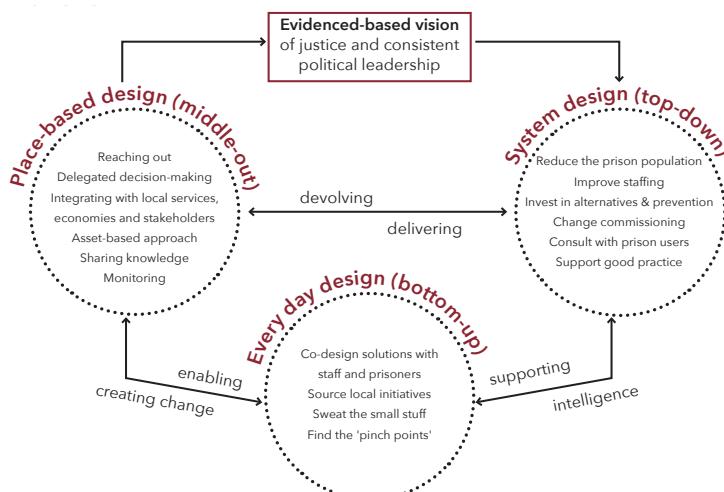


A design approach to transforming prison: top-down, middle-out, bottom-up

R. O'Brien and R. Karthaus

Abstract— Over the past decade the authors have undertaken applied research aimed at improving conditions and outcomes for those living, working and visiting in prisons in the UK. Top-down governmental policies to transform the prison service have mainly been ineffectual and in some cases counter-productive. The service is characterized by hierarchical organization and the research has applied design thinking at multiple levels to challenge and precipitate change within both the commissioning and operational areas:

- System Design (top-down) - working at national policy level to advance the rehabilitative role of prison;
- Place-based Design (middle-out) - working with individual prison establishments in different places and contexts to explore what this means on the ground;
- Everyday Design (bottom-up) - working with individuals in the system to reveal their capacity to enable and support change.



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Rachel has over 30 years experience working in policy and communications and for the last 10 years has established a body of work on prison reform. This includes leading on the RSA's prison agenda including the Prison Learning Network, the Transitions programme (RSA 2011-2015) and the Future Prison Programme (A Matter of Conviction, 2016).

With Pamela Dow, she led on the design and development of the New Futures Network, which has been rolled out by the Ministry of Justice within the English and Welsh prison service this year.

Rachel worked with Roland on the Transitions programme's co-design work with HMP Humber (Building a Rehabilitation Culture, 2014) and on Matter's Wellbeing and Prison Design project (2017).

She is commissioning editor of the RSA Journal, works on a pro bono basis with individual prisoners/ex-prisoners and involved in an ESRC project on social enterprise in the English prison system (forthcoming).

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(slides on accompanying sheet shown in brackets)

Context

The UK has seen a drastic rise in the use of incarceration over the last 10 years (2) with a doubling of the population over the last 30 years. There has been a decrease in use of custody for children and young people and an increase of those serving long sentences. Yet about one in every two people who go to prison go for under 6 months. If we look forward, the current political leadership looks set to see further rises, cancelling plans to address short-term sentences with greater emphasis on community alternatives and promising sentence reform, which would see the end of 'good behaviour' tariffs for those who have committed serious violent offences.

Over the same period, the UK has seen a persistent trend of falling crime (3), not as some would have it, linked to the increasing prison population, but a wider social trend. Within that trend has been localized increases in violent crime, which continues to drive public perception that crime is a problem needing tough justice.

There is a contradiction at the heart of the current approach to prison and probation. (4) On the one hand we have seen a fairly consistent emphasis on rehabilitation over the last five years (this has not always been the case). But on the other we have seen almost continuously changing political leadership, which has disrupted progress. There has been little change of civil service leadership at HMPPS, which - we would argue - has had a similar effect but for the opposite reason of inertia. There has also been a significant reduction in prison staffing levels since 2013 and a loss of many experienced officers and a failed restructuring of probation services which split the service in two (privatizing the service for those considered lower risk, adding some 50,000 people on licence post-custody while underfunding and neglecting 'through the gate' support).

