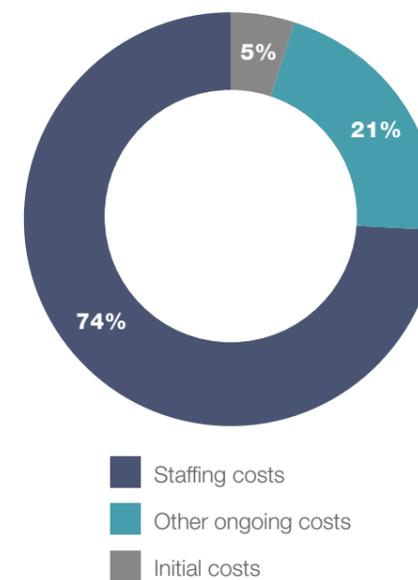
<sup>148</sup> Pick Everard case study  
<sup>149</sup> <http://www.independent.co.uk/news/uk/crime/prison-overcrowding-hmp-oakwood-to-convert-single-cells-into-doubles-to-make-room-for-500-extra-a6960726.html>

(maintenance, food, utilities etc.) equating to between 12% – 24% of whole-life costs. It is **staffing costs** though, including salaries and benefits, which represent by far the greatest proportion of expenditure.

- Staffing costs are estimated to be around 70% – 80% of the whole life cost of a prison
- On this basis, the whole-life cost for HMP Oakwood will be circa **£3.8 billion**

The Vera Institute calculated the following percentages (figure 11) for the three major cost categories in 2015<sup>150</sup>.

Fig. 11: Typical life-cycle costs for prisons and jail



<sup>150</sup> Christian Henrichson, Joshua Rinald, and Ruth Delaney. Vera Institute, The Price of Jails: Measuring the Taxpayer Cost of Local Incarceration, May 2015, page 10.

## 5.4 The current UK Prison estate: Not fit for purpose

As this book has argued, prisoners require a rehabilitative environment to equip them with the skills, knowledge and readiness for successful re-entry into the community, minimising the likelihood of recidivism. It is important to have a balance so that prisons are liveable and support rehabilitation, while being safe and secure, but not considered a favourable alternative to the outside world. Research on 'how to build prisons for success' by Penal Reform International suggests that:

*“Whilst it is questionable that the world needs more prisons, it is undeniable what the world needs is better ones to keep pace with the progress in correctional philosophy and practices.”<sup>151</sup>*

Indeed, much of the existing prison estate in England and Wales was constructed over a century ago. Many of these buildings remain in use because they are still structurally sound, and because there is a lack of more modern prison space. This does not however mean that they are fit for purpose.

- **The changing nature of prison design:** In the 18th century, the prison itself was considered the punishment (as opposed to being removed from society). Early facilities were therefore designed to enforce isolation and intimidation
- **Not fit for purpose:** Examples of prisons which (due to their age) will struggle to ever be effective environments to rehabilitation include Brixton; Dartmoor; Durham; Lincoln; Stafford; and Wandsworth

<sup>151</sup> Penal Reform International, How to build for success: prison design and infrastructure as a tool for rehabilitation, 2014

In the eighteenth century, the prison itself was considered the primary punishment, as opposed to being removed from society. Early prisons such as HMP Wandsworth and HMP Manchester (Strangeways) were therefore institutional in design, enforcing isolation and intimidation. This is how many of them remain in use today. Due to their age, many existing prisons in England and Wales struggle to introduce more modern initiatives based on well-evidenced rehabilitative ideals. This has consequences for prisoners and their families, as well as prison staff and third sector workers. The knock-on effect is that high levels of recidivism have a significant social and economic impact that is hard to quantify or measure.

## 5.5 The future design of prisons – cost savings through design and staffing efficiencies

Prison design should be driven by the knowledge that people are capable of change and improvement. We can learn much from 'evidence-based practices' which demonstrate the influence of healthy environments, such as those developed for hospitals and healthcare centres.

For any new prison environment, it is important that functional design is realistic and that this allows for an appropriate degree of future flexibility in terms of layout and ever developing technology. Many existing facilities, because of their age, do not offer a corrective rehabilitative environment, nor do they provide an environment which supports prisoner mental health or wellbeing. For example, there may be:

- **A lack of suitable space** for purposeful activities (such as training rooms, sports facilities, gardens and allotments)
- **Sensory overload and/or sensory deprivation** caused by minimal access to daylight and nature, poor acoustics, and inadequate temperature control in both hot and cold conditions
- **Cramped and overcrowded conditions** which can contribute to prisoner depression, frustration, anger and violence

These factors, coupled with prisoners experiencing long periods of time locked in their cells, have a detrimental effect on prisoner wellbeing, reducing their chances for success on the outside.

Many of the design principles throughout ‘Rehabilitation by Design’ which would alleviate some of these problems can be achieved with little or no cost impact. In addition, the construction of a rehabilitative prison environment will help to:

- Decrease the number of prisoners
- Minimise the length of prisoner sentencing
- Reduce the potential for re-offending

### 5.5.1 Site and design considerations for new prisons

New prison facilities should be constructed to provide a minimum, basic standard of living condition in relation to access to daylight, sanitation, nutrition, physical exercise, and health care, as per the Mandela Rules.

The primary purpose of imprisonment is to protect society against crime and dissuade recidivism. This can only be achieved if prison architecture supports this purpose rather than creating an environment which dehumanises and institutionalises offenders. Providing a prison environment which facilitates rehabilitative programmes is therefore critical to this success.

The design of a new prison facility should consider:

- Allowing the segregation of prisoners according to sex, age, criminal record, offence and current behaviour
- The provision of spaces for work, educational, recreational and creative activities for prisoners
- Deterring and preventing prisoners from escape by providing a level of security appropriate to the security risk posed by the prisoners
- Fire detection and control systems
- CCTV systems
- Potential for future expansion
- Incorporating a ‘no man zone’ or ‘buffer zone’ to reduce the potential for contraband being thrown into the grounds
- The location and proximity of rooms and spaces e.g. a staff room should be centrally located and kitchens and workshops should be positioned close to the delivery entrance etc.
- Ease of access for ambulances and other emergency services

- Lots of open, external space which enables prisoners to walk between buildings (from housing to school, work, meals, family visits therapy etc.)
- Attractive landscaping to include green spaces, trees and plants
- Indoors spaces which provide ample natural light
- Excellent sightlines within buildings and around estate
- Ample and secure access for prison vehicles
- Convenient access to the site for staff, visitors and volunteers
- Pleasant and supportive work environment for staff
- Amenities that can be used as part of the behaviour management system (e.g. incentivised active and passive spaces, recreation areas, less secure housing units).
- Parking for staff (enough for 2 overlapping shifts) and for visitors

As with all construction projects, new prison sites should be fully investigated to understand whether there are any specific issues which may affect the land use, such as:

- Planning restrictions
- Topography
- Site contamination
- Soil conditions

- Special protection such as being located in or in close proximity to a Site of Special Scientific Interest (SSSI) or having potential impacts on important native flora and fauna
- Availability of water supply, waste water management and solid waste management
- Availability and reliability of local power supply and distribution sources
- Possibility of natural disasters such as earthquakes and floods

### 5.5.2 Designing with diversity in mind

The design of a new prison, or the structure/layout of an existing prison, should be considered so that the potential for discrimination is eliminated. Prison facilities should be designed with diversity in mind.

It is important to ensure that:

- The management team of prison establishments is aware of the relevant and applicable legislation and their duties for compliance
- New build prisons are designed and constructed with diversity in mind and in accordance with relevant legislation
- There is an assessment of the current prison estate to establish compliance and identify any non-compliance so a strategy can be developed
- Any services provided within the prison e.g. healthcare and education, are comparable to those on the outside

- Older prisoners are assessed according to their needs – they should be able to access all parts of the prison and partake in purposeful activity (where it is reasonable to do so)
- Faith and pastoral requirements are assessed – all religions/faiths should have access to a suitable and designated space for worship
- The needs and wishes of transgender prisoners are respected – individual review and consultation should take place
- Any recommendations which come from NOMS in relation to transgender prisoners are communicated across prison management and adopted.

