Summary


Introduction

More than 10 million people are held in penal institutions throughout the world, mostly as pre-trial and sentenced prisoners. In the Netherlands, every year, approximately 40,000 adults are incarcerated in a correctional institution. Since many people are incarcerated, it is important to know how detention is executed and how prisoners are treated within prison.

This thesis focuses on procedural justice in the correctional setting. In this thesis, procedural justice includes prisoners’ perceptions of (1) the fairness of procedures in prison (e.g. rules being applied in a neutral and consistent way), (2) the interpersonal treatment within prison (e.g. being treated with respect and humanity), and (3) positive and constructive officer-prisoner relationships. The aim of this thesis is twofold. First, to investigate to what extent contextual factors within prison (i.e. correctional officer composition and prison architecture) contribute to a procedurally just treatment of prisoners. Second, to examine to what extent a procedurally just treatment of prisoners affects prisoners’ adjustment (i.e. misconduct and mental health problems).

To accomplish these aims, data from the Prison Project were used. The Prison Project is a panel study among 1,909 adult male prisoners in the Netherlands. This thesis used data of the first and second wave, which took place approximately three weeks (T1) and three months (T2) after arrival in pre-trial detention, respectively. Prisoners were questioned on a wide range of topics, such as their background and personal characteristics, their life situation prior to incarceration, and their experiences during and perceptions of life in prison. Next to these self-reported data, official prison records of these prisoners were analyzed. Data were collected on prisoners’ disciplinary reports to find out who misbehaved in prison. In addition, by means of site visits to all correctional facilities, data were collected on architectural characteristics of the facilities in which these prisoners were held (e.g. overall prison layout, facility size, and year of construction). Finally, information on correctional officer characteristics (e.g. gender, age, tenure, and job-related attitudes) was collected from the Correctional Staff Survey 2011, which was conducted by the Dutch Prison Service.

Determinants of procedurally just treatment of prisoners

Chapter 2 and 3 of this thesis provided insight into the determinants of prisoners’ perceptions of procedural justice in prison. In Chapter 2, the impact of the composition of correctional officer characteristics on a procedurally just treatment of prisoners was investigated. Correctional officers
play a central role in the correctional system and they determine, to a large extent, how the system is run and how prisoners are treated. The aim was, therefore, to examine to what extent background characteristics of correctional officers (i.e. gender, educational level, age, and tenure), work-related attitudes of correctional officers (i.e. attitude towards prisoners and attitude towards rehabilitation), and the workload of correctional officers (i.e. officer-to-inmate ratio and perceived workload) were related to prisoners’ perceptions of fairness, respect, humanity, and relationships with officers.

Analyses showed that three correctional officer characteristics were related to the way prisoners perceived their treatment in prison. First, gender was related to prisoners’ perceptions of procedural justice. In units where there were more female officers, prisoners experienced more fairness, humanity, and positive relationships with officers. This result aligns with theoretical notions that social behavior is linked to gender. Social role theory and evolution theory both propose that women dispose of more social attitudes and behavior than men, either due to different gender roles or evolved dispositions. Prior research has indeed shown that women show more empathy and consideration for others, are more willing to listen, and have greater concern for good interpersonal relationships compared to men. Therefore, female officers may be better in creating a supportive, humane, and fair prison climate. However, an alternative explanation could also be that the mere presence of female officers changes the atmosphere in prison and possibly the manner in which (male) prisoners approach and evaluate officers.

Second, although the results overall provided limited support for the relationship between officers’ attitudes and prisoners’ procedural justice perceptions, findings did reveal that in units where officers held more positive attitudes towards rehabilitation, prisoners experienced more positive relationships with officers. This is in line with the attitude-behavior literature, which in general proposes that people act towards a certain object in accordance with their attitude towards that object. Consequently, it seems that officers with a positive attitude towards rehabilitation are more likely to support prisoners in changing their lives and, subsequently, approach prisoners in a more positive and encouraging way.

Finally, officer-to-inmate ratio was related to how prisoners felt treated within prison. In units where there was a higher officer-to-inmate ratio, prisoners perceived more fairness, respect, and humanity, and evaluated their relationships with officers as more positive. It seems that when more officers are available in a unit, officers will have increased opportunity to interact with prisoners, which results in closer officer-prisoner relationships and a higher level of perceived procedural justice by prisoners. This line of reasoning is consistent with prior research in social psychology that showed that both the frequency and the length of interactions have an effect on relationship quality. In addition, this view is shared by Dutch correctional officers. Dutch correctional officers recently reported to the Dutch Prison Service that understaffing and continuous changes within the prison
system contributed to an increased workload, which negatively affected their relationships with prisoners.

