



SEXUAL CRIME

SEXUAL CRIME
AND THE
EXPERIENCE OF
IMPRISONMENT

EDITED BY

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Sexual Crime

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Sexual Crime is an edited book series devised by a team at SOCAMRU led by Professor Belinda Winder in the Psychology Division at Nottingham Trent University.

It offers original contributions to specific avenues of research within the field of sexual crime with each volume drawing together a review of the literature from across disciplines, including cutting edge research and practice, original material from services and offenders themselves as well as future directions for research and practice.

These volumes will be highly relevant to clinical and forensic psychologists and therapists, offender managers and supervisors, social workers and those working in the field of rehabilitation. They will be a great source of insight for academics, researchers and students in these disciplines as well as criminologists and policy makers.

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<http://www.palgrave.com/gp/series/15477>

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Foreword

I am delighted and excited to introduce this important and much needed book about the experiences of imprisonment for people convicted of sexual offences written by international experts.

Ministry of Justice data indicates that the number of people imprisoned for sexual offences in England and Wales has grown from 4 per cent of (a much smaller) prison population in 1981 to 18 per cent in recent years. There are a number of reasons for this increase, not least a greater awareness and intolerance of sexual crime, an increase in internet-related offences and the prosecution of historic sexual offences.

People imprisoned for sexual offences are often vulnerable and set apart from the wider prison population often as a result of the abhorrence and fear felt by both staff and other prisoners to the crimes they have committed.

This particular area of work has been a consistent feature of much of my professional life; this text provides a welcome contribution to the development of knowledge on the subject using evidence from around the world.

For much of the last 30 years the body of knowledge about the reasons why people commit sexual offences has grown and continues to grow. Whilst we continue to develop this knowledge and what needs to be done to help people not to reoffend in the future, prison-based research has often focused on specialist treatment programmes. As the Governor of a

specialist treatment site for people with sexual convictions I know from my conversations with both staff and prisoners the importance of respectful and supportive staff prisoner relations. This is vital for the overall welfare of the prisoner whilst he/she is in custody and also in supporting his/her successful transition back to the community.

I hope that this book will help to develop strategy and thinking on the subject. Its eight chapters cover the link between desistance from sexual offending and the provision of a positive prison climate. Chapter 1 describes some practical ways of creating a rehabilitative culture in prisons, drawing on some research and experiences of prison culture generally. It suggests what else needs to be considered for those convicted of sexual offences. Chapter 2 focuses on the importance of a positive prison social climate in helping to facilitate personal and behavioural change to reduce reoffending. Chapter 3 considers the views of Canadian prisoners towards people who are actually or perceived to be convicted of sexual offences and how this impacts on the victimisation of this group in prison. Chapter 4 considers the attitude and approach of prison officers working in a prison for people with sexual convictions. It argues that there is a 'moral barrier' between prison staff and people convicted of sexual offences that has an impact on staff engagement. Chapter 5 explores how individuals with sexual convictions experience prison across three sites and how the prison environment is perceived as a different world, allowing for contemplation for changes in thinking and behaviour. Chapter 6 examines the recent research on the many personal and experiential benefits of voluntary prison-based peer-support programmes for people with sexual convictions, giving them the opportunity to earn 'self-forgiveness' and consequently to move away from harmful labels. Chapter 7 offers a service user's perspective of life in two prisons and compares their personal experiences of two very different cultures. Finally Chap. 8 considers the impact of attitudes towards people convicted of sexual offences on legislation, rehabilitative outcomes and eventual reintegration process.

It is vital that we continue to learn about new and imaginative solutions to this growing problem and this book offers a useful and thought-provoking basis upon which to build and develop appropriate responses.

Nottingham, UK

Lynn Saunders OBE

Preface

This Series: Sexual Crime

This book series will offer original contributions to current books available on this fast-growing area of high public interest. Each volume will comprehensively engage with current literature and make efforts to access unpublished literature and data by key authors in the field. The series will also, by the end of each volume, suggest potential new directions for researchers and practitioners.