### 5.5.3 A new prison model

A fundamental consideration is how prison sites are laid out. *Rehabilitation by Design* recommends a ‘campus model’ (or doughnut configuration) which instead of single prison blocks, incorporates different blocks with various levels of security and replicates features of a normalised environment. It allows for a ‘step up, step down’ approach and provides for incremental personal and physical, movement towards the outside world. This will motivate prisoners to engage in good behaviour and creates a more flexible prison environment. With careful management the campus model can support a safe environment for prisoners, staff and visitors.

### 5.5.4 Modular construction

There is increasing evidence of modular construction adoption with modular cell units incorporating bedroom sleeping area, toilet facilities and study/desk facilities in the same space. This approach offers both design and cost benefits. Construction in a factory environment increases certainty of cost and consistency in design and quality. The construction site itself then becomes a more controllable environment beneficial to the delivery programme and to the health and safety of people on site. It is noted that modular cell units are more suited to prisoners requiring high-medium or high security placements and that prisoners who are close to release may benefit from a living arrangement more conducive to rehabilitation e.g. independent living apartments.

The inclusion of finishes, fixtures and fittings which enhance the ‘normality’ of the environment and remove the institutional feel, may be a simple but important step towards rehabilitative surroundings. Early decision making and the consideration of standardised products where available should mean changes like this can be incorporated without incurring additional cost. It is important that standardisation does not lead to a ‘one size fits all’ approach though, and that standardised fixtures for prisoners in high security segregation, for example, should look and feel different to the standardised fixtures for prisoners in a pre-release housing unit. This is a central element of incentivised spaces.

### 5.5.5 Safety and security

Security is a fundamental aspect of prison life, protecting prisoners, staff and visitors alike. The incorporation of security can be inherent through good design planning. For example, clear sight lines in and around the building does not have a cost impact on construction, and it can result in fewer staff, saving significantly on on-going operational costs. However, the need for security must be proportionate to risk and must be balanced with 'quality of life' issues for prisoners and staff. For example, a requirement for clear sight lines should not be used to justify an absence of trees on a prison site, which have proven benefits to health and wellbeing.

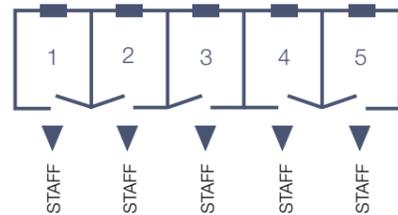
The way in which security is accommodated and managed can also have a significant impact on prison staffing strategy; this should be a primary focus of designing and renovating all aspects of prisons including housing units, dining rooms, association rooms, corridors, classrooms, vocational shops, industries workshops and active/passive recreation areas.

### 5.5.6 Using staff efficiently

One example of how layout impacts staffing and staff costs is for housing for extremely suicidal prisoners. Some jurisdictions require that each highly suicidal prisoner be constantly observed by staff. A linear cell arrangement, illustrated below, requires one staff observing each prisoner in each cell in figure 12.

Whereas the arrangement indicated in figure 13<sup>152</sup> enables continuous observation of five highly suicidal prisoners by only one staff.

**Fig 12 Poor design: Five constant officers needed for observation**



Any potential reduction in staff numbers can be multiplied by a factor of five where 24 hour/seven day week supervision is required (to cover all shifts, and accounting for time off for holidays, sick leave, and so forth).

### 5.5.7 Using technology

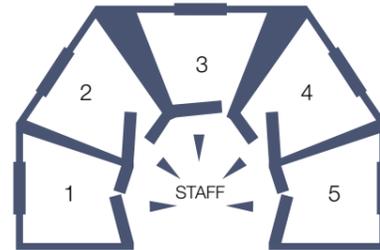
In addition to layout, the use of technology in supporting security, education, work based activities and supplementary visits should be thoroughly explored, balanced with what is perceived as 'acceptable' (by the public) and secure within a prison environment.

### 5.6 Integrated pathways

As well as the physical design, layout and construction of a prison facility, its organisational framework and integration with other UK Government agencies is critical to placing rehabilitation at the front and centre of a new programme of prisons. The use of integrated pathways is a particular relevant example of a framework which can achieve better outcomes.

Integrated pathways are increasingly being promoted by UK government to link related public services to improve user outcomes

**Fig 13: Effective design: One officer needed for multiple observation**



and encourage more efficient use of public resources. The widely reported integration of health and social care is a well-known example which has the potential to free up hospital capacity and enable service users to receive better care in the social sector.

### 5.6.1 Supporting the Integrated Offender Management Strategy with design

In the context of offender management, in 2009 the Ministry of Justice and the Home Office set out the key principles of Integrated Offender Management (IOM) strategy to prevent crime and reduce re-offending. IOM is based on partnerships at a local level between criminal justice and other relevant agencies working together, and with suitable private sector and third sector partners, to devise a tailored response to crime in order to target those offenders at greatest risk of recidivism.

New prison facilities can help facilitate the implementation of IOM by providing a physical space where the partners of a local IOM partnership can interact with offenders and intervene in their correctional journey at a suitably early stage to minimise the risk of reoffending.

**Fig 14**

Rehabilitation by Design proposal	Benefits		
	Economic	Social	Environmental
Rationalisation of prisons estate	4		
Use of energy efficient building systems	2		4
Use of low maintenance materials, finishes, and building systems	4		2
Creating flexible spaces which can be adapted to changing needs	2	2	1

The interaction of different organisations to reduce recidivism has also been encouraged through the use of social impact bonds, with HMP Peterborough being the first such scheme in 2010<sup>153</sup>. The bond represents an innovative form of raising finance from the private sector and importantly the return to the investor is based on meeting defined social outcomes, such as reducing re-offending rates. The scheme involved the integration of services from a variety of organisations, including the prison, other public services, and local charities. The mechanism for monitoring performance of the scheme at Peterborough involves comparing the outcome for the cohort of prisoners on the scheme in terms of re-offending rates to a national control group.

The concept of bringing together a variety of organisations around a common goal or target as part of *Rehabilitation by Design* could further encourage a reduction in recidivism and its associated costs.

### 5.7 Assessing the cost savings and benefits of Rehabilitation by Design

A step change in the design of the UK prisons estate must demonstrate that it can achieve a tangible cost saving as well as delivering additional benefits. This section of the chapter therefore sets out the cost savings and benefits of *Rehabilitation by Design*, which fall into the following three categories:

1. Cost savings and benefits from adopting new flexible design and construction methods, e.g. energy efficiency, and creating flexible spaces that can be adjusted to meet future demand
2. Cost savings and benefits from incorporating the latest technology and thinking into prison design, e.g. prisoners taking responsibility for the maintenance and up-keep of aspects of the prison, and allowing the private and third sectors to contribute creatively to solving issues
3. Cost savings and benefits from expansion of alternatives to incarceration, e.g. electronic monitoring, home confinement, probation, work release, and drug courts

In order to assess the cost savings and benefits, the potential economic, social, and environmental benefits have been considered, recognising that many of the benefits will reach beyond the cost base of a prison. For instance, greater rehabilitation of prisoners should lead to benefits for the economy through greater employability and a reduction in the costs associated with recidivism.

### 5.7.1 Cost savings and benefits from adopting new flexible design and construction methods

The following tables use a scale where the magnitude of benefit impact is assessed according to:

- Some beneficial impact
- Medium beneficial impact
- High beneficial impact
- Very high beneficial impact

The analysis in figure 14 indicates that adopting new flexible design and construction methods - as advocated in *Rehabilitation by Design* - could deliver **significant economic and environmental benefits**.

<sup>152</sup> Mark Goldman in conjunction with US county jails

<sup>153</sup> <http://www.socialfinance.org.uk/impact/criminal-justice/>

Fig: 15

Rehabilitation by Design proposal	Benefits		
	Economic	Social	Environmental
Engaging prison workers in the maintenance and upkeep of prisons and aspects of their own wellbeing	2	2	
Use of selected contracted services – allowing private and third sectors to contribute creatively	2	2	
Improving education and employment training	2	4	
Reduce drug availability and use	2	4	
Support treatment of mental health	2	4	
Enabling the building of social and cultural capital	2	4	
Improving staff health and satisfaction, and increasing retention	2	2	
Minimising staff overtime	4	2	
Appropriately allocating housing unit prisoner numbers	2		
Broadening the use of technologies	2	2	1

### 5.7.2 Cost savings and benefits from incorporating the latest technology and thinking into prison design and operation

Based on figure 15 analysis, adopting technology and best practice could deliver significant economic and social benefits as part of implementing the recommendations offered in *Rehabilitation by Design*.

