

# Complaining in Prison: 'I suppose it's a good idea but is there any point in it?'<sup>1</sup>

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Recent years have seen a growth in formal complaint procedures in prisons, which are seen to be a key feature of enhancing the protection of the rights of those in prison.<sup>2</sup> Prisons are places where rights can be vulnerable and complaints procedures ideally provide prisoners with access to an independent body to review complaints, which is less burdensome and costly than the costs of going to court. Such mechanisms should also help resolve lower-level complaints, which may not reach the relevant thresholds for court proceedings. Prisoners are required to rely on others for their daily needs and access to services, such as the school or facilitating family visits. Complaint systems, in theory, give prisoners a tool to voice concerns they have about their treatment and prison conditions. In the prison context, however, complaining is not always straightforward and those in prison can face significant hurdles in accessing and using complaint systems even when they are in place. Research indicates that complaints procedures can have an impact on many aspects of life in prison. Beijersbergen and colleagues found that prisoners who felt that they were treated fairly and respectfully by correctional authorities during imprisonment were less likely to be reconvicted up to 18 months after release.<sup>3</sup> Additionally, those who reported having experienced a higher level of procedural justice reported fewer mental health problems and were less likely to engage in misconduct.<sup>4,5</sup> However, an ineffective complaint

system for dealing with prisoners' problems can have an impact on prisoners of feeling ignored and not listened to. In this respect, Crewe has reported that people in prison felt that complaints systems were sometimes used by staff as a way of deflecting prisoner complaints and pushing the burden of responding to someone else.<sup>6</sup> Additionally, a US study conducted by Bierie highlighted the impact of an ineffective complaint system and how delays, as well as high levels of rejected complaints can contribute to violence in prisons,<sup>7</sup> pointing to the very serious consequences of poor complaints systems. How complaints procedures work in practice therefore merits attention.

This paper will explore the ways in which people in prison complain, as well as the implications of not having an effective or trusted outlet to complain. Drawing on interviews conducted with prisoners in Ireland, we will outline how prisoners went about complaining and their experiences of this. Additionally, we will describe how those who did not use the formal system dealt with their problems in prison. The findings have implications for how prison complaint systems are designed, as well as ensuring that mechanisms can be used by the intended beneficiaries.

## International Guidelines on complaint procedures in Prison

International human rights standards require complaints systems for those in prison, and those

1. Participant 23.
2. Council of Europe (2018). European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. 27th General Report of the CPT (p. 25).
3. Beijersbergen, K. A., Dirkzwager, A. J. E., & Nieuwbeerta, P. (2016). Reoffending after release: Does procedural justice during imprisonment matter? *Criminal Justice and Behavior*, 43(1), 63.
4. Beijersbergen, K. A., Dirkzwager, A. J. E., Eichelsheim, V. I., van der Laan, P. H., & Nieuwbeerta, P. (2014). Procedural justice and prisoners' mental health problems: A longitudinal study. *Criminal Behaviour and Mental Health*, 24, 100.
5. Beijersbergen, K. A., Dirkzwager, A. J. E., Eichelsheim, V. I., van der Laan, P. H., & Nieuwbeerta, P. (2015). Procedural justice, anger, and prisoners' misconduct: A longitudinal study. *Criminal Justice and Behavior*, 42, 196.
6. Crewe, B. (2009). *The Prisoner Society: Power, adaptation and social life in an English prison*. Oxford University Press.
7. Bierie, D. M. (2013). Procedural justice and prison violence: Examining complaints among federal inmates (2000–2007). *Psychology, Public Policy, and Law*, 19(1), 15–29.

standards provide us with guidance as to how such systems in prisons should look. For example, the Council of Europe's European Prison Rules,<sup>8</sup> and the UN Mandela Rules,<sup>9</sup> contain relatively detailed guidance on what the principal elements of a complaints system should be. Key features include an independent appeal procedure,<sup>10</sup> which can provide remedies should a complaint be upheld, as well as a requirement that procedures should be confidential. The European Prison Rules also note the importance of mediation as a tool for resolving complaints to avoid the potential hostility of imposing a decision which those involved in the complaint have not agreed to.<sup>11</sup> Furthermore these rules emphasise the need for people in prison to receive information on the complaint system. They place a responsibility on prison services to provide information in a manner which those in custody can understand, whether in a different language to that primarily spoken in the prison, or orally in the case of those who face literacy challenges.<sup>12</sup> An effective complaints system takes into account the context in which it is being designed, and the importance of understanding what complaints mean for those using it cannot be ignored.<sup>13</sup>

Despite the aforementioned requirement, however, literature is only emerging on how these processes are experienced by those whom they should be protecting. The work which exists suggests that these systems may struggle to meet the needs of those in prison and may be inaccessible to those most at need.<sup>14</sup> We seek to contribute to our understanding of complaining in prison by exploring qualitatively how those in prison experience this process. We use the case

of Ireland as a country with a relatively small prison system, and a relatively recent formalisation of the complaints system, to examine how those in prison experience complaining and their views of this system.