The purposes of prison

Despite changes in leadership there is a broad consensus that prison has three primary functions. (5) In the words of our last Justice Secretary:

"First, protection of the public - prison protects the public from the most dangerous and violent individuals. Second, punishment - prison deprives offenders of their liberty and certain freedoms enjoyed by the rest of society and acts as a deterrent. It is not the only sanction available, but it is an important one. And third, rehabilitation - prison provides offenders with the opportunity to reflect on, and take responsibility for, their crimes and prepare them for a law-abiding life when they are released."

Her Majesty's Inspectorate of Prisons, now has the ability to deliver urgent notifications if they identify significant concerns, works against four 'healthy prison' tests:

- Safety: Prisoners, particularly the most vulnerable, are held safely.
- Respect (Care for YOIs): Prisoners are treated with respect for their human dignity.
- Purposeful activity: Prisoners are able, and expected, to engage in activity that is likely to benefit them.
- Rehabilitation: Prisoners are supported to maintain and develop release planning relationships with their family and friends. Prisoners are helped to reduce their likelihood of reoffending

The need for reform

All the current indicators are that rehabilitation, safety and purposeful activity are not being delivered and that these undermine the protection of the public. A critical argument is that the absolute prioritization of punishment (which should be the sentence and not the prison) whilst cutting resources is the root cause of current failings.

As there is a tension in government policy, so there is within the reform movement in the UK (6). On the one hand, there is a view that prison can never succeed in its rehabilitative function. That what is needed is:

- To reduce the prison population, particularly the number of people serving short sentences, investing in effective community alternatives.
- To improve the ratio of staff to prisoners and improve training, support and work conditions.
- To change the debate about crime and punishment within the UK (which is seen as being ill-informed and punitive compared to some other countries)

We agree with all of the above.

However, it would be wrong to suggest that the UK prison system was functioning well before the recent cuts and it would be a mistake to think that it does not need to learn some of the lessons and adopt some of the thinking of other public services.

In the face of some of the problems we see now, we would argue that if we are to create a self improving system, change is needed at all levels that:

- Devolves power to Prison Governors
- Reconstitutes the leadership model and reconsiders skills needed in the workforce.
- Changes commissioning (including of buildings) to effectively support rehabilitation.
- Takes an asset-based approach to infrastructure, communities and individuals.
- Simplifies systems and complicates content to create a more human scale (and humane) system.
- Engages prisoners, staff and the community in contextual analysis and in shaping reform.
- Measures wellbeing and public attitudes as well as reoffending.

Our argument is that we need to see prison reform as an active process at all levels. Each level has a role to play and the system needs to facilitate and empower each of those roles at every level (7)

Methodology and case studies

This starts with us working not just bottom up but in partnership with those who have a range of expertise to bring to the table. (8-16) We are not academics but work in interdisciplinary teams ensuring we base our work on the best evidence available and embed evaluation and impact models. We are not practitioners but work with those who are, drawing on their expertise and experience. We are not service users but work with those who have first hand experience in co-designing new approaches. We are unapologetic in insisting that the expertise and contextual considerations are not confined to us. Part of the reason that people feel disempowered is that decisions are not only made centrally but without any explanation or consideration of local/institutional context.

RSA Transitions: building a rehabilitation culture (2014) was a grant-funded research and development project from 2010 - 2015. It began with a desire to be able to think creatively and ambitiously about the UK prison system at a time when rehabilitation was not high on the policy agenda. Its starting point was to match the contemporary state of prisons with the broader consensus about their purposes: to protect the public, to punish and to rehabilitate. Our aim was to begin to close the gap between purpose and reality in a short vision of an asset-based approach, embedded in locality.

