

After Prison

The Case for Offender Reintegration

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Preface

Much attention is being paid to South Africa's high crime rates and to how these might be reduced. Most of this attention has focused on improving policing, prosecution and conviction rates, ensuring that harsher sentences are handed down and that more prisons are built. The development of a National Crime Prevention Strategy in 1996 also ensured that efforts to prevent crime are under way in several parts of the country.

Despite all this, the one dimension that is seldom discussed and researched, both within the criminal justice and crime prevention sectors, is the problem of repeat offending, or recidivism. Although conclusive figures on the extent of recidivism are hard to come by, the consensus is that the vast majority of offenders in the country's prisons have prior convictions. Two facts about the situation in South Africa's prisons are indisputable: overcrowding has reached untenable proportions, and the majority of those who are sentenced to serve a prison term will eventually be released back into society.

This means that any plan to reduce crime must include some initiatives that aim to reintegrate former prisoners into society so that they can become productive citizens. This in no way changes the fact that offenders must be made accountable for their crimes, and must take responsibility for their actions. Rather, it is in society's interests to ensure that they become functional members again instead of returning to a life of crime, as most currently do.

In this monograph, Lukas Muntingh of the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) questions whether the current system of imprisonment can achieve the desired goals of punishment and ensure that instead of reoffending, a former prisoner can become a member of the community once again. The monograph makes a case for offender reintegration by considering the theories behind punishment, the conditions in South Africa's prisons and both international and local examples of reintegration projects.

It is hoped that this monograph will contribute to a better understanding of reintegration in the South African context and will encourage policy makers and practitioners to consider this important issue in their planning of crime reduction strategies.

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Executive Summary

Although imprisonment as a punishment for crimes and transgressions is well established throughout the world, less attention is paid to offender reintegration once prisoners are released back into society. It is argued that the successful re-entry into society after a period of incarceration is crucial if crime is to be curbed substantially in the near future.

This monograph provides a background on the socio-political context within which imprisonment occurs in South Africa, as well as in the rest of the world. A review of changes in recent South African legislation is provided, and theoretical viewpoints on offender reintegration are discussed. In this regard, attention is paid to:

- deterrence;
- incapacitation;
- retribution and restoration; and
- reintegration

To be effective, reintegration programmes must be:

- multilayered and created by people with vision;
- transformational;
- journey-based;
- process-based;
- multipurpose;
- multifocused;
- multidimensional;
- multiresourced;
- holistic in approach; and
- presenting an active experience.

Descriptions of a number of international and local offender reintegration initiatives are provided. The purpose is not only to identify the strengths of these initiatives, but also to point towards the shortcomings in an attempt to develop appropriate and effective programmes. International examples include:

- Project Reintegration of Offenders (RIO), Texas Workforce Commission
- Boot camps, United States
- Ringe Prison, Denmark
- Safer Foundation, Chicago
- Delaware Department of Corrections' Life Skills Programme

For the purposes of this monograph, local examples are drawn from reintegration services rendered by non-governmental organisations (NGOs). These provide interesting case studies as they are developed organically and often initiated by former prisoners. The examples of programmes are not exhaustive and the choice does not reflect any form of value judgement about other available programmes. Examples include:

- National Institute for Crime Prevention and the Reintegration of Offenders (NICRO)
- Common Prisoners Rehabilitation Agency (COMPRA)
- South African Prisoners' Organisation for Human Rights (SAPOHR)
- Prison Fellowship International (PFI)
- Gauteng Rehabilitation Trust (GRT)
- Khulisa Programme of Mass Media Marketing (KPMMM)
- Learn and Earn Trust (LET)

Areas that warrant further attention and in-depth study include:

- former prisoners and recidivism rates;
- reintegration problems faced by former offenders;
- reintegration programme design and development;
- quantitative information on prisoners and former prisoners;
- employer attitudes to and practices with regard to former prisoners;
- human rights and prisoners;
- the effects of current sentencing policies and practices on crime;
- the effects of imprisonment on the families of prisoners; and
- the needs of and resources available to families of prisoners.

The lack of research on offender reintegration has resulted in political decision makers who are poorly informed on requirements to reduce crime in the long term. Offender reintegration needs to be raised to a level where it is acknowledged as a legitimate crime reduction strategy.

Offender reintegration will only achieve success if an integrated approach is followed where the state, civil society and the private sector pool resources and knowledge to restore the breach in the community.

Chapter 1

INTRODUCTION

For many people, the concept of 'offender reintegration' conjures up images of social workers counselling prisoners and former prisoners in an attempt to change their unsatisfactory situation. Others may see offender reintegration as being 'soft on crime', or as 'being nice to criminals'. Many initiatives have been called offender reintegration, but few can truly claim success in reintegrating offenders. Whatever the perception, it remains a fact that the majority of released prisoners soon find themselves back in prison at great cost to the community and the taxpayer.

Any understanding of offender reintegration starts with prisons, probably the most popular sentencing option of the past two centuries. Prisons remove 'unwanted' or offending people from mainstream society and place them in institutions where they are seemingly unable to offend society any further. Prisons, as they are known today, came into being approximately 200 years ago in Europe with great enthusiasm as a sentencing option for criminals. Their failure as a crime reduction technique, however, was soon evident.

A number of reports written between 1823 and 1842 in France concluded the following on the effects of imprisonment:¹

- Freed inmates are subjected to conditions that necessarily condemn them to recidivism: they are under surveillance by the police; they are assigned to a particular residence, or forbidden others; they leave prison with a 'passport' that they must show wherever they go with details of the sentence they have served (1823).²
- Prison produces delinquents. It does so by the very existence it imposes upon its inmates — whether they are isolated in cells or whether they are given useless skills for which they will find no employment (1836).³
- Prison often indirectly produces delinquents by causing destitution among the inmate's family. The same authority that sends the head of the

family to prison reduces the mother to destitution, the children to abandonment, the whole family to homelessness and begging. It is in this way that crime takes root (1836).⁴

- Detention causes recidivism; those leaving prison have an increased chance of returning (1837).⁵
- Prison enables, even encourages, the organisation of a milieu of delinquents, loyal to one another, with a particular hierarchy, ready to aid and abet any future criminal act (1839).⁶
- Prisons do not diminish the crime rate; whether they are extended, their numbers multiplied or institutionally transformed, the quantity of crime and criminals remains stable or, even worse, increases (1842).⁷

Even though the above excerpts are from reports dating back more than 150 years ago, when prisons were still relatively new, these conclusions have remained largely true until today. The non-achievement of prison as an institution is well-known, but they nonetheless remain in use and are in fact expanding. This is one of the great paradoxes of modern society.

Facilitating the reintegration of offenders into society as constructive citizens is crucial if a substantial reduction in crime is to be achieved in the foreseeable future. Offender reintegration, if conducted properly, is not a way of being 'soft on crime' as public opinion often holds. It is a challenging process that holds offenders accountable for their actions in a constructive and restorative manner. The successful reintegration of offenders is ultimately in the interests of the community, because those who are not accepted back into the community will in all likelihood turn to crime again. It is estimated that, in South Africa, between 85% and 94% of released offenders will reoffend.⁸ If this is indeed the case, imprisonment appears to be a rather futile exercise, especially if little is done to facilitate the reintegration of offenders back into society where they can fulfil a constructive rather than a destructive role.

At least 95% of all prisoners will be released back into the community to continue with their lives. Through some miracle, they are expected to fit in as if nothing has happened and to continue with their lives as constructive citizens contributing to the common good. They are expected not to commit a crime again, to find employment, to be good mothers, fathers, brothers, sisters and children again. They are expected to have 'learned their lessons' through punishment and pain. Their liberty was taken away and they were isolated from valued qualities of life — their individuality, the opportunity to take control and to make decisions. It is often asserted that people are imprisoned for their wrongdoings because they deserve it and that this will make them better people. The question that has to be raised, however, is whether people are imprisoned merely to get them off the streets, to incapacitate them, or to hide them away from society.

The effects of imprisonment are numerous and research increasingly indicates that imprisonment causes psychological damage. Some argue that prisoners receive what they deserve, that the suffering and pain are proportionate to what they have caused. While this is a popular argument among those bent on retribution, the fact is that prisoners, once released, return to society where they find it extremely difficult to be accepted and to cope with the demands of leading an ordinary balanced life. Offenders mostly return from prison as a bigger problem for society. Offenders are excluded from society at enormous cost to the taxpayer, but there is a great reluctance to invest in their development to enable them to become part of society once more.

Imprisonment thus creates people with emotional and psychological problems whom society has to deal with after their release. As has been noted:

"The problem of time is crucial. Nothing makes the distinction possible between one hour and the next. Once gone, the hours vanish in the void; the present minute can be dilated to eternity. But time does not exist! Is this a mad way of thinking? Perhaps. I know there is a profound truth in all this. I also know that prisoners, after the first hour of incarceration, are mentally disturbed."⁹

Therefore, the goal of ensuring that most offenders will not reoffend and will become constructive citizens, is arguably undermined at the start of the process. Human rights abuses against prisoners are rife across the world. Some feel that prisoners should have no rights and that imprisonment should be as harsh as possible, for as long as possible. Once such prisoners are released, they are repeatedly punished through social and economic exclusion.

In South Africa, as well as throughout the world, there are interesting, successful and creative programmes to assist offenders in becoming part of society again. It is ultimately in society's interest to invest in them, even when this is morally a difficult choice to make. There is an increasing body of research that shows that there is not one ultimate solution, but that different people require different approaches in different situations. The question remains whether reintegration programmes attempt to change individuals or whether they actually try to undo the effects of imprisonment.

The willingness to invest in prisoners and former prisoners is often seen as a 'welfare approach' that is out of touch with the hard reality of crime and victimisation. The position advocated here is that an investment in offender reintegration is not a soft approach or option, but provides an investment in the interest of society. Successful offender reintegration programmes make financial sense if they are compared with the cost of imprisonment.

Very little recent research is available in South Africa and elsewhere on offender reintegration. Sound analytical research is scarce and a discussion of available programmes, especially in South Africa, is clearly lacking.

This monograph therefore provides a brief background on the socio-political context within which imprisonment occurs in South Africa, as well as in the rest of the world. The scope and extent of imprisonment are illustrated and the need for offender reintegration services is identified. This is followed by a review of changes in recent South African policy and legislation, as well as local and international viewpoints on offender reintegration. Descriptions of a number of international and local offender reintegration initiatives are provided. The purpose is not only to identify the strengths of these initiatives, but also to point towards the shortcomings in an attempt to develop a framework for appropriate and effective programmes. For the purposes of this monograph, the emphasis is placed on reintegration services rendered by non-governmental organisations (NGOs). Services offered by NGOs provide interesting case studies as they are developed organically and often initiated by former prisoners. The list of programmes discussed here is not in any way exhaustive and the choice does not reflect any form of value judgement about other programmes. The choice of programmes is based on their illustrative value for particular issues under discussion.

Chapter 2

THE CASE FOR REINTEGRATION

In 1974, Robert Martinson published his well-known article 'What works?' based on a survey of 231 studies on offender rehabilitation published in the English language between 1945 and 1967. Although many positive findings were made, the negative aspects were emphasised and when the debate spread, 'what works' soon changed to the dictum 'nothing works'.¹⁰ In the ensuing debate, Martinson's methodology and selective reporting received severe criticism.

Martinson undertook a survey which found that, in 39 of the 82 studies, there were positive to relatively positive results in terms of offender

rehabilitation. However, when the findings were published in Public Interest, the conclusion seemed to be that 'with a few and isolated exceptions nothing works'. Martinson's report was influential and very damaging to the cause of rehabilitation advocates. However, the debate had positive spinoffs in terms of strengthening methodology and urging analysts to become more careful in their evaluation of rehabilitation programmes. A crucial realisation resulting from the debate was that there is no single method or programme that will work in all instances. Different programmes do work for different people in different settings — people are not all the same, therefore programmes could never be the same.

Imprisonment as such does not rehabilitate people, nor does it facilitate the ultimate goal of reintegration. The deprivation of liberty and time, through the imposition of 'suspended' time, punishes the offender because the value of individual freedom has increased significantly in the market of social values.¹¹ It is because freedom and control over time are valued that the belief has developed that taking these valuable assets away, those who are thus deprived will not run the risk of losing such freedom and control again. This is an erroneous line of reasoning. Firstly, it has to be asked whether such individuals ever had control over time and enjoyed freedom to exercise their rights and to develop to their full potential. Did they have the power to make decisions or were decisions made for them, often to the extent of victimisation? Secondly, if prisoners are released after periods of being deprived of liberty, do they have the skills to make the right decisions and can they take responsibility for these decisions? Imprisonment in itself does not address these questions. It only aggravates the problem of being powerless, of having no say, and of not knowing how to make the right decisions. Imprisonment also removes people from the possible support and constructive networks that they may have and places them in an environment where (social) relations are based on survival, violence and hierarchy. It is dubious whether people are better equipped to deal with life after a period of imprisonment.

Karl Menninger is extremely critical of imprisonment. He calls the 'prison threat theory' an utter failure, and attempts at reintegration wholly unsuccessful. He criticises the process and purposes of punishment and what happens with released prisoners:

"After a solemn public ceremony we pronounce them enemies of the people, and consign them for arbitrary periods to institutional confinement on the basis of laws written many years ago. Here they languish until time has ground out so many weary months and years. Then with the planlessness and stupidity only surpassed by that of their original incarceration they are dumped back on society, regardless of whether any change has taken place in them for the better and with every assurance that changes have taken place in them for the worse. Once more they enter the unequal tussle with society. Proscribed for employment by most concerns, they are expected to invent a new way to make a living and to survive without any further help from society."¹²

Menninger paints a grim picture that, for many prisoners released after a term of imprisonment, is the reality — no plans, no direction and no assistance. It is futile for society to continue with this strategy of incarcerating people for periods of time and then expecting them to have transformed themselves.

The question remains why people are punished for their wrongs. The philosopher Hegel concluded that people are punished to acknowledge them as human beings. By punishing people, pain is inflicted for a wrong deed in much the same way that good behaviour is rewarded. If people are not punished, their rights as individuals to be treated like humans are not accepted.¹³

If this position is taken, it must also be accepted that the ultimate purpose of punishment is to prevent further offending. For 95% of offenders this means that reintegration into society is a prerequisite. The purpose of punishment is significant as it determines further actions. Three existing theories of punishment have illustrated their shortcomings when measured against the yardstick of reintegration. Deterrence, incapacitation and retribution have all failed to make any major impact on crime and have rather served the agendas of those meting out punishment. For those who received punishment, it had little if any, significant positive effects. A short review of these approaches and their shortcomings is appropriate before a fourth alternative is presented.

Deterrence

Deterrence theory asserts that the purpose of punishment is to prevent a repetition of crimes already committed, in other words, to deter the individual or the group from committing this crime by punishing the offender(s). On an individual level, deterrence theory states that a person who has experienced the 'pains' of punishment will be mindful of this in future and will therefore avoid the consequences of committing another offence. On a general level, deterrence theory argues that the citizenry will observe what happens to people if they commit an offence and will therefore know what the consequences are of committing a crime and thus refrain from committing such a crime. The theory further states that some people will be deterred from committing a crime by observing what people experience if they are punished, whereas others will only learn through experiencing it personally. In both instances, people will make rational decisions to avoid further punishment as it is unpleasant, and people generally prefer pleasure instead of 'pain'.

Deterrence theory assumes that people are rational and are in (perfect) control of their lives and emotions. They are therefore able to make utilitarian decisions with a certain degree of clarity. Empirical evidence suggests that prison, or even the death penalty does not deter people from committing crime. Throughout the world, people are imprisoned in vast numbers without it having resulted in any significant reduction in crime. The threat of punishment also does not appear to have any significant impact in terms of preventing people from committing offences. The fact that so many current prisoners are in fact recidivists and have been in prison before, clearly shows that the deterrence approach does not hold much promise as a crime reduction strategy.

Incapacitation

The second theoretical approach to punishment is incapacitation, which contends that people who have offended should be removed from society and placed in an environment where they are incapable of committing any further crimes against society. The 'three strikes and you're out' rule used in the United States is a practical expression of this approach. According to this rule, people who have committed three felonies will remain in prison for the rest of their lives. Minimum prison sentences for certain crimes are also the result of this approach. Of all the incapacitation strategies, the death penalty has no equal, and if permanent incapacitation is to be achieved, the death penalty would be the logical punishment for every offender.¹⁴

However, incapacitation is a very expensive option, and in practice is only a limited measure as 95% of all prisoners are eventually released. They return to society still facing the same problems they did at the time when their imprisonment commenced. Apart from the issues of efficacy and cost, the incapacitation approach also gives rise to a number of concerns over human rights that cannot be ignored.

Retribution and restoration

The retributive approach, which to a large extent underpins the two theories described above, states that pain (punishment) is meted out in proportion to the crime that was committed. However, proportion in this sense means that the punishment must be more painful or costly to the recipient than the pleasure or gain derived from the crime. Punishment is directed at individual offenders who must suffer the consequences of their actions. The crime cannot be undone, nor is any restoration sought of the imbalance created by the crime. The punishment is merely society's revenge on the offender.

The purpose of the punishment is to make offenders suffer and if the sentence is imprisonment, offenders sacrifice their freedom, the only acceptable commodity they own which is of value as the payoff.

The restorative justice theory was borne out of the realisation that the retributive approach to punishment is ineffective as it does not compel offenders to take responsibility for their actions and, more importantly, completely ignores the rights of the victim and the interests of society. There is therefore no attempt to restore the breach that was created. Retributive justice defines a crime as the breaching of a law and therefore an offence against the state and its legislation. Restorative justice, on the other hand, defines a crime as an offence against a person and a relationship, and that the main purpose of such justice is to restore the rights of the victim and the relationship.