### 5.7.3 Cost savings and benefits from expansion of alternatives to incarceration

This is slightly more complex because the benefits are so far-reaching. Reserving incarceration for those who most warrant it and developing lower cost alternatives to incarceration<sup>154</sup> is a guaranteed way to save money. In addition though, non-custodial alternatives have the benefit of:

- **Direct and indirect saving:** Non-custodial sentences can result in drastic cost savings both in regards to the offender and their family's use of social services, child welfare, and education.

- **Having a parent in prison can be devastating for a child:** Where parents are in non-custodial alternatives, children are more likely to get the support they need<sup>155</sup>
- **Prison does not reduce recidivism:** A large body of research has shown that incarceration is not an effective intervention for long term behaviour change for many offenders, and it actually may slightly increase recidivism compared with alternatives<sup>156</sup>
- **Re-directing money into crime prevention:** It is also important to note that every pound spent on prisons cannot be used for other purposes representing an opportunity lost<sup>157</sup>

155 Henrichson and Delaney, page 3.  
 156 A. Williams, D. May, & P. Wood, The Lesser of Two Evils? A Qualitative Study of Offenders' Preferences for Prison Compared to Alternatives, Journal of Offender Rehabilitation, 2008, 72-90.  
 157 Henrichson and Delaney, page 3.

154 Christian Henrichson and Ruth Delaney, Vera Institute. The Price of Prisons What Incarceration Costs Taxpayers January 2012, updated 7/20/12, page 12.

Fig: 16

Alternative to Incarceration	Accountability	Longterm Behaviour Change	Both Accountability and Long-term Behaviour Change	Stabilisation
<b>Most Cost Effective</b>	Electronic Monitoring	Cognitive Behaviour Programming Skill Based Supervision	Intensive Supervised Probation with Treatment	Work Release Housing Search Assistance Outpatient Mental Health Services & Medication
	Home Confinement Probation Offense Specific Classes			
<b>Moderately Cost Effective</b>	Pretrial Supervision with Other Services	Drug/Alcohol Treatment with Aftercare Sex Offender Treatment Therapeutic Communities Jobs Vocational Ed. Academic Ed. Mentoring	Drug / Alcohol Courts / Mental Health Courts / Wellness Courts / Veterans Courts Therapeutic Day Reporting	Housing Supportive Housing
	Day Reporting with Monitoring			
	Supervised Work Crews			
	Restorative Justice Programs			
	Intensive Supervised Probation			
	Restitution			

Broadly speaking, studies of alternatives to incarceration generally focus on the impacts of: recidivism while under supervision; recidivism following discharge from supervision, and costs. Research by Mark Carey, a criminal justice consultant in the USA, considers the potential impact of cost effective solutions in figure 16<sup>158</sup>.

Numerous professionals in the justice and social services systems have concluded that specialised treatment courts (Drug Courts, Driving While Intoxicated (DWI) Courts, Mental Health Courts, Veterans Courts, and Wellness Courts) are among the most cost-effective alternatives. For example:

- The US National Center for DWI Courts found that DWI and Drug Courts have been proved to be particularly effective in not only reducing recidivism but also "returning substantial cost savings to taxpayers."

158 Mark Carey, Cost Effective Criminal Justice Interventions, a report for Napa County, California, 2011, page 4

- In the US state of Georgia, a study found that 29% of state prison inmates with substance-abuse problems committed another crime within two years of release, compared to only 7% of drug court graduates. Furthermore, the state's drug courts cost only 40 percent of the cost of incarceration. The audit estimated that sending offenders through drug court saved the state \$14 million in one year (2009)<sup>159</sup>.
- A study of four Mental Health Courts (MHC's) found MHC participants had significantly lower arrest rates and were incarcerated for fewer days than the treatment-as-usual jail comparison group<sup>160</sup>.

Reoffending costs the UK government between £9.5bn and £13bn each year<sup>161</sup>. Although the number of prisoners in recent years has remained relatively flat, the cost of

159 Bill Rankin and Carrie Teegardin, Atlanta Journal Constitution, March 4, 2012.

160 Henry J. Steadman, Allison Redlich, Lisa Callahan, Pamela Clark Robbins, Roumen Vesselinov, Effect of Mental Health Courts on Arrests and Jail Days, A Multisite Study, JAMA, February 2011.

incarceration in England and Wales is high and this cost (along with the social cost of crime) is expected to rise. Developing more effective non-custodial sentences based on evidence-led 'best practice' should be an immediate concern, because placing alleged and convicted offenders in **non-custodial alternatives** to prison can result in the realisation of dramatic direct cost savings plus enormous savings in indirect costs. These indirect costs relate to the prisoners' families' social services, child welfare, and education. Furthermore, where fathers and mothers are in non-custodial alternatives, children are more likely to get the support and attention they need which can reduce their likelihood of engaging in criminal behaviours<sup>162</sup>.

161 According to estimates of The National Audit Office (NAO)  
 162 Henrichson and Delaney, page 3.

## 5.8 Optimising staffing costs

Given that the majority of prison cost represents expenditure on staff, the majority of prison cost savings can be generated through the number of staff on the prison site and how they are managed. Staffing costs are not high because of salaries but because:

- **Prisons never close** – they must be staffed 24 hour/day, 7 days a week
- **Staff are needed for every round the clock position** – this equates to 168 hours per week, plus time for training, holidays, sick leave, vacations
- **There is a wide array of different roles needed** – prisons are not unlike small towns with a multitude of buildings, spaces, and functions. While the majority of prison staff are correctional officers, other staff typically include administrators, nurses, psychologists, food service managers, plumbers, electricians, warehouse managers, clerks, personnel officers, business managers, teachers, vocational instructors, bus drivers, and groundskeepers

Staff shortages are common, and this situation is likely to worsen if facilities are remotely located and difficult to access.

### 5.8.1 Cost savings through staff-efficient operations

There are a number of ways in which staffing costs can be optimised. These include:

- **A strategic review of the prison estate:** This would enable the operation of fewer prisons by closing ones that are problematic and especially staff inefficient

- **Incarcerating fewer people:** As a general rule, fewer prisoners require fewer staff, so adopting more effective non-custodial alternatives would significantly reduce staffing costs
- **Increasing staff retention:** Recruiting and training new staff is very expensive, costing a reported £20,000 to train every prison officer<sup>163</sup>. Supportive and pleasant work environments not only help to reduce staff turnover and consequently reduce costs, but also improve staff morale and consistency. This has positive impacts on prisoners too via better behaviour and improved safety
- **Minimising staff overtime:** High rates of staff turnover can result in other staff working excessive overtime which can be costly. In addition, excessive overtime is associated with staff burn-out, use and abuse of sick leave, and exacerbated family issues that affect work performance
- **Appropriately allocating housing unit prisoner numbers:** Housing units with 48 to 64 prisoners (split into communities of 10 to 16 prisoners) are most staff-efficient. They are also especially rehabilitative when they are operated using the principles of Direct Supervision (staff working in the unit). While some prisons have placed as many as 200 prisoners in a housing unit on the premise that they can be managed by one staff member they usually encounter more problems necessitating higher numbers of staff. In the US, the design model of Direct Supervision housing units is considered good practice evidenced through formal recognition by the National Institute of Corrections (NIC) and endorsement by the American Jail Association, the

<sup>163</sup> The Professional Trades Union for Prison, Correctional & Secure Psychiatric Workers

Committee on Architecture for Justice of the American Institute of Architects and the American Correctional Association. It has also been incorporated into the standards for Adult Correctional Institutions and Adult Local Detention Facilities

