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Perrie Lectures 2017:
Can any good come of segregation?

Reducing the need for segregation

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In this article, I will argue that a whole-prison approach to rehabilitation, through creating a culture that supports and challenges people to change, not only reduces the need to use segregation as way of behaviour management, but is actively incompatible with the use of segregation.

HMP Berwyn opened in February 2017. At the time of writing it is in its eighth month of operation. We currently have a population of about 600 men, making us equivalent to a small to medium sized category C prison. At full capacity, over 2000 men will be resident in Berwyn.

Berwyn opened with a vision of taking a whole-prison approach to rehabilitation. In fact, this was more than a vision: We had spent almost two years planning how a rehabilitative culture would look and how it would be created. Our approach to segregation was an important part of this planning. In this article I will describe the rehabilitative elements we have worked to achieve and how I believe this culture will reduce the need for segregation. I believe, as others have also all argued today, that segregation is bad for people's mental health, wellbeing, behaviour, and futures, and I wish to see us as a service reducing or even eliminating our heavy reliance on this way of managing men and women. I recognise that setting out in a new prison offers some advantages, in that a certain culture can be established from the outset. Hence, based on my experiences working in and governing other prisons, particularly HMP and YOI Brinsford, I will also set out what I have found to be effective first steps in reducing the use of segregation for prisons that wish to do this.

Rehabilitative Culture

Our vision of Berwyn's rehabilitative culture included many elements, some of which are shown in Fig 1.

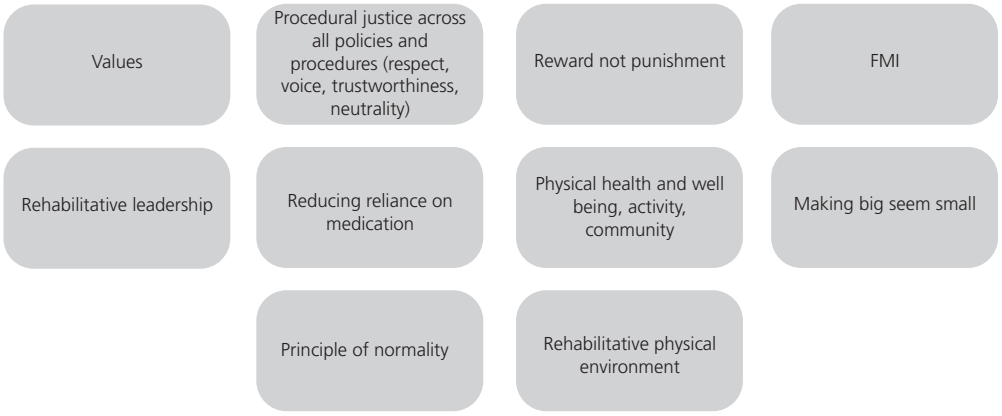
One of our first actions was to define the values we wanted our staff and the men to live by. The values would simultaneously offer a rehabilitative focus for the men, and provide job purpose and satisfaction for the staff. We identified six values, as shown in Fig 2:

We have taken considerable effort at Berwyn to find ways for these values to become more than just words on the boardroom wall but to be behavioural habits for the people who live and work there. We have adopted the approach of '31 practices' to turn values into habits.[1]

I will discuss Procedural justice, the second component of Berwyn's rehabilitative culture, in more detail later in this article.

At Berwyn, we have adopted the strategy of using reward to change behaviour because we recognise that punishment does not lead to change. When I was young and had misbehaved, my parents might have given me a light slap across the backs of the legs. However, when my father was young, it was normal and accepted to be caned in front of the class. Norms change and we now recognise as a society that punishing a child is not effective and not acceptable. I believe the same is true of people in prison. In support of this, in her article in this issue of the PSJ, Flora Fitzalan Howard explains why punishment does not work to change behaviour. We have thought carefully about how to use reward to promote and increase 'good' behaviour, and to encourage men on their journey to be the best they can be. There is huge scope for greater use of reward, in the

Fig 1: Elements of the rehabilitative culture at HMP Berwyn



1. Williams, A. & Whybrow, A. (2013). The 31 Practices: Release the power of your organization's values every day. LID Publishing.