These volumes are relevant not just to psychologists, criminologists, social workers, final-year undergraduate, postgraduate and doctoral students of all these areas but to practitioners and the general public with an interest in learning more about the topic. The aim is to create books that are readable, yet firmly anchored in a sound evidence base from both researchers and practitioners. The volumes will include therefore a robust synthesis of the literature, consideration of the theories relevant to each topic, a focus on projects that are relevant to the topic (with a summary of the research and evaluation of these), chapters focusing on the service user voice and a final summary chapter highlighting future possibilities and directions (as suggested by others in the field or by the authors themselves).

This Volume: Sexual Crime and the Experience of Imprisonment

Life for individuals with sexual convictions is not easy. They may have lost, or fear losing, the support of those who care for them. They will live in constant fear of being identified as a 'sex offender' in prison and the harsh consequences that can occur if that happens. It is important that such individuals receive the support and treatment they need so as to reduce the likelihood of reoffending. However, the evidence base for traditional sex offender treatment is contested, with few studies finding an effect for prison. This has led some to argue that there needs to be a greater understanding and exploration of individuals with sexual conviction experience of imprisonment. Given the potential impact climate and context could have on rehabilitative programmes, there is surprisingly little research on the experiences of individuals with sexual convictions in prison and how they perceive their environment. This text aims to redress this deficit to some degree. The volume begins with an exploration of the theoretical underpinnings of a rehabilitative prison climate and discusses some of the practical ways of creating rehabilitative cultures in prisons housing people convicted of sexual offences. The text then moves onto considering the role of prison climate in the desistance process and offers an international perspective on building prison culture and what this may mean for individuals with sexual convictions. The text then offers four empirical chapters which explore the experience of imprisonment and the impact on their rehabilitation. The chapters focus on the experience of stigmatisation, prison officers' attitudes towards prisoners' offences and their social identities as 'sex offenders' and the varied experience of 'being' in prisons exclusively for individuals with sexual convictions. The final empirical chapter discusses the specific benefits of peer support for individuals with sexual convictions, such as the chance to earn self-forgiveness, construct adaptive identities and consequently move away from harmful labels. The final chapters in the book consider the experience of imprisonment from the perspective of a service user; this unique position offers an insightful account of an individual's journey through the prison system. Lastly, the book considers the importance

of attitudes towards individuals with sexual convictions and how they play a pivotal role at different levels of the criminal justice system, namely, the legislative level, the rehabilitative level and the reintegrative level.

Future Texts

This series is ongoing, with planned future volumes including experience of imprisonment, spirituality, intellectual functioning and problematic sexual arousal.

Nottingham, UK

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1

Rehabilitative Culture in Prisons for People Convicted of Sexual Offending

Ruth Mann, Georgia Barnett, George Box,
Flora Fitzalan Howard, Oscar O'Mara, Rosie Travers,
and Helen Wakeling

Introduction

In this chapter we will describe and discuss some practical ways of creating rehabilitative cultures in prisons housing people convicted of sexual offences. Our interest in prison culture began in 2002 when we conducted a study of why some men in prison deny their sexual offending (Mann, Webster, Wakeling, & Keylock, 2013). Before we began that study, we expected to find individual psychological explanations for denial, such as shame, or family factors, such as family support for denial. These explanations certainly existed, but more notably we found that men talked about feeling unsafe, feeling stigmatised, and feeling

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humiliated by other people in prison and also by staff. The overall finding was that when men convicted of sexual offences felt psychologically and physically unsafe in prison, their personal resources were consumed by finding ways to feel safe, and denial of their offences was one useful way to reduce their anxiety.