- **Use of selected contracted services:** While there are mixed reviews on privately operated prisons, many governments have found privatising certain services (such as food, medical and maintenance services) can drastically reduce staff and management costs without compromising quantity or quality
- **Engaging prisoner workers:** Engaging selected prisoners in certain prison jobs that don't compromise safety and security can result in large staff cost savings. Furthermore, prisoner workers learn good work habits and skills, experience less boredom, and experience improved feelings of self-worth. All of these factor into the increased likelihood of post-release success. Prisons around the world have had success with prisoners working under supervision in food services, laundry, building maintenance, vehicle maintenance, caretaker services, landscaping, teaching assistants, tutors, and as leaders of self-help groups. The key to success is careful selection and supervision
- **Use of energy efficient building systems:** Certain building systems that consume less electricity, natural gas, and water can also require less routine maintenance, thus simultaneously reducing staff and energy costs

- **Use of low maintenance materials, finishes, and building systems:** While the initial costs for some low maintenance materials, finishes, and building systems may be higher at times, the staffing costs associated with maintaining and replacing them over the long term should be considered
- **Broadening the use of technologies:** The use of technologies in prisons has expanded over the last few decades, with tangible benefits to safety, security, health care, education, and staff efficiency. Video cameras and monitors have become increasingly clearer and less expensive, and, thus, prevalent. Unfortunately, video cameras and monitors pose the risk that staff can become overly reliant on them and interact less with prisoners. Because staff-prisoner communications are a catalyst for rehabilitation, over-reliance on cameras can be detrimental.

In addition to cameras and monitors, technologies can help limit the number of staff needed to perform certain functions. This can free-up staff time to engage in more meaningful interaction with offenders. For example, video-conferencing can be used for:

- Court hearings and liaison with legal advisors to reduce transportation cost
- Administrators' meetings
- Staff training with instructors training staff in multiple prisons simultaneously
- Education with instructors teaching prisoners at multiple locations at the same time

Other technological advancements which can reduce staffing costs include:

- Key cards for staff to access specified doors
- Remote locking/unlocking of security doors
- Remote control of plumbing fixtures when needed
- Telemedicine: utilising specialists from remote locations
- Video visiting: prisoners in sound-controlled booths adjacent to their housing units and visitors at their homes, public libraries, and so forth
- Education with computer-based learning modules so prisoners can go at their own pace
- The use of legal libraries – legal materials quickly accessed and downloaded
- The use of on-line libraries for if/when prisoners have access to e-book readers

### 5.8.2 The need to reduce re-offending

Fewer prisoners mean fewer staff. A prison system which gives prisoners the hope of a successful life outside prison is critical to reduce the potential for re-offending. Education, skills training and re-entry programmes are therefore extremely important in the success of this process. In addition to this, prisoners serving short-term sentences of up to one year are far more likely to re-offend than those who have been in prison longer-term. Reoffending rates<sup>164</sup> are aligned to sentence length and are currently as follows:

<sup>164</sup> Ministry of Justice, Compendium of reoffending statistics, 2011

- Under 12 months: 59% re-offend
- 1 – 4 years: 36% re-offend
- 4 – 10 years: 27% re-offend
- 10+ years: 18% re-offend

In short, staff-efficient operations and cutting the cost per prisoner can only save so much. Far bigger savings can come from proven steps that reserve incarceration for those who most warrant it and reduce prison populations by developing lower cost alternatives to incarceration for others<sup>165</sup>.

## 5.9 Conclusion

In conclusion, this chapter has considered the Business Case for *Rehabilitation by Design* through an examination of the costs associated with running the current UK prison system. It then considered how the recommendations offered throughout *Rehabilitation by Design* could be used to influence the design of new prisons to reduce costs and deliver wider benefits. The cost savings and benefits of *Rehabilitation by Design* were assessed in terms of the potential economic, social, and environmental benefits, recognising that many of the benefits will reach beyond savings in the cost base of a prison. The cost effectiveness of non-custodial alternatives were considered, as these are key to reducing recidivism and prisoner numbers while at the same time reducing expenditure on prisons.

The cost savings and benefits identified help demonstrate how effective design and the introduction of greater measures focused on rehabilitation could lead to **significant cost savings and wider social and environmental benefits** which, when coupled with a focus on building non-custodial alternatives, could lead to a positive fundamental shift in the cost base and effectiveness of the UK prison and offender rehabilitation system.

<sup>165</sup> Christian Henrichson and Ruth Delaney, Vera Institute. The Price of Prisons What Incarceration Costs Taxpayers January 2012, updated 7/20/12, page 12.

Fig. 17: List of historic prison buildings

Name of Property	Original construction date	Listed status / ancient monument	No. of historical buildings
Aylesbury prison	1845	Grade II	2
Bedford prison	1801	Grade II	7
Birmingham prison	1849	Grade II	1
Brixton prison	1820	Grade II	1
Camp Hill prison	1912	Grade II	4
Chelmsford prison	1823	Grade II	2
HMP Bure	1940	Scheduled ancient monument	9
Dartmoor prison	1808	Grade II	16
Dover IRC	1779	Ancient monument, Grade II	21
Durham prison	1811	Grade II and Grade II*	14
East Sutton Park YOI	1570	Grade II	11
Erlestoke prison	c.1825	Grade II	2
Everthorpe prison	1875	Grade II	1
Exeter prison	1810	Grade II	3
Foston Hall prison	1863	Grade II	3
Grendon/Springhill prison	1882	Grade II	2
Hewell Grange	1712	Grade II and Grade II*	12
Leeds prison (formerly Armley)	1847	Grade II and Grade II*	2
Leicester prison	1825	Grade II	8
Lewes prison	1850	Grade II	6
Lincoln prison	1869	Grade II	5
Maidstone prison	1809	Grade II	8
Manchester (Strangeways)	1869	Grade II	4
New Hall HMYOI	1772	Ancient monument, Grade II	5
Norwich YOI	1882	Grade II	2
Parkhurst prison	1799	Grade II	2
Pentonville prison	1840	Grade II	1
Portland Easton YOI	1848	Grade II	14
Prescoed HMYOI	1550	Grade II	1
Preston prison	1834	Grade II	1
Reading prison	1843	Grade II	1
Stafford prison	1793	Grade II	5
Standford Hill prison	1912	Grade II	1
Usk prison	1841	Grade II*	6
Verne prison	1865	Grade II, Grade II* and Scheduled ancient monument	11
Wandsworth prison	1849	Grade II	6
Winchester prison	1848	Grade II	1
Wormwood Scrubs	1878	Grade II and Grade II*	6

## Appendix A:

### The current prison estate

#### List of historic prison buildings

Of the prisons in England and Wales, 14 are contracted out to private organisations; 5 are classed as Young Offender's Institutions (YOI); 8 are high security establishments and 10 are women's prisons. Prison establishments are geographically evenly spread across the country, however there are only three in Wales, with one (HMP Berwyn) due to open in February 2017. The prison estate varies in age, type, size and the resources for operation and management.

## Appendix B:

### HMIP Report Findings

#### Safety in prisons

We need to consider the extent to which our prisoners, including the most vulnerable, are held in a safe environment. HMIP consider a number of aspects of the prison system require attention in order to improve prison and prisoner safety. In their 2015-2016 annual report, HMIP concludes that men's prisons are still unsafe. There continues to be a high level of self-inflicted deaths and serious self-harm among adult male prisoners. This is rising year on year and in addition:

- Levels of violence have increased in almost every men's prison
- Support for the victims of bullying and violence is generally poor, resulting in long periods of isolation for many prisoners

- New synthetic drugs are a growing problem – a nationally coordinated response is required

- There has been a slight improvement on 2014-2015 but safety outcomes were still worse than at any time between 2007/08 and 2013/14

- Deaths in male prisons in 2015-16 was 51% higher than 2014-15, with self-induced deaths increasing by 27%

- Two suicides were of transgender women held in men's prisons

- There is a strong linkage between self-harm and bullying, violence, debt and the prevalence of new psychoactive substances (NPS)

In 2015, there were over 20,500 assaults on prisoners, an increase of 24% on the previous year. In addition, there were over 32,000 accounts of self-harm, 25% more than the year before, although these were committed by just 9,500 individuals. Furthermore, 3% of deaths in custody in 2015 were homicides. The prevalence of bullying, discrimination and violence between inmates present further barriers to prisoner wellbeing. Addressing these issues will require a multi-faceted approach with special consideration being paid to improving prison safety and addressing the factors underlying violence and self-harm in prisons.

