

Criminal Justice

An Artists Guide

by Rideout (Chris Johnston & Saul Hewish)

Produced for the Arts Alliance



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Foreword

The Arts Alliance should be a place for artists to share experiences and expertise; why they do what they do, what makes things work and what makes them fail. Without this critical debate we are an alliance and a network in name only. The Arts Alliance wants to make sure that it's a place for artists and that it's led by them.

This guide was commissioned in 2010 to assist those coming for the first time to deliver arts work in a criminal justice context. Herein, Rideout have provided their perspective on this practice. Saul Hewish and Chris Johnston both have a long history of providing the arts in prison, probation and with a range of different service users. This makes them perfect candidates to present some of the opportunities, difficulties, frustrations and basic good advice for anyone new to the arts in criminal justice.

With a specific focus on the prison estate, but not to the exclusion of other environments, Rideout talk you through what you need to know before you start out, providing a candid and accessible guide for all.

We hope that in years to come we will be able to do more in the way of publishing the experiences of Arts Alliance members so that we can increase the diversity of advice and guidance for arts practitioners. In this way we can not only provide guidance for those new to the sector but also share practice between existing professionals so that members learn from each other's creativity, innovation and mistakes.

Tim Robertson
Chief Executive
Koestler Trust

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Purpose

of this document

This document is designed to assist artists, arts workers and arts project managers who are coming to work in the territory of criminal justice.

It offers something of an introduction to the world of prison and probation. However, it should be noted that changes to this world are frequent and readers may be advised to check current regulations and prison categorisations.

It makes some suggestions about how to manage the procedures that you may have to wrestle with if you are working in that context.

Early sections of this publication spend some time describing the context of criminal justice because without this, guidance notes may be less well understood.



If you simply want some guidelines for good practice, you could jump to **Chapter 8: Useful Guidance for Artists**



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Introduction

to the World of Criminal Justice

Bringing arts projects into the world of criminal justice is not quite like jumping into a cage of snakes, although at times it feels like that.

This is not to imply that working in a secure unit, probation, or youth justice setting is life-threatening; it's no more so than other kinds of arts practice; incidents of fights within creative sessions being about as rare as talking fish; rather it can be taxing, challenging and stressful, and you need to keep your head about you. In fact it's possible you will find as many challenges building relationships with the institutions involved as you will working with the participants.

This is because those who manage individuals sentenced by the courts are consistently troubled with competing tasks; to ensure their charges behave and in the case of prisons don't escape, to provide programmes that aim to rehabilitate, and finally to prevent these same individuals from falling out between themselves and generating further offending behaviour.

What's more, fashions for sentencing and ideas about the purpose of prison come and go. Meanwhile those who have to run prisons and probation usually stay in place, dealing with changing policies not just between

governments but often during the periods of government. So some general familiarity with this world of fluctuating priorities can only help if you aim to enter its landscape.

There are several interlocking islands within this world;

- Prisons for men, women and young men
- Secure institutions for juveniles
- Probation (18 years old)
- The Youth Offending Service (under 18)

All have their running governed by statutes (which define the broad parameters of their function) and a range of other instructions (for the day-to-day managing of the organisations such as Prison Service Instructions for prisons). It's useful to know that punishment for crimes are decided within courts whether these are courts presided over by judges with a jury present, or by magistrates who are able to levy sentences of shorter duration.

The worlds of prison and probation have to live with the consequences of judges and magistrates decisions – although the range of sentences to be given is determined in turn by parliament. Those held within prison and probation contexts therefore are carrying out sentences imposed on them by the courts (or in some cases they have been remanded in prison subject to the outcome of a case).



Arts Alliance National Conference, September 2010. Photo © Ian Culbert | www.culbertdesign.com

Those who are given a prison sentence are therefore no longer free citizens, at least not for the duration of their sentences.

If you are interested in the decision making process involved in sentencing, then visit <http://ybtj.cjsonline.gov.uk/>

There are essentially three different kinds of prisons; for adult men, for young men up to 21 years, and for women. Different prisons have different levels of security, just as prisoners do. In the adult male estate there are four categories of prison;

