



Complaints as Mechanisms for Prisoner Participation

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WP2 Mechanisms of Prisoner Participation

Objective (O4): *Evaluate the utility of prisoners' complaints (to the Ombudsman) as a form of participatory regulation*

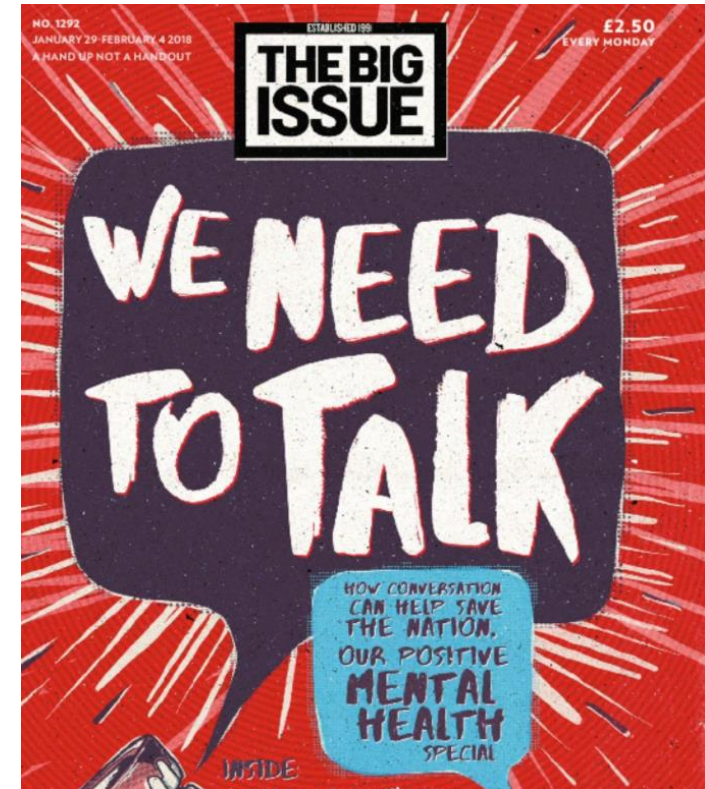
Question: *Is the prison complaint system in England and Wales, in practice, participatory, inclusive and fair?*

Issue ...

Complaints cannot be seen as a true picture of prisoners concerns due to fear of reprisal, lack of awareness, situational vulnerabilities and demographic differences which constrain prisoners' abilities to voice complaint.

Moreover, prisoner experiences of the complaints process as '(un)just' vary with demographic differences e.g. age, gender, race – females less likely to complain and black and minority ethnic prisoners less likely to feel that 'complaints are usually dealt with fairly' (HMIP, 2020).

We know very little about the internal complaints lodged and the categories of these complaints – how they differ across the prison estate.



Why?

Voice, safety, well-being,
autonomy, dignity, justice,
fairness, legitimacy

Frustration - core contributor to Strangeways :
complaints not adequately addressed (Woolf, 1991).

Prisoners' voices = 'active citizenship' v 'insurgent
citizenship' (physical protests) (Woltz, 2020).

Prisoners 'harming themselves to gain some attention
- ignored applications or complaints (IMB, 2020)

Voice - a safety valve to release pent-up frustration –
averting self-harm, suicide, unrest, violence and riots.

Prisoner voice: agency, rights protection, systemic
improvements.

Participation: fairness, legitimacy and dignity (Tyler,
2006; Skinns et al., 2020).