The retributive approach fails to address a number of key issues that are regarded as important if crime is to be reduced and reintegration facilitated. It firstly assumes that people are rational and that they will analyse the experience of punishment rationally and come to rational conclusions about it, in other words, not to commit any further offences. The error of this line of reasoning has been pointed out above. Secondly, punishment is aimed at offenders for what they have done. There is no attempt to focus any wider on the impact of the crime on society and specifically on the victim. Thirdly, punishment is imposed on offenders who will experience the punishment without ever being challenged to take responsibility for the crime that was committed.

Reintegration

There is a fourth approach, put forward by Reitan, which holds promise as it is rooted in potential benefits for society and not in the moral satisfaction of the judicial system.¹⁵

Reintegration theory states that criminal behaviour represents a breach or absence of community. The justifying purpose of punishment is to restore community where the breach occurred or to establish community where it is absent. This approach takes a normative view of community: there must be a unifying bond, with mutual concern and exploitation should be avoided. The 'unifying bond' can be defined very loosely and may vary from one situation to another depending on what the common concern is. The normative view of community means that community exists in people's belief systems and thus on the level of ideas. People believe that they have a common concern, whether that is centred in a family, a neighbourhood, a workplace or any other setting where people interact on a daily basis for their own and others' benefit. It follows then that community exists, in the normative sense, when each member of the group values the interests of other group members enough to take those interests into consideration when making decisions.

Reitan takes the idea of a normative community a step further and defines what is called 'the community of good citizens' or 'law-abiding citizens'. They are people who do not steal from one another, do not abuse one another and are courteous to one another. They show a modest concern for one another, if not in feelings, at least in actions. Even though the community of good citizens is less close-knit when compared to other types of community where there are a much stronger commitment to fellow members, the community of good citizens is important as members define themselves in opposition to the law breakers who are not part of this community. The reasons why they are excluded may take on many forms such as race, appearance and even factors that have little to do with the unifying characteristics of the community, namely conformity to standards of mutual concern and respect.

When a crime occurs, it is clear that such a sense of community does not exist in a normative way between the victim(s) and offender(s) as these acts do not exhibit mutual concern and respect, and are exploitive:

"It is probably the case that the majority of criminal acts are perpetrated against victims with whom the perpetrator has no sense of being in community: one does not ordinarily violate the needs and interests of those with whom one is linked by the mutual feelings and commitments of community. Rather, one ordinarily violates the needs and interests only of those with whom one has no such connections: strangers, enemies, outsiders. Occasionally, however, the criminal act may itself create the breach in community, as when someone is violated by a loved one. In such cases, the sense of betrayal and outrage is particularly acute."¹⁶

Where offender and victim know each other, especially in a domestic situation, the effects of the crime are much more severe and traumatic as the crime contradicts assumptions about safety, security, trust and values associated with the context in which it occurred. The effects of sexual abuse and domestic violence are traumatic for this reason: someone who is assumed to be a protector of the 'community' becomes the violator of the same community.

A criminal act does not only create a breach of community, it also confirms the breach where it has already been in existence and reinforces the exclusion of the offender from the community of good citizens. For the perpetrator to (re-)enter the community of good citizens, if and when he or she chooses to do so, becomes an increasingly difficult task. Community can only exist if both parties — out of free will and without coercion — participate in actions that show mutual respect and are not exploitive.

The reintegrative theory of punishment rests on two moral premises: firstly that it is better for people to be in community with one another than not, and secondly, that community should be pursued wherever it is absent. Punishment should therefore aim to promote community, to bring the offender back into the network or community of good citizens. Punishment, as it is known now, promotes the opposite — the offender is removed from society, the victim is given very little, if any, say in proceedings and, in fact, has no power over the decisions made, while the community of good citizens is represented by officials and statutes that represent the interests of the state.

The breach created by the crime, or the pre-existing breach confirmed by the crime, thus needs to be restored through punishment if the offender is to be part of the 'community of good citizens'. For this to happen, punishment has to achieve two goals: firstly, it must cleanse away the stigma attached to the crime so that both the offender and society can put it behind them in a way that does not affect their further interaction, and secondly, it must compel a higher commitment from the offender to be part of the community of good citizens and to act according to the principles of mutual respect and non-exploitation.

What should the nature of punishment be if it is to achieve these goals? Firstly, punishment should be seen as just. Punishment is about inflicting pain and hardship. Whether it is believed that this hardship should be proportionate to that suffered by the victim and/or that it should illustrate that there is no 'profit' in crime to others, the person who is being punished has to perceive this punishment as just and it has to awaken a sense of justice in the offender. The offender will only realise this if he or she admits that what was done was indeed wrong and that he or she was responsible. Punishment that is not perceived to be just will not have the desired effect.

Secondly, there should be a clear connection between the crime and the punishment. Offenders should understand that punishment is a reaction to the crime that they have committed and that it is not meant, for example, to deter other people from committing the same offence or for reasons of public security.

Thirdly, even though this may sound strange, punishment should be inflicted with the utmost respect for the offender. Regarding the offender as a fellow human being and expressing the court's desire that the offender should be enabled to make a positive contribution to society, are seen as

showing respect. Judging people based on their perceived worthlessness or depravity does not show respect, but in fact dehumanises them and places the court (and society) on a very slippery slope. According to Reitan, punishment must serve as an invitation to community:

"By accepting this punishment, internalising it, and making it your penance, you will be (re) integrated into the community of good citizens and your life will be richer and more satisfying as a result. It is in the hope of this that we administer punishment."¹⁷

The community of good citizens cannot realistically expect offenders to show respect to people if they have not been treated with respect. Punishment that belittles, degrades, tortures and violates people will not contribute to reintegration and a sense of community. Offenders who receive such punishment will either lapse into a state of despair and hopelessness, or become resentful and angry. Prisons are indeed full of the hopeless and the angry. A punishment that is too severe has a double effect: firstly, the offender suffers the consequences as noted above, and secondly, the community perceives it as a confirmation of the subhuman nature of the offender.

In summary, punishment and its outcomes should:

- be based on respect for the human and the humane;
- make a clear connection between the crime and the punishment;
- be an invitation back into the community of good citizens and not a banishment order;
- be just and perceived as such by the offender; and
- restore the breach in the community.

Implications for reintegration programmes

To punish an offender based on the aims outlined in the previous section will create a positive environment for reintegration, but will not in itself achieve reintegration. More needs to be done that would promote the principles of reintegrative punishment in a manner that has practical utility for the offender. Through reintegration, those individuals who have offended are seen as being part of society, able to function and live as any other member of the community of good citizens.

It is especially with offenders who have been imprisoned that a more drastic intervention is required to provide them with the necessary skills and knowledge to view community in its normative sense and conform to the principles of mutual respect and non-exploitation. These interventions are usually referred to as programmes, and many varieties exist. Some focus on specific problem areas associated with offending behaviour such as anger management or substance abuse, while others focus on issues touching upon the lives of released prisoners such as employment or family relations. Specific programmes will be described in more detail later. The purpose here is to consider what reintegration programmes should ideally achieve. There is not a single programme that conforms to all the standards. Some programmes are particularised for specific purposes and are successful in terms of fulfilling their objectives. However, it is important to look at some general trends, and to extrapolate certain principles on which offender reintegration programmes are based.

Fine has developed a framework for reintegration programmes, and although originally aimed at young people in institutions, the principles also apply to programmes undertaken with adults in prisons and after their release.¹⁸ According to Fine, the purpose of a reintegration programme is to transform the way people think about their past, present and future. From a position of 'nothing matters', people must move to 'I matter; life matters; I do care'. The attitude of many people in prison today is: 'I don't matter, you don't matter, they don't matter, their lives don't matter, nothing in my life matters, nothing in the world matters'.

The shift from 'nothing matters' to an individual sense of meaning in terms of the self, life and others requires a process of empowerment. It implies a move from a position of being disempowered (not able to make decisions or control situations) to being empowered and thus being able to make and execute decisions, and being aware of oneself in one's environment. The essence of empowerment is being able to change power relationships, for example, economic, gender and personal empowerment. Prisoners and former prisoners often describe their situation as one of being powerless and without hope; everybody and everything else control their lives; even their past controls their present situation. The challenge is to take control, to create a future that is different, where power does not exhibit itself in violence and exploitation, but in the individual as part of the community of good citizens.

How can a person's perceptions be changed if this is the position he or she is in? What must a programme include and be based on to achieve a shift in a person's life that would change the trajectory of his or her future far enough from its original course? Fine identifies ten characteristics of reintegration programmes.¹⁹

Multilayered and created by people

Programmes are created by people who invest their vision, their morality and values, and programmes will therefore always reflect the people who designed them. When working in a multicultural setting, this is important and sensitivity has to be shown to prevent culturally inappropriate design features. Programmes also need to be based on certain design principles, values, aims, resources, action and process plans, and above all a vision. These would be crucial in sustaining the rigours of implementation, but would also create the programme's legitimacy among participants.

Transformational

The function of any reintegration programme should be to transform. Successful programmes create the space and opportunity for individuals voluntarily to change the way they act and think about themselves and their relationships. Through transformation, people challenge the barriers in their lives and recreate themselves.

Journey-based

Programmes should divert participants from their course of conflicting with the law. Many offenders are caught in a repetitive cycle of crime, arrest, conviction and imprisonment. Programmes should aim to break this cycle and steer participants in another direction. This new course has to be defined by participants through formulating goals and strategies for their 'journey'.

Process-based

Reintegration programmes are not magic wands or 'quick fixes' that can change the direction of offenders' lives through short interventions. Detailed planning and objective formulation are required in order to set out the necessary course of action. These can only be achieved by building on

strengths and addressing challenges.

Multipurpose

Reintegration programmes should have multiple purposes. Focusing on one purpose only will limit the potential for true success. Fine states that the purposes of a programme should address the following:

- developing abilities through skills programmes;
- changing behaviour by addressing relations with the self and with others;
- developing people's potential through creativity; and
- demonstrating achievements through actions.

Multifocused

Programmes need to reflect the complex nature of human beings. Working with offenders, this means looking at the past, present and future. Focusing only on one period will be counterproductive: the past needs to be looked at in relation to its linkages with and impact on the present and future of the individual. To address this, Fine poses three questions to participants:

- What can be learned from the past without becoming trapped by the past?
- How can a future be created that is not determined by the past?
- How can a vision of the future be brought into the present?

This process necessitates an exploration of the self in relation to others and the formulation of strategies for change.

Multidimensional

Just as humans are not one dimensional, programmes need to reflect the multidimensional nature of human interaction. Programmes should address the following variables:

- social: how people relate to other individuals, groups and society, communication and co-operation;
- spiritual: developing a sense of self;
- psychological: how people regard themselves, others, situations, family, and the impact of their thoughts;
- potential: believing in themselves and using opportunities;
- intellectual: thinking creatively, exploring, investigating and inquiring;
- inspiration: living with purpose and intention;
- cultural: valuing historical and cultural roots;
- community: experiencing themselves as part of a community;
- emotional: how people feel about themselves, others and family; and
- expression: expressing themselves fully with confidence and assertiveness.

Multiresourced

Programmes work best when drawing on a multitude of resources and roleplayers. Examples are community involvement, volunteers, families, NGOs and community-based organisations (CBOs), professionals, the private sector, policy and decision makers.

Holistic approach

Reintegration programmes should be based on an holistic approach to life. Programmes are more effective when the environment reflects the values and principles entrenched in the approach. The impact of a programme will be diminished if it operates in isolation, or if it is contradicted by its environment. The aim is that the values and principles of the programme can be integrated into the individual's life. This will be the yardstick to judge whether a programme is holistic in its approach.

Active experience

A programme which attempts to change people's perceptions of themselves and the world around them and to provide them with a value-based framework for decisionmaking cannot be taught or lectured, it needs to be based in active experience. Even through limited actions, participants need to start implementing the values and principles of the programme. It is not sufficient to wait for release to start implementing decisions.

Common shortcomings of reintegration programmes

Fine's framework is challenging and asks important questions about some existing programmes that focus on particular pathologies, or are highly specialised in their approach. As stated earlier, there is no single programme that will be effective for all people. Each programme has to be based on the needs of the participants within a framework that is holistic in its approach and action-based.

In view of the above, it is opportune to consider some typical and common shortcomings in programme design and approach. There are many programmes that claim to facilitate offender reintegration, but fail to do so often for obvious and simple reasons. The first common error is the

pathology approach. Typical of this type of error is the anger management programme or the violent offender programme. Programmes with these titles immediately label participants as violent people who are unable to control their emotions. Participants consequently feel that they have some deficiency or shortcoming that other 'normal' people do not have. The pathology programmes also start off with the question: 'what is wrong with you?', instead of focusing on the strengths of those in the programme and what each person can contribute to the group.

The second typical problem is the information overload programme. There is often the urge among programme presenters to be teachers and to provide participants with masses of information about life outside prison without making sure that prisoners or former prisoners are personally and emotionally able to deal with this information. It is crucial that a programme agenda should be developed collectively by both facilitator and the participants. In offender reintegration initiatives, participants often need a safe space where they can talk about the issues that are important to them, instead of listening to issues that are important to the facilitator. In an empowering programme, participants will ask for information when they feel they are ready and receptive to it.

The once-off programme is also problematic and can cause more damage than good as it starts a process, but does not bring it to a satisfactory conclusion. In this instance, participants would have been better off without the programme. A programme that is too short and does not thoroughly deal with the issues on the agenda creates expectations which it is unable to fulfil. This leaves participants with a sense of betrayal and deception.

It is commonly observed that some prisoners perform well on programmes in prison and are often described as 'model prisoners', but once released, find themselves unable to deal with the situation and are soon back in prison. The common error here is that there are no follow-through support services available or that programmes were not (sufficiently) presented while they were still in prison. Post-release services are crucial and everything that was achieved during the programme will stand or fall by the quality of the support services available once prisoners are released.

The out-of-context or irrelevant programme may in itself be a useful programme, but is not suited or applicable to participants. For example, there is little sense in teaching long-term prisoners entrepreneurial skills — they will not use them in the near future, and may only become frustrated because they are unable to apply their newly acquired knowledge and skills. As noted above, participants and the facilitator should collectively develop the agenda of the programme to ensure that it is needs-based.

Chapter 3

INTERNATIONAL EXAMPLES

In this chapter, some international examples of offender reintegration programmes are provided. These examples show that all programmes have certain limitations or shortcomings, as well as particular strengths that lessons can be drawn from. The programmes that are discussed include:

- Project Reintegration of Offenders, Texas Workforce Commission
- Boot camps, United States
- Ringe Prison, Denmark
- Safer Foundation, Chicago, United States
- Delaware Department of Corrections' Life Skills Programme, United States

Project Reintegration of Offenders, Texas Workforce Commission

Employment remains one of the biggest challenges for former prisoners. Without employment, the road back to prison will probably be short. Established in 1985, Project Reintegration of Offenders (RIO) has become one of the most ambitious projects in the United States. Its primary aim is to place people on parole in employment.²⁰ Texas has the second largest prison population after California, numbering approximately 132 000. Operating through the offices of the Texas Workforce Commission (the state employment agency), RIO has more than 100 staff members in 62 offices providing placement to nearly 16 000 paroled prisoners every year in every county of the state of Texas. In addition to its statewide coverage, the following are outstanding features of this project:

Project RIO provides job preparation services to prisoners prior to release in state prisons so that they have a head start in seeking a job after their release.

It represents the close collaboration between two state agencies: the Texas Workforce Commission, where the project is housed, and the Texas Department of Criminal Justice, where assessment specialists funded by Project RIO assist in preparing prisoners for employment, and parole officers refer released inmates to the programme.

As a result of the reputation of the Texas Workforce Commission in the business community, Project RIO has developed a pool of more than 12 000 prospective employers.

An independent evaluation conducted in 1992 found that 69% of RIO participants found employment compared with 36% of a matched non-RIO sample. In the year after release, only 23% of high-risk RIO participants returned to prison compared with 38% of a comparable group of non-RIO former prisoners.

Project RIO operates three different types of offices outside of prison to assist paroled prisoners to find employment:

- Full service offices in each of the seven largest cities in Texas offer clients a week-long job search workshop, one-on-one assistance with job placement, the use of a resource room (including computers with job listings, telephone directories and telephones), and post-placement follow-up services.
- The rest of the state offices are in smaller jurisdictions and consist of one part-time to three full-time RIO staff members who operate from local Texas Workforce Commission offices.
- Itinerant service providers travel periodically to these smaller offices to spend one or two days a week in communities where there are a substantial number of paroled prisoners.

Project RIO's services also extend to prisons, principally through the Windham School District. Funded by the Texas Education Agency, Windham provides education and training within facilities of the Texas Criminal Justice Department. The following services are provided by the School District to prisoners:

- Assessment and testing: Each participant's skills and employment record are assessed and a RIO assessment specialist develops an employability development plan that reflects the availability of jobs and occupational demands in the community where the prisoner will be released. If necessary, the RIO specialist will refer the prisoner to appropriate academic or vocational training programmes within the prison.
- Documentation: Assessment specialists gather the necessary documentation such as birth certificates, general education diplomas and school transcripts with the assistance of family members or relevant officials.
- Job readiness training: A specialist meets with every RIO participant who is within two years of release every 90 days to enhance and strengthen his or her skills to cope with eventual job interviews.
- Employability and life skills workbook: Under the supervision of a specialist, each participant works at his or her own pace through a series of seven workbooks called Project RIO Occupational Direction (PROD).
- Change programme: Windham School District offers a 90 to 120 hour, 65-day life skills programme to RIO participants who are within six months of release. The course addresses self-concept, family relationships, civic and legal responsibilities, victim awareness, personal health and hygiene, and job preparation.