In Chapter 3, the association between prison architecture and prisoners’ perceptions of their relationships with officers was explored. Insights from environmental psychology suggest that the design of a building can facilitate or hinder social interaction among its users. Therefore, it was investigated to what extent the overall prison layout (i.e. panopticon, radial, rectangular, courtyard, high-rise, and campus; see Figure 3.1 in Chapter 3) and specific prison design characteristics (i.e. facility size, unit size, year of construction, sight lines, and level of double bunking) were related to the way prisoners perceived their relationships with correctional officers.

Analyses revealed that prison architecture does affect officer-prisoner relationships. Findings showed that, controlled for several prisoner and unit characteristics, prisoners in panopticon layouts evaluated their relationships with officers less positively than prisoners in the other layouts. Prisoners in radial, rectangular, courtyard, and high-rise layouts had an increasingly positive judgment about officer-prisoner relationships, and prisoners in campus layouts were most positive. Furthermore, results indicated that prisoners in radial layouts perceived their relationships with officers more negatively than prisoners in campus layouts. In general, findings are in line with our hypotheses. Prisoners housed in prison layouts based on penal philosophies promoting distance between staff and prisoners (like panopticon and radial facilities) indeed experienced their interactions with officers most negatively, whereas prisoners in prison layouts based on penal philosophies stimulating staff-prisoner interactions (like campus and high-rise facilities) indeed had the most positive judgment of their relations with officers.

Furthermore, two specific prison design characteristics were related to officer-prisoner relationships. First, prisoners in older units evaluated their relationships with officers less positive. Second, prisoners in units with a higher percentage of double bunking were less positive about their relationships with officers. This finding is in line with prior Dutch research, which revealed that double bunking was associated with more distant and less frequent officer-prisoner interactions. Several explanations have been suggested for this effect. For example, officers working in units with more double cells have less time to interact with prisoners, or double cells reinforce the division between prisoners and officers (i.e. us versus them) (Inspectie voor de Sanctietoepassing, 2011).

Consequences of procedurally just treatment of prisoners
Chapter 4 and 5 of this thesis focused on the relationship between prisoners’ perceptions of procedural justice and their adjustment in prison. In Chapter 4, the effect of procedural justice on prisoners’ misconduct in prison was examined. Procedural justice theory assumes that an unfair and inhumane treatment of prisoners by prison authorities will lead to resistance and misbehavior among prisoners. The aim was, therefore, first to examine the longitudinal association between prisoners’
perceptions of procedural justice and their misconduct. In addition, in an attempt to learn more about how procedural justice might affect misconduct, the mediating role of anger in the effect of procedural justice on misconduct was investigated. The association between procedural justice, anger, and misconduct was explored both for self-reported and registered misconduct.

Analyses showed that procedural justice had a significant effect on how prisoners behaved in prison. Prisoners who felt treated procedurally just at T1 were less likely to report engaging in rule-breaking behavior at T2 and were less likely to have received a disciplinary report at T2. Findings are in line with procedural justice theory and prior research. No support was found for a reversed longitudinal effect: Prisoners who misbehaved did not perceive their treatment in prison less procedurally just later on. This is notable, as it is easy to imagine that prisoners who misbehave are treated in a less fair and dignified manner by correctional staff. However, the results of this study do not support this hypothesis. Rule-breaking prisoners and rule-abiding prisoners do not feel treated differently, which suggests a professional and neutral approach by Dutch correctional staff.

Furthermore, findings revealed that anger mediated the effect of perceived justice on prisoners’ misconduct. Prisoners who felt treated in a procedurally unfair manner in prison were more likely to experience anger about their treatment, and, subsequently, were more likely to engage in rule violations. This effect was observed for both self-reported and registered misconduct. This result is in accordance with equity theory and general strain theory, which both suggest that perceptions of injustice will result in noncompliance and deviant/criminal behavior through negative emotions like anger. However, these theories both have a somewhat different focus than procedural justice theory. The results suggest that emotions, and especially anger, should play a role in procedural justice theory as well.

In Chapter 5, the effect of procedural justice on prisoners’ psychological well-being was examined. Extending procedural justice theory would suggest that a fair and humane treatment of prisoners is not only related to prisoners’ externalizing behavior, but also to internalizing behavior. The purpose was first to examine the longitudinal association between prisoners’ perceptions of procedural justice and their mental health problems. In addition, an attempt was made to explore which prisoners were particularly vulnerable for unjust experiences to result in psychological problems. Therefore, the moderating role of coping style in the effect of procedural justice on mental health problems was examined. Three coping styles were studied: problem-focused coping (dealing with the stressor), emotion-focused coping (regulating the emotions that accompany the stressor), and avoidance-focused coping (avoid dealing with the stressor).

