

Minimising and humanising the use of isolation (segregation): in Dutch prisons

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In most prisons around the world, one finds cells, or a section of the prison, dedicated to separating prisoners from their peers, as a disciplinary punishment a preventive measure or as a protective measure. These ‘prisons within prison’ or ‘deep custody’ units,¹ are known by a variety of names, with ‘separation’, ‘segregation’, ‘isolation’, and ‘solitary confinement’ used interchangeably to describe what is essentially the same practice: one person, locked up alone in a small cell for upwards of 22 hours a day, away from others and from prison life. It is widely accepted that placement in such an environment is not conducive to the health of people in prison. Evidence shows that exposure to these austere prison conditions negatively affects the mental, physical and social health of those subjected to it.^{2,3}

The negative health impacts of solitary confinement and the closed, hidden from view, nature of isolation units, have historically attracted criticism from both inspection bodies and human rights organisations, who call for fewer and even no isolation cells. Prison staff, on the other hand, often suggest that isolation units are essential for maintaining prison order and discipline, and find it difficult to conceive of running prisons without resorting to this prisoner management tool. With these two competing narratives in mind, in 2022 the Dutch Prison Service (DJI) commissioned a study to shed light on all relevant aspects of the use and necessity of isolation cells. The study's findings and recommendations, discussed below, were presented to prison directors, and a working group has developed a new policy on isolation, which is now being implemented.

This article was written jointly by the researcher, the National Director who commissioned the research and the Prison Director who leads the working group

charged with developing the new policy. We begin with a description of the reason for this research and the research findings and recommendations. We then discuss the process that took place to formulate and implement the new policy.

Context

The DJI is characterised by a relatively low imprisonment rate — in September 2023 the Dutch incarcerated 64 people per 100,000 of the national population in one of the 25 prisons run by the DJI under the Ministry of Justice.⁴ The total prison capacity in 2025 was on average 11,034 beds. According to internal DJI resources, the occupation rate in the remand and prison regimes was above 95 per cent.

The use of isolation (segregation), or ‘iso’ as it is colloquially known, in the Netherlands has been the subject of special attention on several occasions over the years, with ad-hoc efforts to restrict its use and to improve the conditions of isolation cells. As part of these efforts, frontline staff and prison directors are now educated about the adverse effects of isolation, soft furniture was introduced in isolation cells in all prison facilities nationwide, and the use of a ‘sanctions card’ stipulating the type and length of punishment for each prison offence was abolished in favour of more customised sanctioning.

In 2022, the Council for the Administration of Criminal Justice and Youth Protection (RSJ) asked the DJI to include the reduction of solitary confinement as a concrete policy objective. It also recommended developing additional policy directives on disciplinary punishments and solitary confinement in detention. In light of the potentially harmful health effects of isolation, the Council advocated that the use of solitary

1. Shalev, S., & Edgar, K. (2015). Deep Custody: Segregation Units and Close Supervision Centres in England and Wales. *Prison Reform Trust*.
2. Meijers, J. (2018). Do not restrain the prisoner's brain: Executive functions, self-regulation and the impoverished prison environment [PhD thesis]. *Vrije Universiteit Amsterdam*.
3. Shalev, S. (2014). Solitary confinement as a prison health issue. In S. Enggist, L. Møller, G. Galea, & C. Udesen (Eds.), *Health in Prisons: A WHO guide to the essentials in prison health* (2nd ed., pp. 27-35). *World Health Organisation, Regional Office Europe*.
4. World Prison Brief, <https://www.prisonstudies.org/country/netherlands>

confinement cells as a disciplinary punishment should be stopped altogether.

Prison professionals felt that this last recommendation as one-sided and unworkable. They felt that implementing this recommendation would make prisons unsafe for both staff and prisoners. To try and bridge these two viewpoints, the national management of the prison system commissioned an independent scientific investigation into the use of isolation cells in the Netherlands.

A study on the use of isolation: Key findings

In 2022, Dr Sharon Shalev was commissioned by the Prison and Immigration Detention Division (GWVB) to conduct a study investigating what isolation in a penitentiary looks like in practice and what stakeholders thought about the practice.