### Irish Prisons and Complaints System

Ireland has a prison population of 4,148, with prisoners held in 12 prisons across the country.<sup>15</sup> The Irish prison population has a high number of prisoners serving shorter sentences.<sup>16</sup> As discussed below, these features of the Irish system can have implications for learning about and engaging with rights-protecting bodies, such as complaint procedures.

Prisoners in Ireland have formal and informal avenues through which they can complain. The current formal system was introduced through legislation in 2013 and further policy in 2014.<sup>17</sup> The legislation sets out rules to be followed in the case of serious complaints categorised as Category A complaints, while the policy further expands this and adds different categories for complaints considered less serious. Prisoners in Ireland can complain through the written procedure which involves submitting a complaint form, and depending on the nature and severity of the issue is dealt with

by different officers. Visiting Committees can also deal with prisoners' complaints. These are external bodies consisting of laypeople and are comparable to the Independent Monitoring Boards (IMB) in English and Welsh prisons. Each prison has a different committee consisting of between six and 12 members. However,

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8. European Standard Minimum Rules for the Treatment of Prisoners, Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules.
9. United Nations (2016). United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). Resolution adopted by the General Assembly on 17 December 2015. UN Doc. A/RES/70/175.
10. Rule 70.3 European Standard Minimum Rules for the Treatment of Prisoners, Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules.
11. Rule 70.2 European Standard Minimum Rules for the Treatment of Prisoners, Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules.
12. Rule 30.1 European Standard Minimum Rules for the Treatment of Prisoners, Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules.
13. van der Valk, Sophie and Mary Rogan, Prisoner Complaints Mechanisms: Assessing Human Rights Requirements and the Role of a General Ombudsman (2020) 26(4) European Public Law p.801 – 822.
14. van der Valk, S., Aizpurua, E., & Rogan, M. (2022). "[Y]ou are better off talking to a f\*\*\*\*\* wall": The perceptions and experiences of grievance procedures among incarcerated people in Ireland. *Law & Society Review*, 56(2), 261.
15. Irish Prison Service, Daily Prison Population 1st July 2022 available at: [https://www.irishprisons.ie/wp-content/uploads/documents\\_pdf/01-July-2022.pdf](https://www.irishprisons.ie/wp-content/uploads/documents_pdf/01-July-2022.pdf)
16. Joint Committee on Justice and Equality, Report on Penal Reform and Sentencing May 2018 (House of the Oireachtas 2018) 10.
17. See footnote 14: van der Valk, S., Aizpurua, E., & Rogan, M. (2022). 261.

the recommendations issued by Visiting Committees who investigate complaints are not binding on the prison system.<sup>18</sup> Further to this, a prisoner can request to meet the governor of the prison or write to the Director General or the Minister.<sup>19</sup>

The Irish complaint procedure has been subject to criticisms both domestically and internationally, with the Committee for the Prevention of Torture, Inhumane and/or Degrading Treatment and/or Punishment describing the procedure 'as not fit for purpose' following their 2019 visit to Ireland.<sup>20</sup>

### Study

The present paper draws on a broader study which examines the experiences of people in prison of oversight through complaints, inspection and monitoring, and the courts. The analysis presented here examines how those in prison experience and view the complaint system in Ireland.

The study consisted of interviews with 45 prisoners, located in three prisons in Ireland. Participants were male, currently serving a sentence, and had been in custody for at least one month at the time of the research. Participants were randomly selected from those serving a sentence on the first day the researcher arrived at the prison. This involved randomly generating numbers based on the number of people in custody and matching these to the list of those individuals. Those identified were approached by the researcher and informed of the study. An information sheet was provided, as well as an opportunity to ask questions. Potential participants were given a minimum of 24 hours to consider whether they would like to participate, and then approached for a second time for an interview. The data was gathered and transcribed by the first author, with frequent meetings and discussions with the second author during the analysis stage, to discuss and review the codebook and themes in the data. The interviews for this paper were analysed thematically using Nvivo software.