- Dispersal
- B Category
- C Category
- D Category

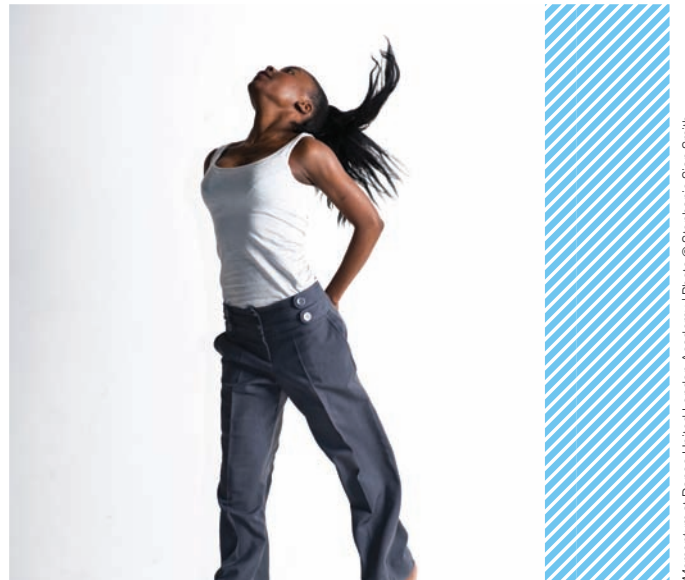
Dispersal is the highest security (so-called because all the highest risk prisoners are 'dispersed' across the country) and D Category, at the other end of the scale, is an open prison. The former goes to enormous lengths to prevent escape, the latter almost no lengths at all. It follows that prisoners in Dispersal prisons are thought to present a real and likely danger to the general public and may well try to escape. Someone however who wants to abscond from a 'Cat D' can do so without much difficulty as there is often no perimeter fence. Those from Cat D are thought to present little or no danger, and can be trusted to live out their remaining sentences responsibly.

Individual prisoners are also classified by a security level – AA, A, B, C and D. These levels are determined both by the nature of their offences but also by other factors such as degree of risk of escape, the level of threat of harm to (or by) others, and their behaviour over time within the prison system.

Each prisoner can have their individual categorisation change as they spend time in the system and demonstrate a level of responsibility that invites trust. For example, someone receiving a life sentence may begin their time inside as Category A and over the years of their sentence may reduce all the way down to Category D; at that point, they are beginning re-entry into the free world.

It's also worth knowing that when someone arrives in a prison to serve time, he or she is given an additional 'rating' which is particular to that prison and refers to the level of privileges which the individual can enjoy. There are three such levels within what is known as the Incentives and Earned Privileges Scheme,

- a. Basic, the lowest
- b. Standard
- c. Enhanced, the highest.



Momentum at Dance United London Academy | Photo © Stephanie Slan Smith

These ratings relate to what can be held in a cell, for example a television, and how many regular visits are allowed. Most prisoners will begin their time at a 'Standard' level. Serious misbehaviour in the prison might well lead to a loss of this status and a placing on 'Basic'. Good behaviour will lead towards achievement of an Enhanced Status.

Criminal justice is not of course solely about prison. Many individuals are sentenced to serve their punishment within the community under the supervision of the Probation Service. Similarly, many individuals complete their sentences, after leaving prison, under a similar jurisdiction. Sentencing is not solely about loss of liberty or community service. In the case of Probation or the Youth Offending Service, sentences may well have been awarded with certain conditions attached; that the individual attend programmes, for example, which address certain issues that might have been instrumental in leading to the crime.

Here there are opportunities for artists interested in making a contribution to such programmes. If you are able to show how your arts activity can enable probation staff to meet their targets, you stand a better chance of integrating it into one of their modules. You may gain the confidence of the staff and the local probation team and show that arts can have a meaningful place in the programmes on offer.

As an artist or creative practitioner, the opportunity to work in a prison or probation context is therefore always informed by the conditions placed by the state on the offender.



For an excellent introduction to the prison system see www.firsttimeinprison.co.uk

The Culture

The culture of criminal justice remains defined by its core objective; to protect the public. The primary concern of its institutions therefore is to try and prevent those who have committed crimes from doing further harm.

This is traditionally achieved by restraint; ensuring that the opportunity to commit crime is removed. Prisons do this most effectively; however, even individuals on probation are monitored and denied certain privileges (for example travelling, or residing in a particular place) in order to inhibit further crime.

It is not the case that all those who have been driven into the arms of criminal justice are simply individuals who have made the one regrettable mistake. These individuals are probably in a small minority. There are many within the system for whom the act of committing a crime may be a logical and necessary act, an everyday matter, a business for which others are partly or wholly responsible - as they believe. Is the individual who has committed one serious mistake to be punished more severely than the career criminal who has committed many smaller crimes? What of any victim's right to redress? The balancing of the rights of the offender to opportunities of rehabilitation with rights of any victim to redress is a hard one to manage.