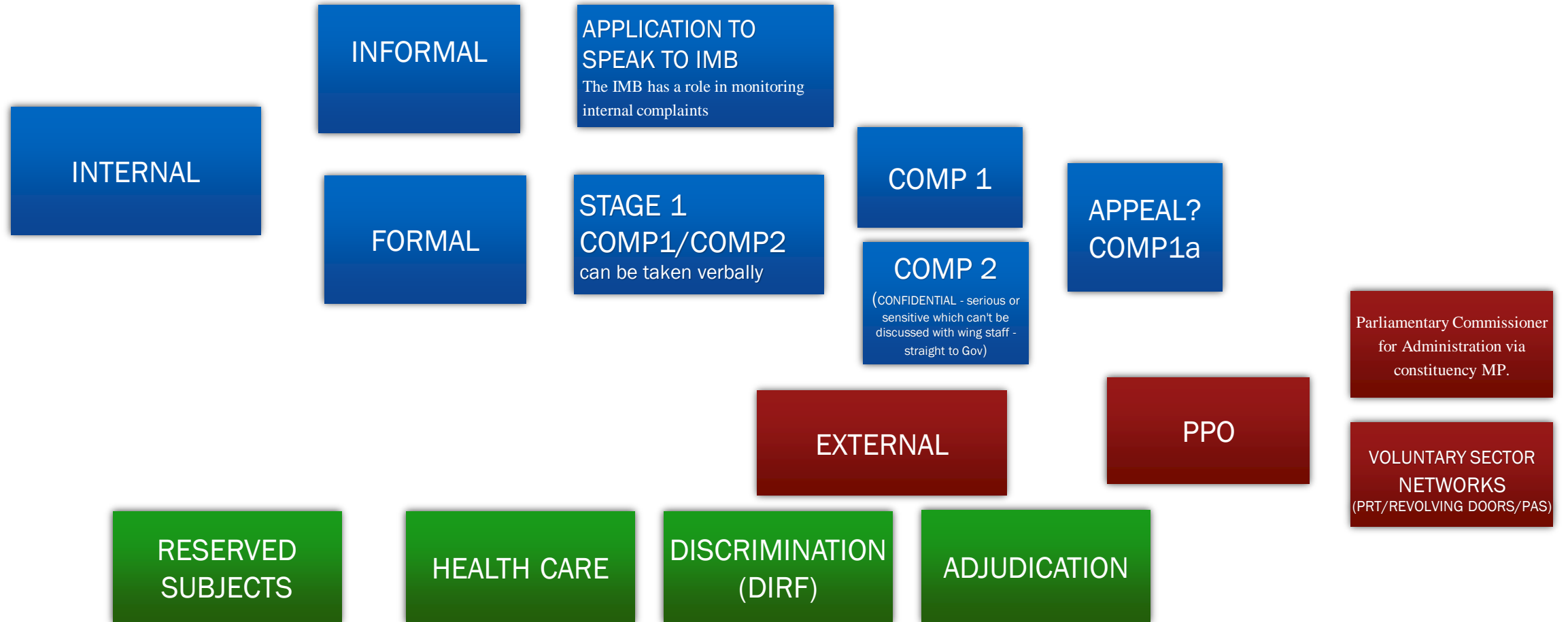
Participation: democratic, sustainable and responsive
public services (Bovaird, 2007)

Procedural Justice and Prison Complaints Process



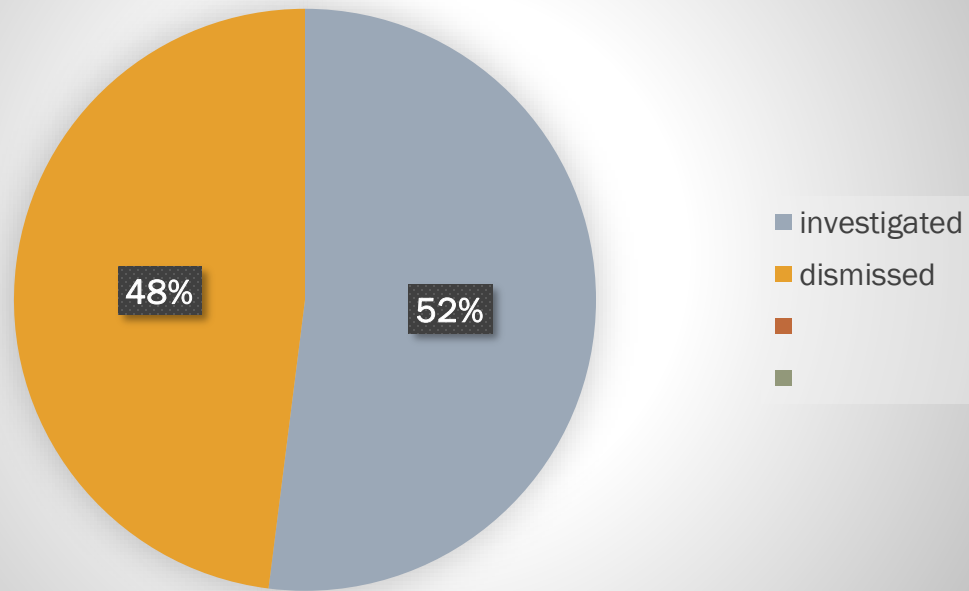
the MoJs/HMPPSs *Prisoner Complaints Policy* stipulates that the prison environment should support complaints and that the complaints process should be based on the four principles of procedural justice

The Convolved How?