### Experiences of using the formal Complaint System

Similar to our previous work, prisoners who took part in this study had a negative perception of the complaint system.<sup>21</sup> However, despite this, prisoners, in particular those serving longer sentences and those on restricted regimes, used the system as a means of resolving issues in prison.<sup>22</sup> Here, we describe common themes found in our interviews with people in prison about their experiences of the complaints system. Participants spoke of a lack of faith and trust in the complaint system, having low expectations in relation to what prison should be like, and feeling constrained in how they could use their agency in prison, which was a critical calculation in the decision whether to make a complaint.

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#### Lack of faith in the system and its bases

A strong and widely held view was that the complaints procedure did not merit trust. Participants spoke of a lack of faith in the system working for prisoners, as highlighted by participant 11:

*'No, it was not worth the hassle, they [the prison] win in the end ... you are only going to cause yourself grief because once you start giving grief here then you are moved on and god knows where you are going to end up because there are loads [of prisons].'*

Some referred to a lack of response when a complaint was submitted, while others felt that they were actively discouraged by staff from submitting complaints. One participant spoke of staff members coming to speak to prisoners after complaints were submitted to find a way of resolving the complaint in person rather than through the formal system.

Participants discussed a sense of paranoia amongst prisoners if they were seen to put in a complaint and that prisoners might turn against them for using the

18. Prison (Visiting Committees) Act 1925.

19. Rule 55 to 57 of the Prison Rules 2007.

20. Council of Europe (2020). Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 23 September to 4 October 2019(0).

21. van der Valk, S., Aizpurua, E., & Rogan, M. (2021). Towards a typology of prisoners' awareness of and familiarity with prison inspection and monitoring bodies. *European Journal of Criminology*, doi:1477370821998940.

22. See footnote 21: van der Valk, S., Aizpurua, E., & Rogan, M. (2021).

system. As discussed by participant 15, *'in prison you have to have your wires around you like, you know, you have to .... watch what you are saying.'* This participant highlighted the low levels of trust evident in prison culture,<sup>23</sup> and the potential implications this can have on speaking up about problems or putting in a complaint. Currently in Ireland, submitting a complaint involves putting a completed form into a box at the top of landing and this would be highly visible to others in the area. One participant discussed putting a complaint in while going to collect meals as it would be more discreet when the area was busier.

Participants also felt that putting in a complaint could potentially worsen instead of improve their situation in prison, as discussed by participant 15:

*'[T]hat officer that you filled in a complaint form about he won't forget that. And then when you are getting a visit or you are getting your phone calls, they even knock them off.'*

Prisoners spoke about different repercussions of submitting complaints which could impact on family visits or progression in the prison. Transfers to other prisons were seen as a particularly severe but potential consequence of putting in a complaint, as well as more subtle breakdowns in relationships due to being seen as a 'troublemaker'. There was also a sense, among some participants, and linked to the overall prison climate and power in prison, that at times something that might be merely coincidental could be perceived as a consequence of complaining due to the tensions and atmosphere of the prison itself.

Another issue discussed by prisoners in relation to the written complaint system was the time-sensitive nature of some problems in prison. Participants spoke about the importance of getting a quick answer to more simple complaints and a sense that you do not know if the complaint has reached the intended person when it is written down and handed over. The issue of delays can serve to dissuade prisoners from complaining as responses are not received in time. For example, before the prisoner leaves the prison, or when the family visit (which was the subject of the complaint) could be long-missed. This created a sense of futility and pointlessness to bringing a complaint, as illustrated

by participant 35: *'listen, do you think they'd be reading them [complaint forms]? Nah. They wouldn't.'*

This sense of futility was also evident in the case of participant 17 who outlined:

*'Why would you go near it? It's a very easy to hash it. Say you put in a complaint, they don't care. They just get [paid every month] and they couldn't give a shit about you.'*

There was also a negative perception of complaining among some participants, as highlighted by participant 32:

*'I don't be taking much notice of people when they complain, because that's all that people do inside here, complain about different things.'*

## Learning about prison systems and complaints procedures takes time, as information on the process is often not an immediate concern upon entering prison.

The sense that complaints would be ignored unless a prisoner was persistent, or would incur long delays, meant that those serving short sentences did not view the system as worthwhile. Learning about prison systems and complaints procedures takes time, as information on the process is often not an immediate concern upon entering prison. Additionally, due to expectations about prison, presenting as

'tough' in prison and prisoners' sense of self-worth, some prisoners may be prepared to tolerate certain conditions. Therefore, those on short sentences may not have time to learn how to use the formal complaint structure and may also be less willing to complain about substandard conditions.