This finding led us to consider these issues further (Mann, 2009) and to work with others similarly interested in the importance of context (e.g. Blagden, Winder, & Hames, 2016). Her Majesty's Prison and Probation Service (HMPPS; formerly the National Offender Management Service) consequently adopted the concept of "rehabilitative culture" to describe the ideal prison climate for rehabilitative activities and programmes to flourish and have maximum benefit, and set the development of such cultures in prisons as its first commissioning priority (NOMS, 2014). The concept of prison rehabilitative culture was originally most firmly rooted in the relationships between staff and prisoners, but over time we have extended the concept by drawing on other areas of research into prisons and criminal justice. In particular, along with staff behaviours we will consider in this chapter the importance of procedural justice, the role of leadership, the nature of the physical environment, the value of peer mentoring, and the way in which security procedures are undertaken. These are all important aspects of rehabilitative culture, but there are many others. Most of the research on which we have drawn comes from the general prison or rehabilitation literature; where there are studies that are specific to people convicted of sexual offending we have made that clear.

What Makes a Prison Rehabilitative?

It is difficult for prisons to reduce reoffending (e.g. Cullen, Jonson, & Nagin, 2011). Most academics agree that imprisonment in itself has, at best, no effect on reoffending and several studies have shown that imprisonment increases reoffending. However, prisons are expected to reduce reoffending—by the public, by politicians, by the media, and by their own staff—and are repeatedly criticised when they fail to do so.

The rehabilitation literature in relation to changing offending behaviour is quite positive, with reasonable agreement that well-designed programmes can have a moderate and cost-effective impact on reoffending. However, a number of studies have shown that such programmes have greater impact when delivered in community settings rather than in prisons. The size of the effect for prison programmes is equivalent to about one prisoner in ten not reoffending compared to those who do not receive programmes. While this is a cost-effective outcome, it is not a large effect.

Why is it hard to achieve noticeable outcomes on reoffending through rehabilitation efforts in custody? There are several possible explanations, which are not mutually exclusive. First, it is possible that the criminogenic effect of imprisonment is so strong that even excellent programmes cannot outweigh this negative effect. Imprisonment disrupts positive influences in a prisoner's life, such as relational ties, employment, and citizenship activities. It labels a person as a criminal in a way which can affect personal identity as well as invite rejection from others who are more law-abiding. And because prisons are full of people who by definition have committed crime, often repeatedly, their subcultures are antisocial, characterised by criminal attitudes, physical domination of the weak by the strong, and respect for the criminal identity. While prison staff can be important positive influences on individual prisoners, the majority of a prisoner's interactions will be with other prisoners away from the supervision of staff, and these interactions are likely to be more antisocial and more influential than briefer and fewer interactions with staff. In prisons with particularly lean staff structures, interactions between staff and prisoners can easily become limited to simple exchanges of information or responses to requests, rather than meaningful conversations.

Second, a prison is an artificial environment where many of the usual demands of life are altered or removed, being replaced by unusual demands (such as the constant fear of physical threat from others). Stephenson (2007) noted that a custodial regime appears to have innate weaknesses that diminish protective factors and increase risks. In particular, custody curtails decision-making and planning skills in those who require them the most. Furthermore, any learning which can be delivered is provided in such an abnormal environment that the subsequent application of this learning outside of the classroom or group room is extremely limited.

Third, prison staff can inadvertently or deliberately undermine attempts to provide rehabilitation in prison. For example, in our study of why prisoners convicted of sexual offences refused treatment, Mann et al. (2013) found that some prison staff undermined the value of treatment. This happened both overtly, by telling prisoners that therapy did not work, and covertly, by failing to provide a culture where men convicted of sexual offending felt safe enough to work on their offending.