The institutions of prison and probation are compelled to be forever dealing with problems largely created in other contexts; society, schools, the family. It is often difficult or impossible to 'pass on' the problematic individual further; he or she remains with the prison as the last stop in the journey. It follows as unsurprising, given the failure of other social institutions, that the proportion of those in prison who have at least two mental health issues is high, or that nearly half of those in prison have no qualifications at all. In consequence, the prison and probation services find themselves having in part to become the schools, hospitals and mental health agencies which offenders have need of, not because they were set up with this in mind but because by default these tasks fall to them.



Music in Detention workshops at Hammondsworth Immigration Removal Centre | Photo © John Carey

Probation and Youth Offending Services manage offenders on the out. Within this management, they aim to improve the chances of offenders, encouraging them to improve their capacity for citizenship and a pro-social, integrated life. This is done in a number of ways, primarily through the relationships conducted between offender and staff member, but also through attendance on programmes. However, if the individual offender out in the community fails to comply with any order they've been placed under, there remains the possibility of a return to court and prison.



For a fuller exploration of these issues, the Bromley Briefings published regularly by the Prison Reform Trust make an excellent place to start.

www.prisonreformtrust.org.uk



Dance United Academy, London. Photo © Nick Gurney

What does all this mean for the culture of the institutions in which the artist might choose to work? The following points are especially true of prison:

- It means firstly an atmosphere that can feel volatile or unstable. To the newcomer, there are unfamiliar procedures which regulate life and these are not always fully explained, simply because of other priorities.
- It means inmates and probationers can become resentful because they believe their needs are not being met.
- It means staff are often placed under stress because they are required not just to be prison officers but counsellors, mental health support workers, teachers and psychology graduates.
- It means levels of security are often high and need to be constantly re-assessed as those confined in prison seek opportunities to lighten their confinement by accessing contraband or even in some cases seeking to leave the establishment early.
- It can mean in community programmes and prisons too, that attendance of participants in programmes is variable from session to session.
- It means that because of the sometimes disorganised processes operating within institutions, that communications are poor.
- It means all this and more; and in particular, cost. It is estimated that to confine an individual to prison costs around £45,000 per year. It's expensive and the engagement of artists is often seen as a luxury or as an unnecessary addition to the regime.

Any alteration to the daily regime – and prison life especially is run by the clock – often has implications for staff which may not be understood by the incoming artist. Additionally there are prison staff who believe that offenders are in prison primarily as punishment. Such individuals may not always be welcoming. The introduction of arts activities can be seen by such staff as a failure to maintain what they consider an appropriately punitive regime. Fortunately, there are many others who understand the benefits that arts activities can bring. The building of allies who take this view is usually a prerequisite for a successful arts project.

Finally in this section; space. Space is at a premium in prisons and it's often the case in probation contexts, too. Very, very few rooms within prisons or probation offices were designed to facilitate creative work. It's very likely that you will find yourself working in a small classroom, the gym, or the chapel. A conversation with your contact early in the process will be useful if for no other reason than to learn in advance what the situation is regarding spaces available, so you can plan ahead.



Women's Prisons

Over the last 15 years there has been a doubling of the number of women serving time. 95% of prisoners in England and Wales are male and the criminal justice system is historically geared towards dealing with male offenders.

Women have distinct and often very different needs from male offenders. Whilst the daily regimes of men's and women's prisons will be broadly similar, the experience of working in them will differ significantly. If you are looking to work in a women's prison there are a number of issues the merit special consideration.



For more information, consult the Corston Report, which emerged from a government-commissioned research study into the needs of women offenders: <http://webarchive.nationalarchives.gov.uk/+/http://www.homeoffice.gov.uk/>



Clean Break | Photo © Tracey Anderson

Here's a summary of some key points about women's prisons:

- a. There are currently 13 women's prisons in England and none in Wales. They are categorised as closed, semi-open and open. This relatively small number means the demographic background of women in any individual prison will likely be much broader than in an equivalently sized male prison. This will include wider differences in age, type of offence, and socio-economic background. However, there are three juvenile units within HMP Downview, HMP New Hall and HMP Eastwood Park.
- b. The geographic location of women's prisons is not evenly spread across the country and as a result women may be placed quite some distance from their homes. Inevitably this exacerbates the burden and stress of maintaining a relationship with one's family and friends. A woman's absence from her children is a highly significant factor and may well be cause of much distress.
- c. Furthermore, the number of foreign national prisoners is disproportionately higher amongst women prisoners. For these women, face to face contact with their family will be rare or non-existent.
- d. Whilst men in prison may talk fondly of their children, in many cases they have not been the primary caregiver. For women this is the reverse. Worries and concerns about children can occupy a significant amount of time in a women's prison. Because of this you should be very careful when raising issues relating to children as it can often trigger feelings of hopelessness and despair.
- e. Incidents of self-harm are much more common in women's prisons than in men's. In part this may be related to higher levels of physical and sexual abuse experienced by women prior to coming to prison, but also because women are more prone to internalise anger and take it out on themselves rather than taking it out on others as is more common in men's prisons. Tranquillising medication tends to be used more routinely with women who are suffering from mental health problems. This may have an impact on the way in which participants respond to your work, either because they are suffering from side effects from medication or because they need to visit healthcare more regularly.