The study, *Iso: perspectives on prison isolation in the Netherlands* involved quantitative analysis of national statistical data on the use of isolation; field research comprising visits to seven prisons and interviews with 87 prisoners, prison frontline staff, managers, mental health specialists and oversight committee members;⁵ and a spot survey of isolation cell capacity and occupancy levels across all 25 prison facilities of the Netherlands.

The study found that the use of isolation was relatively low, with 32.2 per cent (or 109 out of a total of 339 isolation cells) of all cells set aside for isolation (around 2.7 per cent of all available cells) being occupied during the spot survey (in May 2023). Overall, stays were fairly short: 22 per cent lasted between 1-4 days, and 42 per cent lasted 5-8 days. None lasted longer than 14 days (the maximum permitted duration). However, isolation was the chosen penalty in almost a fifth (18 per cent) of all disciplinary punishments imposed and almost a quarter (24 per cent) of all punishments were for the maximum permitted duration (though time in isolation was sometimes cut short). The most common reasons for placement in a punishment cell were unacceptable behaviour towards fellow prisoners or staff, disruption of order and safety of the prison, and the possession of contraband. In just under 40 per cent of all isolation stays during the spot-survey, isolation was imposed as a

protective measure for varied medical and behavioural reasons.

Once in isolation, conditions were the same for those isolated for protection and those isolated as punishment. Isolation cells were clean but austere. They contained a toilet, a bed, a mattress, and a foam cube to sit on. Some cells also contained a set of shelves. Isolated individuals spent most of the day inside their cells with little to do and with no access to rehabilitative or educational work. They could spend one hour in an outdoors exercise yard, have a shower once every three days, and make a 10-minute telephone call once a week. There was a degree of variation in these basic provisions, with some units allowing daily showers, longer periods in the yard, and more frequent and/or longer telephone calls. Some units kept a small

collection of books which prisoners could borrow, and in others, books could be borrowed from the prison's library. A number of the isolation units had a cell or two with a television behind Plexiglas screen, but in the majority a TV was not available to isolated prisoners. It was interesting to note that the vast majority of people we interviewed, prisoners and staff, thought that providing TVs in isolation would be a positive step. Some felt that TVs should be provided as a standard to help

mitigate the sensory deprivation that is inherent in isolation units whilst others felt that the use of TVs should be discretionary. Only two people - one staff member and one prisoner - thought that providing TVs in isolation would defeat the purpose of these units and that they should therefore not be provided.

In interviews, people who had been isolated said that they understood the reason for their isolation, and they mostly perceived the placement as fair. Staff felt that isolation was necessary but could be less austere and last shorter times. Not a single person - frontline staff, prisoner, or manager - advocated for longer durations. Some managers felt that frontline staff expected them to impose isolation on prisoners who transgressed against them. This perception was only partially supported by what frontline interviewees said. Both prisoners and staff said that isolation could be used in a more nuanced way, and proposed alternatives to isolation as it currently operates. Examples included a 'sliding scale' of restrictions and customised

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5. Field research was conducted by Dr Sharon Shalev, Independent Consultant and Research Associate at the Centre for Criminology, Oxford University (PI) with Dr Esther van Ginneken of Leiden University and Maartje Schrauwen, at the time a Management Trainee at Arnhem prison, during August and November 2022.

restrictions — for example, allowing isolated prisoners to spend time on the wing in the daytime or giving isolated prisoners choices (for example, ‘serving’ 5 days in the isolation unit vs. 7 days isolation in their own cell). Other examples included exploring penalties involving ‘community work’ within the prison and developing restorative justice approaches to conflicts.

The study suggested that the reality of isolation units — the austere conditions, minimal regime provisions, little personal autonomy, and punitive practices- contrasted sharply with the mostly measured, non-punitive values expressed by staff in interviews, and with the relatively low use of isolation for relatively short times on the ground.

