

**Draft Summary of the final working
conference of Prisons of the Future 2-4
March 2016**



Introduction

The final working conference of Prisons of the Future took place at 2-4 March 2016. The European Project Prisons of the future started at 1 April 2014 with financial support from the Criminal Justice Programme of the European Commission.

Eighty participants were present at the conference, coming from 25 different countries: Bulgaria, UK, Austria, Ireland, Estonia, Spain, Hungary, Luxembourg, Germany, Italy, Slovak Republic, Slovenia, Romania, Spain, Catalonia, Czech Republic, Sweden, Finland, Lithuania, Denmark, Belgium, Switzerland, Turkey, Israel, and the Netherlands. The conference was organized by EuroPris. The chairperson of the conference was Saskia de Reuver, Head of International Affairs Bureau of the Dutch Custodial Institutions Agency.

The final working conference took place at The Hague, the Netherlands. It started with a pre-conference meeting at Wednesday afternoon for the project partners and plenary speakers. At Wednesday evening, a welcome reception took place. The conference started officially at the early morning of Thursday, 3rd of March, with opening plenary speeches. After the coffee break, the participating project teams presented recent developments in their countries and their views on the future of prisons. In the afternoon, short workshops in a world cafe setting took place to share and discuss current results on the main themes of the project. In the late afternoon, a plenary reflection of the results of the day took place. At Friday morning, the conference started with a plenary presentation, followed by deepening workshops on the same themes as the day before. Whereas the day before the workshops focused on 'what to do' whereas at Friday they emphasize 'how to do it'. At the end of the conference, results of the workshops as well of the whole conference were reflected upon.

Plenary speeches

Being ready for the future

Angeline van Dijk, Director Division Prison System and Immigration of the Dutch Custodial Institution Agency, welcomed the participants to the conference. She indicated the theme of the conference as very important and actual to us all. We all have to deal with the fact that being ready for the past does not mean being ready for the future. The objectives of the EU project prisons of the future are to give an impression of the landscape of prisons of the future and to offer mature alternatives to regular imprisonment. The working conference should contribute to attaining at practical solutions that are easily implemented in penal & probation practice.

In the Dutch prison system, punishment and retribution are important as well as re-integration. A prison could also be a positive place to prisoners where prisoners could work. It is important to know how a prison is experienced by prisoners themselves. The logo of the conference reflects the 'prison of the future', according to some Dutch prisoners. They visualized that to some extent they are in need of a safe place. The roof symbolizes the protecting environment of the prison of the future. The walls, visualized by ladders,

represent the need for personal development and a future perspective. The open walls symbolizes that when you are locked up, it is important that you can keep your imagination. You should have the feeling to be free and certainly the feeling of being free in your mind. The prisoners build their image of a future prison during a re-integration activity in the so-called 'white building'. The white building is a white house, located near a prison, but outside the prison fences. "White' refers to the positive image of always being able to leave your history behind you and to start with a 'blank' page. Angeline showed a short movie of the white building re-integration project.

Soft law of European prison rules

Jesca Beneder, legal officer of the European Commission, DG Justice and Consumers, emphasized in her speech the added value of projects like Prisons of the Future for the European Commission. The project Prisons of the Future was one of the twenty approved proposals for Action Grants from the Criminal Justice Annual Working program 2013. The call included different themes and priorities. The project concerns the theme 'Improving conditions relating to detention' and the priority 'Actions or studies that focus on alternatives to imprisonment'.

At the European level, there are European prison rules that include nine basic principles. The principles emphasize treatment in prisons with respect to human rights of persons. They also focus on normalization; life in prison should approximate as closely as possible the positive aspects of life in community and should facilitate re-integration in society. However, The European prison rules are so-called 'soft law' which means that the rules cannot be enforced in the different European countries.

Particular issues the DG Justice and Consumers are currently interested in, are reliable data, new technology, potentials of electronic monitoring, and issues with regard to foreign prisoners. Also important are alternatives to pre-trial and post-trial detention and how they can be applied in practice. Jesca wishes us a good working conference and hopes that the conference as well as the project as a whole contribute to a step in the right direction.

Where are we going to?