The project's success can be partially attributed to the fact that it is actively promoted among the Texas prison population:

- Brochures on the project are distributed during prison orientation.
- All inmates who enrol in Windham vocational courses are required to enrol with RIO.
- RIO assessment specialists recruit eligible prisoners to participate in the change programme using a short videotape showing interviews with former prisoners who were assisted by RIO to find well-paying non-menial employment.
- Two RIO information specialists — both former offenders — periodically make presentations about the programme to prisoners.
- RIO employment specialists visit prisons with employers using RIO clients to talk about the benefits of the programme to employers.
- Once they are released, a RIO staff member gives every group of prisoners a 30-minute orientation of RIO, including a card with a RIO hotline number, contact addresses of the nearest RIO offices, and other helpful information.

Employment is important in reintegration, but it is not the only variable. Many clients have serious needs apart from employment, ranging from medical care to shelter to family care, all of which can interfere with the candidate's ability to find employment and keep it. To address this, RIO employment specialists supply clients with a directory of services or refer them to the appropriate service agent, whether this is a state or non-profit organisation.

RIO has an impressive track record and the following highlights some of the most significant achievements:

- In 1995, RIO served 15 366 paroled prisoners, representing approximately 40% of all former offenders and 47% of all those released on parole from prison during this year.
- Project RIO has placed 69% of more than 100 000 former offenders in employment since 1985. In 1995, almost 74% of clients found employment at an average wage of \$5.15 per hour while the minimum wage at the time was \$4.25 per hour.
- Of RIO clients, 69% found employment compared with 36% of non-RIO clients.
- Two-thirds of both African-American and Hispanic-American RIO clients found employment compared with only 30% of African-Americans and 36% of Hispanic-Americans who were not enrolled in the programme.
- In the year after release when most recidivism occurs, research found that 48% of high-risk RIO clients were rearrested compared with 57% of non-RIO high-risk offenders; 23% of these RIO clients were again incarcerated compared to 38% of non-RIO clients.

The question may be asked whether this makes economic and financial sense. A 1995 study by Texas A & M University analysed the project. The Texas legislature provided RIO with \$15.8 million for two years. Of this \$4.69 million were channelled to the Texas Workforce Commission through an interagency contract with the Texas Department of Criminal Justice. The Department uses \$2.9 million per year for its prison and parole-related Project RIO activities. The programme spent \$361 in 1995 for every client who found employment. The study further examined the records of 6 500 clients who received services in 1990. Nearly 20% of them avoided reincarceration partly because of their participation in RIO. The cost of imprisoning these individuals would have amounted to approximately \$20 million per year (at \$16 000 per individual). Since Project RIO's costs were about \$4 million in 1990, this represents a potential saving of more than \$15 million for the state that year.

The Project RIO model may not be applicable in all economies, especially with its strong emphasis on employment in the formal sector. In developing countries, it may be argued that there are limited job opportunities available and to find employment in the formal sector may not be cost-effective. A focus on the informal sector and self-employment is therefore a more realistic approach. However, it is also true that not all former prisoners want to or are able to become self-employed or to be entrepreneurs, or may not have the skills to follow this route. Some may prefer employment in the formal sector and their chances for reintegration will be greatly enhanced if such employment can be secured. Employment for former prisoners in the formal sector remains a need and cannot be ignored just because it is a challenge.

A further strength of the RIO model is that interventions with prisoners start while they are still in prison and are not limited to efforts to increase their chances of employment, but also address issues of personal development. This more holistic approach appears to yield better results than a mere focus on employment would achieve.

It is also evident that RIO enjoys strong state policy, legislative and financial support. There is clearly a commitment by the state to offender reintegration. For those implementing the programme, it is important to know that they enjoy government support, without which programme managers would have to fight a battle on two fronts.

A further strength of Project RIO is the interagency approach. Co-operation between Project RIO, the Department of Criminal Justice, Windham School District and the Texas Workforce Commission is evident in the day-to-day operations of the project. Support from the private sector is also available and with a database of more than 12 000 possible employers, the willingness of the community to accept former prisoners is clearly illustrated.

If Project RIO has a shortcoming, it is perhaps its follow-through services. However, should clients require any other services, information is made

available to them. A more intensive and holistic follow-through service will add much to enhance the impact and success of the project.

Boot camps, United States

Boot camps developed in the United States in response to the growing prison population and the strain it placed on resources.²¹ Crime was not decreasing and intermediate sanctions became necessary. Such sanctions are defined as sentencing options ranging from simple probation to incarceration. These included intensive supervision, fines, restitution and community supervision, as well as combinations of these. Intermediate sanctions normally include multiple goals such as saving money, deterring crime, protecting the public and rehabilitating offenders.

For many people, boot camps with their military style and structure present an attractive opportunity to give direction to the lives of young people. This 'short sharp shock' approach in sentencing is appealing as it has a component of retribution that is balanced by the supportive and therapeutic nature of the programme. In the words of a British evaluator:

"[L]ife will be conducted at a brisk tempo. Much greater emphasis will be put on hard and constructive activities, on discipline, on self-respect, and respect for those in authority. We will introduce on a regular basis drill, parades and inspections. Offenders will have to earn their limited privileges by good behaviour."²²

The potential positive effects of a military regime, based on strong discipline and structure, form the foundation of the boot camp approach. The highly regulated environment, immediate sanctions, physical demands and uniformity are military characteristics that presumably make it an attractive option for young people who have 'lost their way'. Boot camps usually consist of a relatively short period of incarceration in a quasi-military environment, followed by a period of supervision in the community. The first boot camp opened in Georgia in 1983 as the Special Alternative Incarceration Programme and soon after, camps were opened in Oklahoma and Mississippi. By 1993, there were at least 59 state and 10 local boot camps operating in 29 American states.

Undoubtedly a very popular option, it conjured up images of young men and women experiencing the rigours of a military regime as punishment for their transgressions. At the same time, they were learning about respect, discipline and, above all, about rules. The theory behind boot camps is based on a somewhat romantic notion of the delinquent youth entering the military environment, by choice or through force, and then developing a sense of self-worth and an admiration for discipline. Blair and others describe it as follows:

"The hypothesized logic chain begins with uniformed drill instructors, carefully selected and trained to give offenders strict military-like discipline and supervision. Drill instructors who brook no nonsense from programme participants and consistently enforce prescribed manners of behaviour are central to establishing the boot camp's structured environment. Programme participants exposed to this environment will learn self-discipline, resistance to peer pressure, and commitment to traditional values. Over time these personal changes will enhance feelings of self worth and reinforce socially desirable behaviours such as seeking and holding jobs, continuing education and resisting criminal activities.

Within the programme's disciplined structure, participants are better able to focus on and actively engage in educational (remedial or otherwise) courses, life skills training, and counselling. These, too, enhance feelings of worth and accomplishment, instill appreciation and propensity for positive behaviour, and improve chances for resisting damaging peer pressure and criminal behaviour."²³

While this option may be popular with the public and politicians alike, it has to be asked whether it is effective. To answer this question, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) made funds available for a two-year evaluation of three boot camp programmes. Guidelines for the demonstration programme were formulated as follows:

- It should serve as a cost-effective sanction.
- It should promote basic traditional, moral values and instil a work ethic.
- It should provide discipline to youth through physical conditioning and team work.
- It should promote literacy and increase academic achievement.
- It should include activities and resources to reduce drug and alcohol abuse.
- It should encourage participants to become productive, law-abiding citizens.
- It should ensure that juvenile offenders are punished and held accountable.

The demonstration programmes also targeted specific youth who had to conform to the following criteria:

- adjudicated by the juvenile court and awaiting the implementation of the court disposition;
- categorised as being at a high risk of continuing delinquency or of abusing drugs and/or alcohol;
- under the age of 18 years;
- no history of mental illness;
- not considered violent or with a history of involvement in violent crimes;
- not an escape risk; and
- demonstrate motivation to participate in the programme.

The OJJDP selected three teams of public and private agencies to develop prototype demonstration programmes:

- the Cuyahoga County Court of Common Pleas in Cleveland, Ohio, in association with the North American Family Institute;
- Boys and Girls Clubs of Greater Mobile, Alabama, in association with the Strickland Youth Centre of Mobile County Juvenile Court and the University of South Alabama; and
- the Colorado Division of Youth Services in Denver, Colorado, in association with New Pride Inc.

Blair and others provide a comprehensive evaluation of the boot camp programmes, indicating that this is not a simple, fit-for-all programme. They found that these programmes are indeed highly complex. For them to be effective or at least achieve some degree of success, detailed planning, highly trained staff and sufficient resources are basic requirements. Some of the key findings and recommendations are presented here in summarised format.

Completing the boot camp was regarded as the first criterion to measure whether participants were on the programme long enough to gain any personal benefits. At all three sites, the majority of participants completed the boot camp: 95% in Cleveland, and 80% in both Denver and Mobile.

The second indicator of successful programme implementation is whether the boot camp stimulated changes in attitudes and behaviour. In the absence of a control group, it was difficult for the researchers to make any definite conclusions on the effect of boot camps on participants' behaviour and attitude. Nonetheless, it is reported that participants made gains in physical fitness, education and attitude over the three-month period at boot camp. In Cleveland and Mobile, participants increased their educational level by more than one year, although such increases have been documented at other institutional programmes. On this, the study concluded:

"[T]he youths who participated in boot camp did not appear to be any worse off in any measure of educational or behavioural performance at the conclusion of their training."²⁴

Youths who were interviewed just before leaving the boot camp expressed confidence that they made considerable changes in their lives and that their behaviour would be very different in future.

The next conclusion made by Blair and his team is significant for the reintegration process as it clearly illustrates how the gains made over a relatively short period (three months) can be undone in an even shorter period: "What appeared to be a promising prognosis at the conclusion of the boot camp disintegrated during aftercare."²⁵ All three programmes were plagued by high attrition rates for non-compliance, absenteeism and new arrests during the aftercare period. It should be noted that the programmes were affected by unexpected cuts in Federal government support. None of the three programmes were able to find answers to the problem that typically plagues correctional residential programmes: inmates who appear to thrive in the institutional environment, but falter when they return home.

Although the evaluation of the three programmes did not track longer term recidivism rates, it collected data on in-programme recidivism. This was defined as a new arrest that prompted termination from the programme. The three programmes showed significant differences in this rate: Cleveland at 32.8%, 25% in Denver and 11.5% in Mobile.

The evaluators also considered whether the programmes selected the appropriate youths. From the OJDP's perspective, the boot camp programme was meant as an intermediate sanction, designed for offenders who did not merit long-term institutionalisation, but whose cases were too serious for diversion or probation. It was found that Mobile probably included too many youths for whom a less restrictive sanction would have been more appropriate. Cleveland and Denver, on the other hand, may have erred by including too many serious offenders. Cleveland participants had 2.8% felony convictions and 27% had been sentenced to an institution prior to boot camp. Denver's programme also included a number of previously institutionalised youths. After some initial problems, medical and psychological screenings were tightened. Judged by the completion rates, it appears that this was successful.

Although not conclusive, it appears that boot camps may not be the most appropriate sanction for youths who have been incarcerated previously.

The military nature of boot camps also requires further investigation as it poses particular questions around its purpose and end goal. Comparing the correctional boot camp with the military boot camp (similar to basic training in the South African National Defence Force), some questions and issues are highlighted:

"In the military, boot camp is the initiation process that attempts to mould a group of individuals into a cohesive team that will respond without question to authority. Ultimately, the conformity and respect established during boot camp may come into play in life-threatening situations. When a young person leaves boot camp, he remains in the service for a minimum of two years. During this time, the same structure and rules that guided his behaviour in boot camp are in place. In addition, that person has a job, clothing, and a place to live. For many individuals, the military becomes a family of sorts, and a source of structure and support."²⁶

The correctional boot camp, on the other hand, does not focus as much on building a team as on changing an individual's behaviour and on teaching co-operation. Unlike the military boot camp, when youths leave the correctional boot camp, they leave the structure, support and discipline and return to an environment that has failed them and/or that they have failed in. Because of this basic difference, there are clear limits to what a correctional boot camp can be expected to achieve.

Blair and others suggest that a military school as opposed to a military boot camp may be a more appropriate setting. While still maintaining the military framework, the emphasis is shifted to education. For many youths, such a tough environment may be appropriate to receive 'treatment'.

Blair and his team made a number of recommendations regarding boot camps. These are not only applicable to this specific type of programme, but in most cases can be applied to offender reintegration programmes across the board. It is clear from these recommendations that the principles of offender reintegration are based on common sense more than on sophisticated treatment models that involve highly specialised professionals. Key aspects of the recommendations are:

- Boot camp programmes need to clarify the cause and effect rationales they are using to explain expectations for changing participant behaviour — what are the aims of this activity?
- Boot camp programmes should carefully define and select target populations in the light of their goals for rehabilitation, recidivism, cost containment, punishment and other important areas.
- Programmes need to identify strategies for smoothing the transition from boot camp to aftercare, and aftercare should explicitly build on the structure, discipline, and learning experiences of the programme's camps.
- The transition from a closely monitored boot camp to aftercare should be less abrupt, permitting youths to adjust more slowly to the community.
- The requirements for participation in aftercare should be stiffer and youths should be monitored more closely, particularly immediately after release.
- Programmes should have clear sets of disciplinary rules, expectations for behaviour and graduated sanctions for both boot camp and aftercare phases.
- In multi-agency programmes, the responsibilities of each agency need to be spelled out clearly, especially with regard to the monitoring of youths.
- In the light of the effects of the high staff turnover at two of the programmes, there is clearly a need for continuous staff training.

Boot camp is an attractive option for variety of reasons. Apart from the romantic notions surrounding the military environment, it is short in duration, intense, harsh and therefore punitive. Offenders suffer physically although their fitness increases, and they learn to deal with authority. However, Blair and his team concluded:

"The demonstration programmes evaluated in this study demonstrated that boot camps can be implemented in the juvenile justice system. Whether those boot camps work is still unknown. That question merits further research."²⁷

The applicability and usefulness of boot camps in South Africa are questionable. Using military style training and disciplining techniques in a society that is trying to remove military structures and habits from an entrenched repressive culture may in fact be counterproductive. The immediate association between the military and violence should also not be further cultivated in an already violent society. Military institutions and structures in South Africa have a lingering political odour despite efforts to affect the opposite. Seen against this background, boot camps appear not to be an appropriate option in South Africa. It should also be noted that the effectiveness of boot camps in terms of curbing recidivism and actually facilitating reintegration remains to be proven. The biggest problem with boot camps therefore appears to be the context in which they are placed. Moreover, the question is whether they are in fact able to transfer any positive achievements from the camp environment to the day-to-day life of the participant after the programme has ended.

Ringe Prison, Denmark

Ringe Prison in Denmark is a unique and remarkable prison.²⁸ A description is included to illustrate that offender reintegration can already start in prison, provided that the prison management understands the philosophy and theory underpinning successful reintegration and that it is committed to achieve this goal. Ringe has as its first priority the preparation of inmates to live as normal members of society after their release. There are no bars or armoured glass, although it is a closed maximum security prison surrounded by an inconspicuous enclosing wall and equipped with a sophisticated video surveillance system. The prison is built on a plateau and the surrounding walls are sunk into a natural depression, permitting a view of the surroundings. This stands in stark contrast to the new maximum security prison in Florence, Colorado, which was designed so that prisoners have no view of other cells, or of the Rocky mountains in the distance.²⁹ At Ringe, the workshops and gymnasium, the latter also for use by the neighbouring population, are outside the perimeter wall and can be accessed through a passage from the main building. Inmates at Ringe have a degree of freedom of movement.

The general principle in Denmark is that all sentences must be served in open prisons. Placement in a closed prison, such as Ringe, depends on the nature and importance of the crime and the length of the sentence. It can also be used in cases of drug addiction and drug trafficking, or for prisoners who have violated the obligations of open prisons. Young men and women between the ages of 20 and 25 years are kept at Ringe.

Ringe tries as far as possible to approximate life outside. For example, every week an employee of a local bank gives cash to inmates, including the wages earned in the workshops and a basic allowance for subsistence. There is no central kitchen and inmates must purchase their own food from a branch of a supermarket operating in the prison. Food is prepared by inmates in their own housing unit. Prisoners are responsible for their own budgets and no advance loans are permitted. Should they run out of money, they must depend on support from their fellow inmates. There are no social workers permanently assigned to the prison and inmates are expected to deal with their own problems. Social workers are assigned to the prison occasionally to deal with problems that the inmates cannot resolve themselves. This policy encourages self-reliance and aims to move inmates away from a social welfare mentality.

In essence, Ringe rejected the therapeutic model and places the responsibility for reintegration with inmates who are encouraged to do as much as possible for themselves. A result of this was the 'deprofessionalisation' of staff. Standard officers, as they are known, concentrate on the functions of prison guard, counsellor and work instructor. Counselling is not done psycho-therapeutically but at the level of the 'reasonable man or woman'. Standard officers can be assigned to any duty in the prison. Specialisation is particularly avoided to prevent conflict between custodial staff, therapeutic staff and instructors. It is also interesting to note that, with few exceptions, none of the standard officers have had previous experience in prisons.