The use of segregation in almost two thirds of prisons is increasing and segregation units continue to provide impoverished regimes. In most segregation units, prisoners are held for more than 22 hours per day with nothing meaningful to occupy them. Some prisons curtail (already minimal) access to showers and telephone calls as punishment. HMIP considers this level of

isolation and lack of purposeful activity has a detrimental effect on the psychological welfare of prisoners. In their 2015-16 inspection of prisons, HMIP reports concern that:

- Living conditions in many segregation units continues to be poor
- Segregation in some cases is not warranted and prisoners are segregated for unacceptably long periods of time
- Solitary confinement/isolation of prisoners does not stand up to international human rights standards
- The use of special accommodation and mechanical restraints are sometimes inappropriate and disproportionate

#### Respect in prison

Overall in 2015-16 respect in prisons has improved from the year before. 78% of prisons achieved a good or reasonably good prison score for respect. In 2014, only 64% of prisons achieved one of these scores and this represents the best picture HMIP has reported on for some years. However:

- Overcrowding continues to be a major problem
- This combined with the effect of staff shortages has led to poor living conditions and prisoner access to provisions such as healthcare, the prison shop and showers
- Health services are generally of a good standard but prisoners with mental health needs wait too long to be transferred to hospital
- There is not enough support for prisoners from minority groups

Strategic management of equality has improved in a few prisons, but in general, prisons need to make much more effort to ensure prisoners from all protected characteristic<sup>166</sup> groups receive consistent support. In too many prisons this is considered weak, largely because the equality monitoring system is inadequate or non-existent. Moreover, one in five prisoners declared a disability and many (87%) had problems when they first arrived in prison. A consistent finding during inspections is the lack of care plans for disabled prisoners.

Relatedly, the proportion of older prisoners aged 50+ was 15% by the end of March 2016 and there is still no strategy for the management of older prisoners. Lastly, support for gay and bisexual prisoners continues to be underdeveloped and although many prisons have a policy on the care to be given to transgender prisoners, some are unprepared to support these prisoners in living safely and with dignity. More generally, prisoners remain extremely negative about the quality of food in prison. Only 29% said the food was good and many prisoners (particularly in local prisons) continue to have no choice but to eat in their cell, often next to an unscreened toilet.

## Purposeful activity

Purposeful activity outcomes in adult male prisons have improved, but from a very low base and are still only deemed as 'good' or 'reasonably good' in around half of prisons. Additionally, the effectiveness of new standardised core days (daily unlock times and provision of purposeful regime activities and association) and increased activity has been adversely affected by staff shortages.

- Prison staff do not always support prisoner attendance at activity sessions

- There continues to be insufficient focus on the role of education in prisoner rehabilitation
- The quality of teaching and learning achievements of prisoners has improved, but English and mathematics provision remains weak
- Prisoners spend too much time locked in their cells – there is insufficient activity places in many prisons and too many which are in place are unfilled.

Excessive time locked in a cell often leads to deterioration in mental health and HMIP expects therefore that prisoners should be unlocked for 10 hours a day. However, only 14% of prisoners said this was the case (no change from 2014–15) and the shortage of staff for supervision is blamed as the root cause of this problem.

Approximately half of male prisoners go outside for exercise three or more times per week, but describe many exercise areas as featureless and uninviting. A few have benches, planted or grassed areas and exercise equipment. In addition, the process of moving prisoners to learning, skills and work activities from wings is generally ineffective and poorly managed, with prisoners often allowed to fail to turn up or arrive late, failing to promote a good work ethic.

## Resettlement

HMIP is concerned about the extent to which prisoners are fully prepared and set up for release into the community. In their annual report, they note that many prisons have adapted their resettlement strategies to accommodate a new 'transforming rehabilitation' model whereby prisoners are subject to a minimum 12 month supervision and rehabilitation period of support upon

release. While this has been managed reasonably well, resettlement services need to be better integrated with offender management. In addition, the HMIP found that:

- As of May 2015, all prisoners should be moved to a resettlement prison in the last three months of sentence to provide support on accommodation; finance; benefit and debt; victims of domestic violence; support for those previously involved in the sex industry and employment guidance and advice. Many prisons have been slow to implement this changeover
- The assessment system in most prisons is inadequate and in some cases negatively impacts both sentence planning and access to rehabilitative programmes. Some offenders, managed by the National Probation Service, failed to be assessed upon release. HMIP consider this particularly concerning as these prisoners generally presented the highest risk upon re-entry
- Most prisons are not active enough in ensuring public protection arrangements are in place and this has resulted in rushed release planning. Moreover, support for those release without accommodation remains variable, which has implications for securing employment post-release. The number of prisoners leaving with no fixed accommodation has risen
- The quality of learning, employment and training advice provided by the National Careers Service is good in just over half of the prisons inspected. However this is rarely linked to effective 'through the gate' work.

## Appendix C: Current prison population demographics

As of 2nd September 2016, the male prison population in England and Wales was 81,069<sup>167</sup>. The average prison population has increased five-fold from 17,000 in 1900 to present figures. Between 1900 and 1990, the prison population increased by an average of 1.7% per annum, but since 1990 this annual rate has more than doubled to 3.6%. From a prison population of 86 per 100,000 of the population in 1901, this has increased to 148 per 100,000 today (this represents both male and female offenders).

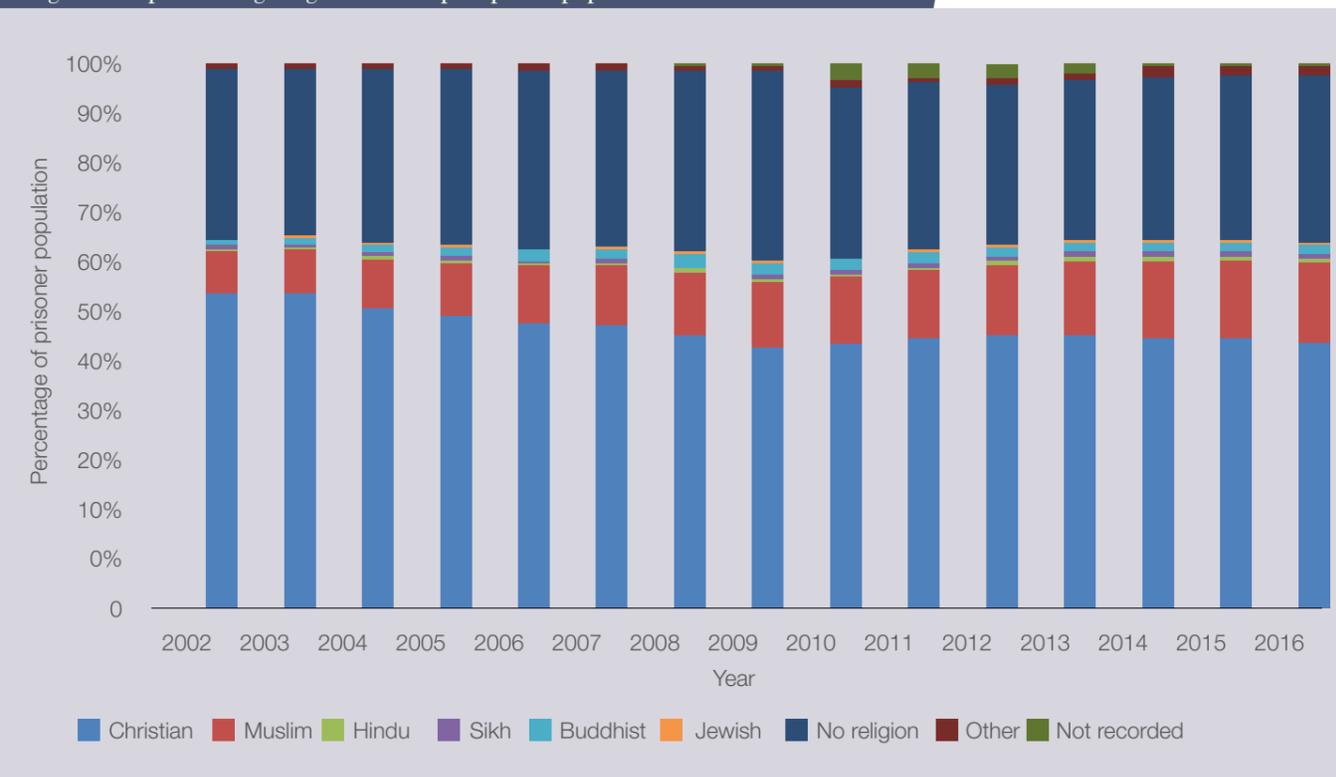
## Prisoner population: Race and faith

At the end of March 2016, nearly 10,000 foreign nationals were included in the prison population, accounting for 12% of the total figure. The majority of these (50%) were from Europe with African and Asian nationals accounting for 19% and 17% respectively. 166 different nationalities are represented in the prison population, however, the 10 most common countries account for 55% of all foreign nationals imprisoned in the UK (Poland, Ireland, Romania, Jamaica, Albania, Lithuania, Pakistan, Somalia, India, and Nigeria).