Fig 2: Berwyn values

Value each other and celebrate achievement.	This value is linked to behaviours that communicate both reward and respect.
Act with integrity and always speak the truth.	The importance of truthfulness is demonstrated through a learning culture, when people speak the truth and own up to their mistakes. At the time of writing, this weekend Berwyn was staffed by 90 per cent of officers in their first year of service. Mistakes are inevitable. If staff can acknowledge their own vulnerability to making mistakes, they can more easily understand that the men make mistakes as well.
Look to the future with ambition and hope.	This value is reflected in behaviours that involve planning for the future and aiming for a better life. People who have hope don't take their own lives. We use the words 'hope' and 'future' as often as we can when talking with our men.
Uphold fairness and justice in all that we do.	The research into the importance of procedural justice shows how important it is that all our actions towards both staff and men are perceived as fair. This affects both prison safety and outcomes for the men after release.
Embrace Welsh culture and language.	Berwyn, the biggest prison in Europe, has been parked on the front lawn of North Wales. We want Berwyn to be a positive community partner, seen as an asset and not a liability. We also want to use the considerable rehabilitative potential in the beauty of Welsh landscape and culture, which can be seen throughout Berwyn in artwork and signage.
Stick at it.	This is the value of persistence and resilience: Persisting to achieve what you believe to be right, when things are difficult.

sense of recognition of achievement rather than monetary reward, in prisons.

One of our most important strategies is the Five Minute Intervention (FMI) approach. FMI is a training course which trains staff in rehabilitative skills to use in ordinary brief conversations. The idea is that every contact can be turned into a rehabilitative opportunity if staff can see the opportunity and have the skills to build trust, listen, encourage problem solving, turn a negative to a positive, and roll with resistance rather than oppose it. Pilots of FMI showed that both officers and the men they talked to using FMI skills recognised the differences in their conversations[2] and formed stronger, more trusting relationships. All the Berwyn staff and managers have been trained in FMI and know how to listen to the men and help them find positive outcomes.

Rehabilitative Leadership is a new concept for the prison service and one we have been exploring with interest. One thing we have focused on so far is the importance of creating a learning culture, where leaders do not 'investigate' or blame but give people space to manage, even if this means sometimes mistakes are made.

We have a strong philosophy of reducing reliance on medication, both illicit and prescribed.

With Berwyn being so big, we have had to think hard about how to make sure that people within it still feel like individuals who are cared for. We have divided the prison into 24 communities of 88 people each. Each community has its own manager and many have an identifying theme, such as our Shaun Stocker community for veterans, our community for people on indeterminate sentences, the Menai community for people needing support in daily life, and the Improving Familes' Futures community for people who are particularly focused on strengthening their family relationships.

We have embraced the principle of normality — the idea (as described in the Nelson Mandela Rules)[3] that prison should be as close to normal life as possible, in order to respect human decency and reduce the sense of shock and difference that a person would feel on release. We have already heard today that segregation is described as the 'deepest' form of custody — that is, the part of custody that is furthest removed from normal life. Hence, we believe in minimal use of care and separation. We also aim for normality in language — calling people 'men' rather than 'offenders' or 'prisoners', showing that we don't define people by the worst thing they have done and avoiding the danger of labelling them by the thing we don't want them to be.

Lastly we have paid attention to our physical environment. We have taken advice from carceral geography experts[4] and worked to achieve an environment that makes good use of light, colour,

2. Kenny, T. & Webster, S. (2015). Experiences of prison officers delivering Five Minute Interventions at HMP/YOI Portland. National Offender Management Service Analytical Summary. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/448854/portland-fmi.pdf
3. https://www.penalreform.org/priorities/prison-conditions/standard-minimum-rules
4. Moran, D. (2015). Carceral Geography: Spaces and practices of incarceration. Ashgate Publishing.