Male and female inmates are allowed to mix and, as one observer put it, "this is merely an extension of conjugal visits, which is a matter of course in Danish corrections."³⁰ Social and sexual intercourse occurs regularly between inmates, and staff members will only intervene to prevent exploitive or forced relationships. Contraceptives are available from the prison supermarket. According to Rotman, discipline is not a problem and inmates appear to be less aggressive and more polite than in other prisons. Rotman concludes:

"Ringe prison is the most tangible expression of the recent transformation of the rehabilitative concept. The new concept is not considered applicable to offenders with diminished responsibility, such as those arising from immaturity or mental disturbance, thus excluding the traditional idea of treatment inherent in the biomedical model. Inmates are deemed to be fully responsible, and the goal of their imprisonment is punishment. However, rehabilitation plays an important role insofar as staff members are supposed to keep in close contact with the inmates, become aware of their problems, and help them overcome their difficulties in coping with life in freedom. The counselling is not carried out by high-level, specialised therapists, however by average staff members. In this way inmates are prompted to work out by themselves the practical solutions to their problems."³¹

The convergence of the traditional 'professions' in correctional institutions (social worker, guard and instructor) is a significant characteristic of Ringe Prison. The immediate consequence is that every staff member has an obligation to be involved with the inmates and not merely be a 'key turner'. Ringe also attempts to answer the question: How can someone be trained for freedom in captivity? Placing the responsibility with the inmates to solve their problems, individually or as a group, while being supported by the staff is a radical shift from the traditional model of imprisonment where everything is done for the prisoner by the custodial staff, and when a prisoner has an emotional or social problem, an appointment is made with the therapist or social worker (if such a service is available). Peer support and counselling have the advantage that the 'counsellor' has legitimacy as he or she is probably experiencing or has experienced a similar problem as the 'patient'.

In contrast to Ringe Prison, South African prisons still follow the model of separated staff functions: security, educational, and social work and psychology staff, with security being the overriding concern. While security staff have the most contact with prisoners and probably 'know' them better as individuals than the other staff, they are under no obligation to provide more than security. The military style and history of the Department of Correctional Services have also not contributed to the development of staff who take a wider responsibility than just ensuring that security is maintained. Social services and education are still regarded as functions separate from those performed by warders. Prisoners have the most contact with the warders who also determine what prisoners do on a daily basis and when. It is fair to say that there is a considerable level of antagonism at this stage between prisoners and warders in South African prisons, and as long as this remains the case, reintegration efforts will be undermined.

Ringe Prison is probably the closest approximation of what Reitan calls the invitation to be part of the community of good citizens.³² Everything that happens in Ringe is an embodiment and extension of this invitation. The fact that this is a prison and that its purpose is to exclude certain individuals from society does not detract from the main purpose, namely to increase the chances for successful reintegration. This stands in sharp contrast to what most prisons in the world view as their purpose: to discipline, punish, exclude, control and isolate people.

It is doubtful that a prison like Ringe will ever be established in South Africa, but much can be learned from Ringe in terms of how imprisonment should be approached as part of reintegration, and what can be done to train people for freedom while in captivity. It would necessitate a radical departure from what is now regarded as the purpose of imprisonment and how prisons are managed in South Africa. Prisons are in such a crisis, however, that it is indeed worthwhile to investigate radical options.

Safer Foundation, Chicago, United States

The Safer Foundation is a provider of employment services for former offenders similar to Project RIO, but is a community-based organisation, relying heavily on volunteer support, as well as financial assistance from the private sector.³³ The Safer Foundation has a staff of nearly 200 professionals in six locations in two states and an annual budget of \$8.6 million, and makes use of approximately 300 volunteers. The organisation was established in 1972 with a grant from the Department of Justice and has since assisted more than 40 000 former offenders to find employment. According to the Safer Foundation, its clients have the following basic profile: 92% are from minority groups, 70% have a history of untreated substance abuse, 75% are functionally illiterate and the majority live in poverty.

The Safer Foundation has a comprehensive and holistic approach to its clients and sets higher standards than most other programmes of a similar nature. Whereas most other service providers in this field would consider a client as being successfully placed in employment when he or she is hired, the Safer Foundation only regards a client as being placed when he or she has remained employed for 30 days. Table 6 outlines the services of the Safer Foundation, showing a number of traditional former offender services, but incorporating some unusual features.

Table 6: Safer Foundation sites and service, post-release facilities

<p>Main office, Chicago</p> <ul style="list-style-type: none">• Services<ul style="list-style-type: none">Intake and assessmentPre-employment trainingHIV prevention educationJob referral and follow-upSupport servicesYouth basic skills classes• Staff<ul style="list-style-type: none">14 Employment specialists4 Intake counsellors3 Support service specialists2 Case managers2 Course facilitators2 Lifeguards1 Prevention specialist <p>Ida B Wells, Chicago</p> <ul style="list-style-type: none">• Services<ul style="list-style-type: none">Basic skills classesJob referral and follow-up• Staff<ul style="list-style-type: none">3 Instructors2 Employment specialists1 Lifeguard1 Recruiter <p>Rock Island, Illinois</p> <ul style="list-style-type: none">• Services<ul style="list-style-type: none">Intake and assessmentJob referral and follow-up• Staff<ul style="list-style-type: none">1 Employment specialist1 Intake counsellor <p>Davenport, Iowa</p> <ul style="list-style-type: none">• Services<ul style="list-style-type: none">Intake and assessment
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Job referral and follow-up
Juvenile diversion education programme
Court-imposed community service monitoring

- Staff

2 Education facilitators
1 Community service co-ordinator
1 Employment specialist
1 Intake counsellor
1 Lifeguard
1 Recruiter

The Safer Foundation's primary educational course is a six-week basic skills programme offered at the main office in Chicago, at two of the satellite offices and at its work release facility. In addition to basic skills development, employment specialists drill students on how to complete job applications and prepare for interviews. During and after the course, these employment specialists will help students to find employment, while special case managers, called 'lifeguards', follow them for one year to assist them to maintain success. The Safer Foundation follows an interesting model of instruction with its basic skills development course based on peer learning, in that students help each other in groups of three to five which are supervised by professional facilitators. According to the staff, this model has a number of advantages: it short-circuits disruptive behaviour and hostility towards the conventional classroom setup, peer influence gets a positive face, and it promotes self-esteem.

Despite a changing economy in the areas of its operations, the Safer Foundation was still able to place 41% of its nearly 2 700 clients in 1996. Of these, 59% were still in employment after 30 days. Part of the success is ascribed to the many satisfied customers (employers) of the Safer Foundation. A 1996 survey found that the majority (78%) of Safer Foundation customers preferred the Foundation's clients because of their level of motivation and the careful screening that has taken place.

Follow-up of clients is crucial and employment specialists make regular calls and visits at the place of work. After clients have been employed for 30 days, the lifeguards track them for one year, offering help with emerging problems such as finding childcare facilities or getting into a substance abuse programme. Visits or contacts by the lifeguard are weekly for the first three to four months, depending on the needs of the client. Clients may also leave voice messages with their lifeguards 24 hours a day for a response the following workday. Clients meet their lifeguards during the last week of the basic skills course to discuss immediate plans and begin to develop a personal relationship.

The Safer Foundation's Institute Programmed Activities for Correctional Education (PACE) provides sentenced and unsentenced prisoners at Cook County Jail with basic education and life skills courses. At any time, PACE serves between 75 and 90 men and about 40 women in the 10 000 bed jail. Annually, the programme serves about 600 prisoners. PACE's course work is introductory and motivational, and designed to make participants excited about education so that they will continue when they are sentenced or released (table 7).

Table 7: Safer Foundation sites and service, secured residential sites

Cook County Jail, Chicago

- Services

PACE Institute
Basic skill classes
Academic counselling
Literacy tutoring
Alcoholics Anonymous/Narcotics Anonymous
Life skills classes
Creative writing workshops

- Staff

200 Volunteer tutors
9 Instructional facilitators
3 Academic counsellors
1 Volunteer co-ordinator

Crossroads Community Correctional Centre, Chicago

- Services

Basic skills classes
Alcoholics Anonymous/Narcotics Anonymous
Job and education counselling
Seminars
Parenting classes

- Staff

65 Volunteer seminar instructors
12 Counsellors

PACE makes extensive use of volunteers and each volunteer has to commit to six consecutive weeks of tutoring, but most remain for one to two years. About 60% of PACE volunteers are college students who receive course credits for this field experience. Volunteers receive a 30-page handbook, a basic orientation and a list of do's and don'ts. According to the PACE director, the most common problem with new volunteers is that, once they realise that their students fail to fit the stereotype of the hostile, unmotivated criminal and instead turn out to be polite and interested, the volunteers think: 'This guy is an exception, so I can bend the rules about never giving him my phone number, calling his attorney, or bringing him some gum'.

Overall, the Safer Foundation's service appears to be on the right track. The cost per client placed in employment is approximately \$1 370 and after staying in employment, the cost was \$1 960. While this may appear substantial, it should always be compared with the direct cost of incarceration, as well as secondary costs as a result of a crime. A limited follow-up study found that, after 30 days, 81% of those placed in employment were still employed, after 60 days, 75% and after 90 days, 57%.

The Safer Foundation's Youth Empowerment Programme (YEP) showed equally positive results at the end of 1996:

- More than 60% of the 72 participants who completed the course achieved at least a 12.5% increase in the General Equivalency Diploma (GED).
- More than two-thirds (67%) of participants entered school, vocational training or employment, with 58% maintaining their placements after 180 days.
- Of participants who entered school, vocational training or employment, 99% had not been convicted of a new crime after 180 days

The Safer Foundation services again illustrate the importance of linking different agents, ensuring continuity and support, and providing former offenders with a real alternative. Providing someone with skills is not sufficient and therefore great emphasis is placed on job placement and supporting the client in keeping such employment for up to a year. The Safer Foundation's method of training in the basic skills programme is also noteworthy as it has a dual effect in the education process: skills are transferred, and former offenders are given the opportunity to share their skills and abilities with others.

It is clear that the Safer Foundation's staff are well-trained and have the ability to apply an empowerment methodology with their clients. Through experience, the Safer Foundation has also developed its own performance indicators in order to ensure adherence to a satisfactory standard.

As alluded to earlier, follow-through and post-release services are crucial in any offender reintegration programme. The lifeguard system used by the Safer Foundation (for up to one year after release) appears to be an effective strategy. Every client knows who his or her lifeguard is and that this person is always available should there be an emergency. This approach has two important advantages. Firstly the client is not lost in a bureaucratic system as there is one person to liaise with; secondly, from a management point of view, a staff member is responsible for specific people and cannot pass responsibility to someone else.

Follow-through support services are often perceived to be an expensive and cumbersome 'addition' to the core service provided by a programme. The fact is that these support services can make or break a programme, no matter how good it is. It is also not an addition or add-on, but forms an integral component of the service and should be regarded as such. A programme cannot be regarded as holistic if it does not apportion equal importance to all its components. The boot camps programmes illustrated clearly that most of the achievements during the so-called core activity were quickly undone as a result of poor or limited follow-through support.

The empowerment methodology followed by the Safer Foundation through the use of clients (prisoners) as trainers in the basic skills development course is a significant strategy. Prisoners and former prisoners often have many positive skills that can be shared, provided that they have the opportunity to do so in a facilitative environment. It is a fallacious assumption that only trained professionals can provide skills training and facilitate courses. The empowerment and 'deprofessionalisation' approach is particularly attractive and has great potential in environments where resources are limited.

Delaware Department of Corrections' Life Skills Programme, United States

Many studies have concluded that there is a link between adult academic education and a reduction in recidivism. The question is, however, if there is also such a link between life skills training and a reduction in recidivism. The Delaware Department of Corrections' life skills programme shows encouraging results in this regard.³⁴ The programme is offered to approximately 300 prisoners every year of whom 85% graduate from the programme. In 1997, Delaware had a prison population of roughly 5 000, including 930 pre-trial prisoners. The life skills programme is a four-month programme run twice a year with up to 150 inmates in each of the cycles. The curriculum of the programme consists of three core components:

- Academic subjects: reading comprehension, mathematics and language expression.
- Violence reduction: Moral Reconciliation Therapy (MRT), anger management and conflict resolution training.
- Applied life skills: credit and banking, job search, motor vehicle regulations, legal responsibilities, family responsibilities, health issues, social services, educational services, cultural differences, government and law.

Moral Reconciliation Therapy (MRT) is seen as the core of the programme and can be described as:

"a non-traditional, cognitive-behavioural treatment for offenders, substance abusers and other individuals with resistant personalities. The course uses a step by step process of raising the moral reasoning level of students through 16 hierarchically graded moral and cognitive stages."³⁵

The course uses group and workbook exercises designed to achieve therapeutic goals through educational means in order to change the way individuals act by changing the way they think. A typical exercise will ask students to draw pictures of their biggest problem areas and pictures of what they think will lead them to happiness. Another exercise asks them to identify the five worst experiences of their lives and the five best experiences of

their lives, and to consider what made each of these good or bad. Each student is required to share his or her results with the rest of the class. As part of MRT, students are required to:

- establish goals and identify the necessary means to achieve them; and
- assess the quality of the relationships that they currently have with other people and formulate strategies on how to improve valued relationships.

MRT is used widely in the United States and 20 000 prisoners participate annually in the programme in 32 states. The Delaware Department of Corrections uses MRT as part of its life skills programme and utilises the academic and applied life skills components of the programme so that MRT goals are reinforced. Ethical and moral issues are raised when dealing with applied life skills such as banking and credit, or when dealing with a specific piece of literature in the academic component. According to one course facilitator, "the idea is to challenge their belief system repeatedly so they begin to think in terms of what is the right thing to do."³⁶

Life skills teachers integrate other important themes into the entire programme such as caring for others, being honest, taking responsibility, and planning for the future. It is especially planning for the future that appears to hold particular value for prisoners, as one prisoner explains:

"Usually you only think about when you're going to leave prison, but MRT forces you to think beyond the date of release. The most important part of the Life Skills course is writing out your goals - what is the first thing you will do when you get out, the second thing, and so on."³⁷

Teachers are allowed to determine the amount of time they spend on each of the three basic programme components, but it is estimated that 65% spend on violence reduction (principally MRT), 20% to 25% on applied life skills and 10% to 15% on academic subjects. Due to the availability of other academic courses, teachers are of the opinion that students can focus on this component during these courses and therefore prefer to focus on MRT-related topics.

Strong emphasis is placed on re-establishing or improving ties with families and programme facilitators spend a substantial amount of their own time and money to assist prisoners with this often challenging task. At three of the institutions (security arrangements at the fourth does not permit it), open days are arranged in each course cycle by the teachers so that some socialising can take place between families, teachers and students. Family members are also occasionally invited to participate in the programme and participate in small group discussions on issues such as how to receive a released family member and what problems can be expected. Family members and prisoners are then asked to present their solutions to the whole group. Family members are also invited to graduation ceremonies.

Outside speakers are invited to address topics related to the transition from prison to freedom. Representatives from the Department of Labour explain how former offenders can find decent employment, entrepreneurs provide information on how to start own businesses, staff from the Department of Motor Vehicle Registration give advice on how to register a vehicle or how to get a suspended licence returned, and the Head of the Polytechnical School gives information on free vocational courses after release from prison.

According to the programme administrator, the power of the programme lies in its capacity to hire and train correctional educators who are motivated to help incarcerated students. He outlines the following personality characteristics as requirements for programme facilitators:

- creativity — being able to link MRT components with other aspects of the programme;
- flexibility — switching back and forth between different programme components;
- stamina — teaching two three-hour classes a day with often outspoken and unhappy students;
- a willingness to extend themselves beyond the technical requirements of the job — contacting relatives in the evenings or over weekends;
- an ability to handle the intense emotions elicited by MRT among students;
- the modelling of behaviour they try to instil in their students — openness, honesty and not always acting in expectation of a material reward;
- the ability to challenge students constantly to live up to their own stated priorities and goals.³⁸

The Delaware programme combines a variety of skills education and training and relies on quality staff to engage with the students. The programme is admittedly weak in the after release phase, although it is not completely ignored. The following summarises some of the most significant characteristics of the students in the programme:

- Of the 826 students who enrolled in the programme between June 1994 and November 1996, 85% graduated. The 15% who dropped out (64 out of 127) were mainly the result of transfers to other institutions.
- Programme participants consisted of 68% African-American, 5% Hispanic, and 26% white non-Hispanic.
- Age categories consisted of 49% between the ages of 20 and 29 years, and 35% between the ages of 29 and 35 years.
- Sentence composition consisted of 38% for violent crimes and 39% for non-violent drug offences.

An independent evaluator assessed the reduction in recidivism as a result of the programme and made the following conclusions:

- It was estimated that a 7% reduction in recidivism is the minimum requirement to make the programme cost-effective, in other words, for the state to recoup the costs of the programme.
- For the first programme cycle at all four prisons, the recidivism rate was 19% compared to the 27% of control group members.
- At one of the prisons, the rate was higher for the students than for the control group and it was found that students at this prison remained incarcerated for longer after the course than at the other three prisons, indicating that the programme may be less effective when too much time lapses between graduation and release.

- When analysing two groups of males (40) and females (20) over a two-year period, it was found that only three females and nine males reoffended, compared with 51% of the female control group and 50% of the male control group.³⁹

Finn makes the following recommendations regarding the implementation of the life skills programme:

- involve local stakeholders and other top prison officials when planning the programme;
- hire highly qualified and experienced teachers; and
- house students in a separate section in the prison or work with security staff to arrange for their timely transport to and from class.⁴⁰

Similar to the Safer Foundation, the Delaware programme places a lot of emphasis on the quality and commitment of its staff. The requirements for staff, as set out above, show that truly motivated and committed staff members are required to achieve sustainable results. Prisoners and former prisoners can be extremely challenging clients and unmotivated or poorly trained staff can do more harm than good.

The value of a supportive prison management cannot be underestimated when running programmes inside or connected to prisons. Allowing students or course participants to be kept separate from non-students enhances the impact of the programme substantially. It provides the space for inmates to practise the skills they are acquiring on a daily basis and to interact with one another in a way that echoes these skills. It also increases the potential for the development of peer support networks that are not threatened by the ordinary rigours and politics of the prison inmate population.