Foreign prisoners are predominantly male, with only 5% of this figure relating to female offenders.

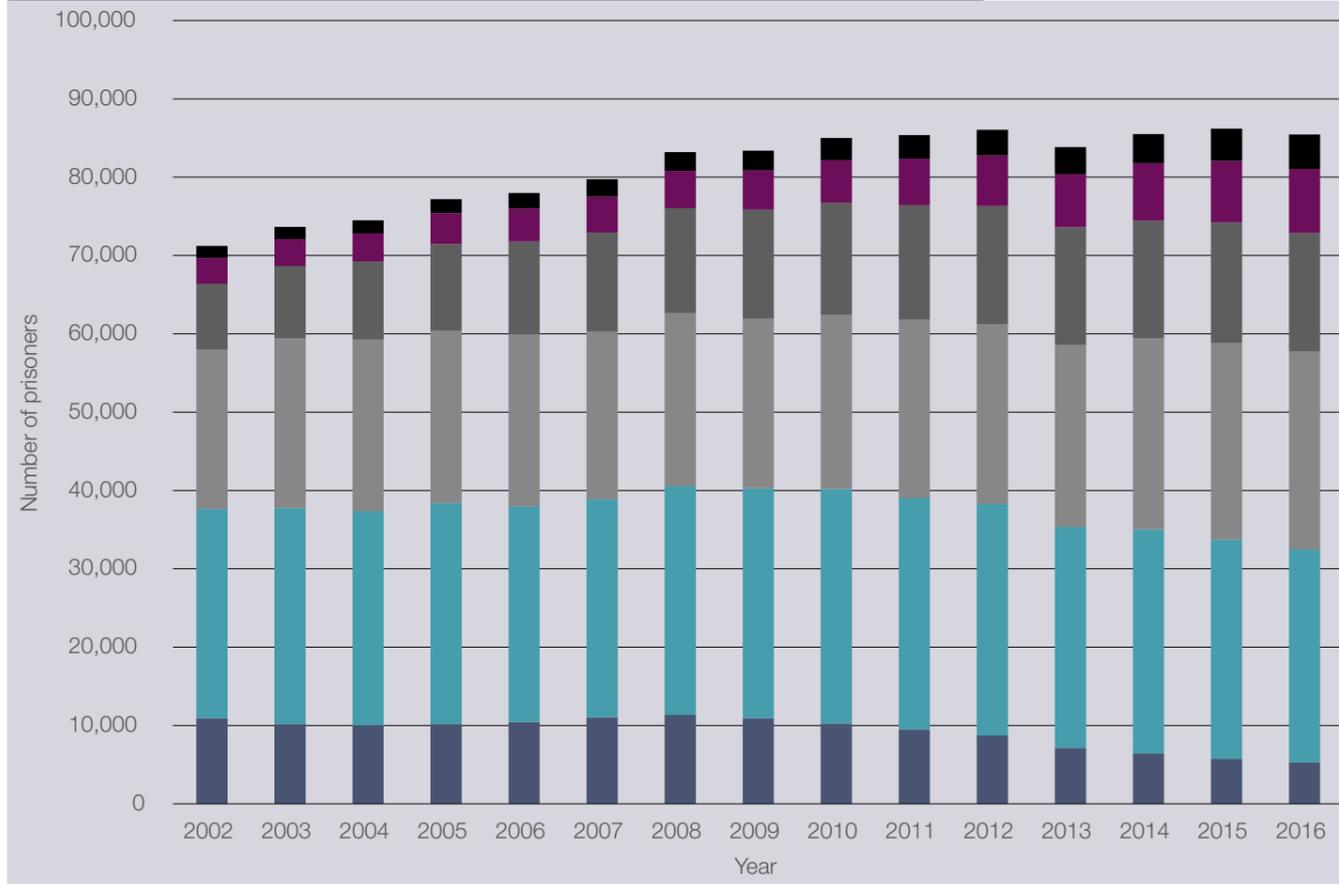
Just over a quarter of offenders are of non-white ethnic groups, a 4% increase compared to 2004, with half of the prison population identifying as a Christian faith. Muslim prisoners increased from 8% of the prison population in 2002 to 15% in 2016. Prisoners with no religion account for 31.4% of the population. See figure 18.

Fig. 18: Graph showing religious build-up of prison population between 2002 and 2016



<sup>167</sup> Population bulletin: weekly 2 September 2016 (2016)  
Available as downloadable spreadsheet from: <https://www.gov.uk/government/statistics/prison-population-figures-2016>

Fig. 19: Graph showing the age build-up of the prison population between 2002 and 2016



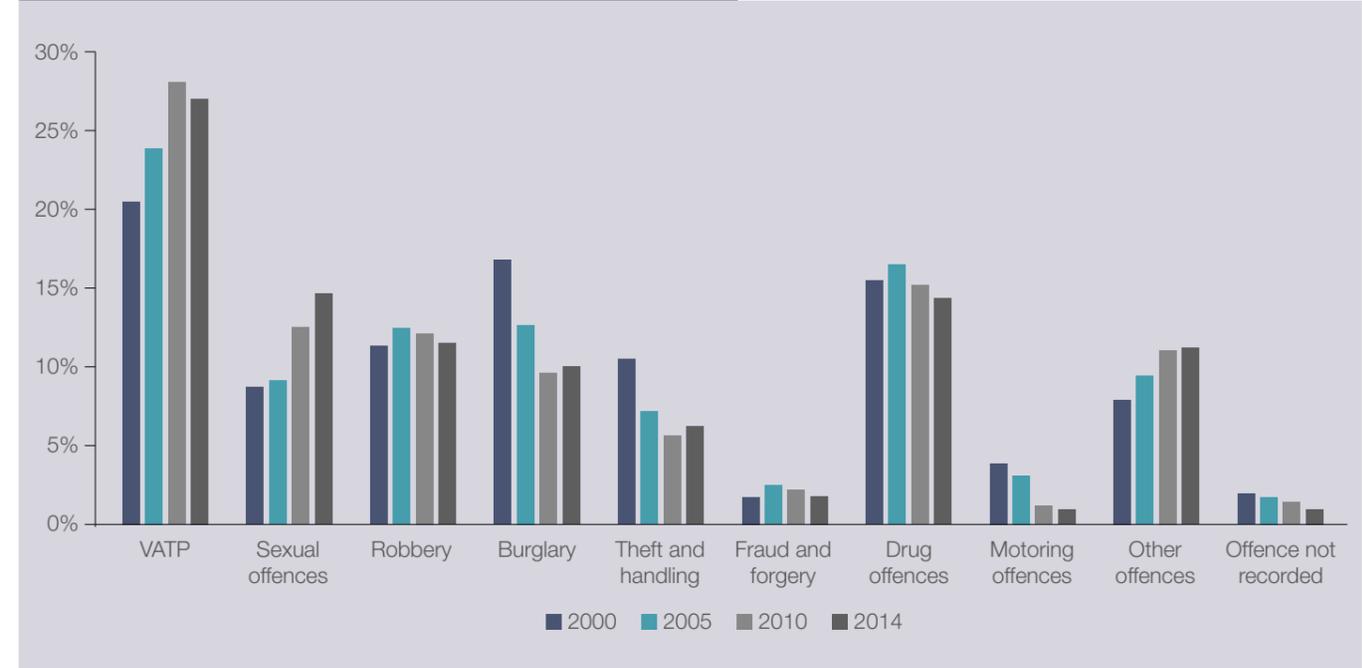
## Prisoner population:

### Age

At present, the two largest age groups represented in the prison population are 21-29 and 30-39 year-olds, at 31.8% and 29.5% respectively (See figure 19).