Some participants spoke of a preference to engage with someone in person, both to ensure that the person who could handle the complaint received the message, but also due to concerns about expressing themselves clearly and making sure nothing was missed in the written paperwork. This was particularly the case for those with literacy issues, who did not feel they could get their point across on paper or needed someone they could trust to help them fill out a form. Delays in dealing with complaints, or simply not receiving responses to complaints, was seen as disrespectful and to show a lack of concern for the wellbeing of prisoners. It seemed to prisoners to communicate a lack

23. See footnote 6: Crewe, B. (2009).

of interest in resolving issues in prison or minimising the problems experienced by those in custody. This can further engrain the overall perception of lack of worth of prisoners, as the system which is supposed to help protect their rights instead does not recognise their concerns.

### Expectations of prison: 'prison is okay'

When discussing rights in prison and prison life, it was clear that there was a disconnect between prisoners' expectations of what prison could and should be like, and what is actually available to them in prison. This had implications for what prisoners perceived as being worth complaining about, as some things were simply considered part of 'prison life'. This resonates with Sexton's work on penal consciousness, which highlights how our expectations of a specific environment can shape our experience of the severity or intensity of an environment, regime or existence.<sup>24</sup> In the penal context, this means that those who have low expectations of what prison should be like, such as the expectation that prison should be 'tough' or that certain treatment was acceptable, may see poor treatment as being in line with their expectation of prison. As a result, they may not see their treatment or conditions as problematic or worthy of complaint, or in the language of the legal mobilisation literature,<sup>25</sup>

what are in fact problems do not get 'named' as such,<sup>26</sup> and the person takes no action to seek to remedy the problem as a result.

There was a feeling among some prisoners in the study that prison is quite good in the sense that their basic needs are met, and life in prison can only reach a certain standard. This feeling can be attributed in part to their low expectations about the quality of prison life and their poor experience in relation to their rights. Many of the participants, and prisoners in Ireland more generally, come from backgrounds where they may not have experienced full or even partial vindication of breaches of rights, and this shapes how they view

prison and their treatment in this context. As demonstrated by participant 5:

*'At the moment, I think prison is okay at the moment. The way it is like the prisons in general today. There are no more stabbings in prison like there used to be. If there are problems today it is just people get a hiding that would be it. Getting stabbed the way they used, like the last time I was here there was 3 or 4 stabbings a day ... every day nearly. Prison is grand these days.'*

This participant accepted a certain level of violence as being part of the prison experience. In fact, the

absence of more extreme forms of poor prison conditions, stabbings and physical violence, is viewed by many prisoners as being the benchmark for acceptable treatment. This sets a low threshold for an acceptable prison environment and brings into sharp focus the expectations of those in custody. With such a low bar for what constitutes 'bad treatment', it is not surprising that we see prisoners not making formal complaints about what happens to them; they simply 'get on with it'.

The idea of what was 'good' in prison was also framed as being relative to how prisons had changed over time and the improvements participants had noted. In Ireland, this was

particularly clear when participants spoke about 'slopping out' and the almost elimination of this practice in recent years.<sup>27</sup> This visible change was seen as a significant improvement and therefore prisons were viewed as 'good' now. We see the impact expectations can have on prisoners' perceptions of the prison environment as explored in Sexton's work on penal consciousness. This insight is manifested in our data. As discussed by Sexton, the punishment gap between expectations and reality of prison life plays a significant role in how prisoners perceived their experience.<sup>28</sup> We see that when it came to identifying problems in prison and making complaints, low

When discussing rights in prison and prison life, it was clear that there was a disconnect between prisoners' expectations of what prison could and should be like, and what is actually available to them in prison.

24. Sexton, L. (2015). Penal subjectivities: Developing a theoretical framework for penal consciousness. *Punishment & Society*, 17(1), 114.

25. Hull, K. (2016). Legal consciousness in marginalized groups: The case of LGBT people. *Law & Social Inquiry*, 41(3), 55; Merry, S. E. (1985). Concepts of law and justice among working-class Americans: Ideology as culture. *Legal Studies Forum*, 9(1), 59; Engel, D. (2012). Vertical and Horizontal Perspectives of Rights Consciousness. 19 *Indiana Journal of Global Legal Studies*, 423, 424.