From the exhibition 'Inside out by the Irene Taylor Trust 'Music in Prisons'' © Lizzie Coombes.



- f. Women prisoners are often more open in their discussions and disclosures than men. Obviously the extent to which they disclose personal information will be dictated by the nature and content of your work, but clarity may be required in respect of boundaries - what it is possible to deal with and what it is not. Work needs to be done with the full co-operation and support of prison staff. If you have any concerns that your work might open up issues that you are not equipped to cope with safely, then you should liaise with the prison's Head of Safer Custody.



For further information and advice on working with women in prison:

www.womeninprison.org.uk/index.php
www.hmprisonservice.gov.uk/adviceandsupport/prison_life/femaleprisoners/

You can also contact the company Clean Break who have been working with women offenders over many years; www.cleanbreak.org.uk

Young Offenders

and Juveniles

In England and Wales, the age of criminal responsibility is 10. Children under 18 are classified as 'Juveniles'. Those aged 18 – 20 are 'Young Offenders' and in some parts of the country, those aged 21 – 25 are referred to as 'Young Adults'.

Whilst there are always exceptions, children and young people who are sentenced to custody will serve their time in different institutions depending on their age.

10 – 15: Local Authority Secure Unit or a Secure Training Centre

15 – 17: Secure Training Centre or Young Offender Institution (where they will be separated from older 'Young Offenders')

18 – 21: Young Offender Institution

Approximately 10% of prisons in the UK are currently housing prisoners aged between 18 and 21. A further 5% of institutions are currently housing juveniles.

Adolescence is a time of great physiological and psychological development. The structure of the human brain undergoes significant change during this time and an individual's behaviour can, at times, be extremely challenging. As a result you will need to develop strategies for dealing with any (or all!) of the following:

- Resistance to trying 'new' activities
- Impulsive behaviour
- Expression of strong, 'anti-authority' sentiments
- The need to impress peers through inappropriate language or behaviour
- Poor concentration and difficulty in engaging with long discussions about artform practice
- Sudden changes in mood



- Low-level repetitive behaviours eg. chatting about issues 'off-task' or overtalking
- Limited cultural and/or social horizons
- Limited articulatory
- Obsessive relationships with particular individuals or activities
- The maintenance of 'criminal code' at all costs
- Aggressive behaviour
- Bullying
- An expressed belief that everything they do is rubbish
- Infrequent attendance

In addition you may well be working with young people who have other underlying medical conditions such as Attention Deficit Hyperactivity Disorder (ADHD), Asperger's Syndrome, Depression, or other behavioural problems including self-harm.

A search for 'Challenging Behaviour' in Google will give you an array of sites providing the reader with strategies, guides, books, and training courses to address such issues. You will need to find what works best for you as everyone has their own style.

Tips for coping with children and young people with ADHD www.adders.org/info126.htm

Artsplan regularly run training courses about coping with challenging behaviour www.artswork.org.uk/pages/artsplan

Other courses may be found via the Training Observatory www.thetrainingobservatory.org.uk

Between 1997 and 2007, the number of juveniles in custody increased by nearly 300%. However, it is still the case that if you want to work with those under 18, you are more likely to be able to do so in community settings where juvenile offenders are supervised by a Youth Offending Team (YOT). This is largely because of the efforts being made to keep young people out of prison. In brief, a YOT is a multidisciplinary team normally comprising professionals from social services, police, health, and education. They will vary widely in size and structure across the country but the work they do has

until very recently been overseen by the Youth Justice Board (YJB). At some point in the future, the YJB will cease to exist and the executive management of the Youth Offending Service will become the responsibility of the Ministry of Justice.

YOTs supervise young people on a variety of different types of order including Antisocial Behaviour Orders, Referral Orders, Reparation Orders, Youth Rehabilitation Orders, Intensive Supervision and Surveillance (ISS) and Detention and Training Orders.