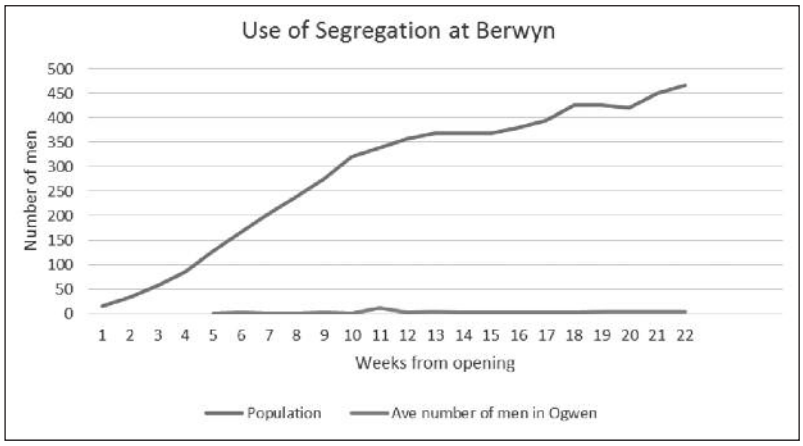
outdoor space and landscape views. We recognise that these features promote wellbeing and positive, respectful, behaviours.

Our hypothesis, in relation to segregation, is that if these components of a culture are indeed rehabilitative and meaningful to the men in our care, then their behaviour should be such that we do not need to make use of segregation to control and manage them.

Use of segregation at Berwyn

Figure 3 shows the extent of segregation use at Berwyn, plotted against our population since opening.

Fig 3



This graph suggests that so far our hypothesis is correct: A prison with a rehabilitative culture has less reason to use segregation as a punishment or control mechanism. The average weekly number of men in Ogwen (our Care and Separation Unit) has been two. Only four men have stayed in Ogwen for more than seven days, and the longest stay has been for 22 days. We have not used cellular confinement once, nor have we used protective equipment. We have not used force within Ogwen on any occasion. We have also had no complaints from the men about Ogwen.

Fig 4: Ogwen unit, HMP Berwyn

I will now turn to discussing why segregation is thought to be appropriate in our service, and will consider whether these reasons are acceptable.

Why segregate?

There are three reasons why segregation is such a popular strategy for managing problem behaviour in prison. The first of these is punishment. As Flora Fitzalan Howard explains elsewhere in this issue, human beings do love to punish each other. However, punishment does not work to change behaviour. It only brings solace to the punisher or the victim who sees the punishment — not unimportant, but not to be confused with having a positive outcome on the person being punished. In a rehabilitative prison, we should make little use of any strategy which does not help someone change their behaviour.

The second reason for using segregation is respite. Putting a man whose behaviour is problematic in a segregation unit gives a staff and other prisoners a break from his behaviour and its effects on them. This may sometimes be necessary. But again, it is important to emphasise that respite is purely a holiday. It does not change behaviour.

The third reason for using segregation is to provide someone with protection if they feel unsafe in the main part of the prison. Sometimes men and women in prison ask to be segregated for this reason, or they act out in order that they can get segregated. And sometimes, unfortunately, it is true that segregation is the safest place for someone to be. But again, placing someone in segregation does not address the underlying problem. It does not make the prison safer, not does it make the person a better coper. In fact, I would argue, it enables us to ignore the underlying problem and pretend that it has gone away.

So, because none of the reasons we use segregation make our prisons safer or their inhabitants into better copers, it is my view that we should avoid using segregation and instead focus on the root causes of poor behaviour in prison.

Avoiding segregation

While I believe that a whole prison approach to rehabilitative culture, as set out above, should reduce the demand for segregation to a negligible level, I suggest that two main strategies in particular are essential to enable a prison to be controlled without using segregation.

The first is procedural justice. There are four aspects to procedural justice: giving people a voice, treating them

with respect, showing them you are impartial (and that you believe they have the power to change) and building trust. As a prison officer, the first thing I was told was, 'if you say you're going to do something, you do it'. There is good research evidence to show that when people in prison experience procedural justice in the way they are treated, they show better adjustment during their sentences as well as better outcomes after release.