26. Calavita, K., & Jenness, V. (2015). *Appealing to Justice: Prisoner Grievances, Rights, and Carceral Logic*. University of California Press.

27. The practice of using a bucket as a toilet in a cell and emptying it in a communal area on a landing.

28. See footnote 24: Sexton, L. (2015).

expectations of prison life create a disconnect between the standards set by international and national human rights frameworks and how prisoners perceive the prison environment. As a result, people in prison may not see what happens to them as a breach of those standards. These expectations were shaped by various factors such as prior experience, experiences shared with prisoners by people they knew, or their own life experience of institutionalisation. Therefore, prisoners' sense of tolerable prison conditions may be quite high, a finding which also has implications for the next theme we discuss: that of agency.

### Using agency

As noted by Behan, 'imprisonment confines, restricts and prevents an individual from the freedom of choice necessary for agency, building trust, developing social capital and engaging in networks of engagement essential for robust citizenship.'<sup>29</sup> Similarly, participants in the current study experienced challenges in building trust and had limitations placed on their agency. As discussed by Crewe, such restrictions increase the significance of staff-prisoner relationships in accessing services in prison.<sup>30</sup> These limitations can create challenges in willingness to use the complaint system, especially in instances where prisoners have limited information on the process and how it operates. In situations where people have limited agency plus concerns about exercising the agency they retain, care will be taken in deciding when to use this. Prisoners may prioritise interactions where they have a clear understanding of the benefits and risks of engaging, or focus on specific issues which have increased significance for them. As noted by participant 19, *'I try push the line as far as I can with the visits and stuff'*.

Additionally, certain specific issues were identified among participants as worth speaking up about and something which interference with was less likely to be tolerated. Family contact was a key area where participants were more likely to complain when a

problem arose and is clearly important to those in prison. As discussed in prison literature, family support is an important connection for those in prison.<sup>31</sup> One participant (31) who spoke about never having complained, despite having served several sentences, and who was highly averse to 'ratting', was much more activated and less tolerant when discussing the issue of family visits:

*'I have never complained to anyone or ratted on anyone in jail or anything like that or complained about anyone or anything. I have never once put anything in them boxes.'*

There was a sense of pride for this person in not being 'a complainer' in prison. This feeling, however, was in sharp contrast to the frustration and upset at the violation of family life when speaking about complaining about issues of visits and the exposure to prison procedures of his partner and young child: *'the only complaint I have ... I ever had is my visits.'* A key consideration in this analysis was that family members had not committed an offence and the treatment they were receiving, whether it was particularly invasive searches on visits or being on screen visits due to suspicions around drugs, was a punishment which they did not deserve. This created a feeling among prisoners, who might otherwise tolerate disrespectful treatment themselves, to speak

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up and push back.

Additionally, some participants felt that while some complaints could be resolved using a written complaint, it was not a suitable avenue for all complaints. As also found by Calavita and Jenness, complaints about staff were considered something that could not be resolved via a complaints system.<sup>32</sup> As will be discussed further below, this was something which participants felt could only be managed through looking for ways to avoid engaging with a staff member, or simply 'putting up' with the issues.

This sense of limited agency may result in issues perceived as minor or not as important being

29. Behan, C. (2020). No longer a 'collateral consequence': Imprisonment and the reframing of citizenship. *European Journal of Criminology*, 1, 11.

30. See footnote 6: Crewe, B. (2009).

31. Hutton, M. (2016). Visiting time: A tale of two prisons. *Probation Journal*, 63(3), 347.

32. See footnote 26: Calavita, K., & Jenness, V. (2015).

overlooked or not perceived as worth wasting agency on. The concept of 'wasted agency' therefore is based on the underlying concerns of those in prison and the perception of how far one can push the line or exercise agency before the risk of reprisals increases beyond what is acceptable to the prisoner for the right at issue or one's energy is burnt out. Not speaking up is also a form of self-protection from being repeatedly refused one's request or feeling that one's sense of worth is being undermined by those in prison. When choosing to engage with complaint systems, having information on the risks and benefits of interacting are key especially for those in low trust environments, such as prisons. However, in the case of participants in this study, participants also reported having limited information on the system and how it operated, and they therefore found it difficult to assess the benefits of an interaction. As noted by participant 31: *'I would only go to him if I know ... if I had a good chance of winning my case.'* This reiterates the importance of having a clear understanding of the system and how it operates in deciding whether to use the limited agency retained by those in prison on an interaction with a complaint body. It was evident in the present study that prisoners make calculations in deciding when to act and, in the absence of clear knowledge about the complaint system, this assessment is done based on prior experiences or information available to prisoners. In many cases, the negative effects of exercising agency may often outweigh any potential gain and is not worth the 'waste'. Having timely and accurate information on how a complaint system works throughout the duration of a person's time in custody is important to build trust in the system.