An holistic and comprehensive offender reintegration programme has to involve prison management in a partnership so that management also buys into the programme and is able to contribute in a manner that will support the principles, policies and practices of the programme. For example, a basic change such as separating programme participants prior to release from other prisoners will greatly enhance the impact of the programme.

A further lesson from the Delaware programme is the timing of the programme. The evaluation results show that this is a significant variable determining the impact of the programme. The time lapse between skills and knowledge acquisition and their application has to be of such a length that momentum and enthusiasm are maintained. It has been observed in some South African prisons that the time lapse between programme completion and release is so long that prisoners become frustrated and have indeed become negative towards the programme and its administration. Other programmes have also been reported where prisoners receive entrepreneurial training 12 months and more before release with counterproductive results. The prisoners became motivated through the programme to apply their skills, but because it is impossible to apply these in the prison environment, it led to disappointment and frustration.

It is also important to note that facilitators of the Delaware programme are cautious about information overload and prefer to spend approximately 80% of the time on applied life skills (MRT) and 20% on academic topics. This again emphasises that programmes should be relevant and needs-based.

Chapter 4 IMPRISONMENT IN SOUTH AFRICA

In order to assess offender reintegration realistically, it is necessary to consider briefly what happens in prisons, who are incarcerated there and the reasons for their incarceration. Many of the problems experienced by prisoners and former prisoners can be related to structural issues such as overcrowding and sentencing policies.

Large-scale imprisonment is a fairly recent phenomenon and prisons only became a structured form of punishment in the late 18th century. According to Foucault, the establishment of this system of punishment was completed in 1840 with the opening of Mettray Prison:

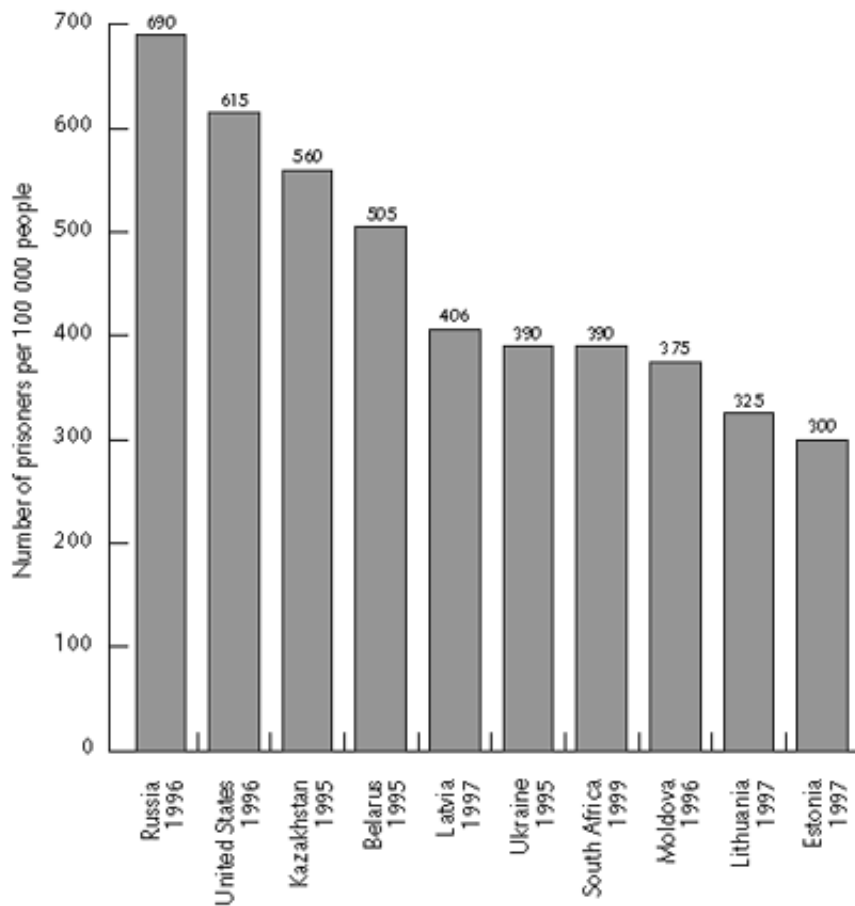
"[I]t is the disciplinary form at its most extreme, the model in which are concentrated all the coercive technologies of behaviour. In it were to be found 'cloister, prison, school, regiment'."⁴¹

These characteristics are still visible in most contemporary prisons. The key in understanding imprisonment and thus offender reintegration, is understanding discipline and the consequent loss of power.

Overcrowding

Crime and punishment have always been part of human society, but in the past 200 years may have taken on a political dimension not known before. Politicians and the private sector have become keenly interested in these phenomena with millions of people world-wide sitting out time in prisons, often under the most deplorable conditions. There are few issues as popular with prospective politicians as the pre-election proclamation to the public that they are going to be 'tough on crime' — tougher sentences, more secure prisons, indefinite incarceration and the lowering of age limits are often utilised to lure the electorate. Across the world, people are being imprisoned at unprecedented rates (figure 1). In the United States, there are currently 1.5 million prisoners, or 615 prisoners per 100 000 of the population. In some of the states, this figure is as high as 1 000 per 100 000 of the population. In South Africa, the imprisonment rate was 368 per 100 000 of the population in 1992 and by 1999, rose to 390 prisoners per 100 000 of the population.

Figure 1: Imprisonment rates - top ten countries world-wide



The world-wide trend in imprisonment is reflected in South African statistics. In July 2000, the prison population reached a total of 169 486. However, more than 34% of the prison population is awaiting trial, placing enormous strains on resources. In July 1996, the average detention cycle for an awaiting trial prisoner was 76 days. By July 2000, this figure had increased to 138 days. For regional court cases, the average period is 221 days or seven and a half months. The current estimated cost of imprisonment is R86 per day per prisoner or R31 390 per year. It is therefore not surprising that the Department of Correctional Services' budget grew rapidly from R751 million in 1989/90 to R3.51 billion in 1997/8, and R5.78 billion in 2000/1.⁴² Despite these massive increases, the ratio of staff to prisoners did not improve and was reported in 1997/8 as being 1:4.54, an increase from the previous year's 1:3.47.⁴³ Under these conditions, it becomes nearly impossible to render quality services to prisoners in general.

The sentence distribution of prison admissions indicates that large numbers of prisoners are sentenced to serve short sentences of less than six months (table 1). This figure has changed significantly over the last few years from 78.54% of admissions in 1984/5 to 55% in 1997. The table clearly shows that the length of prison sentences is increasing, with sentences of longer than two years especially showing the most dramatic change: from 9.78% in 1984/5 to 30.78% in 1999. The effectiveness of a sentence of less than six months under the current prison conditions is dubious, and it is often contended that such sentences serve as a practical training ground for gangsterism and criminality.

Table 1: Length of sentences served by prisoners (percentage admissions)

Sentence	1984/5	1986/7	1988/9	1990/1	1993	1994	1995	1996	1997	1998	1999
>2 years	9.78	13.8	13.65	18.13	20.86	26.34	27.29	26.5	25.7	27.1	30.78
<6 months – 2 years	10.5	15.61	13.86	17.84	15.29	17.13	17.66	18.2	18.6	18.58	19.33
>6 months	78.54	69.62	71.19	63.17	62.99	56.34	54.11	54.8	55.1	53.76	49.31
Other categories	1.18	0.97	1.3	0.86	0.86	0.19	0.94	0.5	0.6	0.56	0.58
Total	100	100	100	100	100	100	100	100	100	100	100

Source: Department of Correctional Services, Annual Reports, Pretoria.

South Africa is experiencing a rapidly increasing prison population for two reasons. Firstly, the number of awaiting trial prisoners is continuously increasing with no real prospect for a substantial decrease due to the apparent inability of the criminal justice system to finalise cases speedily. Secondly, the duration of sentences is also increasing, with more people having to stay in prison for longer periods. Overcrowding and staff shortages have a severely detrimental effect on prisoners and limit the prospects of rendering services that will assist prisoners upon their release. Apart from staff shortages and overcrowding, the physical structures of prisons are also rapidly deteriorating. South African prisons were not built for the numbers of people currently accommodated, or for projected numbers in the near future. The result is that the basic infrastructure in prisons, such as water supply, sewage and kitchens, cannot cope with the demand.

The age, gender and sentence profile of the sentenced prison population presented in table 2 shows that 98.6% are male and 1.4% are female. It is interesting to note that nearly 63% of the sentenced population are over the age of 25 years. It is cause for concern that nearly 1 748 children (under the age of 18 years) were serving prison sentences in July 2000, with some of them of extremely long duration. Children continue to present a particular problem to the government despite numerous efforts by several roleplayers, and changes in policy and legislation to remove children from prisons.⁴⁴

Table 2: Age, gender and sentence profile of sentenced prison population, 5 November 1999

Sentence (years)	Gender	0-17 years	18-21 years	22-25 years	25+ years	Subtotal	Total	%
0-6	M	170	1 202	1 002	2 827	5 201	5 646	5.9
	F	9	73	93	270	445		
12-Jun	M	228	1 449	1 321	3 329	6 327	6 629	6.9
	F	5	40	53	204	302		
24-Dec	M	149	1 159	1 138	2 629	5 075	5 285	5.5
	F	5	29	49	127	210		
3-Feb	M	367	2 725	2 773	6 523	12 388	12 780	13.4
	F	1	44	52	295	392		
5-Mar	M	202	2 824	3 773	9 244	16 043	16 043	16.8
7-May	M	93	1 575	3 085	8 707	13 460	13 460	14.1
10-Jul	M	88	1 550	3 770	12 225	17 633	17 633	18.5
15-Oct	M	36	777	1 717	6 755	9 285	9 285	9.7
15-20	M	16	292	697	3 226	4 231	4 231	4.4
20+	M	6	274	795	3 416	4 491	4 491	4.7
Total		1 375	14 013	20 318	59 777	95 483	95 483	
Percentage		1.4	14.7	21.3	62.6			

Source: Department of Correctional Services Offender Information

Figures available for 1996/7 indicate that approximately 10 000 prisoners are released every month in South Africa.⁴⁵ Table 3 provides a summary of the data for the period June 1996 to May 1997.

Table 3: Number of releases per month per province, June 1996 – May 1997

Province	Releases	% of total	Average per month
Free State	5 379	4.45	448.25
Mpumalanga	5 438	4.5	453.17
KwaZulu-Natal	18 451	15.25	1 537.58
Eastern Cape	25 859	21.38	2 154.92
North-West	8 330	6.89	694.17
Northern Cape	5 594	4.62	466.17
Western Cape	22 105	18.28	1 842.08
Northern Province	8 666	7.16	722.21
Gauteng	21 134	17.47	1 761.17
Total	120 956	100	10 079.67

Source: Department of Correctional Services.

The entire purpose of sentencing and imprisonment (when used) should be the successful reintegration of the offender. Seen against the backdrop of releases per month, the scope and extent of such reintegration services required to have any real impact are enormous. A much more comprehensive strategy, starting with sentencing itself, is required to address reintegration. Providing more services at the end of the line, or developing programmes for exceptional cases will not be successful. This is not impossible to achieve, provided that the various functionaries in the criminal justice process share a common vision. It will require a dramatic redirection of resources to crucial stages in the criminal justice process so that informed decisions can be made. Appropriate sentencing, proper release preparation and effective post-release service will be the key strategies to be followed.

Apart from the statistics and numbers, qualitative aspects of imprisonment should also be considered. Imprisonment undoubtedly has an impact on

mental health and stability. A French team of researchers, led by Dr Henry Gonin, undertook a five-year study at Lyon prison to assess the health conditions of prisoners. The notion of health adopted by the team was that of the World Health Organisation. The following are some of the key findings of what can be described as 'carceral suffering':⁴⁶

- The meaninglessness of time is disorienting and 33% of prisoners were unable to concentrate.
- After one year of incarceration, 50% of prisoners could not control their memory adequately and 40% experienced sudden 'mind voids'.
- Some 75% experienced dizziness that was sometimes described as a 'menacing emptiness'.
- The feeling or experience of emptiness was linked to self-negation with prisoners trying to make themselves invisible in an effort to avoid being under constant observation.
- Bodily functions and senses atrophied. For example, eyesight deteriorated as a result of the confined space and it took double the effort to focus (there is also no reason to look around).
- Prisoners' sense of hearing was over-developed and they became hypersensitive to noise.
- Tactile senses tended to disappear in an apparent effort to deny the threatening environment in which prisoners found themselves.
- Many prisoners suffered from ulcers and fatigue.
- The suicide rate in prisons is six to seven times higher than outside

Every year, thousands of mainly young men are sent to prison, often for very short periods of time. Even a short prison term can have a dramatic effect on the emotional and personal well-being of any person. Apart from exposure to hardened criminals and prison gangs, a young man leaving prison after only six months has probably experienced some of the worst situations and conditions in his life so far. The fact that much of South Africa's prison population is serving sentences of less than six months and that, in all likelihood, no services will be provided to assist them upon their release, is concerning. This no doubt is partially to blame for the current recidivism rates.

A day in Pollsmoor prison

Providing 3 000 prisoners with three meals a day in a prison that was built for 1 500 inmates is no mean feat. In order to serve breakfast between 07:30 and 08:30, the staff have to start with breakfast preparation at 02:30. Preparation for lunch and dinner, which are served at the same time, also starts hours in advance. Prisoners are allowed to take their dinners with them to their cells to eat it at a later stage. Due to staff constraints and working hours, prisoners must be locked up in their cells by 15:30, where they remain until the next morning.

Imprisonment is an extremely expensive sentencing option and generally ineffective in terms of preventing further offending. It succeeds merely in removing certain individuals temporarily from mainstream society, but does not create a sustainable and lasting intervention against crime. Prison is a society in and of itself, operating with its own rules and mechanisms. The patterns of behaviour learned in prison are generally not in line with those that are acceptable in society. The power wielded by gangs in prisons and perpetuated outside prison is indicative of the pervasiveness of the gang culture in prisons and its effects on prisoners and former prisoners. Learning new rules and standards of behaviour and applying them in everyday decisionmaking are essential in offender reintegration. It also has to focus on unlearning, for example, that violence is an accepted solution for conflict, that responsibility can always be shifted to someone else, and that immediate gains always supersede long-term goals.

The structural condition of South African prisons (such as overcrowding, staff shortages and infrastructural collapse) severely undermines the potential positive outcome of a term of imprisonment. When people are living in conditions that are inhumane and are often treated as something other than human, it is unlikely that they will treat other people humanely. Treating and respecting prisoners as human beings, with all their rights and responsibilities, form the foundation of all offender reintegration initiatives. Without this, the chances for success are severely diminished.

Legislation

Section 2 of the South African Correctional Services Act (no 111 of 1998) states that:

- "The purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society by -
- (a) enforcing sentences of the courts in the manner prescribed in this Act;
 - (b) detaining all prisoners in safe custody whilst ensuring their human dignity
 - (c) promoting the social responsibility and human development of all prisoners and persons subject to community corrections."⁴⁷

Chapter 4 gives further guidelines on how section 2(c) should be implemented. It places the emphasis on the goal of encouraging prisoners to lead a socially responsible and crime free life. The Act also encourages the participation of prisoners in designing programmes for their sentences.

Section 38 stipulates that an assessment of every prisoner needs to be conducted in terms of:

- security classification;
- health needs;
- educational needs;
- social and psychological needs;
- religious needs;

- specific development needs;
- work allocation;
- allocation to a specific prison; and
- needs regarding reintegration into the community.

With regard to prisoners serving a sentence of 12 months or longer, the manner in which the sentence should be served must be planned based on this assessment and particular comments put forward by the sentencing court.

Section 41 of the Act further states in terms of services to prisoners that would facilitate their reintegration that:

1. The Department must provide or give access to as full a range of programmes and activities as is practicable to meet the educational and training needs of prisoners.
2. Sentenced prisoners who are illiterate or children may be compelled to take part in the educational programmes offered in terms of subsection 1.
3. The Department must provide social and psychological services in order to develop and support sentenced prisoners by promoting their social functioning and mental health.
4. The Department must provide as far as practicable other development and support programmes which meet the specific needs of sentenced prisoners.
5. Sentenced prisoners have the right to take part in the programmes and use the services offered in terms of subsection 1, 3 and 4.
6. Sentenced prisoners may be compelled to participate in programmes and to use services offered in terms of subsections 1, 3 and 4 where in the opinion of the Commissioner their participation is necessary, having regard to the nature of their previous criminal conduct and the risk they pose to the community.
7. Programmes must be responsive to special needs of women and they must ensure that women are not disadvantaged."

The above sections of the Correctional Services Act clearly place an enormous responsibility on the Department of Correctional Services. If the requirements of the Act are seen in the context of the available resources and capacity of the Department, it begs the question whether the Act is realistic. The Act is written in the liberal human rights-based tradition of the South African Constitution and despite the laudable aims of the Act, it is questionable whether the Department of Correctional Services can comply with these standards. The sheer number of prisoners and the increasing pressure on the Department as a result of the criminal justice system's inability to process cases speedily make it virtually impossible, however good its intentions, for the Department to render a service approximate to the standards laid down in the Act. The essential resources to facilitate reintegration, as shown in table 4, are in short supply in the Department. The table also presents the staff to sentenced prisoner ratio. It should further be noted that not all positions were filled. For example, only 39 of the 64 posts for psychologists were filled at the time of writing.