Cisca Joldersma, project manager of prisons of the future, explains the background of prisons of the future and what and how we are doing. Prison of the future aims to interweave the powers of reflective practitioners of prison & probation practice, scientists and policy makers/politicians. From the 5 participating countries, diverse teams were composed. They met each other in three working sessions. Together they explored the future of prisons step-by-step. During the first working session, they presented trends and developments in prison & probation practice in their countries since the year 2000. In the next session promising practices were analyzed in depth, such as electronic monitoring, circles of accountability & support and PrisonCloud. Finally they searched for new innovative options for the future. Five basic principles have been defined: human dignity; the avoidance of further damage or harm; the right to develop the self, the right to be important to other people, and a stable and professional organization. They discovered that in all countries similar alternatives to detention can be recognized. These alternatives are not only used autonomously, but also function as modalities or add-ons in executing prison sentences. As a frontdoor option, a backdoor options, or (pre)release option and aftercare option they shorten prison time. However, what really matters in prison & probation practice is the way

prison options and alternatives are implemented and how they are worked out. In this regard, different contexts can be relevant and the personal level of the offender in particular.

Cisca invites Pieter to give a short impression of his prison life for almost twenty years in 9 different Dutch prisons. Pieter explains how cocaine influenced his life and how he relapsed and again and again ended up in prison. With regard to the trichotomy bad, sad or mad, he views himself as a 'sad person'. He sometimes experienced prison as a 'safe haven' because he was not able to survive independently outside. He emphasizes that when you are in prison, it is so important having a future perspective and possibilities for re-integration. He also participated in the White building re-integration project and liked very much being treated as a person with talents. He felt 'seen' and supported.

Why prison and why punish?

Rob Canton is a professor in Community and Criminal Justice at De Montfort University. He challenges us to focus on causes and reasons for punishment and prisons. He emphasizes the role of retributive emotions in punishment. Retributive emotions refer to the feeling that the harms of crime should be responded to by the harms and deprivations of punishments. Punishment may be persistent because it is a kind of social institution that helps define the nature of society. Prisons are persistent and retained for their failures with regard to deterrence, rehabilitation and preventing crime. According to Canton, prisons are persistent because they are culturally accepted means for a desire to exclude. That is also why they survive and are flexible enough to adapt themselves to many different future scenarios. Prisons are relatively autonomous. Future prisons and alternatives to punishment should be based on a vision. Part of the vision should be social inclusion and being aware that the offender is one of us. The focus should be on soft treatment instead of coercion. We should be aware of the risk of an instrumentalist view on risk-thinking, commerce, the place of prison and the reach of the criminal justice system. You can put a lot of effort in a prison, but a prison is a prison. Probation and good life principles should be preferred over detention.

Design follows philosophy

Yvonne Jewkes is Research Professor in Criminology of the University of Brighton. She shows examples of the current prison landscape and the impact of architecture and design. The design can be viewed as the physical manifestation of society's goals and the way we deal with offenders. It represents a particular philosophy of what prison is for. Architecture and design can represent hope and enabling the person to flourish, but they can also break down the prisoner.

Buildings should breathe. Good current examples of 'hope-infused environments' are Maggie's Centres and a new Scottish women's prison. The main entrance of the Scottish women's prison symbolizes rehabilitation and transformational change. You are welcomed and invited to join and it looks delightful. Cells were refined and painted in fresh colors. The rooms have a nice view and have painted walls covered with curtains. The furniture is efficient and nice. A normalized environment has been created that promotes rehabilitation. The whole building is oriented outwards, towards open spaces and green views. This kind of prisons can contribute to resocializing the individual and create renewed confidence and mutual respect for society. Albion prison is an example of a prison that looks like a rehabilitative prison, but in fact it provides prisoners with a sterile environment that provokes suspicion. Design and architecture are sometimes ambiguously and interpreted

differently. However, design and architecture are vital components for far-reaching justice reform.