The study made 46 recommendations. These included reconsideration of policies on isolation; making improvements to material conditions in isolation cells and daily activities offered to isolated prisoners; ensuring that staff working in isolation units were appropriately trained; and that privacy was ensured when close-circuit cameras were used. The study also recommended better distinguishing between cells for protective custody of people who are mentally unwell, and those meant as a disciplinary sanction. In both cases, in-cell provisions and access to staff needed to improve. The study suggested developing a new policy which would ensure that the use of isolation is kept to an absolute minimum and that the duration of placements is as short as possible. Importantly, it suggested to prison managers that they have a mandate to think about isolation in a different way and seek alternatives to current practices.

Re-thinking isolation: From research to practice

In their respective reports, both the RSJ (2022) and Shalev (2023) use the definition of solitary confinement stipulated by the United Nations (UN) in the Nelson Mandela Rule 44.⁶ Solitary confinement is defined as the confinement of a prisoner in separation from others for 22 hours or more a day, without meaningful human contact.

Both studies were examined by an expert group, commissioned by national prisons management to formulate a new vision based on the conclusions and recommendations of Shalev’s investigation. In doing so,

the expert group adopted the definition as per the Mandela Rules and determined that this form of isolation should be avoided in DJI practice as much as possible. This means that prisoners should not be separated from others for 22 hours or more a day, without meaningful contact, when they are placed in a punishment or solitary confinement cell.

However, the concept of isolation is broader than solitary confinement as defined by the Mandela Rules, and in DJI the practice includes any placement in a punishment or isolation cell (or other accommodation space). This (legal) power to isolate will of course continue to exist in the spectrum of punishments and measures that a prison director can use. But when it is applied, it must have a person-centred recovery approach, in which the punishment or measure is proportionate, subsidiary and effective and, when it is

executed, includes a programme tailored to the individual’s needs. The expert group has formulated the following vision on isolation in detention:

Staff felt that isolation was necessary but could be less austere and last shorter times.

‘Isolation (for punishment or care) is only applied if no alternative is sufficient. In the event that isolation is applied, this is done as briefly and humanely as possible’.

A new vision on isolation requires culture change: people within the entire organisation have to think differently about isolation, with the aim of further reducing the number of isolation placements by considering isolation only as a last resort, as expressed in the vision. Recognising local particularities and the great diversity between prisons, especially in terms of the physical infrastructure of the building, their culture and organisational structures, the expert group decided not to translate the new vision into detailed national policy directives. Instead, a set of guidelines were developed, offering a range of alternatives to isolation which can be used (aiming at a change of behaviour, prevention and recovery rather than punishment) and tools for realising the vision, adjusted to local circumstances. The intention is for these tools to provide guidance while ensuring some uniformity in practices nationwide.

To integrate the new guidelines on isolation on the ground, ‘implementation teams’ were formed locally, tasked with developing plans to implement the newly embraced vision. Implementation teams are typically

6. United Nations. (2015). United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) (Resolution 70/175 adopted by the General Assembly on 17 December 2015). UN Doc A/RES/70/175.

led by the prison's Deputy Director or Unit Manager and usually include also frontline staff from the isolation unit, and in some prisons also mental health staff.

This is a major step forward in further reducing the number of isolation placements as well as implementing more humane practices. The implementation of the policy in every prison is followed in the planning and control cycle. Prisons are accountable to Headquarters through an annual report, periodical accountability meetings, benchmarks and performance indicators. Prisons are obligated to report how they implemented the vision as well as the actual measurable performance of their use of isolation cells. When performance is not sufficient and the use of isolation cells is not decreasing, national management will make orders to improve practices.

Reimagining isolation: Examples of local initiatives in two prisons

In PI Rotterdam (De Schie), a busy, closed male prison with a capacity of 252 places, housing both sentenced and remanded detainees, the Isolation Implementation Team undertook several initiatives.