### Seeking other ways to complain: Informal complaints

The data gathered as part of this study focused on usage of the formal complaint system. However, in interviews, it became clear that the majority referred to resolving complaints through either a prison officer on

the landing or the governor of the prison. Prisoners did not rely exclusively on the formal complaint system to resolve problems they experienced in custody. As set out above, prisoners could also complain through seeking to speak to a governor or a member of a Visiting Committee and these were seen as preferable ways of resolving a complaint by some. Reasons for this centred around the face-to-face interaction involved, which meant prisoners knew that the person had received the complaint and they could, in some cases, explain themselves better than they were able to in writing. This was highlighted by participant 45:

*'I can read and write but I can't spell properly so I'm finding it hard enough if I was on my own like because I want to say more but I wouldn't be able to spell the words you know what I mean so you're just kind of making it shorter.'*

The concept of 'wasted agency' therefore is based on the underlying concerns of those in prison and the perception of how far one can push the line.

This participant highlights the limitations of a written form of complaining without additional support, and a sense that phrasing complaints in a particular way can play a role in how they are perceived by those handling them.<sup>33</sup> Additionally, while not viewed by all prisoners as independent, the Visiting Committees are outsiders to the prison system, an element which the current complaint system in

Ireland lacks.<sup>34</sup>

Alternative ways of resolving complaints also highlights the important role of relationships in prison. Several research studies attest to how informal actions by staff can defuse tension, resolve problems, and avoid the escalation of issues.<sup>35</sup> While formal complaints procedures have a role to play in vindicating human rights in prison, they do not replace the need for decent conditions, fair treatment and good relationships which obviate the need for the use of complaints procedures in the first place.

### Conclusion

Complaint systems are held by international human rights standards to be important tools for

33. See footnote 26: Calavita, K., & Jenness, V. (2015).

34. Work is underway at the time of publication to introduce the Ombudsman as an independent appeal body for the prisoner complaint system.

35. Beijersbergen, K. A., Dirkzwager, A. J. E., van der Laan, P. H., & Nieuwbeerta, P. (2016). A social building? Prison architecture and staff-prisoner relationships. *Crime & Delinquency*, 62, 843; Lieblich, A., Price, D., & Elliott, C. (1999). Appreciative inquiry and relationships in prison. *Punishment & Society*, 1, 71.

prisoners to bring problems to the attention of the prison service. However, as set out in this paper there are significant challenges in how they operate in this setting. The key principles of procedural justice of voice, neutrality, respect, and trust are evident across the themes discussed in this piece. Those in prison need to feel heard in the procedure, as well as treated with respect both in prison and as part of the complaint procedure to build trust in using these mechanisms. Neutrality is vital in encouraging those in prisons who wish to file a complaint to feel that they can trust the complaint procedure to be fair in considering their complaint. These criteria can be seen in the need to embed rights and normalising complaints in prison, which require a shift in prison culture itself. This is connected to the prison expectations discussed above, both in terms of what prison can be like and trust in a complaint system to work for them. For complaints systems to act as an effective process for people in prison, it is important that they are fully informed about their rights in prison and that these are reinforced through experiences in the prison. This can involve ensuring information on complaint systems and rights are provided on arrival and throughout a person's time in prison, to remind those in prison of where they can turn to.

Additionally, complaint mechanisms need to consider the experiences and backgrounds of those they are intended for. In the prison context, accessibility is a key consideration given prevalent literacy challenges, but also the power dynamics and culture of prison itself. It is important that support is offered to those in prison so that complaints can be made by everyone and prisoners do not need to rely on each other to access the system. This can be achieved through maintaining a system which does not require the use of written paperwork, and where those in custody can meet with and set out their complaint to a dedicated person. Proper recording of such complaints would be important for transparency and oversight of such a system.

In designing and implementing rights-protecting mechanisms, such as complaint procedures, for those in prison it is important that the experiences and views of those they are intended to protect are included. As set out in this paper, prisoners may have low expectations of prison and their rights, as well as a lack of trust in the prison system and authorities. Overcoming these barriers is fundamental to ensuring that prisoners can effectively access a complaints system and so this provides an effective tool for prisoners to raise their concerns.