Future prison and future for probation

Hans Meurisse is Director General Belgian Prison Service, Ministry of Justice. Thinking about the future asks for an out of the box focus. He refers to a winning architectural image of a vertical future prison. In the vertical prison, prisoners work and live in a community that contributes to the host city below. They will live free in the sky until they have completed their sentence and are prepared to rejoin their communities again. As prison & probation service, we are in the middle of a complex chain. It is hard to keep up with all the changes in the digital society and with new rules and standards. We need flexibility and creativity. In Belgium, a masterplan was developed together with all relevant partners. It is important to get everyone on board from day 1, in particular the prison professionals. The future prison should make the inmate more accountable and responsible. Facilities can contribute to normalization. By using new technology, staff will have more time for working with people. During the planning process, stability is needed as well as sharing & collaborating with partners involved. You need a stable team and leadership to make progress. However, we still can question whether there is a future for prisons; there is more future for probation.

European developments and prison landscape

Electronic monitoring and PrisonCloud

The Belgian team, consisting of Bart de Lepeleire, Marie De Pauw and Pierre Wilderiane, explains that Belgium had to deal with a problem of overcrowding. Consequently, the use of electronic monitoring was maximized. It was introduced as a frontdoor and a backdoor option, as well as a pre-trial option and as an autonomous alternative sanction. A masterplan was developed, which include building four new prisons. Guiding objectives for the new prisons were quality of architecture and design, but also care and guidance as well as ecology and technology. Inmates got more access to facilities, such as shower and phone on cell, visiting facilities and work. The new prison philosophy builds upon principles as normalization, standardization, restorative justice and re-integration. Additionally, PrisonCloud was introduced to increase the quality of prison life and to facilitate re-entry in a digital society. In practice, the new prison concepts and PrisonCloud influenced relationships between prisoners and staff. Staff had to get used to the changes. Future challenges are offendermanagement and accountability and responsibility of the inmates as well as to learn on other alternatives to decrease imprisonment.

Increasing role of probation

The Swedish team, consisting of Gustav Tallving, Ulf Jonson and Fia Lundback, makes clear that their offender population is declining. In the last decay, they observe an increased use of intelligent security measures and evidence-based assessment and treatment. Prison population is still decreasing.

According to the Swedish team, prisons should be viewed as just one alternative instead of the most important one. It can be doubted whether it is needed to build new prisons. Current prisons should be human and secure. For short sentences, imprisonment should not

have priority. A challenge of the future is how to deal with the dominant risk orientation which dichotomize risk to 'yes or no' answers.

In the near future, the role of probation services will increase in relation to prison services. Probation has the potential of running most functions in the correctional system and there is still room for improvement. For example, casemanagement and layman supervision can be further extended. With regard to the future, professional development as well as inter-agency collaboration will be upcoming issues. Also the debate on refugees can have impact on prison and probation practice.

Open as possible and gradual release

The Finnish team consists of Raino Lavvikkala, Sasy Tyni and Yirki Heinonen. In Finland, the decrease of prison population was the result of a conscious long term and systematic policy. Part of the policy was to replace short term detention by community services. Community services are currently also used as a kind of warning. However, it would be hard to further decrease the imprisonment rates in the near future. The focus is now on being as open as possible so that persons spend the least time in their cells. Another trend is focusing on gradual and early release. Challenges for the future are how to deal with substance abusers as well as organizing cooperation with local municipalities. The focus should be more and more on standardization instead of individualizing sanctions.

Evidence based rehabilitation

The Danish team, Louise Faltum Morton, Susanne Kollerup and Hand Monrad Graunböl, inform us on evolutionary changes and developments in the Danish prison & probation practice. Crime rates are going down, and prison populations are a bit declining whereas probation population shows a steady increase. In recent years, the focus has been on treatment, education and cognitive behavior interventions. The prison population has become more complex and more marginalized. They are less educated, have more prior convictions and were involved in prior psychiatric treatments and/or hospitalizations. The prison population also shows more ethnic diversity.

With regard to the future, the Danish team expects more focus on rehabilitation and better monitoring and evaluating rehabilitation efforts. They also expect a more victim-based approach and greater cooperation with local communities volunteers. Additionally, staff should be enabled to deal with ethnic diversity. They ask attention for politicians who will probably become more tough on crime and will focus on efficiency and micro management.