To date, the majority of arts projects undertaken with young offenders in the community tend to be with young people on Referral Orders or on ISS (Intensive Supervision and Surveillance). The former order tends to be for young people with little or no previous involvement in the criminal justice system, whilst the latter is designed as an alternative to custody for young people whose offending behaviour is more serious. It is worth remembering that this difference is significant, especially in terms of how participants might respond to your work.



One significant programme over recent years where artists have worked extensively with young people at risk or on orders, is the Summer Arts Colleges. For more information on these, visit www.unitas.uk.net



All Walks of Life, Art workshop group, HM Prison, Peterborough | Photo courtesy of Koestler Trust

Security issues

within the Criminal Justice Estate

While individuals who are subject to court orders are to be found both within prison and the community (in the latter case usually under the direction of the Probation Service), it is in the prison context that security issues are more profound for the visiting artist.

This is because offenders who are attending groups or activities in the community do so for the most part as free citizens operating under certain restrictions, which vary considerably according to the nature of the offences committed. More information about how probation operates and how MAPPA (Multi-Agency Public Protection Arrangements) operates can be found here; www.probation.homeoffice.gov.uk

Artists therefore running sessions in a prison context generally have less freedom in terms of equipment that can be used, arts personnel that can attend and the nature of exercises that can be run.

Inevitably, the first concern is around personal safety.

There may well be requirements made in terms of CRB checks for personnel working in all contexts. Requirements here may vary from one institution to another. (See below for more information on Criminal Records Bureau checks.)

Each category of prison will tend to make different demands on someone who comes in to that prison to work as a facilitator or creative practitioner.



NOMS has produced a guide for the voluntary sector on issues of risk and harm. This can be found here: [www.clinks.org/assets/files/NOMS-RiskofHarmGuidance-Oct10\(v2\)-web.pdf](http://www.clinks.org/assets/files/NOMS-RiskofHarmGuidance-Oct10(v2)-web.pdf)



Geese Theatre Company in Previous | Photo © Andy Watson

To enter a high security prison will involve a very strict appraisal of both the individual artist and any materials which the artist wishes to bring in.

Materials which are accepted at a lower security prison will not be allowed in here. If the artist has a criminal record, it will be tough to get in. Appraisal of the application will probably involve the Governor. At the other end of the scale, a wide range of art and education materials would be allowed at a Cat D prison and although a criminal record will be of concern, the individual has a better chance of working there. Similarly, in a probation context there is generally much more latitude around the kind of equipment that can be used.

Here's a summary of the three main security concerns that will need to be addressed by anyone who has been invited to work within a prison (bear in mind there will be some variations according both to the category of prison and the latitude of the Governor):

1. Security clearance.

You cannot enter a prison to work unless you have been approved entry. If you are making a one-off visit, and you are to be supervised at all times by a member of prison staff, then it is possible you can be booked in as a 'visitor'. In this case, you may not need to undergo any vetting. The individual staff member organising your visit can arrange visitor status for you. However, if you are working for more than 3 days in any single institution then you will need to undergo more detailed vetting. The prison will require proof that you are to be trusted not to aid and abet the occupants. This is achieved usually by the production of a recent CRB (Criminal Records Bureau) check (less than 3 months old). A check will involve scrutiny of police files to see if you have previous offences.

You can find out more about the CRB check and how it operates, here: www.crb.homeoffice.gov.uk

Additionally you will need a check to take place in one of two ways:

The first way is through the Shared Service Centre (a government-run, centralised scheme); more information on the SSC can be found here:

www.hmprisonservice.gov.uk/abouttheservice/sharedservices/

Once a check under this scheme has been completed, you will be cleared to work for three years with prisoners across England and Wales (excluding 'Double-A' category prisoners – to work with these you will need additional Special Branch clearance).

The second way is via a check made by the individual prison through its own procedures. Theoretically if you undergo clearance through the Shared Service Centre, this should allow you entry into most prisons in England and Wales. We say 'theoretically' as practical experience has shown that the database is not always as accurate as one would wish. It's not at all impossible, it happens frequently, that you turn up at a prison believing all checks have been processed to find that the gate staff have no adequate records of these checks.



When attending the prison, you will always need to carry with you approved evidence that you are who you say you are. This generally means either a **Passport** or a **Driving License Photo Card**.

2. Approval of materials.

All materials will need to be approved before they can be brought into prison. In short, this will mean everything that you carry with you beyond your clothes, glasses possibly, essential medicines, notebooks, etc. There will be a particular concern around any items that are powered either by electricity or battery, or can be used for making recordings. Phones, PDAs and other communication devices will never be allowed in. Special permission may be obtained for laptops and audio visual equipment. Always make sure to enquire what permissions are required during preparation.