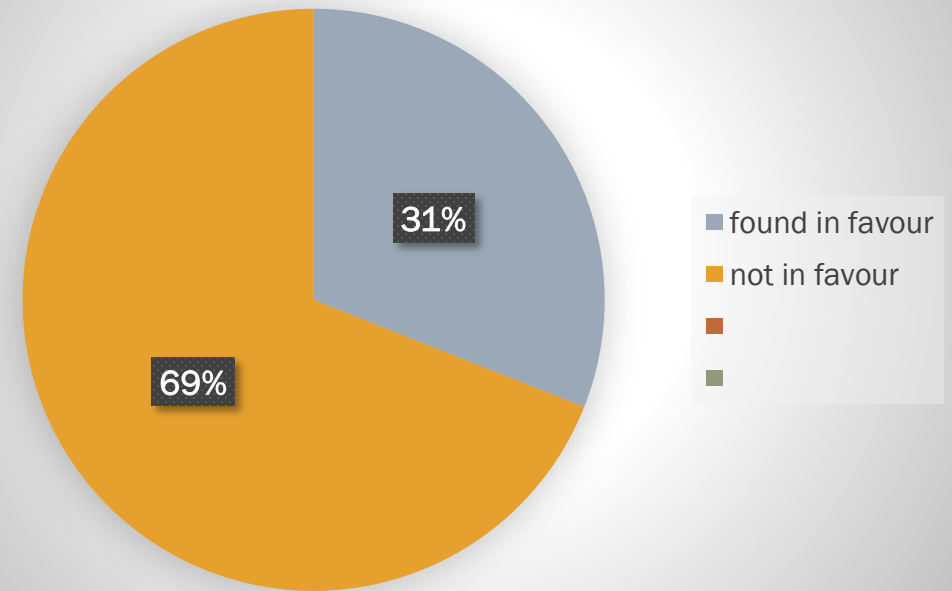


How many prisoners complain?