Better living environment and individualized trajectories

The Dutch team consists of Annelies Jorna, Marianne Vink and Andre Aarntzen. In the last decade, the need for prison capacity decreased. In prison and probation practice, self-reliance and self-sufficiency are emphasized more and more. There is also a focus on individualized trajectories. The reduced need of cell capacity was accompanied by the development of new detention concepts.

For short-time prisoners, a project started to connect detention and re-integration. Together with network partners profiles of new prisoners are discussed and partners are invited to offer their services inside the prison. During detention, continuity of care take place by a case manager from inside the prison, together with a case manager from one of the partners in the network.

For long-time prisoners, a unit with 12 cells was established where prisoners are responsible for daily tasks. They wake up by themselves, clean their unit and prepare their own meals. They work four days a week and the fifth day is spent on sports and restorative justice. They are offered more possibilities to get in touch with their family.

For youngsters in need of pre-trial detention, a new small time-out facility is developed. The facility is developed in cooperation with the city of Amsterdam. It builds upon the need for a personalized approach of youngsters with regard to care and security.

Challenges for the future are improvement of the living environment in prisons and make the prisons as open as possible. A free-form sentence could be useful, to be able to develop individualized trajectories in accordance with the risks and needs of the individual offender.

Probation as the virtual prison

The confederation of European Probation also took part in the project, consisting of a team of Willem van der Brugge, Peter Reckling and Ioan Durnescu. They asked their member organizations what the main developments are in probation service and what alternatives to detention are. In the Eastern European countries, probation was introduced in law quite recently. In Western European countries, the mission of probation was redefined in terms of reducing recidivism and promoting resocialization. In some countries, the service was reorganized and cooperated more intensively with other stakeholders. In some European countries, externalization or privatization took place. Currently, probation practice focuses more and more on information management, risk management tools, interventions and concern for victims. Probation services expands, because it is involved in executing more different sentences, such as electronic monitoring, community services, contract treatment and conditional release. In the near future, probation more and more will replace prison time and can become a virtual prison. In the case of a virtual prison, more should be done to ensure the right balance between control and support of offenders for re-integration.

Workshops

Alternative sanctions

The workshop was prepared by the Swedish team. They discussed whether probation would be a good alternative to prison and what the ingredients are of good alternatives. Probation is preferable to prison in many occasions. Especially, when there is a potential to change.

Therefore, you have to take into account the type of crime and its penal value, risk management and societal acceptance. Probation should be facilitated by court and trajectories should be flexible. It is better to integrate prison & probation instead of seeing them as alternatives. Alternatives of prison & probation should focus on personal characteristics of the offenders and support protective factors to reduce pains of imprisonment or probation control. Alternatives should be engaging and activating offenders and being supportive.

The discussion deepened on risk assessment and public opinion. It should be clear what risks we want to reduce or prevent and how we can intervene to induce behavioral change. However, we should be aware that the criminal justice system differs from the health system: it is hard to provide a healthy environment by punishment through prison or probation service. Communication to the public is needed to give a true picture of prisons

and probation. Wise reactions are needed when offenders are breaching conditions of probation.

New prison concepts

The workshop was prepared by the Dutch team. They questioned what new concepts are needed and how they are used in practice. They discussed that there still is a reflex to build new prisons. However, other measures are also possible. For short time prisoners, electronic monitoring could be preferred instead of detention.

New prison concepts are related to the 'hardware' and 'software' of the prison. A distinction can also be made between concepts of prisons and concepts inside the prison. Assuring safety is still an issue, and flexibility as well as dynamic security by staff-inmates relationships are important in this regard. Another issue is how to achieve normalization. Normalization means that prisoners should be viewed as part of society. They should have access to similar technological devices as in society. They should be enabled to undertake activities by themselves instead of being paternalized. Many different countries focus on the 'human touch' in prisons, such as the number of squared metres per inmate, housing units, holding animals, viewing prison as a small village, possibilities for learning and self-reliance. It is important that staff is trained to deal with changing prison concepts. To be future-proof, the building process as well as the development of alternatives should be flexible and staff should be intensively involved.