Penal experts have offered suggestions about how prisons could become more effective at reducing reoffending. Losel (2007a), for example, suggested that prisons could be more effective if they provided cognitive-behavioural programmes on a larger scale, which were better targeted, and more strongly integrated with other services such as education and work training. He also called for improvements in institutional climate. Cullen, Jonson, and Eck (2012) proposed an eight-point plan for an “accountable” prison, emphasising like Losel the importance of interventions that are compliant with the Risk, Need and Responsivity (RNR) principles, calling for non-RNR interventions to be discontinued, building stronger links with the outside community, and strengthening staff’s sense of accountability and opportunity for changing peoples’ lives while they are in prison. Smith and Schwietzer (2012) adopted the term “Therapeutic Prison” to describe a custodial environment run on the basis of the principles of effective rehabilitation: clear goals, services carefully targeted to risk and need, and staff who practise the “Core Correctional Practices”: pro-social modelling, reinforcement of pro-social behaviour, skills building, cognitive restructuring of criminal attitudes, and open and respectful communication. Common to these articulations of accountable/therapeutic prisons are two main themes. One is the emphasis on the value of introducing effective “programming” (such as cognitive skills programmes) on a wider scale within prisons. The other is developing a whole-prison culture where staff believe and behave in ways that assist the rehabilitative goal. We therefore see a rehabilitative culture as one that supports involvement in formal programmes, but also a culture that enables identity change in its own right.

There is only a small literature into prison culture as it applies to prisons housing men convicted of sexual offending. Various studies by

Blagden, described in this book, have shown that prison culture has an important effect on how men participate in therapy, with a safe and decent culture freeing up “headspace” for men to focus on the future. In Germany, a study of four prisons housing men convicted of sexual offending found significant correlations between the extent to which the prisoners found the custodial staff to be supportive and the extent to which they felt able to participate in therapeutic programmes (Stasch, Yoon, Sauter, Hausam, & Dahle, 2018). These pioneering studies support our working hypothesis that a rehabilitative prison culture will boost the effect of therapy programmes.

Rehabilitative Relationships: Staff Skills and Behaviours

Rehabilitative culture is most strongly about the relationships between staff and prisoners. Historically, the relationship between prison staff and those in their care has been characterised by security and control. Within the probation setting, however, there has been a growing body of research showing that the content and quality of the contact between probation staff and the person under their supervision can have a direct impact on recidivism (Day, Hardcastle, & Birgden, 2012; Drake, 2011). This shift in focus on the type of relationship between staff and people within the criminal justice setting is now turning to the prison setting, where the quality of the relationships between front-line prison staff and the people in their care is now widely acknowledged to be the single most important factor in creating safe, decent, and rehabilitative prisons.

The Rehabilitative Prison Officer

Most studies exploring the skills and qualities of prison staff focus on stress, burnout, and job satisfaction. There is surprisingly little research into what makes a rehabilitative prison officer or a less rehabilitative one. The research that has been done identifies five broad characteristics:

- *Legitimate authority*—attracting respect and compliance from colleagues and prisoners without needing to use threats or force (Crewe, Liebling, & Hulley, 2011).
- *Respect*—treating others with courtesy, even when dealing with people whose behaviour is challenging. Doing what you say you are going to do (Hulley, Liebling, & Crewe, 2012).
- *Emotional and moral consciousness*—acknowledging the difficult aspects of the job and being able to speak about them (Molleman & Van der Broek, 2014).
- *Resilience*—using task-focused coping and social support to manage the demands of the job; showing endurance (Cieslak, Korczynska, Strelau, & Kaczmarek, 2008).
- *Rehabilitative approach*—believing in the possibility of change and encouraging people to change. Staff who have a rehabilitation orientation believe, as their “guiding ideology”, that people in prison can change and become productive, non-criminal members of society (Tewksbury & Mustaine, 2008). At a minimum, simply encouraging prisoners to take part in rehabilitative activity makes a difference. Molleman and Van der Broek (2014) found that the extent to which staff described themselves as having a motivational style with prisoners was significantly associated with prisoners’ positive perceptions of seven out of eight aspects of imprisonment including security, safety, rule enforcement, activity, autonomy, and expectations for the future. This was the case even taking other factors into account such as length of time in prison, cell sharing, and the prison regime.