You will most likely be asked to provide a list of materials well in advance of the session or workshop. This will then be sent by your contact in the prison to the security department for approval. It's important to ensure that the materials you bring on the day corresponds with the list. Have a copy of the list with you.

Prisons are often subject to internal communications difficulties so you may well turn up with your materials approved and the gate has no knowledge that this permission has been granted. So a full list of your contacts in the prison will be useful for sorting out any problem that arises.

3. Appropriate conduct within prison.

There are strict rules or codes of behaviour regarding how you conduct yourself within a prison. It's important to follow any instructions given you by staff or officers, particularly in terms of movement within the prison. Dress should be appropriate to the context; loud clothes, short skirts, etc. are not appropriate. In respect of conduct and conversation with the prisoners, there are a few key guidelines:

- never give out your personal information
- never agree to act on behalf of a prisoner
- always pass on information given to you by a prisoner if you believe the authority should know it

What does this mean? There are circumstances when a visitor is under a duty to disclose certain information to the Prison Service. This includes: behaviour that is against prison rules, illegal acts in planning or execution or behaviour that is harmful to the visitor or another inmate or to that inmate, i.e. self-harm

Issues of Accreditation & Certification

Artists always have the option of pursuing accreditation for their courses. Increasingly the prison and probation services place value on the accreditation of courses. They value a course more highly if that course has been ‘approved’ by an ‘accrediting body’.

As a result, artists and arts organisations need to address this issue. There is no obligation to pursue accreditation for your course or workshop, although there are some advantages:

- The Prison Service and the Probation Service may value the course more highly
- Accreditation is an indicator that there is rigour and thought in the construction of the course
- If the accredited course involves the award of credits or certificates to the participants, this legitimises the course in their eyes
- Participants may appreciate and award more respect to an accredited course especially because it may lead to the award of certificates or credits

Essentially there are two ways to achieve accreditation for a course that is brought into prison or a probation context.

- The first is a system of accreditation run by an authority within the criminal justice environment. For example, it can be approved by NOMS (National Offender Management Service). Unless the course has been initiated by NOMS it will (at time of writing) need to be approved as a Level Three course, i.e. one led by an outside organisation. (Level One being a course produced by NOMS, Level Two by an academic body). The process here involves submitting the course outline, objectives, outcomes, etc. to the relevant authority, possibly within the region where you’re based.
- The second way forward is to bring in a course that is approved and accredited by an authority within the education field. This might be a college, university or approved independent organisation. In this case, the course will be subject to the Qualifications and Credit Framework – www.qcda.gov.uk. This is the organisation that oversees the work of validation carried out by a college or university.



Self Portrait with Toothache' by Michael, HM Prison Grendon. Photo courtesy of Koester Trust



Over recent years the Open College Network has been particularly active in approving courses for a prison context. Others may also be worth approaching due to their having a record for handling courses initiated externally:

A – Edexcel www.edexcel.com
B – City and Guilds www.cityandguilds.com
C – AQA www.aqa.org.uk

It's also worth mentioning:

The Arts Award

A relatively simple training scheme, which once completed, allows the company to grant arts awards to participants on their courses. Appropriate for courses that are more about 'learning arts or creative skills' rather than education or behavioural courses. Only applicable to projects working with young people between ages 11 – 25.

www.artsaward.org.uk

artsaward

If a course is accredited, then it becomes possible for participants to achieve certificates or 'credits'. The latter would be given towards a larger scheme of study. This makes sense clearly if the learner has access to other courses offering similar benefits and can therefore build up sufficient body of points or merits to achieve a full qualification. Open College Network offers one of the best examples of this kind of scheme.

As the OCN writes itself; 'NOCN qualifications are flexible and responsive to learner needs and credit based, consisting of individual units of assessment, each with an assigned level and credit value attached.'

www.nocn.org.uk

'Learners who demonstrate that they have achieved the learning outcomes of a specified unit are awarded credits and can collect/accumulate these over time towards the achievement of a full qualification.'

www.nocn.org.uk

For more information about the Open College Network and how it goes about accreditation, go to www.nocn.org.uk

It is of course quite legitimate for a company or individual artist simply to award a 'Certificate of Attendance' which acknowledges that the individual attended and contributed constructively. These are often very appreciated by learners – especially if they are well produced – however, they have no standing in the field of education or employment.

Some Useful Guidance for Artists

As is the case with so much arts work in community settings, good relationships with staff as well as participants is vital. Often the hardest step is the first one; establishing relationships long prior to any project taking place.