That said, over the past 10 years the 50+ age group has almost doubled and the 15-20 age group has halved, representing the aging of the prison population and potentially the move towards housing the youngest offenders in young offender institutes as opposed to prisons.

Fig. 20: Number of prisoners by offence category: 2000 - 2014<sup>168</sup>



## Prisoner population: Offences and risk

In recent years, far more UK prisoners have been incarcerated for violent offences against other people than for any other offence category. This has been followed by drug offences, sex offences, and robberies. The rise in prisoners incarcerated for violent crimes and sexual offences is concerning. The increase may be due to victims of such crimes feeling more confident in reporting them, and also possibly larger proportions of individuals convicted of non-violent offences being sentenced to alternatives to incarceration rather than prison. (See figure 20).

<sup>168</sup> Allen & Noel, page 9.

Fig. 21: Graph detailing the 2016 prison population according to offence type

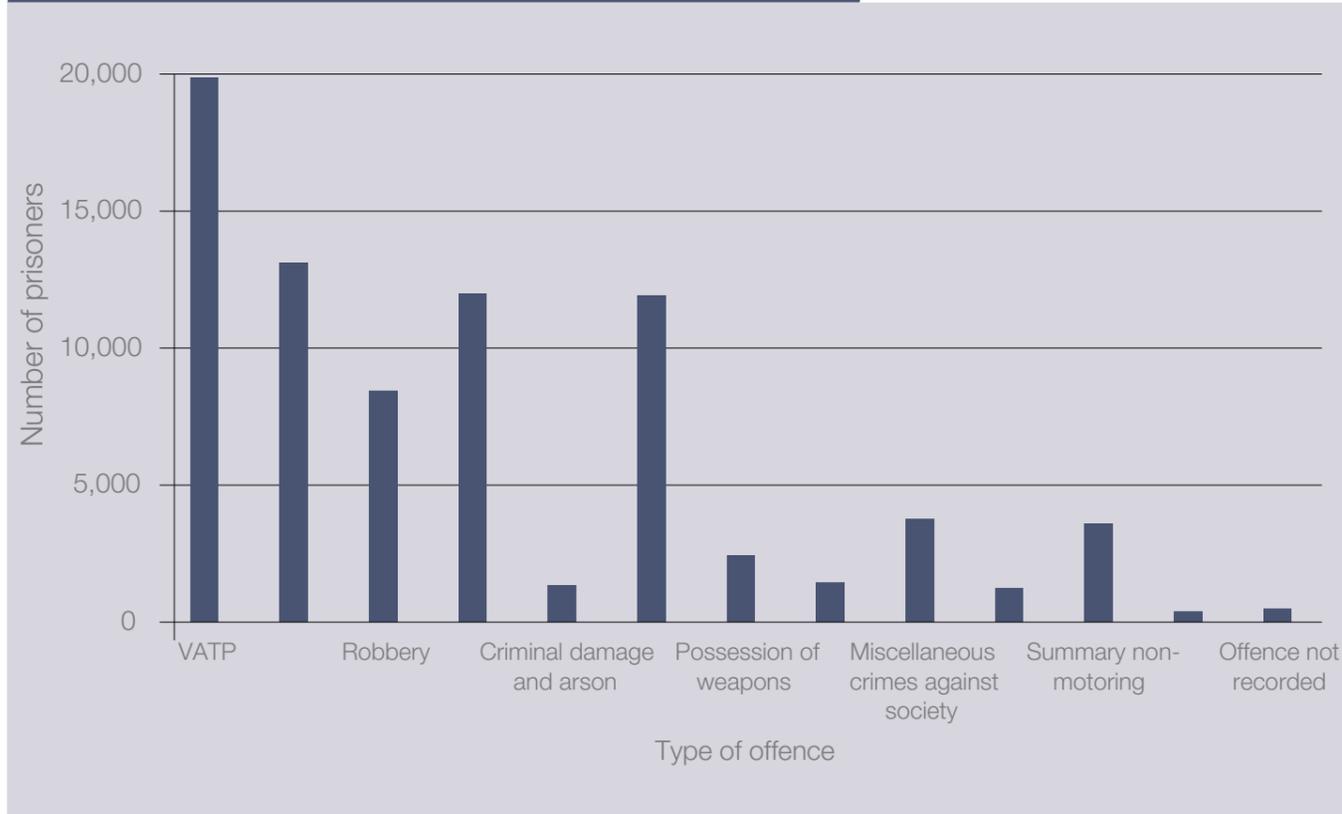
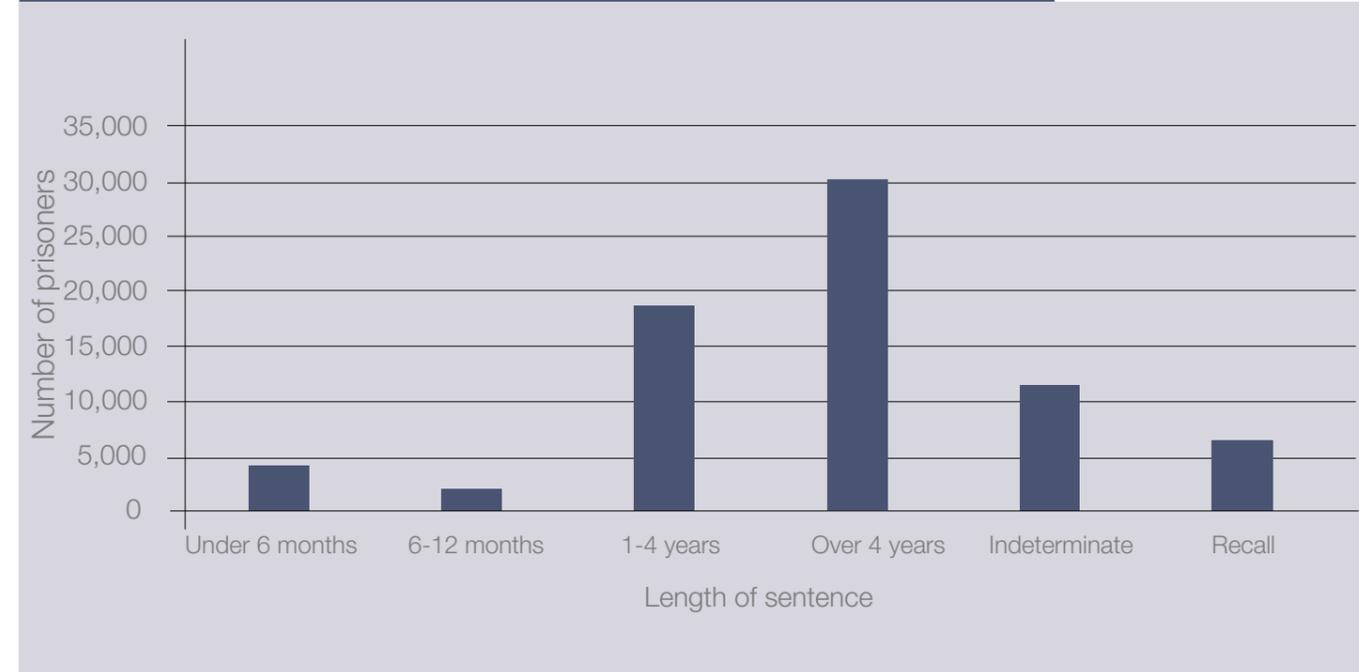


Fig. 22: Graph detailing the number of prisoners serving particular lengths of sentence in 2016