Analyses revealed a longitudinal effect of procedural justice on prisoners’ mental health problems. Findings showed that prisoners who experienced a higher level of procedural justice at T1 reported fewer mental health problems at T2. Findings of the current study support an extension of procedural justice theory: A fair and respectful treatment is a predictor of not only prisoners’
compliance but also of their psychological well-being. A possible explanation could be that the negative feelings of anger, frustration, and marginalization, which an unfair treatment can provoke, lead to acting out among some people (like aggression, disobedience, and substance abuse), while some people may be more likely to direct this negative energy toward the self (like depressive feelings or anxiety).

Furthermore, no support was found for a moderating effect of coping in the relationship between prisoners’ perceptions of procedural justice and their mental health problems. This result is contrary to the stress-coping model, which suggests that the behavioural and mental health impact of a stressful and difficult situation, like an unfair treatment in prison, depends on a person’s coping style. That the current study failed to confirm the stress-coping model may possibly be explained by the way coping style was assessed. In the present study, prisoners were asked how they coped with stressful situations in general, assuming coping strategies to be relatively stable. However, at present it is unclear to what extent coping style is stable, some literature suggests that coping style may be (partly) situation specific. Although no evidence was found for a moderating role of coping style, findings did reveal a direct effect of coping style on mental health problems. Prisoners high on emotion-focused coping and prisoners high on avoidance-focused coping reported more mental health problems.

Policy implications
Results of this thesis have several implications for correctional policy and practice. First and foremost, findings stress the importance of a procedurally just prison climate. Results showed that considerations of fairness and respect are central in achieving and maintaining prison order, and are effective in decreasing psychological problems among prisoners. Thus, treating prisoners procedurally just “is not only the humane thing to do, it is the effective thing to do”. In general, procedural justice literature suggests that key elements in creating more fair correctional practices are: (a) giving prisoners the opportunity to state their case and highlight their view before decisions are made by staff, (b) staff should act based on rules and should consistently apply those rules without prejudice and bias, and (c) prisoners should be treated with respect and dignity. In staff training, Prison Services and prison management could educate correctional officers on the importance of a procedurally just treatment of prisoners and on these strategies to increase fair and humane correctional practices.

Furthermore, findings of this thesis showed that a number of contextual factors within prison are related to the way prisoners feel treated. With respect to the composition of correctional officer characteristics, three suggestions can be formulated. First, it seems worthy for prison management to think about the right balance between male and female officers. Findings showed that there are units with only male officers. Especially in those units, it could be beneficial to add a female officer to the
team. Second, in staff education and training, Prison Services and prison management could try to encourage officers to adopt a more rehabilitative approach. In the past years, this has been done by the Dutch Prison Service as part of the program 'Modernization Prison System'. All correctional officers have been educated on the importance of rehabilitation and have been trained in motivating prisoners to change their lives. Since the results in this thesis demonstrated differences between officers (and units) with respect to their attitude towards rehabilitation, it is important for the Dutch Prison Service to continuously stress and explain the importance of prisoner rehabilitation to their employees. Third, results of this thesis encourage prison management to think about the right officer-to-inmate ratio and the workload of correctional officers, since officer-to-inmate ratio is positively related to prisoners' procedural justice perceptions. This suggests that it is important that officers have enough time to interact and built (respectful) relationships with prisoners. Unfortunately, recent developments in the Netherlands seem to be in the opposite direction. The announced 'Masterplan Prison Service 2013-2018' by the Dutch government proposes several measures to accomplish a large budget cut within the Dutch Prison Service. One of the implications of this Masterplan is a substantial reduction in correctional staff. In the light of the findings of this thesis, this reduction in correctional staff seems a concern as it may negatively affect a procedurally just treatment of prisoners, and, subsequently, may indirectly result in higher levels of misconduct and mental health problems among prisoners.

With respect to prison architecture, results of this thesis suggest two implications. First, the finding that campus and high-rise layouts are preferable to panopticon and radial layouts with regard to officer-prisoner relationships may be helpful to prison construction. Within the recently published Masterplan, the Dutch government revealed their intention to build one, to Dutch standards, rather large correctional facility. Since campus and high-rise institutions have in common that they are characterized by small units with a direct line of sight, results of this thesis suggest the significance of small units with good visual access within this new facility. Second, it seems useful to reconsider the use of double bunking and the scale on which this is applied. Although the Netherlands had a long tradition when it comes to single cells, double bunking was introduced in 2004, and, within the recently published Masterplan, the Dutch government announced their intention to drastically increase the proportion double cells from 15% to 50% of the total capacity. In light of the findings of the current study, this seems alarming. Double cells can be counterproductive when it comes to officer-prisoner relationships, while these relationships seem crucial for the manageability of prisons.