Table 4: Personnel involved in development programmes

Description	Number of posts	Ratio staff:prisoners (31 December 1997)
Educators	264	0.306944444
Social workers	337	0.25
Auxiliary social workers	182	0.427083333
Psychologists	64	1:1 578

Source: Department of Correctional Services, Annual Report, DCS, Pretoria, 1997.

The position of the Department of Correctional Services in the government's National Crime Prevention Strategy (NCPS) published in 1996, and specifically the lack of priority given to offender reintegration is rather perplexing. Prior to the partial enactment of the Correctional Services Act, the NCPS was formulated and adopted by the government departments concerned. This policy pays virtually no attention to offender reintegration. Rather, the emphasis is placed on the prison construction programme and how the Department of Correctional Services will deal with high-risk prisoners.⁴⁸ It would not have been far-fetched to include offender reintegration as a key strategy in the NCPS, since the target group is a captive audience and probably presents the highest risk group in terms of reoffending. British research indicates that at least 50% of all men and a third of all women released from prison will be reconvicted for another crime within two years.⁴⁹ Estimates for recidivism rates in South Africa are higher. At Johannesburg prison, 2 000 of the 3 000 prisoners were recidivists in 1997. Other sources estimate recidivism of released prisoners to be between 85% and 94%.⁵⁰

The impact of any offender reintegration initiative will be greatly enhanced by a legislative and executive framework that is facilitative and shares a common vision. In the South African situation, offender reintegration is undermined by two important factors: firstly, the limited status it enjoys in the NCPS, and secondly, the fact that current sentencing policy and practice dump large numbers of young men in prison for short periods where they idly sit out their sentences.

Chapter 5 PROGRAMMES AND INITIATIVES IN SOUTH AFRICA

For practical reasons, the focus of this section is on services rendered by non-governmental organisations (NGOs) and community-based organisations (CBOs). As indicated before, the purpose is not to provide an extensive audit of offender reintegration programmes and services in South Africa, but rather to look at certain key themes in offender reintegration, and specifically programme design. A limited number of programmes

were therefore chosen to highlight important features.

There are a number of offender reintegration services available in South Africa, but these are fairly isolated and mostly do not provide a comprehensive service that starts in prison and continues until after release. Very few, if any, analytical studies have been conducted to evaluate their impact and it is therefore difficult to make any assessment of the effectiveness of these services, apart from relying on anecdotal information. Nonetheless, there are a number of interesting and creative initiatives that warrant thorough evaluation in due course. The current public and political opinion on crime in South Africa is strongly turned against creative and constructive approaches towards offenders, and rather favours a 'lock them up and throw away the key' approach. Public opinion also holds that prison should be an extremely unpleasant experience and that prisoners should be made to suffer there. It is not surprising that existing offender reintegration programmes struggle to convince the public and decision makers of the merits of such services.

In South Africa, there is no real tradition of offender reintegration services that start in prison and continue after people are released. Within prisons, the emphasis has always been on security, and for this reason, prisons have been closed to other agents who may wish to render services there. The political role of prisons and the military tradition of the prison system under the previous regime prevented, in general, the development of any significant body of indigenous research or programme knowledge. To a large extent, offender reintegration programmes that are currently offered by CBOs and NGOs, as well as the recent policy formulations of the Department of Correctional Services, are travelling in uncharted waters. Programmes developed in other parts of the world can be used and applied here, but this should be done with circumspection. The socio-economic, political and cultural differences between South Africa and the United Kingdom or the United States, for example, are apparent. The nature of imprisonment and consequently its effects on individuals are different. It would be wiser to identify appropriate principles for programme design and development, and to translate these into practical programmes that are relevant and applicable to the South African context. The political, policy and legislative frameworks in other countries are also different. Such frameworks have a direct bearing on how offender reintegration is approached.

Services provided by the following organisations are discussed below:

- National Institute for Crime Prevention and the Reintegration of Offenders (NICRO)
- Common Prisoners Rehabilitation Agency (COMPRA)
- South African Prisoners' Organisation for Human Rights (SAPOHR)
- Prison Fellowship International (PFI)
- Gauteng Rehabilitation Trust (GRT)
- Khulisa
- Learn and Earn Trust

National Institute for Crime Prevention and the Reintegration of Offenders

The National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) is a non-governmental organisation established in 1910 as a prisoners' friend organisation. The organisation now renders services to both victims of crime and offenders, and has established an entrepreneurial development project. NICRO has offices in all nine provinces and a total staff component of 220 of whom approximately 40 focus exclusively on offender reintegration.

Working for Water Project

As part of its poverty eradication programme, the government through the Department of Social Development made funds available to NICRO to provide temporary employment for 500 former prisoners in the Department of Water Affairs and Forestry's Working for Water Project. In terms of this programme, Working for Water would employ these former prisoners for 60 days while NICRO would provide training, education and support services with the aim to move clients to become economically self-sustainable. The work required by the project entails the removal of alien vegetation by means of slashers and other manual equipment. It is by all standards physically demanding work.

The goal and objectives of the project were formulated as the following:⁵¹

"Goal

To facilitate the reintegration of ex-prisoners into society through the provision of contract employment that is supported by access to economic empowerment training and financial assistance.

Objectives

- To identify, screen and select ex-prisoners in accordance with the appropriate WFW selection criteria to be employed as contract workers with the Working for Water Programme to a total of 500 beneficiaries.
- To prepare selected clients (ex-prisoners) sufficiently to make maximum use of their temporary employment to improve their longer term economic prospects.
- To expose clients to the opportunities of self-employment.
- To place selected clients for a two month period with the WFW Programme of the Dept of Water Affairs and Forestry as contract workers on poverty relief.
- To develop and support individual career paths for each client placed.
- To render additional support services and training to clients and staff of the WWP that will facilitate the reintegration of ex-prisoners.
- To provide training and support to WWP staff to work with ex-prisoners.
- To monitor and follow-up on clients that have participated in the project.
- To develop a model for inter-sectoral co-operation between NICRO, the Dept. of Welfare and the WFW programme.

This particular initiative will be a partnership between NICRO and the Dept of Water Affairs and Forestry's Working for Water Programme. NICRO clients (ex-prisoners) will be screened and selected to be placed on the WWP programme for a sixty day period. Prior to their placement with WWP

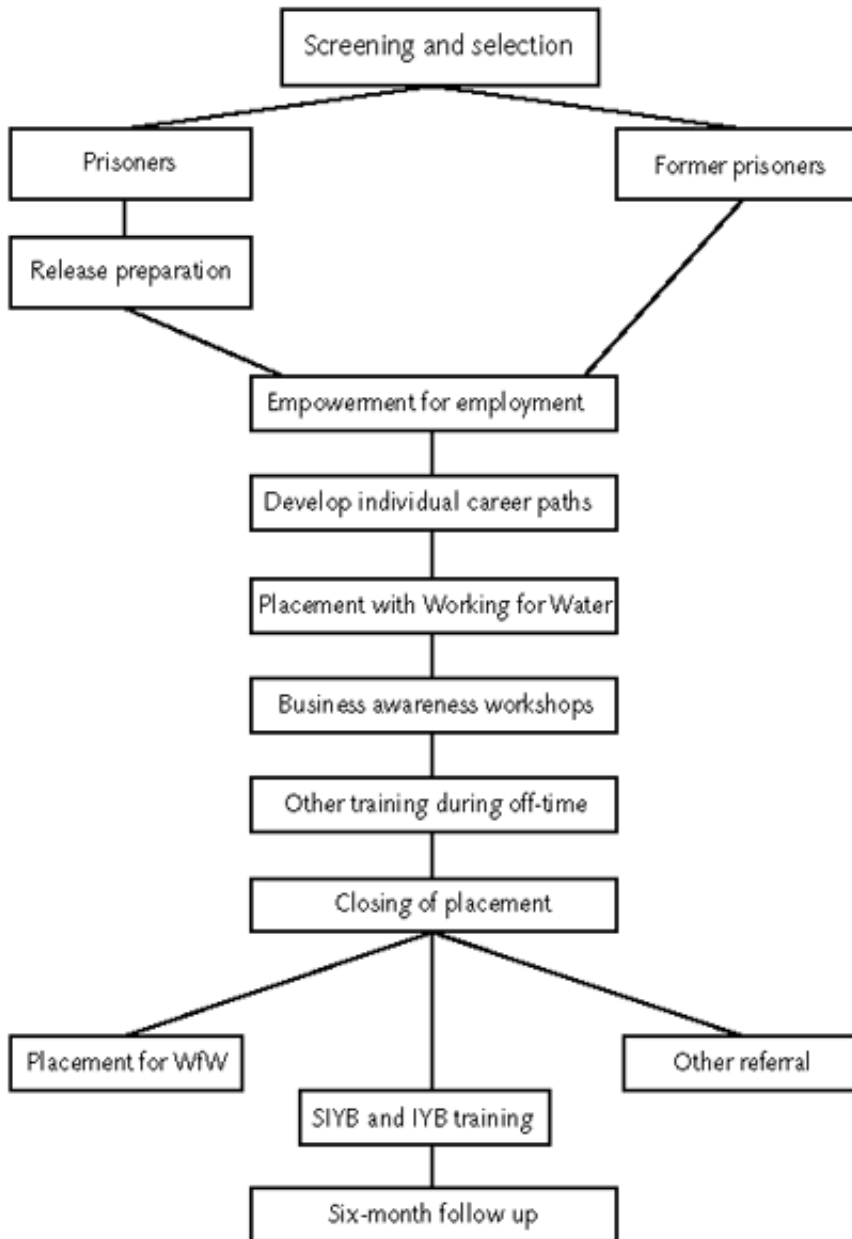
they will be prepared for employment and be exposed to other opportunities and resources in order to get maximum benefit from the contract employment with the WWP. The overall aim is that the clients use the contract employment to improve their economic situation on the long term. Following the contract employment, (suitable) clients will be referred to NICRO's Economic Opportunity Project where they receive business skills training, access to finance and continued business support."

Provincial quotas for the distribution of programme participants were developed based on the capacity of the Working for Water project to absorb additional employees. NICRO and the project developed selection criteria to assist in selecting appropriate clients:

- The client has to be unemployed.
- The client has to be willing to perform the work required by the project.
- The client must not pose an unnecessary risk to other project employees working in the field.
- The client has to live in close proximity to a worksite or pick-up point to avoid unnecessary expenses on transport.
- Youth between the ages of 18 and 35 years are particularly targeted.

Figure 2 sets out the route of a client through the programme. The programme was designed in such a way that maximum value is added during temporary employment, so that clients can use this as a stepping stone to move on to a more permanent position, on the assumption that further skills development would increase their chances of finding employment, or of developing their own business:

Figure 2: Clients' route through the Working for Water project



- Screening and selection: The programme aims to select participants who are about to be released as well as those who have already been released. For those about to be released, a basic release preparation programme is presented.

- Employment preparation: This phase entails preparing former offenders for employment through the Empowerment for Employment programme, as well as providing basic orientation in terms of what is expected of an employee with regard to rights and responsibilities.
- Developing individual career paths: Developing a course of action for the client is crucial to the programme as employment is only temporary. The purpose is to develop a plan in co-operation with the client in terms of what will happen after placement in the project. Attention is also given to the client's family, educational and emotional needs.
- Placement with the Working for Water project: The client is placed for 60 days with the project. Upon arrival, the client will undergo an induction process where the work is explained, as well as the rules and regulations guiding employment in the project.
- On/off-time training: Some project sites operate according to an on-time, off-time schedule (for example, two weeks working and one week off), which means that workers have time available to participate in training activities. In this regard, a whole range of possibilities have been identified.
- Business awareness workshops: Given the difficulties that former offenders experience in finding employment in the formal sector, the emphasis is placed on entrepreneurial development. The workshops serve as a mechanism that simulates the day-to-day events in a micro-business in order to identify those clients who have the skills or feeling for business, but also to deselect those for whom this is not a suitable option.
- Termination of placement: Once the client has completed employment with the project, three options are available. Firstly, the client may be employed on a project contract team; secondly, the client may be referred to another service agency, for example, for vocational training; and thirdly, if the client complies with the selection for further entrepreneurial training, he or she may enrol in the Start and Improve Your Business (SIYB) training course. Clients who have completed this training will have access to micro-financing through NICRO Enterprise Finance.

Although implementation of the programme was delayed for various reasons, it started in June 1999 in the Western Cape. A longitudinal evaluation of the programme is in process at six-monthly intervals over an 18-month period. This will assist in developing baseline data on offender reintegration programmes in South Africa.

Preliminary results of the programme are encouraging:

- A very low drop-out rate by placed clients has been reported. Only in a few instances did clients not complete their full 60-day employment cycle.
- Interviews with clients revealed that they were strongly motivated to work and were satisfied with the type of work they were doing, as well as with the work environment.
- A number of clients reported that the fact that they were employed, improved their self-image and social stature in their community of origin.
- All clients interviewed stated that a period of 60-days employment was too short and that a longer period would have been more helpful.
- Despite a few minor incidents that were handled through the project's disciplinary procedures, clients did not present any significant employer-employee relationship problems and, in some instances, were preferred to other potential employees.
- In KwaZulu-Natal, community structures participated actively in selecting the appropriate individuals to be employed and even though they selected wider than the prescribed criteria, their participation in itself was regarded as a positive development.
- To the knowledge of the programme managers, none of the placed clients were rearrested while participating in the project.
- A substantial number of clients were trained in entrepreneurial skills and also made use of other support services.

While the project has been promising during its initial implementation, the true test will be the quality and impact of the follow-through support services. From a programme design point of view, the project presents a number of interesting features:

- It is a tripartite collaborative venture between two government departments and an NGO as the three primary national roleplayers. Strong institutional support was therefore given to the project.
- On a provincial level, the Department of Correctional Services, as well as other roleplayers (NGOs, CBOs, traditional leaders) have become involved.
- The service design is of such a nature that it has a number of fixed features, as outlined in the above diagram, but substantial discretion is left to the client to decide how he or she wants to proceed.
- The fact that the client has guaranteed temporary employment is also a unique feature of the programme, with the result that clients can experience the immediate personal satisfaction and economic benefits of employment.

A significant shortcoming of the project was that, due to the timeframes that applied, it was impossible to become involved with potential clients prior to their release from prison in order to implement a more comprehensive programme that would specifically focus on developing support structures.

Economic Opportunities Project and NICRO Enterprise Finance

Realising that it is extremely difficult for former offenders to find employment in the formal sector, NICRO decided in 1996 to move away from a job placement service for released prisoners to an entrepreneurial development service through its Economic Opportunities Project (EOP). Initially working with the Start-Up Fund training package and access to finance, it changed to the Start and Improve Your Business (SIYB) course of the International Labour Organisation (ILO) in 1997. Problems were still experienced with access to finance. Former offenders find it difficult to access financing through the formal banking sector for two reasons: firstly, the banks consider them too high a risk, and secondly, the amounts of finance they require are too small for the banking sector to show any real interest in this field.

In view of this, NICRO formed its own micro-financing company, NICRO Enterprise Finance (NEF), a registered Section 21 company, in 1998, to cater for clients of the organisation. Clients become eligible for a loan after they have completed the ILO SIYB course presented by NICRO staff, and

after submitting a business plan to the NEF for approval. Loans normally start at R750, but can increase to R6 000 depending on the performance and viability of the business.

While EOP staff provide non-financial support services, such as developing the business plan, assisting in the loan application and aftercare services, the NEF provides the financial support services by making finance available and providing advice on the financial administration of the business.

Although the EOP and NEF are not strictly offender reintegration services, such as those described elsewhere, they form an important link in moving former offenders to a position where they can sustain themselves and do not have to return to crime for survival. As a client of NICRO, former offenders also have access to the organisation's other services. These services are important components of the holistic approach subscribed to by the organisation.

In the first two years of operation, the NEF performed well and has met or exceeded its performance requirements. The loan repayments vary between 55% and 75%, indicating that clients are committed to their businesses and that these are performing sufficiently in order to service the loan. The actual contribution made by the EOP and NEF services to offender reintegration is as yet unknown, but if the financial indicators are used, it appears that former offenders are utilising these services and benefiting from them.

Education

It is well-documented that improved education decreases the chances of reoffending. With this in mind, NICRO established a bursary fund in the early 1990s for sentenced prisoners who wish to improve their skills in fields that would increase their potential of finding employment upon release. Preference is given to those prisoners who will be released in the near future (two to three years), as well as those who are applying for courses that would provide them with skills which would give them better access to employment. Prisoners are requested, if possible, to make some contribution to their own study expenses, while NICRO supports the balance.

Bursaries are awarded once a year after applications are received by the end of November. After confirming details with the Department of Correctional Services, NICRO staff interview all applicants at the various prisons to verify that the information is correct and that the prisoner is, in fact, applying his or her skills in the right direction. Where appropriate, attention is also given to other issues that the prisoner may wish to address such as family matters.

Every year, NICRO receives 500 bursary applications on average and bursaries to the value of R90 000 were awarded for the 1999 academic year. In 1998, Home Study College (a distance education institution) and NICRO formed a partnership to assist prisoners who want to study further. In terms of this agreement, NICRO pays the registration fees of successful applicants, and Home Study College makes the course material available as a bursary. Since Home Study College and NICRO joined forces for the education of prisoners, 60 prisoners have enrolled as students of the college and have already successfully completed their courses.

NICRO Creative Arts Awards

The NICRO Creative Arts Awards were established in 1997 to provide prisoners with the opportunity to express themselves artistically. Although art and creative writing in themselves cannot be regarded as offender reintegration programmes, these activities provide prisoners with the opportunity to express themselves and apply their talents. The therapeutic merits of the arts are well-known and documented. The competition includes ten different categories: painting, pottery, recycled material, matchstick construction, sculpture, woodwork, leatherwork, needlework and sewing, poetry and prose. The Koestler Arts Awards, similar to the NICRO competition, have been running in the United Kingdom since 1960 with great success.