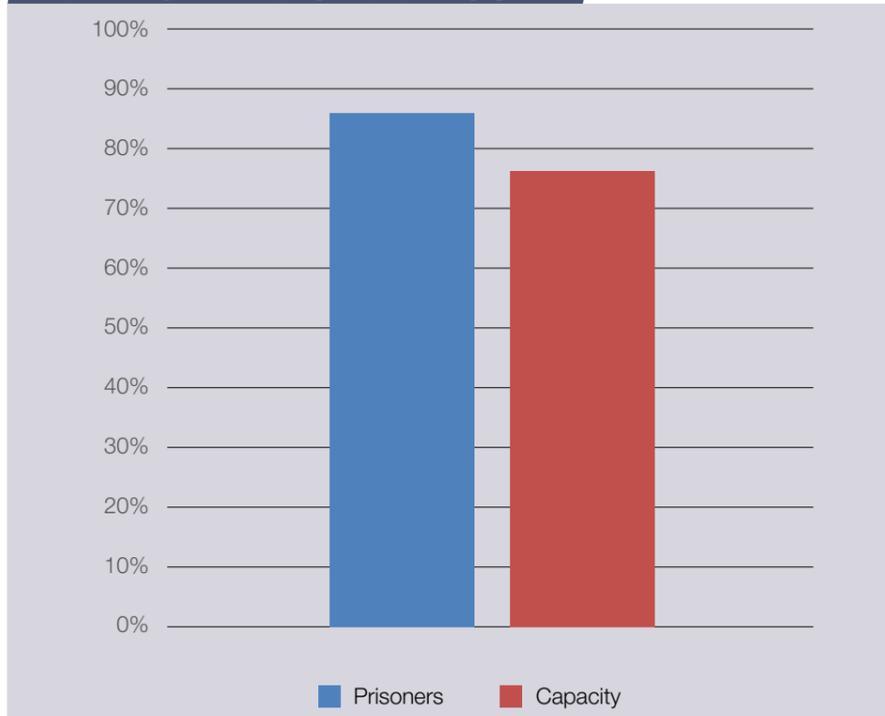


**Prison population:  
Length of sentences**

Typically, the most common sentence was 4 years with 41% of prisoners serving this sentence. A further quarter serve between 1 and 4 year sentences. Terms under 1 year account for 9% of sentences.

It is estimated that 59% of released prisoners, who have served a term under 12 months, will go on to reoffend within a year of release. This rate drops considerably as the sentence length increases; a 1-4 year sentence represents a 36% chance of recidivism, a 4-10 year sentence equates to a 27% likelihood of reoffending and only 18% of prisoners who have served more than 10 years will reoffend within this time-frame. Typically, theft offences were most likely to be repeated (42.5%) while fraud was least likely (10.3%).

Fig. 23: Graph detailing capacity against population



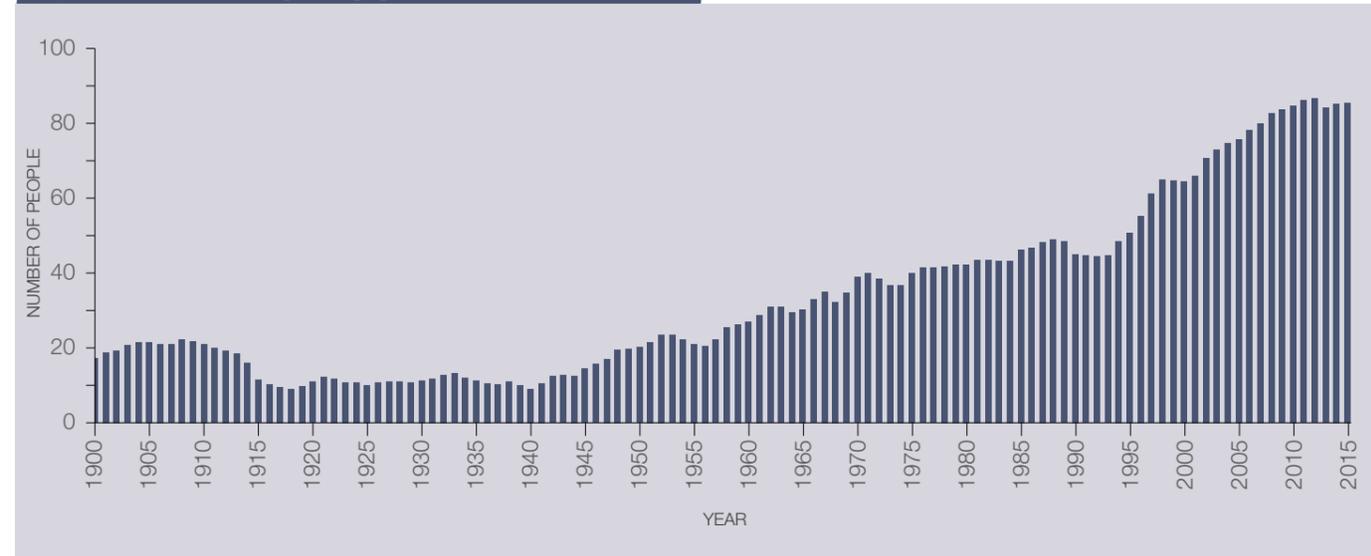
## Appendix D: Prison population against prison capacity

Even with a more constant prison population over the last few years, the number of prisoners exceeds bed capacity by close to 10,000. In May 2016 over 60 percent of our prisons were overcrowded.<sup>169</sup>

Criminologists and prison managers strongly recommend the reverse of the UK's current situation. There is wide consensus that capacity should always exceed the number of prisoners; both to accommodate fluctuations in the prison population, and to ensure there are enough beds to appropriately house prisoners in every population category.

<sup>169</sup> Allen, Grahame & Dempsey, Noel; Commons Library Briefing, July 4, 2016., Prison Population Statistics

Fig. 24: Historical total prison population: 1900 – 2015 (000s)<sup>171</sup>



## Future projections

Since the 1940s, the prison population has been growing and since the 1990s, the rate of growth has been especially high as shown in the following diagram.<sup>170</sup> Over the last two decades, the prison population in England and Wales has almost doubled (reaching 84,405 in mid-June 2016).

However, this trend may be slowing down, stabilizing, or even reversing. Between March 2015 and March 2016 there was a very slight decrease in the population (.3%)<sup>172</sup>. It is too early to tell if this is a new trend or a blip.

<sup>170</sup> *ibid*  
<sup>171</sup> *ibid*  
<sup>172</sup> *ibid*  
<sup>173</sup> International Centre for Prison Studies website, <http://www.prisonstudies.org/highest-to-lowest-prison-population-rate-field-region-taxonomyid=14>

Even with recent reductions in the prison population, England and Wales has had the highest imprisonment rate in Western Europe with approximately 148 prisoners per 100,000 in the general population.<sup>173</sup> A major reason for the high number of prisoners is the high rate of recidivism. Close to half (46%) of adult releases have been re-convicted within one year of release. For those with sentences of less than one year, the re-conviction rate has been even higher, 68%.<sup>174</sup>

A second principal reason for the comparatively high prison population is that the average sentence length has spiraled upwards. For serious offences, the average sentence length increased from 39 to 57 months, a 46% increase<sup>175</sup>. Longer sentences have accounted for two-thirds of the increase in the number of inmates.<sup>176</sup>

<sup>174</sup> Ministry of Justice (2016) Proven Reoffending Statistics Quarterly: July 2013 to June 2014, London  
<sup>175</sup> Ministry of Justice (2016) Criminal Justice Statistics Quarterly, December 2015, London, Ministry of Justice  
<sup>176</sup> Ministry of Justice (2016) Offender Management Statistics Quarterly: October to December 2015, London

The offence category data, along with other data, suggest several ways to control or reduce prison populations and bed needs. One way would be to expand non-custody alternatives to prison for those who have been convicted of certain categories of offence such as Drugs, Burglary, and Theft.

Secondly, since almost all prisoners will eventually be released and returned to the community, and since longer sentences do not reduce recidivism, decision-makers should consider shorter periods of incarceration followed by intensive treatment-oriented re-entry programs for prisoners who have been convicted of violent and sexual offences.