The team composed a questionnaire that was given to each of the prisoners who were placed in isolation over a period of three months. The questionnaire asked about their treatment and communication with unit staff, whether they were seen by a doctor and a psychologist, how they experienced their stay, and whether there was anything that could be done differently. They were also asked specifically about their preferences in terms of mealtimes, when they wanted to have a hot meal (lunch or dinner) and what sort of clothing they would prefer when in isolation. Some of the changes which were then implemented include:

- ❑ Prisoners in isolation are now provided with a daily menu and three meal options.
- ❑ Isolation cells have been equipped with a pouf and a chair made of soft material.
- ❑ A booklet explaining the rules and expectations in isolation has been created. As well as information, the booklet contains physical exercises that can be done in the cell, relaxation exercises, puzzles and blank sheets for writing.
- ❑ The isolation unit is being fitted with a digital board to ensure that information and names are safeguarded to comply with privacy requirements.
- ❑ A mobile training machine which can be placed in the exercise yard has been acquired. Prisoners are also offered stress balls and 'pop it' fidget toys to help reduce stress.
- ❑ The team is working, together with the prison's psychologist, on introducing an 'exit interview'

to be held a few days before the end of the isolation period. The meeting will be held with the prisoner, a staff member from the isolation unit, and a staff member of the prisoner's own unit. During this meeting, they will discuss what can be done differently next time to hopefully avoid the isolation placement.

- ❑ The team is working with the psychologist to set up workshops or presentations for staff on how to communicate and work with prisoners in the isolation unit.

In Lelystad prison, a 652-person prison located outside of Amsterdam, the Isolation Implementation Team reported several initiatives, some still in progress. Changes already implemented include:

- ❑ Enriching cells
- ❑ Installing a chalk wall which detainees can draw or write on
- ❑ Equipping cells with specially furniture made of vandal-proof materials- chair, pouf / table, bed block with a mattress and cupboard on top.
- ❑ Equipping cells with infrared cameras so that lighting doesn't need to stay on at night (where the detainee is on constant watch)
- ❑ When meals and drinks are distributed to prisoners in their cell, the cell door is opened (rather than food being placed in the hatch) to provide some human contact.
- ❑ Prisoners are allowed to keep their own cell on the wing.
- ❑ Good behaviour is rewarded with, for example, extra smoking time.

Changes that are currently in process include:

- ❑ Introducing a smart touch media wall where the prisoner can watch television, listen to the radio, play games, provide information and possibly control his cell lighting.
- ❑ Staff training to ensure that they remain up to date with the latest developments and ideas, for example training courses on psychopathology.
- ❑ Exploration of the possibility of an extra round of nurses for those with suicidal ideation.
- ❑ Recalibration of the guidelines on sanctions.
- ❑ Drawing up an isolation policy with a multidisciplinary team.

It is clear, then, that significant steps are already being taken in the right direction at local level, working towards systemic change. Other examples include a focus on prisoners who are isolated during staff daily morning briefings. In some institutions, a daily consultation which includes behavioural experts now takes place at the isolation unit itself. There are also examples of isolated prisoners being offered activities so that they are not isolated for more than 22 hours a

day. In some institutions, isolation cells are now equipped with touchscreens on which prisoners can play games, write a letter, watch TV, listen to the radio, and so on. Most institutions have also equipped their isolation cells with a clock and in a number of institutions the direction of Mecca is marked with an arrow on the ceiling of the cell, so that Muslim prisoners know in which direction to pray. There are also examples of institutions that allow several isolated prisoners to go to the yard together. In some cells punch bags have been installed to provide an outlet for tension, and in others, murals of landscapes have been painted in order to create a calmer atmosphere.

These examples demonstrate that the Dutch prison system has taken a different path. The expert group is focusing on monitoring current developments and following future developments. The intent is to organise periodic expert meetings for the local implementation teams to report progress and share good practice.

Conclusions

It is of great importance to critically examine prison practices, especially those that have been in

existence for a long time. Independent research with a multi-faceted approach to the subject plays a valuable part in this.

In a prison context, the interests of the penitentiary organisation, prisoners, staff and society are sometimes the same, but certainly also sometimes contradictory. Proposals for improvement are much more likely to succeed if they take all these interests into account.

The use of isolation is a particularly sensitive area of prison policy and practice, where long-standing sentiments and practices are often entrenched and change is difficult to achieve. This project demonstrates how an open minded and mutually respectful approach can result in a fruitful collaboration between a prison service and an independent researcher, and lead to tangible changes on the ground.

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