A Dutch governor explained how they tried to attain a higher quality of life for long time prisoners. It was discussed how prisoners can be activated and what they can do by themselves in order to make the prison more self-supporting. Therefore, an issue is whether prisoners should be selected for these particular units or whether the whole prison can offer a higher quality of life for all prisoners.

Perspectives of offender and/or citizens

The workshop was prepared by the Belgian team. The workshop focused on the following statements: 'new prisons have a modern architecture and offer much more comfort to the inmates as well as more activities and trainings.' It was also questioned whether normalization has a limit and whether there is a difference between the 'underclass' as we find them in prisons as in society. Finally it was discussed whether restorative justice should be promoted in prisons of the future and whether victims should have influence on release conditions.

In general, the statements on new prisons were agreed upon. It was found that normalization depends on changing societal standards of welfare and differences between countries. It is not preferable, however, to allow citizens to define the living standard prisoners deserve. It is important that prisoners are obliged to work even if they are in prison. However, their mental state should be taken into account by assessing their working efforts.

Abolishing prisons as a last resort

The workshop was prepared by Willem van der Brugge and Cisca Joldersma. The workshop questioned whether it is desirable that young offenders, addicts, mentally ill and psychotic offenders end up in prison and what are the alternatives? Particular attention was paid to probation and time-out facilities that offer a protective environment based on the need for care & safety. It was also discussed how to deal with vulnerable offenders that avoid care.

Many countries do not know the exact figures of vulnerable people in their prisons. With regard to vulnerable offenders, three types of systems are in charge and should be balanced in the right way: the prison system, the regular psychiatric care system and forensic care. The quantity and quality of forensic service provision in Europe is extremely varying. Detention is not a desirable solution for these vulnerable group of offenders. When they end up in prison, such as offenders with personality disorders, it is still important to give them personal responsibilities as much as possible. Vulnerable offenders should be treated and monitored as much as possible in the community. Therefore, a combination of care as well as control is needed. Instead of stepped care & control, it is better to start with matched care & control and tailor made trajectories. It is also important to invest in prevention and early treatment instead of interfering lately. Prison staff should be trained and sometimes replaced when they are not able to deal with particular vulnerabilities and personality disorders.

Professional development

The workshop was prepared by the Danish team. It was discussed what we gain or lose by standardization of rehabilitation efforts. Particular attention was paid to risk and need assessments and the Danish project Mosaik.

There are many differences between countries in the use of risk assessment tools. Some countries only use risk assessment for parole decisions. In general, the benefits of standardization are uniformity in treatment of clients. Too much standardization may include that we are too rigid and not innovative anymore. We should be aware of the difference between bureaucratic paper work and real work with offenders. We have to be aware we are dealing with subjects instead of objects. We should also be keen on monitoring and evaluation. Some countries such as the UK make more use of privatization of prison & probation service. We should look what we can learn from private partners that are performing well. It was finally concluded that offenders are different, but it is preferable to deliver services in the same way and to standardize staff skills.

Reflections

Reconciling perspectives of offenders & victims

At the end of the first conference day, a plenary dialogue took place between Alison Liebling, professor of Criminology & Criminal Justice of the University of Cambridge and member of the expert committee Prison of the Future, and Jan van Dijk, professor of Victimology & Human Security of Tilburg University.

In her research, Alison focuses on what is happening in prison practice and what matters according to the prisoners and staff in the daily prison reality. In her research, she uses appreciative inquiry to find the best values in practice. Her research resulted in a suitable methodology for conceptualizing and measuring the moral quality of prisons. She liked the conversation during this conference very much. After finishing the project we should look for possibilities to continue our conversations on identifying and understanding best penal practices. The language of citizenship, normalization, dignity, self-reliance, trust and development (or 'people on a journey') is important. Some values are in tension – these tensions have to be worked with. We should beware of commercial and vested interests in this field, and focus on containing/reducing prison use as well as being more visionary and

creative about the form it takes. We should always evaluate the experience and effects of penal practices, to check our unrealistic aspirations.