In 1999, the NICRO Creative Arts Awards attracted 291 entries from 36 prisons countrywide. Three prizes plus two merit awards are rewarded in each of the categories and, when possible, the Department of Correctional Services allows the prizewinning prisoners to attend the award ceremony and receive their prizes in person. For many prisoners, this is a deeply moving experience.

Diversion programmes

Diversion programmes are not offender reintegration programmes like those described earlier where the focus is placed on assisting prisoners and released prisoners. Diversion programmes essentially try to prevent people who have offended from being imprisoned by providing alternatives to prosecution and convictions. A brief review of diversion programmes is therefore justified in this context as it shares some of the principles and methods used in prison-associated offender reintegration programmes.

Diversion from the criminal justice system has a dual function in that it, firstly, prevents further exposure to the rigours of the criminal justice process, and secondly, attempts to prevent further offending by providing a variety of options. Diversion programmes are primarily used for juvenile offenders, although adults occasionally also benefit from this service.

The first formal diversion programmes were established in the early 1990s by NICRO and Lawyers for Human Rights in Pietermaritzburg and shortly thereafter by NICRO, the then Office of the Attorney-General and the Department of Welfare in Cape Town. In both instances, roleplayers were concerned about the number of children being convicted often for petty offences and receiving a meaningless sanction from the court such as a suspended or postponed sentence. This type of sentence has little educational or preventive impact on an individual who does not fully comprehend the functioning of the criminal justice system.

Since these interventions, NICRO has developed five structured diversion programmes, which are available to the courts:

- **Youth Empowerment Scheme (YES):** This is a six-part life skills programme running over six weeks for one afternoon per week. The programme normally involves 15 to 25 participants. Parents or guardians participate in the first and last sessions. A variety of issues are addressed such as conflict resolution, crime and the law, parent-child relationships and responsible decisionmaking. The programme can be used as a pretrial diversion, or as part of a postponed or deferred sentence.
- **Pretrial community service:** In lieu of prosecution, the offender has to perform a number of hours of community service at a non-profit organisation. The number of hours are determined by NICRO in consultation with the public prosecutor. NICRO also monitors the performance of the client and reports to the prosecutor. On average, these clients have to perform between 20 and 60 hours of community service.
- **Victim offender mediation:** This programme creates the opportunity for the victim and the offender to meet and work out a mutually acceptable agreement with the assistance of a mediator (from NICRO) with the aim of restoring the balance. Once an agreement is reached, this is reported to the prosecutor and the contract is then monitored by NICRO.

- Family group conferences: These conferences are similar to mediation in certain instances, except that they involve the families of both the victim and the offender in the mediation process. The aim is to come to an agreement with the assistance of a mediator or facilitator. Preventing recidivism is an important component of family group conferences and they have to establish plans that will prevent further offending. The involvement of 'significant others' is central to the process.
- The Journey: The Journey programme is aimed at high-risk children and juveniles. The programme can last between three and 12 months depending on the needs of the client group. The programme is usually structured around a group of 10 to 15 participants. The participants are normally school dropouts with one or more previous convictions. The programme involves life skills training, adventure education and vocational skills training.

In 1999/2000, more than 10 000 young people benefited from the diversion programmes. The question is often asked whether diversion is effective, and whether it has a longer term impact apart from the immediate benefits to the parties concerned. A follow-up survey in 1998 of 468 NICRO juvenile diversion clients countrywide found that only 6.7% reoffended in the first 12 months after attending a diversion programme.⁵² The average time lapse from attending the programme to reoffending was 7.2 months. The research was also able to create a fairly detailed profile of diversion programme participants: the typical client is male, aged between 15 and 17 years, a first offender charged with a property offence, who resides with his parents and is in his second or third year of secondary schooling. The majority of clients (83.4%) were originally referred for property offences such as shoplifting, theft, or malicious damage to property. The compliance rate with the conditions of the diversion programme, including attendance and completion, is also very high, varying between 74% and 90%.

The study also collected feedback on programme content and found that nearly all participants interviewed had a favourable opinion of the programme they attended and regarded it as a memorable experience. Experiential and adventure education techniques appear to have made a lasting impression on programme participants. The majority of participants indicated that they experienced a positive personal change after attending the diversion programme, with the emphasis on more responsible decisionmaking.

Common Prisoners Rehabilitation Agency

The Common Prisoners Rehabilitation Agency (COMPRA) was founded in 1994 by five former prisoners.⁵³ Currently, it provides services at the following prisons in Gauteng: Pretoria Central, Pretoria Local, Verhoogte, Boksburg and Leeuwkop. The organisation has 4 000 registered members, all of whom are released prisoners. It focuses its services on pre-release programmes with a lesser focus on post-release interventions. The organisation receives no government support and is dependent on income generated through the work of its members.

The organisation is primarily involved with prisoners who are to be released in approximately 12 months, mainly through the presentation of motivational workshops. The workshops encourage prisoners to make use of opportunities in prisons such as other programmes. Other issues that are addressed include reasons for imprisonment, the improvement of education, the mental approach to imprisonment and gangsterism. The workshops are facilitated by former prisoners who facilitate communication with the participants on the basis of personal knowledge and experience of the effects of imprisonment.

The workshops normally involve 10 to 20 prisoners, although those conducted in Mpumalanga can have as many as 600 to 1 000 prisoners participating. Each workshop includes new participants. Workshops can last from one to several hours. Usually, facilitators share their experiences as prisoners and provide details of their work with COMPRA, after which they engage the prisoners in discussions.

Once prisoners are released, the organisation assists them in finding employment. In addition, a counselling service is also provided. COMPRA also renders a support service to juveniles on parole and encourages them to continue with their educational pursuits.

COMPRA has a great advantage over some other organisations in the offender reintegration field in that it has strong support from former prisoners. From a programme design perspective, this is a real asset as it brings to the programme a wealth of knowledge and experience in terms of what prisoners will face upon release, and the effects of imprisonment. Many offender reintegration programmes are designed by people who have not spent a single day behind bars. It must be accepted that this will have an impact on the type of programme that is developed. This does not imply that such programmes will necessarily be weaker or inadequate, but merely that they will lack the intimate knowledge and experience that only people who have experienced imprisonment can bring.

The COMPRA programme in Mpumalanga shows a familiar error in offender reintegration programmes and social development programmes, in general, namely that quantity is regarded as more important than quality. It is difficult to see how a 'workshop' with 600 to 1 000 participants can have any real impact, or at least more impact than a speech presented to a large group of people. The COMPRA programme suffers further from another common problem: there is no apparent structured continuity between different sessions. Every workshop includes new participants which makes it difficult to monitor progress and build upon what has already been achieved. For a programme to have maximum impact, it is essential that participants can embark on a personal growth process and that there are continuous cross-references to issues that have already been dealt with. For the participants, it is important to know where they are in the programme and not to be taken back to issues they feel have already been dealt with because there are new participants in the group. Working with one fixed group and dealing with issues as a group have the further benefit of holding the group accountable for behaviour, decisions and commitments that have already been agreed upon.

South African Prisoners' Organisation for Human Rights

Founded in 1988, the South African Prisoners' Organisation for Human Rights (SAPOHR) is primarily a human rights organisation and monitors human rights violations in prisons.⁵⁴ The organisation serves all prisons in the Gauteng area. There is no official agreement of recognition between SAPOHR and the Department of Correctional Services, and SAPOHR does not have access to the prisons like some of the other NGOs working in the offender reintegration field.

SAPOHR has approximately 40 000 members nationally and consists of offenders and former offenders. The organisation provides paralegal services, undertakes case studies and provides its members with a newsletter. Prisoners elect representatives from their ranks to liaise with the SAPOHR office.

In addition to monitoring human rights violations and paralegal services, SAPOHR assists families of prisoners by tracing prisoners after they have been transferred. In 1998 the organisation formed the Parent Support Committee and it currently has about 50 active members. Many families of prisoners alleged that they were badly treated by Correctional Services officials when visiting prisons. Out of fear of being victimised, these complaints are not taken up by the families and the Parent Support Group provides a forum to address these issues.

The political and public opinion around prisoners is unfortunately of such a nature that strong lobbying and advocacy are required to stem the increasingly unsympathetic attitude towards prisoners. Striking a balance between prisoners' rights and the rights of victims is a delicate matter that requires the utmost sensitivity for the people and the issues involved. Restorative justice or balanced justice, as it is sometimes referred to, has attempted to bring the rights (and responsibilities) of offenders and victims closer in order to create a more symbiotic relationship between the two through, for example, victim-offender mediation. Although such programmes have been implemented in South Africa, these have never taken off as a

widely used option in the criminal justice system, nor as a reintegrative or therapeutic technique. Even with juvenile offenders mediation has been used on a limited scale.

The establishment of a Judicial Inspectorate for Prisons in terms of the 1998 Correctional Services Act indicates, at least, the government's acknowledgement that prisons present a human rights dilemma of such a nature and magnitude that the establishment of a permanent judicial inquiry is warranted. The first report by the inspecting judge was due for release during the 2000 parliamentary sitting.

Apart from SAPOHR, there are no other NGOs in South Africa that focus exclusively on the human rights of prisoners. A human rights-based approach in offender reintegration is essential and is the first step in successful reintegration. It is crucial that prisoners and former prisoners acknowledge their rights and responsibilities, but society should also acknowledge these. Society has to acknowledge that a prisoner has served his or her term and has a right not to be further punished for the crime that was committed through social and economic exclusion. It is after all society that has a vested interest in seeing that a former prisoner does not commit crime again, but is rather enabled to make a constructive contribution to society.

Prison Fellowship International

Prison Fellowship International (PFI) is an international Christian NGO established in 1977 with consultative status on the United Nations socio-economic councils.⁵⁵ The PFI currently has representation in 83 countries across the world. The organisation provides local services primarily in Gauteng and the Eastern Cape with the aid of more than 200 volunteers. In addition to its focus on the reintegration and development of offenders, the PFI also promotes the principles of restorative justice. Approximately 70% of the organisation's initiatives are directed towards those offenders who are already released from prison and 30% towards those who are still incarcerated.

PFI volunteers provide individual counselling services, group sessions and seminars to prisoners. Interventions take on an interactive approach and address both spiritual and physical needs. Other issues such as life skills and HIV/AIDS are also covered.

The PFI has established a care group system that consists of people impacted by the crime, for example, the prisoners, their families, and victims. The Sycamore Tree programme is one of the programmes in the care group system. This restorative justice programme aims to organise a meeting between the released prisoner and the victim so that the offender would be able to comprehend the full impact of the crime.

The PFI's Angel Tree programme aims to strengthen the links between the prisoner and his or her family and the community. To facilitate this process, private sponsors are invited to provide gifts that the prisoner could give (through the PFI) to his or her family.

Post-release services are aimed at economic self-sustainability and are provided through the PFI's Global Economic Outreach Trust (GEO). The GEO Trust links with local and international partners to provide loans to small businesses.

The PFI also provides employment to former prisoners through its own structures. The Gauteng regional founder of the PFI is a former prisoner. In conjunction with other roleplayers, the PFI is apparently conducting investigations to set up a halfway house for former prisoners.

In 1997, the PFI established the Prison Care Programme which arranges foster care for children born in prison. These children stay with their mothers for the first 18 months, after which they are placed with relatives or other appropriate people in foster care. The programme places great emphasis on maintaining contact between mother and child.

Gauteng Rehabilitation Trust

The Gauteng Rehabilitation Trust (GRT) is a religious NGO that provides a counselling service to prisoners at the Johannesburg prison, as well as to prisoners after their release.⁵⁶ Three counsellors from the GRT provide counselling to prisoners twice a week. Each counselling session lasts between 15 and 20 minutes and the organisation attempts to counsel a prisoner over a period of three to four months in order to provide some continuity.

In an attempt to apply limited resources effectively, the organisation prefers to work with prisoners who are about to be released (about 12 months before release), and prisoners must show a willingness to transform themselves. In addition to individual counselling services, group sessions in the form of Bible study are held. Workshops or group sessions are also held with juvenile prisoners awaiting trial and 100 to 120 juveniles usually participate in these sessions. Church services and communion are also provided to female prisoners on Saturdays.

The organisation provides a family contact service to those prisoners who have lost contact with their families. The families are contacted on behalf of the prisoner and encouraged to maintain contact with the prisoner. The GRT is currently in the process of developing a halfway programme in co-operation with local ministers that would assist prisoners after they have been released.

Churches and religious organisations have been active in prisons since the first prisons were established and much of the discipline that is now part of the prison regime had its origin in monastic orders.⁵⁷ Religion and religious services have therefore been part of the prison landscape for at least the last 200 years and these services are indeed well-developed in South African prisons. In most instances, prisons are served by the local denominational structures in the area of the prison. Undeniably, spiritual needs and services form part of the reintegration process, but it is essential that these are integrated with other social, economic and educational services.

The Department of Correctional Services affords great importance to religious services with a separate directorate responsible for these services. It is positive that both the Prison Fellowship International and GRT do not limit their services to the spiritual alone, but also address economic development and other non-spiritual needs to assist prisoners upon their release.

Khulisa Programme of Mass Media Marketing

The Khulisa Programme of Mass Media Marketing was established in 1997 and currently runs at Leeuwkop, Krugersdorp and Heidelberg prisons in the medium security A, B and C sections.⁵⁸ Prisoners who are serving terms longer than 12 months are targeted and the organisation prefers to start working with prisoners 18 months prior to their release. Approximately 50% of the organisation's work is with juveniles and 50% with adults.

Khulisa's programme, Usiko, combines storytelling with life skills development in an attempt to restore the self-respect of prisoners. Utilising traditional stories, the focus is placed on morals and values in order to develop life skills. Usiko is creative in using visual arts, drama, dance and music when working with prisoners. The programme covers the following topics: numeracy, communication, literacy and language learning, human and social science, life orientation, economic and management science, arts and culture, and natural science. The Khulisa course content consists of approximately 120 indigenous stories, some of which are narrated by the cultural historian, Credo Mutwa.

Khulisa's course, My Path, addresses self-conceptual issues, as well as goalsetting, stress management, communication skills and career planning. The third part of the course focuses on business skills and entrepreneurial development.

Khulisa's other programmes include the tuition model, which consists of self-discovery tools, such as meditation, journal-keeping, creative writing and art exercises. Participants work through workbooks and the course is discussed in groups on a weekly basis. In addition, Khulisa provides training to prisoners who want to become course facilitators.

There are two outstanding features of the Khulisa programme. Firstly, it uses cultural expression through storytelling as a means of moral re-education and self-development. The use of various expressive art forms further adds quality to the programme and makes it more accessible to an audience who generally have low educational and literacy levels. Secondly, the programme has a clear structure that starts with self-conceptual issues, followed by personal life skills development, and lastly the development of marketable skills. It is furthermore significant that the opportunity exists for prisoners to become course facilitators.

Learn and Earn Trust

The Learn and Earn Trust (LET) works at the Leeuwkop, Modderbee, Pretoria Central, Boksburg and Leeuhof prisons.⁵⁹ The organisation has four staff members and at least one prison is visited per day. Due to the turnover of prisoners at the Johannesburg prison, the organisation is not active there.

The organisation provides a variety of services to prisoners, including a 12-month life skills programme. Issues affecting prisoners are addressed in the course, such as conflict and stress management, HIV/AIDS, small business skills, and arts and crafts skills. The programme emphasises practical skills that the prisoners can use daily in the prison environment in order to cope better with their situation.

At Leeuwkop prison, the groups consist of approximately 50 participants per session. A core group of prisoners attends the entire course of 12 months, but new participants are allowed to join in. When prisoners complete the programme, they receive certificates from LET. The organisation reports that most of the prisoners who participated in the programme previously, join the programme again in the following year. The group sessions are conducted in a participative manner with prisoners facilitating the sessions supported by LET staff. LET also trains prisoners to be facilitators so that they will be able to present these courses in the community once they are released.

At Boksburg prison, LET presents a pre-release course approximately two to three months before release. The programme addresses behaviour, attitudes, mindsets and communication. Plans are apparently under way to expand its services to include families of prisoners and other structures of civil society to facilitate the reintegration of offenders.

If the necessary resources are available, LET also provides food to families of prisoners who are destitute. Other initiatives involving families are aimed at encouraging them to maintain contact with the prisoner.

Although LET is a small organisation, there are a number of interesting and noteworthy characteristics of its services. There is at least an attempt to keep the same group of participants on the programme for 12 months. If successful, this will strengthen the impact of the programme. Secondly, prisoners are used as facilitators with LET staff to support them. This approach is similar to that used in the Delaware programme. Thirdly, a specific intervention takes place two to three months prior to release. This is a crucial time and can cause much anxiety among prisoners. From the available data, it is not clear to what extent LET renders post-release support services, which could be a shortcoming in its approach.

Chapter 6 CONCLUSION

Successful offender reintegration as a crime reduction strategy should be the overall purpose of the criminal justice system. If this is not accepted, the entire philosophy and theory underpinning what is understood to be criminal justice would have to be re-examined. The criminal justice system has been developed over centuries to achieve one goal — to reduce crime in society. If the criminal justice system has lost sight of this goal and has become a self-serving and repetitive institution, a deep moral dilemma presents itself to society. Can a justice system justly punish people if it has no transcendent purpose, but merely aims to punish people and impose sanctions that serve no other purpose but to cause suffering? In a liberal democracy, the answer would clearly be no.