In a prison context, the Heads of Learning and Skills have been identified by the Ministry of Justice as being the first 'port of call' for arts organisations wishing to work in prisons. However, in a report published by Rideout outlining research taking place between 2008-10, the HOLS as they are known, were only identified by prison receptionists as being the point of contact in 11 out of 60 enquiries.

You can access that report via www.rideout.org.uk

Once the relationship is established, there are a number of concerns to bear in mind. Here are some guidelines that in most cases will help to ensure the artist maximises the opportunity presented within the work (programme, commission or residency) while maintaining good relations with the relevant authority, be that prison or probation. Where the guidance given is relevant to only one sphere of activity, e.g. prison, this is indicated.



Momentum at Dance United Academy, London | Photo © Stephanie Sian Smith



Dance United Bradford Academy | Photo © Brian Slater

A. Security Issues

- i. You will need to be approved to enter a prison. This will mean, if you are attending for more than three days, a check will have to be done on your background based on information provided by you. You will need to liaise with your prison contact and supply them with details of all personnel entering the prison. This will probably not be required for a probation context. It may be asked for by the prison if you are attending for less than three days.
- ii. Be prepared for your equipment to be thoroughly examined. Prison and sometimes probation regimes will usually ask for a breakdown of equipment a long way in advance (think weeks and possibly months). You will need to send in the list and have it approved. You will need to bring the list with you on the day. If there is something with you that's not on the list, don't assume it will be allowed in. Similarly, everything will likely need to be checked on the way out. Don't assume that a double pin female to male hammerjack pin end won't be of interest to prisoners just because it only has a function for your self-built equipment.



Clean Break Access 2009 students performing The Boiler Room | Photo © Sarah Ainslie

B. Relationships

- i. Build relationships with prison, probation or YOT (Youth Offending Team) staff in such a way as they understand as far as possible the way you work and your objectives. Good planning is essential. If at all possible, the objectives, strategy and staffing of the arts project should be devised collaboratively with prison or education staff. If this isn't possible, and it often isn't, then the more information you can send in, the better. Staff within prisons often prefer to think quite concretely about arts projects and may have less sympathy for objectives that are coded in ideas about raising self-esteem or generating artwork. Their focus may be on limiting offending behaviour and managing any material tools involved.
- ii. If at all possible, a staff training or awareness session is a good way of engaging staff and reducing resistance.

C. Prison Culture

- i. Be prepared to work within guidelines established by the institution regarding lengths of session, numbers of participants, spaces available and prevailing norms. There are immutable factors prevailing in prison (at least from where the artist is standing) such as the length of the prison day, the way that prisoners are moved around the jail, the availability of support staff and certain conventions governing how educational sessions are managed. These latter might, for example, include whether or not refreshments are possible and when toilet breaks may be taken.
- ii. It's also the case that 'prisoners expected' are often not the same as 'prisoners delivered'. Those 'on the list' aren't necessarily the ones who appear for your session. This will be down to the relationship between the department which has commissioned the arts project, perhaps Education or Programmes, and the Allocations Department, which is responsible for allocating prisoners to different activities. Officers on the wings work from lists as supplied by Allocations rather than lists supplied by Education. There are often communication difficulties between these departments and it's possible that the group of prisoners does not look like the one you anticipated and planned for.
- iii. Be prepared for fluctuating group numbers. Those prisoners who are central to your performance may