Using this as a basis for more detailed work, we secured funding to undertake a pilot feasibility study working on site with a prison in East Yorkshire. The focus was on how 45-acres of unused Ministry of Justice land around the prison could be turned into a 'transition' space that supported rehabilitation while benefiting staff and the local community. This involved becoming embedded within the prison (a newly merged male 'resettlement' establishment with capacity to hold 1200) and locality, working across three strands of work:

Top-down

Contextual analysis, engaging with policy makers and an understanding of the (changing) commissioning frameworks around justice services. This both gave the project credibility and a way of ensuring stakeholders were aware of context, as well as shaping research inputs and our final communication outputs. Our aim was to both influence national policy and identify what could be achieved locally in the meantime.

Middle-out

A significant part of our work involved mapping the local and regional stakeholders within this field, focusing on the kinds of innovations that would both benefit a more integrated approach and help to meet aims and performance targets. For example, our advisory board included the Prison Governor, representatives of the Police and Crime Commissioner's office and the local authority substance misuse commissioner. Much of our work involved engaging with key agencies such as the Local Enterprise Partnership, NGOs and community.

Bottom-up

From the outset, the project engaged with frontline staff and prisoners to collaboratively explore the potential of the site for physical development and a new prisoner-led consultation forum was established to provide a platform for co-designing solutions. This approach was intended to demonstrate the latent potential of existing assets: both the land/buildings and the people.

Outcome

While Transitions successfully achieved buy-in of local stakeholders and a legacy in terms of innovations still in place, a change of Governor resulted in a diminished interest. However, the project did influence the broader policy debate, particularly around employment and social enterprise and has shaped Turnaround, a project in Northern Ireland, which is taking a very similar approach.

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Case studies available to download at
<https://www.matterarchitecture.uk/research>

Wellbeing in prison design (2017) was a grant funded research and development project undertaken in partnership with the Ministry of Justice Prison Estate Transformation Programme team (PETP), commissioners of new prisons to replace existing outdated facilities. Following 2015, the rehabilitation role of prison had risen up the policy agenda and was a key priority for the PETP. We assembled a small team, including an environmental psychologist, to develop practically applicable design guidance based in evidence. The aim was to adjust existing prison design practices according to parameters affecting the health and wellbeing of all prison users. The logical argument was that healthier staff, prisoners and visitors would enable two important pathways to resettlement: through more effective engagement with work, training and support programmes in prison; and through greater self-efficacy, independence and health on release. Our work followed the same three strands:

Top-down

Working with PETP to interrogate existing design and commissioning practices and to introduce 'disruptive' thinking into the process. A key finding was that the commissioning process itself was linear, hierarchical and lacking critical intelligence from post-occupancy evaluation. Whilst operational expertise was applied at the early stages of the process, later decision-making was heavily weighted to reducing construction cost risk without a means to evaluate the significant potential resulting operational costs. Whilst PETP commissioners were committed to innovation through learning, the overall system of commissioning, procuring and operating new prisons did little to enable such learning.

Middle-out

Working alongside the PETP's professional consultant team and operational experts, we were able to integrate evidence into the design process for two new prisons to stimulate original thinking and generate new design responses. The MOJ's prison design standards were used as a starting point for interrogating both the explicit and ulterior motives for individual standards and to rebalance them towards supporting health and wellbeing.

Bottom-up

We undertook fieldwork in HMP Berwyn, a new prison at the time and the UK's largest with capacity for over 2,000 prisoners. We carried out structured interviews and 'walking audits' with staff and prisoners which in turn informed an online interview that was distributed to the whole prison population. 305 completed responses were received and analysed which clearly identified consensus on key areas of current prison design impacting on health and wellbeing. These were used to inform the design guidance measures.

Outcome

As the new buildings are not yet built, we do not know the final influence on the building designs. The procurement process tends to heavily prioritise construction cost risk over long-term costs and so we are not optimistic. One of our recommendations was that the commissioning process itself needed improvements in order to deliver on its objectives, including: setting up an independent design review for prisons and; systematising the user-based research we conducted as part of a learning commissioning culture. In this respect the project was unsuccessful, but it has precipitated great interest nationally and internationally and demonstrated the practical application of evidence in design.