Jan van Dijk was for many years involved in victim research. He wondered why the victim's voice was not heard in the project until now. He emphasized that victims usually are very practical people. They do not focus (only) on the severity of punishments or lengths of prison sentences. They are keen on crime prevention, because they do not want other people to encounter the same experience they got. It is important to give victims a voice and listen to them and consult them. It would be worthwhile reframing the debate and looking for win-win situations between offenders and victims. This can also be of interest for politicians. It is better not to blame the politicians, but to offer them possible solutions that can help them to deal with criminality and safety issues. Restorative justice, as a standard facility in prisons, is very helpful.

Both agree that we should not focus entirely on the future of prisons. According to Van Dijk, the crime rate will diminish further, even in a situation of economic crisis. They both see possibilities in interweaving the agenda of penal reform with the victims agenda.

Where are we going to: theory-in-use in future prison & probation practice

Cisca Joldersma, project manager of Prison of the Future, gave an update of the results of the conference and how they will be processed in completing the project. The project started with the idea of developing a toolkit of innovative and realistic options for the future. During the project it became more and more clear that not the options are the most important, but that we should care about what really matters in future prison & probation practice. It can be questioned whether future options will be so much different from options of the past? In all European countries similar alternatives to detention can be detected. In all countries, similar initiatives are taken to shorten prison time. What really matters is the 'theory-in-use' behind our prison concepts and alternatives. What do we have to take into account with regard to future prison & probation practice?

First, we have to take into account the history and context of our own country. Where you are going to is dependent on where you are coming from. You have to define your starting point as well as trends in crime rates, prison rates, current alternatives and evolutionary changes in the course of time.

Second, we can learn from the common ground which emerges during the working sessions as well as during this conference. Probation is becoming more and more the preferable successor as well as the preferable alternative to detention. Short time detention is neither efficient and effective and could be replaced by alternatives such as community services. Also pre-trial detention can be replaced by alternatives such as electronic monitoring. We all like to shorten prison time by (pre)release options. Professional development of our prison & probation service is needed, in particular with regard to casemanagement, cooperation with others and organizing reflection. We should be aware that the remaining offenders in our prisons are more vulnerable and/or more risky than in the past and will have more complex problems. Many countries have to deal with foreign prisoners and related issues with regard to ethnicity and language. We all have to deal with the 'cry' for efficiency and new public management and being 'tough on crime'.

Third, the prison concept is changing. There is a tendency that prisons should not appear prison-like anymore and are more embedded in the local surroundings. A distinction can be made between the concept of the prison and the concepts within prisons. Within the prison, the human touch becomes more and more important. It can be recognized in more privacy,

face-to-face contacts with staff, and a focus on self-reliance and self-sufficiency of prisoners. Offenders as well as victims should be involved in the design process of a new prison concept.

Fourth, communication on prison and probation practice should be increased.

Communication starts with respect and understanding of each other, whether they are offenders, citizens, politicians or victims. Talking to citizens or victims can be organized in informal talks in a cafe setting as we did during this conference. We should give an honest picture of what is happening in our prison & probation practice and so being able to open the 'black box' of the prison. Additionally, we should be able to reframe punishment and prison by reconciling perspectives of offenders as well as victims. Finally, we like to continue our conversations even after the project.

Reflections from a social design perspective

After the conference, Irene Drooglever Fortuyn, Director of Ketter & Co, and Laure Ferriere, from the White Building project Collectie Veenhuizen, shared their experience with us. They are social designers who initiated the white building project and are still involved in projects in the historical prison village Veenhuizen in the Netherlands.

A social design perspective is question driven. The invention of the new is build upon existing phenoma. The social designer engage in the situation and its context in order to understand it, getting to know it and map it. During this process, in which different perspectives of actors and factors are involved, the system gets refined as a living organism. They start from what there is in order to reach the way it could be. The social designer keeps the open mind of the outsider instead of being an expert.

The social designed experienced during the conference open mindedness of the different participants and the desire to listen and learn from each other. They were surprised by the use of and attention for technology as well as to hear about prisons as 'positive spaces'. They also encountered an entrepreneurial spirit. However, the prison system is not very flexible and innovative; it can be compared to a 'container ship' instead of a speedboat. Generally, the focus is on top-down design approaches instead of the bottom-up perspectives of social designers.

Future prisons should combine strengths of different stakeholders in order to attain normalization. Prisoners can be viewed as assets to society.