The second strategy is to focus on rewarding good behaviour, rather than on punishing bad behaviour. We have to work hard to catch people being good, and to make them feel great about something they have done well so that they want to do it again. It's hard to get all the staff doing this consistently, especially if they are socialised into a culture of punishment. We have to take the mature line, in offering people a position of trust, even if this is just cleaning the floor to start with, and then recognising their achievements and allowing progression until release on temporary licence. What's important is that we recognise we have to be the one to give the trust first.

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Managing problem behaviour without segregation

The actions above will reduce the demand for segregation, but it is still the case that however good the regime, some people in prison are so distressed or damaged that they will act out in ways that destabilise the order and harmony of the community. I have found that two strategies enable us to manage most problem behaviours when they occur without having to resort to segregation.

First, some people in prison need support in coping day to day. A number of years ago, I was greatly impressed with an approach taken at HMP Bullingdon in the creation there of a supported living unit. I consequently opened a unit like this in Brinsford and have done so now again in Berwyn. A supported living unit helps men in need, whether because of learning difficulties or self-harm or poor communication skills, cope better with the everyday pressures of life in prison. In a supported living community, men in need live alongside men who are designated as supporters, there to coach them in better coping; and men who are stabilisers, basically doing their own thing and not interested in pressurising others. A supported living unit is a less pressured environment than the general prison environment, but it is not a segregation or separation unit. The people who live on a supported living unit enjoy full access to the prison regime and activities. At Berwyn, the supported living unit (called the Menai unit) was one of the first communities we opened. It has of course had some kinks and problems but overall has been a major success.

Second, I advocate taking a rehabilitative approach to adjudications.[5] Rehabilitative adjudications have the purpose of changing behaviour, not merely punishing it. To be rehabilitative, adjudications do not need to be held in an adversarial environment. They are better held away from the segregation unit, in a comfortable room. We should give people an advocate where needed, and adjudicators can employ FMI skills to turn the procedure into a rehabilitative conversation where learning and change can take place.

Looking after the few who do need segregation

It may not be realistic to expect that no one will ever need to be segregated in a prison. For the few who do need segregation, for short periods of time, there are some important things we can put in place for them. By far the most important of these is getting the staff right. Staff should be specially selected to work with segregated people in prison. We need staff who are caring, who have initiative, who can take the perspective of others, who can reframe difficult behaviour as distressed behaviour, who have FMI skills.

In addition, segregation unit regimes should be normalised as much as possible. We should enable dining out, physical activity, interactions, work and exercise. All these things protect a person against the harms of segregation.

Conclusions: Reducing the need for segregation

One quick win to reduce segregation use is to cease use of cellular confinement as a punishment. It is clear that this is ineffective and in all probability damaging. For those who do need segregation, then segregation for good order and discipline is a better option because it comes with a multi-disciplinary governance package, so health, mental health and safer custody can be properly considered and monitored during the period of segregation. I have not awarded cellular confinement for years and I can say with confidence that withdrawing it

5. Fitzalan Howard, F. (2017). Disciplinary adjudications as potential rehabilitative opportunities. Prison Sevice Journal, March 2017.

as an optin has not impacted negatively on discipline or misbehaviour. To cease use of cellular confinement is an important first step in moving away from these use of segregation as a punishment. As soon as someone is placed in a segregation unit, for whatever reason, our first question should be 'how are we going to get them out?'

A second quick win is to cease use of special accommodation. A few years back, I stood in for the governor of one of our high security prisons for a short while and I learned that their special accommodation had not been used for over a year. If this is the case in one of our high security prisons, I ask the question, do we need special accommodation anywhere? If we didn't have it, we might not be tempted to use it.

The most crucial factor in reducing our use of segregation is our staff. We need to believe in our staff group and their ability to work with men to change their behaviour for the better without using outdated and harmful punitive approaches. Segregation does not protect our staff or our communities. We will achieve these outcomes only when our processes are credible and our staff are incredible.