Of particular interest to prison culture is the extent to which staff have a rehabilitation orientation. And yet this orientation does not just benefit prisoners. Staff with a rehabilitation orientation experience greater job and life satisfaction, lower burnout and absenteeism, greater organisational commitment, and willingness to go the extra mile (Lambert, Barton-Bellessa, & Hogan, 2014). They find their jobs more meaningful and feel safer at work, although for some this is linked with feeling under more pressure in relation to the amount of work they have (Molleman & Van der Broek, 2014).

Prison Officer Skills and Behaviours

Some staff go further than a rehabilitative orientation and want to be part of that change, believing that prison officers as well as treatment and education staff can make a difference. The best staff therefore not only have a rehabilitative *orientation* but also possess the *skills* to motivate and help people change. They give hope, encourage people to try different ways of living, and recognise efforts to change. Smith and Schweitzer (2012) adopted the term “the Therapeutic Prison” to describe a custodial environment run on the basis of the principles of effective rehabilitation: clear goals, services carefully targeted to risk and need, and staff who practise the “Core Correctional Practices”: pro-social modelling, reinforcement, skills building, cognitive restructuring, and open and respectful communication.

While the impact of these skills has not been carefully researched in prisons, there is good evidence that they are associated with reduced reoffending when used by probation or parole officers in the community (Bonta, Bourgon, Ruge, Gress, & Gutierrez, 2013; Robinson et al., 2012; Trotter, 1990, 1996, 2004, 2009). These studies have also demonstrated that core correctional skills can be taught, and in fact in most cases they need to be taught even though most criminal justice workers think that this is how they practise, because people’s self-evaluations are not necessarily accurate.

Based on this research, HMPPS conceived the Five Minute Intervention (FMI) Project (Webster & Kenny, 2015). The FMI Project trains prison custodial staff to find rehabilitative opportunities during everyday conversations. Specifically, staff are trained to use these interactions as opportunities to develop decision-making and planning skills for the people in their care. FMI officers are taught how to identify and respond to criminal thinking styles and criminal attitudes, and how to enhance the skills of decision-making, planning, and perspective-taking.

FMI specifically targets impulsivity, personal responsibility, and problem-solving—all known risk factors for sexual offending (Mann, Hanson, & Thornton, 2010). FMI also provides the opportunity for staff to discuss pro-crime attitudes when they become apparent in everyday

prison interactions, to challenge these attitudes and to lead by example by presenting different possible viewpoints. With this approach FMI aims to improve the rehabilitative climate of the prison, whereby both prisoners and staff experience a “thinking culture” that encourages consequential thinking, problem-solving and reflection, and a sense of personal growth and greater mutual respect. FMI also seeks to develop for staff an increased rehabilitation orientation, sense of satisfaction in their work, sense of opportunity in their interactions with prisoners, and greater awareness of their potential for changing criminal behaviour. HMPPS has embedded FMI into routine staff training, highlighting the focus on developing the everyday skills and values of prison service staff, and qualitative research has described how FMI can have an extraordinary impact for both staff and people in prison (Tate, Blagden, & Mann, 2017; Webster & Kenny, 2015).

Procedural Justice: The Importance of Fairness in a Rehabilitative Culture

Securing the compliance of people in custody is essential if prisons are to be stable, ordered, and peaceful environments. Keeping staff and prisoners safe, protecting the well-being of people in custody, and helping them to desist from reoffending in the future are legal requirements or priorities for most prison services. A growing body of research is showing the degree to which prisoners perceive their treatment in prisons to be fair and just influences all of these outcomes.

Procedural justice theory argues that experiencing fair and just procedures (*how* people make decisions and apply policies, rather than *what* the outcome is) leads people to view the law and authority figures as more legitimate and brings greater compliance with, and commitment to obey, the law (Lind & Tyler, 1988; Tyler, 1990). The theory states that the opposite is also true; where procedural justice is lacking there will be less compliance, both immediately and into the future. Procedural justice involves four principles: voice, neutrality, respect, and trustworthiness (Tyler, 2008). People need to have the chance to tell their side of the story