D. Your Project

- well be those who are removed the day before the performance takes place without reference to you. The removal may be to another part of the jail or another jail entirely. You might be able to make representations on their behalf but ultimately these decisions will have been made according to other criteria. Temporary absences of prisoners are also possible for reasons such as medical appointments, visits by relatives or legal visits. It's a good practice to ask in advance if prisoners are expecting such events to take place during the project. Some times however, they can't be anticipated.
- iv. Ensure you understand emergency procedures. Prisons are built and managed with a 'worse case scenario' ready in place at any time. This is why emergency buttons are installed widely. They are there for the staff to call for assistance in the case of violence or disturbance. Unless you have been security cleared at a high level and been key-trained (a precondition for becoming a 'key-holder') it is unlikely you'll need to use these buttons because there will be a member of staff – or an officer – always with you. He or she would make the decision as to the appropriateness of summoning help. However, the buttons are there for any staff member or guest tutor to use if a situation becomes out of hand. If the button is pressed, it will only be a short time before other prison staff arrive, perhaps in significant numbers, to deal with the problem. Rather than deal with any disturbance yourself, you should stay out of the way as far as possible and let officers deal with the issue.
 - v. Be prepared for unexpected delays and interruptions. In prisons it is essential that governors and managers know where all the prisoners are at any one time, so periodic checks are made. In an open prison, this necessity is alleviated somewhat as prisoners are allowed to move more freely within the jail. However, other jails make a priority of calling the rolls. So after each movement in the morning, before lunch, after lunch and after classes, the rolls are counted. For those running programmes and classes, this means the arrival into the room not long after the session has begun, of an officer to count the heads and radio back the result. If the total count is incorrect for some reason, the procedure is repeated. (Inevitably it's a somewhat time-consuming and labour-intensive procedure). If the roll is incorrect three times, all prisoners may be recalled to their cells where a more thorough count can take place.
- i. Ensure that you have clarity of purpose for your project and sufficient skills within your team for the project. It's very likely that participants will quiz you on your motives, your pay scale and your experience. Adequate skilling and preparation are essential to good arts projects running effectively. You may not know in advance the nature of the space you will be working in – prisons have very rarely any dedicated space for drama, for example – so you need to be flexible. If you are running workshops, it is generally good practice to ensure that you have a minimum of two facilitators. This ensures better control and leadership of the group. Allow a long lead in time to have pre-meetings, build relationships with staff, get security clearance for yourself and any materials. The complexity of having projects agreed in a prison setting can take time and it is wise to begin negotiations at least a number of months before you anticipate starting the work.
 - ii. Once your initial contact, possibly the Head of Learning and Skills, has passed you on to a more permanent contact, develop a relationship with that individual if possible. Consider a partnership agreement with the prison, probation centre or YOT. This would detail named contacts, who is responsible for what, times and dates, any financial agreement, health and safety issues etc. It is important to agree how prisoners will be selected to join the project, including requesting that anyone who will be released pre-project end date is not offered a place. The partnership agreement should be signed by both parties in advance of the project start date. Arts companies working in prisons are likely to have template examples that they are happy to share.
 - iii. Ensure to arrive on time at the gate. Arrival at the prison gates at the beginning of a working day is likely to be early. It's also the case that getting in through identification checks and security can take a significant amount of time. It's always good to allow for this. A further factor that will take up time is that a staff member must be found (assuming you are not a key holder) to escort you from the gate to the place of the session. Moving within the prison without an escort at any time is not possible. The same applies at the end of the day. Even though the prisoners may be back in their cells, an escort to the gate will be essential. Don't get left behind – ensure that you have someone arranged to take you back.
 - iv. Building up an evidence base of your work in prisons is increasingly essential to good practice. It is wise where possible and financially viable, to consider having a project independently evaluated. As a minimum make sure you carry out evaluation with participants, so at the least you have anecdotal evidence of outcomes.

E. The Prisoner Dimension

- i. Mention was made earlier of the need to be vigilant in respect of information shared with prisoners. Those visiting prison for the first time may instinctively want to trust a friendly-seeming prisoner. In many cases, there are good reasons for investing trust in this individual. However, you can never be completely certain that you aren't chatting with someone who is making friends with you in order to achieve some other purpose than a warm fraternal sense of bonding. It's possible therefore that before long you are the recipient of what seems to be a simple request.

Here are a few requests to decline:

1. A request to bring something into the prison for the prisoner
 2. A request to carry something out of the jail for the prisoner
 3. A request to do a task outside the jail for the prisoner (ie contact a friend or solicitor)
 4. A request to be given your personal information (address, phone number, etc.)
 5. A request to hand over an item you have in your possession
 6. A request to speak favourably of the prisoner to members of prison staff
 7. A request for information about your private life; husband, wife, partner, etc.
 8. A request for information on your views about issues of intimacy or sexuality which you do not wish to share
 9. A request to join your social network of choice.
- ii. If a participant of your project or workshop wishes to make contact with you in order to feedback on their experience of the work, you can agree to this but it should be by the prisoner giving his or her feedback to your contact within the prison who will then forward on such information. Likewise in responding to any such feedback you should do so via your contact within the prison and do so without identifying any personal details.
 - ii. Both offenders in prison and in the community may have access to the internet or means of accessing sites such as Facebook. Be careful to ensure that your own security settings are tight and maintain a



Safe Ground: Good Daddy | Photo © Warwick Sweeney

professional boundary between you and the people you're working with. Creative practitioners have in the past made mistakes in this area; if in doubt, err on the side of caution or take counsel from your contact in the prison.

Finally; don't be put off, take a leap of faith and trust your judgement. You may just have an amazing time, create extraordinary work – and change an individual's life forever.

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Notes

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