submitted complaints



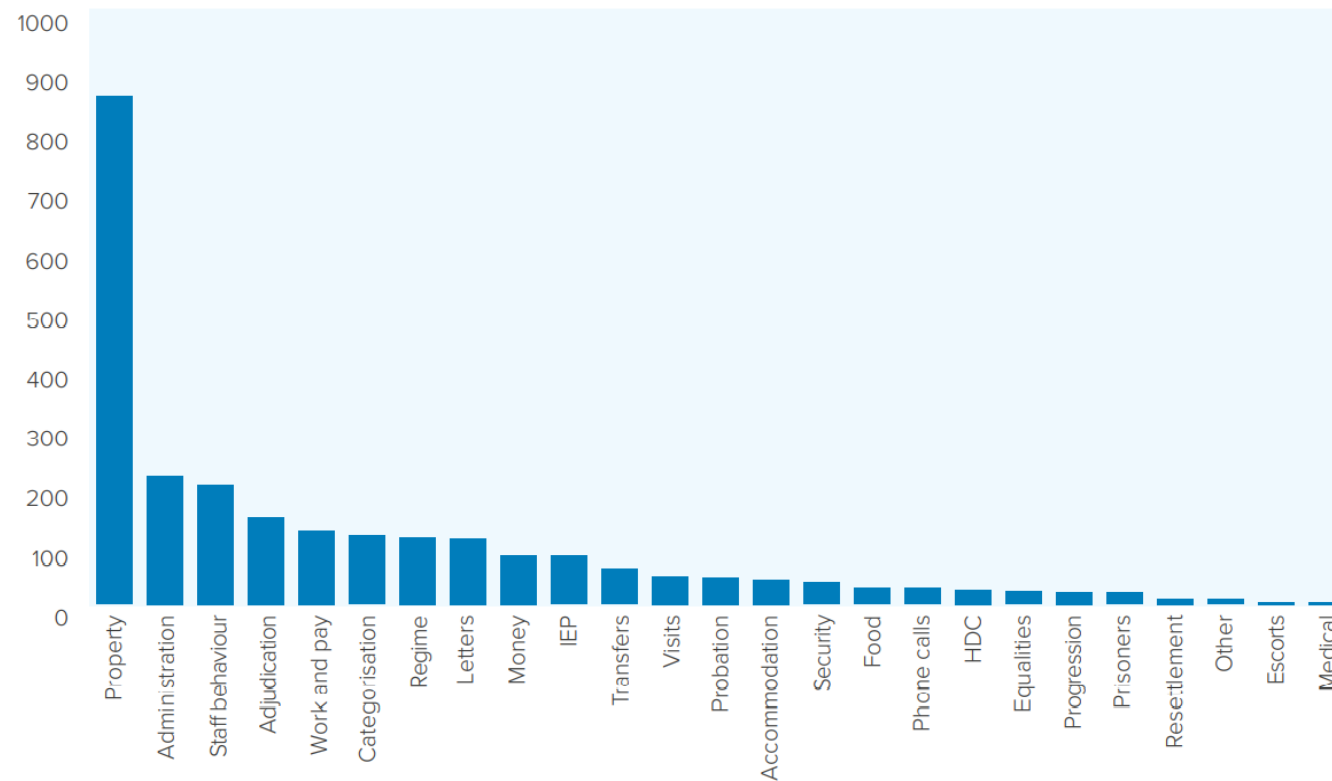
completed complaints



Who complains about what?

Complaint categories

Complaints completed (2019/20)



DIRFs



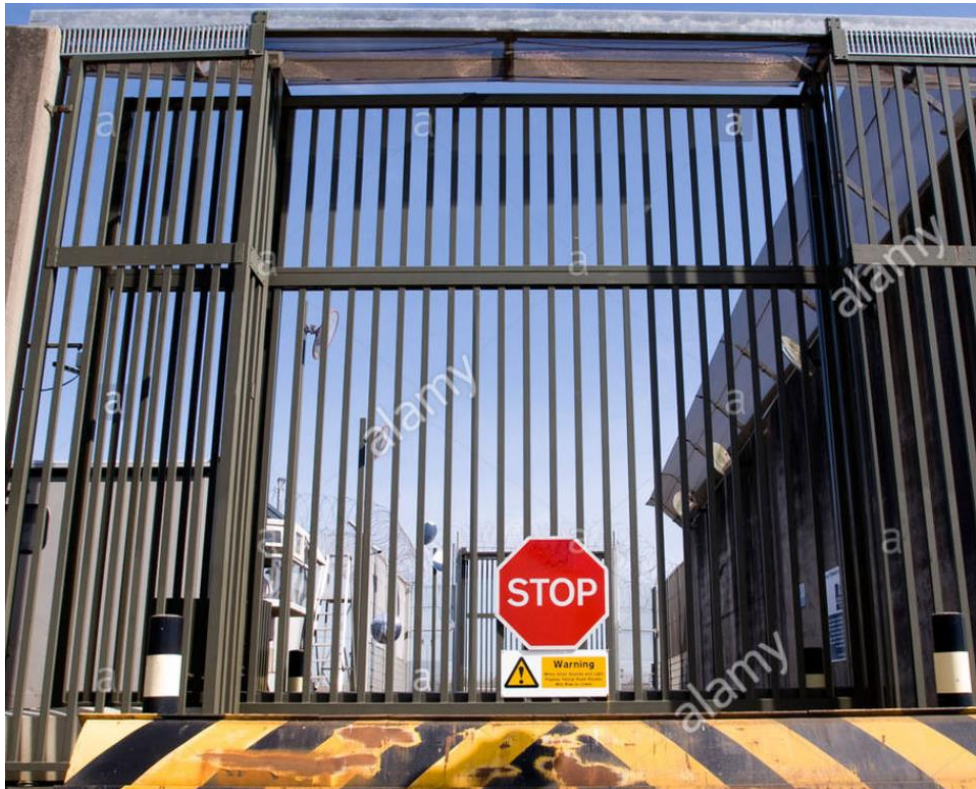
Is the complaints process ...

Participatory?

Inclusive?

Fair?

Barriers



psycho, socio and structural barriers:

culture

fear of reprisal

lack of awareness

accessibility and equitability

confidence and trust

wasted agency

demographic differences

Exploration required

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COMP 2 FORM

PRISONER'S FORMAL COMPLAINT
UNDER CONFIDENTIAL ACCESS

Read these notes first

1. This form is for you to make a formal written complaint under confidential access to the Governor, the Deputy Governor, the Chief of Prison Custody, or the Chairman of the Independent Monitoring Board.
2. Confidential access is appropriate when your complaint is about a particularly serious or sensitive matter which you are reluctant to discuss with wing staff.
3. Keep your complaint brief and to the point.
4. Seal the form in an envelope, addressed to the person you wish to consider the complaint, and post it in the postbox.
5. You have the right to refer your complaint to the Prisons and Probation Ombudsman (PPO) if you are not satisfied with the response.

PROTECT

Establishment: C n

Serial N°:

Questions

What awareness is there of barriers to prisoners lodging a complaint?

What are prisoners' lived experiences of (not) complaining? Formally and informally.

