

SUMMARY

Introduction

Since a number of years, restorative activities are experimented with on a modest scale in the penitentiary context in the Netherlands. After positive experiences in the juvenile penitentiary Eikenstein¹, in October 2003, the initiative was taken to start experimenting with restorative activities in the penitentiary institution (PI) Nieuwegein as well. At the end of 2007, a plan and process evaluation of the project was initiated by order of the WODC (Scientific Research and Documentation Centre of the Dutch Ministry of Justice). The aim of the evaluation was to map the set-up and realisation of the project and to explore the possibilities for general usability of the project.

The following three research questions are central to this study:

- *On what principles and experiences is the project 'restorative detention' based? (plan evaluation)*
- *What are the practical experiences with the restorative detention project of PI Nieuwegein? (process evaluation)*
- *Is it advisable to introduce restorative detention for adult prisoners nationwide? If so, in what way and for which categories of prisoners? (perspective)*

Method

In order to provide answers to these questions, various forms of data collection have been used. A literature study has been undertaken and conversations have been held with various professionals involved and with prisoners. In addition, the project registration has been studied and analysed and case descriptions have been made of individual trajectories. In order to determine the position of the project in the national detention context and in order to gain insight into the conditions of a nationwide implementation of the project, conversations have been held with representatives of a number of other PIs in the Netherlands. In conclusion, the results of the study have been discussed with two subject experts of the Erasmus University of Rotterdam and the University of Tilburg.

Results

Plan evaluation

The restorative detention project is based on the practice of restorative detention for adult prisoners in PIs in Belgium and on the ideal-typical model of a restorative detention regime as sketched by the Dutch jurist Blad. The organisation and coordination of the project is being conducted by the

¹ In July 2007, the programme Restorative Education has been evaluated by the Developmental Psychology Department of the University of Utrecht.

restorative justice counsellor. In addition, various internal departments and external organisations are involved in the project.

Project plan not fully developed	<p>In 2005, a project plan has been drawn up, in which the direction of the set-up and the activities that are to be carried out are indicated.</p> <p>In the project plan three categories of activities are distinguished: activities aimed at prisoners, activities aimed at prison staff and activities aimed at society. Subsequently, a set of specific activities has been developed. However, these activities do not fully cover all the intentions of the project plan. Activities aimed at changing detention culture (such as education and informing prison staff), have not been developed yet. No concrete plans have been made either with regard to activities aimed at society.</p>
Set-up lacks solid basis	<p>In the project, activities are carried out that are aimed at awareness and taking responsibility, which should lead to changing behaviour patterns. This mechanism can be found in four of the interventions. However, with regard to the other interventions (for example primary school visits to prison and father-child days), this is not the case or only to a lesser extent. Both in the Netherlands and abroad, a lot of experience has been gained with restorative mediation and group programmes aimed at awareness and taking responsibility, however, this applies to a much lesser degree to activities such as primary school visits to prison and father-child days. Therefore the foundation of the project deserves more attention in the future.</p>
Realisation not yet according to plan	<p><i>Process evaluation</i></p> <p>The project is not yet carried out as originally intended: meanwhile six out of twelve intended activities have been started. A number of other activities will be initiated in the short term, however, with regard to part of the remaining activities it is not yet clear when they will start. The planned activities that have already started are mainly aimed at prisoners themselves. Hardly any activities have been organised which are aimed at society (and are important to help create a social basis). The same goes for activities aimed at prison staff: they are not yet organised and there are no short-term plans for these activities either. However, these activities are important for changing the detention culture.</p>
Experiences parties involved are positive	<p>As from 2006, 79 prisoners have participated in the project, fourteen of whom have dropped out. It turns out that participants are more than averagely detained because of violent crimes. The participants are positive about the project. However, the prisoners do not experience a change in the detention climate: it has not become easier for them to talk about the crime (which is one of the objectives of the project). There are no indications that the project works better for some prisoners than for others. Most of the professionals involved are also positive about (the basic principles of) the project, but like the prisoners, they do not see a positive effect on the detention culture. In general, prison workers are more sceptical than other employees and often they are not very familiar with the project.</p>

Organisational aspects of improvement The professionals involved adopt a more critical attitude towards the organisation of the project. They claim the capacity of the project is insufficient. In addition, they say that it is not logical that the function of restorative justice counsellor is organised under humanistic mental care because this means that the management has no governance options with regard to this function. A number of conversation partners also indicate that it is inconvenient that there are no formal cooperation agreements with external parties.

Future

Project has surplus-value The first insights concerning the project in Nieuwegein are encouraging. Both in the literature and in practice leads have been found which indicate that restorative detention programmes have a surplus-value compared to the traditional detention regime. This applies especially to activities that are aimed at changing behaviour patterns by means of mechanisms such as awareness and moral reflection. Whether the project is actually effective, cannot be proved with this study. Broadly speaking, only little experience has been gained with (the effects of) restorative detention programmes.

Too early for nationwide implementation At the moment it is still too early to implement the project in other PIs in the Netherlands: the project is not completely developed yet. Actually, it is still in a pre-pilot phase. This becomes clear from the fact that not every element of the original project plan can be found back in the realisation of the project.

Conditions Before the project can be implemented nationwide, a number of conditions must be met. The offer of activities should be more balanced and more coherent in future, and new activities should be introduced on behalf of society and prison staff. Especially the latter is of high importance with regard to changing the detention culture and in order to create a broad social basis. Investments should also be made with regard to personnel capacity and the formalisation of agreements with external organisations, on which the project depends to a large extent. With regard to the setting it is advisable to consider whether a custody centre is the most suitable place for a project such as this one. In conclusion, the extent to which the project can be linked to existing policies should be considered, especially with regard to the project terugdringen recidive (prevention of reoffending), which has come into effect this year and applies to all Dutch prisons.