A criminal justice system has to serve a broader purpose and should be both proactive and reactive. Such a system has to accept (partial) responsibility for assisting offenders to return to society as improved citizens and to facilitate their return. The approach to offender reintegration hinges upon the acceptance of this viewpoint. If the perception continues to hold that law enforcement has nothing to do with crime prevention, that the sentencing judge has no responsibility towards offender reintegration, or that the prison warden is only responsible for preventing escapes, society will indeed find itself in a difficult situation. Every aspect of the criminal justice system should be aimed towards successful reintegration and therefore making a contribution to crime reduction. Every former prisoner or other offender who does not reoffend represents success for the system. But if the majority of offenders passing through the system reoffend within a relatively short space of time, it also has to be acknowledged that the system is failing structurally and functionally.

In this monograph, offender reintegration was discussed in terms of a number of key themes and their impact on reintegration:

- human rights;
- prisons and imprisonment;
- legislation, government policy and theoretical approaches;
- punishment and sentencing; and
- programmes and services

A number of conclusions can be made with regard to some of these issues and how they should be approached in order to strengthen attempts at offender reintegration. Offender reintegration is not and cannot be the cure for all of South Africa's crime woes and it does not claim to do so. Critics will be quick to point out that effective law enforcement is necessary to curb recidivism. While this may be true, it is equally true that most offenders who are arrested, tried and convicted will eventually be released. There is as yet no effective strategy to deal with released prisoners that would successfully prevent them from committing further offences. Law enforcement is a reactive measure, whereas reintegration is sustainable, and rooted in the values and norms acceptable to the society of good citizens.

Human rights

In terms of the South African Constitution, prisoners enjoy a number of special rights such as protection from torture, or cruel and inhumane punishment. As citizens, South African prisoners are even allowed to exercise their right to vote. Imprisonment as such does not take away any other

rights than those absolutely necessary to imprison someone — freedom of movement and association. In terms of the approach to offender reintegration, this is important as it firmly establishes the position of the offender and prisoner in society: he or she is a member of society with human rights, but specific rights are temporarily curtailed. Offenders do not lose all their rights permanently, nor do such rights become privileges because they have been punished for committing a crime. Offenders and prisoners, in particular, remain part of society enjoying all their rights apart from those mentioned. They do not become second-class citizens who may be left to the mercies of public opinion and individual discretion.

Successful reintegration has to be based on the acknowledgement that prisoners and those who have offended are citizens with rights. Any attempt to deviate from this position will lead to the slippery slope of dehumanising certain categories or groups in society. The first consequence of the human rights-based approach to offender reintegration is the acknowledgement that people who have offended in the past are allowed to and indeed should be welcomed to take their place in society as part of the community of good citizens. In reality, former prisoners continue to suffer from social and economic exclusion as part of society's expression of the belief that once people have transgressed and been imprisoned, they can never be part of 'us' again.

The second consequence of the human rights-based approach is that rights imply responsibilities, and that those who have offended, as well as those who have not, have a responsibility to assist in crime reduction. The prisoner or former prisoner has a responsibility to make use of available opportunities and refrain from committing crime. Society has a responsibility not to discriminate against former offenders, but rather to treat them as any other citizen. A member of society who refuses to give employment to former prisoners cannot claim to be fulfilling his or her responsibilities as a member of the community of good citizens.

Thirdly, the human rights-based approach permeates every aspect of the criminal justice process and beyond. This means that those who have offended or are alleged to have offended, have to be treated in terms of their rights as enshrined in the Constitution. The criminal justice process lends itself to human rights abuses due to the intrinsically unequal power relationship between enforcer and recipient. It cannot be realistically expected of a person who has suffered abuse at the hands of law enforcement officials or prison warders over a period of months or years, to return to society as a balanced person who is able to take up his or her position and lead a constructive life.

Prisons and imprisonment

In terms of offender reintegration, prison is an utter failure and is in all likelihood the most inappropriate response to crime, especially on the scale and manner it is currently applied. Unfortunately, even though it is known that imprisonment is ineffective in reducing crime or reintegrating offenders, there is no clarity about what will work. Prisons have been relegated to the class of institutions people prefer not to think about or spend too much resources on. Since punishment has become a hidden event in society, it is preferably ignored and the less that is known about it, the better. This attitude, however, has a boomerang effect because those who have been in prison and have suffered there return to society where they again become society's burden as offenders.

Despite international conventions on the treatment of prisoners and South Africa's Constitution, prisoners continue to suffer cruel and inhumane treatment, and even death. The entire history and development of prisons point to one central theme, that in prison, the prisoner shall have no power and his or her life shall be regulated by a code of discipline to which he or she has to adhere. Failure to do so shall result in further punishment. How such an approach can contribute to prepare someone for life in a free society where people have to make their own decisions and take responsibility for themselves is not clear. Prison is, in short, a deeply disempowering process, exactly the opposite of what is required of people to function in society.

Apart from the theoretical criticism against imprisonment, prisons have become a practical and infrastructural nightmare. Overcrowding, violence, riots, gangs, rape, corruption, drugs and insufficient resources are characteristic of most prisons across the world and South Africa is no exception. Holding 40 people in a communal cell that was built for 20 people cannot be considered as acceptable, especially if the only toilet in the cell is not working. If prisoners are required to sleep in shifts because there is not sufficient floor space for everyone to lie down, there are indeed problems. Most prisons in South Africa are fairly old and apart from the few new prisons being built, many prisons now operate on crisis management principles. South African prisons as a whole were built to accommodate a total of approximately 90 000 prisoners. By December 1999, there were 156 000 prisoners, an overpopulation of 173%. The number of prisoners is such that it is nearly impossible to create an environment that will be conducive to preparations for life outside prison. The detrimental effects of the physical environment that prisoners have to endure year after year cannot be underestimated. The strain placed on resources is enormous and 'good citizens' cannot be expected to emerge from this environment. The Department of Correctional Services does not have the capacity to deal effectively with the number of prisoners entrusted to its care at this stage, and it does not appear as if the situation will improve in the foreseeable future.

If former prisoners are to be reintegrated successfully, the first priority would be to reduce the number of people in prison to manageable numbers that are in line with the resources at the disposal of the Department. In order to achieve this, the number of awaiting trial prisoners, who now constitute approximately 30% of the total prison population, has to be brought down to an acceptable level of less than 10%. Secondly, sentencing policies and practices should be reviewed urgently in order to limit the number of people serving sentences of less than six months. This will be discussed in more detail under the next heading below.

In terms of how prisons are managed, the Danish example described earlier provides important insights. The manner in which most prisons are operated in South Africa and the culture prevalent in these prisons can largely be described as counterproductive to the ultimate goal of offender reintegration and crime reduction. The entire approach to imprisonment requires an overhaul so that custodial sentences imposed by the courts will truly contribute to prepare offenders for constructive lives.

Punishment and sentencing

The reintegrative approach to punishment was put forward above as an alternative to the current approach which can be described broadly as retributive. It was also argued that the other approaches to punishment have failed in terms of curbing recidivism and contributing to offender reintegration. Empirical evidence shows that the courts have become fairly uncreative in sentencing and that imprisonment and prison-related sentences have become the standard type of sentence imposed on most offenders.⁶⁰ Despite the fact that non-custodial sentencing options are available and that magistrates do have wide discretionary powers to be creative in sentencing offenders, this does not happen.

A further important trend is the number of offenders who are sentenced to prison terms of less than six months. Given the situation in South African prisons, the usefulness of such sentences is questionable. A few months in prison are long enough to expose an individual to the rigours of imprisonment and specifically to the influence of prison gangs. Non-custodial sentences such as community service orders and correctional supervision could in fact be used for the majority of offenders. It was also noted from the data that prison terms are becoming longer with the result that more people will stay in prison for longer. If this trend continues, a situation may arise in the not too distant future where substantial proportions of subsections of the population are in prison.

To address these trends, there should be a much stronger emphasis on using non-custodial sentences and on compelling sentencing officers first to investigate and rather use these sentences than prison sentences. What is not in place now is a sentencing policy that will contribute to an overall

crime reduction strategy. Recent changes to sentencing policies (the introduction of minimum sentences) have been knee-jerk reactions by the government to satisfy public opinion. How these will contribute to make society safer through offender reintegration remains to be seen.

The notion that punishment and sentencing should be integral parts of the offender reintegration process and are in fact crucial to the process, appears to be absent from current sentencing policies and practice. With few exceptions, the emphasis is on imprisonment which does not contribute to offender reintegration, but achieves the opposite. The reckless use of imprisonment as a sentencing option has created a segment of the population who are caught in a repetitive cycle of crime and imprisonment from which it is extremely difficult to escape.

However, the reintegrative approach to punishment does provide potential solutions. The theory states, in short, that punishment should be perceived as just, with a clear connection between the crime and the punishment. Punishment should be inflicted with respect, it should restore the breach in the community, and should be an invitation back into the community. Underpinning this approach is the basic realisation that it is ultimately in the interest of the community for the offender to become part of it once more and to refrain from victimising or exploiting the community of good citizens.

If these principles of punishment are applied, imprisonment truly becomes a last resort with many other punishment options available prior to its use. Most sentencing options currently do not facilitate a process of holding the offender responsible as an individual for his or her actions. A burglar can serve 10 years in prison without being held accountable and responsible for what he or she did. In no instance is it required of the burglar to account for what he or she did and to apologise to the victim or the community for his or her actions. For the burglar, the victim is a dehumanised object just as the burglar has become dehumanised in society. The burglar will in all likelihood have no idea of the emotional and psychological damage he or she has caused. He or she will be unaware of the fact that the victim will probably never feel safe in his or her own home again, or what the impact has been on the individual well-being of the victim.

Diversion programmes such as victim offender mediation and family group conferencing have succeeded to a large extent in making offenders accountable and, at the same time, extending the invitation to become part of the community (again). However, these principles clearly do not operate in sentencing. There is no reason why they cannot be part of sentencing. Imposing a sentence that has absolutely no value for the victim is in fact ignoring the most important person in the crime.

Current sentences also make little connection between crime and punishment. Sentences are generalised and trade in commodities that are applicable to all people, namely time, freedom and money, and have thus developed to the level of the lowest common denominator. Punishment should seek out those characteristics that are individual and that are in the interests of the community and the victim. If punishment is to contribute to offender reintegration, then those imposing the punishment are forsaking their duties and avoiding responsibility if the punishment does not specifically consider the reintegration process and how the offender can become part of the community again. The over-used short prison term trivialises the offence and the offender, not to speak of the victim, and gives the message: You are a nuisance to society and we will remove you from it for a number of months. You are also not worthy of anything more that will assist you to become a better citizen.

There is, in short, no way to deny that the sentencing official has a responsibility and an obligation to formulate a punishment that will facilitate reintegration. To argue that this function resides in other structures is to argue that people exist in neat bureaucratic compartments, similar to the criminal justice system.

Programmes and services

Offender reintegration programmes are not enforceable. Experience has shown that programmes are most successful when participants choose to participate and where a degree of self-selection exists. Programmes that are imposed on people because 'they need it', lack legitimacy and support and are soon regarded in a negative light. A high impact, high intensity and personalised programme cannot afford to have participants who do not want to be there and who would ultimately become destructive.

Participant selection is not only about who is on the programme, but also about who does not participate. Participants should understand this within the context of reintegration. They are there because they are willing to change, willing to take responsibility and be accountable, and they are taking up the challenge to break the cycle of crime. Other criteria may come into play, but these are essential.

A number of international and local offender reintegration programmes were described above in an attempt to focus on their strengths and weaknesses to enhance the insight into essential characteristics of successful interventions. A framework for offender reintegration programmes, as developed by Fine, was described and this will be applied to draw some conclusions on existing programmes, as well as some general lessons learned. What is undoubtedly clear is that a successful and valuable offender reintegration programme is not a once-off singular intervention, but rather a continuous multileveled co-operative venture that has empowerment as the central methodology.

Programmes should be multilayered and created by people who invest their vision, morality and values in them. Most of the programmes reviewed above conformed to this standard, in some examples more than in others. It was especially those programmes that placed great emphasis on the quality of their staff, such as the Delaware programme, Ringe Prison and the Safer Foundation, that expressed this principle.

All the programmes had transformation as a goal, but this was again more pronounced in some. In some programmes, individual goals are formulated by the programme participants, whereas in others, issues related to transformation are dealt with but transformation, although expected, is not expressed as a central issue. It is particularly the South African programmes that do not explicitly explore transformation and how it could be to achieved.

Sustaining transformation, or what Fine calls 'taking participants on a journey' that breaks the repetitive cycle of crime and punishment, is a major challenge in offender reintegration. The lifeguard system used by the Safer Foundation is an innovative and apparently effective method in this regard. The follow-through from formulating goals to achieving them in reality is the essence of offender reintegration and many of the programmes are weak in this regard. The boot camps described earlier showed a severe lack in this regard as did some of the South African programmes.

Offender reintegration is probably 80% process and 20% information; it is about learning new process-based skills to deal with life's challenges. It follows then that successful programmes are firstly not once-off, as emphasised above, and secondly, that they require detailed planning to ensure that participants feel they are truly part of a transformational process. In order to achieve successful transformation, it is essential that the process is built on strengths and not on pathologies, and that the programme builds on its achievements. On a practical level, this means that there has to be continuity and the participants have to remain as an intact group, a problem identified with the COMPRA programme in Mpumalanga.

According to Fine, successful offender reintegration programmes should be multipurposed and address four key issues: developing abilities through skills programming, changing behaviour by addressing relationships, developing potential through creativity, and demonstrating achievements through actions. Of all the programmes reviewed, there is not one that covers all four issues sufficiently, with programmes placing the emphasis only on one or two issues. It is fair to say that there is a temptation in offender reintegration to emphasise the development of marketable skills through training, while at the same time neglecting relationships. A number of the programmes ignored relationships entirely, for example, the NICRO Working for Water project, Project RIO and Khulisa. Project RIO and the Working for Water project, on the other hand, place great emphasis on the development of hard skills. The Gauteng Rehabilitation Trust places the emphasis on relationships through its counselling service, apparently without any explicit focus on

skills development. Seeking a balance between these four issues should start in the programme design process and thus be an integral part of the programme.

Offender reintegration programmes need to be multifocused and cannot ignore the fact that people are complex and that programmes therefore have to deal with a variety of issues. This specifically relates to the creation of an opportunity for participants to deal with the past, present and future. The Delaware programme apparently deals with these questions effectively by engaging participants in discussions around their past, present and future, but more importantly, in formulating change strategies for the future. In most of the programmes, there appear to be too narrow a focus and some important issues are not dealt with sufficiently.

For a variety of reasons, the programmes reviewed focus on particular dimensions, as described by Fine.⁶¹ The mistake often made is to design programmes around resources and not around needs. Organisations involved in offender reintegration programmes also have their own traditions and objectives, for example, religious organisations will focus on the spiritual dimension and educational organisations on the intellectual. Whereas it is not necessarily wrong to have a particular focus, it is problematic to ignore important dimensions of human existence in offender reintegration.

It was clear from the American programmes, in general, and particularly Project RIO, that a multiresourced programme has much greater potential for success. The South African programmes mainly seem to be resourced by a single funder and, although other roleplayers are involved, it does not appear as if there is a collective commitment. The South African programmes are run by NGOs in prisons, or adjacent to the prison system. The Department of Correctional Services does not significantly support NGOs or CBOs financially to render services to prisoners or former prisoners, and they are therefore dependent on other sources of funding for their programmes.

Adopting the notion of an holistic approach has become popular in programme development, but in practical terms seems to be rather evasive. The degree to which a programme is or can be holistic will be determined by the extent to which it is able to address the needs of programme participants and the extent to which they are able to internalise and practice the skills and knowledge acquired through the programme. Holistic in this sense means the ability of participants to translate programme content into all aspects of life. The 'holism' of a programme is therefore not only determined by what is covered in the programme, but also by the methods and processes used to transfer knowledge and insight to the daily life of the former offender. It could be argued that if a programme is multipurposed, multifocused and multidimensional, the potential for being holistic is greater.

Many offender reintegration programmes suffer from passivity which seriously undermines the impact of the programme. It can be a challenging design problem to formulate a reintegration programme in prison as an active experience. However, Ringe Prison in Denmark is exactly that — an active experience that is aimed at preparing the prisoner for life outside prison. Mention was made earlier of the fact that separating programme participants from the rest of the prison population adds great value to the programme. This is part of making the programme an active experience so that prisoners can start practising what they are learning in an environment that is supportive and not undermining. In South African prisons, this remains one of the key issues in prison-based reintegration programmes.

Areas for further research and analysis

It was noted that, not only in South Africa, but across the world, there is a shortage of research on offender reintegration. Some past research has given offender reintegration a bad name, which has caused immeasurable damage to the field, although there were ultimately some positive consequences in terms of improving evaluation standards. In South Africa, substantive research is required on the following:

- former prisoners and recidivism rates;
- reintegration problems faced by former offenders
- reintegration programme design and development;
- quantitative information on prisoners and former prisoners;
- employer attitudes to and practices with regard to former prisoners;
- human rights and prisoners;
- the effects of current sentencing policies and practices on crime;
- the effects of imprisonment on the families of prisoners; and
- the needs of and resources available to families of prisoners.

The current lack of research has resulted in political decision makers who are poorly informed on requirements in this field in terms of reducing crime in the long term. A body of knowledge and expertise needs to be developed in order to raise offender reintegration to a level where it is acknowledged as a legitimate crime reduction strategy.

Offender reintegration will only achieve success if an integrated approach is followed where the state, civil society and the private sector pool resources and knowledge to restore the breach in the community. Some of the examples of programmes discussed above have shown how this approach can be successful not only in terms of curbing recidivism, but also financially. It is ultimately the community of good citizens who benefit from successful offender reintegration, as it is also the community of good citizens who pay the price when offenders reoffend.

NOTES

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